

# COMMUNITY CORRECTIONS DIVISION ANNUAL REPORT 2016

**NEBRASKA**

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**COMMISSION ON LAW ENFORCEMENT  
AND CRIMINAL JUSTICE**

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## Introduction

The Community Corrections Division (Division) of the Nebraska Commission on Law Enforcement and Criminal Justice (Commission) is responsible for reporting annually to the Legislature and Governor on the development and performance of community corrections facilities and programs within the state by Nebraska Revised Statute §47-624. The Division is charged with collecting data and analyzing the effectiveness of the programs and facilities used in the supervision and treatment of offenders and specifically reporting on recidivism rates and outcome data for those offenders served within the Office of Probation Administration (Probation), Board of Parole Supervision and Services (Parole), Nebraska Department of Correctional Services (NDCS), and the Problem Solving Courts. This report is of critical importance to the Legislature and Governor's office in the formulation of criminal justice and public safety policies for the State of Nebraska. The agencies are staffed with administrators and employees not subject to the election process, therefore an independent analysis of the effectiveness of programs and subsequent use of taxpayer dollars for these programs and services is of the utmost importance for transparency and accountability to the citizens of Nebraska.

The purpose of this report is to properly identify the most important factors related to the offender population on community supervision, evaluate costs of programming, and to conduct an evaluation of the progress made in expanding community corrections facilities, programs, and services statewide. Additional analysis is to include the impact that community corrections programs, services, and facilities have on the offender population and the recidivism rates and outcome data for probationers, parolees, and problem solving court clients participating in these programs. The data for this report is provided to the Division from NDCS, Parole, and Probation. One of the Division's statutory duties is to administer funds from the Uniform Data Fund (UDF) for the purposes of supporting operations costs and analysis relating to the implementation and coordination of the uniform analysis of crime data.<sup>1</sup> This fund exists for the purpose of assisting agencies in the creation and maintenance of data collection systems. Since the funds creation in 2003, more than three million dollars have been contractually awarded to agencies to assist in building data systems and yet the Division continues to face obstacles in obtaining the necessary data for this report due to the difficulty in obtaining even the most basic information on offenders utilizing the programs, services, and facilities provided by these agencies. The Division expanded the language in Neb. Rev. Stat. §47-624(11) through LB 679(2016), with the hope that the new language will clarify the data being sought, and the purpose for which it will be used.

The Division's duties have continued to grow and expand as a result of the Justice Reinvestment Initiative. The County Justice Reinvestment Grant Program's rules and regulations have been drafted by Division staff,<sup>2</sup> and became law December 26, 2016, as Title 74, Chapter 1 of the Nebraska Administrative Code.

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<sup>1</sup> Neb. Rev. Stat. §47-632(1)

<sup>2</sup> Neb. Rev. Stat. §81-1426.01

The application for grant funds is posted on the Crime Commission website, and the administration of the funds are the responsibility of the Division. Additionally, the Division's goals include the development of standards for the use of community correctional facilities and programs, and establishing a long-term plan for the UDF to have better data reporting outcomes for this report.

This report will begin to include data resulting from the changes made by LB 605 in 2015 under the Justice Reinvestment Initiative. The effects of these changes are still unfolding, and it is expected that this report will adapt over time to reflect the changes in the criminal justice system and in the populations being served by community corrections programs and services due to statutory changes undertaken to help reduce prison overcrowding.

## **Community Corrections Division Mission and History**

### **Mission**

The mission of the Community Corrections Division is to develop and monitor the implementation of a comprehensive community corrections strategy in Nebraska for the purpose of reducing the incarceration of certain targeted felony offenders while supporting the use of a continuum of community corrections facilities, programs, services, and supervision tools to ensure a consistent and rational statewide sentencing policy; to advance the use of specific and enhanced evidence based programming and treatment; to encourage creativity at the local level to support alternatives to incarceration; and to promote equity and fairness within Nebraska's criminal justice system.

Our primary mandate is the development and implementation of statewide use of, and standards for, community corrections facilities and programs. To carry out this mandate, the Community Corrections Division, in collaboration with Probation and Parole, is tasked with studying and recommending improvements to existing community based programs and services for offenders.

### **History**

In September 2001, then Governor Mike Johanns created the Community Corrections Work Group to "plan a way out" of the impending offender population crisis without constructing a new prison. The Working Group was mandated to propose policies to control the prison population; maintain and enhance justice; reduce taxpayer cost; and ensure public safety. In December 2002, the Working Group developed a proposal which became LB 46(2003), a comprehensive piece of legislation which created the Community Corrections Council (Council) and established a statutory framework to promote the use of community based alternatives to incarceration and fund the services through the collection of fees from offenders sentenced to probation and released on parole.

The Council consisted of 20 members representing both the private and public sectors. Membership included representatives from Probation, Parole, NDCS, law enforcement, the Judiciary including the Supreme Court Administrator, the Legislature, substance abuse and behavioral health providers, the Nebraska Commission on Law Enforcement and Criminal Justice (Commission), criminal defense attorneys, and county attorneys. The diverse membership of the Council encouraged collaboration among members and across branches of government.

The Council met as needed to address the issues surrounding community corrections, develop policy, and monitor and evaluate programs supported by supervision fees and general fund dollars.

The Council had supported and encouraged the development of a number of community based programs to divert targeted offenders from incarceration and reduce recidivism.

These included Reporting Centers, the Fee-For-Service Voucher Treatment Program (Voucher), Specialized Substance Abuse Supervision (SSAS), and Problem-Solving Courts.

In 2011, LB 390 eliminated the Council, transferred portions of the Council's budget to the Supreme Court, and transitioned agency staff to the Community Corrections Division (Division) of the Commission.

The statutory basis for this report is found in Neb. Rev. Stat. 47-624(11), amended in 2010 by AM1679 to LB864, which requires the Division to report annually to the Legislature and the Governor on the development and performance of community corrections facilities and programs. The Division is charged with researching and evaluating the existing community corrections facilities and programs within the state, as well as educating the courts, Board of Parole, criminal justice stakeholders, and the general public about the availability, use, and benefits of community corrections facilities and programs. This annual report fulfills this statutory obligation.

## **Section I: Probation**

Probation provides an alternative to jail or prison for many offenders convicted of a variety of offenses in Nebraska. Probation is intended to work with those who can be supervised successfully in the community. The overall goal of Probation is to provide safe communities by creating sustainable change in a probationers' behavior, so they become productive, law-abiding citizens. While some probationers pose a relatively low risk to recidivate, or commit another offense, other probationer's supervision will vary. High risk probationer's supervision and case management involves high levels of engagement and accountability by highly skilled and experienced officers and specialized programs. To better serve the community, Probation works hard to stay on the cutting edge and provide evidence-based, specialized programming statewide whenever possible.

The mission of Probation is to deliver a system of services and supervision as ordered by the courts to help rehabilitate offenders and promote community safety. The three main goals pursued by Probation are as follows:

- 1) Providing the courts quality investigations and effective sentencing alternatives;
- 2) Reducing recidivism in both juvenile and adult offender populations; and
- 3) Providing for more efficient and effective use of Probation's resources.

To accomplish these goals, Probation has a number of programs, facilities, and tools to assist both juveniles and adults under their supervision to become productive citizens.

In Nebraska, Probation is under the Supreme Court, within the Judicial Branch of government. Probation has two primary functions in its service to the court, pre-sentence investigations and probationer case management/supervision.

As Probation moves forward with improving their data collection and reporting systems, there may be some discrepancies in numbers provided in this report as compared to previous years. These discrepancies are due to several factors, including data being pulled differently through system and process improvement, small amounts of old data being corrupted and fixed, and removal of juvenile data for the 2016 annual report. The data reported will continue to improve and be more accurate as systems continue to improve over time.



## **Pre-Sentence Investigations and Assessments**

### **Pre-Sentence Investigation**

A pre-sentence investigation (PSI) is a document that is ordered by the Court to assist the Judge in making decisions for adult offenders. The information provided includes prior criminal history, employment and educational background, any drug or alcohol use, family and friend information, victim information if known, as well as overall attitude regarding the offense. Additionally, information is obtained through risk assessment instruments that relate to the offenders risk of recidivism as well as any strengths. Officers will consult with others who can provide additional information about the offender. This may include family, friends, employers, victims, and treatment providers.

Although probation officers complete the PSI for the courts, a defendant may or may not receive probation as a sentence. If probation is considered, specific rehabilitative programs may also be recommended. The PSI is available for the statewide adult offender population. Pre-Disposition investigations (PDI) are used for juvenile cases and are similar to the PSI process.

### **Case Management and Supervision**

Judges place offenders on probation as an alternative to jail or prison. Probation is intended to work with those who can be supervised successfully in the community. The overall goal of probation is to maintain safe communities through creating sustainable change in a probationers' behavior, so they can become productive, law abiding citizens, and not commit future crimes. Each probationer's supervision will vary based on their recidivism risk level and assessment scores. High risk probationer's supervision and case management involves high levels of engagement and accountability by highly skilled and experienced officers. In Nebraska, the probation officers meet regularly with probationers both in the office and in the community, and their level of engagement with that offender is directly related to the assessed risk level.

The case management system utilized by Probation is Nebraska Probation Application for Community Safety (NPACS). The Division has contracted with Probation Administration for several years to administer UDF funds to assist in the building, expanding, and maintaining of the NPACS system.

### **Assessments**

Assessments are used as a part of completing investigations on adult offenders, and help to explore the probationer's risk to reoffend and any current or potential need for services. Nebraska Probation uses both general and specialized assessments as a part of the investigations completed on adult offenders. These assessments include the Level of Service/Case Management Inventory (LS/CMI), Nebraska Adult Probation Screen (NAPS), Substance Abuse Questionnaire (SAQ), Driver Risk Inventory (DRI), Simple Screening Instrument (SSI), the Standardized Risk and Reporting Format (SRARF),

Domestic Violence Offender Matrix (DV Matrix), and the Vermont Assessment of Sex Offender Risk (VASOR).

### **LS/CMI**

The LS/CMI is an assessment tool used to assess the offender's risk to recidivate by targeting the eight identified domains that represent the top criminogenic risk factors for recidivism. These factors are criminal history, education and employment, family history, leisure and recreation, companions, alcohol and drug use, pro-criminal attitude & orientation, and antisocial patterns. Probation uses the LS/CMI for individuals who are initially screened as higher risk, either because of a felony offense, or domestic violence or sexually based offense. This assessment is used as a tool to identify needs based on the identified risks to recidivate. Probation uses this to identify other specific responsibility needs to assist in case management, treatment planning, and service delivery for the offender.

### **NAPS**

The Nebraska Adult Probation Screen (NAPS) is an assessment tool used for those offenders initially screened as a lower risk to reoffend. A high NAPS score will indicate whether an offender needs additional assessment, in which case the LS/CMI will also be used.

### **Substance Abuse Assessments**

Probation uses two assessment instruments from Behavioral Data Systems, the Substance Abuse Questionnaire (SAQ) and the Driver Risk Inventory (DRI). The SAQ is an adult substance abuse assessment instrument that assesses aggressiveness, resistance, and stress handling abilities. This test measures a truthfulness scale, alcohol scale, drug scale, aggressiveness scale, resistance scale, and a stress coping ability scale. The DRI has been rated the best DUI/DWI offender risk offender test by the National Highway Traffic Safety Administration, and is very similar to the SAQ, measuring the following scales: truthfulness scale, alcohol scale, drug scale, DSM-5-Substance Use Disorder, driver risk scale, and stress management scale.

Probation also uses Nebraska specific assessments, the Simple Screening Instrument (SSI) and the Standardized Risk and Reporting Format (SRARF) which are used as key tools to assist in evaluation through the Standardized Model for the Delivery of Substance Use Services, which will be discussed in greater detail below.

### **Domestic Violence and Sexual Offenses Assessments**

Specialized assessment tools are used to assist with establishing needs and evaluating risk of re-offense for domestic violence and sexual offenders. The Domestic Violence Offender Matrix (DV Matrix) was adapted for Nebraska out of research compiled by the Domestic Abuse Intervention Project and the Department of Probation in Duluth, Minnesota.

The Duluth Model has been in existence since the early 1980's and is committed to creating social change to end violence against women.<sup>3</sup> The tool used by Nebraska Probation is composed of a 13-item risk scale based on the pattern of violent and controlling behaviors exhibited by the defendant, and helps to determine the appropriateness of a defendant convicted on a domestic violence offense for specialized community supervision.

The Vermont Assessment of Sex Offender Risk (VASOR) is a specific assessment for sex-related offenses. It is designed “to assess risk among adult male sex offenders age 18 and older”.<sup>4</sup> The VASOR assesses risk through the use of two different scales, a 13-item risk scale and a 6-item violence scale. These scales are designed to assess “the likelihood of sexual recidivism... [and] the nature of an individual's violence history and offense severity. The interaction of these variables, re-offense risk and violence, are considered important factors for determining an individual's overall risk level.”<sup>5</sup> In Nebraska, this assessment tool is used to determine the appropriateness of community supervision for a defendant convicted of a sexual offense.

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<sup>3</sup> See [www.theduluthmodel.org](http://www.theduluthmodel.org)

<sup>4</sup> Vermont Assessment of Sex Offender Risk-2 Manual, McGrath and Hoke, Research Edition 2001, [www.csom.org/pubs/vasor.pdf](http://www.csom.org/pubs/vasor.pdf)

<sup>5</sup> Ibid, p. 5

## **Probation Case Management, Supervision, Tools, Programs, and Services**

The second function of Probation is supervision of offenders placed on probation by a Judge as an alternative to jail or prison. The Community-Based Programs and Field Services Division is responsible for developing and implementing all adult programs and services provided to the courts for probationers. This includes all specialized domestic violence, sex offender, and behavioral health programming. Specialized services offered include all programs offered at the Reporting Centers, programs and services paid for through the Voucher Program, the Rural Improvement for Schooling and Employment (RISE) program, and the Standardized Model for Delivery of Substance Use Services.

### **Intensive Supervision**

Intensive Supervision is the supervision classification for the probationers with the highest risk of reoffending or who pose the highest risk to the community. These caseloads are classified with the Community Based Intervention (CBI) designation. Within this designation, there are several categories.

Intensive Supervision	CBI	Those who are classified by a validated assessment tool solely by being high risk.
	CBI-SASS	Those probationers who are high risk and court ordered into specialized programming for substance abuse with specialized probation officers.
	CBI-Domestic Violence	Offenders are placed in this category due to the nature of their offense being domestic violence, regardless of risk.
	CBI-Sex Offender	Offenders are placed in this category due to the nature of their offense being a sex offense, regardless of risk.

CBI also encompasses many specialized programs to better serve these high risk offenders. Probation officers who manage offenders within this category generally have only 24 to 50 probationers in their case load. The officers who manage these probationers have specialized training, and are the most skilled and experienced in the agency.

**CBI Probation Demographics**

Community Based Intervention (CBI) High Risk	FY 13-14	FY 14-15	FY 15-16
CBI Domestic Violence	804	858	906
CBI Sex Offender	302	287	272
Offender Demographics CBI – Intensive Supervision	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	798	814	883
Male	2779	2832	2933
Totals	3577	3646	3816
Age			
Under 18	63	57	45
18-20	621	537	505
21-25	774	777	812
26-30	576	613	627
31-35	451	503	558
36-40	331	384	390
41+	761	775	879
Race/Ethnicity			
American Indian/Alaskan Native	128	118	105
Asian or Pacific Islander	25	27	33
African American	446	449	472
Other	378	377	372
White	2600	2675	2834
Hispanic Origin	378	422	451
Not of Hispanic Origin	3199	3224	3365
Marital Status			
Single	2219	2240	2330
Married	589	576	597
Separated/Divorced/Widowed	608	643	698
Unknown	161	187	191
Education Level at Entry			
8 <sup>th</sup> Grade or Less	78	78	79
9 <sup>th</sup> through 11 <sup>th</sup> Grade	634	632	626
12 <sup>th</sup> Grade or GED	1934	1837	1668
Vocational/Some College	678	677	661
College or Above	218	215	206
Unknown	35	207	576

### Community Based Resources

Community Based Resources (CBR) is the classification used for those probationers who are at a moderate to low risk to reoffend. These individuals pose a moderate or low risk to the community and require fewer resources to manage and supervise within the community. Officers managing this type of caseload generally carry 100 or more probationers and refer their clients to services that match their areas of need.

CBR: Community Based Resources	CBR Medium High	Those probationers who are not high risk but have problem areas that could lead to re-offense, as measured by assessment tools.
	CBR Medium Low	Lower risk of offense, but have identified areas needing to be addressed.
	CBR Low	Low risk of re-offense.
	CBR Very Low	Very low risk to re-offend.
	CBR Administrative Override Very Low	Probationers not subject to risk assessment, but the nature of their charge is such that the court gives them a specific task to complete, and once it is accomplished the probationer has no further obligations to the court.

**CBR Probation Demographics**

Offender Demographics CBR	FY 13-14	FY 14-15	FY 15-16
<b>Gender</b>			
Male	6805	5987	5687
Female	3467	3033	2881
<b>Age</b>			
Under 18	126	78	37
18-20	1205	1045	952
21-25	2568	2179	2030
26-30	1650	1423	1361
31-35	1221	1055	1064
36-40	914	878	837
41+	2588	2362	2286
<b>Race/Ethnicity</b>			
American Indian or Alaskan Native	201	172	161
Asian or Pacific Islander	115	99	97
African American	779	725	721
Other	1279	1100	1015
White	7898	6924	6574
Hispanic Origin	1291	1268	1241
Not of Hispanic Origin	8981	7752	7327
<b>Marital Status</b>			
Single	6161	5316	4966
Married	2161	1912	1798
Separated/Divorced/Widowed	1674	1521	1468
Unknown	276	271	336
<b>Education Level at Entry</b>			
8 <sup>th</sup> Grade or Less	356	335	306
9 <sup>th</sup> through 11 <sup>th</sup> Grade	919	812	727
12 <sup>th</sup> Grade or GED	4783	3779	2874
Vocational/Some College	2641	2184	1852
College or Above	1485	1246	1092
Unknown	88	664	1717

**OTHER**

Probationers in this category are neither high nor low risk. These are active cases that may require some case management but very little to no engagement by the probation officer assigned to manage the case. Caseloads that contain this type of offender are quite high and require little action by the officer other than to monitor their status and take appropriate action as necessary.

Other	Administrative Abscond	Probationers who have absconded from supervision.
	Administrative – Adult Court Hold Detention	Probationers who are in jail awaiting action on a case.
	Administrative Appeal	Probationers who have appealed their sentence to probation and are awaiting a decision.
	Administrative – Capias	Probationers who have a warrant and are being sought to clear the warrant.
	Administrative – Integrated Jail/DOC	Probationers either serving a sentence in jail for another case or are serving up front jail time on their probation case.
	Administrative – Interstate Transfer Out	Probationers who have been transferred through the Interstate Compact for supervision in another state.



## **Domestic Violence and Sex Offender Programming**

Specialized programming is utilized to help offenders in these high-risk categories. In addition to the specialized assessment tools discussed previously, Probation officers serving these offenders have received intensive training to enable them to provide the kind of intensive supervision necessary.

Specialized supervision for offenders with a domestic violence charge works to keep offenders accountable, with the additional goal of keeping the victim safe. Community partners, victim advocates, and service providers work with the Probation Officers to hold offenders accountable for their behavior and receive the kinds of services necessary to help change their behavior and reduce their risk of future incidents of domestic violence. Victim's needs are met through officer collaboration with victim advocacy programs.

Sexual offenders also need to be held accountable for their behaviors and need services to help prevent re-offense. Probation officers are responsible for providing supervision for these offenders, and work in collaboration with service providers to hopefully reduce recidivism and keep communities safer.

## **Reporting Centers**

There are 14 Reporting Centers in Nebraska. They are run by Probation, and both probationers and parolees may attend classes or access other services available at the Reporting Centers, including pre-treatment, employment, and educational and life skills classes. Other options include cognitive groups to assist offenders in behavior change including daily offender contact, random monitoring of daily itineraries, job interviews, counseling attendance, community services, General Education Development (GED) and Adult Basic Education (ABE), job referrals, and vocational services. Eligibility criteria for parolees are based on class space availability. Most parolees were able to begin classes within a short time of their referral, however Parolees were not eligible for participation during FY 15-16.

Within the Reporting Centers, specially trained Probation Officers use cross-system case management and cross-system collaboration between the Judicial System and treatment providers. Each of the Reporting Centers are responsible for having a core set of classes, although due to the availability of resources, non-core contract services vary among Reporting Centers.

Reporting Centers also offer services that are unique to the Judicial Districts where they are located. During FY 13-14, there were collectively over 143 different services within 14 different Reporting Centers. These services include impact classes, domestic violence classes, women's groups, and Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), drug testing, substance abuse services, and aftercare/relapse prevention counseling. Other services such as drug testing and ancillary assistance (transportation, leisure activities, clothing closets, or computer labs) are also available.

The target populations for the Reporting Centers are offenders under community supervision, in need of rehabilitative services and include probationers, parolees, and problem-solving court participants. Services are tailored to meet the needs of the district and local population. Reporting Centers assist in engaging offenders in rehabilitative services while simultaneously providing enhanced supervision. Reporting Centers are funded through a combination of general fund, cash fund, and county dollars.

Reporting Centers have become integral to the success of the SSAS program’s work to reduce recidivism. Reporting Centers are now open serving higher risk offenders in Beatrice, Bellevue, Columbus, Gering, Grand Island, Hastings, Kearney, Lexington, Lincoln, Nebraska City, Norfolk, North Platte, Omaha, and South Sioux City. Parolees were not eligible for participation in Reporting Centers in FY 15-16.

### Reporting Center Programming

	FY 13-14	FY 14-15	FY 15-16	Percent Increase over three fiscal years
Unique Individuals Served	1563	1535	2686	73%
Programming Referred	2008	1914	3718	88%

Program	FY 13-14	FY 14-15	FY 15-16	Totals
Anger Management	119	152	294	565
Crime Victim Empathy	419	586	920	1925
Employment Services	136	79	408	623
Money Management	183	178	181	542
Parenting	56	59	122	237
Relapse Group	207	61	410	678
Life Skills	557	602	582	1741
Trauma Group	73	99	213	385

### **Service Centers**

Probation began utilizing Service Centers in 2011 in the judicial districts that do not have a Reporting Center. There are currently four Service Centers in Nebraska, located in Beatrice, O’Neill, Hastings, and North Platte.

Service Centers are designed to serve the same population as the Reporting Centers, but offer a scaled back listing of rehabilitative services. They were designed to fulfill the need for services within the judicial district to fulfill court-ordered obligations, address high-risk needs, and create opportunities for probationers that would not otherwise be possible in rural communities.

Service Centers are staffed by existing district probation staff due to the fact that no dollars were allocated for new staff at the Service Centers. There is also the possibility of accessing programming via Probation TeleServices (PTS) at the service centers. PTS offers the availability for services to be administered to probationers through the use of technological audio and video equipment to assist probation in bringing services to clients facing the barriers inherent in living in rural communities.

### **Electronic Monitoring**

Electronic Monitoring (EM) is a general term referring to forms of surveillance which monitor the location, movement, and specific behavior of offenders under 24 hour community supervision. EM is most effective when used with offenders who are at highest risk of reoffending and in need of a stabilization period. EM is used by both Probation and Parole for offenders who have been determined to need this higher level of supervision.

Parole and Probation utilize several types of EM. Through the use of technology available through Satellite Tracking of People, VeriTracks electronic monitoring system is the platform through which the monitoring takes place. Active global positioning is “real time” tracking of an offender. Passive EM programs allow an officer to see where an offender has been previously.

EM is used as a supervision tool for offenders on community supervision and all lifetime sex offenders. Parolees with a history of sexual offenses are specifically placed on EM. Additional candidates for EM are any parolee with ties to gang activity, a previous parole violation, or an offender’s victim who has requested the parolee be placed on EM. EM is often used as a graduated sanction, allowing the offender to remain in the community while allowing increased supervision. It also may be used as an incentive with increased free time, to encourage offender compliance.

### **Electronic Monitoring Probation All Programs**

Electronic Monitoring	FY 13-14	FY 14-15	FY 15-16
Number Served	330	216	134

### **Continuous Alcohol Monitoring**

Continuous Alcohol Monitoring (CAM) is an electronic monitoring program that measures the individual’s perspiration for the presence of alcohol excreted transdermally through the skin. It is a tool of supervision used by Probation when the client is involved in substance use treatment, has an extensive history of alcohol-related incidents, demonstrates continued use of alcohol in spite of negative consequences, and shows an unwillingness to discontinue its use.

The goal of the CAM program is to enable the courts, Parole Board, and Probation to introduce the various applications of CAM technology in context with the supervision strategies of offenders with a substance abuse problem on community supervision. The objective is to provide a meaningful period of abstinence that would promote behavioral change. Ideally, the technology would be ordered in conjunction with a substance abuse evaluation and/or some form of treatment. CAM offers 24 hour continuous monitoring of alcohol intake through the use of an ankle bracelet. Although the device can determine alcohol use quickly, the company usually does not provide the information to agency staff for 24 to 36 hours.

Any adult offender, as determined by the courts, Parole Board, or Problem Solving Courts, that requires abstinence from alcohol as a condition of supervision is eligible for this program, which is available statewide. Offenders who are engaged in a chemical dependency treatment program and have demonstrated an inability to refrain from the use of alcohol while under supervision are targeted for this program.

Additionally, the CAM offender population is made up of offenders with a history of alcohol abuse, alcohol violations while on parole, or numerous DUI offenses. Probationers are financially responsible for payment of the costs associated with CAM. Costs are subject to a sliding fee scale. Funding for Probationers comes from both the general and cash funds of the Community Corrections Program.

#### **Continuous Alcohol Monitoring Probation and Problem Solving Courts**

Continuous Alcohol Monitoring	FY 13-14	FY 14-15	FY 15-16
Number Served	825	864	738

### **Drug Testing**

As drug abuse is a critical factor in criminal behavior and juvenile delinquency, drug testing identifies offenders with substance abuse problems. Identifying these probationers makes it possible to provide the appropriate level of treatment for drug addiction and rehabilitate these offenders to become productive citizens.

Substance use testing is conducted as directed by the Court for probationers with a demonstrated history of substance use or those who are demonstrating behaviors associated with the use of prohibited or illegal substances while under supervision.

The purpose of substance use testing is to determine responsivity specific to criminogenic risk and need in order to implement appropriate interventions promoting pro-social behavior and community safety.

When applicable, probationers are assessed a fee of \$5.00 monthly for the costs of substance use testing. Drug testing is funded out of the Drug Testing Cash Fund.

**Number of Drug Tests by Classification**

Classification	FY 13-14	FY 14-15	FY 15-16
CBI	66,070	74,670	79,682
CBI DUI	16,723	17,662	20,001
CBI Domestic Violence	11,492	18,372	31,019
SSAS	20,993	26,981	36,594
Sex Offender	5,005	5,328	5,703
CBR	101,975	122,780	141,002
Other	6,934	11,944	17,538
Unclassified	44	27	30
Grand Total	229,236	277,764	331,569

**Fee-For-Service Voucher Program**

Many offenders under supervision do not have the financial ability to pay for their own rehabilitative programs. The Fee-For-Service Voucher Program (Voucher) was created to reduce the financial barriers of specifically identified offenders in need of financial assistance in order to receive treatment. Vouchers are not intended to supplant other means of financial assistance, but instead are a resource available to Parole and Probation Officers when a need exists with those under their supervision. Whenever possible, offenders are expected to contribute toward the financial obligations associated with evaluation and treatment. Services covered by the Voucher program include

- 1) Substance abuse evaluations, completed by a registered provider that is licensed by the State of Nebraska to assess and treat substance use disorders;
- 2) Outpatient Treatment, including individual and/or group therapy to treat substance-use disorders causing disruption in the offender’s life;
- 3) Intensive outpatient treatment consisting of group and individual counseling for offenders with substance use disorders or chemical dependence; and

- 4) Short-term residential treatment that is clinically managed high intensity treatment in a staff secure location. Non-medical residential treatment is also available for offenders with a primary chemical dependency, entrenched dependency pattern of usage, or an inability to remain drug free outside of 24 hour care.

This program is used statewide and is intended specifically for felony drug offenders, parole offenders, felony offenders under sanction or violation status, offenders with a Class 1 misdemeanor drug offense, offenders with a 3<sup>rd</sup> offense of DUI, Felony DUI, and Problem-Solving Court offenders. In order to be determined eligible for this program, a potential offender must meet the sliding scale fee requirements. This program is funded by the State of Nebraska through a combination of general funds and cash funds from the Community Corrections Program. Please note, for FY 15-16, Administrative Office of Parole ceased paying for Parolee services utilizing Voucher dollars, therefore the FY 15-16 numbers reflect only what was spent on Probationers.

**Voucher Program, Financial Assistance Vouchers by Level of Care**

Level of Care	Amount FY 13-14	Amount FY 14-15	Amount FY 15-16
Assessment and Evaluation	\$196,745	\$243,885	\$400,807
Short-Term Residential	\$2,359,943	\$2,788,540	\$2,011,570
Intensive Outpatient	\$746,727	\$854,568	\$681,700
Outpatient Counseling	\$842,795	\$941,882	\$693,970
<b>Total</b>	<b>\$4,146,210</b>	<b>\$4,828,875</b>	<b>\$3,788,047</b>

**Juvenile Fee-For-Service Voucher Program**

The Voucher program was extended to juveniles on probation to reduce the financial barriers to services, treatment, or placement. As with the adult voucher program, these serve as a resource when a financial need exists.

To promote parental responsibility and provide for the most equitable use and availability of public money, the court may assess the cost of placement or detention in whole or in part to the parent(s) of the juvenile. Probation will consider parental funds, private or public insurance, entitlements, grants, and other sources of funds, prior to the authorization of state appropriated money. Services provided to juveniles through the voucher program include substance abuse services, other treatment services, non-treatment services, out-of-home placements, and detention placements.

**OffenderLink (Electronic Reporting System)**

OffenderLink is an automated interactive voice response telephone reporting and web-based monitoring system designed to improve workload efficiencies and increase accountability for low or very low risk probationers.

OffenderLink is a tool used to help manage the potentially large caseloads of Officers, consisting of those individuals that have been assessed as a low to very-low risk to recidivate. Probationers report in through OffenderLink by telephone monthly to report relevant changes in their information.

Probationers being supervised with the help of OffenderLink are required to comply with the Order of Probation, submit to chemical testing as ordered, meet their financial requirements, and participate in any programming required by the court.

OffenderLink provides 24 hour access to all case files and all call reporting data. This system automatically monitors a probationer’s compliance with their condition of supervision so officers can focus more of their attention on the non-compliant probationers without spending unnecessary time on those who are satisfying their conditions of supervision. OffenderLink assists Probation Officers by maintaining all case notes and contact history. It also makes calls automatically to Probationers not in compliance with the program requirements, to generate the highest level of compliance possible.

Funding for OffenderLink comes from both the general and cash funds of the Community Corrections Program within Probation.

**OffenderLink: Electronic Reporting**

Electronic Reporting	FY 13-14	FY 14-15	FY 15-16
Number Served	5,372	4,667	4,618

**Rural Improvement for Schooling and Employment Program (RISE)**

RISE is an AmeriCorps program launched in 2007 by Probation to increase opportunities for probationers in rural communities. This program also works to increase community safety and reduce recidivism by increasing attention to educational and employment aspects of the offender’s probation plan.

RISE focuses on providing supportive services for both adult and juvenile probationers in a group setting, with one-on-one sessions available as necessary in 32 counties of Nebraska’s probation districts. Probation’s RISE Program Specialists work with a developed curriculum targeted for specific educational and/or employment skills. The RISE program curriculum consists of different tracks to fit the individual probationer.

Adults can participate in the employment track, focused on attaining a GED and higher education; or a dual track, meaning probationers receive support in areas of education and employment together. The Navigator Program adds additional support to those who are assessed as the highest risk probationers.

The RISE juvenile school support track is designed to specifically target youth struggling in school academically, as well as with attendance and attitude.

The Nebraska RISE program has been nationally recognized with over 70% of RISE graduates not reoffending or having their probation revoked within one year of their RISE graduation date.

The RISE program is available for adults or juveniles under supervision throughout the state. It is funded through state general fund appropriations and also receives federal financial support.

### **Specialized Substance Abuse Supervision (SSAS)**

Established in 2006 in response to prison overcrowding, SSAS targets high-risk substance abuse offenders. SSAS is administered by Probation and is a sentencing alternative that combines intensive supervision with substance abuse treatment as a means of criminal control. It is intended to address the treatment and supervision needs of offenders with chronic drug problems who pose a high risk to recidivate. Highly trained probation officers work with offenders who are also identified as having anti-social, pro-criminal tendencies. The target population for the SSAS program are felony drug offenders with substance use problems. Probation uses risk assessment tools listed previously to identify appropriate candidates.

Goals of the SSAS Program are:

- 1) Lower levels of recidivism and relapse;
- 2) Improve education and enhance employability; and
- 3) Facilitate reintegration into the community.

Each offender's needs are individually assessed so the treatment, including the length of time spent in treatment, may be customized. This flexibility creates the most efficient and effective means to assist the offender to recover, maintain sobriety, and become a productive, law abiding member of the community.

Core components of the SSAS program are:

- 1) Access to substance abuse treatment;
- 2) Participation in cognitive behavioral programming;
- 3) Use of Reporting Centers to address other risk factors;
- 4) Quality case management and intensive supervision.



SSAS is funded with programming fees paid by probationers, and there are currently 14 SSAS sites located throughout the state which work in affiliation with the reporting centers.

The sites serve offenders in Adams, Buffalo, Dakota, Dawson, Dodge, Douglas, Gage, Hall, Lancaster, Madison, Otoe, Platte, Sarpy, and Scottsbluff counties. These sites are in all Nebraska judicial districts except District 8.

**SSAS Snapshot**

	FY 13-14	FY 14-15	FY 15-16
Total new SSAS referrals made during the fiscal year	300	443	541
Total SSAS Clients served during the fiscal year	488	668	1005
Successfully Completed SSAS Referral during the fiscal year	262	247	244
Participants still Active in SSAS as of 10/1/2016 originating from prior fiscal years	54	195	610
Average initial SSAS LS/CMI Score	23.01	23.36	23.84
Average final and/or current LS/CMI Score	17.80	18.30	19.39
Percentage of Risk Decrease	-22.64%	-21.64%	-18.66%

### SSAS Demographics

Offender Demographics SSAS	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	132	105	173
Male	340	300	425
Age			
18-20	26	23	46
21-25	84	74	133
26-30	82	89	102
31-35	107	83	114
36-40	51	48	66
40+	122	88	137
Race/Ethnicity			
American Indian or Alaskan Native	14	13	16
Asian or Pacific Islander	5	3	8
African American	58	46	72
Other	34	33	62
White	361	310	440
Hispanic Origin	33	36	78
Not of Hispanic Origin	439	369	520

### Interstate Compact and Interdistrict Transfer

The interstate compact for Adult Offender Supervision was federally enacted in 2002 and established a national governing body with rule-making authority and the ability to enforce compliance. As a member state of the Interstate Compact, Nebraska is responsible for the creation of a State Council which shall include membership of at least one representative of the legislature, judicial, and executive branches of government, victims groups, and compact administrators. The State of Nebraska has two separate State Councils for adult and juvenile interstate compact, which are required to meet at a minimum of once a year. The purpose of the State Council is to provide advocacy and oversight regarding compact activities within the state, including the appointment of the state's Compact Commissioner. In 2010, the compact office implemented internal statewide standards for interdistrict transfers. This includes all transfers of adult and juvenile probationers within the state of Nebraska. The office oversees interstate compact (out-of-state) and interdistrict (in-state) transfers for probationer relocation. The office's overarching goal is to enhance public safety by ensuring compliance with transfer processes, while serving as a resource for training and support to enhance successful courtesy supervision.

## **Standardized Model for the Delivery of Substance Use Services**

The Standardized Model for the Delivery of Substance Use Services (Standardized Model) has been developed by Probation and is used to recognize the connection between substance use and crime or delinquency and address that connection through proper and effective treatment. Behavioral health services are provided to both adult and juvenile probationers through the correct implementation of the policies and practices established within the Standardized Model. Court Rule §6-1301 requires compliance with the Standardized Model by those evaluating and treating juveniles and adults ordered by the courts in the State of Nebraska, or by judges presiding over non-probation-based programs or services such as the PSC. The intent behind the Standardized Model is to provide meaningful opportunity for client rehabilitation in an effort to reduce recidivism, promote good citizenship, and enhance public safety. Through the use of the Standardized Model and evidence based programs and services, the expectation is that all probation clients will receive substantially equivalent care and rehabilitation, and that individuals on probation will receive the same policies, procedures, and evaluations, and will have sanctions administered justly without bias.

Probation also uses Nebraska specific assessments, the Simple Screening Instrument (SSI) and the Standardized Risk and Reporting Format (SRARF) which are used as key tools to assist in evaluation through the Standardized Model for the Delivery of Substance Use Services.

## **Administrative and Custodial Sanctions**

Sanctions are used by Probation in response to an individual violating the terms of their probation as set by the court. As defined in statute, an administrative sanction is an additional probation requirement imposed upon a probationer by his or her probation officer, with full knowledge and consent of the probationer, designed to hold the probationer accountable for violations of the conditions of probation.<sup>6</sup> Administrative sanctions can include requiring the probationer additional conditions, not limited to counseling or reprimand by the probation officer, increased supervision contact requirements, increased substance abuse testing, referral for substance abuse or mental health evaluation, other specialized assessment, counseling, or treatment, imposition of a designated curfew for up to 30 days, community service, travel restrictions, or restructuring court-imposed financial obligations to mitigate their effect on the probationer. Custodial sanctions are defined as an additional probation requirement imposed upon a probationer designed to hold the probationer accountable for a violation of a condition of probation, which may include up to thirty days in jail as the most severe response and may include up to three days in jail as the second most severe response.<sup>7</sup> Both administrative and custodial sanctions are used for non-criminal activities, including positive drug or alcohol use testing, missed appointments, or failure to pay fines and/or fees as required by Probation.

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<sup>6</sup> Neb. Rev. Stat. §29-2266(2)

<sup>7</sup> Neb. Rev. Stat. §29-2266(3)

**Administrative and Custodial Sanctions**

Probation Sanctions	FY 13-14	FY 14-15	FY 15-16
Administrative Sanctions	6,906	8,647	10,397
Custodial Sanctions	N/A	N/A	273

## **Section III: Problem Solving Courts**

Problem Solving Courts (PSC) were first introduced in the United States in the 1990s to accommodate offenders with specific needs and problems that were not or could not be adequately addressed in traditional courts. PSCs seek to promote outcomes that will benefit not only the offender, but the victim and society as well. Thus, PSCs were developed as an innovative response to address offenders' problems, including drug abuse, mental illness, and domestic violence. Although most PSC models are relatively new, states are seeing a positive effect on the lives of offenders and victims, and in some instances, are saving jail and prison costs. PSCs typically focus on the following:

1. Outcomes, designed to provide positive case outcomes for victims, society, and the offender, typically by reducing recidivism or creating safer communities;
2. System Change, promoting reform in how the government responds to problems such as drug addiction and mental illness;
3. Judicial involvement, where judges take a more hands-on approach to addressing problems and changing behaviors of defendants;
4. Collaboration by working with external parties to achieve certain goals, such as developing partnerships with mental health providers;
5. Non-traditional roles, where the courts and their personnel take on roles or processes not common in traditional courts;
6. Identification of potential candidates for the problem solving courts through the use of screening and assessment tools to determine a defendant's eligibility, especially to identify a defendant earlier in their involvement with the criminal justice system.

Nationally, drug courts have been a leader in changing the approach of how to work with crime directly relating to social problems, such as drug and alcohol use and mental health. Drug courts are only one model of PSC. Other court models include domestic violence, mental health, re-entry, and courts specific to veterans.

In 2012, the Nebraska Problem-Solving Court leadership group developed a strategic plan to identify the goals and policies required to ensure Nebraska's Problem-Solving Courts operate effectively and efficiently. The establishment of Statewide Standards was central to this effort, expanding the capacity of the courts and ensuring the establishment of best practices and quality assurance. Proposed standards for Adult Drug Courts and DUI Courts were collaboratively developed by stakeholders across Nebraska. These standards were approved by the Nebraska Supreme Court in June 2015 and all Problem-Solving Courts in Nebraska must adhere to these standards.

PSC's in Nebraska include Adult Drug Courts, Juvenile Drug Courts, Family Drug Courts, Young Adult Drug Court, and DUI Courts.

In 2016, LB 919 was passed by the Legislature and establishes the legislative finding that untreated substance use disorders and untreated mental illness can contribute to increased crime. This legislation was passed to expand specialized courts in Nebraska to include Veteran's, Mental Health, DUI, Re-entry, and other PSC programs. The Nebraska Supreme Court's Problem-Solving Court committee was recently able to gain approval of Best Practice Standards for Veterans Treatment Courts and is presently working on standards for mental health and re-entry courts.

There are currently problem-solving courts in all 12 Judicial Districts. Most problem-solving courts operate under the Administrative Office of Probation, with the exception of the Adult Drug Courts in Douglas and Lancaster Counties, and the Central Nebraska Adult Drug Court in Grand Island, which serves the 9<sup>th</sup> and 10<sup>th</sup> Judicial Districts. Family Drug Courts typically operate within the Courts and the Department of Health and Human Services cooperatively.

In accordance with evidence-based research, all problem-solving court participants are assessed for substance abuse, mental health issues, trauma history, trauma-related symptoms, and post-traumatic stress disorder (PTSD).

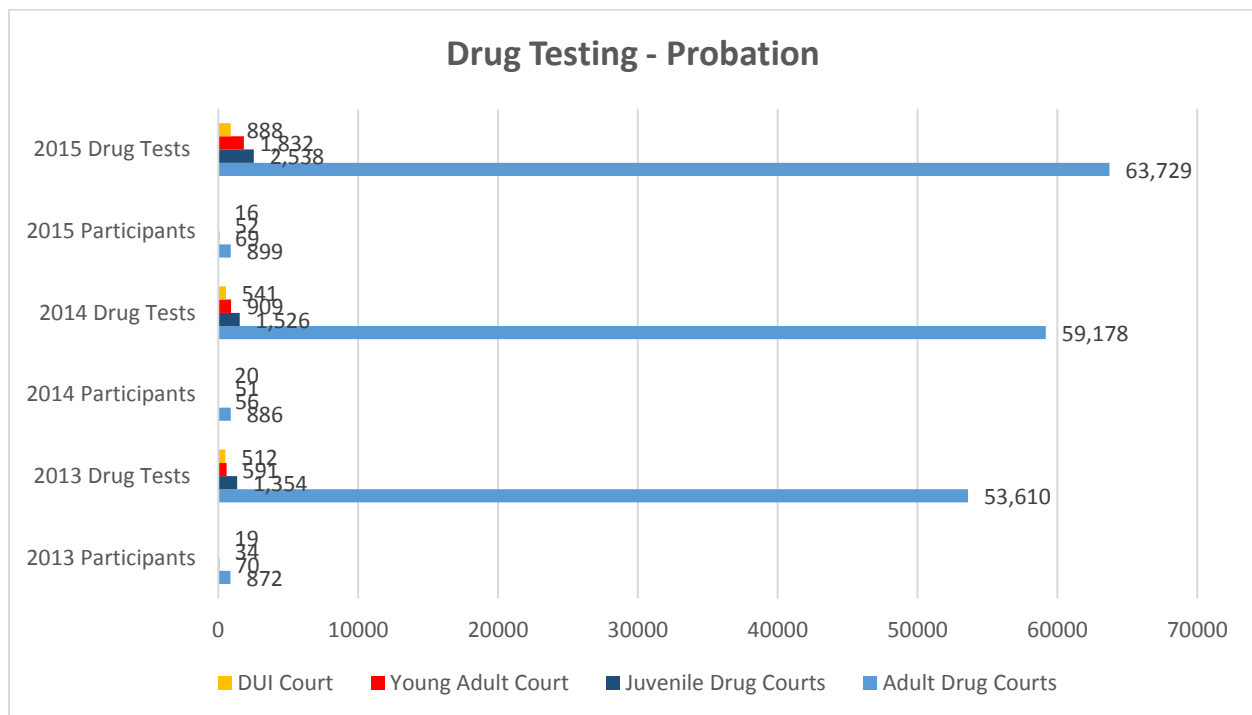
**Nebraska Problem Solving Courts Demographics**

	FY 13-14	FY 14-15	FY 15-16
Total	766	939	1,036
<b>Gender</b>			
Female	269	359	354
Male	497	580	682
<b>Age</b>			
18-20	129	101	147
21-25	182	310	271
26-30	144	189	192
31-35	101	147	139
36-40	60	70	81
41+	104	122	142
<b>Race/Ethnicity</b>			
American Indian/Alaskan Native	19	20	19
Asian or Pacific Islander	7	6	7
African American	70	85	96
Other	44	82	88
White	626	746	826
Unknown	0	1	0
Hispanic Origin	50	93	113
Not of Hispanic Origin	716	846	923
<b>Marital Status</b>			
Single	502	624	735
Married/Cohabiting	96	133	108
Separated/Divorced/Widowed	99	133	157
Unknown	69	49	36
<b>Education Level at Entry</b>			
8 <sup>th</sup> Grade or Less	13	21	17
9 <sup>th</sup> through 11 <sup>th</sup> Grade	130	196	233
12 <sup>th</sup> Grade or GED	502	562	608
Vocational/Some College	95	115	9
College or Above	26	27	36
Unknown	0	18	133

### Adult Drug Courts

Adult Drug Courts are designed to achieve a reduction in recidivism and substance abuse among non-violent offenders. The goal of these courts is to increase the offender’s likelihood of successful rehabilitation through early, continuous, and intense judicially supervised treatment, mandatory periodic drug testing, community supervision, and use of appropriate sanctions and other rehabilitation services. Compliance with treatment and other court mandated terms is verified by frequent alcohol or drug testing, close community supervision, and interaction with a judge in non-adversarial court review hearings.

There are nine adult drug courts in Nebraska, located in Fremont, Gering, Grand Island, Lexington, Lincoln, Norfolk, Omaha, Papillion, and Wilbur. These drug courts serve the following counties: Gage, Saline, Jefferson, Fillmore, Thayer, Sarpy, Lancaster, Douglas, Merrick, Hamilton, York, Seward, Dodge, Washington, Madison, Antelope, Wayne, Knox, Cuming, Pierce, Holt, Boyd, Rock, Brown, Howard, Sherman, Garfield Greeley, Custer, Valley, Hall, Buffalo, Adams, Phelps, Kearney, Dawson, Lincoln, Frontier, Gosper, Furnas, and Scotts Bluff Counties.





### Driving Under the Influence (DUI) Courts

DUI Court programs utilize the drug treatment court model with impaired drivers. A DUI Court is a district court docket dedicated to changing the behavior of the alcohol/drug dependent offenders arrested for DUI. The goal of the DUI Court is to protect public safety by using the drug court model to address the root cause of impaired driving, alcohol, and other substance abuse.

Compliance with treatment and other court-mandated terms is verified by frequent alcohol/drug testing, close community supervision, and interaction with the judge in non-adversarial court review hearings. DUI Court often enhances close monitoring of offenders using home and field visits, ignition interlock and alcohol detection devices.

There is currently one DUI Court operating in Scottsbluff County in Gering. This court has served 19, 20, and 16 participants in the past three fiscal years. Due to the low number of offenders served by this DUI Court, demographic details have been omitted.

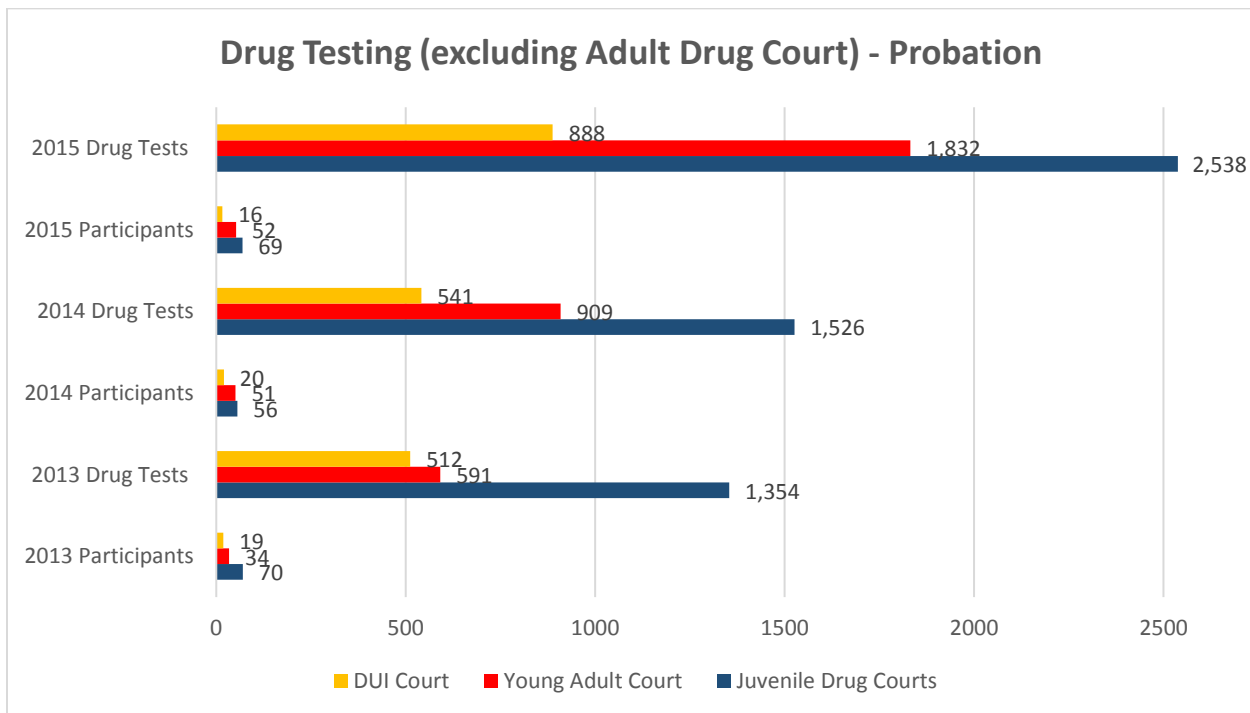
### Demographics, Adult Drug and DUI Courts

Adult Drug and DUI Courts	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	256	351	340
Male	440	536	582
Total	696	887	922
Race			
American Indian/Alaskan Native	18	20	18
Asian or Pacific Islander	6	5	6
African American	60	66	69
Other	40	76	70
White	572	719	758
Ethnicity			
Hispanic Origin	46	88	95
Not of Hispanic Origin	650	798	826
Age			
Under 18	1	0	0
18-20	110	71	119
21-25	176	288	249
26-30	144	189	192
31-35	101	147	139
36-40	60	70	81
41+	104	122	142

### Juvenile Drug Court

A Juvenile Drug Court is a docket within the juvenile courts to which selected delinquency cases, and in some instances, status offenders, are referred for handling by a designated judge. The juveniles referred to this docket are identified as having problems with alcohol and/or other drugs. The Juvenile Drug Court Judge maintains close oversight of each case through regular status hearings with the parties involved. The judge both leads and works as a member of a team that comprises representatives from treatment, juvenile justice, social and mental health services, school and vocational training programs, law enforcement, probation, the prosecution, and the defense.

Over the course of a year or more, the team meets frequently to determine how best to address the substance abuse and related problems of the youth and their family that have brought the youth into contact with the justice system. There are five Juvenile Drug Courts in Nebraska, located in Gering, Lincoln, Norfolk, Omaha, and Papillion.



## **Young Adult Drug Court**

The Douglas County Young Adult Drug Court (YDAC) is a judicially supervised program that provides a sentencing alternative for individuals up to the age of 25 who are charged with a non-violent felony. A non-violent offense includes all theft and non-trafficking drug offenses. Program participation is based on selective assessment and the rehabilitative services are administered by multidisciplinary agencies. Key aspects of the Young Adult Court are community supervision, substance use treatment, mental health assistance, education, employment, and frequent drug testing. The goal of this program is to stabilize participant's lives by providing tools for success, potentially reducing recidivism.

Potential candidates for YADC are identified by their defense attorney who requests the county attorney review the case for possible screening by the team. If the county attorney believes that the individual is a potential candidate, the defense attorney is notified and is asked to have their offender contact the YADC Coordinator for an interview. A Level of Service Inventory (LSI) interview is conducted and scored. A suitability report is then submitted by the YADC Coordinator at the county attorney's office.

If the potential candidate is approved for YADC, the first requirement for entrance is that the offender must appear and enter a plea of guilty to their charge(s). The judge then places the offender in the program which includes the following key components:

*Phase I: Stabilization* – 60 to 180 days; includes day reporting classes such as GED, Commitment for Change, HIV Education, Victim Impact, Parenting, Pre-Treatment, Recovery, Reactive Behavior, Domestic Violence, and Job Readiness and Money Skills for Life. Chemical dependency evaluations, mental health screenings, and counseling can also begin in this phase.

*Phase II: Transition* – 120 to 240 days; may involve participation in self-help groups such as AA, furthering of education, employment, electronic monitoring, transitional living, mentoring, victim offender mediation, and use of outside agencies such as three-quarter or halfway houses.

*Phase III: Probation* – 12 to 24 months; begin with the felony conviction withdrawn and reduced to a Class I misdemeanor. Upon completion of Phase III a graduation ceremony is held and the individual is awarded a certificate of completion along with an order signed by the judge satisfactorily releasing them from probation.

**Juvenile and Young Adult Drug Court Demographics**

	FY 13-14	FY 14-15	FY 15-16
<b>Gender</b>			
Female	4	7	10
Male	22	43	41
<b>Race</b>			
American Indian or Alaskan Native	0	0	0
Asian or Pacific Islander	0	1	1
African American	8	19	19
Other	0	4	4
White	18	26	27
<b>Ethnicity</b>			
Hispanic Origin	0	5	5
Not of Hispanic Origin	26	45	46
<b>Age</b>			
18-20	19	28	28
21-25	6	22	22
Under 18	1	0	1

**Family Drug Courts**

Family Drug Courts are a juvenile or family court docket that selects specific abuse, neglect, and dependency cases where parental substance abuse is a primary circumstance. Judges, attorneys, child protection services, and treatment personnel unite with the goal of providing safe, nurturing, and permanent homes for children while simultaneously providing parents the necessary support and services to encourage abstention from drugs and alcohol. Family Drug Courts aid parents in regaining control of their lives and promote long-term stabilized recovery to enhance the possibility of family reunification within mandatory legal timeframes. There are four Family Drug Courts in the state, and they serve Douglas, Lancaster, Sarpy, and Hall Counties.

### Drug Testing

Nebraska Problem Solving Courts	2013 Participants	2013 Drug Tests	2014 Participants	2014 Drug Tests	2015 Participants	2015 Drug Tests
Adult Drug Courts	872	53,610	886	59,178	899	63,729
Juvenile Drug Courts	70	1,354	56	1,526	69	2,538
Young Adult Court	34	591	51	909	52	1,832
DUI Court	19	512	20	541	16	888
<b>Total</b>	<b>995</b>	<b>56,067</b>	<b>1,013</b>	<b>62,154</b>	<b>1,036</b>	<b>68,987</b>

### Risk Reduction

Nebraska PSC’s target defendants for admission who have indicators of substance use and/or mental health disorders and are at substantial risk for reoffending or failing to complete a less intensive intervention, such as standard probation or pretrial supervision. These individuals are commonly referred to as high-risk and high-need individuals.

The LS/CMI Instrument targets the risk/needs areas that have been identified as specific criminogenic risk factors most likely to influence the offender’s probability of continuing criminal behavior. These areas are Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug problems, Pro-Criminal Attitude/Orientation, and an Anti-Social pattern.

The following chart represents adult participant’s identified risk level at time of entry through use of the LS/CMI risk assessment compared to their identified risk level at the time of discharge. Nebraska Problem-Solving Courts aim to reduce participant’s risk to reoffend and this can be measured through the participant’s risk assessment scores. This data was submitted by the Administrative Office of Probation’s Case Management System.

Fiscal Year	LSCMI Score at entrance	LSCMI score at discharge	Difference in Scores	% Change	Number of participants
FY 13-14	21.86	11.63	-10.23	-47.60%	185
FY 14-15	21.08	10.99	-10.09	-47.86%	206
FY 15-16	22.28	10.43	-11.85	-53.19%	183

## **Section IV: Parole**

Parole in Nebraska was established in 1893 with the Governor holding sole authority to release an individual onto parole. The Nebraska Board of Parole was created by a constitutional amendment in 1968, and is found in the State Constitution in Article IV, Section 13. The Parole Board is made up of five people who meet daily to review inmate cases to determine offender readiness to be released into society on parole. The members of the Parole Board serve six year terms, and are appointed and/or reappointed by the Governor, with Legislative confirmation. Currently, the Chair of the Parole Board is Rosalyn Cotton, with Rex Richard as vice chair, and Randal Rehmeier, Teresa Bittinger, and Virgil Patlan as the other members of the board. Adult Parole Administration was created by the Legislature in 1969, and managed the parolees for the parole board until 2016. In 2015, LB 598 began the process of moving Adult Parole Administration from NDCS to the Parole Board. The transition was effective July 1, 2016. Adult Parole Administration is now entitled Parole Programs and Services (Parole), with a newly titled Director of Supervision and Services.

Parole is a method of prison release whereby inmates are released into the community under supervision before having completed their entire sentence. Supervision is provided by parole officers, who oversee parolee activity while assisting with the individual's transition back into the community, while maintaining community safety. A parole officer will monitor the parolee's travel, residence, employment, associates, financial obligations, drug and/or alcohol use, and compliance with laws and special conditions of parole. Parolees are responsible for the costs of their housing, food, and medical expenses.

The goal of the parole officer is to assist each parolee in achieving a successful discharge from parole supervision and to become a responsible member of society. Parole has a number of programs intended to carry out their goals. Across the state, Parole has nine regional offices, located in Omaha, Lincoln, Fremont, Norfolk, Grand Island, Hastings, Kearney, North Platte, and Scottsbluff. The Lifetime Sex Offender Unit is located in Lincoln.

**Parole Population Demographics**

Parole Demographics	FY 13-14	FY 14-15	FY 15-16
<b>Gender</b>			
Female	430	410	404
Male	2491	2070	2101
Total	2921	2480	2505
<b>Age</b>			
18-20	102	69	62
21-25	501	402	402
26-30	530	452	453
31-35	451	426	433
36-40	384	329	327
41+	949	799	827
Under 18	4	3	1
Total	2921	2480	2505
<b>Race</b>			
American Indian or Alaskan Native	102	81	68
Asian or Pacific Islander	23	15	11
African American	668	549	567
Hispanic	332	284	262
Other	24	14	20
White	1772	1537	1577
Total	2921	2480	2505
<b>Education</b>			
8 <sup>th</sup> Grade or Less	77	76	72
9 <sup>th</sup> – 11 <sup>th</sup> Grade	418	396	442
12 <sup>th</sup> Grade or GED	1664	1440	1510
College or Above	3	3	4
Unknown	738	555	472
Vocational/Some College	21	10	5
Total	2921	2480	2505
<b>Marital Status</b>			
Married	687	590	623
Separated/Divorced/Widowed	495	428	434
Single	1727	1444	1424
Unknown	12	18	24
Total	2921	2480	2505

## **Programs and Supervision**

### **Re-Entry Officer Assistance**

Every offender with a parole hearing scheduled will meet with a reentry officer prior to their hearing, usually through participation in pre-release classes. These classes are to provide the assistance necessary for offenders to reenter the community, including applying for legal documentation such as birth certificates, a social security card, or a driver's license. Each offender must have an Adult Placement Worksheet, which includes information about the offender, including substance abuse history, mental health, and medication needs. Residence in the community and employment must be approved by the Reentry Officer.

In 2014, the legislature passed LB 907 which established a reentry unit within NDCS. The adult parole administration reentry team merged into this unit in early FY 2015. The reentry unit is responsible for assisting all offenders reentering the community, whether through parole, supervised release, or discharge. The legislation also provided for a grant to award funds to providers who assist parolees, probationers, and discharging offenders with employment training for 18 months following discharge. A more detailed description of the reentry grant funds is provided below.

In FY 15-16, parole officers completed 1,461 placement investigation worksheets for Nebraska Parolees.

### **Fee-For-Service Voucher Program**

The Voucher program was created to reduce the financial barriers of specifically identified offenders in need of financial assistance in order to receive treatment. Vouchers are not intended to supplant other means of financial assistance, but instead are a resource available to Parole and Probation Officers when a need exists with those under their supervision. Whenever possible, offenders are expected to contribute toward the financial obligations associated with evaluation and treatment. Services covered by the Voucher program include

- 1) Substance abuse evaluations, completed by a registered provider that is licensed by the State of Nebraska to assess and treat substance use disorders;
- 2) Outpatient Treatment, including individual and/or group therapy to treat substance-use disorders causing disruption in the offender's life;
- 3) Intensive outpatient treatment consisting of group and individual counseling for offenders with substance use disorders or chemical dependence; and
- 4) Short-term residential treatment that is clinically managed high intensity treatment in a staff secure location. Non-medical residential treatment is also available for offenders with a primary chemical dependency, entrenched dependency pattern of usage, or an inability to remain drug free outside of 24 hour care.



This program is used statewide and is intended specifically for felony drug offenders, parole offenders, felony offenders under sanction or violation status, offenders with a Class 1 misdemeanor drug offense, offenders with a 3<sup>rd</sup> offense of DUI, Felony DUI, and Problem-Solving Court offenders. In order to be determined eligible for this program, a potential offender must meet the sliding scale fee requirements. This program is funded by the State of Nebraska through a combination of general funds and cash funds from the Community Corrections Program.

Historically, parolees have had access to vouchers through Probation Administration. The number of vouchers available to parole was significantly reduced during FY 14-15, as Probation Administration required dollar for dollar payment/reimbursement of voucher funds by Parole, which created unsustainable costs for Parole for substance abuse and mental health programming for high risk parolees.

Currently, parolees are again able to access voucher dollars from Probation Administration to receive substance abuse and mental health programming that is funded through the use of the voucher dollars. For FY 15-16, Parolees had access to \$34,806.00 voucher dollars.

### **Cognitive Thinking Classes**

Thinking for a Change (T4C) had been utilized by Parole Administration for a number of years as their main cognitive thinking class. This was an integrated, cognitive behavioral change program for offenders that included cognitive restructuring, social skills development, and development of problem solving skills. In FY 14-15, 42 offenders were served in this program, and Parole Administration was unable to provide costs of administering this program. In the summer of 2015, Parole Administration began a transition from using T4C to a Moral Reconciliation Therapy (MRT) cognitive thinking program.

In FY 15-16, total of 78 parolees attended MRT classes. Moving forward, Parole Administration is planning to provide classes in both T4C and MRT.

### **Cognitive Workbooks**

In addition to the cognitive thinking classes, each parole officer addresses thinking errors and cognitive thinking issues with the parolee as they occur. Parole officers are urged to assign workbooks before a violation occurs. When a violation does occur, it may result in an offender being required to submit a “thinking report” or to complete a cognitive workbook. Workbooks are assigned by parole officers to parolees who have demonstrated a need, through discussions with their parole officers or by violating conditions of parole. Workbooks require the parolee to have a significant support person to work through the lessons with. The workbooks are paid for from the Parole Cash Fund, at a cost of \$20.00 per book. In FY 14-15, 324 workbooks were assigned, at an annual cost of \$6,480.00 for the workbooks. Only 21 workbooks were assigned in FY 15-16, with an annual cost of \$420.00.

### **Specialized Substance Abuse Supervision (SSAS)**

Established in 2006 in response to prison overcrowding, SSAS targets high-risk substance abuse offenders. SSAS is administered by Probation and is a sentencing alternative that combines intensive supervision with substance abuse treatment as a means of criminal control. It is intended to address the treatment and supervision needs of offenders with chronic drug problems who pose a high risk to recidivate. Highly trained probation officers work with offenders who are also identified as having anti-social, pro-criminal tendencies. The target population for the SSAS program is felony drug offenders with substance abuse problems. Probation uses risk assessment tools listed previously to identify appropriate candidates.

Goals of the SSAS Program are:

- 1) Lower levels of recidivism and relapse;
- 2) Improve education and enhance employability; and
- 3) Facilitate reintegration into the community.

Each offender's needs are individually assessed so the treatment, including the length of time spent in treatment, may be customized. This flexibility creates the most efficient and effective means to assist the offender to recover, maintain sobriety, and become a productive, law abiding member of the community.

Core components of the SSAS program are:

1. Access to substance abuse treatment;
2. Participation in cognitive behavioral programming;
3. Use of Reporting Centers to address other risk factors;
4. Quality case management and intensive supervision.

Parole Administration had utilized SSAS before FY 15-16, but participation in this program by parolees has been phased out.

### **Drug Testing**

Parolees are tested for drug use both randomly and for cause. A parolee may also be targeted for testing if they have a history of drug or alcohol use. NDCS uses its own lab, which also runs a confirmation test for each test with a positive result. In FY 14-15, 1,814 initial urine tests were run with an additional 488 confirmation tests with an annual cost of \$17,141.80. In FY 15-16, a total of 1,967 drug tests were completed for parolees.

### Drug Testing Demographics

Demographics (Includes Interstate Parolees)	FY 15-16
Gender	
Male	721
Female	147
Age	
18-20	17
21-25	114
26-30	165
31-35	145
36-40	108
41+	319
Race/Ethnicity	
Caucasian	600
African American	197
Hispanic	40
Asian American/Pacific Islander	3
Native American/Alaskan Native	22
Other/Unknown	6

### Electronic Monitoring

Electronic Monitoring (EM) is a general term referring to forms of surveillance which monitor the location, movement, and specific behavior of offenders under 24 hour community supervision. EM is most effective when used with offenders who are at highest risk of reoffending and in need of a stabilization period. EM is used by both Probation and Parole for offenders who have been determined to need this higher level of supervision.

Parole utilizes several types of EM. Through the use of technology available through Satellite Tracking of People, VeriTracks electronic monitoring system is the platform through which the monitoring takes place. Active global positioning is “real time” tracking of an offender. Passive EM programs allow an officer to see where an offender has been previously. House arrest is available for curfews and notifies the parole officer when the parolee arrives or leaves home and gives the parole officer an alert in the event that a parolee is not home by curfew. The information is transmitted via the ankle bracelet worn by the parolee.

Active Global Positioning is the most often used form of EM by Parole. The service provider supplies Parole with daily reports and notifications of violations. Parole requires immediate notification when an EM unit is tampered with or when the offender enters an exclusion zone where they are not permitted to be.

EM is used as a supervision tool for offenders on community supervision and all lifetime sex offenders. Parolees with a history of sexual offenses are specifically placed on EM. Additional candidates for EM are any parolee with ties to gang activity, a previous parole violation, or an offender's victim who has requested the parolee be placed on EM. EM is often used as a graduated sanction, allowing the offender to remain in the community while allowing increased supervision. It also may be used as an incentive with increased free time, to encourage offender compliance.

In FY 14-15, there were 803 parolees and 82 lifetime sex offenders (LSO) supervised through the use of EM, with a cost of \$259,368.31 for parolees and \$62,017.00 for LSOs. The average cost per offender per year of \$363.15, and is paid for by general fund appropriations for this program.

In FY 15-16, there were 886 parolees and 49 lifetime sex offenders (LSO) supervised through the use of EM, at a total cost of \$205,934.30. The average cost per offender per year is \$220.25. EM is paid for by general fund appropriations to Parole Administration.

### Electronic Monitoring Demographics

Demographics (Includes Interstate Parolees)	FY 15-16
Gender	
Male	1213
Female	171
Age	
18-20	32
21-25	243
26-30	253
31-35	237
36-40	179
41+	440
Race/Ethnicity	
Caucasian	853
African American	348
Hispanic	111
Asian American/Pacific Islander	6
Native American/Alaskan Native	51
Other/Unknown	15

### Lifetime Sex Offender Supervision

In 2006, legislation was passed which provided very specific criteria for some sex offenders to be placed on lifetime supervision. LB 1199 gave the responsibility for supervision of these offenders to Parole. Parole has the authority to use risk assessments and evaluations to determine the conditions of community supervision that is to be imposed to best protect the public from the risk of re-offense by this category of sex offender.<sup>8</sup> These conditions can include but are not limited to drug and alcohol testing, restrictions on employment and leisure activities, reporting requirements, residential restrictions and specified locations, notification to their supervision officer of any changes in address and employment, access to medical records by Parole Administration, requirements to submit to medical, psychological, psychiatric, or other treatment, and any other conditions imposed to reduce the risk of recidivism, including the use of electronic monitoring.<sup>9</sup>

These offenders are monitored very closely by the Parole Sex Offender Unit, which consists of a supervisor in Lincoln, and several Parole Officers located throughout the state.

<sup>8</sup> Neb. Rev. Stat. 83-174.03

<sup>9</sup> Ibid.

**Lifetime Sex Offender Supervision**

Demographics	FY 15-16
Gender	
Male	26
Female	1
Age	
18-20	0
21-25	0
26-30	4
31-35	3
36-40	4
41+	16
Race/Ethnicity	
Caucasian	19
African American	5
Hispanic	0
Asian American/Pacific Islander	0
Native American/Alaskan Native	2
Other/Unknown	1

**Continuous Alcohol Monitoring (CAM)**

CAM is an electronic monitoring program that measures the individual’s perspiration for the presence of alcohol excreted transdermally through the skin. It is a tool of supervision used by Parole when the client is involved in substance use treatment, has an extensive history of alcohol-related incidents, demonstrates continued use of alcohol in spite of negative consequences, and shows an unwillingness to discontinue its use.

The goal of the CAM program is to enable the courts, Parole Board, and Probation to introduce the various applications of CAM technology in context with the supervision strategies of offenders with a substance abuse problem on community supervision. The objective is to provide a meaningful period of abstinence that would promote behavioral change. Ideally, the technology would be ordered in conjunction with a substance abuse evaluation and/or some form of treatment. CAM offers 24 hour continuous monitoring of alcohol intake through the use of an ankle bracelet. Although the device can determine alcohol use quickly, the company usually does not provide the information to agency staff for 24 to 36 hours.

Any adult offender, as determined by the courts, Parole Board, or Problem Solving Courts, that requires abstinence from alcohol as a condition of supervision is eligible for this program, and it is available statewide.

Offenders who are engaged in a chemical dependency treatment program and have demonstrated an inability to refrain from the use of alcohol while under supervision are targeted for this program.

Additionally, the CAM offender population is made up of offenders with a history of alcohol abuse, alcohol violations while on parole, or numerous DUI offenses. CAM is used for Referred from Parole (RFP) offenders. Offenders are eligible for financial assistance for up to 120 days of CAM. Additional costs of this program are paid by NDCS for the Parolee’s using CAM monitoring.

### **Interstate Compact**

The Interstate Compact provides statutory authority for regulating the transfer of Adult Parole supervision across state boundaries. The Compact allows for parolees to live and be supervised on parole as a resident of a different state than the state where the parolee was sentenced. Nebraska has been a member of the Interstate Compact since 1937, and all 50 states in the United States are members.

### **Interstate Compact Parolees**

Demographics	FY 15-16
Gender	
Male	312
Female	70
Age	
18-20	2
21-25	44
26-30	67
31-35	76
36-40	52
41+	141
Race/Ethnicity	
Caucasian	3
African American	60
Hispanic	2
Asian American/Pacific Islander	21
Native American/Alaskan Native	9
Other/Unknown	287

### **Transitional Housing**

There are a large number of transitional living facilities in both Lincoln and Omaha, and additional facilities exist statewide in Columbus, Grand Island, Hastings, Norfolk, and Scottsbluff. Outside these communities there are few options available. Parole maintains a list of transitional houses and updates it regularly as they become aware of new living facilities that are available.

Some of the residences are sober living facilities; some have substance abuse assistance available as well. These facilities provide shelter for those with a history of substance abuse who need a stable residence to parole to, or those individuals who are paroling from a NDCS residential substance abuse program with a recommendation to go to a sober living facility.

The State does not oversee or regulate housing for parolees in any way. All transitional housing is privately owned and receives no funding from NDCS or from Parole Administration. Parolees are responsible for paying the costs of living in a transitional housing facility.

### **Vocational Rehabilitation Services**

Vocational Rehabilitation Services (VRS) are available on site in the Lincoln Parole Office and help to facilitate cooperation between agencies. A computer lab is available for offenders to use for seeking employment. There were 43 individuals referred from Parole to utilize this service and 190 from the Lincoln Community Corrections Center. Data for participation and costs of parolees utilizing this program is not maintained by Parole.

### **Mental and Behavioral Health Services**

NDCS has mental health staff available in both the Lincoln and Omaha parole offices to provide anger management and sex offender groups to parolees and inmates. Mental health staff is also available to assist parole officers in the management of parolee crisis intervention as needed. Individual counseling is not currently available. Data for participation and costs of parolees utilizing this program is not maintained by Parole.

### **General Education Development Classes**

General Education Development (GED) classes are offered on-site at the Lincoln Parole Office and instructors are NDCS employees. Parolees and probationers are eligible for this program. These classes are independent study; offenders work at their own pace and may start the class at any time. Data for participation and costs of parolees utilizing this program is not maintained by Parole.



### **Other Community Resources**

Paroling offenders often need a variety of services and programs to aid their success. Parole maintains a comprehensive summary of resources called the Community Resource Summary which includes referrals to housing, medical assistance, mental health resources, substance abuse services, medication assistance, financial assistance, clothing, furniture, and transportation. These summaries can be located on the NDCS website under Adult Parole. These minimal or no cost resources include volunteer organizations and businesses that provide other services the parolee may need. The substance abuse program providers listed will all accept vouchers. Providers of other services may require the parolee to pay for services. The listings in the Community Resource Summary are reviewed annually to ensure they are still available and the information contained within is current. New resources are added as they are discovered.

In addition, Parole collaborates with many community agencies including law enforcement, program providers, assistance agencies, employers, victim programs, crime reduction programs, and other government agencies. Some of these programs provide services and volunteer opportunities, while others provide food, clothing, or medical care for parolees. Parole, along with the Community Corrections Centers in Lincoln and Omaha, sponsor Community Advisory Committees to share information with others interested in collaborating.

**Recidivism Data**

The time frame for recidivism at NDCS is three years, therefore the included recidivism information is for individuals released in FY2011, FY2012, and FY2013, which are the three most recent years for which there is complete data.

**Recidivism/Outcome of Release**

Outcome of Release/Recidivism	Discharges	Paroles*	Total Number
FY 2011/2012			
Non-Recidivist	808	832	1640
Recidivist	233	389	622
Total	1041	1221	2262
FY 2012/2013			
Non-Recidivist	723	1128	1851
Recidivist	213	583	796
Total	936	1711	2647
FY 2013/2014			
Non-Recidivist	646	1104	1750
Recidivist	171	628	799
Total	817	1732	2549

\*Parole recidivism data includes individuals who committed a new felony after successfully discharging from parole, those who committed a new felony while on parole, and those whose parole was revoked due to a technical violation.

## **Section V: Department of Corrections**

The Nebraska Department of Correctional Services (NDCS) is an Executive Branch Agency, charged with the responsibility of incarcerating individuals sentenced to prison. NDCS has a primary responsibility of working to create greater public safety; including safety within the prisons and community safety through effective assessments and programs to reduce the risk of recidivism of inmates who are returning to the community upon completion of their sentence.

The current assessment used at NDCS is the Static Risk and Offender Needs Guide – Revised (STRONG-R), and is an evidence-based risk and needs assessment that includes a case management and supervision planning system.<sup>10</sup> Through the use of this risk and needs assessment, NDCS is better able to provide appropriate programming that is designed to reduce anti-social and criminogenic thought and behavior patterns, address substance use addictions, and provide vocational and educational training to help offenders be more successful as they transition back into the community.

The work undertaken by the Justice Reinvestment Committee has focused on reduction of the prison population within the State. Numerous changes were made by the Legislature through LB 605 (2015) and LB 1094 (2016) which are designed to make changes to the criminal justice involved population so as to direct more non-violent offenders away from prisons and into community correctional programs and services. The goals of this project include reducing the numbers of offenders housed in prisons, reducing prison costs and allowing those dollars to be reinvested into community programs that are evidence based and have greater success at reducing recidivism and increasing public safety.

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<sup>10</sup> NDCS Transformation, p. 2 ([www.corrections.nebraska.gov/pdf/datasheets/2016/Datasheet%202016%202nd%20Qtr.pdf](http://www.corrections.nebraska.gov/pdf/datasheets/2016/Datasheet%202016%202nd%20Qtr.pdf))

### **Community Corrections Centers: Work Release and Work Detail Programs**

In October 1967, the legislature enacted LB 569 and established the work release program. This program allowed a select group of inmates to be employed in the community and be housed in a correctional facility during non-working hours. A community residential program was established in 1971 in Lincoln, and the current Community Corrections Center-Lincoln (CCC-L) was constructed in 1991-1993. The Community Corrections Center-Omaha (CCC-O) was constructed in 1985.

To be eligible for community custody status, and to be allowed to move to a Community Corrections Center, inmates participate in the initial step for providing a graduated release through a systematic decrease in supervision and a corresponding increase in responsibility. Inmates nearing release on parole or discharge from sentence are eligible through the classification system to be promoted to community corrections status.

There are two different classifications for community inmates. Inmates on Community A are assigned to a detail within the facility or on a park or roads crew or other work assignment in the community. Community A inmates are furnished work clothes, room and board, and a daily wage. Inmates on Community B participate in the work and/or educational release programs. Inmates on work release are employed in the community, receive competitive wages, and pay applicable taxes. Inmates on educational release attend local vocational, technical, business, or community colleges and universities. Community B inmates are responsible for their own clothing and personal items and pay room and board of \$12.00 per day.

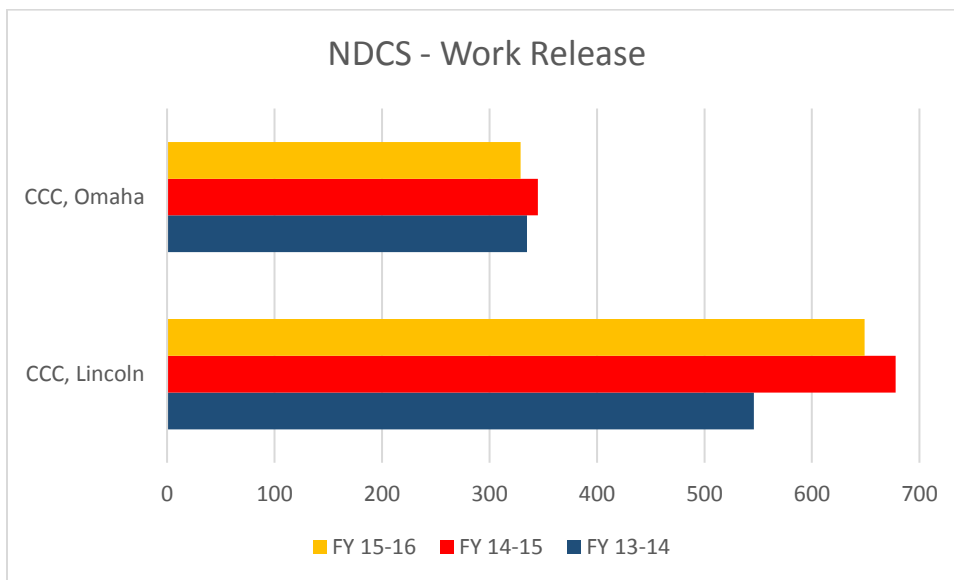
CCC-L has been accredited by the American Correctional Association since 1981, and has four housing units, designed to house 44 women and 156 men. Programs available through this center include work detail, work release, educational release, furloughs, community activity passes, ABE/GED and substance abuse programming. Medical and behavioral health services are also available, including follow-up psychiatric services, crisis intervention services, bibliotherapy sex offender treatment, and access to community mental health and substance abuse services through community support programs and agencies. Both Community A and Community B inmates are housed at CCC-L.

CCC-O houses 156 male and 24 female inmates classified at either Community A or Community B custody levels. Typically, inmates nearing the discharge of their sentence or have pending parole hearings are selected for placement at CCC-O. Programs available at CCC-O include AA, NA, substance abuse counseling, community based intensive outpatient program, relapse prevention group, aftercare group, GED academic education program, including testing, assessment, and tutoring, Christian fellowship, and referrals to community based counseling programs. Medical and behavioral health services are similar to those found at CCC-L.

In 2016, the legislature passed LB 956, which appropriated over \$7 million over FY 15-16 and 16-17, and \$20.8 million for future construction on the Community Corrections Centers in Lincoln and Omaha. This money is appropriated for the plan, design, construction, renovation, and repurposing of the bed space to achieve a net total increase of 148 beds. \$1.8 million of this appropriation is to be used to address capacity and programming needs within NDCS while the construction project at the CCC-L is being completed.

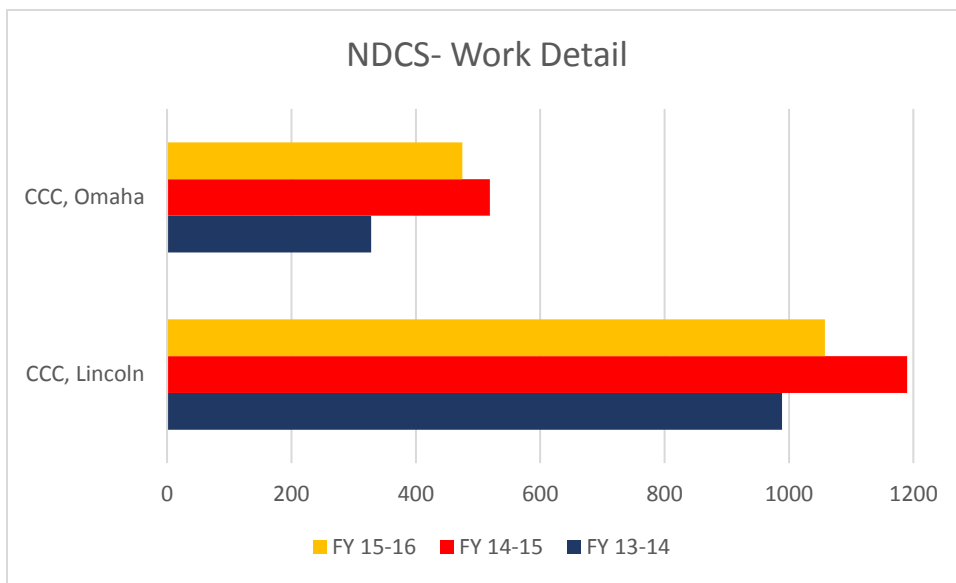
**Work Release**

Institution	FY 13-14	FY 14-15	FY 15-16
CCC-L	546	678	649
CCC-O	335	345	329



**Work Detail**

Institution	FY 13-14	FY 14-15	FY 15-16
CCC-L	989	1190	1058
CCC-O	328	519	475



## Corrections Demographics, All Programs

### Community Corrections Center-Lincoln

Demographics	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	246	255	240
Male	985	939	821
Age			
18-20	17	15	5
21-25	157	162	118
26-30	217	207	180
31-35	209	230	190
36-40	172	153	148
41+	459	427	420
Race/Ethnicity			
Caucasian	808	816	740
African American	259	238	189
Hispanic	93	89	75
Asian American/Pacific Islander	8	3	5
Native American/Alaskan Native	50	39	43
Other	13	9	8
Marital Status			
Single	644	609	535
Married	265	253	221
Separated/Divorced/Widowed	255	256	239
Unknown	67	76	67
Education Level at Entry			
8 <sup>th</sup> Grade or Less	51	48	47
9 <sup>th</sup> through 11 <sup>th</sup> Grade	391	399	319
12 <sup>th</sup> Grade or GED	424	403	358
Vocational/Some College	92	60	77
College or Above	19	21	15
Unknown	254	263	245

**Community Corrections Center-Omaha**

Demographics	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	62	66	61
Male	478	484	423
Age			
18-20	4	10	8
21-25	76	77	57
26-30	86	87	60
31-35	96	87	85
36-40	66	83	77
41+	212	206	197
Race/Ethnicity			
Caucasian	323	306	261
African American	169	191	175
Hispanic	33	31	26
Asian American/Pacific Islander	3	2	4
Native American/Alaskan Native	9	12	13
Other/Unknown	3	8	5
Marital Status			
Single	299	321	284
Married	121	112	81
Separated/Divorced/Widowed	100	89	89
Unknown	20	28	30
Education Level at Entry			
8 <sup>th</sup> Grade or Less	23	22	28
9 <sup>th</sup> through 11 <sup>th</sup> Grade	187	182	145
12 <sup>th</sup> Grade or GED	205	222	195
Vocational/Some College	46	45	43
College or Above	12	9	10
Unknown	67	69	63



## **Work Ethic Camp**

The Work Ethic Camp (WEC) is located in McCook, and was originally created to provide an environment providing evidence based, integrated program in partnership with Probation and Parole within a structured treatment environment. Originally, this facility was designed to house male offenders or inmates approaching release on Probation and Parole, or progressing to community custody, however over time, it has transitioned to housing only NDCS inmates, beginning in 2007. The last probationer was discharged from WEC in July of 2015, and the population at WEC currently is composed entirely of NDCS inmates. To be considered for placement at WEC, inmates must be classified to minimum community B custody to be eligible for transfer from another state facility to WEC. Inmates having committed a sex offense or a Part I Violent Crime are not eligible for WEC. Part I Violent Crimes are as follows: 1<sup>st</sup> and 2<sup>nd</sup> Degree Murder, Manslaughter, 1<sup>st</sup> Degree Assault, 1<sup>st</sup> Degree Sexual Assault, 1<sup>st</sup> Degree Sexual Assault of a Child, and Robbery. Medical and behavioral health services are available at WEC, and each inmate was intended receive an individualized program, which was to include individual counseling, group counseling, community service, work assignments, GED program or ABE, vocational programs, recreational programs, anger awareness education, victim impact programming, parenting classes, Transformation Project, and Seven Habits on the Inside. Special programming is also available to inmates who have earned privileges as awarded through positive behavior and program progress. The average length of stay for inmates is 123 days, although a few inmates have been incarcerated there for 1-2 years.

## **Educational Programs**

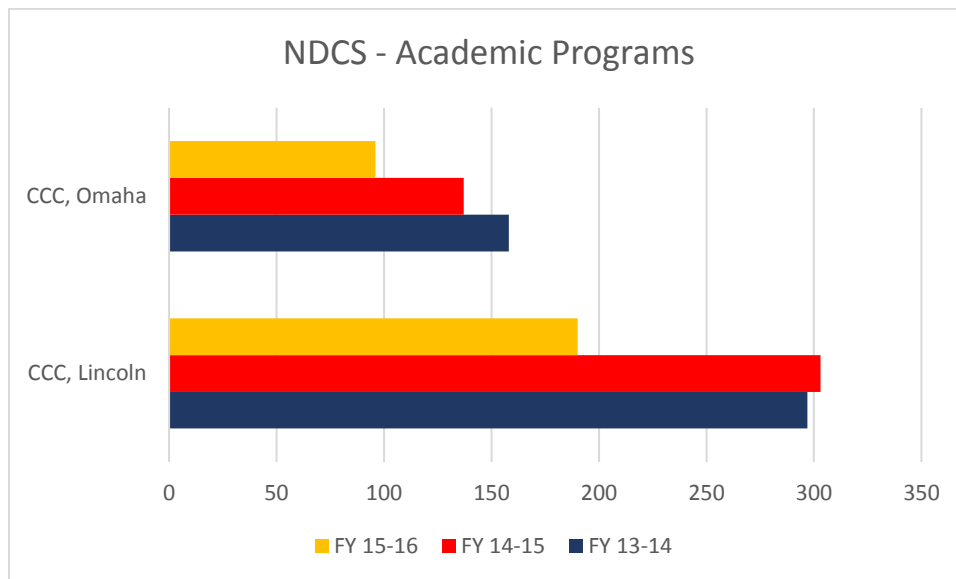
### **Academic**

NDCS became a self-operating school district in January 2008, offering educational services to meet individual inmate's needs. The programs include a high school accredited through the Nebraska Department of Education, ABE and ASE, including literacy education and GED testing to earn a Nebraska High School diploma, English as a Second Language (ESL), life skills courses, parenting courses, pre-vocational and vocational programming, and correspondence study. Courses are presented in individualized or group format depending upon the need of the inmate student and course content. Inmates are encouraged to pursue educational release when they reach Community Corrections status. Teachers and the principal are all certified through the State of Nebraska with 47% of the teachers holding a master's or higher degree.

Upon initial admission to adult facilities, all inmates provide personal data regarding their education and complete the Test of Adult Basic Education (TABE) or the BEST Plus test for English as a Second Language (ESL) students.

For inmates who have graduated from high school or have a GED, the verification process begins in each separate facility. Based on the TABE results, students are placed in coursework that meets their needs. The juveniles admitted to the Nebraska Correctional Youth Facility (NCYF) are placed in either the high school program or ABE/ASE program based upon their age, length of sentence, evaluation of their high school transcripts, and TABE test scores.

At all facilities, if a student has a diploma but does not score well on the TABE, the student may be placed in literacy programming or if college is a goal, in courses to better prepare the student for college and college entrance testing. The ABE/ASE program offers coursework in reading, science, social studies, writing (language), and math. Special education professionals assist students with special learning needs.



**Academic Programs**

Institution	FY 13-14	FY 14-15	FY 15-16
Community Corrections Center, Lincoln	297	303	190
Community Corrections Center, Omaha	158	137	96

### **Educational Release**

The Educational Release program allows inmates the opportunity to participate in education not available within the confines of the secure institutions. Eligible inmates may enroll in community colleges, technical schools, and four year colleges and universities. Inmates must pay for this education while also paying expenses related to living at Community Corrections Centers where they are housed.

### **Parenting**

In 2013, the legislature created a pilot program with the goal of improving the parenting skills of incarcerated parents. The program was to use family based reentry planning, including relationship development, housing, and employment strategies. The goal of the program was to lower recidivism and create greater family economic stability. Strategies to address family stability and intergenerational poverty are specifically needed for children with incarcerated parents.<sup>11</sup> The parenting program used by NDCS works to teach the inmates guidelines for good parenting through classes and experiences provided to inmates and their children. The goal is to return inmate parents to their communities and families with the knowledge and motivation to appropriately care for their children, to reduce their own recidivism, and reduce the number of children exposed to parental incarceration. Initially funded with \$250,000.00 from the state general fund, the program has proven successful and was made a permanent program in 2015 by LB 598.

### **Vocational, Life Skills, and Reentry Programs**

The Vocational and Life Skills program was created in 2014 by LB 907. The purpose of this program is to grant funds to organizations working to continue what has begun inside NDCS facilities, creating a bridge for the incarcerated individual to successfully return to their community. Grantees need to prove they are capable of working with this population of offenders, providing vocational and life skills training to increase the likelihood of successful reentry into society. NDCS expects these programs to aid in increasing public safety, reducing recidivism, provide meaningful vocational and life skills training, and identify how their program or services will directly connect the participants with gainful employment. Those inmates who are eligible for these programs may access services for up to 18 months following release or discharge from supervision.

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<sup>11</sup> Neb. Rev. Stat. 83-186.01

Grants are awarded on a two year cycle. In June 2016, NDCS announced the following awards to eight community organizations. Associated Builders & Contractors was awarded \$754,809.00 and is projected to serve 225 inmates, Western Alternative Corrections, INC. was awarded \$1,708,304.00 and is projected to serve 168 inmates, Center for People in Need was awarded \$1,418,685.00 and is projected to serve 282 inmates, Metropolitan Community College was awarded \$1,329,062.00 and is projected to serve 700 inmates, ReConnect, INC. was awarded \$377,218.00 and is projected to serve 300 inmates, Mental Health Association of Nebraska was awarded \$982,142.00 and is projected to serve 84 inmates, Hope of Glory Ministries, INC. was awarded \$111,184.80 and is projected to serve 72 inmates, and ResCare Workforce Services was awarded \$429,000.00 and is projected to serve 550 inmates. The grant awards and projected number of inmates served is for a 24 month period. NDCS partners with the University of Nebraska, Omaha (UNO) to evaluate the programs and review and track outcomes.

### **Reentry Program**

LB 907 (2014) also created the Reentry Program, to facilitate a standard system wide program of reentry for individuals leaving correctional facilities or transitioning off community supervision. The primary objective of the program is to reduce recidivism, to identify, assess, and provide treatment options for individuals with mental illness, to increase public safety, and to improve the overall transition of the individual from the criminal justice system into the community.<sup>12</sup> In implementing the reentry program, NDCS uses a comprehensive form of case management which focuses on issues including substance abuse, mental health, housing, employment, education, mentoring, transportation, criminal thinking, vocational, and parenting/family reunification needs. There are many agencies partnering with NDCS to carry out this responsibility, including Nebraska Health and Human Services, the Department of Labor, faith-based prison ministries, and other social service groups, including Christian Heritage, the National Fatherhood Initiative, InsideOut Dads, and the Reentry Alliance of Nebraska. The objective of these partnerships is to support the inmate for successful integration back into society.

In 2010, the legislature created the Reentry Cash Fund, for the purpose of paying tuition, fees, and other costs associated with reentry and reintegration programs offered to offenders that are placed at WEC.

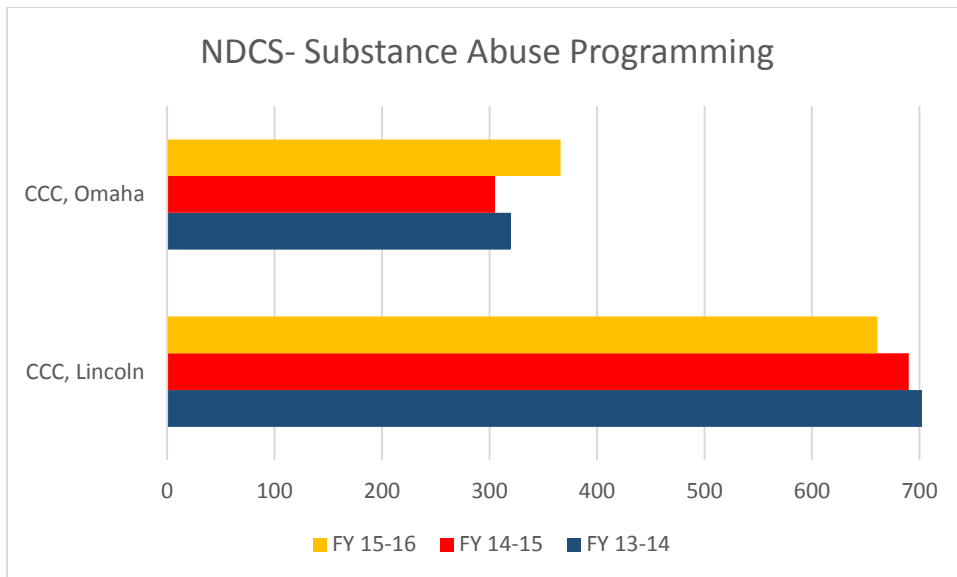
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<sup>12</sup> Neb. Rev. Stat. §83-903.

**Other Community Corrections Programs**

**Substance Abuse Programming**

Institution	FY 13-14	FY 14-15	FY 15-16
CCC-L	707	690	661
CCC-O	320	305	366



## NDCS Discharge Results and Recidivism Rates

### Facility Discharge Results

CCC-L	Successful	Transfer	Escape/Abscond
FY 13-14	No data	No data	21
FY 14-15	No data	No data	8
FY 15-16	No data	No data	13

CCC-O	Successful	Transfer	Escape/Abscond
FY 13-14	No data	No data	8
FY 14-15	No data	No data	3
FY 15-16	No data	No data	5

### Recidivism by Custody Level at Release

	Community Number	Minimum Number	Medium Number	Maximum Number
<b>FY 2013/2014</b>				
Non-Recidivist	672	573	206	191
Recidivist	195	188	126	111
Total	867	761	332	302
<b>FY 2014/2015</b>				
Non-Recidivist	704	579	228	238
Recidivist	226	290	148	133
Total	930	869	376	371
<b>FY 2015/2016</b>				
Non-Recidivist	704	579	228	238
Recidivist	178	281	197	143
Total	882	860	425	381

## **Section IV: Community Supervision**

The following section provides a combined view of the community supervision offender population utilizing information from the previous sections. The community supervision offender group combines fiscal year population served counts for Adult Probation, Problem Solving Courts, and Parole. This section contains information on the supervision programs shared by the above listed agencies when providing services for the offender population. A combined demographic breakout is included.

### **Community Supervision Serious Offender Population**

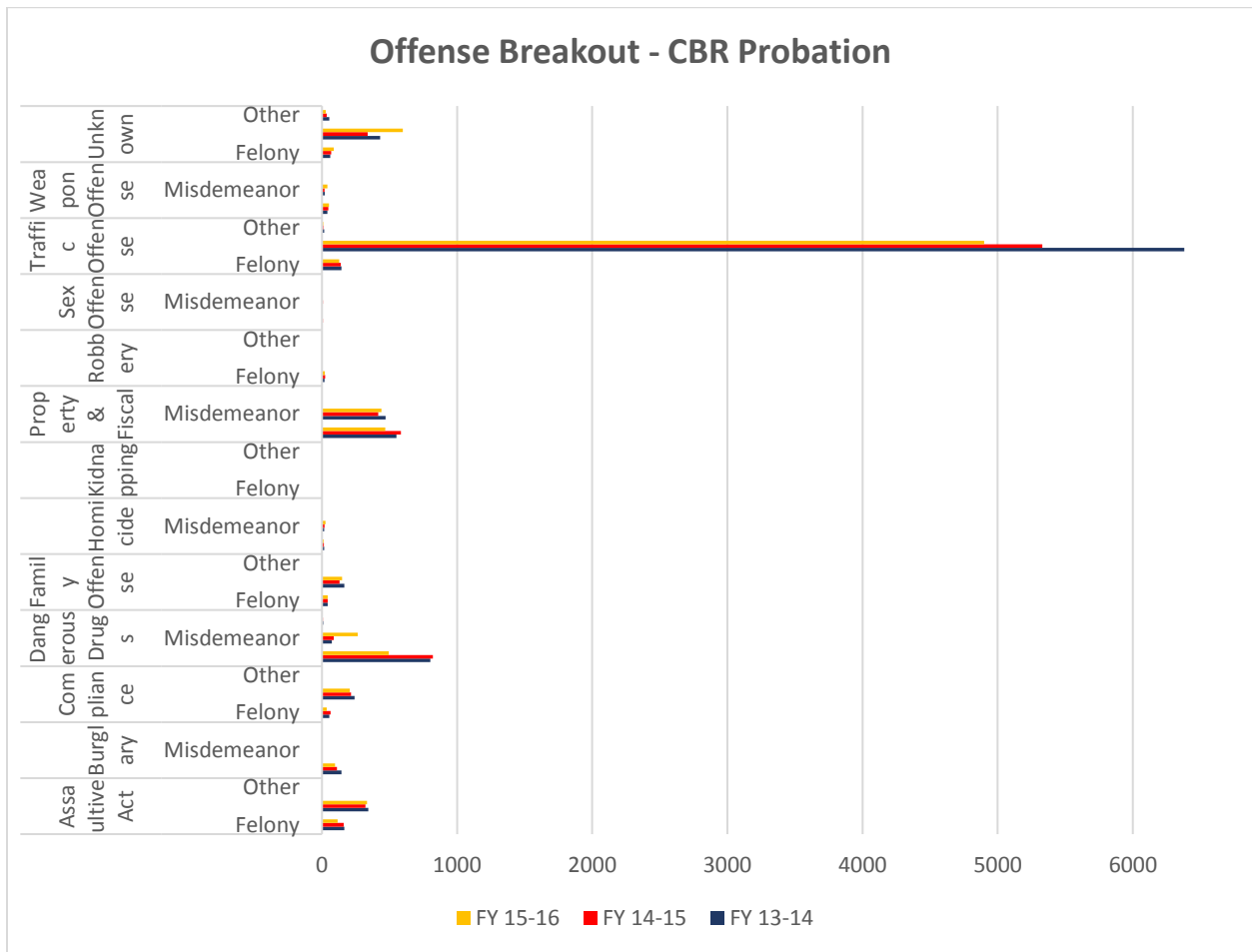
The more serious offender population (MSO) cohort are those who are on parole, felony adult probation, and felony problem solving court offenders. The less serious offender population cohort is the “misdemeanor” group which consists of adults from both probation and problem solving courts whose most serious offense is a misdemeanor.

**Offense Breakout Probation and Problem Solving Courts**

Offense Category <b>CBR Probation</b>	Offense Type	FY 13-14	FY 14-15	FY 15-16
Assaultive Act	Felony	165	161	115
	Misdemeanor	343	322	334
	Other	0	1	1
Burglary	Felony	144	111	96
	Misdemeanor	0	0	4
	Other	0	0	0
Compliance	Felony	54	63	36
	Misdemeanor	241	216	206
	Other	0	0	2
Dangerous Drugs	Felony	802	820	495
	Misdemeanor	73	88	264
	Other	8	6	5
Family Offense	Felony	43	43	42
	Misdemeanor	165	130	149
	Other	0	0	0
Homicide	Felony	16	13	12
	Misdemeanor	17	19	25
	Other	0	0	0
Property & Fiscal	Felony	550	583	467
	Misdemeanor	471	417	440
	Other	0	0	0
Kidnapping	Felony	3	4	3
	Misdemeanor	0	1	2
	Other	0	0	0
Robbery	Felony	19	24	22
	Misdemeanor	0	0	3
	Other	0	0	0
Sex Offense	Felony	4	6	2
	Misdemeanor	4	6	2
	Other	0	1	2
Traffic Offense	Felony	145	140	128
	Misdemeanor	6381	5330	4899
	Other	16	9	10
Weapon Offense	Felony	40	46	52
	Misdemeanor	21	19	39
	Other	2	2	1

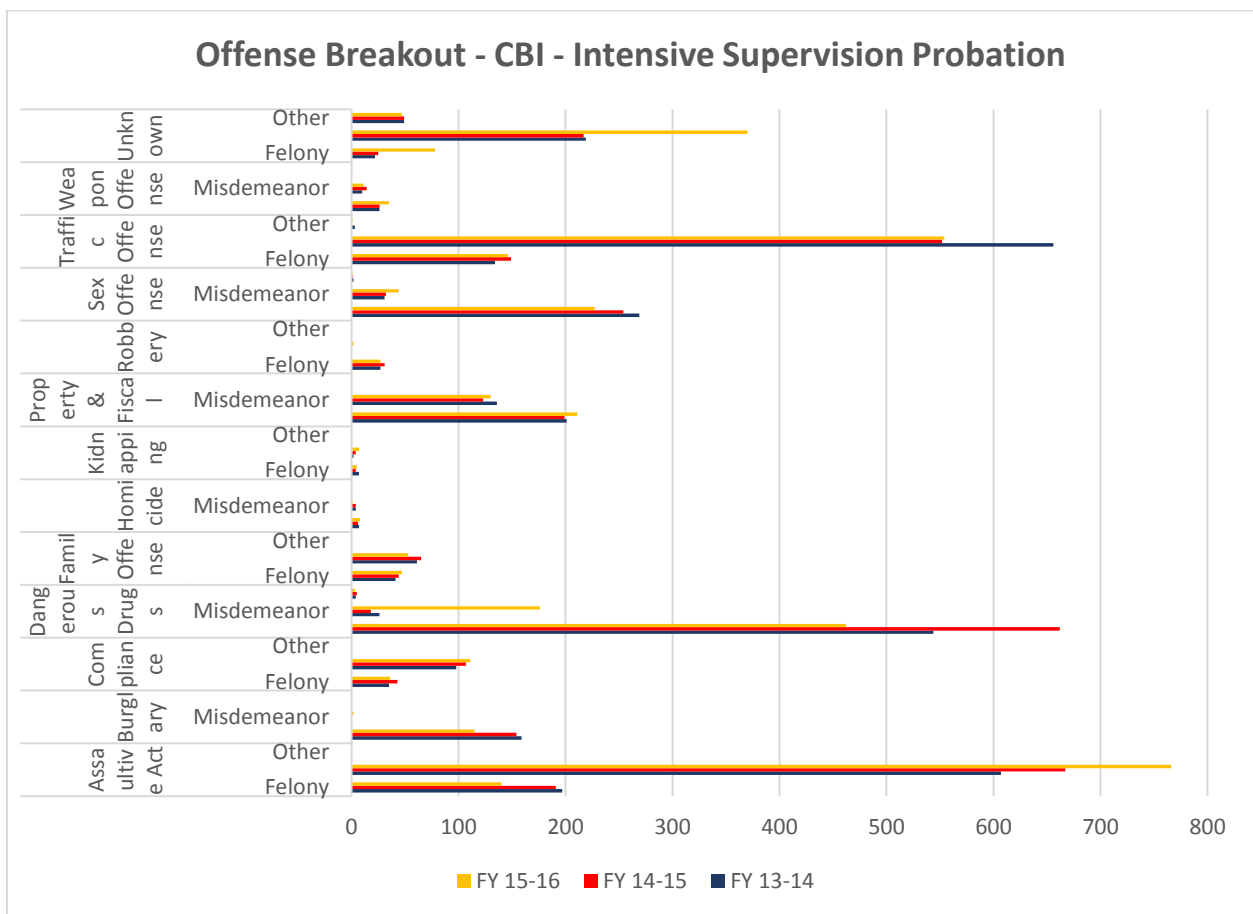


Offense Category <b>CBR Probation</b> continued	Offense Type	FY 13-14	FY 14-15	FY 15-16
Unknown	Felony	60	67	87
	Misdemeanor	429	337	597
	Other	54	36	27
Total	Felony	2047	2080	1556
	Misdemeanor	8145	6885	6964
	Other	80	55	48



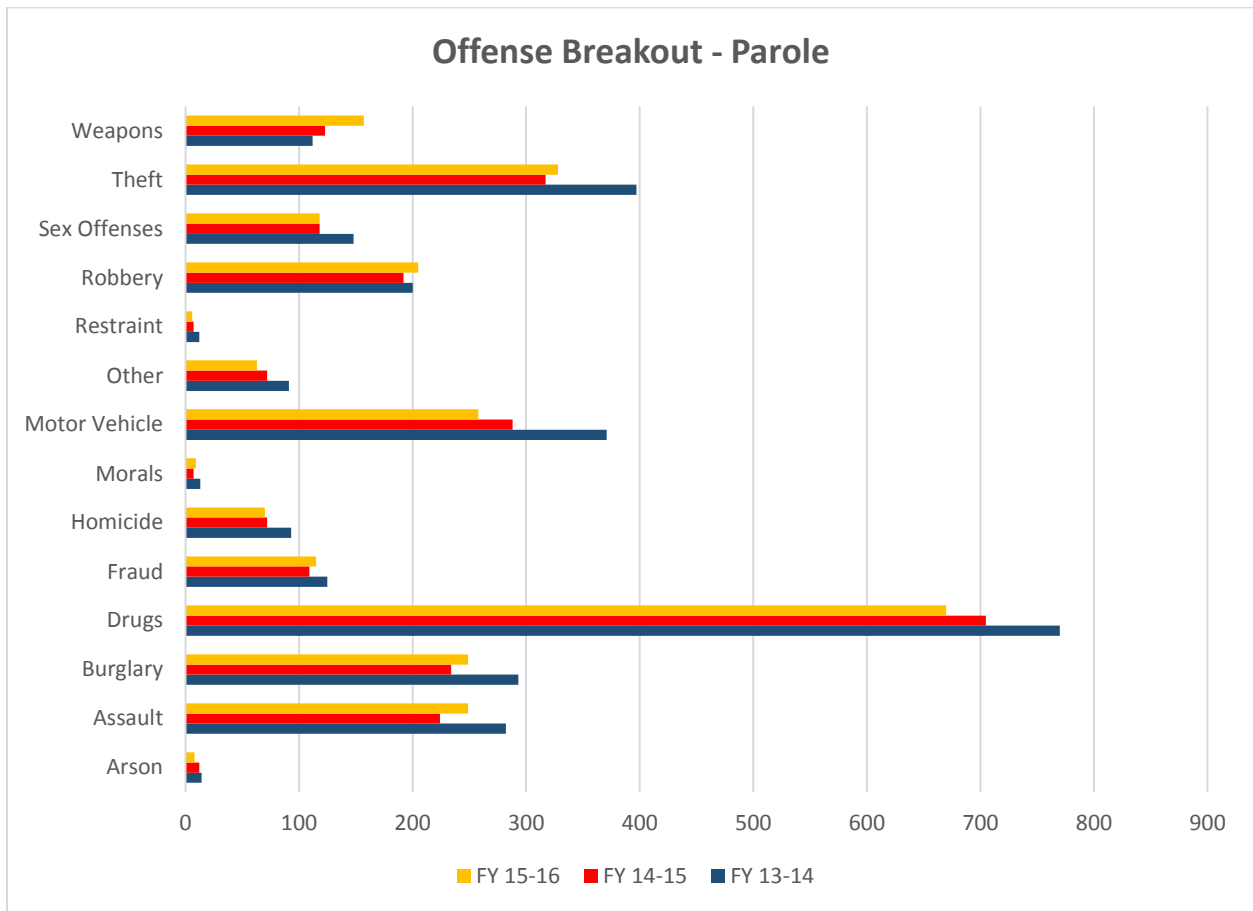
Offense Category <b>CBI</b> – Intensive Supervision <b>Probation</b>	Offense Type	FY 13-14	FY 14-15	FY 15-16
Assaultive Act	Felony	197	191	140
	Misdemeanor	607	667	766
	Other	0	0	0
Burglary	Felony	159	154	115
	Misdemeanor	0	0	2
	Other	0	0	0
Compliance	Felony	35	43	36
	Misdemeanor	98	107	111
	Other	0	0	0
Dangerous Drugs	Felony	544	662	462
	Misdemeanor	26	18	176
	Other	4	5	3
Family Offense	Felony	41	44	47
	Misdemeanor	61	65	53
	Other	0	0	0
Homicide	Felony	7	6	8
	Misdemeanor	4	4	1
	Other	0	0	0
Kidnapping	Felony	7	4	5
	Misdemeanor	2	4	7
	Other	0	0	0
Property & Fiscal	Felony	201	199	211
	Misdemeanor	136	123	130
	Other	0	0	0
Robbery	Felony	27	31	27
	Misdemeanor	0	0	2
	Other	0	0	0
Sex Offense	Felony	269	254	227
	Misdemeanor	31	32	44
	Other	2	1	1
Traffic Offense	Felony	134	149	146
	Misdemeanor	656	552	554
	Other	3	0	1

Offense Category CBI - Intensive Supervision Probation continued	Offense Type	FY 13-14	FY 14-15	FY 15-16
Weapon Offense	Felony	26	26	35
	Misdemeanor	10	14	11
	Other	0	0	0
Unknown	Felony	22	25	78
	Misdemeanor	219	217	370
	Other	49	49	47
Total	Felony	1699	1788	1537
	Misdemeanor	1850	1803	2227
	Other	58	55	52



**Offense Breakout Parole**

Offense Type	FY 13-14	FY 14-15	FY 15-16
Arson	14	12	8
Assault	282	224	249
Burglary	293	234	249
Drugs	770	705	670
Fraud	125	109	115
Homicide	93	72	70
Morals	13	7	9
Motor Vehicle	371	288	258
Other	91	72	63
Restraint	12	7	6
Robbery	200	192	205
Sex Offenses	148	118	118
Theft	397	317	328
Weapons	112	123	157
<b>Total</b>	<b>2921</b>	<b>2480</b>	<b>2505</b>

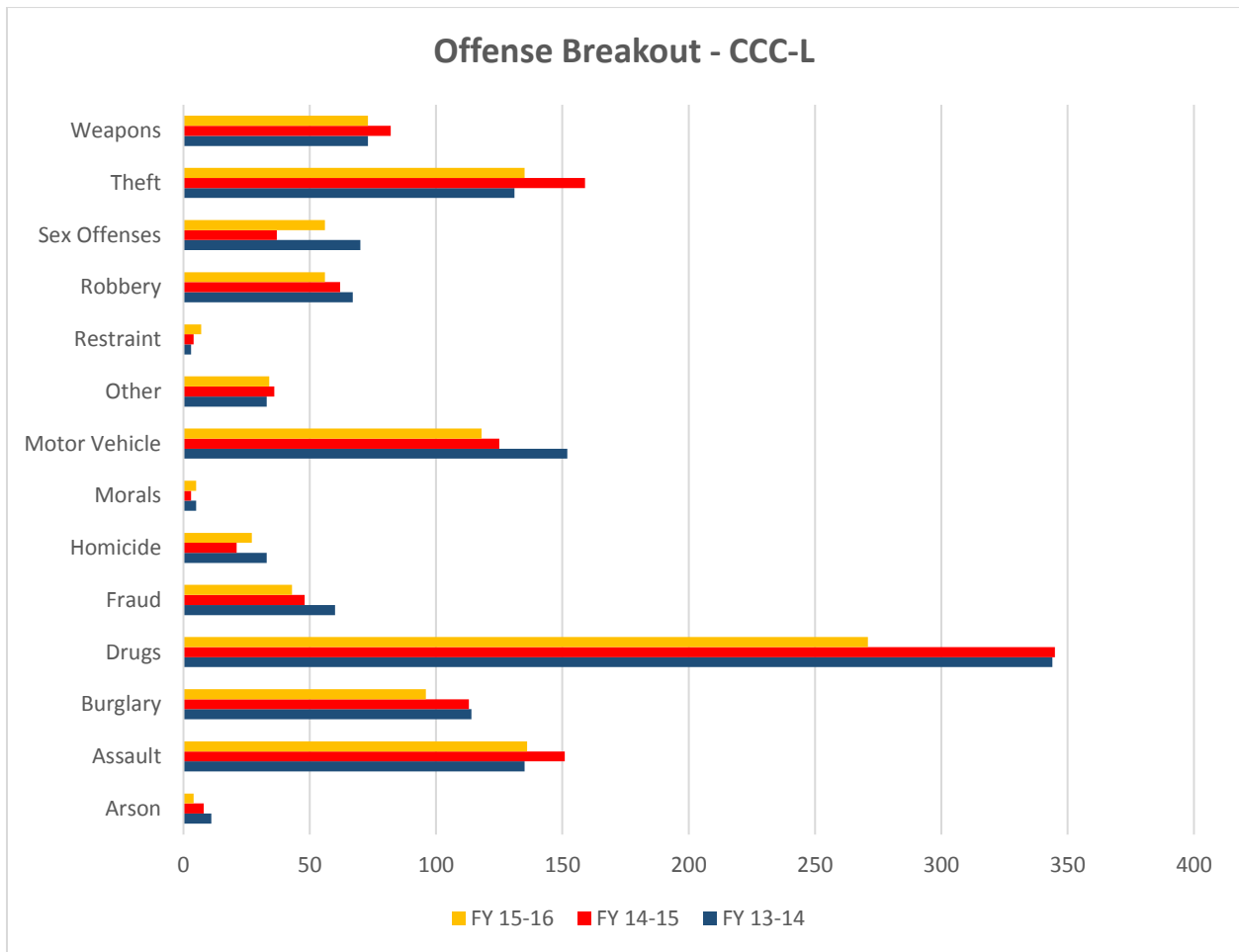


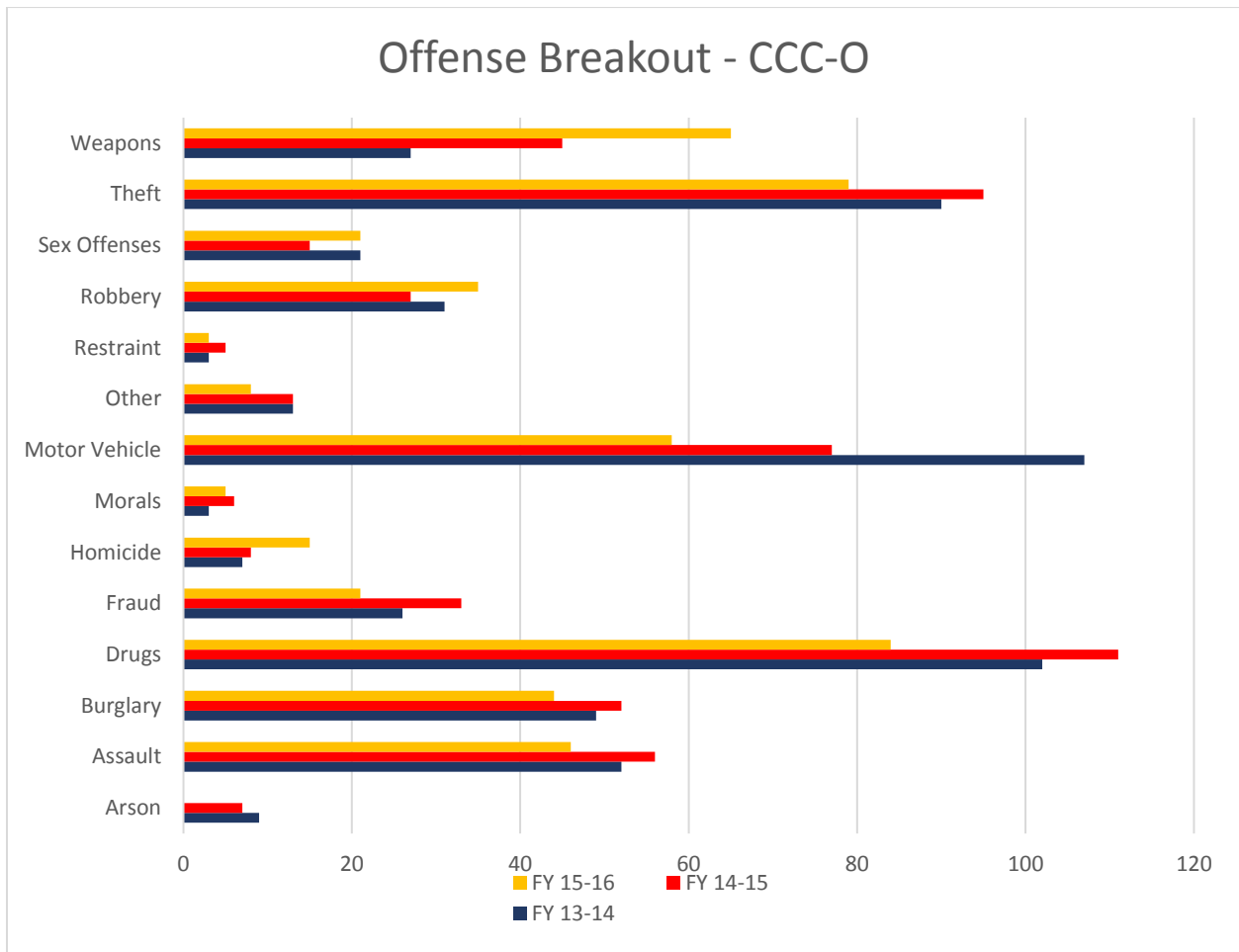
## CCC-O and CCC-L

### Offense Breakout

<b>MSO Group/Lincoln</b>	<b>FY 13-14</b>	<b>FY 14-15</b>	<b>FY 15-16</b>
Arson	11	8	4
Assault	135	151	136
Burglary	114	113	96
Drugs	344	345	271
Fraud	60	48	43
Homicide	33	21	27
Morals	5	3	5
Motor Vehicle	152	125	118
Other	33	36	34
Restraint	3	4	7
Robbery	67	62	56
Sex Offenses	70	37	56
Theft	131	159	135
Weapons	73	82	73
<b>Total</b>	<b>1231</b>	<b>1194</b>	<b>1061</b>

<b>MSO Group/Omaha</b>	<b>FY 13-14</b>	<b>FY 14-15</b>	<b>FY 15-16</b>
Arson	9	7	0
Assault	52	56	46
Burglary	49	52	44
Drugs	102	111	84
Fraud	26	33	21
Homicide	7	8	15
Morals	3	6	5
Motor Vehicle	107	77	58
Other	13	13	8
Restraint	3	5	3
Robbery	31	27	35
Sex Offenses	21	15	21
Theft	90	95	79
Weapons	27	45	65
<b>Total</b>	<b>540</b>	<b>550</b>	<b>484</b>







## **Glossary of Acronyms**

AA – Alcoholics Anonymous  
ABE – Adult Basic Education  
ASE – Adult Secondary Education  
CAM – Continuous Alcohol Monitoring  
CBI – Community Based Intervention  
CBR – Community Based Resources  
CCC-L – Community Corrections Center-Lincoln  
CCC-O – Community Corrections Center-Omaha  
DRI – Driver Risk Inventory  
DSM-5 – Diagnostic and Statistical Manual of Mental Disorders  
DUI – Driving Under the Influence  
DV Matrix – Domestic Violence Matrix  
DWI – Driving While Intoxicated  
EM – Electronic Monitoring  
ERS – OffenderLink Electronic Reporting System  
ESL – English as a Second Language  
GED – General Education Development  
LS/CMI – Level of Service/Case Management Inventory  
LSO – Lifetime Sex Offender  
MRT – Moral Reconciliation Therapy  
MSO – Most Serious Offense  
NA – Narcotics Anonymous  
NAPS – Nebraska Adult Probation Screen  
NCYF – Nebraska Correctional Youth Facility  
NDCS – Nebraska Department of Correctional Services

PDI – Pre-Disposition Interviews

PSC – Problem Solving Courts

PSI – Pre-Sentence Investigation

PTS – Probation TeleServices

PTSD – Post Traumatic Stress Disorder

RFP – Referred From Parole

RISE – Rural Improvement for Schooling and Employment Program

SAQ – Substance Abuse Questionnaire

SRARF – Standardized Risk and Reporting Format

SSAS – Specialized Substance Abuse Supervision

SSI – Simple Screening Instrument

STRONG-R – Static Risk and Offender Needs Guide

T4C – Thinking for a Change

TABE – Test of Adult Basic Education

UDF – Uniform Data Fund

UNO – University of Nebraska, Omaha

VASOR – Vermont Assessment of Sex Offender Risk

Voucher – Fee for Service Voucher Program

VRS – Vocational Rehabilitation Services

WEC – Work Ethic Camp

YADC – Young Adult Drug Court