

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB390

Hearing Date: Thursday February 14, 2019
Committee On: Judiciary
Introducer: Pansing Brooks
One Liner: Provide duties regarding school resource officers and security guards

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	6	Senators DeBoer, Lathrop, Morfeld, Pansing Brooks, Slama, Wayne
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:	1	Senator Brandt

Oral Testimony:

Proponents:

Senator Patty Pansing Brooks
Jenni Benson
Elizabeth Kokrda
Rita Bennett

Traci Lenigan
Rose Godinez
Jake Kirkland Jr.
Juliet Summers
Karen Bell-Dancy
Greg Gonzalez
Kimberly Goins
Melody Vaccaro

Representing:

Introducer
Nebraska State Education Association
Education Rights Council
Lincoln Education Association & Nebraska State
Education Association
self
ACLU of Nebraska
NAACP Lincoln Branch
Voices for Children in Nebraska
YWCA Lincoln
Omaha Police Department
Clyde Malone Community Center
Nebraskans Against Gun Violence

Opponents:

Kellee Kucera Moreno
Larry Storer

Representing:

self
self

Neutral:

Brenda Urbanek

Representing:

Nebraska Crime Commission

Summary of purpose and/or changes:

School resource officers are defined in Section 2 of LB390 as peace officers to provide law enforcement and security services to public elementary or secondary schools.

Section 3 would require the Crime Commission to develop a model memorandum of understanding between law enforcement or security agencies and school districts governing the use of school resource officers and security guards on or before December 1, 2019. Any law enforcement agency that provides school resource officers or security agency that provides security guards to a school district on January 1, 2020 would be required to adopt a written memorandum

of understanding with such school district on or before January 1, 2021. Any agency that adopts a memorandum of understanding or changes a previously adopted memorandum of understanding is required to provide a copy to the Crime Commission.

Section 4 would require any memorandum of understanding to include certain training requirements for school resource officers, security guards, an administrator, and a teacher. This section would also require recordkeeping related to referrals to prosecution, including reasons, location, demographic characteristics. This section would also require standards for notifying parents and guardians, rights advisements for students, conduct subject to referral, and a complaint process.

Explanation of amendments:

AM408 replaces the original bill. Under the amendment, the state's responsibilities under the bill are moved from the Crime Commission to the Department of Education. Local responsibility for preparing the memorandums of understanding are shifted from law enforcement to school districts. Certain training and recordkeeping requirements are reduced or streamlined under the amendment.

Steve Lathrop, Chairperson