

AMENDMENTS TO LB 821

(Amendments to Final Reading copy)

Introduced by Campbell

1           1. Strike beginning with page 18, line 16, through page  
2 19, line 5, and insert the following new subsection:

3           "(3) Notwithstanding the fact that a criminal  
4 investigation, a criminal prosecution, or both are in progress, all  
5 law enforcement agencies and prosecuting attorneys shall cooperate  
6 with any investigation conducted by the Inspector General and  
7 shall, immediately upon request by the Inspector General, provide  
8 the Inspector General with copies of all law enforcement reports  
9 which are relevant to the Inspector General's investigation. All  
10 law enforcement reports which have been provided to the Inspector  
11 General pursuant to this section are not public records for  
12 purposes of sections 84-712 to 84-712.09 and shall not be subject  
13 to discovery by any other person or entity. Except to the extent  
14 that disclosure of information is otherwise provided for in the  
15 Office of Inspector General of Nebraska Child Welfare Act, the  
16 Inspector General shall maintain the confidentiality of all law  
17 enforcement reports received pursuant to its request under this  
18 section. Law enforcement agencies and prosecuting attorneys shall,  
19 when requested by the Inspector General, collaborate with the  
20 Inspector General regarding all other information relevant to the  
21 Inspector General's investigation. If the Inspector General in  
22 conjunction with the Public Counsel determines it appropriate, the

1 Inspector General may, when requested to do so by a law enforcement  
2 agency or prosecuting attorney, suspend an investigation by the  
3 office until a criminal investigation or prosecution is completed  
4 or has proceeded to a point that, in the judgment of the Inspector  
5 General, reinstatement of the Inspector General's investigation  
6 will not impede or infringe upon the criminal investigation or  
7 prosecution. Under no circumstance shall the Inspector General  
8 interview any minor who has already been interviewed by a law  
9 enforcement agency, personnel of the Division of Children and  
10 Family Services of the department, or staff of a child advocacy  
11 center in connection with a relevant ongoing investigation of a law  
12 enforcement agency."

13           2. Strike beginning with page 24, line 24, through page  
14 25, line 4, and insert the following new subsections:

15           "(2) Except when a report is provided to a guardian ad  
16 litem or an attorney in the juvenile court pursuant to subsection  
17 (2) of section 34 of this act, the office shall redact confidential  
18 information before distributing a report of an investigation. The  
19 office may disclose confidential information to the Chairperson  
20 of the Health and Human Services Committee of the Legislature  
21 when such disclosure is, in the judgment of the Public Counsel,  
22 desirable to keep the chairperson informed of important events,  
23 issues, and developments in the Nebraska child welfare system.

24           (3) Records and documents, regardless of physical form,  
25 that are obtained or produced by the office in the course of  
26 an investigation are not public records for purposes of sections  
27 84-712 to 84-712.09. Reports of investigations conducted by the

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- 1 office are not public records for purposes of sections 84-712 to
- 2 84-712.09.".