



Ninety-Eighth Legislature - Second Session - 2004
Introducer's Statement of Intent
LB 1131

Chairperson: Kermit A. Brashear
Committee: Judiciary
Date of Hearing: February 5, 2004

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

LB 1131 modernizes provisions relating to parole and seeks to clearly delineate the management and staffing structure of the Nebraska Board of Parole. The bill is intended to address issues raised during an audit conducted by the Performance Audit Committee last year.

The audit suggested that the Board of Parole lacks the kind of management structure that allows other agencies of state government to function efficiently and effectively. This bill sets forth a clear management structure to ensure the board's consistent operation and recordkeeping regardless of board- and staff-member turnover.

Specifically, the bill clarifies the powers and duties of the board's chairperson—giving the chairperson more supervisory authority in matters that do not require board members to exercise independent judgment—and establishes an executive director position to oversee staff members and maintain records.

The audit also called for a general statutory cleanup to modernize and clarify existing statutes and delete inefficient requirements. Toward that end, the bill clarifies statutory language pertaining to parole reviews and parole hearings, and it eliminates a requirement that the board develop and use its own risk-assessment tool. (If the board uses or wishes to use such a tool, it should be one that has been statistically validated, as the parole board's tool has not, and is useful in other areas of the criminal justice system.) Finally, the bill eliminates two barriers to parole: a reason used by the board to refuse to grant parole and a reason used by the board to refuse to schedule a parole hearing.

Principal Introducer: _____
Chris Beutler, Chairperson
Committee on Legislative Performance Audit