

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 896

FINAL READING

Introduced by Lathrop, 12.

Read first time January 07, 2022

Committee: Judiciary

1 A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act;
2 to amend section 83-182.01, Revised Statutes Cumulative Supplement,
3 2020; to change provisions relating to structured programming and
4 program evaluations; to define terms; and to repeal the original
5 section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-182.01, Revised Statutes Cumulative
2 Supplement, 2020, is amended to read:

3 83-182.01 (1) Structured programming shall be planned for all adult
4 persons committed to the department. The structured programming shall
5 include any of the following: Work programs, vocational training,
6 behavior management and modification, money management, and substance
7 abuse awareness, counseling, or treatment. Programs and treatment
8 services shall address:

9 (a) Behavioral impairments, severe emotional disturbances, and other
10 mental health or psychiatric disorders;

11 (b) Drug and alcohol use and addiction;

12 (c) Health and medical needs;

13 (d) Education and related services;

14 (e) Counseling services for persons committed to the department who
15 have been physically or sexually abused;

16 (f) Work ethic and structured work programs;

17 (g) The development and enhancement of job acquisition skills and
18 job performance skills; and

19 (h) Cognitive behavioral intervention.

20 Structured programming may also include classes and activities
21 organized by inmate self-betterment clubs, cultural clubs, and other
22 inmate-led or volunteer-led groups.

23 (2) The goal of such structured programming is to provide the skills
24 necessary for the person committed to the department to successfully
25 return to his or her home or community or to a suitable alternative
26 community upon his or her release from the adult correctional facility.
27 The Legislature recognizes that many inmate self-betterment clubs and
28 cultural clubs help achieve this goal by providing constructive
29 opportunities for personal growth.

30 (3) If a person committed to the department refuses to participate
31 in the structured programming described in subsection (1) of this

1 section, he or she ~~may shall~~ be subject to disciplinary action, except
2 that a person committed to the department who refuses to participate in
3 structured programming consisting of classes and activities organized by
4 inmate self-betterment clubs, cultural clubs, or other inmate-led or
5 volunteer-led groups shall not be subject to disciplinary action.

6 (4) Any person committed to the department who is qualified by
7 reason of education, training, or experience to teach academic or
8 vocational classes may be given the opportunity to teach such classes to
9 committed offenders as part of the structured programming described in
10 this section.

11 ~~(5)(a) (5)~~ The department shall evaluate the quality of programs
12 funded by the department, including. ~~The evaluation shall focus on~~
13 whether program participation reduces recidivism. ~~The Subject to the~~
14 ~~availability of funding,~~ the department shall ~~may~~ contract with an
15 ~~independent contractor or~~ academic institution located within the State
16 of Nebraska for each program evaluation. Each program evaluation shall be
17 standardized and shall include a site visit, interviews with key staff,
18 interviews with offenders, group observation, if applicable, and review
19 of materials used for the program. The evaluation shall include adherence
20 to concepts that are linked with program effectiveness, such as program
21 procedures, staff qualifications, and fidelity to the program model of
22 delivering offender assessment and treatment. Each program evaluation
23 shall also include a rating on the effectiveness of the program and
24 feedback to the department and the office of Inspector General of the
25 Nebraska Correctional System concerning program strengths and weaknesses
26 and recommendations for better adherence to evidence-based programming,
27 if applicable.

28 (b) The evaluation shall also make recommendations regarding the
29 availability of programs throughout the correctional system, the ability
30 to deliver the programs in a timely manner, and the therapeutic
31 environment in which such programs are delivered at each facility and

1 shall include a cost-benefit analysis of each program, if applicable.
2 Program evaluations shall be prioritized in the following order: (i)
3 Clinical treatment programs; (ii) nonclinical treatment programs; and
4 (iii) other structured programs. Clinical treatment programs shall be
5 evaluated at least once every three years and nonclinical treatment and
6 structured programs shall be evaluated at least once every eight years.

7 (c) For purposes of this subsection:

8 (i) Clinical treatment program means a program designed to address
9 specific behavioral health needs delivered by a licensed behavioral
10 health professional; and

11 (ii) Nonclinical treatment program means a cognitive behavioral
12 intervention program delivered by volunteers or department staff.

13 Sec. 2. Original section 83-182.01, Revised Statutes Cumulative
14 Supplement, 2020, is repealed.