

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 638

Introduced by Thompson, 14; Dw. Pedersen, 39

Read first time January 19, 1999

Committee: Judiciary

A BILL

1 FOR AN ACT relating to substance abuse; to create a task force to
2 study, recommend, and adopt standardized treatment
3 services for the criminal justice system; and to declare
4 an emergency.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Governor shall appoint a substance abuse
2 treatment task force to study substance abuse treatment services in
3 the adult and juvenile criminal justice systems, recommend
4 improvements, and evaluate the implementation of improvements. The
5 task force shall include the chairperson of the Parole Board, the
6 executive director of the Nebraska Commission on Law Enforcement
7 and Criminal Justice, the administrator of the Nebraska
8 Correctional Treatment Center, the administrators of the Department
9 of Health and Human Services Protection and Safety Division, the
10 Director of the Division of Alcoholism, Drug Abuse, and Addiction
11 Services of the Department of Health and Human Services, the
12 probation administrator of the Office of Probation Administration,
13 the administrator of the Office of Community Justice, the Director
14 of Policy Research, the Parole Administrator, and two members of
15 the Legislature, or the designees of such persons. The Governor
16 shall also appoint ten additional persons from the private and
17 public sectors representing law enforcement, prosecution, courts,
18 public defenders, diversion, drug courts, county corrections,
19 consumers, and substance abuse treatment services to serve on the
20 task force. The appointments to the task force shall be made no
21 later than June 15, 1999. The Governor shall appoint the
22 chairperson of the task force from the membership.

23 Sec. 2. The substance abuse treatment task force shall
24 study substance abuse treatment on the state level to determine
25 future legislative and executive actions necessary to coordinate a
26 statewide strategy to address gaps in the organization and delivery
27 of substance abuse treatment to those within the adult and juvenile
28 criminal justice systems. As a result of the recognition of a

1 correlation between substance abuse and the criminal justice client
2 and the subsequent risk to public safety, the study shall:

3 (1) Identify any gaps in the criminal justice system that
4 apply to chemical dependency;

5 (2) Identify any need for formal initiatives or
6 agreements between the substance abuse system and the criminal
7 justice system;

8 (3) Eliminate fragmentation in services through the
9 development of a criminal justice continuum of care;

10 (4) Identify treatment modalities to target populations
11 for the most effective outcome;

12 (5) Identify criminogenic needs (predictors of
13 recidivism) interfaced with chemical dependency treatment;

14 (6) Develop a model for future development of substance
15 abuse services serving the criminal justice system and monitor and
16 evaluate the implementation of the model;

17 (7) Examine the extent of substance abuse within the
18 criminal justice system, including but not limited to the inmates
19 of the Department of Correctional Services, the inmates of county
20 corrections, the juveniles committed to the Office of Juvenile
21 Services, and persons under the supervision of the state probation
22 and parole systems;

23 (8) Examine funding allocations for substance abuse
24 treatment; and

25 (9) Examine the need for the creation of a management
26 information services system to track substance-using offenders.

27 Sec. 3. The substance abuse treatment task force may
28 gather information through public hearings and other appropriate

1 means to assure ample opportunity for outside input to be received
2 for consideration. The task force shall issue a report outlining
3 its findings and recommendations under section 2 of this act to the
4 Governor and the Legislature no later than December 1, 1999.

5 Sec. 4. The substance abuse treatment task force shall
6 develop standardized substance abuse evaluation and assessment
7 instruments by January 1, 2000. The task force may hire a
8 consultant for purposes of developing such instruments and shall
9 adopt a final version of the instruments. The task force shall
10 assess the implementation of the instruments and may adopt changes
11 to and updates of the instruments as the task force deems needed.

12 Sec. 5. The Nebraska Commission on Law Enforcement and
13 Criminal Justice shall provide administrative support to the task
14 force, including the production and distribution of reports and
15 other documents prepared by the task force. Members shall be
16 reimbursed for their actual and necessary expenses incurred while
17 serving as a member of the task force as provided in sections
18 81-1174 to 81-1177. It is the intent of the Legislature that money
19 appropriated by the Legislature for sections 1 to 6 of this act be
20 appropriated to the Nebraska Commission on Law Enforcement and
21 Criminal Justice.

22 Sec. 6. On and after July 1, 2000, all state and local
23 agencies which perform substance abuse evaluations and assessments
24 in the adult and juvenile criminal justice systems shall use the
25 substance abuse evaluation and assessment instruments which have
26 been adopted as the standardized instruments by the substance abuse
27 treatment task force under section 4 of this act. The instruments
28 most recently adopted by the task force shall be reproduced and

1 distributed by the Nebraska Commission of Law Enforcement and
2 Criminal Justice. The instruments shall be requested by the state
3 and local agencies and shall be furnished to them at cost.

4 Sec. 7. Since an emergency exists, this act takes effect
5 when passed and approved according to law.