

AMENDMENTS TO LB243

Introduced by Judiciary.

1 1. Strike section 1 and insert the following new section:

2 Section 1. (1) For purposes of this section, secure state
3 institution includes:

4 (a) Any facility operated by the Department of Correctional Services
5 which is used for housing inmates;

6 (b) The Lincoln Regional Center, Norfolk Regional Center, and
7 Hastings Regional Center; and

8 (c) The Youth Rehabilitation and Treatment Center-Kearney and the
9 Youth Rehabilitation and Treatment Center-Geneva.

10 (2) If a person employed at a secure state institution is assaulted
11 by another person housed or held in such institution, the administrator
12 in charge of the secure state institution shall:

13 (a) Inform the victim of the assault of all disciplinary actions
14 that are being taken against the person alleged to have committed the
15 assault. When all such disciplinary actions have been completed, the
16 administrator in charge of the secure state institution shall inform the
17 victim of the results of such disciplinary actions; and

18 (b) Inform the appropriate county attorney of such assault. The
19 county attorney shall notify the victim of the assault of the charges
20 being filed against the person alleged to have committed the assault or
21 the county attorney's rationale for not prosecuting the assault. The
22 notification shall also be sent to a representative of the victim's labor
23 union, if any. A victim may request that his or her labor union not be
24 notified.

25 (3) The Department of Health and Human Services shall submit
26 quarterly reports to the Governor, the Clerk of the Legislature, the
27 chairperson of the Judiciary Committee of the Legislature, and the

1 chairperson of the Health and Human Services Committee of the Legislature
2 on the assaults that occur at secure state institutions under the
3 department's authority. The reports submitted to the Legislature shall be
4 submitted electronically. Each report shall contain the following
5 information from the most recently completed calendar quarter:

6 (a) The total number of assaults that occurred at each such secure
7 state institution;

8 (b) The number of assaults that involved a patient or resident
9 assaulting another patient or resident;

10 (c) The number of assaults that involved a patient or resident
11 assaulting an employee of the secure state institution;

12 (d) The number of assaults that occurred by category of severity,
13 including assaults that resulted in a serious injury, assaults that
14 resulted in a nonserious injury, and assaults that did not result in an
15 injury; and

16 (e) The reason that the department was housing or holding each
17 person alleged to have committed an assault.

18 (4) Nothing in this section shall be construed to prohibit a victim
19 from reporting any assault to the appropriate prosecuting authority or to
20 diminish any rights granted by section 81-1848.