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SPEAKER BROMM: All right, thank you. The...with your amendment, will there be any difference in how an offender is treated with being eligible for parole if he fails to comply with the department-approved personalized program because he doesn't want to, as opposed to because it isn't available for him?

SENATOR CHAMBERS: Senator Bromm, the way the language reads is that the person cannot be subjected to disciplinary action solely because of the committed offender's failure to comply. So if the offender fails to comply for any reason, even if it's, I don't want to do it, the person cannot be disciplined for that. All he or she is putting himself or herself in a position for is the Parole Board to look at that failure, and the Parole Board determine if it's serious enough to deny parole. The way the law is right now, good time can be taken, and but for the loss of that good time, the person would be paroled. When the department has taken that good time, the Parole Board is not in a position to do what they feel they should. So the amendment is drafted in such a way that the inmate knows he or she is taking a chance by not complying with the program and having to face the Parole Board, who may hold against him or her that failure to comply.

SPEAKER BROMM: Okay. What if I come up to the time when I should be eligible for parole and I have failed to complete the personalized...department-approved personalized program because I haven't been able to get into it?

SENATOR CHAMBERS: The way it is now that would be a failure to complete and you could be punished by the loss of good time.

SPEAKER BROMM: But would I...would my parole be set off because of that possibly?

SENATOR CHAMBERS: Yes, because you would have...when you lose good time, that's a serious...that's deemed a serious infraction by you.

SPEAKER BROMM: But if I want to participate but it's not offered to me, how can I be penalized for that?