

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB606

Hearing Date: Wednesday March 12, 2025
Committee On: Judiciary
Introducer: Holdcroft
One Liner: Eliminate the Division of Parole Supervision and the position of Director of Supervision and Services, transfer powers and duties to the Department of Correctional Services, and change provisions relating to correctional system overcrowding emergencies

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Rick Holdcroft
Diane Sabatka-Rine

Representing:

Opening Presenter
Nebraska Department of Correctional Services

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 606 eliminates references to obsolete provisions relating to the Division of Parole Supervision and the Director of Supervision and Services. Following passage of LB 631 in 2024, the Division of Parole Supervision was transferred to the Department of Correctional Services (DCS). LB 606 also changes the metric used for declaring an overcrowding emergency within DCS facilities from design capacity to operational capacity.

Section by Section Summary

Sections 1 to 34, 36, 38 to 41, and 43 to 58 are sections in Chapters 28, 29, 47, 71, 81, and 83 that are amended to harmonize name changes in the bill relating to the elimination of the Division of Parole Supervision as well as the position of the Director of Supervision and Supervision and to substitute the Department of Correctional Services and the Director of Correctional Services where applicable. Obsolete dates are also eliminated in sections 41 and 56, and references to outright repealed sections 83-1,101 and 83-1,102 are struck in sections 2, 7, 34, 45, and 52.



Section 35

Amends section 83-171 to require the Department of Correctional Services to maintain all records and files associated with the Board of Parole, including relating to individuals subject to lifetime community supervision under section 83-174.03

Section 37

Amends section 83-173 to provide additional duties for the Director of Correctional Services, including to supervise and be responsible for administration of parole services in the community, including work release and reentry centers; establish and maintain policies for field parole service and community supervision of sex offenders; divide the state into parole districts and appoint district parole officers; cooperate with, provide records to, and make recommendations to the Board of Parole; organize and conduct training for parole officers; use funds provided under section 83-1,107.02 to augment operational and personnel costs; periodically validate any risk or needs assessment instrument; report to the Governor and to the Clerk of the Legislature each January 1 as to the number of parole revocations and technical violations; take all necessary actions to assist the board during an overcrowding emergency; and administer the Interstate Compact for Adult Offender Supervision.

Section 42

Amends section 83-1,100 to strike language creating the Division of Parole Supervision within the Department of Correctional Services.

Section 59

Amends section 83-962 by striking "design capacity" and replacing it with "operational capacity". An overcrowding emergency now exists when the Director of Correctional Services certifies the inmate population is over 140% of operational capacity. This section also adds language allowing the Board of Parole to defer release of those inmates eligible for parole during an overcrowding emergency if they have determined that the committed offender's continued correctional treatment, medical care, or vocational or other training in the facility will substantially enhance the offender's capacity to lead a law-abiding life when released. This section also strikes language allowing the board to defer release based on it's determination that there is a very substantial risk the offender will commit a violent act against a person.

Section 60

Repealer

Section 61

Outright repealer of sections 83-1,101 and 83-1,102 to eliminate sections relating to the Director of Supervision and Services and such director's duties.

Carolyn Bosn, Chairperson

