



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 1105

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 24, 2010

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

LB 1105 will compel an audit of the costs of administering the death penalty in Nebraska. The result of the audit will be presented in a report to the Legislature.

The audit shall examine the direct and indirect costs of administering the death penalty in Nebraska, including:

- (1) The costs to the Attorney General's office for expenditures for staff salaries, benefits, and operating expenses related to death penalty issues including any contracting for assistance;
- (2) The costs to the Department of Correctional Services for staff salaries, benefits, and operating expenses in housing inmates on death row and carrying out the death penalty, including any contracting for assistance;
- (3) The costs to counties in county attorney staff time and other expenses relating to the prosecution of death penalty cases and in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in such cases, including, but not limited to, expert witness fees, additional investigations, and contracting for assistance;
- (4) Costs to county public defenders' offices and the Public Advocacy Commission in providing a defense against the imposition of the death penalty;
- (5) The costs to counties for court-appointed attorneys hired to defend capital cases; and
- (6) The costs to the Supreme Court, Court of Appeals, and district courts and an estimate of the costs to the federal courts in staff salaries, benefits, and operating expenses relating to the disposition of capital cases.

The audit conducted pursuant to section 1 of this act shall examine those costs borne by the Attorney General, the Department of Correctional Services, law enforcement, the counties, the courts, and the advocacy offices involved in capital cases in Nebraska in comparison to non-capital cases in Nebraska for convictions of persons under section 28-303 over the past twenty-five years.

Principal Introducer: _____
Senator Brenda Council