



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 35

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 20, 2009

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

LB 35 is a bill that intends to decrease the number and frequency of violent crimes in the state, by providing creating or amending the following penalties and implementing the following new program:

First LB 35 would create the crime of "illegal gang participation", which provides that a person who is a criminal street gang member and who actively participates in the illegal activity of the criminal street gang can be charged with illegal gang participation which is a Class I misdemeanor. This bill also provides for the enhancement of a criminal sentence by one full penalty classification for the commission of a crime that is contained in section 2 of this bill by a criminal street gang member.

LB 35 also provides for the mandatory minimum sentence or increases the current mandatory minimum sentence for the following crimes: "Unlawful transfer of a firearm to a juvenile (28-1204.01)"; "Use of a deadly weapon which is a firearm" (28-1205); and "Possession of a deadly weapon which is a firearm by a felon or fugitive" (28-1206).

Finally, LB 35 would provide for the creation of the Office of Violence Prevention at the University of Nebraska at Omaha. This Office, would be charged with identifying and implementing methods and programs designed to reduce occurrences of violence throughout the state of Nebraska, by identifying violence prevention plans in use in other cities and states throughout the country and working closely with state and local law enforcement to determine what violence prevention plans would work best within cities and towns in Nebraska.

The Office of Violence Prevention would also be tasked with identifying the types of programs and services that are needed by individuals who have previously been convicted of violent crime so as to assist these individuals in changing their pattern of violent behavior in order to re-join society as productive citizens.

Principal Introducer: _____
Senator Brad Ashford