

ONE HUNDRED SIXTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 223

Introduced by Cavanaugh, 6; Chambers, 11; DeBoer, 10; Pansing Brooks, 28;
Wayne, 13.

PURPOSE: The purpose of this resolution is to carry out a comprehensive study of incarceration and mental health services in Nebraska, specifically including the operations of the Department of Correctional Services and the Lincoln Regional Center, as well as an examination of potential reforms to incarceration and mental health services. The study shall include, but not be limited to, an examination of the following:

(1) The feasibility of authorizing the Board of Parole to operate a community corrections program for the placement of parole-eligible inmates in work release programs distributed throughout the state;

(2) Whether reforms are needed with regard to the practices of the Lincoln Regional Center in providing psychological evaluations for inmates housed in county jails, for purposes of both civil commitment and evaluations to determine competency to stand trial;

(3) Whether it is appropriate for juveniles to be placed at the main campus of the Lincoln Regional Center either for treatment purposes or for psychological diagnosis purposes while awaiting trial and whether there should be specific criteria or standards relating to such placements;

(4) Whether the number of patient beds at the Lincoln Regional Center is adequate for the needs of the state;

(5) Whether legislation should be enacted eliminating or limiting mandatory minimum sentencing in Nebraska;

(6) Whether changes should be made to the policies and practices of the Department of Correctional Services regarding the placement of department inmates in county jails;

(7) Whether legislation is needed to reform the management and operation

of restrictive housing by the Department of Correctional Services;

(8) Whether the Department of Correctional Services should alter its practices concerning the forfeiture of good time credits;

(9) Whether legislation is needed relating to the obligation of the Department of Correctional Services to disclose certain records and information to the Public Counsel and the Inspector General of the Nebraska Correctional System;

(10) Whether legislation is needed relating to the placement of county safekeeping prisoners with the Department of Correctional Services;

(11) Whether legislative or funding changes are needed to improve the quality of medical and behavioral health services within the Department of Correctional Services;

(12) Whether pay increases are needed for nurses employed by the Department of Correctional Services based on their time-in-service;

(13) Whether additional funding should be provided to the Department of Correctional Services for the improvement of programming provided to its inmates; and

(14) Whether the Nebraska State Patrol should be designated as the sole agency tasked with investigating criminal activities that occur in facilities operated by the Department of Correctional Services.

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

1. That the Executive Board of the Legislative Council shall appoint a select interim committee to conduct an interim study to carry out the purpose of this resolution. The select interim committee shall be composed of at least two members from each of the Judiciary, Health and Human Services, and Appropriations Committees of the Legislature.

2. That the select interim committee may seek assistance and input from the Public Counsel and the Inspector General of the Nebraska Correctional System.

3. That the select interim committee may obtain input from other experts

and interested parties, including, but not limited to, the Department of Health and Human Services, the Department of Correctional Services, the Board of Parole, and the Nebraska State Patrol.

4. That the select interim committee shall on or before December 15, 2019, make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.