

OFFICE OF PROBATION ADMINISTRATION

Administrative Office of Probation's 2016-2017 Fiscal Year report on Adult Community Corrections Programs, Facilities, Tools, Services and Supervision

Executive Summary

Under the structure of the Nebraska Supreme Court and the Administrative Office of the Courts & Probation, Probation has faithfully worked to improve the safety of all Nebraskans, and moreover, to assist all juveniles and adults under our supervision to become productive citizens.

Probation officers 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 this goal. Providing this purposeful intervention, Nebraska Probation strives to continue to impact community safety for the better.

During Fiscal Year 2016-17, the positive impact Probation made on community safety continued to be apparent. Further, Probation's contribution to adult Justice Reinvestment (JRI) efforts in Nebraska took hold and demonstrate how Probation is a cost-effective means of accomplishing community safety and exemplifies community corrections at its very core.

In short, during FY16-17 the Administrative Office of Probation:

- ❖ Completed 10,098 presentence investigations (PSIs), and 443 post-release supervision plans. Both numbers are significantly higher than the number of investigation completed in the previous fiscal year (9,693 PSIs, 71 PRS plans).
- ❖ Provided case management for 5,143 high-risk individuals during FY16-17, an increase of 1,497 over FY14-15. Additionally, Problem Solving Courts served 125 more individuals in FY16-17 when compared to FY14-15 (705 FY16-17; 580 FY14-15). This marks a net-gain of 805, high-risk individuals.
- ❖ Supervised 1,070 individuals under post-release supervision, a new classification of probationer brought about by JRI.
- ❖ Experienced a rise in the overall risk-level of the population served. Yet, despite the increase in risk level, Probation's success rate remained almost steady, with 70% of all individuals completing their term of probation successfully.

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- ❖ Demonstrated a significant reduction in the overall risk-level of high-risk individuals in both probationers and problem solving court participants.
- ❖ Observed Reporting and Service Center program and service utilization jump exponentially, serving 2,493 (193%) more unique individuals in FY16-17 than in FY15-16, while also experiencing a 207% jump (3,718 to 7,700) in program referrals.
- ❖ Collected a total of 442,511 chemical tests, compared with 400,556 the previous year.
- ❖ Positively impacted the number of individuals revoked to a state correctional facility. The number of individuals being revoked off of probation to a state prison for a new law violation dropped 5%, (62% to 57%), while those revoked to prison for technical violations dropped 7%-points from 52% to 45%.
- ❖ Experienced a dramatic increase in the utilization of administrative and custodial sanctions as a means to avoid revocation proceedings. Administrative sanctions rose to 13,440 in FY16-17, while 1,056 custodial sanctions, which did not exist until August, 2015 and call for a term of incarceration in a county jail in lieu of revocation proceedings, were deployed during the fiscal year.
- ❖ Continued to be a cost-effective means of offender rehabilitation and community safety. During FY 16-17, it cost:
 - Approximately \$3.59 per day to supervise a lower-risk probationer
 - Approximately \$5.70 for a high-risk probationer
 - Approximately \$11.26 per day to supervise those individuals in specialized programs such as Specialized Substance Abuse Supervision.
 - Approximately \$7.55 per day to supervise those with involvement in a Problem Solving Court.

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The Administrative Office of Probation (AOP) 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 this goal. Providing this purposeful intervention, Nebraska Probation strives to impact community safety for the better across all 93 of Nebraska's counties and 12 Judicial Districts. Probation's programs and services are implemented in such a way to create constructive change through rehabilitation, collaboration, and partnership, 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 it in its decision making, resource allocation, service provision and case management. These assessment instruments are the foundation for everything the office does, which includes the compilation of Presentence Investigations, 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 very low risks to recidivate, to those assessed to be at the very highest risks to recidivate – covering the 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 Class IV Felonies committed after the effective date of the new law are presumed to be destined for probation.

Additionally, a new category of probationers, known as post-release supervision (PRS) probationers, was also created. Statutorily, a minimum of nine-months of PRS is required to be imposed on any individual sentenced to a term of incarceration of any length for any Class III, Class IIIA or Class IV Felony committed on or after August 30, 2015. While a nine-month term of PRS is the minimum, PRS terms of up to 12 months are allowed in Class IV Felonies, 18 months in Class IIIA Felonies and up to 24 months on Class III felonies.

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In an effort to reduce the number of individuals being revoked off of probation for technical (non-criminal, substance use, etc.) reasons, Justice Reinvestment Initiatives directed Probation’s incentives and sanctions matrix be reworked and added custodial sanctions as an alternative for Courts and probation in lieu of formal revocation. 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 actually 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 demonstrable reduction in their assessed risk to recidivate. This is also a critical feature of JRI, as probation resources continue a 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.

INVESTIGATIONS

Presentence Investigations (PSI) -- are ordered by the Court and are designed to assist a judge in determining an appropriate sentence. PSIs 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.

PSIs are also used by the probation office to assist in the assessment of the 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 (NCDS) for their use in classification and/or program planning.

| | FY 14-15 | FY 15-16 | FY 16-17 |
|-----------------------------|-----------------|-----------------|-----------------|
| Total Investigations | 9,547 | 9,693 | 10,098 |

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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, completed 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 inmates discharge from NDCS custody on to PRS, Probation staff submit a revised Post-release Supervision Plan to the court which includes a Community Needs & 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 & safety plans, among other things.

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 14-15 | FY 15-16 | FY 16-17 |
|------------------------|-----------------|-----------------|-----------------|
| Total PRS Plans | NA | ***71 | 443 |

*** FY15-16 number only covers February 18, 2016 to June 30, 2016.

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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 recidivate, as well as to prioritize the management and case and treatment planning for male and female adult offenders. The LS-CMI is used in all District Court cases, as well as other specified misdemeanor populations.

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. Further, on the heels of the research, the AOP 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 and guides the probation officer in determining selection of conducting a Level of Service, Case Management Inventory or Nebraska Adult Probation Screen – Needs.

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.

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Vermont Assessment of Sex Offender Risk (VASOR) -- measures both static and dynamic risk factors to re-offend sexually, as well as an overall risk to reoffend. The VASOR is utilized in addition to the LS-CMI in any 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.

PROGRAMS

The methods the Nebraska Probation System utilizes to accomplish case management includes a variety of program strategies relative to evidence-based research including assessment, motivational interviewing, matching of appropriate treatment, facilitating cognitive behavioral and other groups, developing pro-social skills, engaging positive support systems, case planning, and the use of relevant 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 probationers present unique challenges in case management, special approaches to management of these cases is taken and special programming is used to target these unique needs.

LEVELS OF CASE MANAGEMENT/SUPERVISION

Responsive case management levels of supervision are established during the Investigation stage or after sentencing if a case is a direct probation and are based on assessed risk and classification. Probation officers apply responsive case management strategies in a consistent and comprehensive manner relative to the targeted risk level to accomplish case management.

Community Based Resources (CBR) -- Adult Community-Based Resource Probation officers will broker, or refer, for targeted services within the local community, and probationers

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will be actively supervised with focused supervision done on areas identified by the risk assessment tool to be at high risk.

In accordance with national standards, caseload sizes for officer-to-probationer ratios at Community Based Resources vary from 1-100 for those assessed at CBR-medium-high to 1-1,500 for those that are in administrative status or are assessed as very low risks to recidivate.

Funding for Community Based Resources (CBR) comes from the probation general fund. The average cost to supervise a CBR probationer per-day is approximately \$3.59.

| Offender Demographics CBR | FY 14-15 | FY 15-16 | FY 16-17 |
|--|-----------------|-----------------|-----------------|
| Gender | | | |
| Female | 3033 | 2881 | 2779 |
| Male | 5987 | 5687 | 5424 |
| | 9020 | 8568 | 8203 |
| Age | | | |
| Under 18 | 78 | 37 | 14 |
| 18-20 | 1045 | 952 | 872 |
| 21-25 | 2179 | 2030 | 1940 |
| 26-30 | 1423 | 1361 | 1350 |
| 31-35 | 1055 | 1064 | 1022 |
| 36-40 | 878 | 837 | 812 |
| 41+ | 2362 | 2286 | 2193 |
| | | | |
| Race/Ethnicity | | | |
| American Indian or Alaskan Native | 172 | 161 | 181 |
| Asian or Pacific Islander | 99 | 97 | 124 |
| Black | 725 | 721 | 723 |
| Other | 1100 | 1015 | 962 |
| White | 6924 | 6574 | 6213 |
| Hispanic Origin | 1268 | 1241 | 1237 |
| Not of Hispanic Origin | 7752 | 7327 | 6966 |
| | | | |
| Marital Status | | | |
| Single | 5316 | 4966 | 4819 |
| Married | 1912 | 1798 | 1679 |
| Separated/Divorced/Widowed | 1521 | 1468 | 1375 |
| Unknown | 271 | 336 | 330 |

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| | | | |
|---------------------------------|-------------|-------------|-------------|
| | | | |
| Education Level at Entry | | | |
| 8th Grade or Less | 335 | 306 | 310 |
| 9th Through 11th Grade | 812 | 727 | 652 |
| 12th Grade or GED | 3779 | 2874 | 4170 |
| Vocational/Some College | 2184 | 1852 | 2014 |
| College or Above | 1246 | 1092 | 1012 |
| Unknown | 664 | 1717 | 45 |

| Offense Category CBR Probation | Offense Type | FY 14-15 | FY 15-16 | FY 16-17 |
|---------------------------------------|---------------------|-----------------|-----------------|-----------------|
| Assaultive Act | Felony | 161 | 115 | 105 |
| | Misdemeanor | 322 | 334 | 337 |
| | Other | 1 | 1 | 0 |
| Burglary | Felony | 111 | 96 | 74 |
| | Misdemeanor | 0 | 4 | 2 |
| | Other | 0 | 0 | 0 |
| Compliance | Felony | 63 | 36 | 36 |
| | Misdemeanor | 216 | 206 | 174 |
| | Other | 0 | 2 | 0 |
| Dangerous Drugs | Felony | 820 | 495 | 535 |
| | Misdemeanor | 88 | 264 | 192 |
| | Other | 6 | 5 | 1 |
| Family Offense | Felony | 43 | 42 | 48 |
| | Misdemeanor | 130 | 149 | 141 |
| | Other | 0 | 0 | 0 |
| Homicide | Felony | 13 | 12 | 12 |
| | Misdemeanor | 19 | 25 | 28 |
| | Other | 0 | 0 | 0 |
| Kidnapping | Felony | 4 | 3 | 5 |
| | Misdemeanor | 1 | 2 | 0 |
| | Other | 0 | 0 | 0 |
| Property & Fiscal | Felony | 583 | 467 | 451 |
| | Misdemeanor | 417 | 440 | 419 |

The information contained within this report was collected and analyzed from the Administrative Office of Probation's case management system. This analysis, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution, without expressed written consent of the author is prohibited. The author will not be held responsible for any mismanagement of confidential information

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| | | | | |
|------------------------|-------------|-------|-------|------|
| | Other | 0 | 0 | 0 |
| Robbery | Felony | 24 | 22 | 20 |
| | Misdemeanor | 0 | 3 | 1 |
| | Other | 0 | 0 | 0 |
| Sex Offense | Felony | 5 | 1 | 1 |
| | Misdemeanor | 6 | 2 | 1 |
| | Other | 1 | 2 | 1 |
| Traffic Offense | Felony | 140 | 128 | 142 |
| | Misdemeanor | 5,330 | 4,899 | 4437 |
| | Other | 9 | 10 | 7 |
| Weapon Offense | Felony | 46 | 52 | 145 |
| | Misdemeanor | 19 | 39 | 772 |
| | Other | 2 | 1 | 37 |
| Unknown | Felony | 67 | 87 | 46 |
| | Misdemeanor | 337 | 597 | 29 |
| | Other | 36 | 27 | 4 |
| Total | Felony | 2,080 | 1,556 | 1620 |
| | Misdemeanor | 6,885 | 6,964 | 6533 |
| | Other | 55 | 48 | 50 |
| | | | | 8203 |

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Community Based Intervention/Intensive Supervision Probation (CBI/ISP) – CBI/ISP targets those assessed at an elevated risk to recidivate, 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 precipitating 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 offense, 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. Specifically:

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

Individuals on probation involving aspects of sexual deviancy will be 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 abuse 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, 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 upon demonstration of stability in their work, sobriety and life.

In accordance with national standards, caseload sizes for officer-to-probationer 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 average cost to supervise a CBI/ISP probationer per-day is approximately \$5.70.

| Community Based Intervention (CBI) High Risk | FY 14-15 | FY 15-16 | FY 16-17 |
|---|-----------------|-----------------|-----------------|
| CBI Domestic Violence | 858 | 906 | 1086 |
| CBI Sex Offender | 287 | 272 | 406 |
| | | | |

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| Offender Demographics CBI (Intensive Supervision) | FY 14-15 | FY 15-16 | FY16-17 |
|--|----------|----------|---------|
| Gender | | | |
| Female | 814 | 883 | 1029 |
| Male | 2832 | 2933 | 3044 |
| | 3646 | 3816 | 4073 |
| Age | | | |
| Under 18 | 57 | 45 | 33 |
| 18-20 | 537 | 505 | 502 |
| 21-25 | 777 | 812 | 877 |
| 26-30 | 613 | 627 | 663 |
| 31-35 | 503 | 558 | 614 |
| 36-40 | 384 | 390 | 414 |
| 41+ | 775 | 879 | 970 |
| | | | |
| Race/Ethnicity | | | |
| American Indian or Alaskan Native | 118 | 105 | 130 |
| Asian or Pacific Islander | 27 | 33 | 45 |
| Black | 449 | 472 | 551 |
| Other | 377 | 372 | 368 |
| White | 2675 | 2834 | 2979 |
| Hispanic Origin | 422 | 451 | 482 |
| Not of Hispanic Origin | 3224 | 3365 | 3591 |
| | | | |
| Marital Status | | | |
| Single | 2240 | 2330 | 2441 |
| Married | 576 | 597 | 675 |
| Separated/Divorced/Widowed | 643 | 698 | 745 |
| Unknown | 187 | 191 | 212 |
| | | | |
| Education Level at Entry | | | |
| 8th Grade or Less | 78 | 79 | 97 |
| 9th Through 11th Grade | 632 | 626 | 625 |
| 12th Grade or GED | 1837 | 1668 | 2283 |
| Vocational/Some College | 677 | 661 | 778 |

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| | | | |
|------------------|-----|-----|-----|
| College or Above | 215 | 206 | 198 |
| Unknown | 207 | 576 | 92 |

| Offense Category CBI (Intensive Supervision) | Offense Type | FY 14-15 | FY 15-16 | FY 16-17 |
|---|--------------|----------|----------|----------|
| Assaultive Act | Felony | 191 | 140 | 162 |
| | Misdemeanor | 667 | 766 | 865 |
| | Other | 0 | 0 | 1 |
| Burglary | Felony | 154 | 115 | 102 |
| | Misdemeanor | 0 | 2 | 3 |
| | Other | 0 | 0 | 0 |
| Compliance | Felony | 43 | 36 | 43 |
| | Misdemeanor | 107 | 111 | 134 |
| | Other | 0 | 0 | 0 |
| Dangerous Drugs | Felony | 662 | 462 | 521 |
| | Misdemeanor | 18 | 176 | 169 |
| | Other | 5 | 3 | 4 |
| Family Offense | Felony | 44 | 47 | 38 |
| | Misdemeanor | 65 | 53 | 68 |
| | Other | 0 | 0 | 0 |
| Homicide | Felony | 6 | 8 | 6 |
| | Misdemeanor | 4 | 1 | 2 |
| | Other | 0 | 0 | 0 |
| Kidnapping | Felony | 4 | 5 | 8 |
| | Misdemeanor | 4 | 7 | 9 |
| | Other | 0 | 0 | 0 |
| Property & Fiscal | Felony | 199 | 211 | 175 |
| | Misdemeanor | 123 | 130 | 131 |
| | Other | 0 | 0 | 0 |
| Robbery | Felony | 31 | 27 | 22 |
| | Misdemeanor | 0 | 2 | 2 |
| | Other | 0 | 0 | 0 |

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| | | | | |
|------------------------|--------------------|--------------|--------------|-------------|
| Sex Offense | Felony | 254 | 227 | 219 |
| | Misdemeanor | 32 | 44 | 40 |
| | Other | 1 | 1 | 4 |
| Traffic Offense | Felony | 149 | 146 | 145 |
| | Misdemeanor | 552 | 554 | 480 |
| | Other | 0 | 1 | 0 |
| Weapon Offense | Felony | 26 | 35 | 34 |
| | Misdemeanor | 14 | 11 | 16 |
| | Other | 0 | 0 | 1 |
| Unknown | Felony | 25 | 78 | 127 |
| | Misdemeanor | 217 | 370 | 482 |
| | Other | 49 | 47 | 60 |
| Total | Felony | 1,788 | 1,537 | 1602 |
| | Misdemeanor | 1,803 | 2,227 | 2401 |
| | Other | 55 | 52 | 70 |

Alternatives to Incarceration (AI) – Adult Alternatives to Incarceration (AI) Probation is a supervision approach intended for probationers at CBI who are considered to be at the highest risk to reoffend, are being supervised by specialized populations officer within a specialized programs and/or are participating in problem solving courts. These individuals may also be on probation or are 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-probationer ratios at Alternatives to Incarceration populations is 1-24, with Problem Solving Court caseload sizes carrying a ratio of 1-30.

Funding for Alternatives to Incarceration (AI), which includes Specialized Substance Abuse Supervision (SSAS), Post-release supervision (PRS), Reframe and Transitional Intervention Program (PRS) comes from the probation general fund. The average cost to supervise an AI probationer per-day is approximately \$11.26.

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Post-release Supervision (PRS) – with limited exceptions, following the passage of Justice Reinvestment initiatives in 2015, 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, IIIA and IV felony.

| | FY 14-15 | FY 15-16 | FY 16-17 |
|-------------------------|-----------------|-----------------|-----------------|
| PRS Probationers | NA | ***169 | 1,070 |

*** FY15-16 number only covers August 30, 2015 to June 30, 2016.

| Post Release Supervision Demographics | FY 16-17 |
|--|-----------------|
| Female | 227 |
| Male | 843 |
| | 1,070 |
| | |
| Age | |
| Under 18 | 0 |
| 18 to 20 | 43 |
| 21 to 25 | 169 |
| 26 to 30 | 196 |
| 31 to 35 | 196 |
| 36 to 40 | 155 |
| 41+ | 311 |
| | |
| Race/Ethnicity | |
| American Indian or Alaska Native | 73 |
| Asian or Pacific Islander | 10 |
| Black | 276 |
| Other | 92 |
| White | 619 |
| Hispanic Origin | 122 |
| Not of Hispanic Origin | 948 |

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| | |
|---------------------------------|-----|
| Marital Status | |
| Single | 665 |
| Married | 102 |
| Separated/Divorced/Widowed | 147 |
| Unknown | 156 |
| | |
| Education Level at Entry | |
| 8th Grade Or Less | 67 |
| 9th Through 11th Grade | 280 |
| 12th Grade or GED | 562 |
| Vocational/Some College | 112 |
| College or Above | 18 |
| Unknown | 30 |

PRS Offense Categories

| Offense Category PRS | | FY 16-17 |
|------------------------|-------------|----------|
| Assaultive Acts | Felony | 167 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Burglary | Felony | 6 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Compliance | Felony | 56 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Dangerous Drugs | Felony | 333 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Family Offense | Felony | 10 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Homicide | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |

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| | | |
|------------------------|--------------------|-------------|
| Kidnapping | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Property Fiscal | Felony | 170 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Robbery | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Sex Offense | Felony | 61 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Traffic Offense | Felony | 113 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Weapon Offense | Felony | 37 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Unknown | Felony | 116 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Total | Felony | 1070 |
| | Misdemeanor | 0 |
| | Other | 0 |

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

Justice Reinvestment efforts called for the expansion of SSAS. Additional resources were placed to expand capacity in existing SSAS locations and new sites were established in Gage, Adams and Lincoln counties. Although individuals are supervised with “SSAS-like conditions” statewide, to be considered to be truly involved in a SSAS program, the probationer must be involved at a location with a Reporting Center and under the supervision of a SSAS Officer. As

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such, there are several categories of SSAS probationers. These include: SSAS, PRS-SSAS and CBI-SSAS. CBI-SSAS probationers are those that are supervised with “SSAS like conditions”, but in a location without a SSAS officer or a Reporting Center.

As part of their case management, SSAS participants receive substance use services to include evaluation and treatment, relevant Reporting Center Services, random and frequent chemical testing, and cognitive groups. Probation officers managing a case 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, mental health or other qualifying services.

**** PLEASE NOTE: Due to budget issues, Parole ceased participation in the SSAS program in FY15-16. Further, new programming developed in response to JRI, designed to meet the individual needs of those without substance use issues, or those with high criminogenic risk/needs in all categories, commenced in January, 2017. Until that date, the highest risk individuals were supervised within the SSAS program. As of January 1, 2017, those individuals not specifically fitting the SSAS Criteria were referred to either the Reframe or Transitional Intervention Program (TIP).**

| Offender Demographics SSAS | FY 14-15 | FY 15-16 | FY 16-17 |
|----------------------------|------------|------------|------------|
| Gender | | | |
| Female | 105 | 173 | 240 |
| Male | 300 | 425 | 716 |
| | | | 956 |
| Age | | | |
| Under 18 | | | 5 |
| 18-20 | 23 | 46 | 102 |
| 21-25 | 74 | 133 | 223 |
| 26-30 | 89 | 102 | 148 |
| 31-35 | 83 | 114 | 141 |
| 36-40 | 48 | 66 | 101 |
| 41+ | 88 | 137 | 236 |
| | | | |
| | | | |

OFFICE OF PROBATION ADMINISTRATION

| | | | |
|---|------------|------------|------------|
| Race/Ethnicity | | | |
| American Indian or Alaskan Native | 13 | 16 | 45 |
| Asian or Pacific Islander | 3 | 8 | 11 |
| Black | 46 | 72 | 174 |
| Other | 33 | 62 | 91 |
| White | 310 | 440 | 635 |
| Hispanic Origin | 36 | 78 | 133 |
| Not of Hispanic Origin | 369 | 520 | 823 |
| | | | |
| Marital Status | | | |
| Single | | | 583 |
| Married | | | 113 |
| Separated/Divorced/Widowed | | | 161 |
| Unknown | | | 99 |
| | | | |
| Educational Level at Entry | | | |
| 8th Grade or Less | | | 23 |
| 9th through 11th Grade | | | 172 |
| 12th Grade or DED | | | 530 |
| Vocational/Some College | | | 171 |
| College or Above | | | 36 |
| Unknown | | | 24 |

SSAS Crime Types:

| Offense Category SSAS | | FY 16-17 |
|------------------------------|--------------------|-----------------|
| Assaultive Acts | Felony | 43 |
| | Misdemeanor | 105 |
| | Other | 0 |
| Burglary | Felony | 28 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Compliance | Felony | 15 |
| | Misdemeanor | 17 |
| | Other | 0 |

OFFICE OF PROBATION ADMINISTRATION

| | | |
|------------------------|--------------------|------------|
| Dangerous Drugs | Felony | 342 |
| | Misdemeanor | 30 |
| | Other | 2 |
| Family Offense | Felony | 4 |
| | Misdemeanor | 7 |
| | Other | 0 |
| Homicide | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Kidnapping | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Property Fiscal | Felony | 93 |
| | Misdemeanor | 16 |
| | Other | 0 |
| Robbery | Felony | 4 |
| | Misdemeanor | 2 |
| | Other | 0 |
| Sex Offense | Felony | 5 |
| | Misdemeanor | 2 |
| | Other | 0 |
| Traffic Offense | Felony | 52 |
| | Misdemeanor | 65 |
| | Other | 0 |
| Weapon Offense | Felony | 17 |
| | Misdemeanor | 1 |
| | Other | 0 |
| Unknown | Felony | 39 |
| | Misdemeanor | 65 |
| | Other | 0 |
| Total | Felony | 644 |
| | Misdemeanor | 310 |
| | Other | 2 |

OFFICE OF PROBATION ADMINISTRATION

Reframe – is designated for the highest risk individual that does 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 probationer is on criminal-thinking and other recurring behaviors that have led the person 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 participants meeting financial criteria are eligible for financial assistance to obtain substance use, mental health or other qualifying services.

Reframe: REMINDER – Reframe did not officially exist as a classification until January 1, 2017. Therefore, the numbers below reflect only the period of time covered from January 1, 2017 to June 30, 2017.

| Reframe Demographics | FY 16-17 |
|---|-----------|
| | |
| Female | 13 |
| Male | 31 |
| Total | 44 |
| | |
| Age | |
| Under 18 | 0 |
| 18 to 20 | 7 |
| 21 to 25 | 10 |
| 26 to 30 | 6 |
| 31 to 35 | 6 |
| 36 to 40 | 3 |
| 41+ | 12 |
| | |
| Race/Ethnicity | |
| American Indian or Alaska Native | 1 |
| Asian or Pacific Islander | 1 |
| Black | 12 |
| Other | 2 |
| White | 28 |
| Hispanic Origin | 4 |

OFFICE OF PROBATION ADMINISTRATION

| | |
|-----------------------------------|-----------|
| Not of Hispanic Origin | 40 |
| | |
| Marital Status | |
| Single | 25 |
| Married | 4 |
| Separated/Divorced/Widowed | 7 |
| Unknown | 8 |
| | |
| Education Level at Entry | |
| 8th Grade Or Less | 7 |
| 9th Through 11th Grade | 15 |
| 12th Grade or GED | 18 |
| Vocational/Some College | 1 |
| College or Above | 0 |
| Unknown | 3 |

Offense Category Reframe:

| Offense Category Reframe | | FY 16-17 |
|---------------------------------|--------------------|-----------------|
| Assaultive Acts | Felony | 6 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Burglary | Felony | 5 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Compliance | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Dangerous Drugs | Felony | 13 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Family Offense | Felony | 1 |
| | Misdemeanor | 0 |

OFFICE OF PROBATION ADMINISTRATION

| | | |
|-----------------|-------------|----|
| | Other | 0 |
| Homicide | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Kidnapping | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Property Fiscal | Felony | 12 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Robbery | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Sex Offense | Felony | 2 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Traffic Offense | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Weapon Offense | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Unknown | Felony | 3 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Total | Felony | 44 |
| | Misdemeanor | 0 |
| | Other | 0 |

OFFICE OF PROBATION ADMINISTRATION

Transitional Intervention Program (TIP): is designated for the highest of the high-risk probationers that have demonstrated elevated levels of criminogenic (crime-producing) need in all assessed areas. The interventional-focus for a TIP probationer is on criminal-thinking and containment.

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 participants are generally monitored for a period of time on global-positioning electronic monitoring.

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

REMINDER – TIP did not officially exist as a classification until January 1, 2017. Therefore, the numbers below reflect only the period of time covered from January 1, 2017 to June 30, 2017.

| TIP Demographics | FY 16-17 |
|---|----------|
| | |
| Female | 0 |
| Male | 2 |
| Total | 2 |
| | |
| Age | |
| Under 18 | 0 |
| 18 to 20 | 0 |
| 21 to 25 | 0 |
| 26 to 30 | 1 |
| 31 to 35 | 1 |
| 36 to 40 | 0 |
| 41+ | 0 |
| | |
| Race/Ethnicity | |
| American Indian or Alaska Native | 0 |
| Asian or Pacific Islander | 0 |
| Black | 1 |

OFFICE OF PROBATION ADMINISTRATION

| | |
|-----------------------------------|----------|
| Other | 0 |
| White | 1 |
| Hispanic Origin | 0 |
| Not of Hispanic Origin | 2 |
| | |
| Marital Status | |
| Single | 1 |
| Married | 1 |
| Separated/Divorced/Widowed | 0 |
| Unknown | 0 |
| | |
| Education Level at Entry | |
| 8th Grade Or Less | 0 |
| 9th Through 11th Grade | 0 |
| 12th Grade or GED | 2 |
| Vocational/Some College | 0 |
| College or Above | 0 |
| Unknown | 0 |

TIP Crime Types:

| Offense Category TIP | | FY 16-17 |
|-----------------------------|--------------------|-----------------|
| Assaultive Acts | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Burglary | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Compliance | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Dangerous Drugs | Felony | 0 |
| | Misdemeanor | 0 |

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| | | |
|-----------------|-------------|---|
| | Other | 0 |
| Family Offense | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Homicide | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Kidnapping | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Property Fiscal | Felony | 1 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Robbery | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Sex Offense | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Traffic Offense | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Weapon Offense | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Unknown | Felony | 0 |
| | Misdemeanor | 0 |
| | Other | 0 |
| Total | Felony | 2 |
| | Misdemeanor | 0 |
| | Other | 0 |

OFFICE OF PROBATION ADMINISTRATION

PROBLEM-SOLVING COURTS

Nationally, drug courts have been a leader in changing the approach of how to work with crime directly relating to social problems, such as substance use and/or mental health. Research supports drug courts as highly effective at keeping drug-addicted offenders out of jail and in treatment, have been proven to reduce drug use and crime while saving money. According to the National Association of Drug Court Professionals, 75% of drug court graduates remain arrest-free at least two years after their release from the program. Drug courts are only one model of problem-solving courts. Other problem-solving court models include domestic violence, mental health, re-entry, and courts specific to veterans.

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

Nebraska Problem-Solving Courts currently operate in all 12 judicial/probation districts. Problem-Solving courts in Nebraska consist of Adult Drug Courts, Juvenile Drug Courts, a Young Adult Court, a DUI Court, Family Drug Courts and Veteran's Treatment Courts. Most problem-solving courts in Nebraska operate under the Administrative Office of Probation, with the exception of the Adult Drug Courts in Douglas and Lancaster Counties, and the Central Nebraska Adult Drug which serves the 9th and 10th Judicial/Probation Districts. Family Drug Courts typically operate within the Courts and the Department of Health and Human Services.

Of the current 22 Nebraska Problem-Solving Courts, 14 are drug courts targeting juveniles, young adults, and adults. In fiscal year 2016-17, these problem-solving courts served 1,072 participants with 226 successfully graduating. In 2016, drug courts in Nebraska have served over 1,000 participants of which 188 have successfully graduated.

The Nebraska Legislature passed LB 919, and the new bill providing expansion of Nebraska Problem-Solving Courts was signed into law by Governor Pete Ricketts in April 2016. LB 919 allows for problem-solving courts to expand to veteran's treatment courts, mental health courts, and re-entry courts. The Nebraska Supreme Court's Problem-Solving Court Committee was recently able to gain approval of Best Practice Standards for Veterans Treatment Courts and is presently working on standards for mental health and re-entry courts.

In accordance with evidenced-based research, all problem-solving court participants are assessed for substance use, mental health, trauma history, trauma-related symptoms, and post-traumatic stress disorder (PTSD). 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, and physical or sexual abuse (Cissner et al., 2013; Green & Rempel, 2012).

Funding for Problem Solving Courts comes Funding for Problem Solving Courts (PSC) comes from the Problem Solving Court general fund. The average cost to supervise a PSC participant per-day is approximately \$7.55 per day.

OFFICE OF PROBATION ADMINISTRATION

| Demographics -Problem Solving Courts | | | |
|--|------------|--------------|--------------|
| | FY14-15 | FY15-16 | FY16-17 |
| Total | 939 | 1,036 | 1,081 |
| Gender | | | |
| Female | 359 | 354 | 376 |
| Male | 580 | 682 | 705 |
| | | | |
| Age | | | |
| Under 18 | | | 50 |
| 18-20 | 101 | 211 | 164 |
| 21-25 | 310 | 271 | 289 |
| 26-30 | 189 | 192 | 202 |
| 31-35 | 147 | 139 | 134 |
| 36-40 | 70 | 81 | 92 |
| 41+ | 122 | 142 | 150 |
| | | | |
| Race/Ethnicity | | | |
| American Indian/ Alaskan Native | 18 | 19 | 27 |
| Asian or Pacific Islander | 7 | 7 | 6 |
| Black | 67 | 96 | 89 |
| Other | 43 | 88 | 90 |
| White | 586 | 826 | 867 |
| Unknown | 1 | 0 | 2 |
| | | | |
| Hispanic Origin | 93 | 113 | 125 |
| Not of Hispanic Origin | 845 | 923 | 954 |
| Unknown | | | 2 |
| | | | |
| Marital Status | | | |
| Single | 133 | 735 | 765 |
| Married Cohabiting | 133 | 108 | 106 |
| Separated/ Divorced/ Widowed | 624 | 157 | 159 |
| Unknown | 48 | 36 | 51 |
| | | | |
| Education Level at Entry | | | |
| 8 th Grade or Less | 21 | 17 | 21 |
| 9 th Through 11 th Grade | 196 | 233 | 208 |
| 12 th Grade or GED | 562 | 608 | 631 |
| Vocational/Some College | 115 | 133 | 145 |
| College or Above | 34 | 36 | 43 |
| Unknown | 4 | 9 | 33 |

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ADULT DRUG AND DUI COURTS

Nebraska Adult Drug and DUI Courts operate under a specially designed court calendar or docket, the purpose of which is to achieve a reduction in recidivism and substance use among non-violent offenders. The court's goal is to increase the participant's likelihood of successful rehabilitation through early, continuous, and intense judicially supervised treatment, frequent random drug testing, community supervision, and the use of appropriate sanctions, incentives and other rehabilitative services. Drug and DUI courts in Nebraska operate under a team approach which consists of a judge, prosecutor, defense counsel, a coordinator, community supervision officer, law enforcement, treatment provider(s), and other ancillary service providers.

There are presently 11 Adult Drug Courts operating in Nebraska. These courts serve the following counties: Gage; Saline; Jefferson; Fillmore; Thayer; Sarpy; Lancaster; Douglas; Merrick; Hamilton; York; Seward; Dodge; Washington; Madison; Antelope; Wayne; Knox; Cuming; Pierce; Holt; Boyd; Rock; Brown; Howard; Sherman; Garfield; Greeley; Custer; Valley; Hall; Buffalo; Adams; Phelps; Kearney; Dawson; Lincoln; Frontier; Gosper; Furnas; and Scotts Bluff Counties.

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

Nebraska DUI Courts operate as a drug court model with impaired drivers. A DUI court is a distinct court docket dedicated to changing the behavior of alcohol/drug dependent offenders arrested for Driving Under the Influence. The goal of DUI Court is to protect public safety by using the drug court model to address the root cause of impaired driving; alcohol, and other substance use.

The only DUI Court in Nebraska is operating in Scotts Bluff County in Gering, and has served 20, 16 and 8 participants in the past three fiscal years.

OFFICE OF PROBATION ADMINISTRATION

| Demographics Adult Drug and DUI Courts: | | | |
|--|----------------|----------------|----------------|
| Gender | FY14-15 | FY15-16 | FY16-17 |
| Female | 351 | 340 | 361 |
| | 40% | 37% | 37% |
| Male | 536 | 582 | 615 |
| | 60% | 63% | 63% |
| Total | 887 | 922 | 976 |
| | | | |
| Race | | | |
| American Indian/ Alaskan Native | 20 | 18 | 24 |
| % | 2% | 2% | 2% |
| Asian Or Pacific Islander | 5 | 6 | 4 |
| % | 1% | 1% | <1% |
| Black | 66 | 69 | 69 |
| % | 7% | 7% | 7% |
| Other | 76 | 70 | 77 |
| % | 9% | 8% | 8% |
| White | 719 | 758 | 800 |
| % | 81% | 82% | 82% |
| Unknown | | | 2 |
| | | | |
| Ethnicity | | | |
| Hispanic Origin | 88 | 95 | 110 |
| | 10% | 10% | 11% |
| Not of Hispanic | 798 | 826 | 864 |
| | 90% | 90% | 89% |
| | | | |
| Age | | | |
| Under 18 | | | 1 |
| 18-20 | 71 | 119 | 136 |
| | 8% | 13% | 14% |
| 21-25 | 288 | 249 | 270 |
| | 32% | 27% | 28% |
| 26-30 | 189 | 192 | 199 |
| | 21% | 21% | 20% |
| 31-35 | 147 | 139 | 131 |
| | 17% | 15% | 13% |
| 36-40 | 70 | 81 | 92 |
| | 8% | 9% | 9% |
| 41 + | 122 | 142 | 147 |
| | 14% | 15% | 15% |
| Under 18 | 0 | 0 | |

Administrator
of Finance

Rick Hixson, IT Data Analyst
Tyson Jenkins, Alternatives to Incarceration Specialist

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JUVENILE DRUG AND YOUNG ADULT COURTS

Nebraska Juvenile Drug Courts operate as a docket within juvenile court for selected delinquency cases. Youth referred to this docket are identified as having problems with alcohol and/or other drugs. The Juvenile Drug Court’s goal is to increase the youth’s likelihood of positive long-term behavioral change through intensive supervision, cognitive restructuring, treatment, and educational support. The Juvenile Drug Court Judge maintains close oversight of each case through regular status hearings with the juvenile drug court team. The Juvenile Drug Court Judge both leads and works as a member of the team that includes representatives from treatment, juvenile justice, social and mental health services, school and vocational training programs, law enforcement, probation, prosecution, and defense.

The Douglas County Young Adult Court is a judicially supervised program that provides a sentencing alternative, for youthful offenders up to age 25, who have been charged with a felony offense and are required to participate in a program of selective assessment and rehabilitative services administered by multidisciplinary agencies. Key aspects of the Young Adult Court are community supervision, substance use treatment, mental health assistance, education, employment and frequent drug testing. The goal of this 18 to 24 month program is to stabilize participant’s lives by providing tools for success, thus reducing recidivism.

Young Adult Court Demographics:

| <i>Gender</i> | FY14-15 | FY15-16 | FY16-17 |
|--|----------------|----------------|----------------|
| Female | 7 | 10 | 14 |
| | 14% | 20% | 15% |
| Male | 43 | 41 | 81 |
| | 86% | 80% | 85% |
| Total | 50 | 51 | 95 |
| <i>Race</i> | | | |
| American Indian Or Alaskan Native | 0 | 0 | 3 |
| | 0% | 0% | 3% |
| Asian Or Pacific Islander | 1 | 1 | 2 |
| | 2% | 2% | 2% |
| Black | 19 | 19 | 18 |
| | 38% | 37% | 19% |
| Other | 4 | 4 | 13 |
| | 8% | 8% | 14% |

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| | | | |
|-------------------------|------------|------------|------------|
| White | 26 | 27 | 59 |
| | | | 62% |
| <i>Ethnicity</i> | | | |
| Hispanic Origin | 5 | 5 | 13 |
| | 10% | 10% | 14% |
| Not of Hispanic | 45 | 46 | 82 |
| | 90% | 90% | 86% |
| <i>Age</i> | | | |
| Under 18 | | | 49 |
| | | | 52% |
| 18-20 | 28 | 28 | 28 |
| | 56% | 55% | 29% |
| 21-25 | 22 | 22 | 18 |
| | 44% | 43% | 19% |

Veteran's Treatment Courts

Nebraska Veterans Treatment Courts are designed to reduce recidivism in high-risk and high-need Veterans by fostering a comprehensive and coordinated court response using early intervention, appropriate 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.

Compliance with treatment and court orders is verified by provider engagement, frequent alcohol/drug testing, close community supervision and judicial interaction. Veterans Treatment Courts enhance close monitoring of participants using home and field visits. Veterans Treatment Courts also utilize trained volunteer Veteran Mentors to guide and act as role models for veterans. Veteran Mentors help with readjustment issues to assist with reentry into civilian life.

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

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Veteran's Treatment Courts

| | | |
|------------------|--|------------|
| Gender | | |
| | Female | 1 |
| | | 10% |
| | Male | 9 |
| | | 90% |
| | Total | 10 |
| Race | | |
| | American Indian Or Alaskan Native | 0 |
| | | 0% |
| | Asian Or Pacific Islander | 0 |
| | | 0% |
| | Black | 2 |
| | | 20% |
| | Other | 0 |
| | | 0% |
| | White | 8 |
| | | 80% |
| | Unknown | 0 |
| | | 0% |
| Ethnicity | | |
| | Hispanic Origin | 2 |
| | | 20% |
| | Not of Hispanic | 8 |
| | | 80% |
| | Unknown | 0 |
| | | 0% |
| Age | | |
| | 18-20 | 0 |
| | | 0% |
| | 21-25 | 1 |
| | | 10% |
| | 26-30 | 3 |
| | | 30% |
| | 31-35 | 3 |

OFFICE OF PROBATION ADMINISTRATION

| | | |
|--|----------|-----|
| | | 30% |
| | 36-40 | 0 |
| | | 0% |
| | 41+ | 3 |
| | | 30% |
| | under 18 | 0 |
| | | 0% |

FAMILY DRUG COURTS

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

DRUG 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 random and frequent drug and alcohol testing. Testing may occur at any time, including non-traditional work hours, evenings, weekends and holidays.

The following information represents the drug testing conducted on Nebraska Problem-Solving Courts participants. This information was collected and analyzed through the Administrative Office of Probation's Case Management System.

OFFICE OF PROBATION ADMINISTRATION

| Nebraska Problem-Solving Courts | FY14-15 | | FY15-16 | | FY16-17 | |
|---------------------------------|------------------------|----------------------|------------------------|----------------------|------------------------|----------------------|
| | Number of Participants | Number of Drug Tests | Number of Participants | Number of Drug Tests | Number of Participants | Number of Drug Tests |
| Adult Drug Courts | 886 | 59,178 | 899 | 63,729 | 968 | 64,189 |
| Juvenile Drug Courts | 56 | 1,526 | 69 | 2,538 | 51 | 1,085 |
| Young Adult Court | 51 | 909 | 52 | 1,832 | 44 | 1,002 |
| DUI Court | 20 | 541 | 16 | 888 | 8 | 519 |
| Veteran's Treatment Courts | | | | | 10 | 196 |
| Total | 1,013 | 62,154 | 1,036 | 68,987 | 1,081 | 66,991 |

***** Veterans Treatment Courts were new in 2016-17. Courts in Douglas and Lancaster Counties became operational at various stages during the fiscal year.**

RISK REDUCTION

Nebraska Problem-Solving Courts target defendants for admission who have indicators of substance use and/or mental health disorders and are at substantial risk for reoffending or failing to complete a less intensive intervention, such as standard probation or pretrial supervision. These individuals are commonly referred to as high-risk and high-need individuals. A substantial body of research shows that drug courts that focus on high-risk/high-need defendants¹ 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 LS-CMI Instrument helps identify the risk/need areas and specific criminogenic factors most likely to influence the offender's probability of continuing criminal behavior. These areas are Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug Problems, Pro-Criminal Attitude/Orientation, and an Anti-Social Pattern.

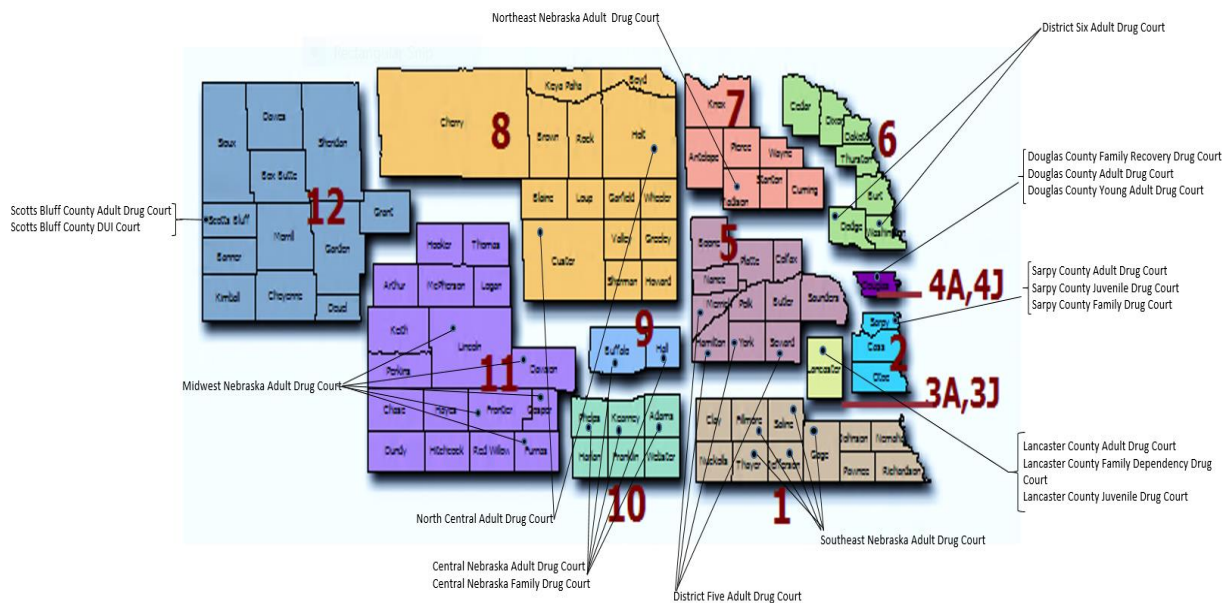
The following information represents adult participant's identified risk level at time of entry through an evidence-based risk assessment instrument (LS-CMI) compared to their identified risk level at time of discharge based on the same risk instrument. Nebraska Problem-Solving Court's aim to reduce participant's risk to reoffend and this can be measured through the participant's risk assessment scores. This data was collected and analyzed from the Administrative Office of Probation's Case Management System.

OFFICE OF PROBATION ADMINISTRATION

| | Average LSCMI at Entrance | Average LSCMI Score at Discharge | Difference in Score | % Change | N |
|----------|---------------------------|----------------------------------|---------------------|----------|-----|
| FY 14-15 | 21.08 | 10.99 | -10.09 | -47.86% | 206 |
| FY 15-16 | 22.28 | 10.43 | -11.85 | -53.19% | 183 |
| FY 16-17 | 23.10 | 10.60 | -12.50 | -54.10% | 196 |

***Overall, the average risk score of participants decreased by over 10 points at the time of their discharge.**

Nebraska Problem-Solving Courts*



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OFFICE OF PROBATION ADMINISTRATION

SERVICES

Reporting Centers -- Probation's Reporting Center are a centralized service delivery site designed to provide supervision, programs and services to Probation, Problem-solving Courts and other appropriate referral sources representative of the needs of the district in which a Reporting Center has been allocated. Reporting Centers engage community support and include Evidenced-based or best practice programs that target the individual needs of those served.

The first seven Reporting Centers opened in 2006, with another to follow in 2012, and three more in 2014. With the allocation of additional resources in 2015 as part of JRI, five additional sites were opened beginning in January, 2016, bringing the total to 16. With the exception of the Eighth Judicial District, there is at least one Reporting Center in each jurisdiction statewide.

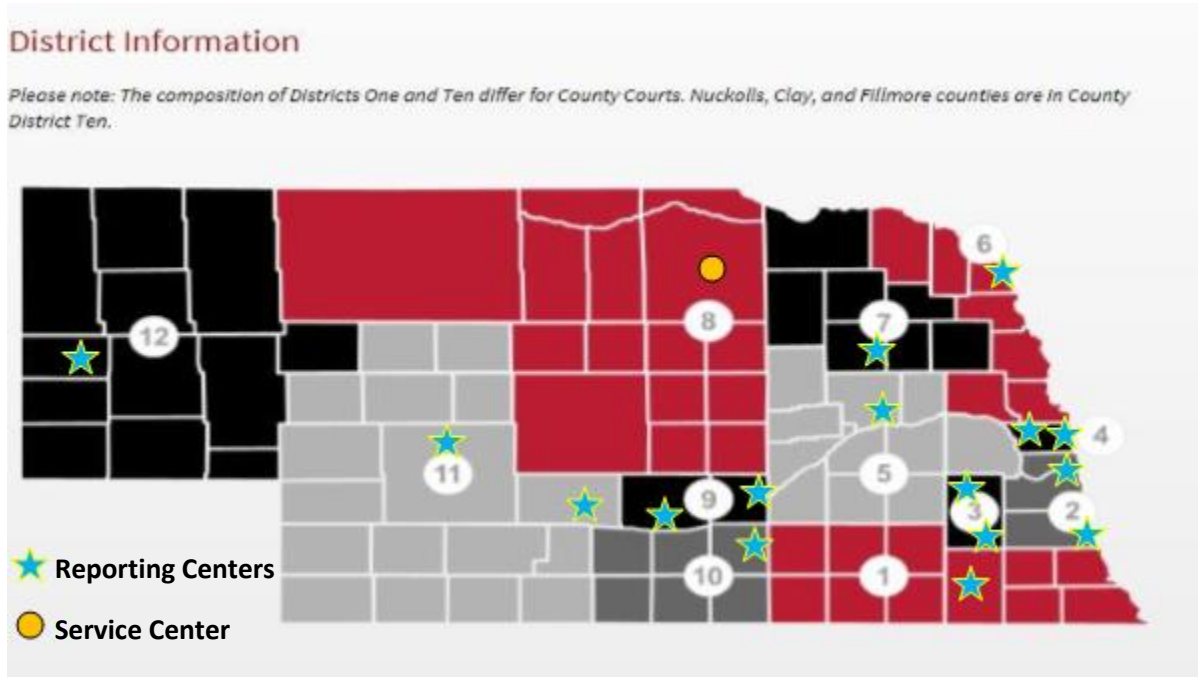
Core program components required at each reporting center include pre-treatment, relapse group, employment, education and life skill classes and cognitive groups. Currently there are in excess of 150 different services offered within the 16 Reporting Centers. These services include: parenting, anger management, financial management, mental health counseling, victim impact classes, domestic violence classes, and trauma groups. Other services such as drug testing and ancillary assistance such as transportation, leisure activities, clothing closets and computer labs are also available.

Service Centers -- Probation Service Centers were created in 2011 for the benefit of the Judicial Districts that did not currently have a Reporting Center. The Service Centers were created to assist clients in fulfilling court-ordered obligations, address high-risk needs and complete programming or other requirements instituted through the sanctioning process.

Service Centers serve the same population as Reporting Centers, but offer minimal rehabilitative services within limited probation offices in an effort to mirror a Reporting Center. There is currently one Service Center in the state, located in the Eighth Judicial District in O'Neill.

OFFICE OF PROBATION ADMINISTRATION

Nebraska Reporting and Service Centers



| Fiscal Year | FY14-15 | FY15-16 | FY16-17 | % Increase over previous year |
|---------------------------|---------|---------|---------|-------------------------------|
| Unique Individuals Served | 1,535 | 2,686 | 5,179 | 193% |
| Programming Referred | 1,914 | 3,718 | 7,700 | 207% |

The table below is a sampling of the programming accessed at a reporting center.

| Program | Anger Management | Crime Victim Empathy | Employment Services | Money Management | Parenting | Relapse Group | Life Skills | Trauma Group |
|---------|------------------|----------------------|---------------------|------------------|-----------|---------------|-------------|--------------|
| FY14-15 | 152 | 586 | 79 | 178 | 59 | 61 | 602 | 99 |
| FY15-16 | 294 | 920 | 408 | 181 | 122 | 410 | 582 | 213 |
| FY16-17 | 178 | 818 | 463 | 101 | 92 | 503 | 399 | 188 |

**** PLEASE NOTE: Due to budget issues, Parole ceased participation in reporting centers during FY15-16.**

Reporting Centers are funded by both general and cash funds of the Community Corrections program.

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Probation Teleservices -- Reporting Centers have the ability to offer programming via Probation TeleServices (PTS). PTS helps bridge the geographical gap created by transportation and logistical issues between officers, providers and clients, and offers the availability for a two-way connection of two or more locations through audio and video equipment. PTS allows Probation the ability overcome the barriers of the rural nature of the state, and allows for smaller communities to access and deliver services to those that need them that would otherwise be unavailable locally.

During calendar year 2016, probation staff conducted **5,214 hours** of business, using its PTS network, including program facilitation to underserved areas and probationers, as-well-as internal meetings to avoid travel and accommodation-costs to the state’s taxpayers. This marked an **increase of 2,326** hours over 2015.

Adult Behavioral Health, Financial Assistance Program (FFS) – was created in 2006 to reduce the financial barriers of specifically identified individuals being evaluated and/or receiving treatment through a financial assistance program. This financial assistance is not intended to supplant other means of financial assistance. Rather, it serves as another resource available to the court and officers when a need exists. Probationers are expected to contribute toward the financial obligations associated with evaluations and treatment. Financial assistance is available only after all other financial resources have been exhausted.

Although this service initially covered only substance use disorders, in 2014 certain mental health evaluations and treatment and sex offender evaluations and treatment were added. In 2015 treatment for gambling was added.

By Supreme Court Rule, any individual receiving services must receive those services through a Standardized Model Registered Service Provider.

Adult Fee for Service, Behavioral Health Financial Assistance by Level of Care. Please note, non-clinical services are not included in this report.

| Level of Care | Amount FY14-15 | Amount FY15-16 | Amount FY16-17 |
|--------------------------|----------------|----------------|----------------|
| Substance Use Evaluation | \$243,885 | \$400,807 | \$240,720 |
| Short-Term Residential | \$2,788,540 | \$2,011,570 | \$2,557,900 |
| Intensive Outpatient | \$854,568 | \$681,700 | \$856,274 |
| Outpatient Counseling | \$941,882 | \$693,970 | \$821,742 |
| Co-Occurring Evaluation | | | \$87,667 |

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| | | | |
|--|--------------------|--------------------|--------------------|
| Co-Occurring Short Term Residential | | | \$146,686 |
| Pretreatment – Reporting Center | | | \$127,158 |
| Relapse Group – Reporting Center | | | \$178,582 |
| Mental Health Evaluation/Assessment | | | \$143,712 |
| Mental Health Outpatient Treatment | | | \$88,082 |
| Adults who Sexually Harm Treatment | | | \$56,173 |
| Reporting Center Mental Health Contracts | | | \$438,868 |
| Total | \$4,828,876 | \$3,788,047 | \$5,743,563 |

**** PLEASE NOTE: Due to budget issues, the AOP ceased paying for parole services utilizing FFS dollars during FY15-16. Therefore, the FY15-16 numbers reflect only what the AOP spent on probationers.**

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

TOOLS

Substance Use Testing -- is conducted as directed by the Court for probationers with a demonstrated history of negative consequences associated with substance use or those who are demonstrating behaviors associated with the use of prohibited or illicit substances while under supervision.

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

When applicable, probationers are assessed a fee of \$5.00 monthly for the costs of substance use testing.

Drug Testing is funded out of the Drug Testing cash fund.

OFFICE OF PROBATION ADMINISTRATION

Number of Drug Tests by Classification

| | FY 14-15 | FY 15-16 | FY 16-17 |
|-----------------------|-----------------|-----------------|-----------------|
| Classification | # of Drug Tests | # of Drug Tests | # of Drug Tests |
| CBI | 74,670 | 79,682 | 74,308 |
| CBI DUI | 17,662 | 20,001 | 21,747 |
| CBI Domestic Violence | 18,372 | 31,019 | 40,663 |
| SSAS | 26,981 | 36,594 | 38,096 |
| PRS | | | 16,167 |
| Reframe | | | 3,795 |
| TIP | | | 59 |
| Sex Offender | 5,328 | 5,703 | 6,887 |
| CBR | 122,780 | 141,002 | 141,953 |
| Other | 11,944 | 17,538 | 31,845 |
| Unclassified | 27 | 30 | 0 |
| Grand Total | 277,764 | 331,569 | 375,520 |

Electronic Monitoring (EM) – is a tool of supervision used for the highest-risk probationers and Post-Release Supervision (PRS) probationers to promote public safety and accountability of the probationer. The probationer will wear a monitoring device twenty-four (24) hours/day seven (7) days a week, and will be subject to a rigid, verifiable schedule allowing for prosocial activities such as work, school, treatment or other programming with limited amounts of “free time.”

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

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

Electronic Monitoring All Programs

| Electronic Monitoring | FY 14-15 | FY 15-16 | FY16-17 |
|-----------------------|------------|------------|-----------|
| Number Served | 216 | 134 | 68 |

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Continuous Alcohol Monitoring (CAM) - measures the individual's perspiration for the presence of alcohol excreted transdermally through the skin. It is a tool of supervision for use when the client 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.

Probationers 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 14-15 | FY15-16 | FY16-17 |
|-------------------------------|----------|---------|---------|
| Number Served | 864 | 738 | 672 |

OffenderLink (Electronic Reporting System (ERS)) -- is tool used to help manage the potentially large caseloads of officers consisting of those individuals that have been assessed as a low to very-low risk to recidivate. Probationers on ERS report in through OffenderLink by telephone monthly to report relevant changes in their information.

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

OffenderLink maintains all case notes and contact history. As well, it automatically calls offenders that are not in compliance to generate the highest level of compliance possible.

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

OffenderLink: Electronic Reporting

| Electronic Reporting | FY 14-15 | FY 15-16 | FY16-17 |
|----------------------|----------|----------|---------|
| Number Served | 4,667 | 4,618 | 3,001 |

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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 change and program completion is recognized and incentivized, while all episodes of non-criminal, technical violations (positive chemical testing, missed appointments, failure to pay fines and fees, etc.) are addressed through the imposition of administrative or custodial sanctions.

| | FY 14-15 | FY 15-16 | FY16-17 |
|---------------------------------|--------------|---------------|---------------|
| Administrative Sanctions | 8,647 | 10,397 | 13,440 |
| Custodial Sanctions | N/A | 273 | 1,056 |

Discharges and Revocations Adult Courts:

| Discharges | Successful Completion | Revoked New Crime | Revoked Technical Violation | Revoked Other or Not Specified | Other | N |
|---------------------|-----------------------|-------------------|-----------------------------|--------------------------------|------------|---------------|
| FY 2014-2015 | 71% | 8% | 8% | 1% | 13% | 10,070 |
| FY 2015-2016 | 71% | 8% | 9% | 1% | 11% | 10,137 |
| FY 2016-2017 | 70% | 9% | 8% | 1% | 12% | 9,967 |

Risk Reduction on High Risk Probationers who successfully completed their probation term.

This was calculated on those probationers that came into the system with a high or very high score on the LSCMI and an average initial LSCMI score was calculated for the discharge cohort.

The average LSCMI score was calculated for these same individuals taking the average of their final LSCMI score prior to discharge from probation.

| Fiscal Year | Average 1st LSCMI Score | Average Last LSCMI Score | Change in LSCMI Score | % change |
|------------------|-------------------------|--------------------------|-----------------------|----------------|
| 2014-2015 | 23.37 | 17.47 | -5.9 | -25.24% |
| 2015-2016 | 22.79 | 16.75 | -6.04 | -26.50% |
| 2016-2017 | 24.97 | 19.3 | -5.67 | -22.70% |

OFFICE OF PROBATION ADMINISTRATION

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 that were 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 such as littering.

Technical violations are wide ranging and include all probationer non-compliance from failure to pay fines and fees to missed or positive chemical testing, to failure to attend or complete treatment, among other things.

| Law Violations | FY 14-15 | FY 15-16 | FY 16-17 |
|----------------|----------|----------|----------|
| Prison | 140 | 123 | 159 |
| County jail | 79 | 77 | 120 |
| Total | 219 | 200 | 279 |
| % to Prison | 64% | 62% | 57% |

| Technical Violations | FY 14-15 | FY 15-16 | FY 16-17 |
|----------------------|----------|----------|----------|
| Prison | 97 | 97 | 89 |
| County jail | 68 | 90 | 111 |
| Total | 165 | 187 | 200 |
| % to Prison | 59% | 52% | 45% |