



**Ninety-Eighth Legislature - Second Session - 2004  
Committee Statement  
LB 1253**

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**Hearing Date:** February 20, 2004  
**Committee On:** Judiciary

**Introducer(s):** (Synowiecki, Bourne, Combs, Cunningham, Foley, Friend, Mines, Mossey, Dw. Pedersen)  
**Title:** Adopt the Department of Community Corrections Act

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Senators Brashear, Chambers, Mines, Mossey, Pedersen, Quandahl, Tyson
	No	
	Present, not voting	
1	Absent	Senator Foley

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**Proponents:**

Senator John Synowiecki  
Steve Grabowski  
Margaret Brown

**Representing:**

Introducer  
Nebraska Fraternal Order of Police  
League of Women Voters of Nebraska

**Opponents:**

John Hendry  
Ed Birkel  
Curtis Evans  
Paul Merritt Jr.

**Representing:**

Nebraska Supreme Court  
Probation Administrator  
Nebraska Association of County Judges  
Nebraska District Judges Association

**Neutral:**

Jerry Soucie  
Tom Riley

**Representing:**

Nebraska Commission on Public Advocacy  
Douglas County Public Defender

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

LB 1253 proposes to merge the Offices of Probation and Parole Administration into a new executive branch agency, the Department of Community Corrections, as of July, 2005.

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Probation administration is currently under the supervision of the Nebraska Supreme Court, while the Office of Parole Administration is located within the Department of Corrections.

The Department of Community Corrections shall assume the existing authority and obligations currently held by the Offices of Probation and Parole administration, and shall be headed by a director, to be appointed by the Governor, whose duties shall include the following:

1. Establishing policies and standards for the department;
2. Establishing qualifications for employment as a Community Corrections Officer;
3. Establishing training requirements for employees of the department;
4. Cooperate with the Board of Parole, the courts, and all other agencies which are concerned with probation and parole;
5. Administer the Interstate Compact for Adult Offender Supervision; and
6. Make recommendations to the Board of Parole and district judges concerning probationers and parolees.

LB 1253 also provides that the powers and duties currently assigned to probation and parole officers will transferred to the new position of community corrections officer. Community corrections officers are also given cross jurisdictional authority to supervise both probationers and parolees.

**Explanation of amendments, if any:**

The committee amendment delays the merger of the offices of probation and parole administration from July of 2005 to July of 2007 and directs the judiciary committee and the community corrections council to undertake a joint study to examine issues related to the merger and to submit a recommended implementation plan which integrates the merger into the ongoing community corrections process by January 1, 2005. In addition, the amendment makes a number of technical and harmonizing changes which do not affect the substantive provisions of the bill.

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**Senator Kermit A. Brashear, Chairperson**