



STATE OF
NEBRASKA
JUDICIAL BRANCH

Administrative Office
of the Courts & Probation

Probation Semi-Annual Report

Calendar Year 2020

January 1, 2020 to

June 30, 2020

Deb Minardi |

Nebraska State Probation Administrator

Nebraska Supreme Court

10th Floor State Capitol | P.O. Box 98910 | Lincoln, NE 68509

T 402.471.4170 | F 402.471.2197

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This report was completed in compliance with Neb. Rev. Stat. § 29-2252.01 (Amended 2015). On December 31 and June 30 of each year the Administrator shall provide a report to the Department of Administrative Services and the Legislative Fiscal Analyst.

Note: In this report traditional probation is referred to as Community-Based Resources and Intensive

OUR MISSION

We the leaders in community corrections, juvenile and restorative justice are unified in our dedication to delivering a system of seamless services which are founded on evidence-based practices and valued by Nebraska’s communities, victims, offenders and courts. We create constructive change through rehabilitation, collaboration, and partnership in order to enhance safe communities.

OUR VISION

Be a nationally recognized leader in the field of justice committed to excellence and safe communities.

TABLE OF CONTENTS

A look at Probation 2019	4
Adult Felony/Misdemeanor Cases (29-2252.01 (1&2))	5
Adult Presentence Investigations & Reports (29-2252.01 (7))	6
Adult Probation Officer Caseloads (29-2252.01 (3&4))	7
Restitution and Payments (29-2252.01 (9))	9
Juvenile Probation Cases (29-2252.01 (5&8)).....	12
Juvenile Intake Screenings (29-2252.01 (8))	13
Juvenile Predisposition Investigations (29-2252.01 (6))	14
Juvenile Probation Officer Caseloads (29-2252.01 (5))	15

Introduction

Nebraska Probation is organizationally aligned with the Administrative Office of the Courts and Probation within the judicial branch of government. In performing its function, Probation strives to achieve intertwined goals of community safety, risk reduction and behavior change. Trusted and valued by Nebraska's courts and citizens, Probation's dedicated professional staff has provided quality investigations, supervision and service for over 50 years.

While there is significant carryover in the number of individuals served over each six-month reporting period, between January 1, 2020 and June 30, 2020, there were **22,279** unique individuals served by probation in Nebraska, including **19,106** adult and **3,173** juvenile probationers in both regular and intensive programs. Probation officers across the state work within a range of probation programs to assess, supervise, educate and refer probationers to a host of treatment and skill-building programs. Probation officers assess individuals level of risk and criminogenic needs, as well as determine the skills they require to make amends to victims/communities and avoid further criminal and/or delinquent behavior. Probationers are supervised within the community according to their assessed risk level, and they are referred to appropriate community-based treatment and skill-based programs, based upon their assessed needs. Caseload standards are presently modeled after the American Probation and Parole Association's evidenced based research. Nebraska Probation is currently engaged in a workload analysis project to determine appropriate caseload ratios, and as such, these are under review.

The first half of 2020 continued in transition for Probation. In service to our courts and the citizens of this great state, the Administrative Office of the Courts and Probation continued to carry out the provisions of Legislative Bills having an impact on probation, through Justice Reinvestment (JRI) and Juvenile Justice Reform. This report captures the beginning of 2020 COVID-19 pandemic and may reflect fluctuations in populations, intakes, investigations, and restitution, as a result.

Nebraska Probation is driven by a belief that a system focused on evidence-based policies and practices will produce positive individual outcomes in addition to meeting our goals.

OUR GOALS

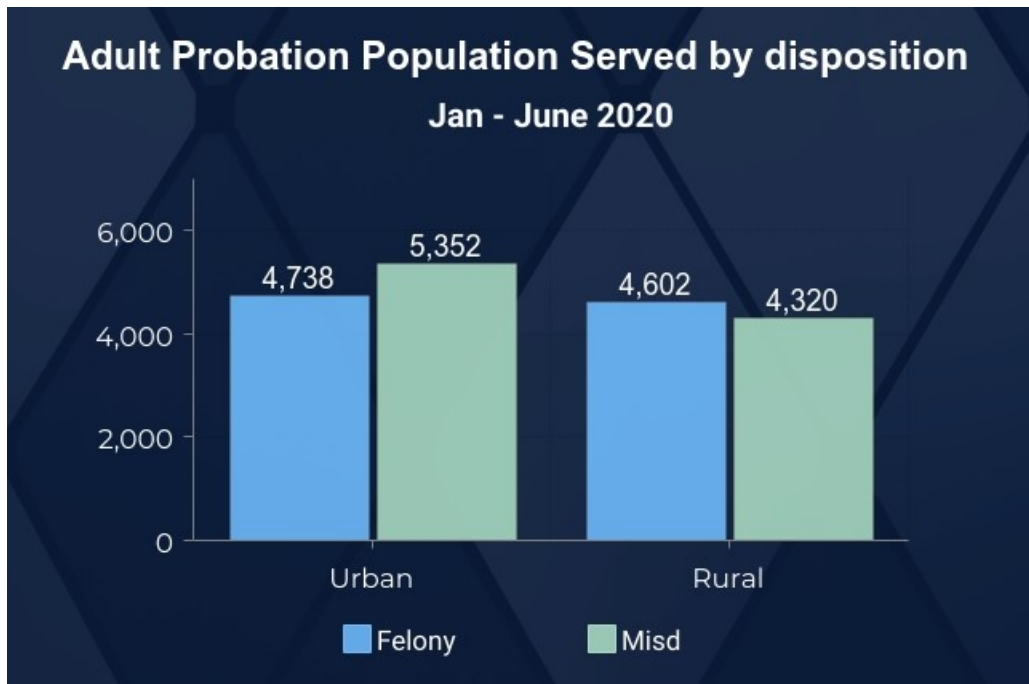
- *Provide courts with effective sentencing and dispositional recommendations*
- *Reduce juvenile and criminal justice recidivism*
- *Provide for a more efficient and effective use of Probation's limited staff resources*
- *Support community-based programs and services initiatives to reduce prison overcrowding and out-of-home placement for youth*
- *Enhance community safety, risk reduction and behavior change*

ADULT PROBATION

From January 1, 2020 and June 30, 2020, *19,106* adult probationers were supervised, a decrease of *1134* cases from the same time period in 2019 and an decrease of *990* when compared to the last six months of 2019.

Throughout this report urban and rural areas are referenced. Urban Probation districts include District 2 (Cass, Otoe and Sarpy Counties), District 3 Adult, District 3 Juvenile (Lincoln/Lancaster), District 4 Adult, and District 4 Juvenile (Omaha/Douglas). Rural data includes Districts 1, 5, 6, 7, 8, 9, 10, 11 and 12. (See map on page 12 for District information.)

- **9,340** felony cases with **4,738** in rural areas (51%) and **4,602** in urban areas (49%). The first half of 2020 shows a decrease in felony cases of **412** when compared to the same time period in 2019 and a decrease of **411** when compared to the last six months of 2019
- **9,672** adult misdemeanor cases were on probation, with **5,352** (55%) in rural areas and **4,320** (45%) in urban areas. This total represents an decrease of **725** in adult misdemeanor cases as compared to the same time period in 2019 and an decrease of **541** when compared to the last six months of 2019
- **94** cases overall exist where the felony or misdemeanor classification did not exist in the system



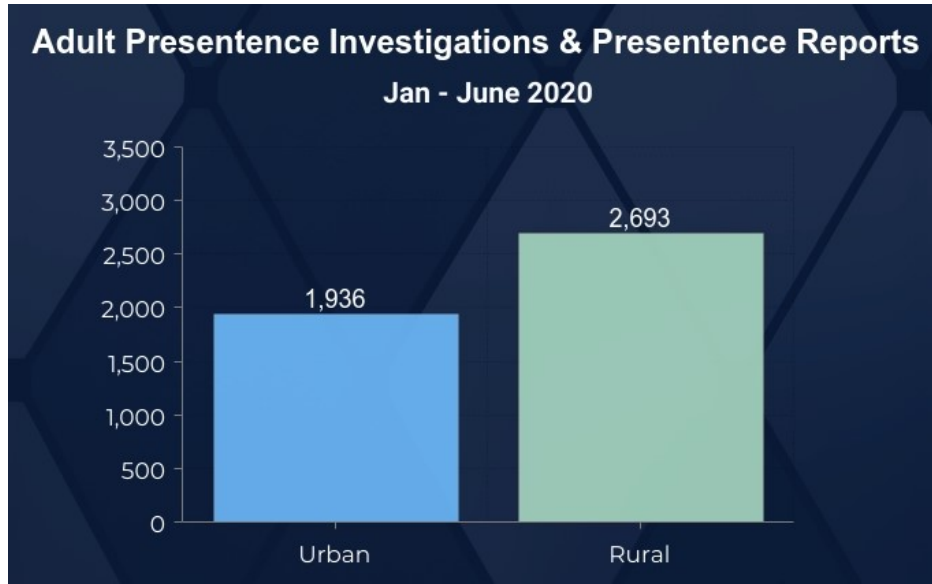
Nebraska Probation uses a public safety approach to case management. Probationers are prioritized for supervision and treatment services according to an assessment of their risk of reoffending using a normed and validated, actuarial-based risk assessment tool.

- The highest level of supervision while on probation is Community-Based Intervention (CBI), which is equivalent to intensive supervision probation as referred to in statute. This supervision combines intensive supervision and treatment resources to maximize community safety. On June 30, 2020, there were a total of **5,333** probationers on CBI, or 47% of the total adult population
- Probationers supervised at the Community-Based Resources (CBR) level include 36% of probationers or a total of **4,103**. CBR supervision levels are guided by different responsive case management standards and is equivalent to traditional probation as referred to in statute

ADULT INVESTIGATIONS

Investigations provide the court with timely, relevant, and accurate information about a probationer prior to the sentencing of a case. A presentence investigation (PSI) is used for high-risk probationers, and/or those convicted of felonies, class I misdemeanors, as well as those who may be convicted of lower level crimes but score higher on validated risk assessments, while a presentence report (PSR) is used for those convicted of lower level crime and score medium or low on the risk assessment. A PSR is used for those convicted of lower level misdemeanors who score lower, comparatively, on validated risk assessments. Investigation tools that provide the court with information regarding the probationer's background and information. It includes victim impact statements, probationer's statement, official version of the offense and the probation officer's summary to the court. This information is provided to the court in order to determine the sentencing of an individual.

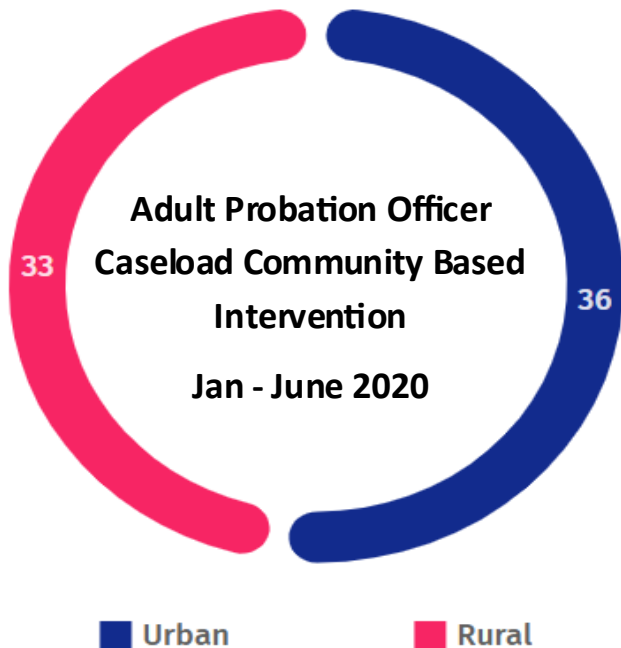
The presentence investigation is comprised of the officer's analysis of factors presented through an interview with the individual and other information collected throughout the process. Probation officers complete a research based, actuarial assessment on each probationer that helps to identify specific risk and need factors. Factors explored include past criminal history, family history and family support, educational and employment history and current status, alcohol/drug or mental health concerns, and overall attitude regarding the offense. Officers work through the assessments to not only identify concerning factors, but also areas of strength for the individual. From there, the officer will investigate the history and current status of the individual through collection of information from a variety of sources to include the individual's employer, treatment providers and/or evaluators, family and friends and victims. All of this information is analyzed to assist the officer in preparing a document for the court. In many jurisdictions across the state, the probation officer is required to use their own skills of analysis and investigation to make a recommendation to the court regarding sentencing. Then the officers will use the information they have obtained throughout the investigation to suggest specific interventions for the individual that will assist with overall behavior change.



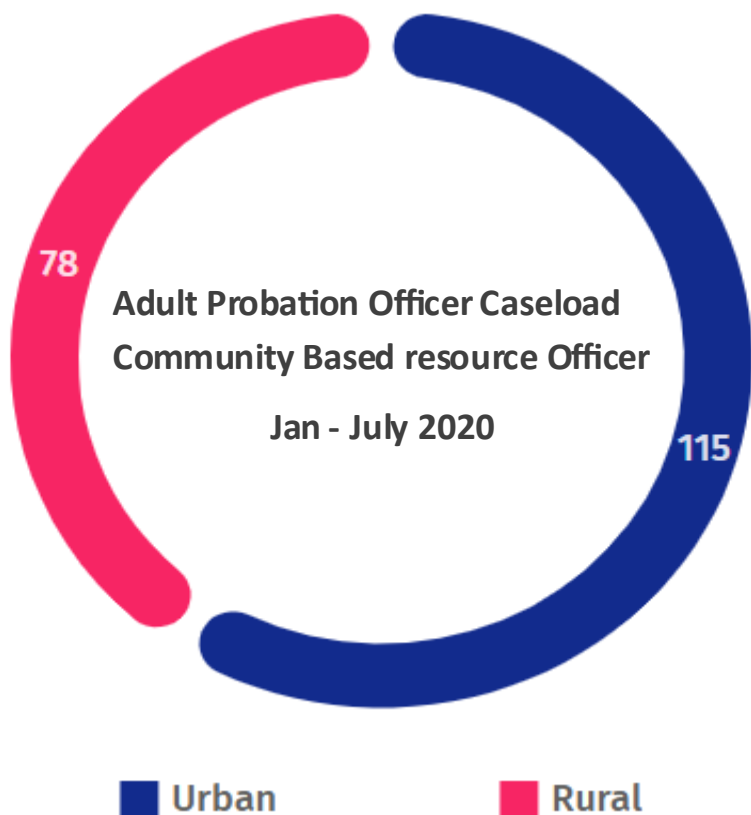
- For the first six months of 2020, a total of **4,629** Adult investigations were completed, with 58% occurring in the rural areas and 42% in urban areas. In the last six months of 2019, there were **5,691** adult investigations completed, with 57% in the rural areas and 43% in urban areas. This is a decrease of **1062** adult investigations. When compared with the same period during 2018, this is a decrease of **973** adult investigations.

ADULT PROBATION OFFICER CASELOADS

Nebraska Probation officers supervise probationers in 12 judicial districts, serving all 93 counties in Nebraska. Caseloads are not measured by felony and misdemeanor but rather by risk to reoffend. Probation uses a number of assessment tools to determine the potential for reoffending.

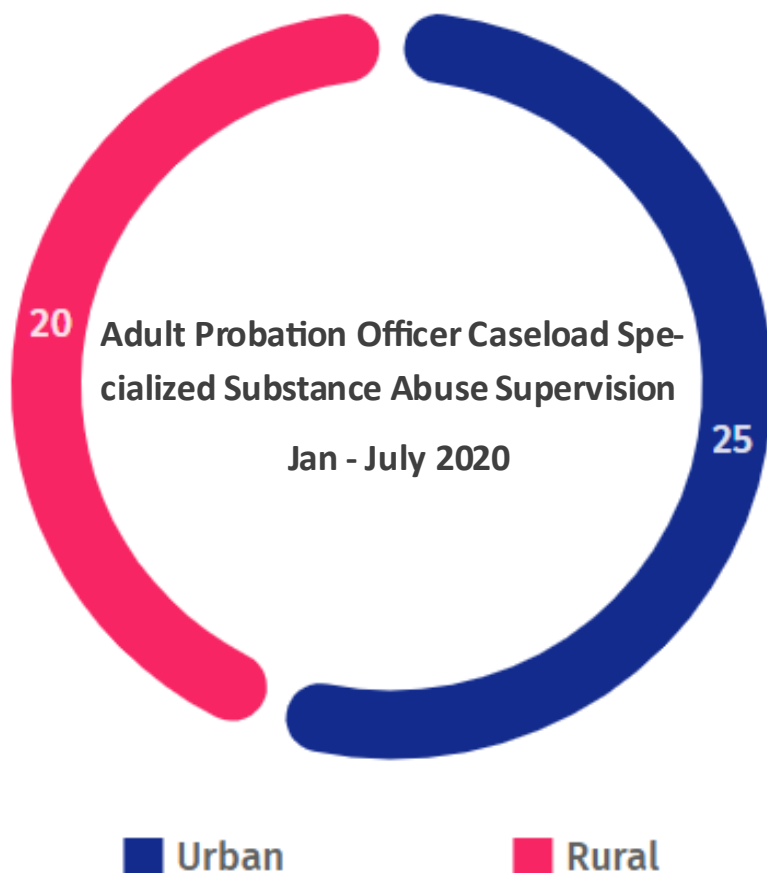


- The average caseload for Adult Probation CBI Officers was **33** probationers for rural areas and **36** for urban areas. CBI cases involve the supervision of a high/very-high risk specific probationers group. **47%** of adult probationers are CBI, which can be felony or misdemeanor



- The average caseload for Adult CBR Officers was **78** for rural areas and **115** for urban areas. CBR cases involve the supervision of a moderate-to-low risk specific probationer group. Thirty-six percent of probationers are CBR, which can be felony or misdemeanor

- The average caseload of an Adult Probation Specialized Substance Abuse Supervision Officer was **20** for rural areas and **25** for urban areas. At the end of June 2020, a total of **1,855** (14.6%) of the state's adult probation system are involved in SSAS



Specialized Substance Abuse Supervision (SSAS) was created in response to prison overcrowding experienced in Nebraska specifically in the 2000's. Drawn from evidence-based practices, SSAS is a sentencing alternative that combines intensive supervision with substance abuse treatment as a means of crime control. Highly trained officers work with a select population of individuals experiencing substance abuse or dependency and have also been identified as having anti-social, pro-criminal tendencies.

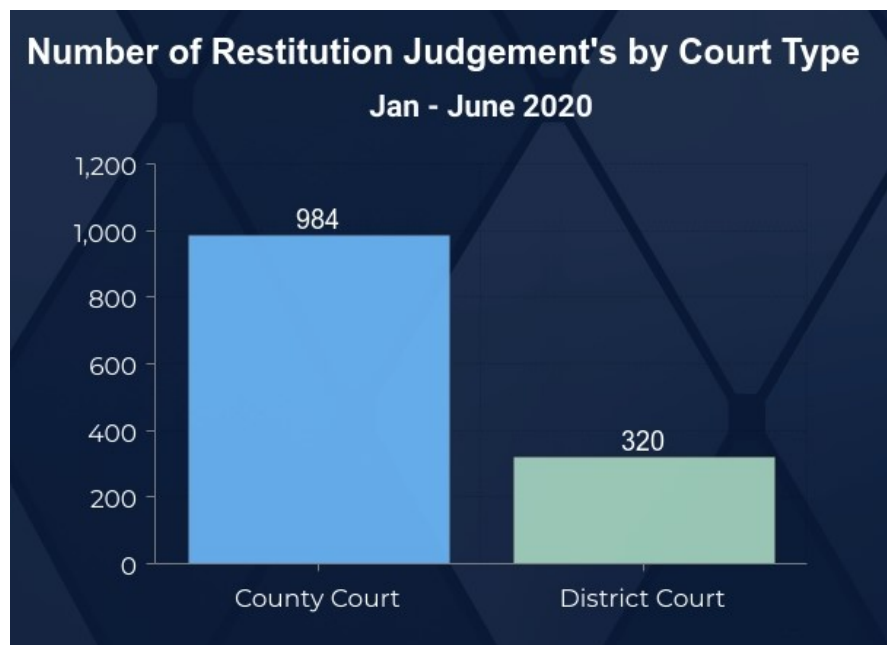
The target population for the program is cases with substance abuse problems; and probation has developed risk assessment tools to identify appropriate candidates. Founded on evidence-based principles shown to reduce recidivism by targeting the treatment needs of the probationer, the program combines substance abuse treatment in the community with intensive case management by specially trained probation officers.

GOALS OF SSAS

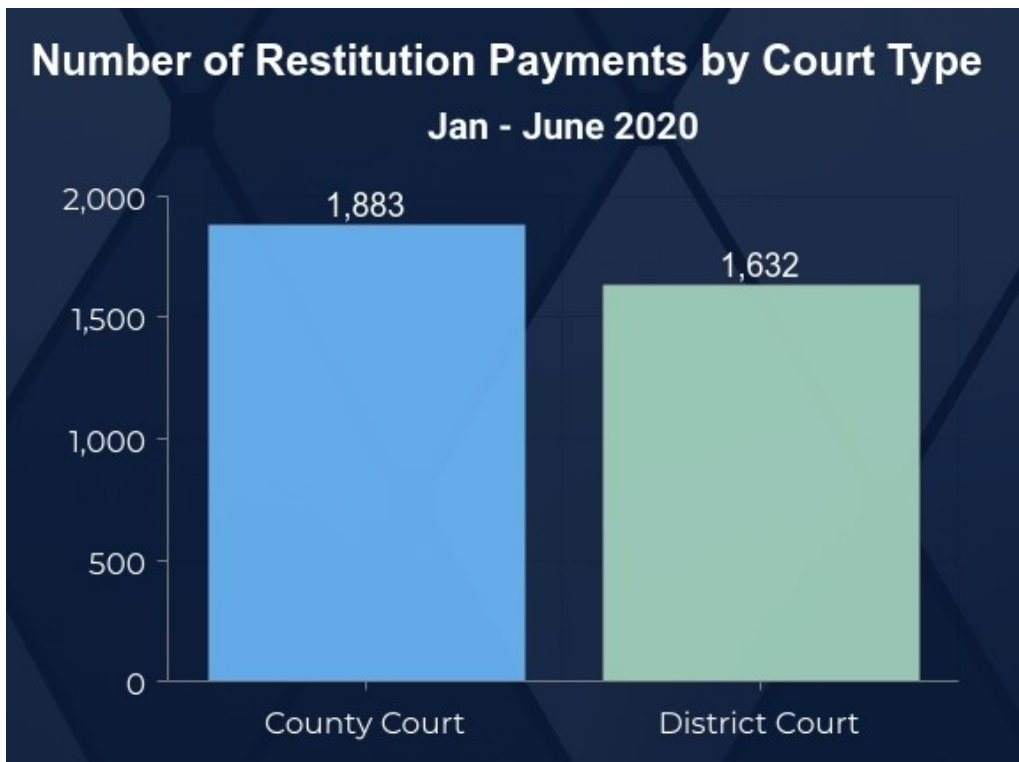
- *Lower Levels of Recidivism and Relapse*
- *Improve Education and Enhance Employability*
- *Facilitate Reintegration into the Community*

RESTITUTION

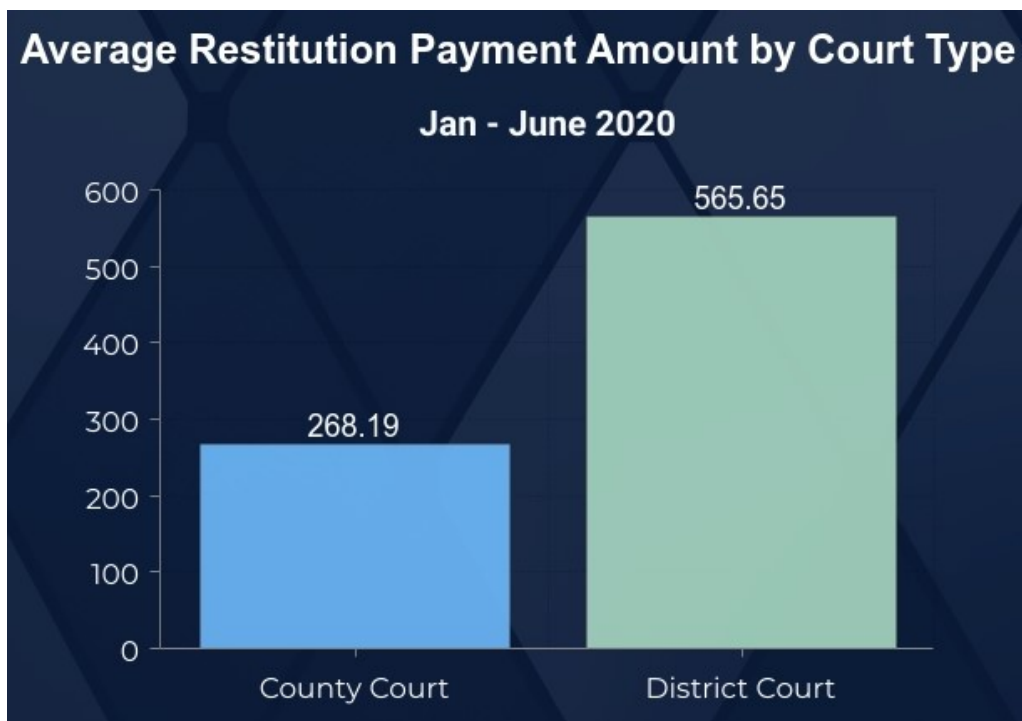
In compliance with state statute, the following charts represent restitution judgements and payments for both county and district courts for the first six months of 2020.



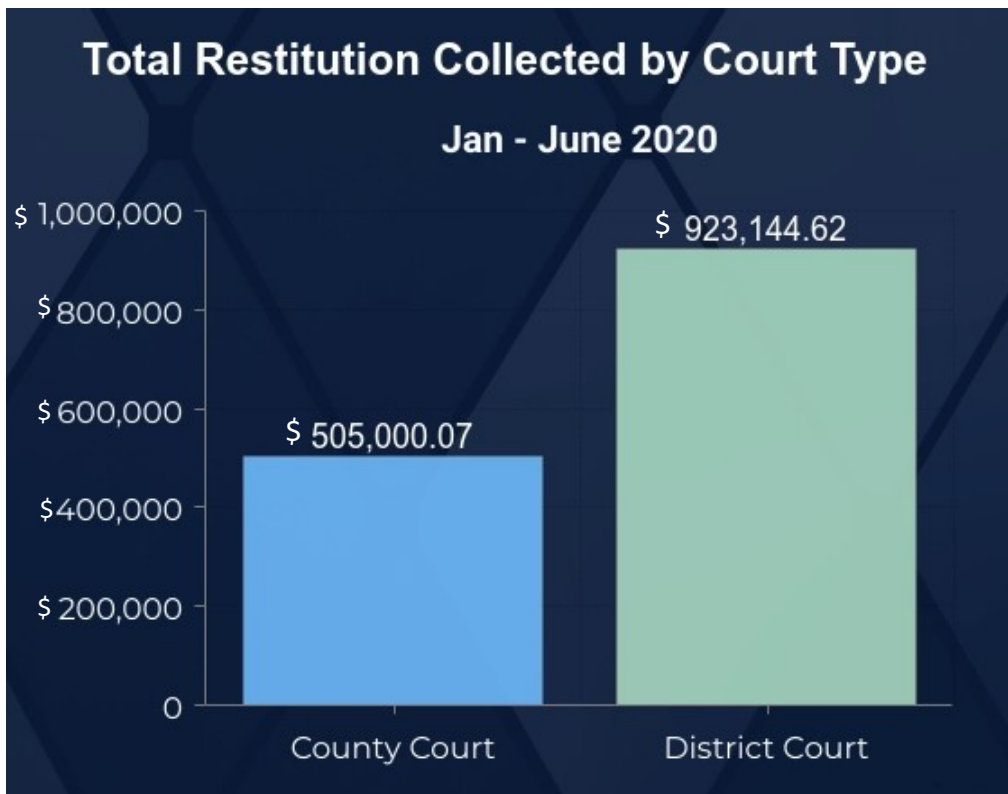
- A total of **1304** judgements for restitution were made during the first six months of 2020, with **984** (69.05%) in county court and **320** (30.95%) in district court



- A total of **3,515** payments were made in the first six months of 2020, with **1,883** (61%) in county court and **1,632** (39%) in district court



- The average restitution payment amount in county court for the first six months of 2020 was **\$268.19** compared to **\$565.65** in district court for the same time period

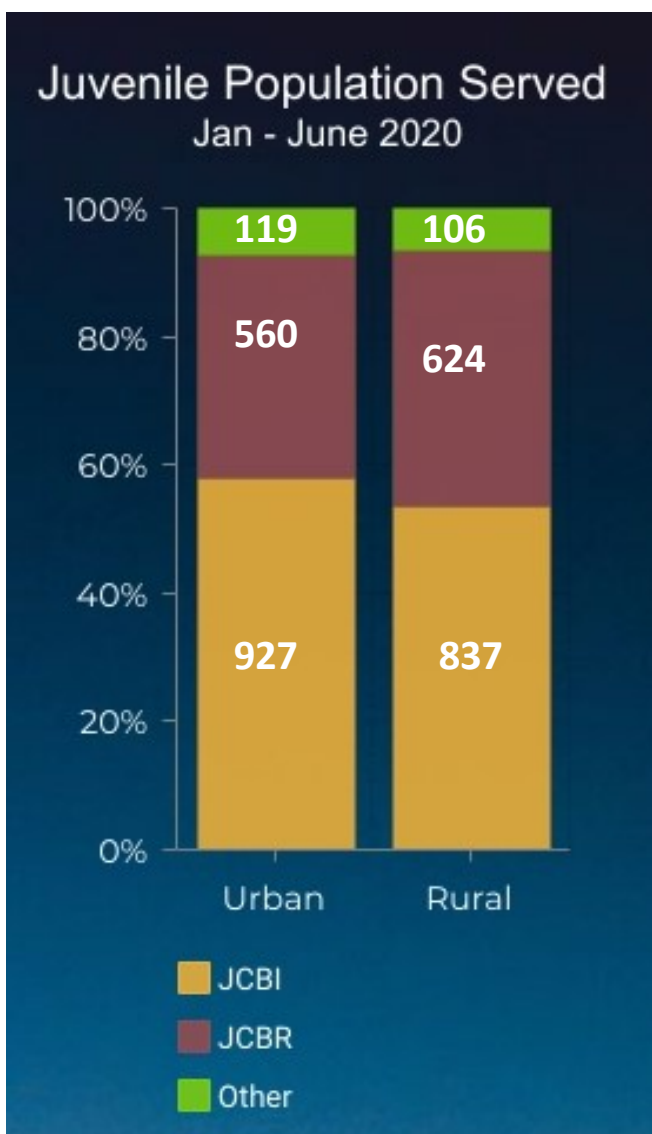


- Total restitution collected in county court for the first six months of 2020 totaled ***\$505,000.07*** compared to ***\$923,144.62*** in district court for the same time period

JUVENILE PROBATION CASES

The juvenile justice system strives to provide supervision and services for youth and families impacting community safety, habilitation and behavior change. Youth in the justice system received a validated risk/needs assessment which assists in the creation of an individualized plan, including adolescent development approaches which research has shown reduces continued delinquent acts.

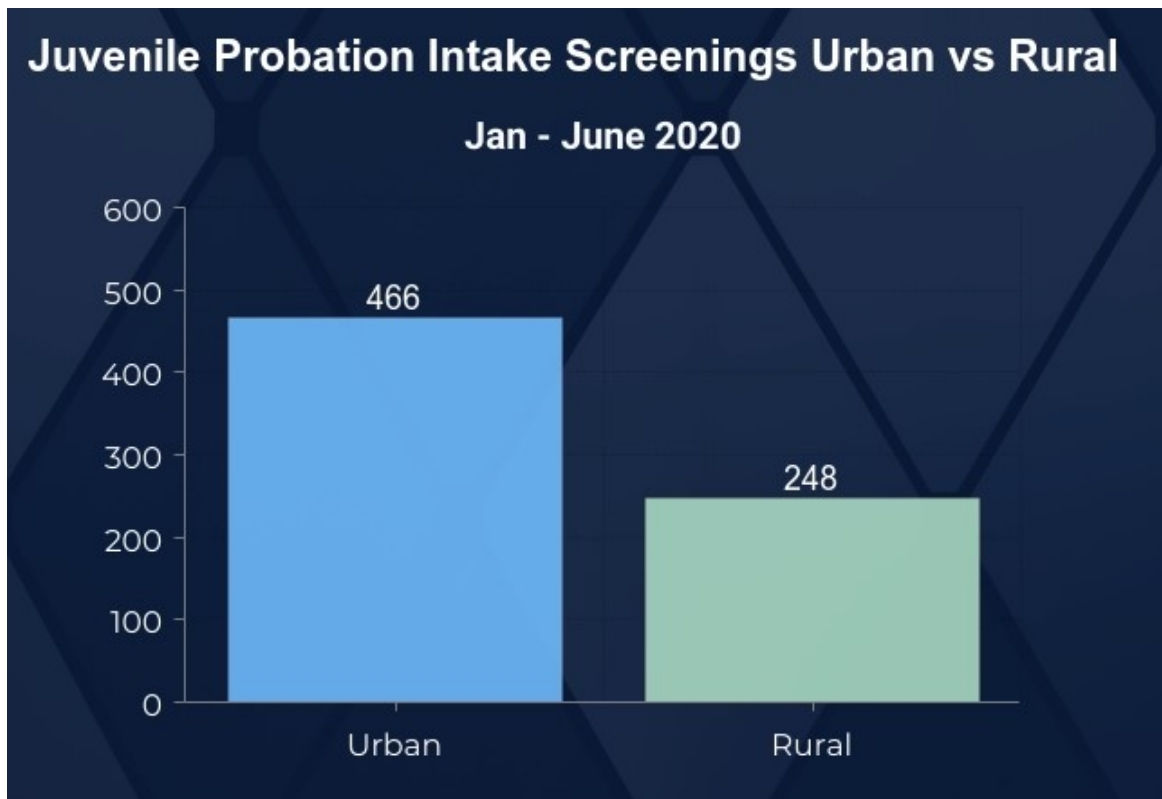
The highest level of supervision for youth on probation is the Juvenile Community-Based Intervention (JCBI) level. JCBI combines intensive supervision with treatment and non-treatment services that correspond with each youth's risk and needs. The Juvenile Community-Based Resource (JCBR) level, is a lower level of intensity for the youth on probation, while under community supervision for optimum success.



- From January 1, 2019 through June 30, 2020, **3,173** youth on probation were supervised
- Active youth cases for the first six months of 2020 totaled **3,173** with **1,567** cases (49%) in rural areas compared to **1,606** cases (51%) in urban areas
- For the first six months of 2020, there were **1,764** (60%) youth served in the JCBI level and a total of **1,184** (40%) youth were served in the JCBR level.
- The Other category consists of youth that have a case management classification status that are awaiting assessment results or are administrative in nature.

JUVENILE INTAKE

Nebraska state statutes § 43-250 through § 43-260 authorizes probation to facilitate the juvenile intake function. This is accomplished through a standardized risk assessment tool that is administered when law enforcement contacts probation for the purpose of assessing an intake decision. The detention screening instrument examines the youth’s risk of further law enforcement contact before the next court hearing and the risk of failing to appear for the court hearing. Juvenile intake is designed to promote the most appropriate services which are the least intrusive and least restrictive to the youth and family, balancing what is in the best interest of the youth and safety of the community.



- Juvenile Probation Intake Screenings for the first six months of 2020 totaled **714** with 65% occurring in urban areas and 35% in rural areas
- Of the Intake screenings completed, **326** were detained as a result of the intake

JUVENILE PREDISPOSITION INVESTIGATIONS

Probation officers complete comprehensive investigations including both the youth and family which aid the court in making dispositional decisions. Once a youth is adjudicated and the predisposition investigation is ordered a variety of investigation, assessment, and evaluative tools are utilized to make recommendation to the court. Completion of a comprehensive investigation early on in the juvenile justice process identifies the targeted supervision and service needs that are most effective and will result in risk reduction and successful completion of probation.



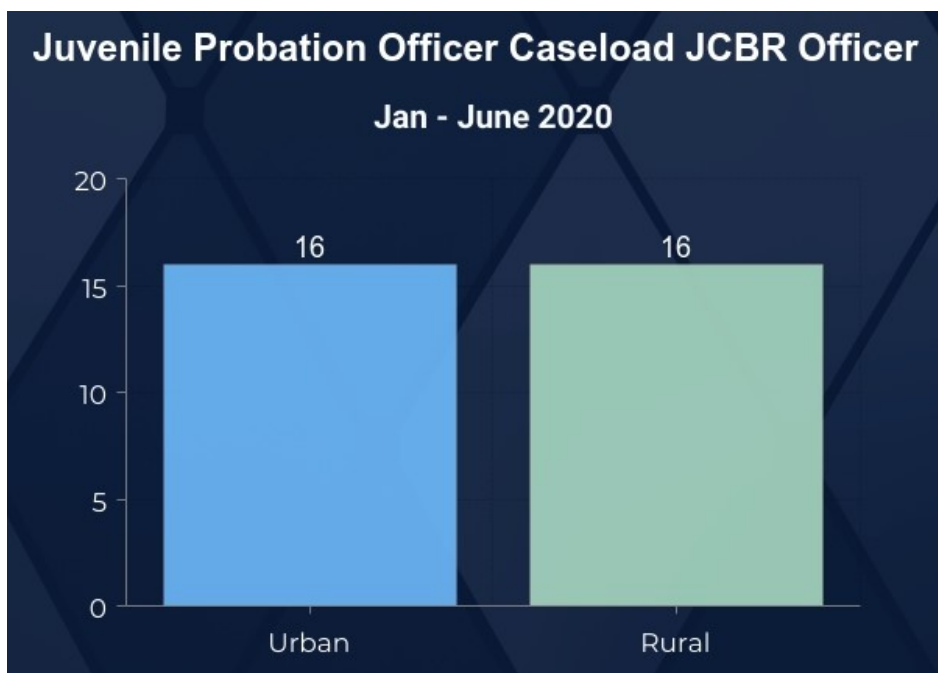
- Juvenile Probation investigations completed for the first six months of 2020 totaled **1,104** with **445** (40%) for urban areas compared to **659** (60%) for rural areas

JUVENILE PROBATION OFFICER CASELOADS

The Juvenile Services Division statewide oversight of 12 districts covering all 93 counties in Nebraska. To ensure Probation officers supervising youth in each district are able to target the individual risk and needs caseload numbers are tracked regularly and matched with national research expectations.



- For the first half of 2020, the average caseload for a JCBI Probation officer was **14** cases in urban areas and **16** cases in rural areas



- The average caseload for JCBR officer was **16** in urban and **16** in rural areas