

January 9, 1992 LB 523, 880-940
 LR 206-208

CLERK: Madam President, I have a Reference Report referring LB 880-940, as well as three constitutional amendments. (Re. LR 206-208.) That's all that I have, Madam President. (See pages 194-96 of the Legislative Journal.)

PRESIDENT MOUL: Thank you, Mr. Clerk. We will proceed with General File and LB 523.

CLERK: Madam President, LB 523 was a bill introduced by Senators Kristensen and Lindsay. (Read title.) Bill was introduced on January 22 of last year, was referred to Judiciary Committee for public hearing. Bill was advanced to General File. I do have committee amendments pending by the Judiciary Committee. (See AM0771 as found on page 1136 of the Legislative Journal, First Session.)

PRESIDENT MOUL: Senator Chizek.

SENATOR CHIZEK: Madam President and colleagues, LB 523 changes the current procedures for the treatment of mentally-disoriented sex offenders. In an effort to make the explanation perhaps more understandable and proceed as quickly as we can, here's the way I will proceed on this. I will explain LB 523 as originally drafted and then I'll explain the committee amendments. Third, I'll explain my amendment to the committee amendments. And, generally, LB 523 would provide for improved treatment of convicted sex offenders during incarceration, as well as supervision and aftercare services after incarceration. The goal of the bill is to reduce the number of additional offenses, thereby making communities safer and to ensure better use of scarce mental health resources by providing treatment options and avoiding the use of tax dollars on people who cannot benefit from the treatment. Additionally, the bill is designed to eliminate the waiting list to receive treatment. This waiting period which has caused concern to sentencing judges across the state because some offenders have entered guilty pleas with the understanding that they would receive treatment. Since there is a waiting period of sometimes up to three years to get into the treatment program, judges fear that these offenders who have pled guilty may have, may have the legal right to withdraw that plea and ask for a trial because they have not received immediate treatment, as ordered by the sentencing judge. If these offenders were allowed a new trial, it would wreak havoc on the system. Many of the witnesses may be unavailable and