

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

March 15, 2006 LB 1086

related activity is really distinct, in the sense that these individuals not only have...suffer predominantly with addictions, but they have prevailing underlying mental health disorders, particularly posttraumatic stress disorder. Many of these individuals were abused as children. Many of these individuals--I'm speaking of the women population, obviously--many of these women experienced domestic violence as an adult. Many of these women are involved in our Child Protective Services system. And it was felt that a dual diagnosis assessment that assesses both substance abuse and these underlying mental health problems is the route to go, and was recommended to me by individuals that are very familiar with this area.

SENATOR BEUTLER: Senator, I didn't intend to be questioning the justification for the assessment. I don't have any problem with that. I was just wondering how the mechanism worked. That is...and you're saying that there wouldn't be any kind of judgment made as to whether they needed one or the other, but the term, the condition of probation would be that they have an assessment in both?

SENATOR SYNOWIECKI: Yes. Yes.

SENATOR BEUTLER: Okay. And this is an area where, as you well know, repeat offenders are legendary. Once they've had the assessment, second, third, fourth convictions, the language of the bill requires the assessment a second, a third, a fourth time. It would seem that, assuming a reasonable closeness in the sequence of time, that the first assessment ought to serve the purpose, and that if there were going to be some additional requirement on subsequent offenses, it probably should be for some kind of actual treatment, in the event that the initial assessment indicated either a mental health or a substance abuse problem. Tell me what you...tell me what the justification is for making a further assessment mandatory, or the wisdom of making a further assessment mandatory after the first conviction.

SENATOR SYNOWIECKI: Well, Senator Beutler, you may...