

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB631

Hearing Date: Thursday March 02, 2023
Committee On: Judiciary
Introducer: McKinney
One Liner: Change provisions relating to the Board of Parole

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	5	Senators McKinney, Wayne, DeBoer, Bosn, Blood
Nay:	3	Senators Holdcroft, DeKay, Ibach
Absent:		
Present Not Voting:		

Testimony:

Proponents:

Senator Terrell McKinney
Jason Witmer
Nature Villegas

Rex Walton
Spike Eickholt
Jasmine Harris
Dr. Fran Kaye

Opponents:

Bob Twiss

Neutral:

Representing:

Opening Presenter
Self
Self | Restorative Justice Advocate | Community Justice Center
Feast Program, Lutheran Church
American Civil Liberties Union of Nebraska
RISE
Self | RAN Racial Justice Policy Group

Representing:

Self

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

Section 1 would amend § 83-189 to require one of the members of the Board of Parole to be a formerly incarcerated individual and one of the members of the Board of Parole to have experience in restorative justice and reentry.

Section 2 would amend § 83-190 to provide that a member of the Board of Parole shall be removed for failing to attend three hearings in a calendar year. As written, this provision refers to Board of Pardons hearings, but it is assumed that it is intended to refer to Board of Parole hearings.

Section 3 would amend § 83-196 to increase the number of members of the Board of Parole necessary for a quorum



from three to four.

Section 4 would amend § 83-1,114 to prohibit denying parole solely because NDCS denied or delayed programming.

Explanation of amendments:

AM2098 replaces the original bill.

Section 1 would amend section 83-190 to require that Board of Parole members be removed for disability, neglect of duty, and malfeasance. Neglect of duty would be defined to include not attending twelve full days of hearings within a calendar year, not counting medical or family circumstances outside of the member's control.

Section 2 would amend 83-196 to increase the number of members for a quorum from three to four.

Section 3 is a new section that would require the Board of Parole to promulgate rules and regulations related to mission statements, strategic plans, victim notification, cultural competency, implicit bias, history of the Board, ethics, evidence-based practices, collaboration with outside partners, and policies to ensure neutrality, impartiality, and objectivity.

Section 4 is a new section that would require the Board to make decisions in an impartial, neutral, and impartial manner.

Section 5 would amend section 83-1,114 to prohibit denial of parole solely because the Department of Correctional Services delayed or did not offer programming.

Section 7 would amend section 83-962 to remove outdated language and make a harmonizing change.

Section 9 is an emergency clause.

Justin Wayne, Chairperson

