

## LEGISLATIVE BILL 126

Approved by the Governor March 2, 1973

Introduced by Luedtke, 28, Chmn., Judiciary Committee

AN ACT to amend sections 29-2209 and 29-2252, Revised Statutes Supplement, 1972, relating to probation officers; to allow appointment of ex-offenders as deputy probation or parole officers; to provide qualifications; and to repeal the original sections.

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

Section 1. That section 29-2209, Revised Statutes Supplement, 1972, be amended to read as follows:

29-2209. The judges of all municipal and county courts in the state may from time to time appoint a person or persons to perform the duties of probation officer or officers, as defined by law, within the jurisdiction of the courts of such judges and under the direction of such judges, to hold office during the pleasure of the judge or judges making such appointment; and one copy of the order of appointment shall be delivered to the officer so appointed, and one copy filed with the city clerk. Any officer or member of the police force of any city or incorporated village who may be detailed to do duty in such court, or any constable or peace officer may be appointed as probation officer upon the order of any magistrate. An ex-offender released from a penal complex or a county jail may be appointed to a position of deputy probation or parole officer. Such ex-offender shall maintain a record free of arrests, except for minor traffic violations, for one year immediately preceding his appointment. No probation officer appointed under the provisions of this section shall receive any compensation for his services as such probation officer except as provided by law; but this shall not be construed to deprive any officer or member of the police force, or any constable or peace officer, appointed probation officer as herein provided, from receiving the salary attached to his official employment; Provided, that any full-time probation officer appointed by the judges of a municipal court of a city of the metropolitan or primary class shall receive compensation for his services from funds to be appropriated by the city council.

Sec. 2. That section 29-2252, Revised Statutes Supplement, 1972, be amended to read as follows:

29-2252. The administrator shall:

- (1) Supervise and administer the office;
- (2) Establish and maintain, with the concurrence of the association, policies, standards, and procedures for the service;
- (3) Prescribe and furnish such forms for records and reports for the service as shall be deemed necessary for uniformity, efficiency, and statistical accuracy;
- (4) Establish minimum qualifications for employment as a probation officer in this state and establish and maintain such additional qualifications as he deems appropriate for appointment to the service. An ex-offender released from a penal complex or a county jail may be appointed to a position of deputy probation or parole officer. Such ex-offender shall maintain a record free of arrests, except for minor traffic violations, for one year immediately preceding his appointment;
- (5) Establish and maintain advanced periodic in-service training requirements for the service;
- (6) Cooperate with all agencies, public or private, which are concerned with treatment or welfare of persons on probation;
- (7) Organize and conduct training programs for probation officers;
- (8) Collect, develop, and maintain statistical information concerning probationers, probation practices, and the operation of the probation system;
- (9) Interpret the probation program to the public with a view toward developing a broad base of public support;
- (10) Conduct research for the purpose of evaluating and improving the effectiveness of the probation system;
- (11) Adopt such rules and regulations as may be necessary or proper for the operation of the office or service;
- (12) Appoint an advisory committee of county court judges, juvenile court judges, and other appropriate officials to advise him and the association on matters relating to probation in county and juvenile

courts;

(13) Transmit annually to the association and the advisory committee a report of the operation of the office for the preceding calendar year, which report shall be transmitted by the association to the Governor and the Legislature; and

(14) Exercise all powers and perform all duties necessary and proper to carry out his responsibilities.

Sec. 3. That original sections 29-2209 and 29-2252, Revised Statutes Supplement, 1972, are repealed.