

COMMUNITY CORRECTIONS DIVISION ANNUAL REPORT 2022

Don Arp Jr., Executive Director, Nebraska Crime Commission

Athena Sherman, Office of Violence Prevention Director; Pardons Administrator

NEBRASKA

Good Life. Great Service.

**COMMISSION ON LAW ENFORCEMENT
AND CRIMINAL JUSTICE**

Table of Contents

Introduction.....	2
Community Corrections Division Mission & History.....	3
Section I: Administrative Office of the Courts and Probation.....	4
Section II: Problem Solving Courts.....	21
Section III: Parole.....	39
Section IV: Nebraska Department of Corrections.....	49
Community Supervision.....	48
Glossary of Acronyms.....	67



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.¹ This fund exists for the purpose of assisting agencies in the creation and maintenance of data collection systems. Since the fund's 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,² and became law December 26, 2016, as Title 74, Chapter 1 of the Nebraska Administrative Code.

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

¹ Neb. Rev. Stat. §47-632(1)

² Neb. Rev. Stat. §81-1426.01

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: Administrative Office of the Courts and Probation

The Administrative Office of the Courts and Probation (AOC) make lasting changes in local communities by assisting both juveniles and adults to become productive members of society. Nebraska Probation utilizes individualized approaches, focused on evidence-based principles and practices, and employs a dedicated and skilled professional staff to meet its goals. Providing purposeful interventions, Nebraska Probation strives to positively impact community safety across all 93 of Nebraska's counties and 12 Judicial Districts. Probation's programs and services were implemented in such a way as to create constructive change through rehabilitation, collaboration, and partnerships, in order to provide meaningful services to communities, victims and courts.

Probation utilizes actuarial based, normed and validated risk and needs-based assessment tools to guide in its decision-making, resource allocation, service provision and case management. These assessment instruments are the foundation for everything the Probation Officer does, which includes the compilation of Presentence Investigations (PSIs), the classification of adult probationers for supervision and case management, and the determination of interventions needed to help reduce the risk of recidivism or mitigate the needs that led the individual before the Court.

Probation is community corrections at its very core. As a true alternative to incarceration, probation "supervises," or provides case management across a myriad of risk levels – from those individuals assessed to be at the very highest risk to recidivate to those assessed to be at the very low risk to recidivate – covering a gamut of misdemeanor and felony offenses.

With the passing of Justice Reinvestment Initiatives (JRI) during the 2015 and 2016 Legislative Sessions, JRI officially commenced in Nebraska during the 2015-2016 fiscal year. As such, all individuals convicted of lower level felonies (Class 3, 3A, and 4 Felonies) committed after the effective date of the new law were presumed to be destined for probation.

In an effort to reduce the number of individuals revoked from probation for technical (non- criminal, substance use, etc.) reasons, administrative and custodial sanctions are included in probation's incentives and sanctions matrix as an alternative for Courts and Probation in lieu of formal revocation proceedings.

Once probation officers have exhausted all reasonable efforts to gain compliance through the utilization of administrative sanctions, such as treatment or other program referrals, they may request the imposition of custodial sanctions. Only the court can impose the custodial sanction.

Statutorily, custodial sanctions of "up to three days," and "up to 30 days," are included on probation's Incentives and Sanctions Matrix. An individual must serve a minimum of 90 days of custodial sanctions, as imposed by the court, before formal revocation proceedings can be initiated in felony cases.

A tenet of evidenced-based practice and justice reinvestment efforts calls for the reinforcement or incentivizing of positive behavior change. Probation's Incentives and Sanctions Matrix provides for probationers, with limited exceptions, to earn an early discharge from their term of probation and post- release supervision in accordance with Supreme Court Rule, based on their performance while under supervision and a measurable reduction in their assessed risk to recidivate. This is also a critical feature of JRI, as probation resources continue to shift towards case managing

the highest risk individuals, making it imperative that lower-risk individuals are released when appropriate, freeing up the probation resources needed to make this successful.

Under the structure of the Nebraska Supreme Court and the Administrative Office of the Courts and Probation, Probation has worked faithfully to improve the safety of all Nebraskans, ensure crime- victims have a voice and, moreover, to assist all juveniles and adults under our supervision to become productive citizens. Nebraska Probation utilizes individualized approaches focused on evidence-based principles and practices and employs a dedicated and skilled professional staff to meet its goals.

During Fiscal Year 2021-22, the positive impact Probation made on community safety was demonstrable. Justice Reinvestment (JRI) efforts in Nebraska continue to reflect how Probation is a cost- effective means of accomplishing community safety and exemplifies community corrections.

The following data solely focuses on adult individuals served by the Administrative Office of the Courts and Probation.

During FY21-22 the Administrative Office of the Courts and Probation:

- ❖ Completed 10,373 presentence investigations (PSIs), and 668 post-release supervision plans.
- ❖ Provided case management for 9,126 new, high-risk to recidivate individuals in their communities.
- ❖ Supervised 1,288 individuals under post-release supervision, a decrease of 707 individuals over the previous fiscal year.
- ❖ Observed a reduction in the overall risk-level of high-risk to recidivate individuals in probation, post-release supervision, and problem-solving courts upon successful completion of supervision.
- ❖ Collected 352,875 drug tests on 17,999 unique individuals or an average of 19 chemical tests per adult individual under supervision.
- ❖ Use of Administrative and Custodial Sanctions decreased this year. Administrative Sanction use decreased 8.1% to 14,982 and Custodial Sanctions decreased 7% to 1,629.
- ❖ Reduced the number of individuals with felonies revoked to a state correctional facility. The number of individuals revoked off probation to a state prison for a new law violation decreased from 352 in FY20-21 to 325 in FY21-22, a reduction of 27 individuals or a 7.7% decrease.
- ❖ As of June 30th, 2022, the statewide recidivism rate for the adult probation population is 18%.
- ❖ During Fiscal Year 2021-2022, Nebraska Probation Reporting Centers had over 64,000 visits by probation, post-release supervision, and problem-solving court individuals who accessed programming or groups.

Office of the Court's and Probation:

- ❖ Continued to be a cost-effective means of rehabilitation and community safety. During FY 21-22, probation community supervision costs by individual:

- Approximately \$4.11 per day to supervise a medium to low risk reoffend probationer
- Approximately \$5.69 for a high-risk to reoffend probationer
- Approximately \$15.00 per day to supervise individuals in Alternatives to Incarceration programs such as Specialized Substance Abuse Supervision (SSAS), Reframe, Post-Release Supervision (PRS) and Transitional Intervention Program (TIP).
- Approximately \$14.88 per day to supervise participants in a Problem-Solving Court.

Adult programs and services are funded through a combination of General Funds and Cash Funds. The major source of Cash Fund revenue are monthly fees paid by individuals when placed on probation. Additional resources which help to support victim services, transitional housing and incentives are received from federal resources.

- Please note the approximate cost per day to supervise an individual is based on the total cost of probation personnel and operating expenses divided by the total population of individuals supervised.

PROGRAMS & RESPONSIVITY

Methods used by the Nebraska Probation System to accomplish case management includes a variety of program strategies relative to evidence-based research. These include assessment, motivational interviewing and developing professional alliance, identifying the driver of precipitating behaviors, treatment matching, facilitating cognitive behavioral groups and skill building, engaging positive support systems, case planning, and the use of relevant supervision tools.

Additionally, case management contributes to an increased level of safety and welfare for the community. Case management targets risk reduction by focusing on the assessed criminogenic need areas through meaningful contacts and referrals as needed. Because certain populations of individuals present unique challenges in case management, special approaches to case management and intentional programming are used to target these unique needs.

SERVICES

Reporting Centers – Reporting centers across Nebraska were created to establish a central location for a continuum of services accessed by individuals under supervision in their communities as a means of providing community safety, accountability, and rehabilitation. By pooling state and county resources, these reporting centers provide structured programming that target an individual’s need and enhance their ability to make long lasting positive changes and to be a successful member of the community. These programs and services are evidence-based and tailored to meet the needs of individuals with a wide range of challenges. Services are provided by local community stakeholders, bridging criminal justice and behavioral health. Reporting centers engage high-risk individuals in structured supervision activities targeted to reduce the likelihood of the individual to reoffend.

Nebraska Reporting Centers are intended to increase community safety while reducing the high cost of incarceration and prison overcrowding in Nebraska.

Reporting centers are funded by a combination of general fund (staff), cash fund (services through offender fees) and county dollars (operations) under:

Nebraska Revised Statute 47-624 (Develop reporting centers in Nebraska)

Nebraska Revised Statute 47-624.01 (Plan for implementation and funding of reporting centers) Nebraska Revised Statute 90-540 (Legislative intent to fund Nebraska Probation reporting centers)

The Core programming components offered in each reporting center include:

- Substance Abuse Interventions (Pre-Treatment/Relapse Groups)
- Employment and Educational Classes
- Life Skills Programing
- Cognitive-behavioral groups focused on changing criminal thinking which impacts behavior
- Victim Impact Programming

Reporting centers bring together probation staff and focused community providers to strategically supervise individuals on probation in their communities. Supervision strategies include creating a positive relationship with the individual, having consistent meetings and groups, referring individuals to appropriate programming, and the use of regular and random drug/alcohol testing. All reporting centers have teleservice capability, allowing for shared interaction across Nebraska.

Reporting centers also offer ancillary programming in the following areas:

- Parenting
- Anger Management
- Money Management
- Behavior Change Skill Building
- Domestic Violence Classes
- Trauma groups

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 2021-22, there were over 64,000 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 nine service centers operating across Nebraska.

Communities served include Broken Bow, Auburn, Fairbury, Falls City, Geneva, O'Neil, Seward, Tecumseh, and York. 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.

Nebraska Reporting and Service Centers

Fiscal Year	FY 19-20	FY 20-21	FY 21-22
Unique Individuals Served	3,699	4,124	6,995
Programming Referred	4,902	6,389	8,055

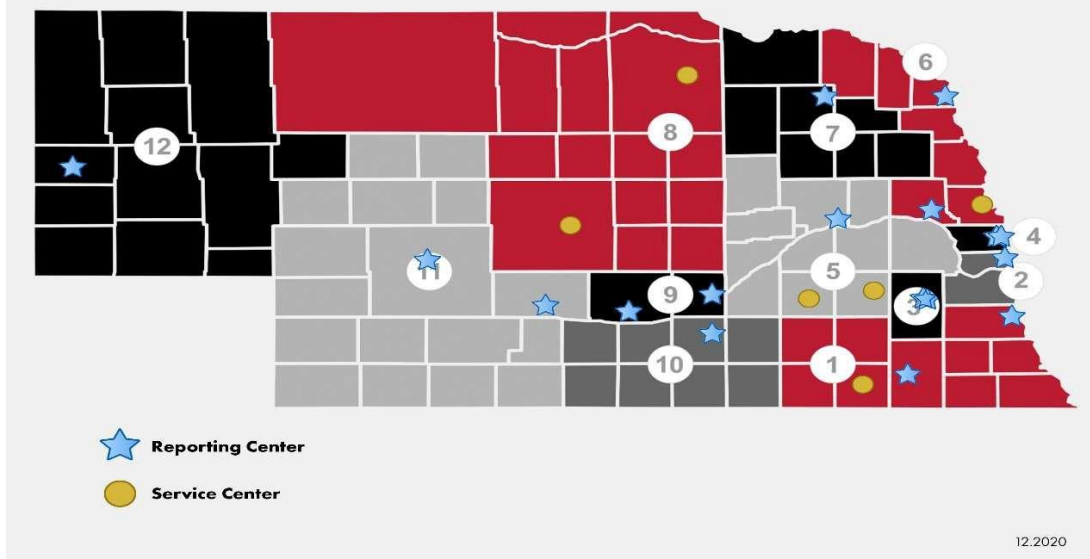
This table is a sampling of unique individual's attendance in programming accessed at a reporting center.

Program	Anger Management	Crime Victim Empathy	Employment Services	Money Management	Parenting	Relapse Group	Life Skills	Trauma Group
FY 19-20	189	813	585	154	150	801	652	217
FY 20-21	266	991	592	187	170	891	963	350
FY 21-22	251	1,047	340	160	183	842	931	341

Nebraska Reporting Center Programming Costs

Fiscal Year	FY 19-20	FY 20-21	FY 21-22
Reporting Center Programming dollars	\$1,607,424	\$1,668,542	\$1,896,625

State of Nebraska Reporting Center & Service Center Map



ALTERNATIVES TO INCARCERATION (AI)

Adult Alternatives to Incarceration (AI) Probation encompasses 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 post-release supervision (PRS) after 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 \$15.00.

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.

Post Release Supervision Demographics	FY 19-20	FY 20-21	FY 21-22
Female	401	279	215
Male	1,594	1,296	1,073
Total PRS Individuals	1,995	1,575	1,288
<i>Age</i>			
Under 18	15	9	10
18 to 20	115	99	79
21 to 25	338	232	185
26 to 30	376	321	244
31 to 35	350	275	225
36 to 40	291	241	187
41+	510	398	358
<i>Race</i>			
American Indian or Alaska Native	90	67	57
Asian or Pacific Islander	13	12	13
Black	401	308	234
Other	193	153	129
White	1,298	1,035	855
<i>Ethnicity</i>			
Hispanic Origin	244	201	169
Not of Hispanic Origin	1,751	1,374	1,119
<i>Marital Status</i>			
Single	1,283	1,014	828
Married	196	151	138
Separated/Divorced/Widowed	310	251	218
Unknown	206	159	104
<i>Education Level at Entry</i>			
8th Grade Or Less	179	153	139

9th Through 11th Grade	562	448	390
12th Grade or GED	992	775	610
Vocational/Some College	193	147	111
College or Above	36	36	33
Unknown	33	16	5

Offense Category PRS		FY 19-20	FY 20-21	FY 21-22
Assaultive Acts	Felony	156	153	5
	Misdemeanor	4	4	427
Burglary	Felony	6	8	4
	Misdemeanor	0	0	0
Compliance	Felony	88	67	5
	Misdemeanor	2	2	46
Dangerous Drugs	Felony	556	324	202
	Misdemeanor	8	2	2
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Homicide	Felony	3	4	4
	Misdemeanor	0	0	0
Kidnapping	Felony	10	15	21
	Misdemeanor	0	0	0
Property Fiscal	Felony	278	167	110
	Misdemeanor	5	6	4
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
Sex Offense	Felony	109	97	91
	Misdemeanor	0	0	0
Traffic Offense	Felony	298	268	214
	Misdemeanor	9	4	5
Weapon Offense	Felony	81	74	63
	Misdemeanor	0	1	0
Unknown	Felony	528	493	196
	Misdemeanor	5	8	2
Total	Felony	2,113	1,670	1378
	Misdemeanor	33	27	23

**Offense category may not match the number of individuals. This metric is based on most serious offense as identified by the Felony or Misdemeanor class associated with the probationer. In cases where there are multiple convictions of the same class charge that falls into different categories, a single probationer is counted in multiple offense type categories*

The Administrative Office of the Courts and Probation participated in a research project with the University of Nebraska-Lincoln's Law/Psychology Program, focused on recidivism of the PRS population. The report titled Predicting Recidivism for Post Release Supervision Releases, examined the strongest predictors of recidivism for all release types

and identified a Post-Release Supervision recidivism rate of 27%. This study also focused on the efficacy of cognitive-behavioral programming offered through Reporting Centers across the state and determined that engagement in Reporting Center programming led to decreased recidivism for individuals under Post-Release Supervision. This factor was so significant that the author concluded that attendance at Reporting Center programming offsets some of the effects of prior criminal history, one of the most powerful predictors of recidivism.

The complete results of this study can be found on the Nebraska Judicial Branch website at

[h https://supremecourt.nebraska.gov/research-shows-positive-outcomes-felony-probation-supervision](https://supremecourt.nebraska.gov/research-shows-positive-outcomes-felony-probation-supervision).

Specialized Substance Abuse Supervision (SSAS) – The first of probation’s evidenced based programs, dating to 2006, the SSAS program is designated for individuals with the highest risk to reoffend and who have a convicted felony drug offense, serial drunk drivers (Third offenses or above), post-release supervision or other individuals assessed at a high risk in alcohol/drug problems and high levels of antisocial thinking or patterns.

Justice Reinvestment efforts called for the expansion of SSAS. Although individuals are supervised with “SSAS-like conditions” statewide, to be considered to be truly involved in a SSAS program, the individual must be involved at a location with a reporting center and under the supervision of a SSAS Officer. As such, there are several categories of SSAS individuals. These include: SSAS, PRS- SSAS and CBI-SSAS. CBI-SSAS individuals are those supervised with “SSAS like conditions”, but in a location without a SSAS officer or a reporting center. Historically the SSAS program was a single case management population but since 2015 has been expanded to the population above and is reflected as such in the reporting below.

As part of their case management, SSAS individuals receive substance use services to include evaluation and treatment, relevant reporting center services, random and frequent substance use testing, and cognitive groups. Probation officers work varied, field-based hours and are heavily engaged with treatment providers, employers and other community support networks.

All participants meeting financial criteria are eligible for financial assistance to obtain substance use and/or mental health services, housing or other qualifying services.

SSAS Demographics	FY 19-20	FY 20-21	FY 21-22
Female	259	246	240
Male	571	531	505
Total SSAS Individuals	830	777	745
<i>Age</i>			
Under 18	4	8	5
18-20	85	76	71
21-25	152	125	109
26-30	161	154	149
31-35	134	128	132
36-40	115	106	99
41+	179	180	180
<i>Race</i>			
American Indian or Alaskan Native	37	43	50
Asian or Pacific Islander	5	5	7
Black	117	114	115
Other	88	77	75

White	583	538	498
<i>Ethnicity</i>			
Hispanic Origin	109	102	110
Not of Hispanic Origin	721	675	635
<i>Marital Status</i>			
Single	575	525	498
Married	79	81	74
Separated/Divorced/Widowed	142	131	136
Unknown	34	40	37
<i>Educational Level at Entry</i>			
8 th Grade or Less	82	81	67
9 th through 11 th Grade	240	242	248
12 th Grade or DED	402	368	352
Vocational/Some College	85	68	62
College or Above	21	16	16
Unknown	0	2	0

Offense Category		FY 19-20	FY 20-21	FY 21-22
SSAS				
Assaultive Acts	Felony	18	29	52
	Misdemeanor	2	3	1
Burglary	Felony	28	27	28
	Misdemeanor	0	0	0
Compliance	Felony	16	15	19
	Misdemeanor	2	2	0
Dangerous Drugs	Felony	385	348	345
	Misdemeanor	9	10	10
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Homicide	Felony	0	0	0
	Misdemeanor	1	0	0
Kidnapping	Felony	1	2	3
	Misdemeanor	0	0	0
Property Fiscal	Felony	93	91	95
	Misdemeanor	2	2	4
Robbery	Felony	5	8	7
	Misdemeanor	0	0	0
Sex Offense	Felony	5	3	2
	Misdemeanor	0	0	0
Traffic Offense	Felony	93	93	81
	Misdemeanor	21	18	5
Weapon Offense	Felony	29	22	32
	Misdemeanor	1	0	1
Unknown	Felony	151	150	111
	Misdemeanor	10	5	5
Total	Felony	824	788	775
	Misdemeanor	48	40	26

**Offense category may not match the number of individuals. This metric is based on most serious offense as identified by the Felony or Misdemeanor class associated with the probationer. In cases where there are multiple convictions of the same class charge that falls into different categories, a single probationer is counted in multiple offense type categories*

During calendar year 2018, the AOCPC commissioned the University of Nebraska Law/Psychology Program (LPUNL) to conduct a process and outcome study on its SSAS Program. The study concluded:

“The results of this process and outcome analysis show strong empirical evidence that the SSAS program succeeds in meeting all of its major goals for high risk, substance abusing offenses with felony convictions: 1) offering a program of intensive supervision, 2) increasing the likelihood of successful completion of probation, and 3) lowering recidivism after discharge from probation. After carefully constructing equivalent SSAS treatment and non-SSAS “business as usual” comparison groups, LPUNL was able to demonstrate that while SSAS clients received more violations and a greater number of sanctions, they were more likely to successfully complete probation and less likely to be revoked.

Furthermore, these process and outcome differences are not due to demographic, criminogenic risk or criminal charge differences between the groups because successful propensity matching controlled all these differences. Furthermore, compared to other probationers not in the SSAS program, SSAS clients were significantly less likely to recidivate using the Nebraska Supreme Court’s definition of recidivism, measured in a three year window. LPUNL concludes that Nebraska Probation’s SSAS program is an effective intervention that successfully treats high risk, felons with serious substance use problems. We encourage its continued and expanded use in Nebraska and recommend further study of its processes and outcomes to demonstrate that SSAS is a fully evidence based program and as such it can serve as a valuable alternative to incarceration for treating high risk/high need, substance abusing felons.¹²

12 Most program evaluators would agree that in order to achieve fully Evidence Based status, SSAS would need a replication study, again showing positive results.”

The complete results of this study can be found on the Nebraska Judicial Branch website at

<https://supremecourt.nebraska.gov/evaluation-probations-specialized-substance-abuse-supervision-ssas-program-demonstrates-program>.

Reframe – is designated for the highest risk individuals to recidivate who do NOT have elevated levels of criminogenic (crime-producing) need in the area of alcohol and/or controlled substance involvement. The interventional-focus for a Reframe individual is on criminal-thinking and other recurring behaviors that have led the individual to involvement with the Courts.

Probation officers managing a Reframe caseload work varied, field-based hours and are heavily engaged with treatment providers, employers and other community support networks.

All Reframe individuals meeting financial criteria are eligible for financial assistance to obtain mental health services, housing or other qualifying services.

Reframe Demographics	FY 19-20	FY 20-21	FY 21-22
Female	122	122	118
Male	241	254	257
Total Reframe Individuals	363	376	375
Age			
Under 18	4	6	4

18-20	48	42	48
21-25	47	65	67
26-30	80	73	80
31-35	67	63	51
36-40	32	49	47
41+	85	78	78
<i>Race</i>			
American Indian or Alaskan Native	20	17	15
Asian or Pacific Islander	3	5	3
Black	78	81	111
Other	29	33	36
White	233	240	210
<i>Ethnicity</i>			
Hispanic Origin	30	41	48
Not of Hispanic Origin	333	335	327
<i>Marital Status</i>			
Single	243	255	267
Married	40	39	41
Separated/Divorced/Widowed	68	63	45
Unknown	12	19	22
<i>Educational Level at Entry</i>			
8 th Grade or Less	27	33	37
9 th through 11 th Grade	130	126	138
12 th Grade or DED	163	181	173
Vocational/Some College	39	28	22
College or Above	4	7	3
Unknown	0	1	2

Offense Category		FY 19-20	FY 20-21	FY 21-22
Reframe				
Assaultive Acts	Felony	13	16	22
	Misdemeanor	2	1	1
Burglary	Felony	17	19	17
	Misdemeanor	0	0	0
Compliance	Felony	7	7	7
	Misdemeanor	0	1	1
Dangerous Drugs	Felony	155	154	158
	Misdemeanor	2	3	3
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Homicide	Felony	0	0	0
	Misdemeanor	2	0	0
Kidnapping	Felony	0	3	0
	Misdemeanor	0	0	0
Property Fiscal	Felony	63	62	66
	Misdemeanor	4	3	4
Robbery	Felony	0	2	4

	Misdemeanor	3	0	0
Sex Offense	Felony	0	1	2
	Misdemeanor	0	0	0
Traffic Offense	Felony	19	17	20
	Misdemeanor	4	4	1
Weapon Offense	Felony	17	17	20
	Misdemeanor	0	1	2
Unknown	Felony	76	82	66
	Misdemeanor	3	3	1
Total	Felony	376	380	382
	Misdemeanor	14	16	13

**Offense category may not match the number of individuals. This metric is based on most serious offense as identified by the Felony or Misdemeanor class associated with the probationer. In cases where there are multiple convictions of the same class charge that falls into different categories, a single probationer is counted in multiple offense type categories.*

Transitional Intervention Program (TIP): is designated for the highest of the high-risk individuals to reoffend who have demonstrated elevated levels of criminogenic (crime-producing) need in all assessed areas. The interventional-focus for a TIP individual is on criminal-thinking and compliance monitoring.

Probation officers managing a TIP caseload work varied, field-based hours and are heavily engaged with law enforcement, treatment providers, employers and other community support networks. TIP individuals are frequently monitored for a period of time on global-positioning electronic monitoring.

All TIP individuals meeting financial criteria are eligible for financial assistance to obtain substance use and/or mental health services, housing or other qualifying services.

TIP Demographics	FY 19-20	FY 20-21	FY 21-22
Female	1	1	2
Male	6	1	2
Total TIP Individuals	7	2	4
<i>Age</i>			
Under 18	0	0	0
18-20	0	0	0
21-25	2	0	0
26-30	0	0	1
31-35	2	1	1
36-40	2	1	2
41+	0	0	0
<i>Race</i>			
American Indian or Alaskan Native	1	0	0
Asian or Pacific Islander	0	0	0
Black	0	0	1
Other	3	0	0
White	3	2	3
<i>Ethnicity</i>			
Hispanic Origin	3	0	0

Not of Hispanic Origin	4	2	4
<i>Marital Status</i>			
Single	5	1	3
Married	1	0	0
Separated/Divorced/Widowed	0	0	0
Unknown	1	1	1
<i>Educational Level at Entry</i>			
8 th Grade or Less	1	1	2
9 th through 11 th Grade	5	1	2
12 th Grade or DED	1	0	0
Vocational/Some College	0	0	0
College or Above	0	0	0
Unknown	0	0	0

Offense Category TIP		FY 19-20	FY 20-21	FY 21-22
Assaultive Acts	Felony	1	0	0
	Misdemeanor	0	0	0
Burglary	Felony	1	0	0
	Misdemeanor	0	0	0
Compliance	Felony	0	0	0
	Misdemeanor	0	0	0
Dangerous Drugs	Felony	3	1	3
	Misdemeanor	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Homicide	Felony	0	0	0
	Misdemeanor	0	0	0
Kidnapping	Felony	0	0	0
	Misdemeanor	0	0	0
Property Fiscal	Felony	1	1	1
	Misdemeanor	0	0	0
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
Sex Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Traffic Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Weapon Offense	Felony	1	0	0
	Misdemeanor	0	0	0
Unknown	Felony	0	0	0
	Misdemeanor	0	0	0
Total	Felony	7	2	4
	Misdemeanor	0	0	0

**Offense category may not match the number of individuals. This metric is based on most serious offense as identified by the Felony or Misdemeanor class associated with the probationer. In cases where there are multiple*

convictions of the same class charge that falls into different categories, a single probationer is counted in multiple offense type categories.

COMMUNITY BASED INTERVENTION/INTENSIVE SUPERVISION PROBATION (CBI/ISP)

CBI/ISP targets those individuals assessed at an elevated risk to reoffend, or those individuals under supervision for specialized convictions such as sex offenses, domestic violence offenses and/or repeated episodes of driving under the influence. Probation officers use varied hours of operation, treatment, field contacts, cognitive groups, and all available interventions pertinent to high levels of assessed risk, related to the driver of criminogenic behaviors, and/or as ordered by the court, to intensively supervise individuals in this classification.

Additionally, those individuals serving probation terms for convictions relating to domestic violence, sexual offenses, and third offense or greater drunk drivers, as well as those with other unique

circumstances such as gang members, those with significant mental illness, lower-risk post-release supervision probationers, etc., may be required to participate in programming related to their precipitating behaviors and will be supervised intensively.

Individuals on probation involving aspects of, or with a history of domestic violence, are referred to a domestic violence intervention or batterers intervention program and supervised intensively unless scoring as situational offenses on the DV Matrix assessment.

Individuals on probation involving aspects of sexual deviancy are referred for a sex offender evaluation and treatment and supervised intensively.

Individuals serving probation following a conviction for a DWI Third offense or above will be substance use tested frequently, referred for substance use evaluation and treatment and supervised intensively.

It should also be noted that those individuals assessed at reduced levels of risk to reoffend, but coming out of a term of incarceration on post-release supervision will be supervised intensively for at least the first 60 days in the community before being considered for transition to a lower level of supervision upon demonstration of stability in their work, sobriety and living situations.

Guided by national standards, caseload sizes for officer-to-individual ratios at Community Based Intervention/Intensive Supervision is 1-50.

Funding for Community Based Intervention/Intensive Supervision Probation (CBI/ISP) comes from the probation general fund. The cost to supervise a CBI/ISP probationer per-day is approximately \$5.69.

CBI/ISP Demographics CBI	FY 19-20	FY 20-21	FY 21-22
Female	1,613	1,664	1,688
Male	4,813	4,844	5,026
Total TIP Individuals	6,426	6,508	6,714
<i>Age</i>			
Under 18	33	32	28
18-20	569	552	548
21-25	1,173	1,152	1,141
26-30	1,240	1,195	1,192
31-35	1,027	1,052	1,097

36-40	861	878	940
41+	1,523	1,647	1,768
<i>Race</i>			
American Indian or Alaskan Native	244	221	227
Asian or Pacific Islander	58	82	75
Black	926	928	986
Other	660	763	866
White	4,538	4,514	4,650
<i>Ethnicity</i>			
Hispanic Origin	870	973	1,066
Not of Hispanic Origin	5,556	5,535	5,648
<i>Marital Status</i>			
Single	4,137	4,184	4,371
Married	927	928	934
Separated/Divorced/Widowed	1,142	1,179	1,183
Unknown	220	217	226
<i>Educational Level at Entry</i>			
8 th Grade or Less	412	429	455
9 th through 11 th Grade	1,585	1,581	1,702
12 th Grade or DED	3,390	3,527	3,559
Vocational/Some College	781	736	719
College or Above	256	231	277
Unknown	2	4	2

Offense Category CBI/ISP	Offense Type	FY 19-20	FY 20-21	FY 21-22
Assaultive Acts	Felony	157	141	341
	Misdemeanor	1,298	1,325	1,721
Burglary	Felony	52	51	43
	Misdemeanor	0	0	0
Compliance	Felony	55	57	49
	Misdemeanor	424	457	564
Dangerous Drugs	Felony	557	519	523
	Misdemeanor	518	454	420
Family Offense	Felony	0	0	0
	Misdemeanor	5	3	2
Homicide	Felony	2	2	2
	Misdemeanor	4	2	2
Kidnapping	Felony	15	11	9
	Misdemeanor	19	34	36
Property Fiscal	Felony	227	212	176
	Misdemeanor	296	295	283
Robbery	Felony	8	10	11
	Misdemeanor	0	0	0
Sex Offense	Felony	184	196	209

	Misdemeanor	65	56	68
Traffic Offense	Felony	356	340	330
	Misdemeanor	1,143	1,307	1,468
Weapon Offense	Felony	57	46	69
	Misdemeanor	65	72	80
Unknown	Felony	578	585	329
	Misdemeanor	788	841	439
Total	Felony	2,248	2,170	2,091
	Misdemeanor	4,625	4,846	5,083

**Offense category may not match the number of individuals. This metric is based on most serious offense as identified by the Felony or Misdemeanor class associated with the probationer. In cases where there are multiple convictions of the same class charge that falls into different categories, a single probationer is counted in multiple offense type categories.*

COMMUNITY BASED RESOURCES (CBR)

Adult Community-Based Resource Probation Officers will broker, or refer, for targeted services within the local community, and individuals at a medium to low risk to reoffend will be actively supervised with focused supervision done on areas identified by the risk assessment tool to be at highest risk.

Guided by national standards, caseload sizes for officer-to-individual ratios at Community Based Resources vary from 1-100 for those assessed at CBR-medium-high to 1-500 or more, for those that are in administrative status or are assessed as very low risk to reoffend.

Funding for Community Based Resources (CBR) comes from the probation general fund. The average cost to supervise a CBR probationer per-day is approximately \$4.11.

CBR Demographics	FY 19-20	FY 20-21	FY 21-22
Female	3,300	3,002	2,780
Male	6,727	6,334	6,093
Total TIP Individuals	10,027	9,336	8,873
<i>Age</i>			
Under 18	20	26	25
18-20	751	780	731
21-25	1,887	1,695	1,556
26-30	1,872	1,653	1,562
31-35	1,458	1,334	1,248
36-40	1,163	1,089	1,102
41+	2,876	2,759	2,649
<i>Race</i>			
American Indian or Alaskan Native	183	219	257
Asian or Pacific Islander	149	124	115
Black	931	827	801
Other	1,240	1,204	1,265
White	7,524	6,962	6,435
<i>Ethnicity</i>			

Hispanic Origin	1,549	1,538	1,649
Not of Hispanic Origin	8,478	7,798	7,224
<i>Marital Status</i>			
Single	6,042	5,622	5,402
Married	1,916	1,748	1,707
Separated/Divorced/Widowed	1,684	1,609	1,431
Unknown	385	357	333
<i>Educational Level at Entry</i>			
8 th Grade or Less	560	541	548
9 th through 11 th Grade	1,266	1,256	1,232
12 th Grade or DED	5,364	4,868	4,691
Vocational/Some College	1,868	1,687	1,494
College or Above	966	983	906
Unknown	3	1	2

Offense Category CBR	Offense Type	FY 19-20	FY 20-21	FY 21-22
Assaultive Acts	Felony	127	102	157
	Misdemeanor	584	568	558
Burglary	Felony	64	50	51
	Misdemeanor	0	0	0
Compliance	Felony	33	31	43
	Misdemeanor	384	322	420
Dangerous Drugs	Felony	675	558	582
	Misdemeanor	392	356	275
Family Offense	Felony	0	0	0
	Misdemeanor	10	5	5
Homicide	Felony	7	5	6
	Misdemeanor	25	24	27
Kidnapping	Felony	0	0	2
	Misdemeanor	5	3	3
Property Fiscal	Felony	407	375	328
	Misdemeanor	427	405	370
Robbery	Felony	17	14	5
	Misdemeanor	0	0	0
Sex Offense	Felony	8	9	9
	Misdemeanor	7	8	13
Traffic Offense	Felony	373	360	353
	Misdemeanor	5,717	5,413	5,201
Weapon Offense	Felony	52	61	64
	Misdemeanor	57	57	64
Unknown	Felony	386	376	250
	Misdemeanor	554	490	319
Total	Felony	2,149	1,941	1,850
	Misdemeanor	8,162	7,651	7,255

**Offense category may not match the number of individuals. This metric is based on most serious offense as identified by the Felony or Misdemeanor class associated with the probationer. In cases where there are multiple convictions of the same class charge that falls into different categories, a single probationer is counted in multiple offense type categories.*

Section II: Problem Solving Courts

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. 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).

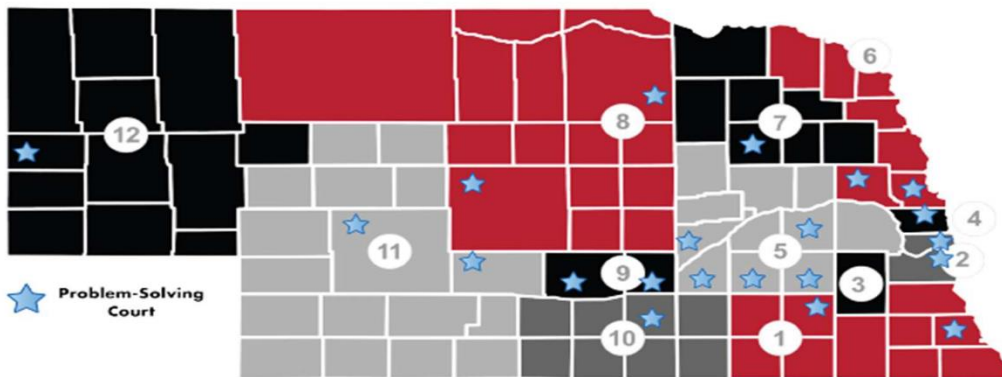
The Nebraska Supreme Court Committee on Problem-Solving Courts recognized statewide standards were essential for expanding capacity and ensuring the establishment of best practices and quality assurance. As a result, Best Practice Standards for Young Adult Courts, Adult Drug and DUI Courts, Veterans 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 \$14.88.

Nebraska Adult Problem-Solving Court models include:

- Young Adult Courts
- Adult Drug Treatment Courts
- Veterans Treatment Courts
- Reentry Courts
- Mental Health Courts (Pilot)
- DUI Treatment Court (Pilot)

State of Nebraska Problem-Solving Courts Map



District 1 *Coordinator: Christina Reece*
 Southeast Nebraska Adult Drug Court: Nemaha Co. (Auburn), Saline Co. (Wilber)

District 2 *Coordinator: Creston Ashburn*
 Sarpy County Adult Drug Court: Sarpy Co. (Papillion)
 Sarpy County Reentry Court: Sarpy Co. (Papillion)
 Sarpy County Wellness Court (Pilot): Sarpy Co. (Papillion)
 Sarpy County Juvenile Drug Court: Sarpy Co. (Papillion)
 Cass County Adult Drug Court: Cass Co. (Plattsmouth)

District 3 *Coordinators: Dean Rohwer, Erminda Millan-Groves*
 Lancaster County Veterans Treatment Court: Lancaster Co. (Lincoln)
 Lancaster County Adult Drug Court: Lancaster Co. (Lincoln)
 Lancaster County DUI Court (Pilot): Lancaster Co. (Lincoln)
 Lancaster County Family Dependency Courts (2): Lancaster Co. (Lincoln)

District 4 *Coordinators: Teresa Naah, Rob Owens*
 Douglas County Veterans Treatment Court: Douglas Co. (Omaha)
 Douglas County Young Adult Court: Douglas Co. (Omaha)
 Douglas County Adult Drug Court: Douglas Co. (Omaha)

District 5 *Coordinator: Morgan Campbell*
 5th Judicial District Problem-Solving Court: Hamilton Co. (Aurora), Merrick Co. (Central City), York Co. (York), Saunders Co. (Wahoo) Butler Co. (David City), Seward Co. (Seward)

District 6 *Coordinator: Brandon Jerred*
 District 6 Adult Drug Court: Dodge Co. (Fremont), Washington Co. & Burt Co. (Blair)

District 7 *Coordinator: Matt McManigal*
 Northeast Nebraska Adult Drug Court: Madison Co. (Madison)

District 8 *Coordinator: Doug Stanton*
 North Central Adult Drug Court: Holt Co. (O'Neill), Custer Co. (Broken Bow)

District 9 *Coordinators: Susan Huber, Angela Smith*
 Hall County Reentry Court: Hall Co. (Grand Island)
 Central Nebraska Veterans Treatment Court: Hall Co. (Grand Island), Buffalo Co. (Kearney)
 Central Nebraska Adult Drug Court: Hall Co. (Grand Island), Buffalo Co. (Kearney)

District 10 *Coordinators: Susan Huber, Angela Smith*
 Central Nebraska Veterans Treatment Court: Adams Co. (Hastings)
 Central Nebraska Adult Drug Court: Adams Co. (Hastings)

District 11 *Coordinator: Anne Power*
 Midwest Nebraska Problem-Solving Court: Dawson Co. (Lexington), Lincoln Co. (North Platte)

District 12 *Coordinator: Andee Hardesty*
 Scotts Bluff County Adult Drug Court: Scotts Bluff Co. (Gering)
 Scotts Bluff County DUI Court: Scotts Bluff Co. (Gering)



08.05.2022 jlc

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 19-20	FY 20-21	FY 21-22
<i>Gender</i>			
Female	12	18	18
Male	62	81	87
Total Young Adult Court Individuals	74	99	105
<i>Race</i>			
American Indian or Alaska Native	3	4	4
Asian or Pacific Islander	0	1	1
Black	20	30	32
Other	13	20	22
White	38	44	46
<i>Ethnicity</i>			
Hispanic Origin	16	23	25
Not of Hispanic Origin	58	76	80
<i>Age</i>			
Under 18	0	0	0
18-20	43	51	49
21-25	31	48	56
26-30	0	0	0

ADULT DRUG TREATMENT COURTS

Nebraska Adult Drug Treatment Courts utilize a specialized team process that functions within the existing court structure. Adult Drug Treatment 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 Treatment Courts operating in Nebraska. These courts serve the following counties: Gage; Saline; Jefferson; Fillmore; Thayer; Otoe; Johnson; Nemaha; Pawnee; Richardson; Sarpy; 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.

Adult Drug Treatment Court Demographics	FY 19-20	FY 20-21	FY 21-22
<i>Gender</i>			
Female	450	470	478
Male	580	621	701
Total Adult Drug Treatment Court Individuals	1,030	1,091	1,179
<i>Race</i>			
American Indian or Alaska Native	21	29	36
Asian or Pacific Islander	5	5	5
Black	55	60	90
Other	101	113	105
White	848	883	943
<i>Ethnicity</i>			
Hispanic Origin	123	134	141
Not of Hispanic Origin	907	957	1,038
Unknown	1	1	0
<i>Age</i>			
Under 18	0	0	1
18-20	80	75	81
21-25	245	249	241
26-30	240	232	229
31-35	184	204	226
36-40	120	143	167
41+	162	188	234

VETERANS TREATMENT COURTS

In April 2016, the Nebraska Legislature passed LB919, which authorized the expansion of the definition of Problem-Solving Courts to include Veterans Treatment Courts. Just six months after receiving authorization, Nebraska's first Veterans Treatment Court opened on November 4, 2016 in Douglas County. Nebraska's second Veterans Treatment Court opened on April 19, 2017 in Lancaster County. On January 13, 2021, the Nebraska Supreme Court authorized the Central Nebraska Veterans Treatment Court to operate in the Ninth and Tenth Judicial District.

Nebraska Veterans Treatment Courts are designed to reduce recidivism in high-risk to reoffend and high-need veterans through a comprehensive and coordinated court response utilizing early intervention, behavioral health treatment, intensive supervision, and consistent judicial oversight. Similar to other problem-solving courts, Veterans Treatment Courts operate under a team approach where a judge, prosecutor, defense counsel, coordinator, community supervision officer, law enforcement, treatment provider(s), Veterans Health Administration and other key team members work together to design an individualized program for each participant.

Veterans Treatment Courts utilize trained volunteer Veteran Mentors to act as role models and provide guidance for veterans. Veteran Mentors help with readjustment issues to assist with reentry into civilian life.

Veterans Treatment Court Demographics	FY 19-20	FY 20-21	FY 21-22
<i>Gender</i>			
Female	7	6	4
Male	60	68	70
Total	67	74	74
<i>Race</i>			
American Indian or Alaska Native	0	0	2
Asian or Pacific Islander	1	0	0
Black	12	15	16
Other	3	3	3
White	51	56	53
<i>Ethnicity</i>			
Hispanic Origin	3	2	2
Not of Hispanic Origin	64	72	72
<i>Age</i>			
18-20	0	0	0
21-25	0	3	3
26-30	13	7	8
31-35	10	16	14
36-40	10	8	12
41+	34	40	37

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	FY 19-20	FY 20-21	FY 21-22
<i>Gender</i>			
Female	6	3	7
Male	37	37	34
Total	43	40	41
<i>Race</i>			
American Indian or Alaska Native	0	0	1
Asian or Pacific Islander	2	2	0
Black	6	6	2
Other	5	4	7
White	30	28	31
<i>Ethnicity</i>			
Hispanic Origin	9	8	10
Not of Hispanic Origin	34	32	31
<i>Age</i>			
18-20	1	2	0
21-25	13	7	12
26-30	11	13	10
31-35	8	11	8
36-40	4	4	4
41+	6	3	7

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.

Wellness Court Demographics	FY 20-21	FY 21-22
<i>Gender</i>		
Female	5	8
Male	3	12
Total	8	20
<i>Race</i>		
American Indian or Alaska Native	1	1
Asian or Pacific Islander	0	0
Black	0	2
Other	0	0
White	7	17
<i>Ethnicity</i>		
Hispanic Origin	0	1
Not of Hispanic Origin	8	19
<i>Age</i>		
18-20	1	2
21-25	3	5
26-30	2	5
31-35	0	0
36-40	1	4
41+	1	4

DUI TREATMENT COURTS

On March 24, 2021, the Lancaster County DUI Court was approved as a Pilot Court by the Nebraska Supreme Court and admitted their first participant on July 6th, 2021.

The Lancaster County DUI Court is a post-plea, presentence court program for individuals charged with a felony third offense, aggravated felony DUI, or a felony fourth offense DUI. The Pilot DUI Court targets individuals for admission who have indicators of substance use disorders and are at substantial risk for reoffending or failing to complete a less intensive intervention, such as standard probation or pretrial supervision.

Clinical assessments are utilized to determine the recommended behavioral health treatment for each participant. Validated risk and need assessments are utilized to determine the programming and services needed to address criminogenic needs. Frequent and random chemical testing, intense community supervision, and interaction with a judge in non-adversarial court hearings verify compliance with treatment and other court ordered terms.

DUI Treatment Court	FY 21-22
<i>Gender</i>	
Female	7
Male	26
Unknown	0
Total Adult Drug and DUI Court Individuals	33
<i>Race</i>	
American Indian or Alaska Native	2
Asian or Pacific Islander	0
Black	10
Other	4
White	17
<i>Ethnicity</i>	
Hispanic Origin	5
Not of Hispanic Origin	28
Unknown	0
<i>Age</i>	
Under 18	0
18-20	0
21-25	1
26-30	7
31-35	11
36-40	6
41+	8

PROBLEM-SOLVING COURT SUBSTANCE USE TESTING

Drug courts that perform urine drug testing more frequently experience better outcomes in terms of higher graduation rates, lower drug use, and lower criminal recidivism amongst participants (National Institute on Drug Abuse, 2006). Drug court participants consistently identified frequent drug and alcohol testing as being among the most influential factors for successful completion of the program (Gallagher et al., 2015).

Upon entering a Nebraska Problem-Solving Court, participants receive a clear and comprehensive explanation of their rights and responsibilities related to drug and alcohol testing. Nebraska Problem-Solving Courts adhere to evidenced-based practices to ensure frequent and random drug and alcohol testing. Testing may occur at any time, including non-traditional work hours, evenings, weekends and holidays.

During Fiscal year 2020-21, in response to the COVID-19 pandemic, Nebraska Problem-Solving Courts modified substance use testing strategies to include the application of drug testing patches. This provided continuous monitoring of substance use of individuals while not requiring them to frequently report. However, this strategy did affect the overall number of drug tests, as the patch is continuous for 7-14 days, but only counted as one test during this period.

The following is a substance use testing summary for all Nebraska Problem-Solving Court participants.

This information was collected and analyzed through the AOC's case management system.

Adult Problem-Solving Court Substance Use Testing

Fiscal Year	FY 19-20	FY 19-20	FY 20-21	FY 20-21	FY 21-22	FY 21-22
	Number of Participants	Number of Drug Tests	Number of Participants	Number of Drug Tests	Number of Particip	Number of Drug Tests
Young Adult Court	74	2,027	99	2,141	105	2,507
Adult Drug and DUI Courts	1,031	50,784	1,092	46,348	1,208	76,251
Veteran's Treatment Courts	67	3,501	74	4,024	74	3,939
Reentry Courts	43	1,461	40	901	41	1,710
Mental Health Court	NA	NA	8	109	20	1,131
Total	1,215	57,773	1,313	53,523	1,446	85,538

The first Mental Health Court and DUI Treatment Court were established in 2020-21.

PROBLEM-SOLVING COURT RISK REDUCTION

Nebraska Problem-Solving Courts target individuals for admission who have indicators of substance use and/or mental health disorders who 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 reoffending and high-need individuals. A substantial body of research shows that drug courts that focus on high-risk/high-need defendants reduce crime approximately twice as much as those serving less serious defendants (Cissner et al., 2013; Fielding et al., 2002; Lowenkamp et al., 2005).

The Level of Service/Case Management Inventory (LS/CMI) identifies the risk/need areas and specific criminogenic factors most likely to influence the individual'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 table summarizes LS/CMI admission and discharge scores for adult Problem-Solving Court participants.

The table clearly shows significant risk reduction at the end of the Problem-Solving Court intervention. This data was collected and analyzed from the AOC's case management system.

Adult Problem-Solving Court Risk Reduction

	Average LSCMI at Entrance	Average LSCMI Score at Discharge	Difference in Score	% Change	N
FY19-20	20.08	12.50	-7.58	-37.74	235
FY20-21	22.70	12.37	-10.33	-45.51	240
FY 21-22	23.62	12.97	-10.65	-45.08	228

**Overall, the average risk score of participants decreased more than 10 points at the time of discharge.*

SUPPORTIVE SERVICES

Substance Use Testing – is conducted as directed by the Court; adult probationers are subject to random, unannounced testing to assist in establishing a period of sobriety. Effective alcohol and other substance testing is an integral part of effective community supervision and can provide an objective measure of treatment effectiveness.

The results of these tests can provide the basis for incentives, sanctions and therapeutic interventions, all which are the underlying pillars for individual's success. As alcohol and other substances vary substantially in their windows of detection, a variety of testing methodologies are available to assist individuals in abstaining from substance use. Drug screens can be conducted on-site, in-home, and in the field utilizing multiple matrices such as urine analysis, mouth swabs, sweat patches and preliminary breath tests.

During Fiscal year 2020-21, in response to the COVID-19 pandemic, Nebraska Problem-Solving Courts modified substance use testing strategies to include the application of drug testing patches. This provided continuous monitoring of substance use of individuals while not requiring them to frequently report. However, this strategy did affect the overall number of drug tests, as the patch is continuous for 7-14 days, but only counted as one test during this period.

When applicable, individuals are assessed a monthly fee of \$5.00 towards the cost of testing, which is supported by the Substance Use Testing cash fund.

Number of Drug Tests by Classification

	FY 19-20	FY 20-21	FY 21-22
Classification	# of Drug Tests	# of Drug Tests	# of Drug Tests
CBI	78,185	70,006	87,412
CBI DUI	13,325	10,484	11,423
CBI Domestic Violence	35,111	28,828	37,223
SSAS	27,831	21,515	26,726

PRS	48,216	28,020	31,199
Reframe	9,020	7,742	7,998
TIP	204	59	29
Sex Offender	5,810	5,724	7,284
CBR	119,117	79,656	100,249
Other	42,929	34,457	31,231
Unclassified	540	452	925
Grand Total	380,288	286,943	352,875

Electronic Monitoring (EM) - encompasses two (2) types of electronic devices designed to enhance supervision: Radio Frequency and Global Positioning System (GPS), which requires a tamper- proof monitoring anklet to be worn by the individual twenty-four (24) hours a day and seven (7) days a week. The individual shall remain on EM for the entire period as directed by the sentencing court or sanctioning officer. While use of these devices does not guarantee community safety or exclusively manage behavior on its own, such monitoring does enhance an individual's ability to be supervised in the community while participating in daily pro-social activities such as employment, education, treatment or other programming.

EM is an administrative cost for individuals meeting the target population and criteria and funded by general and cash funds of the Community Corrections program.

Electronic Monitoring - Probation and Problem-Solving Courts

Electronic Monitoring	FY 19-20	FY 20-21	FY 21-22
Individuals Served	158	96	54

Continuous Alcohol Monitoring (CAM) - measures the individual's perspiration for the presence of alcohol excreted trans-dermally through the skin. It is a tool of supervision for use when an individual is involved in substance use treatment, has an extensive history of alcohol-related incidents, demonstrates continued use of alcohol despite negative consequences and shows an unwillingness to discontinue use.

Individuals are financially responsible for payment for the costs associated with CAM. Said costs are subject to a sliding fee scale.

Funding for CAM 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 19-20	FY 20-21	FY21-22
Number Served	736	722	606

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	FY 19-20	FY 20-21	FY 21-22
Number Served	4,798	1,238	4,684

Incentives and Administrative and Custodial Sanctions -- Probation staff are trained to swiftly, certainly, and consistently employ incentives and apply administrative and/or custodial sanctions.

All positive progress towards life stability, positive behavior changes and program completion is recognized and incentivized, while all episodes of non-criminal, technical violations (positive substance use testing, missed appointments, failure to pay fines and fees, etc.) are addressed through the imposition of graduated administrative or custodial sanctions.

	FY 19-20	FY 20-21	FY 21-22
Administrative Sanctions	17,463	16,309	14,982
Custodial Sanctions	1,778	1,755	1,629

The Administrative Office of the Courts and Probation participated in a research project with the Urban Institute who assessed Nebraska’s incarceration response for the community supervision population. The study, An Assessment of Community Supervision Incarceration Responses in Nebraska and Utah, analyzed Nebraska’s implementation of justice reinvestment initiatives ushered in by 2015’s LB605. The report commented on Nebraska Probation supervising more individuals with felony convictions (50% increase) and those with a higher risk of recidivism. A key takeaway detailed that after the implementation of custodial sanctions not only was there an increase in successful completions of supervision but also a measured reduction in revocations for technical violations.

Despite the population of high-risk probationers growing due to legislative changes, the number of violations resulting in incarcerations decreased.

The complete results of this study can be found on the Nebraska Judicial Branch website at

[h https://supremecourt.nebraska.gov/research-shows-positive-outcomes-felony-probation-supervision](https://supremecourt.nebraska.gov/research-shows-positive-outcomes-felony-probation-supervision).

COURT ORDERED INVESTIGATIONS

Presentence Investigations (PSI) -- are ordered by the Court and are designed to assist a judge in determining an appropriate sentence. PSI's present the court with verified information relating to an individual's criminal history, victim's input, details of a crime and relevant personal and environmental background information, in accordance with state statute.

PSI's are also used by the probation office to assist in the assessment of an individual's risk to recidivate and criminogenic needs, which guides the level of supervision and case management of any individual under community supervision.

The presentence investigation is forwarded to the Nebraska Department of Correctional Services (NDCS) for their use in classification and/or program planning.

	FY 19-20	FY 20-21	FY 21-22
Total Investigations	10,517	10,599	10,373

Post-release Supervision (PRS) Plans – are compiled in collaboration with the Nebraska Department of Correctional Services (NDCS), the Office of Parole Administration (Parole), or a county jail. The post-release supervision plan details all programming completed, evaluations conducted, misconduct reports, classification studies, institutional assessments and services received, while the individual was incarcerated or under the supervision of parole, as well as any reductions in risk associated with completed programming and documented behavior change.

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.

	FY 19-20	FY 20-21	FY 21-22
Total PRS Plans	800	733	668

RISK ASSESSMENT INSTRUMENTS

Level of Service/Case Management Inventory (LS/CMI) – is an internationally recognized, normed and validated actuarial based risk assessment tool designed to assist in determining an individual’s overall risk to reoffend, as well as to prioritize the management and case and treatment planning for male and female adults. The LS-CMI is used in all District Court cases, as well as other specified misdemeanor populations out of Nebraska’s County Courts.

The LS-CMI was re-validated for use within Nebraska Probation in a study conducted by the University of Nebraska Law and Psychology Department in 2015. During this study, the Law and Psychology Department also looked for, and ruled out, bias in the statewide application of the tool, and helped identify a need for enhanced training to improve interrater reliability across tool application. On the heels of the research, the AOC developed quality assurance measures and undertook LS-CMI refresher training for all staff to enhance the fidelity in instrument application.

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.

Vermont Assessment of Sex Offender Risk-2 (VASOR-2) – assesses risk among adult males who have been convicted of at least one qualifying sex offense. It is composed of a 12-item re-offense risk scale, and a 4-item severity factors checklist. The re-offense risk scale is statistically derived, and designed to assess risk for sexual and violent recidivism. The factors checklist is clinically derived and is designed to describe the severity of the offense.

Sex Offender Treatment Intervention and Progress Scale (SOTIPS) – is a 16-item statistically- derived dynamic measure designed to aid clinicians, correctional caseworkers, and probation and parole officers in assessing risk, treatment and supervision needs, and progress among adult male sex offenders. The SOTIPS is scored initially and in conjunction with the VASOR-2 and is also completed for purposes of reassessment every 180 days or as needed upon significant circumstances within a case.

The VASOR-2 and SOTIPS can be used as part of a static and dynamic risk assessment, and combined scores have predicted sexual recidivism better than either instrument alone. The VASOR-2 and SOTIPS are utilized in addition to the LS-CMI in any adult male case in which the precipitating behavior was sexual in nature.

Domestic Violence Offender Matrix (DV Matrix) – is a risk assessment utilized in addition to the LS-CMI in any offense in which the precipitating behavior included aspects of domestic violence. While it is not a prediction of future behavior, it is an assessment of current behaviors and how they relate to overall risk to the victim.

Reassessment – While probation officers informally perform assessment of on-going risk at each interaction, all probation cases are formally reassessed at a minimum of once every six months on the highest-risk populations, unless there is a significant occurrence that prompts the need to reassess the case outside of that timeframe.

REHABILITATIVE SERVICES

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 an 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 Probation 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

Service Type	Amount FY19-20	Amount FY20-21	Amount FY21-22
Substance Use Evaluation	\$335,550	\$336,027	\$246,518
Short-Term Residential	\$3,353,810	\$3,236,440	\$1,414,075
Intensive Outpatient	\$1,181,094	\$1,152,070	\$835,689
Outpatient Counseling	\$1,292,065	\$1,377,676	\$925,767
Co-Occurring Evaluation	\$235,686	\$193,762	\$155,232
Co-Occurring Short Term Residential	\$118,944	\$36,898	\$24,316
Pretreatment – Reporting Center	\$155,087	\$326,681	\$204,193
Relapse Group – Reporting Center	\$272,436	\$563,135	\$314,022
Mental Health Evaluation/Assessment	\$59,725	\$39,366	\$35,671
Mental Health Outpatient Treatment	\$350,225	\$425,309	\$193,471
Adults who Sexually Harm	\$297,141	\$335,622	\$285,233

Assessment and Treatment			
Reporting Behavioral Contracts	Center Health	\$1,607,424	\$2,391,641
Total		\$9,259,187	\$10,414,627
			\$5,942,699

(Please note non-clinical services are not included in this report. It is also noted with the expansion of Medicaid in Nebraska beginning October 1, 2020, many more individuals on probation, post-release supervision, and problem-solving courts have become eligible for this benefit.)

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)

Transitional Living Housing Assistance

	FY19-20	FY 20-21	FY 21-22
Assistance by Fiscal Year	\$5,733,558	\$5,317,085	\$5,112,615

DISCHARGES AND REVOCATIONS

Discharges and Revocations of Adults Sentenced to Probation

Discharges	Successful Completion	Unsuccessful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	N
FY 2019-2020	75%	7%	8%	7%	2%	1%	9,567
FY 2020-2021	73%	8%	7%	8%	2%	1%	8,536
FY 2021-2022	72%	9%	7%	8%	2%	2%	9,045

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	N
FY 2019-2020	54%	13%	12%	13%	4%	4%	2,019
FY 2020-2021	51%	11%	12%	12%	3%	11%	1,343
FY 2021-2022	41%	20%	14%	16%	3%	6%	1,301

**Unsuccessful Completion arises when courts terminate an order of post-release supervision when financial obligations have not been met, required days of custodial sanctions have not been met to face revocation, or other factors have intervened not allowing the post-release individual to satisfy all conditions and case management included in the Court Order. Other includes Death, Deported, or district override.*

Felony revocations to incarceration - 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	FY19-20	FY 20-21	FY 21-22
Prison	143	133	125
County jail	272	219	200
Total	415	352	325
% to Prison	32%	38%	38%
Technical Violations	FY19-20	FY 20-21	FY 21-22
Prison	84	78	107
County jail	266	240	248
Total	350	318	355
% to Prison	24%	25%	30%

Risk Reduction of High Risk to Reoffend Individuals - Calculated on individuals who successfully completed a term of probation or post-release supervision and assessed at a high to very high risk to reoffend score on the LS/CMI and compared with their LS/CMI reassessment score upon discharge.

Probation

Fiscal Year	Average 1st LSCMI Score	Average Last LSCMI Score	Change in LSCMI Score	% change
FY 2019-2020	25.50	20.40	-5.10	-20.00%
FY 2020-2021	25.70	21.00	-4.70	-18.20%
FY 2021-2022	25.50	21.10	-4.40	-17.20%

Post-Release Supervision

Fiscal Year	Average 1 st LSCMI Score	Average Last LSCMI Score	Change in LSCMI Score	% change
FY 2019-2020	27.86	26.74	-1.12	-4.03%
FY 2020-2021	28.30	26.60	-1.60	-5.80%
FY 2021-2022	27.90	25.40	-2.50	-9.10%

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 and Nicole Miller as Legal Counsel.

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 2019-2020	FY 2020-2021	FY 2021-2022
Offender Total Count	2386	2397	2170
Gender			
Male	2075	2107	1931
Female	311	290	239
Age			
18-20	24	13	15
21-25	258	248	202
26-30	403	402	308
31-35	411	396	338
36-40	384	383	361
41+	906	955	946
Race/Ethnicity			
Caucasian	1479	1417	1259
African American	529	565	524
Hispanic	273	281	242
Asian American/Pacific Islander	18	23	25
Native American/Alaskan Native	70	98	101
Other	17	13	19
Marital Status			
Single	1256	1295	1164
Married	469	470	409
Separated/Divorced/Widowed	292	316	324
Unknown	369	20	273
Education Level at Entry			
8th Grade or Less	53	53	
9th through 11th Grade	318	362	
12th Grade or GED	1403	1377	
Vocational/Some College	6	3	
College or Above	0	2	
Unknown	606	600	

Parole Client Offense Types (Most Serious Offense)

Category	Type	FY 2019-2020	FY 2020-2021	FY 2021-2022
Arson	FEL	12	11	8
	MSD			
	Unk	2	2	4
Assault	FEL	219	196	179
	MSD			
	Unk	14	23	20
Burglary	FEL	200	207	180
	MSD			
	Unk	10	12	14
Drugs	FEL	530	512	434
	MSD			
	Unk	46	59	48
Fraud	FEL	50	44	36
	MSD			
	Unk	7	10	10
Homicide	FEL	111	109	98
	MSD			
	Unk	3		10
Morals	FEL	7	5	6
	MSD			
	Unk	1	1	1
Motor Vehicle	FEL	116	125	114
	MSD			
	Unk	12	11	13
Other	FEL	44	26	14
	MSD			
	Unk	22	19	19
Restraint	FEL	16	17	11
	MSD			
	Unk		1	1
Robbery	FEL	196	207	195
	MSD			
	Unk	8	13	9
Sex Offenses	FEL	309	300	277
	MSD			
	Unk	11	19	27
Theft	FEL	182	169	143
	MSD			
	Unk	15	14	14
Weapons	FEL	233	276	280
	MSD			
	Unk	10	9	5
Unknown				
Total	FEL	2225	2204	1975

	MSD	0	0	
	Unknown	161	193	195

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
- 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

Valley Hope O'Neill Residential Program Participants

	FY 2019-2020	FY 2020-2021	FY 2021-2022
Gender			
Male	32	25	24
Female	8	3	2
Age			
18-20	1	0	0
21-25	10	0	0
26-30	7	8	5
31-35	6	8	8
36-40	3	3	4
41+	13	9	9
Race/Ethnicity			
Caucasian	31	21	15
African American	5	2	6
Hispanic	3	3	1
Asian American/Pacific Islander	0	0	1
Native American/Alaskan Native	1	2	2
Other/Unknown	0	0	1

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 2019-2020	FY 2020-2021	FY 2021-2022
Gender			
Male	422	851	1049
Female	56	92	127
Age			
18-20	5	4	8
21-25	67	104	114
26-30	92	168	202
31-35	84	188	204
36-40	80	159	217
41+	150	320	431
Race/Ethnicity			
Caucasian	305	570	675
African American	109	230	275
Hispanic	45	94	130
Asian American/Pacific Islander	1	6	14
Native American/Alaskan Native	15	38	67
Other/Unknown	3	5	15

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 2019-2020	FY 2020-2021	FY 2021-2022
Gender			
Male	725	904	980
Female	60	68	67
Age			
18-20	12	7	9
21-25	119	124	120

26-30	174	194	169
31-35	123	166	165
36-40	126	157	179
41+	231	324	405
Race/Ethnicity			
Caucasian	455	523	586
African American	211	282	289
Hispanic	86	107	101
Asian American/Pacific Islander	6	7	10
Native American/Alaskan Native	25	47	51
Other/Unknown	2	6	10

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.³ 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.⁴

Lifetime Sex Offender Demographics

	FY 2019-2020	FY 2020-2021	FY 2021-2022
Gender			
Male	63	82	97
Female	1	1	1
Age			
18-20	0	1	0
21-25	1	2	3
26-30	6	7	7
31-35	11	12	14
36-40	11	9	10

³ Neb. Rev. Stat. 83-174.03

⁴ Ibid

41+	35	52	64
Race/Ethnicity			
Caucasian	50	60	60
African American	6	9	7
Hispanic	3	9	9
Asian American/Pacific Islander	0	0	0
Native American/Alaskan Native	3	3	3
Other/Unknown	2	2	19

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 2019-2020	FY 2020-2021	FY 2021-2022
Gender			
Male	280	244	220
Female	66	52	34
Age			
18-20	0	0	0
21-25	29	20	17
26-30	56	46	31
31-35	60	50	37
36-40	57	53	46
41+	144	127	123
Race/Ethnicity			
Caucasian	273	225	188
African American	53	50	47
Hispanic	2	2	0
Asian American/Pacific Islander	1	2	3
Native American/Alaskan Native	15	16	13
Other/Unknown	2	1	3

Custodial Sanctions

Custodial sanctions are defined as confinement in a correctional facility or contract facility as a consequence for violating a condition of parole.⁵ 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.⁶

Custodial Sanctions

	FY 2019-2020	FY 2020-2021	FY 2021-2022
Gender			
Male	82	117	101
Female	15	12	14
Age			
18-20	1	0	1
21-25	16	23	15
26-30	26	31	18
31-35	17	21	25
36-40	11	15	17
41+	26	39	39
Race/Ethnicity			
Caucasian	62	73	63
African American	21	41	38
Hispanic	11	8	7
Asian American/Pacific Islander	0	2	1
Native American/Alaskan Native	3	4	6
Other/Unknown	0	1	0

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.⁷ 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 2019-2020	FY 2020-2021	FY 2021-2022
----------------	--------------	--------------	--------------

⁵ Nebraska Board of Parole Rules, §2-101(E)

⁶ Ibid. §6-101

⁷ 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).

Successful (Interstate and Nebraska Clients)	757	765	652
Abscond (Interstate Clients Only)	28	29	13
Returned to Sending State (Interstate Clients Only)	30	35	22
Revocation (Nebraska Clients Only)	345	394	365
Other (Interstate and Nebraska Clients)	16	13	21
Total Discharges	1176	1236	1073

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.⁸ Through the use of this risk and needs assessment, NDCS is better able to provide appropriate programming that is designed to reduce anti-social and criminogenic thought and behavior patterns, address substance use addictions, and provide vocational and educational training to help offenders be more successful as they transition back into the community.

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

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.

⁸ NDCS Transformation, p. 2 (www.corrections.nebraska.gov/pdf/datasheets/2016/Datasheet%202016%202nd%20Qtr.pdf)

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 19	FY 20	FY 21	FY22 (6/30/2022)
Community A (Work Detail)	403	467	406	363
Community B (Work Release)	151	157	193	222
Facility Total	554	624	599	585

Community Corrections Center - Omaha

Custody Status	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Community A (Work Detail)	129	156	141	142
Community B (Work Release)	31	22	32	35
Facility Total	160	178	173	177

Corrections Demographics, All Programs

Demographics	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Gender				
Female	80	126	115	88
Male	476	498	484	497
Facility Total	556	624	599	585
Age				
18-20	6	16	4	3
21-25	59	52	50	67
26-30	103	114	103	83
31-35	115	100	108	98
36-40	96	104	109	101
41+	177	238	225	233
Facility Total	556	624	599	585
Race/Ethnicity				
Caucasian	345	370	367	343
African American	133	139	123	124
Hispanic	50	75	62	80
Asian American/Pacific Islander	4	8	7	5
Native American/Alaskan Native	20	26	32	29
Other	3	6	7	3
Unknown	1	0	1	1
Facility Total	556	624	599	585
Marital Status				
Single	334	371	352	351
Married	132	119	121	127
Separated/Divorced/Widowed	80	125	115	103
Unknown	10	9	11	4
Facility Total	556	624	599	585
Education Level at Entry				
8 th Grade or Less	19	6	7	18
9 th through 11 th Grade	113	118	126	114
12 th Grade or GED	314	359	383	305
Vocational/Some College	0	0	0	0
College or Above	0	0	0	1
Unknown	110	141	83	147
Facility Total	556	624	599	585

Community Corrections Center-Omaha

Demographics	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Gender				
Female	7	0	0	0
Male	153	178	173	177
Facility Total	160	178	173	177
Age				
18-20	12	5	4	4
21-25	15	18	17	19
26-30	16	23	24	16
31-35	25	29	28	31
36-40	21	27	32	32
41+	71	76	68	75
Facility Total	160	178	173	177
Race/Ethnicity				
Caucasian	82	94	98	110
African American	60	61	43	44
Hispanic	14	15	16	16
Asian American/Pacific Islander	2	2	3	2
Native American/Alaskan Native	1	4	10	5
Other	1	2	3	0
Unknown	0	0	0	0
Facility Total	160	178	173	177
Marital Status				
Single	97	111	118	111
Married	33	39	35	46
Separated/Divorced/Widowed	27	26	19	20
Unknown	3	2	1	0
Facility Total	160	178	173	177
Education Level at Entry				
8 th Grade or Less	6	3	5	4
9 th through 11 th Grade	35	40	41	43
12 th Grade or GED	109	121	118	118
Vocational/Some College	0	0	0	0
College or Above	0	0	0	0
Unknown	10	14	9	12
Facility Total	160	178	173	177

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 19	FY 20	FY 21	FY22 (6/30/2022)
Adult Basic Education (ABE)	0	1	1	3
Adult Secondary Education (ASE)	11	7	6	12
English as a Second Language (ESL)	0	0	0	0
GED	1	0	0	0
High School	0	0	2	0
Post-Secondary	12	10	1	2
Facility Total	24	18	10	17

Community Corrections Center – Omaha

Program	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Adult Basic Education (ABE)	0	0	0	0
Adult Secondary Education (ASE)	11	7	6	3
English as a Second Language (ESL)	1	0	0	0
GED	0	1	1	0
High School	0	0	2	3
Post-Secondary	4	2	1	1
Facility Total	16	10	10	7

Community Grand Total

	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Community Grand Total	40	28	20	24

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.⁹ 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.

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.¹⁰ 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.

⁹ Neb. Rev. Stat. 83-186.01

¹⁰ Neb. Rev. Stat. §83-903.

Other Community Corrections Programs

Substance Abuse Programming

Community Corrections Center - Lincoln

Program	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Intensive Outpatient	83	105	138	179
Outpatient	59	104	103	117
Residential	134	104	106	97
Short-Term Residential	0	6	20	14
Facility Total	276	319	367	407

Community Corrections Center – Omaha

Program	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Intensive Outpatient	52	51	31	53
Inpatient	0	0	0	0
Outpatient	52	45	16	40
Residential	31	28	27	25
Short-Term Residential	0	2	4	5

Community Grand Total

	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Community Grand Total	411	445	445	530

NDCS Discharge Results and Recidivism Rates

Facility Discharge Results

Community Corrections Center - Lincoln

Release Type	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Mandatory Discharge	62	96	140	157
Discretionary Parole	298	400	390	331
Walk Away	16	18	27	19

Post-Release Supervision	236	293	207	157
Facility Total	612	807	764	664

Community Corrections Center – Omaha

Release Type	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Mandatory Discharge	62	96	140	157
Discretionary Parole	298	400	390	331
Walk Away	16	18	27	19
Post-Release Supervision	236	293	207	157
Facility Total	612	807	764	664

Community Grand Total

	FY 19	FY 20	FY 21	FY22 (6/30/2022)
Community Grand Total	793	1024	995	854

Recidivism by Custody Level at Release

	Maximum	Medium	Minimum	Community	Total
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
FY 18-19					

Non-Recidivist	265	155	526	624	1570
Recidivist	126	98	232	210	666
Total	391	253	758	834	2236

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 CBR	Offense Type	FY 20	FY 21	FY22 (6/30/2022)
Probation	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 CBI – Intensive Supervision Probation	Offense Type	FY 20	FY 21	FY22 (6/30/2022)
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 PRS Probation	Offense Type	FY 20	FY 21	FY22 (6/30/2022)
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 SSAS Probation	Offense Type	FY 18-19	FY 19-20	FY 20-21
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
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 Parole	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

Total	2421	2386	2397
-------	------	------	------

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
Facility Total	465	555	623	599

Community Corrections Center - Omaha

Offense Category	FY 17-18	FY 18-19	FY 19-20	FY 20-21
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
Facility Total	171	160	178	171

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