

**ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024**  
**COMMITTEE STATEMENT**  
**LB253**

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**Hearing Date:** Wednesday February 08, 2023  
**Committee On:** Judiciary  
**Introducer:** Brewer  
**One Liner:** Provide for an additional location for the Nebraska Law Enforcement Training Center

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

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**Vote Results:**

<b>Aye:</b>	6	Senators Blood, DeBoer, McKinney, Ibach, Holdcroft, Wayne
<b>Nay:</b>	2	Senators Bosn, DeKay
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Testimony:**

**Proponents:**  
Senator Tom Brewer | Tony Baker  
Elaine Menzel

**Representing:**  
Opening Presenter  
Nebraska Association of County Officials

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB253 would provide for a second law enforcement training center to be constructed in Scottsbluff.

Section 1 would amend § 81-1402 to provide for full-service law enforcement training center locations in Grand Island and Scottsbluff.

Section 2 would amend § 81-1404 to give the director of the training center to hire and fire an administrator for each location.

Section 3 would amend § 81-1414.03 to limit the state's share of planning and construction of the new location to \$3.675 million.

Section 4 would amend § 81-1414.05 and Section 5 would amend § 81-1414.06 to allow the Scottsbluff location to access the Nebraska Law Enforcement Training Center Fund.

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**Explanation of amendments:**

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AM2978 replaces the original bill. AM2978 is a revised version of AM2534, which was heard by the Judiciary Committee on February 23, 2024.

AM2978 would create a veteran justice program in Nebraska.

Section 1 provides definitions for “case plan”, “condition from military service”, “veteran”, and “veteran justice program”.

Section 2 would require the state probation administrator to create a veteran justice program as provided in AM2978 and subject to Supreme Court rules. The program would operate by use of deferred judgments, which are authorized under existing law in section 29-2292. The defendant would be required to be eligible for probation to participate in the veteran justice program. Unlike deferred judgment, violation of a protection order, domestic violence, and driving under the influence offenses would not be categorically excluded.

Section 3 would make a veteran eligible for participation in a veteran justice program if there is reason to believe that a condition from military service contributed to the offense. A presumption is created that an eligible veteran would be allowed to participate in the program. This presumption could only be overcome if the judge determines that allowing the veteran to participate would not reasonably ensure public safety.

Section 4 would require the veteran justice program to include specific evidence-based treatment and a professionally developed case plan. The court would retain discretion to determine which veterans are allowed to participate, the terms and conditions of participation, the case plan, and deciding if the veteran has successfully completed the program. A victim would have the opportunity to be involved in the program. Upon successful completion, the veteran would be entitled to request the court dismiss the action without entry of judgment.

Section 5 would require courts to offer defendants at arraignment a means to identify their veteran status. Courts would also be required to consider veteran status as a mitigating factor at sentencing. This section would also create a standard that imprisonment of a veteran is not appropriate when it is not necessary for the protection of the public, there is a clear connection between the offense and a condition from military service, and the veteran has made progress in treating such condition.

Section 6 would require law enforcement, court, and correctional personnel to identify and verify individuals that may be eligible for the veteran justice program or sentence mitigation. Law enforcement, court, and correctional personnel would also be required to receive training on cases involving veterans, including exposure to violence and trauma.

Section 7 would require the State Court Administrator to compile information on the veteran justice program and prepare a report each year.

Section 8 provides an operative date of July 1, 2025.

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Justin Wayne, Chairperson

