

January 29, 1992 LB 523

CLERK: Senator Beutler would move to amend, Madam President. (The Beutler amendment, AM2529, appears on page 548 of the Legislative Journal.)

PRESIDENT MOUL: Senator Beutler.

SENATOR BEUTLER: Madam President and members of the Legislature, the amendment is being passed out to you. And I am serious about the amendment but I also hope that you will use the amendment and I would like to use the amendment as a vehicle for having some further discussion on this bill which I think is one that got very little discussion on General File and which we want to be very careful with in the sense that it involves the early release of certain kinds of prisoners that may have some kickback and some feedback and some effects on the public. And so I wanted to be sure that...that, for one thing, we got some legislative intent on certain aspects of the bill and, secondly, that we were all clear as to the kind of decision that we're making and that we want to make that decision. This is the bill that has to do with convicted sexual offenders and for certain categories of sexual offenses, you will recall, we are now requiring, once these people enter the Department of Corrections, a screening of all of these people. And the Department of Public Institutions conducts this evaluation of all these different types of offenders and then it makes the decision as to whether treatment in a treatment program operated by the Department of Public Institutions is appropriate, is appropriate for a particular offender. And this is the first concept that I...that I think we need to understand because only offenders for whom treatment is appropriate, only those are going to be allowed into the program. The rest of them will have to serve their terms in prison. And I guess I would like to start out by asking Senator Kristensen if he would respond and help me define and define for the Legislature what your intent is with regard to the word "appropriate". Appropriate to what? I suppose the first question, Senator Kristensen, that comes up is the people who go into the treatment program, are they people who are, first of all, determined to be treatable? I mean, which...which people...the treatment is appropriate for whom?

SENATOR KRISTENSEN: Senator Beutler, are you talking about the new law or the law we're currently under? Because it makes a big difference.