

ONE HUNDRED FIFTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 196

Introduced by Ebke, 32; Krist, 10.

PURPOSE: In 2015, LB605 was enacted to address the issues studied by the Nebraska Justice Reinvestment Working Group created by LB907 (2014) and the Department of Correctional Services Special Investigative Committee of the Legislature authorized by LR34 (2015). Since the enactment of LB605 and completion of the LR34 study, the Department of Correctional Services has made positive changes to comply with the requirements set forth by the Legislature, while also seeing a number of negative incidents in state correctional facilities.

The Legislature understands the changes enacted by LB605 and prompted by LR34 will take time to reach full implementation, as seen in the work of the Justice Reinvestment Implementation Committee. Nevertheless, there is a clear need to track the progress of the department in order to ensure the intentions of the Legislature are being carried out properly and effectively.

The Judiciary Committee of the Legislature shall conduct an interim study to carry out the purposes of this resolution. The committee shall meet with stakeholders to verify and update the continued progress of the LR34 recommendations and LB605 provisions. These stakeholders shall include, but are not limited to, the Director of Correctional Services, the Public Counsel, the Inspector General of the Nebraska Correctional System, the Parole Administrator, the probation administrator, and the State Court Administrator.

The Judiciary Committee shall hear or receive implementation progress reports with respect to the Department of Correctional Services with regard to the following:

- (1) The adequacy of programs designed to rehabilitate inmates;
- (2) The availability of mental health care and the policies and procedures

in place to ensure that inmates receive appropriate mental health care or confinement through the civil commitment process;

(3) Policies relating to facility, unit, and cell assignment;

(4) Policies relating to the use of solitary confinement, segregation, or other isolation of inmates;

(5) The transition of inmates from incarceration to the community at large;

(6) The administration of good-time laws;

(7) Policies relating to staffing, personnel hours, and oversight of department staff; and

(8) Any changes made to the department's policies and practices, regardless of whether recommendations were adopted as a result of LB605 or LR34, and the reasons, if any, that such recommendations were not adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.