

**ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022**  
**COMMITTEE STATEMENT**  
**LB896**

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**Hearing Date:** Thursday January 27, 2022  
**Committee On:** Judiciary  
**Introducer:** Lathrop  
**One Liner:** Change and provide requirements for program evaluation under the Nebraska Treatment and Corrections Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 8 Senators Brandt, DeBoer, Geist, Lathrop, McKinney, Morfeld, Pansing  
Brooks, Slama  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

<b>Proponents:</b> Senator Steve Lathrop Doug Koebernick Spike Eickholt	<b>Representing:</b> Introducer Inspector General of Corrections ACLU of Nebraska
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<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**

LB 896 seeks to make changes to current provisions that require the Department of Correctional Services to evaluate the structured programming required for all persons committed to the department. The proposal changes language that allowed the department to utilize independent contractors or academic institutions to conduct the evaluations of the various programs to instead require the department to use such outside evaluators.

The bill adds requirements to include a effectiveness rating in the evaluation and make recommendations on availability, the ability to timely deliver the programming and a cost benefit analysis. A prioritization order of clinical, nonclinical and then other programs is included in the bill.

LB 896 also adds new language establishing a similar evaluation process for programs under the Division of Parole Supervision. Feedback from the department's and the divisions program evaluations are to be provided to the department, division and the Office of the Inspector General for Corrections.

Section by section

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Section 1 Amends section 83-182.01 which addresses structured programming requirements in the Department of Correctional Services by requiring the Department to utilize independent contractors or academic institutions to evaluate the various programs. Changes to the evaluation process include adding effectiveness ratings, as well as making recommendations regarding availability, the timeliness of delivery and a cost benefit analysis of each program. The bill establishes a priority list of the evaluations with clinical programming first, with nonclinical and other programming following. Feedback on recommendations is provided to the Inspector General as well as the Department. The proposal also makes a change by allowing rather than requiring disciplinary action for a committed person who refuses to participate in structured programming.

Section 2 Adds new language that establishes an evaluation process for programs under the Division of Parole Supervision. The Division is required to utilize independent contractors or academic institutions to evaluate the various programs. The evaluation would include site visits, staff and offender interviews and program material reviews. The evaluations would also include effectiveness ratings and a cost-benefit analysis. Feedback would be provided to the Division and the Inspector General.

Section 3 Includes the new section 2 in the Nebraska Treatment and Corrections Act.

Section 4 Repeals original sections.

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**Explanation of amendments:**

AM 1930 is a white copy amendment that makes three changes to the original version of LB 896. The first change is striking sections 2 and 3 of the original bill. Section 2 required the Division of Parole Supervision to evaluate various programs within the Division and Section 3 eliminates a cross reference to section 2. The second change is striking independent contractor in section 1 of the original bill (page 3 In 15). The last change is adding "treatment " in the nonclinical program description to harmonize with another subsection (p. 4, line 10 of the original bill).

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Steve Lathrop, Chairperson