

ONE HUNDRED NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 162

Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine necessary reforms to Nebraska's criminal and prison systems in light of the Nebraska Supreme Court's decision in *State ex rel. Hilgers v. Evnen*, 318 Neb. 803 (2025), which upheld the constitutionality of accelerated and geriatric parole eligibility provisions enacted by Laws 2023, LB50. The study will focus on the implications of this ruling for parole eligibility, sentencing structure, overcrowding in correctional facilities, reentry planning, and equitable application of parole policies for all incarcerated individuals. The study shall include, but is not limited to, an examination of the following:

(1) The projected impact of the accelerated and geriatric parole eligibility provisions upheld by the Nebraska Supreme Court on the state's prison population, parole board capacity, and reentry services;

(2) The implementation status and timeline for applying the provisions of Laws 2023, LB50, to eligible incarcerated individuals and ensuring timely parole hearings;

(3) The existing barriers to parole for individuals serving long-term consecutive or mandatory sentences and recommendations to enhance fairness and transparency in eligibility determinations;

(4) The development of a uniform, service-based needs assessment process for individuals eligible for parole that includes, but is not limited to, mental health, educational, vocational, and trauma-informed evaluations;

(5) The coordination between the Department of Correctional Services, the Board of Parole, and reentry organizations to ensure a smooth transition for individuals released under the new eligibility framework; and

(6) How Laws 2023, LB50, aligns with or departs from best practices in other states that have implemented parole reforms aimed at reducing incarceration, improving rehabilitation, and preventing recidivism.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.