

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 817**

Introduced by Pirsch, 4.

Read first time January 05, 2012

Committee: Judiciary

A BILL

1 FOR AN ACT relating to criminal justice; to amend sections 47-624 and  
2 47-627, Revised Statutes Supplement, 2011; to change and  
3 provide duties for the Community Corrections Division of  
4 the Nebraska Commission on Law Enforcement and Criminal  
5 Justice; to harmonize provisions; and to repeal the  
6 original sections.

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

1                   Section 1. Section 47-624, Revised Statutes Supplement,  
2 2011, is amended to read:

3                   47-624 The division shall:

4                   ~~(1) Develop standards for eligible community correctional~~  
5 ~~facilities and programs in which offenders can participate, taking~~  
6 ~~into consideration the following factors:~~

7                   ~~(a) Qualifications of staff;~~

8                   ~~(b) Suitability of programs;~~

9                   ~~(c) Offender needs;~~

10                  ~~(d) Probation population;~~

11                  ~~(e) Parole population; and~~

12                  ~~(f) Other applicable criminal justice data;~~

13                  ~~(2) Develop~~ (1) Collaborate with the Office of Probation  
14 Administration, the Office of Parole Administration, and the  
15 Department of Correctional Services to develop and implement a plan  
16 to establish statewide operation and use of a continuum of community  
17 correctional facilities and programs;

18                  ~~(3)~~ (2) Develop, in consultation with the probation  
19 administrator and the Parole Administrator, standards for the use of  
20 community correctional facilities and programs by the Nebraska  
21 Probation System and the parole system;

22                  ~~(4)~~ (3) Collaborate with the Office of Probation  
23 Administration, the Office of Parole Administration, and the  
24 Department of Correctional Services on the development of additional  
25 reporting centers as set forth in section 47-624.01;

1           ~~(5)~~(4) Analyze and ~~mandate~~promote the consistent use of  
2 offender risk assessment tools;

3           ~~(6)~~(5) Educate the courts, the Board of Parole, criminal  
4 justice system stakeholders, and the general public about the  
5 availability, use, and benefits ~~and use~~ of community correctional  
6 facilities and programs;

7           ~~(7)~~(6) Enter into and administer contracts, if  
8 necessary, ~~for carrying to carry~~ out the purposes of the Community  
9 Corrections Act;

10           ~~(8)~~(7) In order to ensure adequate funding for substance  
11 abuse treatment programs, ~~for probationers,~~ consult with the  
12 probation administrator and the Parole Administrator and develop or  
13 assist with the development of programs as provided in subdivision  
14 (14) of section 29-2252 and subdivision (8) of section 83-1,102;

15           ~~(9)~~ In order to ensure adequate funding for substance  
16 abuse treatment programs for parolees, consult with the Office of  
17 Parole Administration and develop or assist with the development of  
18 programs as provided in subdivision (8) of section 83-1,102;

19           ~~(10)~~(8) Study substance abuse and mental health  
20 treatment services in and related to the criminal justice system,  
21 recommend improvements, and evaluate the implementation of  
22 improvements;

23           ~~(11)~~(9) Research and evaluate existing community  
24 corrections facilities and programs, within the limits of available  
25 funding;

1           ~~(12)~~(10) Develop standardized definitions of outcome  
2 measures for community corrections facilities and programs,  
3 including, but not limited to, recidivism, employment, and substance  
4 abuse;

5           ~~(13)~~(11) Report annually to the Legislature and the  
6 Governor on the development and performance of community corrections  
7 facilities and programs. The report shall include the following:

8           (a) A description of community corrections facilities and  
9 programs, ~~endorsed by the division,~~ currently serving offenders in  
10 Nebraska, which includes the following information:

11           (i) The target population and geographic area served by  
12 each facility or program, eligibility requirements, and the total  
13 number of offenders utilizing the facility or program over the past  
14 year;

15           (ii) Services provided to offenders at the facility or in  
16 the program;

17           (iii) The costs of operating the facility or program and  
18 the cost per offender; and

19           (iv) The funding sources for the facility or program;

20           (b) The progress made in expanding community corrections  
21 facilities and programs statewide and an analysis of the need for  
22 additional community corrections services;

23           (c) An analysis of the impact community corrections  
24 facilities and programs have on the number of offenders incarcerated  
25 within the Department of Correctional Services; and

1           (d) The recidivism rates and outcome data for  
2 probationers, parolees, and problem-solving-court clients  
3 participating in community corrections programs;

4           ~~(14)~~—(12) Grant funds to entities including local  
5 governmental agencies, nonprofit organizations, and behavioral health  
6 services which will support the intent of the act;

7           ~~(15) Administer contracts entered into by the division  
8 with community correctional facilities or programs;~~

9           (13) Manage all offender data acquired by the division in  
10 a confidential manner and develop procedures to ensure that  
11 identifiable information is not released;

12           ~~(16)~~—(14) Establish and administer grants, projects, and  
13 programs for the operation of the division; and

14           ~~(17)~~—(15) Perform such other duties as may be necessary  
15 to carry out the policy of the state established in the act.

16           Sec. 2. Section 47-627, Revised Statutes Supplement,  
17 2011, is amended to read:

18           47-627 The director shall develop and maintain a uniform  
19 crime data analysis system in Nebraska which shall include, but need  
20 not be limited to, the number of offenses, arrests, charges,  
21 probation admissions, probation violations, probation discharges,  
22 participants in specialized community corrections programs,  
23 admissions to and discharges from problem solving courts, admissions  
24 to and discharges from the Department of Correctional Services,  
25 parole reviews, parole hearings, releases on parole, parole

1 violations, and parole discharges. The data shall be categorized by  
2 statutory crime. The data shall be collected from the Board of  
3 Parole, the State Court Administrator, the Department of Correctional  
4 Services, the Office of Parole Administration, the Office of  
5 Probation Administration, the Nebraska State Patrol, counties, local  
6 law enforcement, and any other entity associated with criminal  
7 justice. The division and the Supreme Court shall have access to such  
8 data to implement the Community Corrections Act.

9           Sec. 3. Original sections 47-624 and 47-627, Revised  
10 Statutes Supplement, 2011, are repealed.