

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE RESOLUTION 274**

Introduced by Judiciary Committee: Wayne, 13, Chairperson; Blood, 3; DeBoer, 10; McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the structure of criminal prosecution in Nebraska.

Prosecution of criminal law violations in Nebraska is primarily the responsibility of local county attorneys. The cost of such prosecution constitutes a substantial proportion of county budgets. The state makes criminal laws and operates the court, prison, parole, and community supervision systems. Shifting the burden of prosecution to counties is an unfunded mandate that unfairly burdens local property taxpayers.

Maintaining separate prosecutor's offices in each county has been shown to result in inefficiency, duplication of services, and the unequal application and enforcement of laws across Nebraska.

This study should examine alternative models of organizing Nebraska's criminal prosecution system, including the state's attorneys and district attorneys. The study should also examine the role of the office of the Attorney General in such alternative models of criminal prosecution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.