

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB133

Hearing Date: Wednesday February 27, 2019
Committee On: Judiciary
Introducer: Pansing Brooks
One Liner: Change provisions relating to structured programming and deferral of parole

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Brandt, Chambers, DeBoer, Lathrop, Morfeld, Pansing Brooks, Wayne
Nay:		
Absent:		
Present Not Voting:	1	Senator Slama

Oral Testimony:

Proponents:

Senator Patty Pansing Brooks
Doug Koebernick
Marge Schlitt
Jon Stewart

Representing:

Introducer
Inspector General of Corrections
self
self

Opponents:

Scott Frakes

Representing:

Nebraska Department of Correctional Services

Neutral:

Representing:

Summary of purpose and/or changes:

LB 133 provides that when an inmates parole is deferred, the Parole Board provides a notice to the Department of Corrections and the inmate indicating the reasons for deferral and treatment or programming necessary. DCS is to provide an opportunity to complete recommended programming. Information on the deferrals is reported annually by DCS to the Inspector General.

Section 1 Amends section 83-182.01 which addresses the structured programming within the Department of Correctional Services. The bill adds a new subsection (6) that provides upon notice of deferred parole, the department is to provide the inmate an opportunity to complete parole board recommended treatment or programming. If the offender refuses, the department will obtain a written statement indicating their refusal and any reasons for the refusal. If the offender refuses to provide the written statement, DCS will document its efforts to obtain the statement. The department shall provide the refusal statements and an annual report with information regarding treatment or programming, refusals and the reasons for the refusal to the Inspector General.

Section 2 Amends section 83-1,114 regarding Parole Board actions, to add a new subsection (3) to provide for a written notice to DCS when an offender's release is deferred. The notice shall contain the reasons for the deferral and any treatment or programming that the board recommends. The notice is also provided to the offender at the time it is provided to DCS.

Section 3 Repeals original sections.

Steve Lathrop, Chairperson