

January 29, 1992 LB 523

SENATOR KRISTENSEN: Well, that's what the bill is...

SENATOR ROBAK: I hope you're not addressing mental health per se.

SENATOR KRISTENSEN: Senator Robak, the bill deals exclusively with mentally disordered sex offenders.

SENATOR ROBAK: But your statements you made were a little broad and I think it might be picked up as a little broad. That's all.

SENATOR KRISTENSEN: Okay.

PRESIDENT MOUL: Thank you, Senator Robak. Is there anyone else who wishes to speak to this amendment? Seeing none, Senator Beutler, do you have closing?

SENATOR BEUTLER: Madam President, members of the Legislature, I will try to, as best I can, to say succinctly what you...what you vote for if you vote for this amendment, in my opinion. If you vote for this amendment, what you are saying is that you don't want people to go out into society into aftercare programs until and unless one of two things happens, until the Department of Institutions and the judge tells you that they're not a danger to society, one, or, two, they reach the point at which they are paroled and which they have to, at that point, go into an aftertreatment program or we should send them into an aftertreatment program. What this amendment is attempting to do is to say, we want some professional decisions, we want them on the record, we want them on the record from the Department of Institutions, we want to know that the judge considered this, because what we're doing here is releasing people even before their parole dates and it may be significantly before their parole dates. And, under the way the system works, you know, to get into this program originally you have to pay your own expenses, if they don't let you in, to appeal it. So one of my other small problems with this bill is that you give rich people the right to appeal into the Department of Institutions system and poor people don't have the right to appeal into that system and, by virtue of getting into that system, you can get out of the institutional system, you can get out from under your jail sentence faster than would ordinarily be the case. So, obviously, you're going to try like crazy to get into that