

# One Hundred Seventh Legislature - First Session - 2021

## Introducer's Statement of Intent

### LB151

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**Chairperson: Senator Steve Lathrop**

**Committee: Judiciary**

**Date of Hearing: February 03, 2021**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 151 would create the Prosecutorial Transparency Act. This Act would direct that prosecutors—county and city attorneys—keep records relating to how they process, charge, and resolve criminal cases. The Act requires that prosecutors are to collect specified information relating to their charging decisions: for instance, whether the filed criminal charge was the same as the charged cited by police, and why the charge was different, or if the case is not charged at all, the reasons for such decision.

The Act requires information to be collected regarding bonds that are requested by prosecutors and set by courts, including whether the prosecutor request a bond, along with the amount of the request was, reasons for the bond request, whether the defendant could afford that bond and whether the judge set a bond.

The Act also requires prosecutors to keep records as to how cases were resolved, including whether cases are dismissed due to diversion or a problem-solving court, resolved with a plea to lesser charges, or dismissal, along with a summary of brief reasons why.

The Act requires the collected data to be forwarded to the Attorney General. The Attorney General may issue model policies or standard forms for collection of information.

Finally, the Act provides that all compiled and submitted reports are to be considered public records pursuant to Nebraska's Public Records Act.

**Principal Introducer:** \_\_\_\_\_

**Senator Adam Morfeld**