

# NEBRASKA SENTENCING REFORM TASK FORCE

## MINUTES

FEBRUARY 9, 2024

1:00 P.M. CDT

1335 H ST, LINCOLN NE – NACO CONFERENCE ROOM

### 1. **Call to Order, Introduction and Roll Call**

Attorney General Mike Hilgers called the meeting of the Nebraska Sentencing Reform Task Force (Task Force) to order at 1:05 p.m. and requested a roll call. Members Present: Senator Carolyn Bosn, Douglas County Sheriff Aaron Hanson, Attorney General Mike Hilgers, Lt. Governor Joe Kelly, Douglas County Attorney Don Kleine, Senator Terrell McKinney, Colfax County Attorney Bruce Prenda, Douglas County Public Defender Tom Riley, Kearney Police Chief Brian Waugh, and Senator Justin Wayne. Members Absent: Lincoln County Public Defender Robert Lindemeier.

### 2. **Announcement of the Open Meetings Act**

A quorum having been established, Attorney General Hilgers announced that the meeting was being conducted in accordance with the Open Meetings Act.

### 3. **Notice of Meeting**

On February 2, 2024, a notice of this meeting with the agenda were provided to the Task Force members and to the public by posting to the Nebraska Public Meeting Calendar (Nebraska.gov/calendar). Notice of the meeting with the agenda were also available for public inspection at the Attorney General's Office, State Capitol Room 2115, and were kept continually current.

### 4. **Adoption of Agenda**

A motion to adopt the meeting agenda was made by Senator Bosn and seconded by Mr. Kleine. Members voting in favor of the motion: Bosn, Hanson, Hilgers, Kelly, Kleine, McKinney, Prenda, Riley, Waugh, Wayne. Members voting in opposition to the motion: none. Members absent: Lindemeier.

### 5. **Approval of October 27, 2023 Meeting Minutes**

A motion to approve the meeting minutes from the October 27, 2023, meeting was made by Chief Waugh and seconded by Lt. Governor Kelly. Members voting in favor of the motion: Bosn, Hanson, Hilgers, Kelly, Kleine, McKinney, Prenda, Riley, Waugh, Wayne. Members voting in opposition to the motion: none. Members absent: Lindemeier.

**6. Sentencing Reform Subcommittee Discussion**

The Sentencing Reform Subcommittee started the discussion around policy issues and ways to strengthen the current processes regarding sentencing, probation, and parole. There was special interest in “jamming out” data and LB 605. Members then discussed what the next steps of this subcommittee entail, such as what other data to examine and break down, and how a comprehensive review of different laws that have created sentencing discrepancies would be beneficial. They also discussed utilizing other state and federal sentencing structures to help guide their recommendations. There was also a conversation on getting specific data regarding the geriatric and younger incarcerated generations. Lincoln County Public Defender Robert Lindemeier arrived at the end of this discussion.

**7. Criminal Justice System Resource Allocation and Recidivism Reduction Subcommittee Discussion**

Since the last meeting, the Criminal Justice System Resource Allocation and Recidivism Reeducation Subcommittee conducted one call. The main takeaway of that call was the emphasis on the need for experts from different fields, such as parole, probation, and corrections, to come and speak to the whole group. Specific interest was focused on problem-solving courts and diversion programs and the availability of these in certain areas. Many have been very successful, but there is a lack of resources in western Nebraska communities. There is also a huge lack of housing resources, both transitional and regular, which seems to be correlated to recidivism and the avoidance of problem-solving courts. The discussion then turned to resources available for attorneys and judges, with a specific interest in potential state funding for CLEs rather than interest-group funding.

**8. Public Safety Subcommittee Discussion**

The Public Safety Subcommittee has conducted multiple calls since the last meeting. Problem-solving courts were a large part of these discussions, specifically how resources are allocated and how these courts might be introduced to smaller Nebraska communities. Emphasis was put on the need for young adults, veterans, and drug courts and making sure that they are available statewide. Figuring out what funding would need to be raised and where it would come from will be a focus of this group. Mental health was also brought up, specifically the issues that have arisen for law enforcement because of the lack of facilities available. There was talk about the state investing in behavioral health infrastructure and the need to build more facilities, especially in western Nebraska communities. The availability of facilities currently in use and of mental health professionals is incredibly low and has led to issues within correctional facilities and for attorneys. The subcommittee also discussed the need for increased victim and witness services to ensure they have a greater voice within the system and greater support. Another topic was the need to introduce and instill conflict resolution, therapy, and resiliency earlier for people. This is necessary particularly in the young population, before they even get a chance to come into contact with the system.

**9. Data Collection Subcommittee Discussion**

The Data Collection Subcommittee met in December and then had a follow-up call with Director Jeffreys regarding what kind of data the Department of Correctional Services would be able to provide. As long as it does not violate HIPAA or other confidentiality laws, the department should be able to provide the subcommittee whatever it requests. All data points will be related to the conversations earlier in this meeting.

**10. Adjournment**

The Task Force, having concluded its business as provided on the adopted agenda, adjourned on a motion by Sheriff Hanson, seconded by Senator Bosn. A roll call vote was requested. Members voting in favor of the motion: Bosn, Hanson, Hilgers, Kelly, Kleine, Lindemeier, McKinney, Prenda, Riley, Waugh, Wayne. Members voting in opposition to the motion: none. The meeting adjourned at 2:50 p.m.