

§ 10-106. Parole Board and Division of Parole Supervision Files Confidential.

- (A) The Board of Parole and the Division of Parole Supervision may maintain an individual file for each person who is under the jurisdiction of the Board of Parole. Such file may be maintained electronically and shall include, when available and appropriate, the following information on such person:
1. Admission summary;
 2. Presentence investigation report;
 3. Classification reports and recommendations;
 4. Official records of conviction and commitment along with any earlier criminal records;
 5. Progress reports and admission-orientation reports;
 6. Reports of any disciplinary infractions and their disposition;
 7. Risk and needs assessments;
 8. Parole plan and parole placement and investigation worksheets;
 9. Decision guideline scores;
 10. Parole case plan;
 11. Parole progress reports and contact notes;
 12. Arrest and violation reports, including disposition;
 13. Parole proceedings orders and notices;
 14. Other documents related to parole supervision;
 15. Correspondence; and
 16. Other pertinent data concerning his or her background, conduct, associations, and family relationships.
- (B) Any decision concerning release on or revocation of parole or imposition of sanctions shall be made only after the individual file has been reviewed. The contents of the individual file shall be confidential unless disclosed in connection with a public hearing and shall not be subject to public inspection except by court order for good cause shown. The contents of the file shall not be accessible to any person under the jurisdiction of the Board of Parole. A person under the jurisdiction of the board may obtain access to his or her medical records by request to the provider pursuant to sections 71-8401 to 71-8407 notwithstanding the fact that such medical records may be a part of his or her parole file. The board and the Division of Parole Supervision have the authority to withhold decision guideline scores, risk and needs assessment scores, and mental health and psychological records of a person under the jurisdiction of the board when appropriate.

(C) Nothing in this section limits in any manner the authority of the Public Counsel to inspect and examine the records and documents of the board and the Division of Parole Supervision pursuant to sections 81-8,240 to 81-8,254, except that the Public Counsel's access to the medical or mental health records of a person under the jurisdiction of the board shall be subject to his or her consent. The office of Public Counsel shall not disclose the medical or mental health records of a person under the jurisdiction of the board to anyone else, including any other person under the jurisdiction of the board, except as authorized by law.

~~(C)~~(D) For any person under the jurisdiction of the Board of Parole, the Board shall provide such person's (a) name, (b) parole officer, and (c) conditions of parole to the Nebraska Commission on Law Enforcement and Criminal Justice which shall provide access to such information to law enforcement agencies through the state's criminal justice information system.

STATUTORY REFERENCE: NEB. REV. STAT. §§ 83-1,125.01

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