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FLOOR DEBATE

March 26, 2003      LB 46, 455

in granting parole by repealing restrictions on an inmate's parole eligibility. And, finally, the Correctional System Overcrowding Emergency Act is contained within LB 46, and would allow a planned process of inmate release on parole when the prison population is sufficiently over capacity as to risk federal preemption and court intervention. Nebraska is indeed in need of a permanent strategy to manage this fiscal crisis. It is time now, we respectfully suggest, to rethink how we expend our money with regard to the criminal justice system. LB 46 is the beginning, the first step in establishing a permanent new public policy. Ultimately, the vision is to create a continuum of sanctions and programs for nonviolent offenders who might otherwise serve prison sentences, at great expense to the taxpayers of the state of Nebraska. With regard to the committee amendment, the committee amendment also incorporates LB 455, as amended by your Judiciary Committee. Language is removed within the committee amendment, a stipulation between the state and the offender that a PSI, or a presentence investigation, for a felony sentencing is not necessary. PSIs shall be conducted for all felony sentencings so that the same assessment may follow an offender as he or she moves through the criminal justice system. The amendment provides that the intention of the Legislature is that committed offenders eligible for parole have the opportunity to complete their sentences on parole and not incarcerated. Continued participation in treatment programming is part of each offender's parolee personalized program plan. The Board of Parole is required to conduct a parole review at least 60 days prior to an offender's parole eligibility date, unless the offender is eligible for parole upon entering the Department of Correctional Services.

SPEAKER BROMM: One minute.

SENATOR BRASHEAR: When eligible immediately upon entering DCS, the review is to occur as early as practical. Failing to comply with a Department of Correctional Services approved personalized program plan would not be a factor in determining parole eligibility. The members of the Community Corrections Council would include the following voting members, and in recognition of the necessity of maintaining the separation of powers