

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 128

Introduced by DeBoer, 10; Conrad, 46; Fredrickson, 20; Holdcroft, 36; Ibach, 44; McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to investigate the ability of the Nebraska Crime Victim's Reparations Act to properly serve victims. The Nebraska Crime Victim's Reparations Act is intended to provide compensation to innocent victims of crime for certain expenses related to the criminal offense. The Nebraska Crime Victim's Reparations Act is funded through the federal Victims of Crime Act, state General Fund appropriations, and Cash Funds. The study shall include, but need not be limited to:

(1) An examination of issues relating to claims filed under the Nebraska Crime Victim's Reparations Act, the timeline applicants face to receive reimbursement under the act, the timeline faced by those whose claims were denied to have their appeal heard, the reasoning as to why claims were denied, the type of crimes committed leading to applications, the geographic breakdown of where applicants are from and where the crime was committed, and a comparison of denied applicants and approved applicants on a basis of the crime committed;

(2) A review of statutory and regulatory requirements for the Crime Victim's Reparations Committee and what changes could be made to assist the committee in its ability to efficiently meet, approve, deny, or hear appeals of claims;

(3) A determination of whether the resources provided to the Nebraska Crime Victim's Reparations Act are sufficient to meet the needs of the act to properly and efficiently support victims, including, but not limited to, staff resources and financial aid from all sources;

(4) An evaluation of the outcomes from the Council of State Governments

Justice Center study of the act, recommendations made by the study, what recommendations have been accepted and implemented already, what steps are being made to implement any other recommendations made, and statutory or regulatory barriers to making those recommended changes;

(5) An examination of statutory and regulatory barriers that might prevent the act from working effectively to serve innocent victims of crime in Nebraska; and

(6) An analysis of crime victim's reparation programs of other states, including, but not limited to, the similarities and differences between those programs and the Nebraska Crime Victim's Reparations Act.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.