

ONE HUNDRED FOURTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 34

Introduced by Krist, 10; Bolz, 29; Chambers, 11; Mello, 5; Schumacher, 22;
Seiler, 33.

Read first time January 20, 2015

Committee: Executive Board

WHEREAS, the Department of Correctional Services Special Investigative Committee of the Legislature was created in LR424, One Hundred Third Legislature, Second Session; and

WHEREAS, the committee, having completed its work and issued its report on December 15, 2014, discovered additional problems within the Department of Correctional Services during the course of its LR424 study; and

WHEREAS, the Legislature believes that further study and oversight of the department is necessary in order to prevent additional mistakes and to correct inadequate department procedures and policies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and reappoint the Department of Correctional Services Special Investigative Committee of the Legislature. The committee shall consist of up to eleven members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as deemed necessary by the committee.

2. That the Department of Correctional Services Special Investigative Committee of the Legislature is hereby authorized to study the following with respect to the Department of Correctional Services:

- (a) The adequacy of programs designed to rehabilitate inmates;
- (b) The funding history of programs designed to rehabilitate inmates;
- (c) The availability of mental health care and the policies and procedures in place to ensure that inmates receive appropriate mental health care or confinement through the civil commitment process;
- (d) The policies relating to the solitary confinement, segregation, or other isolation of inmates;
- (e) The transition of inmates from incarceration to the community at large;
- (f) The administration of good time laws; and
- (g) Any evaluation or study made of the department's policies and practices, whether or not any recommendations were adopted as a result of the evaluation or study, and the reasons if any recommendations were not adopted.

3. That the Department of Correctional Services Special Investigative Committee shall brief the Judiciary Committee of the Legislature by December 15, 2015, and December 15, 2016, and issue a report with its findings and recommendations to the Legislature as circumstances warrant.

4. That the Department of Correctional Services Special Investigative Committee is hereby authorized to continue its work until the beginning of the One Hundred Fifth Legislature, First Session.