

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB215

Hearing Date: Wednesday February 26, 2025
Committee On: Judiciary
Introducer: Holdcroft
One Liner: Adopt the Clean Slate Act and provide for a program for second chance relief to obtain a commutation from the Board of Pardons

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

Vote Results:

Aye:	8	Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm
Nay:		
Absent:		
Present Not Voting:		

Testimony:

Proponents:

Senator Rick Holdcroft
Alisa Mosley
Cora Mosley
Yaquisa Robertson
Andrea Mason
Myanna Mason
Merlene Mason
Amy Doty
Alberto Gonzales
Dominga Rangel
Jaime Montpetit
Julie Montpetit
Steve Hansen
Fran Kaye
Rory Laughlin
Bob Finley
Matthew Heckman
Alissa Ries
Ashley Wilksen
James Thiele
Jason Witmer
Hunter Traynor

Representing:

Opening Presenter
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Self
Mental Health Association
Self
ACLU of Nebraska
Nebraska Chamber of Commerce; Greater Omaha
Chamber of Commerce; Lincoln Chamber of
Commerce



Spike Eickholt
Paul Feilmann
Bessie Lee

Nebraska Criminal Defense Attorneys Association
Self
Self

Opponents:

Jeanie Mezger
Rachel Bolton

Representing:

Self
Nebraska County Attorneys Association

Neutral:

Corey Steel
Ryan McIntosh
Mary Vaggalis

Representing:

Administrative Office of the Courts & Probation
Nebraska Bankers Association
Consumer Data Industry Association

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 215 adopts the Clean Slate Act. Clean Slate relief under the Act provides for a court to order that criminal history record information shall not be disseminated about a person granted such relief, other than to criminal justice agencies, and to order such records sealed. Beginning January 1, 2026, a person shall automatically be eligible, under certain prescribed conditions, for clean slate relief as provided under the Act for a qualified offense that is a misdemeanor. (A qualified offense is defined under the Act to both include and exclude certain misdemeanors and felonies.) Eligibility for such relief shall be determined by the State Court Administrator, and the bill provides for such process. Additionally, a person convicted of or adjudicated for a qualified offense that is a misdemeanor or felony may petition the court for clean slate relief as prescribed by the Act. In such cases, if the court determines eligibility is met, the court shall grant relief for a misdemeanor or infraction, and may grant relief for a felony if in the best interests of the petitioner and the public welfare. The Act further provides that upon petition of the county attorney or city attorney, the court shall vacate an order for clean slate relief if erroneously entered and not in conformance with the Act. LB 215 also amends the Nebraska Treatment and Corrections Act to require the Department of Correctional Services, the Division of Parole Supervision, and the Board of Parole to establish a program to provide recommendations to the Board of Pardons for second chance relief to be granted to eligible, committed offenders to have their sentences commuted and be paroled.

Explanation of amendments:

AM 556 is a white copy amendment that strikes the original sections to remove the Clean Slate Act provisions, and retains the provisions amending the Nebraska Treatment and Corrections Act with certain changes.

The new section added to the Act includes legislative findings stating that individuals serving long-term or life sentences who are rehabilitated and ready to be safely be released from incarceration should be able to earn a second chance by receiving a commutation of their sentences from the Board of Pardons. Second chance relief is defined to mean a program through which the Department of Correctional Services, the Division of Parole Supervision, and the Board of Parole identify eligible committed offenders and work with them to apply for a commutation from the Board of Pardons. This section mandates that the department, division, and Board of Parole establish such a program.

This section also provides that a committed offender serving a sentence of imprisonment, including life imprisonment, is eligible for second chance relief if, for an offense committed when the offender was younger than twenty-six years of age, after serving at least twenty-five years of a sentence of imprisonment; or for an offense committed when the offender was twenty-six of age or older, after serving at least thirty years of a sentence of imprisonment.



This section also mandates that the department regularly identify committed offenders who are eligible for second chance relief or who will be eligible within five years and to provide lists of those offenders to the Board of Parole. This section further provides that in determining whether an eligible committed offender is rehabilitated and a good candidate for second chance relief, the Board of Parole shall complete a risk assessment for the committed offender, and involve community leaders and stakeholders in the review process to ensure that public safety and community concerns are addressed.

This section also provides that if the Board of Pardons receives a recommendation for second chance relief from the Board of Parole, the Board of Pardons may consider whether to grant a commutation of some or all of the remaining sentence to a term of parole. If the Board of Pardons determines not to grant a commutation, the Board of Pardons may provide the committed offender with a list of steps or requirements that, if satisfied, would increase their chances of being granted a commutation at a subsequent review.

Finally, this section provides that if a committed offender is granted a commutation and paroled under this section, the Board of Parole shall develop a detailed reentry plan tailored to the committed offender's needs; provide the committed offender with access to mentorship programs and community support networks; provide for victim and community involvement through restorative justice programs; and provide for accountability and monitoring by requiring regular check-ins with parole officers and continuous monitoring during the initial phase of reentry to ensure compliance with conditions of parole. This section also mandates that the Board of Parole implement a system for ongoing evaluation and adjustment of the second chance relief program based on outcomes and feedback.

Carolyn Bosn, Chairperson

