

AMENDMENTS TO LB215

(Amendments to Standing Committee amendments, AM556)

Introduced by Holdcroft, 36.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 **Section 1.** (1) The Legislature finds that individuals serving long-
4 term or life sentences who are rehabilitated and ready to be safely
5 released from incarceration should be able to earn a second chance by
6 receiving a commutation of their sentences from the Board of Pardons.
7 Such commutation is intended to allow such rehabilitated individuals to
8 be responsibly reintegrated into their communities while on parole and,
9 if successful on parole, as fully free individuals.

10 (2) For purposes of this section, second chance relief means a
11 program through which the department, the Division of Parole Supervision,
12 and the Board of Parole identify eligible committed offenders and work
13 with them to apply for a commutation from the Board of Pardons.

14 (3) The department, the Division of Parole Supervision, and the
15 Board of Parole shall establish a program to provide second chance relief
16 as provided in this section.

17 (4) A committed offender serving a sentence of imprisonment,
18 including life imprisonment, is eligible for second chance relief under
19 this section after serving at least thirty years of such sentence of
20 imprisonment.

21 (5) The department shall regularly identify committed offenders who
22 are eligible for second chance relief under this section or who will
23 become eligible within five years. The department shall regularly provide
24 lists of such offenders to the Division of Parole Supervision and Board
25 of Parole. The Board of Parole and Division of Parole Supervision shall
26 advise such offenders regarding the second chance relief program and work

1 with interested offenders to improve their chances of obtaining second
2 chance relief through rehabilitation and good behavior.

3 (6) In determining whether an eligible committed offender is
4 rehabilitated and a good candidate for second chance relief, the
5 department, Division of Parole Supervision, and Board of Parole shall:

6 (a) Complete a risk assessment for the committed offender; and

7 (b) Involve community leaders, victims, families, and other
8 stakeholders in the review process to ensure that public safety and
9 community concerns are addressed.

10 (7) If the department, Division of Parole Supervision, and the Board
11 of Parole determine that an eligible committed offender is rehabilitated
12 and a good candidate for second chance relief, the Board of Parole shall
13 make a recommendation to the Board of Pardons that such offender's
14 sentence be commuted.

15 (8)(a) If the Board of Pardons receives a recommendation for second
16 chance relief from the Board of Parole, the Board of Pardons may consider
17 whether to grant a commutation of some or all of the remainder of a
18 committed offender's sentence to a term of parole.

19 (b) If the Board of Pardons determines not to grant a commutation,
20 the Board of Pardons may provide the committed offender with a list of
21 steps or requirements that, if satisfied, would increase the committed
22 offender's chances of being granted a commutation at a subsequent review.
23 The Board of Pardons may also provide a process for seeking a subsequent
24 commutation review.

25 (9) If a committed offender is granted a commutation and paroled
26 under this section, the department, Division of Parole Supervision, and
27 Board of Parole shall:

28 (a) Develop a detailed reentry plan tailored to the committed
29 offender's needs, including job placement, housing support, and access to
30 continuing education and mental health services;

31 (b) Provide the committed offender with access to mentorship

1 programs and community support networks to facilitate successful
2 reintegration into the community;

3 (c) Provide for victim and community involvement through restorative
4 justice programs. The department, Division of Parole Supervision, and
5 Board of Parole shall offer restorative justice opportunities, when
6 appropriate, to allow the committed offender to make amends with victims
7 and the community; and

8 (d) Provide for accountability and monitoring by requiring regular
9 check-ins with parole officers and continuous monitoring during the
10 initial phase of reentry to ensure compliance with conditions of parole.

11 (10) The department, Division of Parole Supervision, and Board of
12 Parole shall implement a system for ongoing evaluation and adjustment of
13 the second chance relief program based on outcomes and feedback.

14 **Sec. 2.** Section 83-1,135, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 83-1,135 Sections 83-170 to 83-1,135.05 and section 1 of this act
17 shall be known and may be cited as the Nebraska Treatment and Corrections
18 Act.

19 **Sec. 3.** Original section 83-1,135, Reissue Revised Statutes of
20 Nebraska, is repealed.