

ENGROSSED LEGISLATIVE BILL 518

Introduced by Juarez, 5; McKinney, 11; Spivey, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend section 83-1,100.03, Reissue Revised Statutes of Nebraska; to change requirements for a report by the Department of Correctional Services and the Board of Parole; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 83-1,100.03, Reissue Revised Statutes of Nebraska, is amended to read:

83-1,100.03 (1) The board, in consultation with the department, shall adopt and promulgate rules and regulations to reduce the number of inmates under the custody of the department who serve their entire sentence in a correctional facility and are released without supervision. The rules and regulations shall establish clear guidelines and procedures to ensure that each parolee is subject to a minimum of nine months of supervision and shall place priority on providing supervision lengths that enable meaningful transition periods for all offenders. The rules and regulations shall ensure that each inmate eligible for parole is assessed for risk of reoffending using a validated risk and needs assessment provided by the department and shall incorporate into the release decision an inmate's assessed risk of reoffending, past criminal history, program completion, institutional conduct, and other individual characteristics related to the likelihood of reoffending into parole release decisions.

(2) By February 1 of each year, the board and the department shall electronically submit a report to the Legislature, the Supreme Court, and the Governor. The report shall:

(a) Describe the percentage of offenders sentenced to the custody of the department who complete their entire sentence and are released with no supervision;

(b) Document characteristics of the individuals released without supervision, including the highest felony class of conviction, offense type of conviction, most recent risk assessment, status of the individualized release or reentry plan, and reasons for the release without supervision;

(c) Provide recommendations from the department and board for changes to policy and practice to meet the goal of achieving a reduction in the number of inmates under the custody of the department who serve their entire sentence in a correctional facility and are released without supervision; and

(d) Contain information regarding:

(i) The number of inmates eligible for parole who remain incarcerated, disaggregated by the reason for such status;

(ii) Revocations of parole during the preceding year, disaggregated by the reason for revocation;

(iii) Hearings to grant or revoke parole conducted in the preceding year;

(iv) Rehabilitation and recidivism of parolees;

(v) Cost savings to the state resulting from individuals being paroled rather than incarcerated; and

(vi) Other matters the director deems appropriate.

(3) The department, in consultation with the board, shall maintain a list of individuals who are eligible for parole but are expected to complete their entire sentence in the custody of the department and be released with no supervision. This list shall be used to facilitate the placement of committed offenders in community work release and reentry centers under the Community Work Release and Reentry Centers Act.

Sec. 2. Original section 83-1,100.03, Reissue Revised Statutes of Nebraska, is repealed.

PRESIDENT OF THE LEGISLATURE

*THIS IS TO CERTIFY that the within LB 518 was passed by the One Hundred Ninth
Legislature of Nebraska at its Second Session on the day
of 20.....*

CLERK OF THE LEGISLATURE

Approved:

..... 20....., o'clockM.

GOVERNOR