

# ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016

## COMMITTEE STATEMENT

### LB592

---

**Hearing Date:** Friday February 20, 2015  
**Committee On:** Judiciary  
**Introducer:** Bolz  
**One Liner:** Change provisions relating to corrections and parole and mentally ill offenders

---

**Roll Call Vote - Final Committee Action:**  
Indefinitely postponed

---

**Vote Results:**

**Aye:** 6 Senators Coash, Krist, Morfeld, Pansing Brooks, Seiler, Williams  
**Nay:**  
**Absent:** 2 Senators Chambers, Ebke  
**Present Not Voting:**

---

**Verbal Testimony:**

**Proponents:**

SEN. KATE BOLZ  
JOHN KRECJI  
TOMMIE WILSON  
CAROL MCSHANE  
WILLIAM SPAULDING  
BRAD MEURRENS  
MIKE MARVIN  
SHANNON ENGLER  
ALAN PETERSON  
REV. ROBERT BRYAN

**Representing:**

INTRODUCER  
REENTRY ALLIANCE OF NEBRASKA  
OTOC/MCC TABLE TALK  
NEBRASKANS FOR PEACE  
NEBRASKA PSYCHOLOGICAL ASSOCIATION  
DISABILITY RIGHTS NEBRASKA  
NAPE  
BRYAN HEALTH AND OTHERS  
ACLU NEBRASKA  
FOLLOWERS OF CHRIST PRISON MINISTRY

**Opponents:**

DIRECTOR SCOTT FRAKES  
SHERI DAWSON  
LORI ANDERSON

**Representing:**

NEBRASKA DEPARTMENT OF CORRECTIONS  
DHHS  
LINCOLN REGIONAL CENTER

**Neutral:**

MARK DAVIS

**Representing:**

SELF

---

**Summary of purpose and/or changes:**

LB592 would implement several of the recommendations made by the Department of Correctional Services Special Investigative Committee (the LR424 Committee). For a breakdown of which recommendations are implemented by this bill, see the attached table.

Section 1 would amend 71-907, to include "personality disorders" in the definition of mentally ill, for purposes of the Nebraska Mental Health Commitment Act (71-901 to 71-963).

There may be an amendment introduced by Sen. Bolz, to address the impact of this section. In addition, Sen. Seiler introduced LR39 to further study the Mental Health Commitment act and the Sex Offender Commitment Act.

Section 5 would amend 83-180, regarding the duties of physicians or psychologists within the Department of Corrections. This section would require the medical department to assess inmates at intake, to raise any potential "red flags" upon entry, so issues can be addressed during incarceration.

Section 11 would amend 83-1,107, regarding the development of a personalized program plan and a reentry plan for each inmate. This section would require program staff within the Department to raise any potential "red flags" before release, and to initiate the mental health commitment process if needed.

Section 12 through Section 19 would amend statutes related to the Parole Board and the Parole Administration. Currently, the Parole Administration is housed within the Department of Correctional Services. It had been under the Parole Board, until the early 1990s.

Note: the Parole Board chair would be given more authority under this bill. Currently, the Board makes most decisions as a group, rather than through the Chair. (see page 15, line 29)

---

Les Seiler, Chairperson