

# COMMUNITY CORRECTIONS DIVISION ANNUAL REPORT 2020 to 2021

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**COMMISSION ON LAW ENFORCEMENT  
AND CRIMINAL JUSTICE**

# Table of Contents

Introduction.....	1
Community Corrections Division Mission & History.....	3
Section I: Probation.....	5
Presentence Investigation and Assessments.....	6
Case Management, Supervision, Tools, Programs, and Services.....	9
Alternatives to Incarceration.....	13
Post-Release Supervision.....	26
Section II: Problem Solving Courts.....	30
Young Adult Drug Courts.....	34
DUI Courts.....	34
Drug Testing.....	36
Veteran’s Treatment Courts.....	36
Reentry Courts.....	37
Mental Health Courts.....	38
Risk Reduction.....	39
Section III: Parole.....	41
Programs and Supervision.....	44
Mental and Behavioral Health Services and Programming.....	45
Sex Offender Supervision.....	47
Interstate Compact.....	48
Section IV: Nebraska Department of Corrections.....	50
Work Release and Work Detail Programs.....	51
Work Ethic Camp.....	55
Educational Programs.....	55
Vocational, Life Skills, and Re-Entry.....	57
Discharge Results and Recidivism.....	60
Community Supervision.....	62
Glossary of Acronyms.....	72



## 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 now includes 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 continue to 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 offender's 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.

	FY 18-19	FY 19-20	FY 20-21
Total Investigations	11,158	10,517	10,599

### **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.

### **Risk Assessment Instruments**

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. Nebraska Adult Probation Screen – Risk (NAPS -R) -- is a screening tool utilized in County Court criminal and driving under the influence (DUI) cases, to determine an appropriate assessment instrument to administer, as well as determining risk of recidivism and suitability for probation supervision. This instrument is an objective, numerically scored, gender-specific instrument designed and validated, based on Nebraska 2004-2009 male and female populations.

The NAPS-R is administered to all individuals placed on direct probation, as well as those individuals referred for investigation by the County Court. The NAPS -R was re-validated for use within Nebraska Probation in a study conducted by the University of Nebraska Law and Psychology Department in 2015.

Nebraska Adult Probation Screen – Needs (NAPS – N) -- is an assessment tool developed specifically for Driving under the Influence (DUI) and/or misdemeanor criminal offenses and is designed to determine the supervision level and criminogenic needs of an individual in conjunction with the Nebraska Adult Probation Screen – Risk.

The NAPS -N was re-validated for use within Nebraska Probation in a study conducted by the University of Nebraska Law and Psychology Department in 2015.

## **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.

## **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.

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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

## 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/ISP Probation Demographics**

Offender Demographics CBI – Intensive Supervision	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Female	1,152	1,613	1,664
Male	4,765	4,813	4,844
Totals	6,317	6,426	6,508
<b>Age</b>			
Under 18	35	33	32
18-20	560	569	552
21-25	1,227	1,173	1,152
26-30	1,244	1,240	1,195
31-35	996	1,027	1,052
36-40	791	861	878
41+	1,464	1,523	1,647
<b>Race/Ethnicity</b>			
American Indian/Alaskan Native	250	244	221
Asian or Pacific Islander	54	58	82
African American	881	926	928
Other	653	660	763
White	4,479	4,538	4,514
Hispanic Origin	826	870	973
Not of Hispanic Origin	5,491	5,556	5,535
<b>Marital Status</b>			
Single	4,051	4,137	4,184
Married	912	927	928
Separated/Divorced/Widowed	1,147	1,142	1,179
Unknown	207	220	217
<b>Education Level at Entry</b>			
8 <sup>th</sup> Grade or Less	244	412	429
9 <sup>th</sup> through 11 <sup>th</sup> Grade	1,666	1,585	1,581
12 <sup>th</sup> Grade or GED	3,328	3,390	3,527
Vocational/Some College	827	781	736
College or Above	244	256	231
Unknown	4	2	4

## 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 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Male	7,428	6,727	6,334
Female	3,543	3,300	3,002
Total	10,971	10,027	9,336
<b>Age</b>			
Under 18	31	20	26
18-20	853	751	780
21-25	2,220	1,887	1,695
26-30	2,005	1,872	1,653
31-35	1,595	1,458	1,334
36-40	1,206	1,163	1,089
41+	3,060	2,876	2,759
<b>Race/Ethnicity</b>			
American Indian or Alaskan Native	216	183	219
Asian or Pacific Islander	173	149	124
African American	1,025	931	827
Other	1,268	1,240	1,204
White	8,289	7,524	6,962
Hispanic Origin	1,628	1,549	1,538
Not of Hispanic Origin	9,343	8,478	7,798
<b>Marital Status</b>			
Single	6,597	6,042	5,622
Married	2,130	1,916	1,748
Separated/Divorced/Widowed	1,850	1,684	1,609
Unknown	394	385	357
<b>Education Level at Entry</b>			
8 <sup>th</sup> Grade or Less	491	560	541
9 <sup>th</sup> through 11 <sup>th</sup> Grade	1,440	1,266	1,256
12 <sup>th</sup> Grade or GED	5,624	5,364	4,868
Vocational/Some College	2,265	1,868	1,687
College or Above	1,147	966	983
Unknown	4	3	1



**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.

**Alternatives to Incarceration (AI)**

Adult Alternatives to Incarceration (AI) Probation is a supervision approach intended for individuals who are considered to be at the highest risk to reoffend, are being supervised by specialized probation officers within a specialized program and/or are participating in problem solving courts. These individuals may also be on probation or completing a term of incarceration for a crime requiring a “split sentence” and are the first priority of supervision resources for the Nebraska Probation System. This supervision level is most successful when a highly intensive level of supervision is utilized in conjunction with appropriate cognitive behavioral interventions, treatment services, and monitoring.

Probation officers use varied hours of operation, field work, close collaborations with community partners, treatment, cognitive programming and all available interventions pertinent to high level of assessed risk, specific to the program in which the probationer is involved, related to any precipitating criminogenic behaviors, and/or as ordered by the Court.

Caseload sizes for officer-to-individual ratios at Alternatives to Incarceration populations is 1-24, with Problem Solving Court caseload sizes also carrying a ratio of 1-24.

Funding for Alternatives to Incarceration (AI), which includes Specialized Substance Abuse Supervision (SSAS), Post-Release Supervision (PRS), Reframe and the Transitional Intervention Program (TIP) comes from the probation general fund. The average cost to supervise an AI probationer per-day is approximately \$12.63.



Post-Release Supervision (PRS) – With limited exceptions, certain felonies committed on or after August 30, 2015 carry a term of post-release supervision probation. PRS probation is required any time a term of incarceration is imposed by the Court, regardless of the duration, in any Class III or IIIA felony. The passage of LB 686 in 2019 modified the minimum PRS term of nine-months for Class IV Felonies. The maximum PRS terms of up to 12 months is allowed in Class IV Felonies, 18 months in Class IIIA Felonies and up to 24 months on Class III felonies.

### **Reframe**

Reframe is a behavioral approach designated for the highest risk individual that does not have elevated levels of criminogenic need in the area of alcohol and/or substance use involvement. The focus for a Reframe Probationer is on criminal thinking and behaviors that are the underlying reason for the individual's involvement with the Courts. Reframe participants receive behavior treatment services, including mental health, domestic violence, and/or sex offender treatment, to include Dialectical Behavioral Therapy (DBT), relevant Reporting Center Services, and random and frequent chemical testing.

All participants meeting financial criteria are eligible to receive financial assistance to be able to obtain substance use, mental health, or other qualifying services.

Reframe Demographics	FY 18-19	FY 19-20	FY 20-21
Female	106	122	122
Male	205	241	254
Total	311	363	376
Age			
Under 18	3	4	6
18-20	46	48	42
21-25	41	47	65
26-30	72	80	73
31-35	45	67	63
36-40	35	32	49
41+	69	85	78
Race/Ethnicity			
American Indian/Alaska Native	21	20	17
Asian or Pacific Islander	4	3	5
African American	63	78	81
Other	26	29	33
Caucasian	197	233	240
Hispanic Origin	30	30	41
Not of Hispanic Origin	197	233	240
Marital Status			
Single	217	243	255
Married	33	40	39
Separated/Divorced/Widowed	51	68	63
Unknown	10	12	19
Education Level at Entry			
8 <sup>th</sup> Grade or Less	22	27	33
9 <sup>th</sup> – 11 <sup>th</sup> Grade	112	130	126
12 <sup>th</sup> Grade or GED	142	163	181
Vocational/Some College	30	39	28
College or Above	5	4	7
Unknown	0	0	1

**Transitional Intervention Program (TIP)**

TIP is designated for the highest of the high-risk probationers who have demonstrated elevated levels of criminogenic need in ALL assessed areas. Probation officers work with TIP individuals focusing on criminal-thinking, and these clients are typically monitored through the use of electronic monitoring (EM) with global positioning satellite (GPS), weekly home visits, and receive cognitive behavioral intervention services, Reporting Center Services, and random and frequent chemical testing.

TIP Demographics	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Female	1	1	1
Male	3	6	1
Total	4	7	2
<b>Age</b>			
Under 18	0	0	0
18-20	0	0	0
21-25	0	2	0
26-30	0	0	0
31-35	1	2	1
36-40	1	2	1
41+	2	1	0
<b>Race/Ethnicity</b>			
American Indian/Alaskan Native	1	1	0
Asian or Pacific Islander	0	0	0
African American	0	0	0
Other	1	3	0
Caucasian	2	3	2
Hispanic Origin	1	3	0
Not of Hispanic Origin	3	4	2
<b>Marital Status</b>			
Single	3	5	1
Married	1	1	0
Separated/Divorced/Widowed	0	0	0
Unknown	0	1	1
<b>Education Level at Entry</b>			
8 <sup>th</sup> Grade or Less	1	1	1
9 <sup>th</sup> – 11 <sup>th</sup> Grade	2	5	1
12 <sup>th</sup> Grade or GED	1	1	0
Vocational/Some College	0	0	0
College or Above	0	0	0
Unknown	0	0	0

## **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 Demographics**

Offender Demographics SSAS	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Female	217	259	246
Male	520	571	531
<b>Total SASS Individuals</b>	<b>737</b>	<b>830</b>	<b>777</b>
<b>Age</b>			
Under 18	4	4	8
18-20	73	85	76
21-25	136	152	125
26-30	148	161	154
31-35	111	134	128
36-40	86	115	106
41+	179	179	180
<b>Race/Ethnicity</b>			
American Indian or Alaskan Native	31	37	43
Asian or Pacific Islander	6	5	5
African American	92	117	114
Other	75	88	77
White	533	583	538
Hispanic Origin	99	109	102
Not of Hispanic Origin	638	721	675
<b>Marital Status</b>			
Single	512	575	525
Married	72	79	81
Separated/Divorced/Widowed	125	142	131
Unknown	28	34	40
<b>Education Level at Entry</b>			
8 <sup>th</sup> Grade or Less	50	82	81
9 <sup>th</sup> Through 11 <sup>th</sup> Grade	216	240	242
12 <sup>th</sup> Grade or GED	364	402	368
Vocational/Some College	89	85	68
College or Above	18	21	16
Unknown	0	0	2

## Reporting and Service Centers

Due to the success of the Nebraska State Probation’s Reporting Center model, funding was allotted to expand reporting centers to seventeen locations across the State (LB907; LB605). During Fiscal year 2020-21, there were over 58,000 Reporting Center visits to access programming and groups. Each successfully discharged reporting center individual who does not reoffend and returns to their community and neighborhood contributes to the overall impact on community safety and reduces the fiscal cost of incarceration and the problem of prison overcrowding.

The Legislature has tasked the AOCF with expansion of community correction alternatives across Nebraska as a means of reducing prison overcrowding while keeping community safety as a priority through offender rehabilitation and accountability (LB605 and Justice Reinvestment).

Service Centers -- Probation Service Centers were created in 2011 for the benefit of Judicial Districts that did not currently have a reporting center. The service centers were created to assist individuals in fulfilling court-ordered obligations, addressing high-risk needs and completing programming or other requirements instituted through the sanctioning process. Service centers serve the same population as reporting centers, but are limited in the number of clinical and rehabilitative services offered. There are currently five service centers operating across Nebraska. Communities served include O’Neill, Seward, York, Fairbury, Blair and Broken Bow. Service centers are funded by general and cash funds of the Community Corrections program.

Probation Teleservices -- Reporting and service centers have the ability to offer programming via Probation Teleservices. Through the use of audio and visual technology, teleservices help bridge geographical distances that may limit access to resources, such as evaluations and counseling. Teleservice grants Probation the ability to overcome the barriers of the rural nature of the state and provide access to programs and other services where they would otherwise be unavailable.

## Reporting Center Programming

	FY 18-19	FY 19-20	FY 20-21
Unique Individuals Served	5,114	3,699	4,124
Programming Referred	8,591	4,902	6,389

Program	FY 18-19	FY 19-20	FY 20-21
Anger Management	295	189	266
Crime Victim Empathy	1,708	813	991
Employment Services	902	585	592
Money Management	284	154	187
Parenting	189	150	170
Relapse Group	1,097	801	891
Life Skills	1,365	652	963
Trauma Group	544	217	350

### Nebraska Reporting Center Programming Costs

Fiscal Year	FY 18-19	FY 19-20	FY 20-21
Reporting Center Programming Dollars	\$2,037,790	\$1,607,424	\$1,668,542

### 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 18-19	FY 19-20	FY 20-21
Number Served	138	158	96

### 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 18-19	FY 19-20	FY 20-21
Number Served	805	736	722

**Drug (Substance Use) Testing**

As drug abuse is a critical factor in criminal behavior and juvenile delinquency, drug testing identifies offenders with substance use/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

Fiscal Year	FY 18-19	FY 19-20	FY 20-21
Classification	Number of Drug Tests	Number of Drug Tests	Number of Drug Tests
CBI	89,618	78,185	70,006
CBI DUI	13,656	13,325	10,484
CBI Domestic Violence	35,366	35,111	28,828
SSAS	32,498	27,831	21,515
PRS	55,306	48,216	28,020
Reframe	8,061	9,020	7,742
TIP	75	204	59
Sex Offender	6,814	5,810	5,724
CBR	148,779	119,117	79,656
Other	55,790	42,929	34,457
Unclassified	7,788	540	452
Grand Total	453,751	380,288	286,943

## 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.

## Financial Assistance Programs

Rehabilitative Services, Financial Assistance – Created in 2006 to reduce the financial barriers for high risk and need adult individuals in need of evaluation and/or treatment services. The Nebraska Legislature allocated funds to Probation to provide financial assistance for individuals who otherwise would be unable to access/afford need behavioral health supports and services. Financial assistance initially covered only substance use disorders, however, in 2014 services were expanded to include mental health/co-occurring evaluations and treatment and sex offense specific services. In 2015 treatment for gambling was added.

This financial assistance is not intended to eliminate the need for accountability and financial Responsibility, rather, it serves as another resource available to the individual when financial barriers exist. Individuals are expected to contribute toward the financial obligations associated with services using the AOC's sliding fee scale. Financial assistance is available only after all other financial resources have been exhausted.

By Supreme Court Rule, any individual receiving services must receive those services through a Registered Service Provider. These services may be provided in an office setting or remotely through a teleservices network.

Adult Fee for Service, Financial Assistance is funded by both general and cash funds of the Community Corrections program.

Adult Behavioral Health Financial Assistance by service type. Please note non-clinical services are not included in this report.

Transitional Living Financial Assistance -- Created to increase success for Probation, Post Release Supervision, and problem-solving court individuals. Transitional Living provides short-term, stable housing for individuals at high risk to reoffend while improving community safety. The initiative places individuals in a supportive environment, enabling them to concentrate on treatment and/or employment, reintegrating into the community, with the goal of becoming self-sufficient. Simultaneously, this provides a greater ability to know the whereabouts of individuals under court ordered supervision.

Transitional Living Financial Assistance is funded by combined federal, general and cash funds.

#### Transitional Living Eligibility Requirements

- Supervised on Probation, Post Release Supervision or Problem Solving Courts
- Sentenced as a felony offense or as a Class I Misdemeanor for Domestic Violence, Sex Offense or DUI-III or higher
- High Risk to reoffend
- Housing Instability
- Lack resources to pay for suitable housing
- Ordered to Transitional Living through the Courts

#### Levels of Transitional Living

- Transitional Living Halfway House
  - 24-hour structured treatment/recovery facilities licensed by DHHS
  - Qualifies for reimbursement up to \$139 per day for 12 weeks (84 days)
- Transitional Living Level 1
  - Overnight Staffing (10:00 PM – 6:00 AM)
  - Qualifies for reimbursement up to \$45 per day for 12 weeks (84 days)
- Transitional Living Level 2
  - 24/7 Staffing
  - Onsite supportive case management related to housing needs
  - Qualifies for reimbursement up to \$90 per day for 12 weeks (84 days)

**Adult Fee for Service, Behavioral Health Financial Assistance by Level of Care**

Level of Care	Amount FY 18-19	Amount FY 19-20	Amount FY 20-21
Substance Use Evaluation	\$295,067	\$335,550	\$336,027
Short-Term Residential	\$2,910,601	\$3,353,810	\$3,236,440
Intensive Outpatient	\$995,941	\$1,181,094	\$1,152,070
Outpatient Counseling	\$1,280,067	\$1,292,065	\$1,377,676
Co-Occurring Evaluation	\$194,861	\$235,686	\$193,762
Co-Occurring Short Term Residential	\$234,055	\$118,944	\$36,898
Pretreatment – Reporting Center	\$218,073	\$155,087	\$326,681
Relapse Group – Reporting Center	\$304,885	\$272,436	\$563,135
Mental Health Evaluation/Assessment	\$42,168	\$59,725	\$39,366
Mental Health Outpatient Treatment	\$211,482	\$350,225	\$425,309
Adults who Sexually Harm Treatment	\$292,093	\$297,141	\$335,622
Reporting Center Mental Health Contracts	\$1,270,839	\$1,607,424	\$2,391,641
<b>Total</b>	<b>\$8,250,132</b>	<b>\$9,259,187</b>	<b>\$10,414,627</b>

**Transitional Living Housing Assistance**

	Amount FY 18-19	Amount FY 19-20	Amount FY 20-21
Assistance by Fiscal year	\$3,466,008	\$5,733,558	\$5,317,085

**Electronic Reporting System**

Electronic Reporting System (ERS) is a service used to help manage large caseloads of those individuals assessed as the lowest risk to recidivate. Individuals on ERS report through a telephonic system monthly to provide relevant changes regarding their information.

Individuals supervised through ERS are required to comply with their Order of Probation, submit to substance use testing as ordered, meet financial requirements, and participate in any programming required by the Court

ERS maintains all case notes and contact history. A recent program enhancement now doubles the number of notifications to individuals late on their reporting calls to help promote successful completion of their monthly check-in requirement. This feature enables a text to be sent first with the call back number followed by the standard automated phone call.

Staff are also able exchange text messages directly with individuals through ERS and send reminders for important requirement deadlines.

Funding for ERS comes from both the general and cash funds of the Community Corrections program.

**Electronic Reporting**

Electronic Reporting	FY 18-19	FY 19-20	FY 20-21
Number Served	4,485	4,798	1,238

**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.

## **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, victim 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.

### Administrative and Custodial Sanctions

Probation Sanctions	FY 18-19	FY 19-20	FY 20-21
Administrative Sanctions	23,178	17,463	16,309
Custodial Sanctions	1,944	1,778	1,755

### Post-release Supervision (PRS)

With limited exceptions, certain felonies committed on or after August 30, 2015 carry a term of post-release supervision probation. PRS probation is required any time a term of incarceration is imposed by the Court, regardless of the duration, in any Class III or IIIA felony. The passage of LB 686 in 2019 modified the minimum PRS term of nine-months for Class IV Felonies. The maximum PRS terms of up to 12 months is allowed in Class IV Felonies, 18 months in Class IIIA Felonies and up to 24 months on Class III felonies.

	FY 18-19	FY 19-20	FY 20-21
PRS Probationers	2,011	1,995	1,575

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

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

**Post-release Supervision Demographics**

PRS Demographics	FY 18-19	FY 19-20	FY 20-21
Gender			
Female	434	401	279
Male	1,577	1,594	1,296
Age			
Under 18	15	15	9
18-20	112	115	99
21-25	316	338	232
26-30	374	376	321
31-35	378	350	275
36-40	280	291	241
41+	536	510	398
Race/Ethnicity			
American Indian or Alaska Native	102	90	67
Asian or Pacific Islander	13	13	12
African American	465	401	308
Other	191	193	153
White	1,240	1,298	1,05
Hispanic Origin	227	244	201
Not of Hispanic Origin	1,784	1,751	1,374
Marital Status			
Single	1,292	1,283	1,014
Married	211	196	151
Separated/Divorced/Widowed	295	310	251
Unknown	213	206	159
Education Level at Entry			
8 <sup>th</sup> Grade or Less	117	179	153
9 <sup>th</sup> Through 11 <sup>th</sup> Grade	627	562	448
12 <sup>th</sup> Grade or GED	994	992	775
Vocational/Some College	196	193	147
College or Above	40	36	36
Unknown	37	33	16



**Post-Release Supervision (PRS) Plans**

Post-release supervision plans are created in collaboration between Probation Administration, NDCS, and Parole Administration, or a county jail as necessary. These plans detail all completed programming, evaluations, misconduct reports, classification studies, institutional assessments and services received for individuals who were incarcerated or under the supervision of Parole. The plans also include reduction in risk associated with completed programming and documented behavior changes.

Post release supervision plans include a variety of other elements relating to the supervision of the incarcerated person once they have been released, including housing, employment, medication management and health care plans, child support (if applicable) available positive supports, and victim status and safety plans. Probation submits these plans to the sentencing court prior to the inmate’s discharge from NDCS custody to their term of Post-Release Supervision, administered by Probation Administration.

Prior to an inmate’s discharge from NDCS custody on to PRS, Probation staff submit a revised Post-Release Supervision Plan to the sentencing court including a community needs and services assessment which details specifics related to proposed plans for housing, employment, medication management and health care plans, child support, if ordered, available positive supports, and victim status and safety plans.

JRI legislation modified several Nebraska Statutes, providing for post-release supervision on certain Class III, IIIA and IV Felony offenses committed on or after the bills effective date of 8/30/2015. The first post-release supervision eligible individual transitioned out of prison in early 2016 and the first post-release supervision plan occurred on February 18, 2016.

**Post-Release Supervision (PRS) Plans**

	FY 18-19	FY 19-20	FY 20-21
Total PRS Plans	984	800	733

**Discharges from Post-Release Supervision**

Discharges	Successful Completion	Unsuccessful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	N
FY 18-19	48%	21%	12%	12%	4%	3%	1,498
FY 19-20	54%	13%	12%	13%	4%	4%	2,019
FY 20-21	51%	11%	12%	12%	3%	11%	1,343



### **Felony Revocations to Incarceration**

Individuals who have had their probation revoked to incarceration can be revoked to the Nebraska Department of Correctional Services, a county jail, an imposition of a fine, and/or additional probation, among other possibilities. The information below only addresses individuals who have had a term of probation revoked on a felony charge, out of a District Court and were sentenced to a term of incarceration upon revocation.

Law violations do not include minor traffic offenses or infractions such as littering. Technical violations are wide and varied, including all non-compliance from failure to pay fines and fees, to missed or positive drug and alcohol testing, or failure to attend and complete treatment.

Please note there are a number of possible outcomes when an individual is revoked from a term of probation. These include, but may not be limited to, revocation to the department of corrections, a county jail, imposition of a fine, and/or additional probation. The information below only addresses those individuals with a term of probation revoked on a felony charge, out of a District Court sentenced to a term of incarceration upon revocation.

Individuals revoked due to a new law violation are indicated as such. These would not include minor traffic offenses or infractions. Technical violations are wide ranging and include all probationer non-compliance from failure to pay fines and fees, to missed or positive substance use testing, failure to attend or complete treatment, to absconding from supervision, among other things.

Law Violation	FY 18-19	FY 19-20	FY 20-21
Prison	169	143	133
County Jail	231	272	219
Total	400	415	352
Percent to Prison	42%	32%	38%

Technical Violations	FY 18-19	FY 19-20	FY 20-21
Prison	83	84	78
County Jail	229	266	240
Total	312	350	318
Percent to Prison	27%	24%	25%

### **Risk Reduction on High Risk Probationers with Successful Completion of Probation Term**

#### **Traditional Probation**

Fiscal Year	Average 1 <sup>st</sup> LSCMI Score	Average Last LSCMI Score	Change in LSCMI Score	Percent Change
FY 18-19	25.70	20.40	-5.30	-20.70%
FY 19-20	25.50	20.40	-5.10	-20.00%
FY 20-21	25.70	21.00	-4.70	-18.20%

This was calculated on those probationers who came into the system with a high or very high score on the LSCMI, and an average initial LSCMI score was calculated for the discharge cohort. The average LSCMI score was calculated for these same individuals taking the average of their final LSCMI score prior to discharge from Probation.

**Post-Release Supervision**

Fiscal Year	Average 1 <sup>st</sup> LSCMI Score	Average Last LSCMI Score	Change in LSCMI Score	Percent Change
FY 18-19	27.90	26.30	-1.60	-5.80%
FY 19-20	27.86	26.74	-1.12	-4.03%
FY 20-21	28.30	26.60	-1.60	-5.80%

**Section II: 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.

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. Nebraska's first Veteran's Treatment Court started in Douglas County in November 2016. In April 2017, Lancaster County began operating the state's second Veterans Treatment Court.

Research shows problem-solving courts are an effective strategy to reduce substance use and recidivism among substance-using, nonviolent individuals with criminal histories. Nationally, 75% of drug court graduates remain arrest-free at least two years after their release from the program (Finigan, M., Carey, S. M., & Cox, A. 2007).

Nebraska Problem-Solving Courts are post-plea or post-adjudicatory intensive supervision programs designed for high-risk to reoffend and high-need individuals. Nebraska Problem-Solving Courts can only be established with the approval of the Nebraska Supreme Court.

All Nebraska Problem-Solving courts are governed by the Nebraska Supreme Court Committee on Problem-Solving Courts under the direction of the Nebraska Supreme Court. Members include representatives of courts, probation, law enforcement, and the legal and treatment community. Nebraska Problem-Solving Courts operate within the district, county or juvenile courts in all 12 Nebraska Judicial Districts.

Most problem-solving courts in Nebraska operate under the AOC, with the exception of the Adult Drug Courts in Douglas and Lancaster Counties, and the Central Nebraska Adult Drug Court, which serves the 9th and 10th Judicial/Probation Districts. Family Treatment Courts typically operate within both the Courts and the Department of Health and Human Services.

Problem-Solving Courts in Nebraska operate under a team approach where a judge, prosecutor, defense counsel, coordinator, community supervision officer, law enforcement and treatment provider(s) work together to design an individualized program for each participant. Compliance with treatment and court orders is verified by frequent alcohol/drug testing, close community supervision, and interaction with a judge in non-adversarial court review hearings. Problem-Solving Courts enhance close monitoring of participants using home and field visits.

In accordance with evidenced-based research, all problem-solving court participants are screened and assessed for substance use, criminogenic risk to reoffend, mental health concerns, trauma

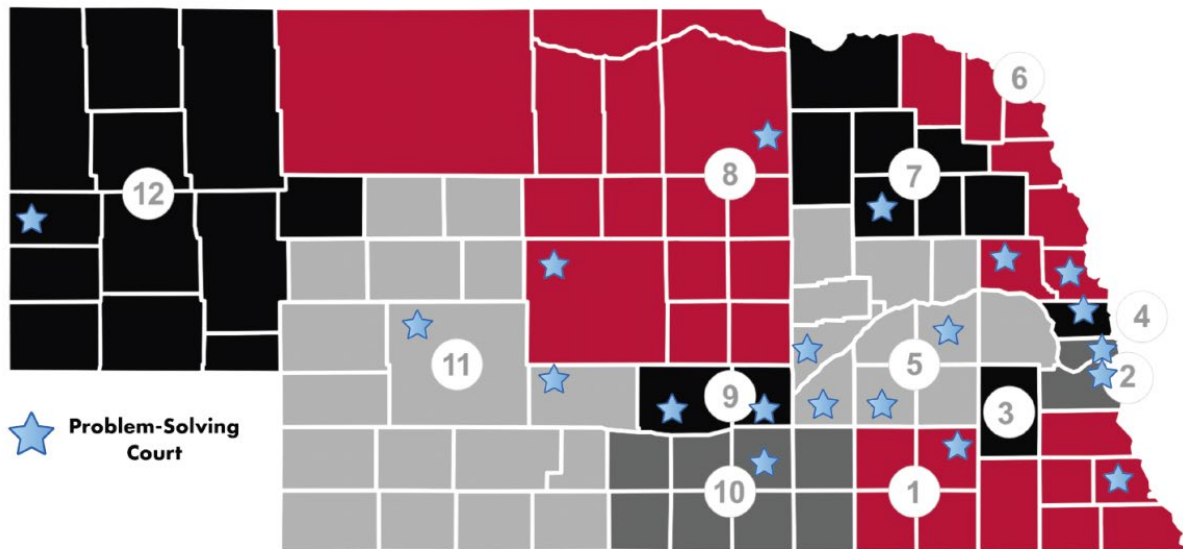
history, and trauma-related symptoms. Nationally, over one-quarter of drug court participants reported having experienced a serious traumatic event, such as a life-threatening car accident, work-related injury, or physical/sexual abuse (Cissner et al., 2013; Green & Rempel, 2012).

The Nebraska Supreme Court Committee on Problem-Solving Courts recognized statewide standards were essential for expanding capacity and ensuring the establishment of best practices and quality assurance. As a result, Best Practice Standards for Young Adult Courts, Adult Drug and DUI Courts, Veterans Treatment Courts, Reentry Courts, and Mental Health Courts were collaboratively developed by stakeholders across Nebraska and approved by the Nebraska Supreme Court. All Nebraska problem-solving courts adhere to approved Best Practice Standards.

Funding for Problem-Solving Courts comes from the Problem-Solving Court general fund. The average per-day cost to supervise a Problem-Solving Court participant is approximately \$12.13.

Adult PSC's in Nebraska include Adult Drug Courts, Family Drug Courts, DUI Courts, Veterans Treatment Courts, and Reentry Courts.

## State of Nebraska Problem-Solving Courts Map



### **District 1**

Southeast Nebraska Adult Drug Court

### **District 2**

Sarpy County and Cass County Adult Drug Court

Sarpy County Reentry Court

Sarpy County Juvenile Drug Treatment Court

Sarpy County Wellness Court

### **District 3**

Lancaster County Adult Drug Court

Lancaster County Veterans Treatment Court

Lancaster County Family Drug Treatment Court

Lancaster County DUI Court

### **District 4**

Douglas County Adult Drug Court

Douglas County Family Recovery Drug Court

Douglas County Veterans Treatment Court

Douglas County Young Adult Court

### **District 5**

5th Judicial District Problem-Solving Court

### **District 6**

District Six Adult Drug Court

### **District 7**

Northeast Nebraska Adult Drug Court

### **District 8**

North Central Problem-Solving Court

### **District 9**

Central Nebraska Adult Drug Court

District 9 Problem-Solving Court

### **District 10**

Central Nebraska Adult Drug Court

Central Nebraska Family Drug Treatment Court

### **District 11**

Midwest Nebraska Problem-Solving Court

### **District 12**

Scotts Bluff County Adult Drug Court and DUI Court

### Young Adult Courts

The Douglas County Young Adult Court is a judicially supervised program that provides a sentencing alternative, for youthful adults up to age 26, who have been charged with a felony offense. 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 18 to 24 month program is to stabilize participant’s lives by providing tools for success, thus reducing recidivism.

Young Adult Court Demographics	FY 18-19	FY 19-20	FY 20-21
Gender			
Female	11	12	18
Male	47	62	81
Total	58	74	99
Age			
Under 18x	0	0	0
18-20	33	43	51
21-25	24	31	48
26-30	1	0	0
Race/Ethnicity			
American Indian/Alaskan Native	2	3	4
Asian or Pacific Islander	0	0	1
African American	13	20	30
Other	14	13	20
White	29	38	44
Unknown	0	0	0
Hispanic Origin	14	16	23
Not of Hispanic Origin	44	58	76

### Adult Drug Courts and DUI Courts

Nebraska Adult Drug and DUI Courts utilize a specialized team process that functions within the existing court structure. Adult Drug and DUI Courts are designed to achieve a reduction in recidivism and substance use among high-risk to reoffend and high-need individuals with substance use disorders. The court’s goal is to protect public safety and increase the participant’s likelihood of successful rehabilitation by utilizing validated risk and need assessments, early and individualized behavioral health treatment, frequent and random substance use testing, incentives, sanctions, and other rehabilitative and ancillary services. Intense community supervision and interaction with a judge in non-adversarial court hearings verify compliance with treatment and other court ordered terms.

There are presently 20 Adult Drug Courts operating in Nebraska. These courts serve the following counties: Gage; Saline; Jefferson; Fillmore; Thayer; Otoe; Johnson; Nemaha; Pawnee; Richardson Sarp; Cass; Lancaster; Douglas; Merrick; Hamilton; York; Butler; Saunders; Colfax; Seward; Dodge; Washington; Burt; 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. Nebraska’s two DUI Courts operate in Scotts Bluff and Lancaster Counties.

### Demographics, Adult Drug and DUI Courts

Adult Drug and DUI Courts	FY 18-19	FY 19-20	FY 20-21
Gender			
Female	384	450	470
Male	537	580	621
Unknown	0	1	1
Total	923	1,031	1,092
Race			
American Indian/Alaskan Native	20	21	29
Asian or Pacific Islander	9	5	5
African American	57	55	60
Other	83	102	114
White	752	848	883
Ethnicity			
Hispanic Origin	117	123	134
Not of Hispanic Origin	804	907	957
Unknown	2	1	1
Age			
18-20	87	80	75
21-25	246	245	249
26-30	206	240	232
31-35	160	184	204
36-40	93	120	143
41+	131	162	188



## 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	FY 18-19 Participants	18-19 Drug Tests	FY 19-20 Participants	19-20 Drug Tests	FY 20-21 Participants	20-21 Drug Tests
Adult Drug and DUI Courts	923	48,968	1,031	50,784	1,092	46,348
Young Adult Court	119	3,366	74	2,027	99	2,141
Reentry Courts	34	1,232	43	1,461	40	901
Veteran's Treatment Courts	57	2,399	67	3,501	74	4,024
Mental Health Court	NA	NA	NA	NA	8	109
<b>Total</b>	<b>1,133</b>	<b>55,966</b>	<b>1,215</b>	<b>57,773</b>	<b>1,313</b>	<b>53,523</b>

## Veteran's Treatment Courts

In 2016, Veteran's Treatment Courts were authorized by the Legislature through LB 919. The first opened in Douglas County in November 2016, and the second in Lancaster County in April 2017.

These courts are designed to reduce recidivism in high-risk and high-need Veterans through a comprehensive and coordinated court response using early intervention, appropriate treatment, intensive supervision, and consistent judicial oversight. The team which implements this effective approach is made up of judges, prosecutors, defense counsel, coordinators, community supervision officers, law enforcement officers, treatment providers, Veteran's Health Administration, and others. An individualized program is designed for each Veteran's Court participant.

Compliance with treatment and court orders is verified by frequent drug and alcohol testing, close community supervision, and judicial interaction in non-adversarial court review hearings. Additionally, volunteer Veteran Mentors are there to guide and act as role models for veterans, helping with readjustment issues and assisting with reentry into civilian life.



### Veteran’s Treatment Court Demographics

Demographics	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Female	6	7	6
Male	51	60	68
Total	57	67	74
<b>Race</b>			
American Indian or Alaska Native	0	0	0
Asian or Pacific Islander	1	1	0
African American	8	12	15
Other	3	3	3
Caucasian	45	51	56
<b>Ethnicity</b>			
Hispanic Origin	4	3	2
Not of Hispanic Origin	53	64	72
<b>Age</b>			
18-20	0	0	0
21-25	2	0	3
26-30	14	13	7
31-35	10	10	16
36-40	9	10	8
41+	22	34	40

### Reentry Courts

In April 2016, the Nebraska Legislature passed LB919, which authorized the expansion of the definition of Problem-Solving Courts to include Reentry Courts. At the direction of the Nebraska Supreme Court’s Problem-Solving Court Committee, a group of Nebraska stakeholders created the Nebraska Reentry Court Best Practice Standards. The Nebraska Supreme Court approved the standards on June 20, 2017. The Nebraska Supreme Court authorized the establishment of Nebraska’s first Reentry Court in the 9th Judicial District on August 23, 2017. The Nebraska Supreme Court authorized the establishment of a Reentry Court in the 2nd Judicial District on January 3, 2018. Nebraska Reentry Courts are designed for high-risk to reoffend and high-need individuals who are reentering society from incarceration on a term Post-Release Supervision.

Similar to other problem-solving courts, Reentry Courts operate under a team approach where a judge, prosecutor, defense counsel, coordinator, community supervision officer, law enforcement, treatment provider(s), and other key team members work together to design an individualized program for each participant. The court’s goal is to protect public safety and reduce recidivism. Intensive community supervision and interaction with a judge in non-adversarial court hearings verifies compliance with treatment and other court ordered terms.

### Reentry Court Demographics

Demographics	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Female	3	6	3
Male	31	37	37
Total	34	43	40
<b>Race</b>			
American Indian or Alaska Native	0	0	0
Asian or Pacific Islander	1	2	2
African American	3	6	6
Other	4	5	4
Caucasian	26	30	28
<b>Ethnicity</b>			
Hispanic Origin	8	9	8
Not of Hispanic Origin	26	34	32
<b>Age</b>			
18-20	1	1	2
21-25	14	13	7
26-30	7	11	13
31-35	5	8	11
36-40	3	4	4
41+	4	6	3

### Mental Health Courts

In April 2016, the Nebraska Legislature passed and the Governor signed LB919, broadening the definitions of problem-solving courts to include Mental Health Courts. In response, the Nebraska Supreme Court Committee on Problem-Solving Courts appointed a Mental Health Court Subcommittee to establish implementation plans that included the development of best-practice standards for Mental Health Courts. On April 22, 2020, the Nebraska Supreme Court approved the Nebraska Mental Health Court Best Practice Standards. On August 6, 2020, Governor Ricketts signed into law LB1008 providing appropriations to establish Nebraska’s first Mental Health Court.

On December 23, 2020, the Nebraska Supreme Court approved the Sarpy County Wellness Court to serve as Nebraska’s first pilot mental health court. The Sarpy County Wellness Court is designed to stabilize, assist, and reduce the risk of future offenses for persons with mental illness who have become involved in the Criminal Justice System by providing supervision, treatment, and community resources. The Sarpy County Wellness Court entered its first participant into the program in February 2021.

### Mental Health Court Demographics

Demographics	FY 20-21		
Gender			
Female	5		
Male	3		
Total	8		
Race			
American Indian or Alaska Native	1		
Asian or Pacific Islander	0		
African American	0		
Other	0		
Caucasian	7		
Ethnicity			
Hispanic Origin	0		
Not of Hispanic Origin	8		
Age			
18-20	1		
21-25	3		
26-30	2		
31-35	0		
36-40	1		
41+	1		

### 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 18-19	19.42	12.44	-6.98	-35.96	229
FY 19-20	20.08	12.50	-7.58	-37.74	235
FY 20-21	22.70	12.37	-10.33	-45.51	240

**Discharges and Revocations Adult Courts**

Discharges	Successful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	Total Number
FY 18-19	72%	9%	8%	2%	10%	9,137
FY 19-20	75%	8%	7%	2%	8%	9,567
FY 20-21	72%	7%	8%	2%	11%	8,536

**Discharges and Revocations of Adults Sentenced to Post-release Supervision**

Discharges	Successful Completion	Unsuccessful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	Total Number
FY 18-19	48%	21%	12%	12%	4%	3%	1,498
FY 19-20	54%	13%	12%	13%	4%	4%	2,019
FY 20-21	51%	11%	12%	12%	3%	11%	1,343

## **Section III: 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 Layne Gissler as vice chair, and Mark Langan, Habib Olomi, and Bob Twiss as the other members of the board. Adult Parole Administration was created by the Legislature in 1969, and managed the clients 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 the Division of Parole Supervision (DPS) with Julie Micek as the Director of Supervision and Services, Ken Quinn as the Assistant Director of Supervision and Services for Field Services, Jennifer Miller as the Assistant Director of Supervision and Services for Research/IT, Nicole Miller as Legal Counsel, and Sue Olson as the Statewide Operations Manager.

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 parole client activity while assisting with the individual's transition back into the community while maintaining community safety. A parole officer will monitor the client's travel, residence, employment, associates, financial obligations, drug and/or alcohol use, and compliance with laws and special conditions of parole. The goal of the parole officer is to assist each client 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, DPS has nine regional offices located in Beatrice, Grand Island, Hastings, Kearney, Lincoln, Norfolk, North Platte, Omaha, and Scottsbluff. Lifetime sex offender supervision, as ordered by judges as part of an offender's sentence, is also the responsibility of DPS and parole officers.

Parole Client Demographics			
	FY 18-19	FY 19-20	FY 20-21
Offender Total Count	2421	2386	2397
Gender			
Male	2075	2075	2107
Female	346	311	290
Age			
18-20	20	24	13
21-25	264	258	248
26-30	435	403	402
31-35	377	411	396
36-40	392	384	383
41+	933	906	955
Race/Ethnicity			
Caucasian	1498	1479	1417
African American	566	529	565
Hispanic	239	273	281
Asian American/Pacific Islander	21	18	23
Native American/Alaskan Native	78	70	98
Other	19	17	13
Marital Status			
Single	1226	1256	1295
Married	467	469	470
Separated/Divorced/Widowed	319	292	316
Unknown	410	369	20
Education Level at Entry			
8th Grade or Less	46	53	53
9th through 11th Grade	327	318	362
12th Grade or GED	1405	1403	1377
Vocational/Some College	7	6	3
College or Above	0	0	2
Unknown	637	606	600

Parole Client Offense Types (Most Serious Offense)				
Category	Type	FY 18-19	FY 19-20	FY 20-21
Arson	FEL	16	12	11
	MSD			
	Unk		2	2
Assault	FEL	230	219	196
	MSD	1		
	Unk		14	23
Burglary	FEL	220	200	207
	MSD			
	Unk		10	12
Drugs	FEL	543	530	512
	MSD			
	Unk		46	59
Fraud	FEL	88	50	44
	MSD			
	Unk		7	10
Homicide	FEL	103	111	109
	MSD			
	Unk		3	
Morals	FEL	10	7	5
	MSD			
	Unk		1	1
Motor Vehicle	FEL	150	116	125
	MSD			
	Unk		12	11
Other	FEL	64	44	26
	MSD	2		
	Unk		22	19
Restraint	FEL	10	16	17
	MSD			
	Unk			1
Robbery	FEL	219	196	207
	MSD			
	Unk		8	13
Sex Offenses	FEL	268	309	300
	MSD	2		
	Unk		11	19
Theft	FEL	210	182	169
	MSD	1		
	Unk		15	14
Weapons	FEL	236	233	276
	MSD			
	Unk		10	9
Unknown		49		
Total	FEL	2367	2225	2204
	MSD	6	0	0
	Unknown	48	161	193

## Programs and Supervision

### Cognitive-Behavioral Programming

DPS currently offers several programs focused on providing cognitive-behavioral interventions and supports to assist clients with attitude and behavioral change. A listing of programs offered currently is included below. Each program is targeted toward the specific criminogenic needs of each client:

- Batterer’s Intervention: for clients who have committed domestic violence offenses
- Cognitive-Behavioral Interventions for Anyone (CBI4NE1): for clients who are high-risk as far as their criminal attitudes and behaviors
- Living with Success: group for parole clients to assist with developing healthy relationships, managing anger, impulse control, and build coping skills
- Mental Health Services: counseling and individualized support/therapy for parole clients on a 1-on-1 basis
- Pre-Treatment Substance Use Groups: group for clients discharging from a facility that require additional substance use programming and supports
- Relapse Substance Use Groups: group for clients who relapse in terms of alcohol or substance use during their period of parole supervision
- Residential Treatment Use Programming: for clients who experience high needs and relapse while on parole and require the highest level of care to address substance use. DPS works in collaboration with Valley Hope located in O’Neill to provide this service.
- Sex Offender Aftercare: for clients who have committed sex offenses
- Substance Use Evaluations: individualized clinical assessments related to substance use needs while in the community
- Trauma Groups: therapeutic trauma-informed programming groups for both men and women

Valley Hope O'Neill Residential Program Participants			
	FY 18-19	FY 19-20	FY 20-21
Gender			
Male	59	32	25
Female	17	8	3
Age			
18-20	0	1	0
21-25	8	10	0
26-30	18	7	8
31-35	9	6	8
36-40	10	3	3
41+	31	13	9
Race/Ethnicity			
Caucasian	47	31	21
African American	17	5	2
Hispanic	6	3	3
Asian American/Pacific Islander	2	0	0
Native American/Alaskan Native	3	1	2



Other/Unknown	1	0	0
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Future programming that is in development as of January 2022 includes the following programs:

- Anger Management: for high-risk clients with corresponding criminogenic attitude needs
- Violence Reduction Programming Community Aftercare Program (VRP-CAP): community-based aftercare programming for clients who have previously completed VRP programs while within an NDCS facility

In addition to the individualized and group programs listed, parole officers utilize the Effective Practices in Community Supervision (EPICS) model which adopts cognitive-behavioral techniques for all face-to-face meetings with moderate and high-risk parole clients. EPICS was fully implemented FY 16-17.

**Drug Testing**

Clients can be tested for drug use as part of an intensive drug testing program based on high risk for alcohol or substance use, for cause (as a result of suspected use), or randomly. DPS works with Abbott and PharmChem to administer substance use tests.

Drug Testing (Intensive List): Parole Funded			
	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Male	494	422	851
Female	98	56	92
<b>Age</b>			
18-20	3	5	4
21-25	72	67	104
26-30	126	92	168
31-35	100	84	188
36-40	109	80	159
41+	182	150	320
<b>Race/Ethnicity</b>			
Caucasian	366	305	570
African American	146	109	230
Hispanic	48	45	94
Asian American/Pacific Islander	4	1	6
Native American/Alaskan Native	23	15	38
Other/Unknown	5	3	5

**Electronic Monitoring**

Electronic monitoring (EM) is a general term referring to forms of surveillance which monitor the location, movement, and specific behavior of offenders. EM is most effective when used with offenders who are at highest risk of reoffending and in need of a stabilization period. Currently, EM is used for parole clients with ties to gang activity or a history of sexual offenses, for clients who have a previous parole violation (as a graduated sanction) or specific alcohol offenses, and with individuals ordered to lifetime sex offender supervision.

DPS utilizes several types of EM. Active global positioning (GPS) is the most often used form of EM and allows for “real time” tracking of a client’s location. Continuous alcohol monitoring (CAM) is a second EM program that measures an individual’s perspiration for the presence of alcohol excreted through the skin.

Electronic Monitoring Client Demographics			
	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Male	677	725	904
Female	51	60	68
<b>Age</b>			
18-20	10	12	7
21-25	103	119	124
26-30	156	174	194
31-35	115	123	166
36-40	124	126	157
41+	220	231	324
<b>Race/Ethnicity</b>			
Caucasian	426	455	523
African American	207	211	282
Hispanic	66	86	107
Asian American/Pacific Islander	7	6	7
Native American/Alaskan Native	17	25	47
Other/Unknown	5	2	6

**Transitional Housing**

Short-term housing, also known as transitional housing, is provided to high-risk clients across the state. Transitional housing offers two general levels of service and support to parole clients: housing with programming and housing without programming. Some facilities serve as sober living facilities while others make substance use programming available. DPS works with a range of housing providers as determined by the needs of the client. DPS also supports moderate and high-risk clients with up to 90 days of payment coverage for time spent in transitional housing.

### 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 DPS. DPS has the authority to use risk assessments and evaluations to determine the conditions of community supervision that are to be imposed to best ensure public safety.<sup>8</sup> These conditions can include but are not limited to drug and alcohol testing, electronic monitoring, restrictions on employment and leisure activities, reporting requirements, residential and specified location restrictions, requirements to submit to clinical treatment, and any other conditions imposed to reduce the risk of recidivism.<sup>9</sup>

Lifetime Sex Offender Demographics			
	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Male	52	63	82
Female	1	1	1
<b>Age</b>			
18-20	0	0	1
21-25	1	1	2
26-30	4	6	7
31-35	10	11	12
36-40	9	11	9
41+	29	35	52
<b>Race/Ethnicity</b>			
Caucasian	42	50	60
African American	6	6	9
Hispanic	2	3	9
Asian American/Pacific Islander	0	0	0
Native American/Alaskan Native	2	3	3
Other/Unknown	1	2	2

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

<sup>9</sup> Ibid

### Interstate Compact

The Interstate Compact provides statutory authority for regulating the transfer of parole supervision across state boundaries. The Compact allows for clients to live and be supervised on parole as a resident of a different state than the state where the client 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 Client Demographics			
	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Male	307	280	244
Female	76	66	52
<b>Age</b>			
18-20	0	0	0
21-25	25	29	20
26-30	64	56	46
31-35	62	60	50
36-40	67	57	53
41+	165	144	127
<b>Race/Ethnicity</b>			
Caucasian	296	273	225
African American	62	53	50
Hispanic	1	2	2
Asian American/Pacific Islander	3	1	2
Native American/Alaskan Native	18	15	16
Other/Unknown	3	2	1

**Custodial Sanctions**

Custodial sanctions are defined as confinement in a correctional facility or contract facility as a consequence for violating a condition of parole.<sup>10</sup> DPS has a matrix of prosocial responses for compliance and positive behaviors and graduated administrative and custodial sanctions for use as responses to differing levels of violations of an individual’s terms of parole. The Board of Parole Rules stipulate a custodial sanction of thirty days in a correctional facility or contract facility as the most severe response to a violation in lieu of full revocation of parole.<sup>11</sup>

Custodial Sanctions Demographics			
	FY 18-19	FY 19-20	FY 20-21
<b>Gender</b>			
Male	58	82	117
Female	5	15	12
<b>Age</b>			
18-20	0	1	0
21-25	10	16	23
26-30	17	26	31
31-35	9	17	21
36-40	10	11	15
41+	17	26	39
<b>Race/Ethnicity</b>			
Caucasian	37	62	73
African American	17	21	41
Hispanic	8	11	8
Asian American/Pacific Islander	0	0	2
Native American/Alaskan Native	1	3	4
Other/Unknown	0	0	1

<sup>10</sup> Nebraska Board of Parole Rules, §2-101(E)

<sup>11</sup> Ibid. §6-101

### Parole Discharge Results

Nebraska and interstate clients can either discharge successfully or unsuccessfully from their term of parole supervision. To successfully discharge parole, a client must reach the end of their current sentence (parole term) without being revoked, or in the case of an interstate client without absconding or being retaken by the state in which they were originally sentenced.<sup>12</sup> Clients may also qualify as having an “other” form of discharge if their parole is rescinded, transferred, or if the discharge status is identified as other by the Department of Corrections.

Discharge Type	FY 18-19	FY 19-20	FY 20-21
Successful (Interstate and Nebraska Clients)	832	757	765
Abscond (Interstate Clients Only)	24	28	29
Returned to Sending State (Interstate Clients Only)	24	30	35
Revocation (Nebraska Clients Only)	377	345	394
Other (Interstate and Nebraska Clients)	20	16	13
<b>Total Discharges</b>	<b>1277</b>	<b>1176</b>	<b>1236</b>

## Section IV: 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. The mission of NDCS is “Keep People Safe.” NDCS has the philosophy that prisons are made safe through the use of effective interventions, incentives, and appropriate sanctions. Assessments are a necessary tool for incarcerated individuals so the right interventions, incentives, and sanctions are used to help inmates engage in pro-social activities and address needs that will reduce their risk to reoffend.

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>13</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.

<sup>12</sup> Nebraska clients may be paroled multiple times so it is possible to have multiple discharge entries for the same client (as such it is possible to be revoked in the same fiscal year as a successful discharge).

<sup>13</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))

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.

### **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 one of the two community corrections custody levels.

Individuals on Community A, or Work Detail, are assigned to a detail within the facility or on a park or roads crew or other work assignment in the community. Individuals on work detail are furnished work clothes, room and board, and a daily wage. Individuals on Community B, or Work Release, are employed in the community, receive competitive wages, and pay applicable taxes. Those on work release 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 79 women and 386 men. Programs available through this center include work detail, work release, and educational release, furloughs, community activity passes, adult basic education (ABE) and GED and substance abuse programming. Medical and behavioral health services are also available, including follow-up psychiatric services, crisis intervention services, clinical and non-clinical programs, and access to mental health and substance abuse services through community support programs and agencies.

CCC-O has an average daily population of 22 women and 149 men. 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 Alcoholics Anonymous, Narcotics Anonymous, 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. Mental 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. In September of 2017, a temporary 100 bed unit opened at CCC-L.

**Community Corrections Center Custody Levels**

**Community Corrections Center – Lincoln**

Custody Status	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Community A (Work Detail)	360	403	467	406
Community B (Work Release)	105	151	157	193
Facility Total	465	554	624	599

**Community Corrections Center - Omaha**

Custody Status	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Community A (Work Detail)	145	129	156	141
Community B (Work Release)	26	31	22	32
Facility Total	171	160	178	173



## Corrections Demographics, All Programs

### Community Corrections Center-Lincoln

Demographics	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Gender				
Female	79	80	126	115
Male	386	476	498	484
Facility Total	465	556	624	599
Age				
18-20	5	6	16	4
21-25	38	59	52	50
26-30	90	103	114	103
31-35	72	115	100	108
36-40	79	96	104	109
41+	181	177	238	225
Facility Total	465	556	624	599
Race/Ethnicity				
Caucasian	296	345	370	367
African American	105	133	139	123
Hispanic	47	50	75	62
Asian American/Pacific Islander	1	4	8	7
Native American/Alaskan Native	12	20	26	32
Other	2	3	6	7
Facility Total	2	1	0	1
Marital Status				
Single	251	334	371	352
Married	122	132	119	121
Separated/Divorced/Widowed	82	80	125	115
Unknown	10	10	9	11
Facility Total	465	556	624	599
Education Level at Entry				
8 <sup>th</sup> Grade or Less	16	19	6	7
9 <sup>th</sup> through 11 <sup>th</sup> Grade	98	113	118	126
12 <sup>th</sup> Grade or GED	301	314	359	383
Vocational/Some College	0	0	0	0
College or Above	0	0	0	0
Unknown	50	110	141	83
Facility Total	465	556	624	599

**Community Corrections Center-Omaha**

Demographics	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Gender				
Female	22	7	0	0
Male	149	153	178	173
Facility Total	171	160	178	173
Age				
18-20	9	12	5	4
21-25	13	15	18	17
26-30	22	16	23	24
31-35	31	25	29	28
36-40	29	21	27	32
41+	67	71	76	68
Facility Total	171	160	178	173
Race/Ethnicity				
Caucasian	96	82	94	98
African American	60	60	61	43
Hispanic	11	14	15	16
Asian American/Pacific Islander	2	2	2	3
Native American/Alaskan Native	2	1	4	10
Other/Unknown	0	1	2	3
Facility Total	0	0	0	0
Marital Status				
Single	107	97	111	118
Married	38	33	39	35
Separated/Divorced/Widowed	23	27	26	19
Unknown	3	3	2	1
Facility Total	171	160	178	173
Education Level at Entry				
8 <sup>th</sup> Grade or Less	2	6	3	5
9 <sup>th</sup> through 11 <sup>th</sup> Grade	44	35	40	41
12 <sup>th</sup> Grade or GED	116	109	121	118
Vocational/Some College	0	0	0	0
College or Above	0	0	0	0
Unknown	9	10	14	9
Facility Total	171	160	178	173

## **Work Ethic Camp**

The Work Ethic Camp (WEC) is located in McCook, and was originally created to provide evidence-based, integrated programming in partnership with Probation and Parole, within a structured treatment environment. Originally, this facility was designed to house felony offenders as a condition of intensive supervision probation. It transitioned to housing only NDCS inmates in 2007, and the last probationer was discharged from WEC in July of 2015. The population at WEC currently is composed entirely of individuals sentenced to NDCS. To be considered for placement at WEC, individuals must be classified to Minimum B custody. Medical and behavioral health services are available at WEC, and each person receives an individualized program, which may include individual counselling, group counselling, cognitive behavioral programs such as Moral Reconciliation Therapy or Thinking for a Change, community service, work assignments, GED program or ABE, vocational programs, recreational programs, anger awareness education, victim impact programming, parenting classes, the 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.

## **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 custody level.

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. 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.

**Successfully Completed Academic Programs**

**Community Corrections Center – Lincoln**

Program	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Adult Basic Education (ABE)	0	0	1	1
Adult Secondary Education (ASE)	15	11	7	6
English as a Second Language (ESL)	0	0	0	0
GED	2	1	0	0
High School	0	0	0	2
Post-Secondary	15	12	10	1
Facility Total	32	24	18	10

**Community Corrections Center – Omaha**

Program	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Adult Basic Education (ABE)	0	0	0	0
Adult Secondary Education (ASE)	15	11	7	6
English as a Second Language (ESL)	0	1	0	0
GED	1	0	1	1
High School	0	0	0	2
Post-Secondary	7	4	2	1
Facility Total	23	16	10	10

**Community Grand Total**

	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Community Grand Total	55	40	28	20

**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>14</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 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. NDCS partners with the University of Nebraska, Omaha (UNO) to evaluate the programs and review and track outcomes.

PROGRAM	NEW PROGRAM PARTICIPANTS <sup>a</sup>	TOTAL PARTICIPATIONS <sup>a</sup>	SUCCESSFUL COMPLETIONS <sup>b</sup>	AVERAGE DAYS TILL SUCCESSFUL COMPLETION
ABC	296	322	261	88
Bristol Station	65	75	35	150
MHA	443	534	244	175
MCC	959	1,138	953	139
Project Reset	72	57	4	78
ReConnect	629	752	667	128
RISE	110	221	62	436
TRADE	136	125	75	100
YC	NA	11	0	NA
<b>TOTAL</b>	<b>2,710</b>	<b>3,235</b>	<b>2,301</b>	<b>141</b>

Graphic from Towne, K., Campagna, M., Spohn, R., Claxton, T., & Grell, T. (2021). *Vocational and Life Skills Annual Report: Grant Cycle Four: Year One (June 1, 2020 to July 30, 2021)*. University of Nebraska Omaha Center for Justice Research.

<sup>14</sup> Neb. Rev. Stat. 83-186.01

## **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>15</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>15</sup> Neb. Rev. Stat. §83-903.

**Other Community Corrections Programs**

**Substance Abuse Programming**

**Community Corrections Center - Lincoln**

Program	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Intensive Outpatient	78	83	105	138
Outpatient	37	59	104	103
Residential	93	134	104	106
Short-Term Residential	0	0	6	20
Facility Total	208	276	319	367

**Community Corrections Center – Omaha**

Program	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Intensive Outpatient	52	52	51	31
Inpatient	1	0	0	0
Outpatient	71	52	45	16
Residential	50	31	28	27
Short-Term Residential	0	0	2	4
Facility Total	174	135	126	78

**Community Grand Total**

	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Community Grand Total	382	411	445	445

**NDCS Discharge Results and Recidivism Rates**

**Facility Discharge Results**

**Community Corrections Center - Lincoln**

Release Type	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Mandatory Discharge	74	62	96	140
Discretionary Parole	376	298	400	390
Walk Away	19	16	18	27
Post-Release Supervision	166	236	293	207
Facility Total	635	612	807	764

**Community Corrections Center – Omaha**

Release Type	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Mandatory Discharge	32	14	31	35
Discretionary Parole	146	112	131	140
Walk Away	14	8	5	8
Post-Release Supervision	41	47	50	48
Facility Total	233	181	217	231

**Community Grand Total**

	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Community Grand Total	868	793	1024	995



**Recidivism by Custody Level at Release**

	Maximum	Medium	Minimum	Community	Total
FY 13-15					
Non-Recidivist	203	198	633	671	1705
Recidivist	86	133	328	250	797
Total	289	331	961	921	2502
FY 14-15					
Non-Recidivist	174	211	642	696	1723
Recidivist	66	94	252	241	653
Total	240	305	894	937	2376
FY 15-16					
Non-Recidivist	148	269	654	556	1627
Recidivist	72	134	267	232	705
Total	220	403	921	788	2332
FY 16-17					
Non-Recidivist	190	302	543	629	1664
Recidivist	71	162	262	233	728
Total	261	464	805	862	2392
FY 17-18					
Non-Recidivist	225	197	638	650	1710
Recidivist	77	111	266	246	700
Total	302	308	904	896	2410

## **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 18-19	FY 19-20	FY 20-21
Assaultive Act	Felony	132	127	102
	Misdemeanor	642	584	568
	Other	0	0	0
Burglary	Felony	58	64	50
	Misdemeanor	0	0	0
	Other	0	0	0
Compliance	Felony	32	33	31
	Misdemeanor	415	384	322
	Other	0	0	0
Dangerous Drugs	Felony	706	675	558
	Misdemeanor	380	392	356
	Other	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	3	10	5
	Other	0	0	0
Homicide	Felony	7	7	5
	Misdemeanor	31	25	24
	Other	0	0	0
Kidnapping	Felony	3	0	0
	Misdemeanor	3	5	3
	Other	0	0	0
Property & Fiscal	Felony	414	407	375
	Misdemeanor	495	427	405
	Other	0	0	0
Robbery	Felony	14	17	14
	Misdemeanor	0	0	0
	Other	0	0	0
Sex Offense	Felony	5	8	9
	Misdemeanor	3	7	8
	Other	0	0	0
Traffic Offense	Felony	388	373	360
	Misdemeanor	6,338	5,717	5,413
	Other	0	0	0
Weapon Offense	Felony	52	52	61
	Misdemeanor	64	57	57
	Other	0	0	0
Unknown	Felony	394	386	376
	Misdemeanor	669	554	490
	Other	0	0	0
Total	Felony	2,205	2,149	1,941
	Misdemeanor	9,043	8,162	7,651
	Other	0	0	0

Offense Category <b>CBI</b> – Intensive Supervision <b>Probation</b>	Offense Type	FY 18-19	FY 19-20	FY 20-21
Assaultive Act	Felony	168	157	141
	Misdemeanor	1,326	1,298	1,325
	Other	0	0	0
Burglary	Felony	56	52	51
	Misdemeanor	0	0	0
	Other	0	0	0
Compliance	Felony	54	55	57
	Misdemeanor	404	424	457
	Other	0	0	0
Dangerous Drugs	Felony	561	557	519
	Misdemeanor	484	518	454
	Other	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	6	5	3
	Other	0	0	0
Homicide	Felony	3	2	2
	Misdemeanor	5	4	2
	Other	0	0	0
Kidnapping	Felony	17	15	11
	Misdemeanor	13	19	34
	Other	0	0	0
Property & Fiscal	Felony	235	227	212
	Misdemeanor	328	296	295
	Other	0	0	0
Robbery	Felony	11	8	10
	Misdemeanor	0	0	0
	Other	0	0	0
Sex Offense	Felony	161	184	196
	Misdemeanor	84	65	56
	Other	0	0	0
Traffic Offense	Felony	320	356	340
	Misdemeanor	1,107	1,143	1,307
	Other	0	0	0
Weapon Offense	Felony	40	57	46
	Misdemeanor	53	65	72
	Other	0	0	0
Unknown	Felony	519	578	585
	Misdemeanor	804	788	841
	Other	0	0	0
Total	Felony	2,145	2,248	2,170
	Misdemeanor	3,507	4,625	4,846
	Other	0	0	0

**Post-Release Supervision Probation**

Offense Category <b>PRS Probation</b>	Offense Type	FY 18-19	FY 19-20	FY 20-21
Assaultive Acts	Felony	130	156	153
	Misdemeanor	6	4	4
	Other	0	0	0
Burglary	Felony	4	6	8
	Misdemeanor	0	0	0
	Other	0	0	0
Compliance	Felony	96	88	67
	Misdemeanor	2	2	2
	Other	0	0	0
Dangerous Drugs	Felony	626	556	324
	Misdemeanor	5	8	2
	Other	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Homicide	Felony	2	3	4
	Misdemeanor	0	0	0
	Other	0	0	0
Kidnapping	Felony	9	10	15
	Misdemeanor	0	0	0
	Other	0	0	0
Property Fiscal	Felony	312	278	167
	Misdemeanor	8	5	6
	Other	0	0	0
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Sex Offense	Felony	105	109	97
	Misdemeanor	0	0	0
	Other	0	0	0
Traffic Offense	Felony	287	298	268
	Misdemeanor	10	9	4
	Other	0	0	0
Weapon Offense	Felony	73	81	74
	Misdemeanor	0	0	1
	Other	0	0	0
Unknown	Felony	497	528	493
	Misdemeanor	7	5	8
	Other	0	0	0
Total	Felony	2,141	2,113	1,670
	Misdemeanor	38	33	27
	Other	0	0	0

### Specialized Substance Abuse Supervision Probation

Offense Category	Offense Type	FY 18-19	FY 19-20	FY 20-21	
<b>SSAS Probation</b>					
	Assaultive Acts	Felony	20	18	29
		Misdemeanor	2	2	3
	Other	0	0	0	
Burglary	Felony	29	28	27	
	Misdemeanor	0	0	0	
	Other	0	0	0	
Compliance	Felony	12	16	15	
	Misdemeanor	1	2	2	
	Other	0	0	0	
Dangerous Drugs	Felony	338	385	348	
	Misdemeanor	12	9	10	
	Other	0	0	0	
Family Offense	Felony	0	0	0	
	Misdemeanor	0	0	0	
	Other	0	0	0	
Homicide	Felony	0	0	0	
	Misdemeanor	0	1	0	
	Other	0	0	0	
Kidnapping	Felony	1	1	2	
	Misdemeanor	0	0	0	
	Other	0	0	0	
Property Fiscal	Felony	78	93	91	
	Misdemeanor	2	2	2	
	Other	0	0	0	
Robbery	Felony	4	5	8	
	Misdemeanor	0	0	0	
	Other	0	0	0	
Sex Offense	Felony	6	5	3	
	Misdemeanor	0	0	0	
	Other	0	0	0	
Traffic Offense	Felony	92	93	93	
	Misdemeanor	20	21	18	
	Other	0	0	0	
Weapon Offense	Felony	27	29	22	
	Misdemeanor	1	1	0	
	Other	0	0	0	
Unknown	Felony	130	151	150	
	Misdemeanor	4	10	5	
	Other	0	0	0	
Total	Felony	737	824	788	
	Misdemeanor	42	48	40	
	Other	0	0	0	

## Offense Category Reframe

Offense Category Reframe	Offense Type	FY 18-19	FY 19-20	FY 20-21
Assaultive Acts	Felony	130	156	153
	Misdemeanor	6	4	4
	Other	0	0	0
Burglary	Felony	4	6	8
	Misdemeanor	0	0	0
	Other	0	0	0
Compliance	Felony	96	88	67
	Misdemeanor	2	2	2
	Other	0	0	0
Dangerous Drugs	Felony	626	556	324
	Misdemeanor	5	8	2
	Other	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Homicide	Felony	2	3	4
	Misdemeanor	0	0	0
	Other	0	0	0
Kidnapping	Felony	9	10	15
	Misdemeanor	0	0	0
	Other	0	0	0
Property Fiscal	Felony	312	278	167
	Misdemeanor	8	5	6
	Other	0	0	0
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Sex Offense	Felony	105	109	97
	Misdemeanor	0	0	0
	Other	0	0	0
Traffic Offense	Felony	287	298	268
	Misdemeanor	10	9	4
	Other	0	0	0
Weapon Offense	Felony	73	81	74
	Misdemeanor	0	0	1
	Other	0	0	0
Unknown	Felony	497	528	493
	Misdemeanor	7	5	8
	Other	0	0	0
Total	Felony	2,141	2,113	1,670
	Misdemeanor	38	33	27
	Other	0	0	0

**Offense Category TIP**

Offense Category TIP	Offense Type	FY 18-19	FY 19-20	FY 20-21
Assaultive Acts	Felony	0	1	0
	Misdemeanor	0	0	0
	Other	0	0	0
Burglary	Felony	0	1	0
	Misdemeanor	0	0	0
	Other	0	0	0
Compliance	Felony	1	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Dangerous Drugs	Felony	2	3	1
	Misdemeanor	0	0	0
	Other	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Homicide	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Kidnapping	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Property Fiscal	Felony	1	1	1
	Misdemeanor	0	0	0
	Other	0	0	0
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Sex Offense	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Traffic Offense	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Weapon Offense	Felony	0	1	0
	Misdemeanor	0	0	0
	Other	0	0	0
Unknown	Felony	0	0	0
	Misdemeanor	0	0	0
	Other	0	0	0
Total	Felony	4	7	2
	Misdemeanor	0	0	0
	Other	0	0	0



Most Serious Offense <b>Parole</b>	Offense Type	FY 18-19	FY 19-20	FY 20-21
Arson	Felony	16	12	11
	Misdemeanor	0	0	0
	Other	0	2	2
Assault	Felony	230	219	196
	Misdemeanor	1	0	0
	Other	0	14	23
Burglary	Felony	220	200	207
	Misdemeanor	0	0	0
	Other	0	10	12
Drugs	Felony	543	530	512
	Misdemeanor	0	0	0
	Other	0	46	59
Fraud	Felony	88	50	44
	Misdemeanor	0	0	0
	Other	0	7	10
Homicide	Felony	103	111	109
	Misdemeanor	0	0	0
	Other	0	3	0
Morals	Felony	10	7	5
	Misdemeanor	0	0	0
	Other	0	1	1
Motor Vehicle	Felony	150	116	125
	Misdemeanor	0	0	0
	Other	0	12	11
Other	Felony	64	44	26
	Misdemeanor	2	0	0
	Other	0	22	19
Restraint	Felony	10	16	17
	Misdemeanor	0	0	0
	Other	0	0	1
Robbery	Felony	219	196	207
	Misdemeanor	0	0	0
	Other	0	8	13
Sex Offenses	Felony	268	309	300
	Misdemeanor	2	0	0
	Other	0	11	19
Theft	Felony	210	182	169
	Misdemeanor	1	0	0
	Other	0	15	14
Weapons	Felony	236	233	276
	Misdemeanor	0	0	0
	Other	0	10	9
Unknown	Unknown	49	0	0
Total	Felony	2367	2225	2204
	Misdemeanor	6	0	0
	Other	48	161	193

## Most Serious Offense Parole

### Offense Breakout Parole

Offense Type	FY 18-19	FY 19-20	FY 20-21
Arson	16	14	13
Assault	231	233	219
Burglary	220	210	219
Drugs	543	576	571
Fraud	88	57	54
Homicide	103	114	109
Morals	10	8	6
Motor Vehicle	150	128	136
Other	66	66	45
Restraint	10	16	18
Robbery	219	204	220
Sex Offenses	270	320	319
Theft	211	197	183
Weapons	236	243	285
Unknown	48	0	0
<b>Total</b>	<b>2421</b>	<b>2386</b>	<b>2397</b>

## Most Serious Offense Types

### Community Corrections Center – Lincoln

Offense Category	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Arson	2	3	3	3
Assault	99	126	139	146
Burglary	29	18	26	29
Drugs	118	154	164	158
Fraud	8	5	6	2
Homicide	17	17	13	11
Morals	0	3	3	3
Motor Vehicle	38	42	42	40
Other	5	5	7	1
Restraint	4	2	0	3
Robbery	13	22	25	19
Sex Offenses	58	73	75	60
Theft	33	22	37	41
Weapons	41	63	83	83
<b>Facility Total</b>	<b>465</b>	<b>555</b>	<b>623</b>	<b>599</b>

**Community Corrections Center - Omaha**

<b>Offense Category</b>	<b>FY 17-18</b>	<b>FY 18-19</b>	<b>FY 19-20</b>	<b>FY 20-21</b>
Arson	2	2	0	0
Assault	27	44	33	42
Burglary	13	3	8	6
Drugs	24	19	29	31
Fraud	2	0	1	0
Homicide	11	12	6	10
Morals	0	0	0	0
Motor Vehicle	14	12	16	11
Other	4	3	3	1
Restraint	0	0	0	0
Robbery	19	11	9	8
Sex Offenses	13	21	30	27
Theft	10	9	5	4
Weapons	32	24	38	31
<b>Facility Total</b>	<b>171</b>	<b>160</b>	<b>178</b>	<b>171</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 –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