

# **One Hundred Second Legislature - First Session - 2011**

## **Introducer's Statement of Intent**

### **LB390**

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**Chairperson: Senator Brad Ashford**

**Committee: Judiciary**

**Date of Hearing: January 27, 2011**

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

Legislative Bill 390, introduced at the request of Governor Heineman, amends provisions related to the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) to eliminate unneeded bureaucracy, provide fiscal savings to state and local government, eliminate a duty of the Crime Commission, and provide accountability in the Crime Commission.

First, LB 390 eliminates a level of bureaucracy from state government. The Jail Standards Board is eliminated. Currently, the Board develops standards for local jails and inspects local jails for compliance with the standards. LB 390 would replace the standards with a manual of recommended guidelines published by the Crime Commission. LB 390 also eliminates the Community Corrections Council and replaces it with a Community Corrections Division of the Crime Commission. The staff of Division would continue to perform the same duties as the Council but would no longer need to get approval from a twenty member Council.

Second, the elimination of the Jail Standards Board and the Community Corrections Council would provide fiscal savings to both the state and local government. Elimination of the Jail Standards Board and staff will save nearly \$300,000 in General Funds annually. Additionally, elimination of the Board and inspections may also result in the end of unfunded mandates from the Board to local governments. Elimination of the Community Corrections Council will save the state over \$30,000 annually in expenses related to the Council itself, including reimbursements. The savings are included in the Governor's recommended budget.

Third, LB 390 eliminates a duty from the Crime Commission to annually update a homicide study. In 1999, the Legislature passed a law requiring the Crime Commission to produce a study of all homicides in the state that were committed since 1973. In 2001, the Crime Commission produced the study and \$20,000 has been appropriated annually for new studies. This funding is passed on to a contractor who compiles the information on further homicides. This information is readily available through other sources. No study has been published since 2001.

Finally, LB 390 provides accountability to the Governor by restructuring certain personnel in the Crime Commission. As an example, under current law, the director of the Nebraska Law Enforcement Training Center reports to the Police Standards Advisory Council and is hired by the Crime Commission. LB 390 would allow the Governor's appointee, the executive director of the Crime Commission, instead of the Commission itself to appoint and remove the director of the training center. Besides the director of the training center, the Community Corrections Division will be directed by the executive director of the Crime Commission and director of the Office of Violence Prevention will also be appointed and removed by the executive director.

**Principal Introducer:** \_\_\_\_\_

Senator Brad Ashford