

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 24, 2005

LB 538

Third, the bill requires validation of a risk...of risk assessment tools used by both probation and parole. These are very important tools used in the sentencing and the placement of offenders. The tools we have been using have not been subjected to a validation process, so we will now have the assurance that we are doing the right thing using the validated tools. The council adopted the view that it is important to commit the resources to ensure that these assessment tools are, in fact, valid measures of an offender's risk of additional requirements from the criminal judicial...justice system. Fourth, the bill allows the limited use of probation personnel and resources for drug court and problem-solving court programs, programs in which the individuals involved are not on probation. These drug court and problem-solving courts have been very successful and are completely within...or with...in harmony with the community corrections effort. Our current statutes restrict the use of probation personnel to supervise persons who are not on probation, and we correct that. Some drug courts operate in a manner in which the subject persons are not on probation. The bill would allow probation resources to be used for supervision of persons not on probation, but only in those limited situations in which a drug court or problem-solving court is set up pursuant to an interlocal agreement, and only if the resources for...which are provided by funds that are not General Fund resources of the Office of Probation Administration. This will ensure the General Fund money is used only for the central mission of probation and that other resources are provided when probation personnel are used in drug court programs. We believe that this approach will facilitate the community corrections effort. Fifth, the bill allows for the collection of fees from drug court and problem-solving court participants who are not on probation if they are making use of state-provided resources, such as a day reporting center or other such aspect created as a part of the SSAS program. Sixth, the responsibilities of the Justice Substance Abuse Work Team, which have already been adopted by the council administratively, are adopted in the statute. Seventh, the bill provides statutory authority for the Work Ethic Camp to add a drug treatment program. Finally, the crime of assault on an officer is expanded to include probation officers. This is in recognition of the expanded role that probation officers play in a system that increasingly relies,