

ONE HUNDRED FIFTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 220

Introduced by Hansen, 26.

PURPOSE: The purpose of this interim study is to investigate the purpose and potential benefits of creating conviction integrity units (CIUs) in Nebraska. Numerous jurisdictions have created CIUs, which are assigned staff or a division of a prosecutorial office dedicated to investigating or confirming the validity or integrity of criminal convictions. These divisions work to prevent, identify, and correct false convictions. The number of CIUs has grown rapidly in recent years throughout the United States. This study shall consider, but not be limited to, examining:

(1) The experience of CIUs in other jurisdictions and the associated costs and the benefits or results;

(2) The potential means of establishing CIUs in Nebraska, whether by legislation or by collaboration with the Supreme Court, the Attorney General, or local prosecutors;

(3) Any limitations on the types of convictions which should be the focus of CIUs, such as only felony convictions or other limitations;

(4) The appropriate independence, or dependence, that CIUs have with prosecutors' offices;

(5) The means by which CIUs investigate convictions;

(6) The role of other members in the criminal justice system, such as defendants, defense attorneys, advocacy organizations, judges, and victims;

(7) The access CIUs should have to court files, investigative reports, institutions, defendants, and other matters relating to convictions; and

(8) Nebraska statutes to determine any changes needed to address or accommodate the creation or function of CIUs.

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.