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LB 1199

would you just tell me again so that I'm sure I understand? What happens to this convicted sex offender who doesn't complete treatment or who failed every aspect of a sex offender program?

SENATOR CUDABACK: Senator Bourne.

SENATOR BOURNE: Yeah, you know, that's a great question. I'm sure the individual you're referring to, probably most of our colleagues talked to him.

SENATOR SCHIMEK: I imagine they all got the same thing.

SENATOR BOURNE: Yeah, and some of...frankly, some of his concerns were legitimate. I think others were honestly not.

SENATOR SCHIMEK: Okay.

SENATOR BOURNE: But the concern that you're expressing here we dealt with and if you follow along in the committee amendment, it's on page 88.

SENATOR SCHIMEK: Yes, I looked at that.

SENATOR BOURNE: Yeah, and basically, the standard is for release from civil commitment that the person no longer poses a threat to the public.

SENATOR SCHIMEK: Right.

SENATOR BOURNE: And they're...a less restrictive treatment alternative exists for the subject which does not increase the risk that the subject, the person, will commit another sex offense. So basically what we're saying is, once they are no longer a threat to the public or if there is a less restrictive treatment alternative that does not increase the risk that they will commit another sex crime, they will be eligible to be released from civil confinement.

SENATOR SCHIMEK: And again, who makes that decision?

SENATOR BOURNE: The board.