

February 2, 1996 LB 645

SENATOR ABOUD: That just deals with the sex offenders.

SENATOR CHAMBERS: Okay. So why is it being put into this bill?

SENATOR ABOUD: This language is a federal government mandate.

SENATOR CHAMBERS: I know you won't have time and I don't have time because I had less than a minute when I started so I have to let it go at this point, but thank you.

SENATOR CROSBY: Thank you, Senator Chambers. Senator Beutler, on the Abboud amendment.

SENATOR BEUTLER: Senator Abboud, I wanted to explore just two more questions with you a little bit.

SENATOR CROSBY: Senator Abboud.

SENATOR BEUTLER: If I may. If I'm understanding the bill correctly, once a person has been determined to be a sexually violent predator, that is has this mental abnormality or personality disorder, then is it, am I reading it right, that that determination cannot be reviewed for a period of ten years after the discharge from probation, parole, or release from incarceration, whichever date is most recent?

SENATOR ABOUD: I think it can be reviewed, it's just that they have to continue to register for that ten-year period.

SENATOR BEUTLER: If the sentencing court determines that a person is a sexually violent predator, required to register, until the sentencing court determines that the person no longer suffers from a mental abnormality or personality disorder which makes the person likely to engage in this behavior, such determination, does such determination refer back to the sentencing court's determination that he no longer suffers from the abnormality?

SENATOR ABOUD: The determination is based upon the sentencing court determining that they're a violent sexual predator, sexually violent predator. You're asking if they can appeal it, I assume anybody has the right to appeal it up to a court of appeals.