

AMENDMENTS TO LR 171

Introduced by Executive Board.

1           1. Strike the original provisions and insert the  
2 following new provisions:

3           "With the April 24th announcement by the Director of  
4 Correctional Services that the State of Nebraska's correctional  
5 institutions have reached a level of one hundred forty percent of  
6 capacity, Nebraska statutes require notification of the Governor  
7 with a recommendation as to what should be done to address the  
8 issue of capacity. This recent level of incarceration provides  
9 an opportunity for the state to address the proper sentencing of  
10 individuals for violations of the Nebraska Criminal Code and an  
11 opportunity to assess the degree to which the state is successful  
12 in rehabilitating individuals sentenced to Nebraska correctional  
13 institutions, particularly when viewed through the reentry of  
14 these convicted individuals into Nebraska communities. Failure to  
15 provide proven and adequate reentry programming contributes to  
16 the recidivism of previously convicted individuals, who then end  
17 up back in Nebraska correctional institutions, thereby further  
18 increasing Nebraska's rate of incarceration.

19           The Legislature, recognizing that a prolonged period  
20 of high incarceration rates places a pronounced strain on the  
21 state's fiscal resources, believes it to be imperative to implement  
22 adequate measures to address sentencing and rehabilitative programs  
23 for individuals incarcerated in Nebraska correctional institutions.

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

3           1. That the Legislature hereby calls for the Executive  
4 Board of the Legislative Council to meet forthwith and appoint a  
5 task force to be known as the Sentencing and Recidivism Task Force.  
6 The task force shall consist of seven members of the Legislature  
7 appointed by the Executive Board. The task force shall elect a  
8 chairperson and vice-chairperson from the membership of the task  
9 force. The Judiciary Committee of the Legislature shall provide  
10 staff support for the task force.

11           2. The Sentencing and Recidivism Task Force is authorized  
12 to study the sentencing of juveniles and adults to Nebraska  
13 correctional institutions for rehabilitative purposes, including  
14 the associated fiscal impact. The task force shall study issues  
15 relating to the reentry of these juveniles and adults into Nebraska  
16 communities, including, but not limited to, the sufficiency  
17 and effectiveness of the rehabilitative and reentry programs,  
18 the number of spaces available for these programs, and the  
19 effectiveness of these programs in reducing the rate of recidivism.  
20 Finally, the task force shall study the sentencing of individuals  
21 convicted of crimes for equality of sentencing for the same or  
22 similar crimes statewide. The task force shall issue a report of  
23 its findings and recommendations to the Legislature on or before  
24 January 1, 2011, and shall terminate on January 1, 2011."