LEGISLATION OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 243

Introduced by Bolz, 29.
Read first time January 11, 2017
Committee: Judiciary
1 A BILL FOR AN ACT relating to assaults; to require the reporting of
2 certain information concerning assaults that occur in state
3 institutions.
4 Be it enacted by the people of the State of Nebraska,
Section 1. (1) For purposes of this section, secure state institution includes:

(a) Any facility operated by the Department of Correctional Services which is used for housing inmates;

(b) The Lincoln Regional Center, Norfolk Regional Center, and Hastings Regional Center; and

(c) The Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva.

(2) If a person is assaulted in a secure state institution by another person housed or held in such institution, the administrator in charge of the secure state institution shall:

(a) Inform the victim of the assault of all disciplinary actions that are being taken against the person alleged to have committed the assault. When all such disciplinary actions have been completed, the administrator in charge of the secure state institution shall inform the victim of the results of such disciplinary actions; and

(b) Inform the appropriate county attorney of such assault. The county attorney shall notify the victim of the assault of the charges being filed against the person alleged to have committed the assault or the county attorney’s rationale for not prosecuting the assault. If the victim is an employee at a secure state institution, the notification shall also be sent to a representative of the victim’s labor union, if any. A victim may request that his or her labor union not be notified.

(3) Nothing in this section shall be construed to prohibit a victim from reporting any assault to the appropriate prosecuting authority or to diminish any rights granted by section 81-1848.