

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Administrative Office of the Courts and Probation 2018-2019 Fiscal Year Report on Adult Community Corrections Programs, Facilities, Tools, Services and Supervision

Executive Summary

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

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

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

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

In an effort to reduce the number of individuals revoked from probation for technical (non-criminal, substance use, etc.) reasons, custodial sanctions are included in probation's incentives and sanctions matrix as an alternative for Courts and Probation in lieu of formal revocation proceedings. Once probation officers have exhausted all reasonable efforts to gain compliance through the utilization of administrative sanctions, such as treatment or other program referrals, they may request the imposition of custodial sanctions. Only the court can impose the custodial sanction.

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

A tenet of evidenced-based practice and justice reinvestment efforts calls for the reinforcement or incentivizing of positive behavior change. Probation's Incentives and Sanctions Matrix provides for

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

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

During Fiscal Year 2018-19, the positive impact Probation made on community safety was demonstrable. Justice Reinvestment (JRI) efforts in Nebraska continue to reflect how Probation is a cost-effective means of accomplishing community safety and exemplifies community corrections.

During FY18-19 the Administrative Office of the Court's and Probation:

- ❖ Completed 11,158 presentence investigations (PSIs), and 984 post-release supervision plans. Both numbers represent a significant increase over the previous fiscal year.
- ❖ Provided case management for 8,731, new, high-risk individuals in their communities.
- ❖ Supervised 1,040 individuals under post-release supervision, an increase of 69 individuals over the previous fiscal year.
- ❖ Continued to experience a rise in the overall risk-level of the population served while also achieving successful discharge numbers exceeding the two previous fiscal years.
- ❖ Observed a reduction in the overall risk-level of high-risk individuals in both probationers and problem solving court participants upon successful completion of supervision.
- ❖ Collected more than a half-a-million chemical tests (509,717) on 21,484 unique individual or an average of 23.7 chemical tests per adult under supervision.
- ❖ Experienced continued growth in the utilization of administrative and custodial sanctions as a means to avoid revocation proceedings. Administrative sanctions rose in excess of 29% to 23,178, while custodial sanctions grew by only 7.6% to 1,944 during the fiscal year.
- ❖ Reduced the number of individuals revoked to a state correctional facility. The number of individuals revoked off probation to a state prison for a new law violation remained stable at 42%. In 2016-17, over half of individuals were revoked to prison. Further, those revoked to prison for technical violations experience a 2% drop to 27%.

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- ❖ Continued to be a cost-effective means of rehabilitation and community safety. During FY 18-19, probation community supervision costs by individual:
 - Approximately \$3.26 per day to supervise a lower-risk probationer
 - Approximately \$5.94 for a high-risk probationer
 - Approximately \$5.93 per day to supervise those individuals in alternatives to incarceration programs such as Specialized Substance Abuse Supervision (SSAS), Reframe, Post-release Supervision (PRS) and Transitional Intervention (TIP).
 - Approximately \$6.90 per day to supervise those involved in a Problem Solving Court.

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

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PROGRAMS & RESPONSIVITY

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

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

SERVICES

Reporting Centers – Reporting centers across Nebraska were created to establish a central location for a continuum of services accessed by individuals under supervision in their communities as a means of providing community safety, accountability and rehabilitation. By pooling state and county resources, these reporting centers provide structured programming that target an individual's need and enhance their ability to be successful, tax paying citizens. These programs and services are evidence-based and tailored to meet the needs of individuals and are provided by local community stakeholders. Reporting centers engage high-risk individuals in structured supervision activities targeted to reduce the likelihood of the individual to reoffend. Nebraska Reporting Centers are intended to increase community safety while reducing the high cost of incarceration and prison overcrowding in Nebraska. Reporting centers are funded by a combination of general fund (staff), cash fund (services through offender fees) and county dollars (operations) under:

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

Nebraska Revised Statute 47-624.01 (Plan for implementation and funding of reporting centers)

Nebraska Revised Statute 90-540 (Legislative intent to fund Nebraska Probation reporting centers)

The Core programming components offered in each reporting center include:

- Substance Abuse Interventions (Pre-Treatment/Relapse Groups)
- Employment and Educational Classes
- Life Skills Programing
- Cognitive-behavioral groups focused on changing criminal thinking behavior
- Victim Impact Programing designed to increase victim empathy and personal responsibility

Reporting centers bring together probation staff and focused community providers to strategically supervise probationers in their communities. Supervision strategies, include the use of

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regular and random drug/alcohol testing; consistent meetings and groups; targeted risk-reducing programming and classes in a central location that is open days, evenings and on weekends. All reporting centers have teleservice capability, allowing for shared interaction across Nebraska.

Reporting centers also offer ancillary programming in the following areas:

- Parenting
- Anger Management
- Money Management
- Mental health counseling
- Domestic Violence Classes
- Trauma groups

Due to the success of the Nebraska State Probation's Reporting Center model, funding was allotted to expand reporting centers to sixteen locations across the State (LB907; LB605). During calendar year 2018, there were over 85,000 Reporting Center visits to access programming and groups. Each successfully discharged reporting center individual who does not reoffend and returns to their community and neighborhood contributes to the overall impact on community safety and reduces the fiscal cost of incarceration and the problem of prison overcrowding.

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

Service Centers -- Probation Service Centers were created in 2011 for the benefit of Judicial Districts that did not currently have a reporting center. The service centers were created to assist individuals in fulfilling court-ordered obligations, 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 are currently seven service centers operating across Nebraska. Communities served include O'Neill, Fremont, Seward, York, Fairbury, Blair and Broken Bow.

Service centers are funded by general and cash funds of the Community Corrections program.

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

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Nebraska Reporting and Service Centers

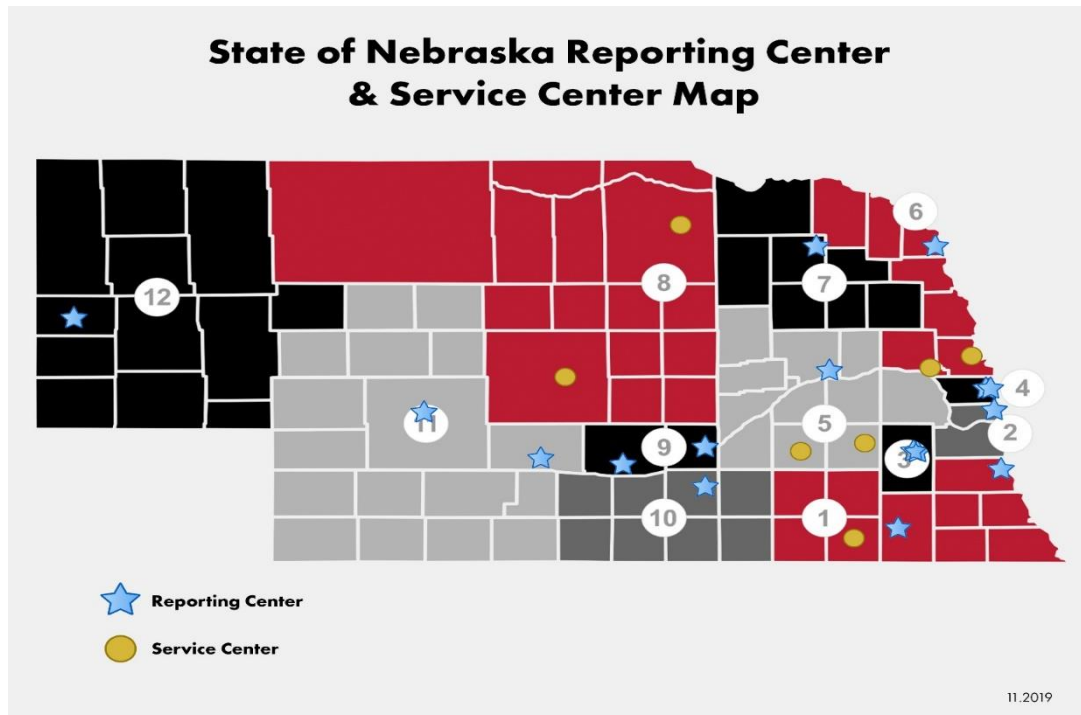
Fiscal Year	FY16-17	FY 17-18	FY18-19
Unique Individuals Served	5,179	3,520	5,114
Programming Referred	7,700	5,720	8,591

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

Program	Anger Management	Crime Victim Empathy	Employment Services	Money Management	Parenting	Relapse Group	Life Skills	Trauma Group
FY16-17	178	818	463	101	92	503	399	188
FY 17-18	282	1,073	750	191	169	744	651	318
FY18-19	295	1,708	902	284	189	1,097	1,365	544

Nebraska Reporting Center Programming

Fiscal Year	FY 16-17	FY 17-18	FY18-19
Reporting Center Programming dollars	1,277,140	1,923,345	2,037,791



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ALTERNATIVES TO INCARCERATION (AI)

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

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

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

Funding for Alternatives to Incarceration (AI), which includes Specialized Substance Abuse Supervision (SSAS), Post-Release Supervision (PRS), Reframe and the Transitional Intervention Program (TIP) comes from the probation general fund. The average cost to supervise an AI probationer per-day is approximately \$5.93.

Post-Release Supervision (PRS) – With limited exceptions, certain felonies committed on or after August 30, 2015 carry a term of post-release supervision probation. During FY 2018-19, PRS probation was required any time a term of incarceration is imposed by the Court, regardless of the duration, in any Class III, IIIA and IV felony. Statutorily, a minimum of nine-months of PRS was required to be imposed on any individual sentenced to a term of incarceration of any length for these lower level felonies. While a nine-month term of PRS was the minimum, PRS terms of up to 12 months is allowed in Class IV Felonies, 18 months in Class IIIA Felonies and up to 24 months on Class III felonies.

Post Release Supervision Demographics	FY 16-17	FY 17-18	FY 18-19
Female	227	229	434
Male	843	811	1577
Total PRS Individuals	1,070	1,040	2,011
Age			
Under 18	0	0	15
18 to 20	43	43	112
21 to 25	169	162	316

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26 to 30	196	185	374
31 to 35	196	190	378
36 to 40	155	161	280
41+	311	299	536
Race			
American Indian or Alaska Native	73	63	102
Asian or Pacific Islander	10	14	13
Black	276	248	465
Other	92	129	191
White	619	586	1240
Ethnicity			
Hispanic Origin	122	167	227
Not of Hispanic Origin	948	873	1784
Marital Status			
Single	665	490	1292
Married	102	87	211
Separated/Divorced/Widowed	147	115	295
Unknown	156	348	213
Education Level at Entry			
8th Grade Or Less	67	129	117
9th Through 11th Grade	280	194	627
12th Grade or GED	562	494	994
Vocational/Some College	112	106	196
College or Above	18	23	40
Unknown	30	94	37

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Offense Category PRS		FY 16-17	FY 17-18	FY18-19
Assaultive Acts	Felony	167	138	130
	Misdemeanor	0	0	6
Burglary	Felony	6	3	4
	Misdemeanor	0	0	0
Compliance	Felony	56	37	96
	Misdemeanor	0	0	2
Dangerous Drugs	Felony	333	368	626
	Misdemeanor	0	0	5
Family Offense	Felony	10	17	0
	Misdemeanor	0	0	0
Homicide	Felony	0	0	2
	Misdemeanor	0	0	0
Kidnapping	Felony	1	2	9
	Misdemeanor	0	0	0
Property Fiscal	Felony	170	146	312
	Misdemeanor	0	0	8
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
Sex Offense	Felony	61	57	105
	Misdemeanor	0	0	0
Traffic Offense	Felony	113	88	287
	Misdemeanor	0	0	10
Weapon Offense	Felony	37	35	73
	Misdemeanor	0	0	0
Unknown	Felony	116	149	497
	Misdemeanor	0	0	7
Total	Felony	1070	1040	2141
	Misdemeanor	0	0	38

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

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

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

PLEASE NOTE: 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 Program or the Transitional Intervention Program (TIP). They were, however, still counted as being part of the SSAS population as the other classifications did not exist in the case management system.

SSAS Demographics	FY 16-17	FY 17-18	FY18-19
Female	240	399	217
Male	716	1137	520
Total SSAS Individuals	956	1536	737
Age			
Under 18	5	2	4
18-20	102	113	73
21-25	223	267	136

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26-30	148	308	148
31-35	141	256	111
36-40	101	175	86
41+	236	415	179
Race			
American Indian or Alaskan Native	45	70	31
Asian or Pacific Islander	11	16	6
Black	174	276	92
Other	91	154	75
White	635	1020	533
Ethnicity			
Hispanic Origin	133	194	99
Not of Hispanic Origin	823	1342	638
Marital Status			
Single	583	1025	512
Married	113	147	72
Separated/Divorced/Widowed	161	241	125
Unknown	99	123	28
Educational Level at Entry			
8th Grade or Less	23	47	50
9th through 11th Grade	172	351	216
12th Grade or DED	530	852	364
Vocational/Some College	171	222	89
College or Above	36	31	18
Unknown	24	33	0

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Offense Category SSAS		FY 16-17	FY 17-18	FY18-19
Assaultive Acts	Felony	43	132	20
	Misdemeanor	105	2	2
Burglary	Felony	28	42	29
	Misdemeanor	0	0	0
Compliance	Felony	15	68	12
	Misdemeanor	17	3	1
Dangerous Drugs	Felony	342	675	338
	Misdemeanor	30	11	12
Family Offense	Felony	4	5	0
	Misdemeanor	7	0	0
Homicide	Felony	1	0	0
	Misdemeanor	0	0	0
Kidnapping	Felony	1	1	1
	Misdemeanor	0	0	0
Property Fiscal	Felony	93	173	78
	Misdemeanor	16	3	2
Robbery	Felony	4	3	4
	Misdemeanor	2	0	0
Sex Offense	Felony	5	2	6
	Misdemeanor	2	0	0
Traffic Offense	Felony	52	184	92
	Misdemeanor	65	25	20
Weapon Offense	Felony	17	160	27
	Misdemeanor	1	3	1
Unknown	Felony	39	43	130
	Misdemeanor	65	0	4
Total	Felony	644	1488	737
	Misdemeanor	310	47	42

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

“The results of this process and outcome analysis show strong empirical evidence that the SSAS program succeeds in meeting all of its major goals for high risk, substance abusing offenses with felony convictions: 1) offering a program of intensive supervision, 2) increasing the likelihood of successful completion of probation, and 3) lowering recidivism after discharge from probation. After carefully constructing equivalent SSAS treatment and non-SSAS “business as usual” comparison groups, LPUNL was able to demonstrate that while SSAS clients received more violations and a greater number of sanctions, they were more likely to successfully complete probation and less likely to be revoked. Furthermore, these process and outcome differences are not due to demographic, criminogenic risk or criminal charge differences between the groups because successful propensity matching controlled all these differences. Furthermore, compared to other probationers not in the SSAS program, SSAS clients were significantly less likely to recidivate using the Nebraska Supreme Court’s definition of recidivism, measured in a three year window. LPUNL concludes that Nebraska Probation’s SSAS program is an effective intervention that successfully treats high risk, felons with serious substance use problems. We encourage its continued and expanded use in Nebraska and recommend further study of its processes and outcomes to demonstrate that SSAS is a fully evidence based program and as such it can serve as a valuable alternative to incarceration for treating high risk/high need, substance abusing felons.¹²

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

The complete results of this study can be found on the Nebraska Judicial Branch website at <https://supremecourt.nebraska.gov/forms-publications>.

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

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

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

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Reframe: REMINDER – Reframe did not officially exist as a classification until January 1, 2017.

Reframe Demographics	FY 16-17	FY 17-18	FY18-19
Female	13	161	106
Male	31	496	205
Total Reframe Individuals	44	657	311
Age			
Under 18	0	4	3
18 to 20	7	78	46
21 to 25	10	112	41
26 to 30	6	144	72
31 to 35	6	113	45
36 to 40	3	81	35
41+	12	125	69
Race			
American Indian or Alaska Native	1	41	21
Asian or Pacific Islander	1	5	4
Black	12	163	63
Other	2	60	26
White	28	388	197
Ethnicity			
Hispanic Origin	4	63	30
Not of Hispanic Origin	40	594	281
Marital Status			
Single	25	455	217
Married	4	68	33
Separated/Divorced/Widowed	7	86	51
Unknown	8	48	10

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Education Level at Entry			
8th Grade Or Less	7	29	22
9th Through 11th Grade	15	194	112
12th Grade or GED	18	338	142
Vocational/Some College	1	76	30
College or Above	0	9	5
Unknown	3	11	0

Offense Category Reframe		FY 16-17	FY17-18	FY18-19
Assaultive Acts	Felony	6	84	12
	Misdemeanor	0	8	2
Burglary	Felony	5	17	13
	Misdemeanor	0	0	0
Compliance	Felony	1	37	7
	Misdemeanor	0	9	2
Dangerous Drugs	Felony	13	150	135
	Misdemeanor	0	21	3
Family Offense	Felony	1	9	0
	Misdemeanor	0	5	0
Homicide	Felony	0	0	0
	Misdemeanor	0	0	0
Kidnapping	Felony	0	2	0
	Misdemeanor	0	2	0
Property Fiscal	Felony	12	104	56
	Misdemeanor	0	14	3
Robbery	Felony	0	1	4
	Misdemeanor	0	0	0
Sex Offense	Felony	2	4	0
	Misdemeanor	0	0	0

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Traffic Offense	Felony	0	30	9
	Misdemeanor	0	31	3
Weapon Offense	Felony	1	26	9
	Misdemeanor	0	4	2
Unknown	Felony	3	80	66
	Misdemeanor	0	18	4
Total	Felony	44	544	311
	Misdemeanor	0	112	19

Transitional Intervention Program (TIP): is designated for the highest of the high-risk individuals who have demonstrated elevated levels of criminogenic (crime-producing) need in all assessed areas. The interventional-focus for a TIP individual is on criminal-thinking and 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 individuals 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 and/or mental health services, housing or other qualifying services.

REMINDER – TIP did not officially exist as a classification until January 1, 2017.

TIP Demographics	FY 16-17	FY17-18	FY18-19
Female	0	4	1
Male	2	11	3
Total TIP Individuals	2	15	4
Age			
Under 18	0	0	0
18 to 20	0	2	0
21 to 25	0	4	0
26 to 30	1	2	0
31 to 35	1	1	1
36 to 40	0	2	1

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41+	0	4	2
Race			
American Indian or Alaska Native	0	1	1
Asian or Pacific Islander	0	0	0
Black	1	4	0
Other	0	2	1
White	1	8	2
Ethnicity			
Hispanic Origin	0	2	1
Not of Hispanic Origin	2	13	3
Marital Status			
Single	1	12	3
Married	1	3	1
Separated/Divorced/Widowed	0	0	0
Unknown	0	0	0
Education Level at Entry			
8th Grade Or Less	0	2	1
9th Through 11th Grade	0	8	2
12th Grade or GED	2	5	1
Vocational/Some College	0	0	0
College or Above	0	0	0
Unknown	0	0	0

Offense Category TIP		FY 16-17	FY 17-18	FY18-19
Assaultive Acts	Felony	1	2	0
	Misdemeanor	0	0	0
Burglary	Felony	0	0	0

Adult Probation Annual Report – FY18-19

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

	Misdemeanor	0	0	0
Compliance	Felony	0	2	1
	Misdemeanor	0	0	0
Dangerous Drugs	Felony	0	3	2
	Misdemeanor	0	0	0
Family Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Homicide	Felony	0	0	0
	Misdemeanor	0	0	0
Kidnapping	Felony	0	0	0
	Misdemeanor	0	0	0
Property Fiscal	Felony	1	4	1
	Misdemeanor	0	0	0
Robbery	Felony	0	0	0
	Misdemeanor	0	0	0
Sex Offense	Felony	0	0	0
	Misdemeanor	0	0	0
Traffic Offense	Felony	0	1	0
	Misdemeanor	0	0	0
Weapon Offense	Felony	0	1	0
	Misdemeanor	0	0	0
Unknown	Felony	0	2	0
	Misdemeanor	0	0	0
Total	Felony	2	15	4
	Misdemeanor	0	0	0

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Community Based Intervention/Intensive Supervision Probation (CBI/ISP) – CBI/ISP targets those individuals 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 the driver of criminogenic behaviors, and/or as ordered by the court, to intensively supervise individuals in this classification.

Additionally, those individuals serving probation terms for convictions relating to domestic violence, sexual offenses, and third offense or greater drunk drivers, as well as those with other unique circumstances such as gang members, those with significant mental illness, lower-risk post-release supervision probationers, etc., may be required to participate in programming related to their precipitating behaviors and will be supervised intensively.

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

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

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

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

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

Funding for Community Based Intervention/Intensive Supervision Probation (CBI/ISP) comes from the probation general fund. The average cost to supervise a CBI/ISP probationer per-day is approximately \$5.94.

CBI/ISP Demographics CBI	FY16-17	FY 17-18	FY18-19
Gender			
Female	1029	1056	1552
Male	3044	2966	4765
Total CBI/ISP Individuals	4073	4022	6317
Age			
Under 18	33	16	35

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

18-20	502	459	560
21-25	877	854	1227
26-30	663	690	1244
31-35	614	596	996
36-40	414	438	791
41+	970	969	1464
Race/Ethnicity			
American Indian or Alaskan Native	130	154	250
Asian or Pacific Islander	45	46	54
Black	551	545	881
Other	368	354	653
White	2979	2923	4479
Hispanic Origin	482	461	826
Not of Hispanic Origin	3591	3561	5491
Marital Status			
Single	2441	2408	4051
Married	675	634	912
Separated/Divorced/Widowed	745	767	1147
Unknown	212	213	207
Education Level at Entry			
8th Grade or Less	97	143	244
9th Through 11th Grade	625	710	1666
12th Grade or GED	2283	2294	3328
Vocational/Some College	778	698	827
College or Above	198	175	244
Unknown	92	2	4

Offense Category CBI/ISP	Offense Type	FY 16-17	FY 17-18	FY18-19
Assaultive Act	Felony	162	164	168

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

	Misdemeanor	865	826	1326
Burglary	Felony	102	83	56
	Misdemeanor	3	2	0
Compliance	Felony	43	38	54
	Misdemeanor	134	135	404
Dangerous Drugs	Felony	521	531	561
	Misdemeanor	169	236	484
Family Offense	Felony	38	36	0
	Misdemeanor	68	71	6
Homicide	Felony	6	5	3
	Misdemeanor	2	6	5
Kidnapping	Felony	8	6	17
	Misdemeanor	9	7	13
Property & Fiscal	Felony	175	173	235
	Misdemeanor	131	126	328
Robbery	Felony	22	13	11
	Misdemeanor	2	0	0
Sex Offense	Felony	219	179	161
	Misdemeanor	40	47	84
Traffic Offense	Felony	145	138	320
	Misdemeanor	480	417	1107
Weapon Offense	Felony	34	31	40
	Misdemeanor	16	21	53
Unknown	Felony	127	193	519
	Misdemeanor	482	472	804
Total	Felony	1602	1590	2145
	Misdemeanor	2401	2366	3507

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Community Based Resources (CBR) -- Adult Community-Based Resource Probation officers will broker, or refer, for targeted services within the local community, and individuals will be actively supervised with focused supervision done on areas identified by the risk assessment tool to be at highest risk.

Guided by national standards, caseload sizes for officer-to-individual ratios at Community Based Resources vary from 1-100 for those assessed at CBR-medium-high to 1-1,500 for those that are in administrative status, or are assessed as very low risk 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 \$3.26.

CBR Demographics	FY 16-17	FY 17-18	FY18-19
Gender			
Female	2779	2773	3543
Male	5424	5249	7428
Total CBR Individuals	8203	8022	10,971
Age			
Under 18	14	15	31
18-20	872	793	853
21-25	1940	1844	2220
26-30	1350	1376	2005
31-35	1022	1014	1595
36-40	812	809	1206
41+	2193	2171	3060
Race			
American Indian or Alaskan Native	181	186	216
Asian or Pacific Islander	124	135	173
Black	723	696	1025
Other	962	899	1268
White	6213	6106	8289
Ethnicity			
Hispanic Origin	1237	1192	1628
Not of Hispanic Origin	6966	6830	9343

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Marital Status			
Single	4819	4714	6597
Married	1679	1658	2130
Separated/Divorced/Widowed	1375	1331	1850
Unknown	330	319	394
Education Level at Entry			
8th Grade or Less	310	262	491
9th Through 11th Grade	652	630	1440
12th Grade or GED	4170	4028	5624
Vocational/Some College	2014	1993	2265
College or Above	1012	1027	1147
Unknown	45	82	4

Offense Category CBR	Offense Type	FY 16-17	FY 17-18	FY18-19
Assaultive Act	Felony	105	106	132
	Misdemeanor	337	365	642
Burglary	Felony	74	52	58
	Misdemeanor	2	2	0
Compliance	Felony	36	35	32
	Misdemeanor	174	183	415
Dangerous Drugs	Felony	535	536	706
	Misdemeanor	192	317	380
Family Offense	Felony	48	45	0
	Misdemeanor	141	156	3
Homicide	Felony	12	7	7
	Misdemeanor	28	26	31
Kidnapping	Felony	5	4	3
	Misdemeanor	0	1	3
Property & Fiscal	Felony	451	387	414
	Misdemeanor	419	370	495
Robbery	Felony	20	15	14

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

	Misdemeanor	1	0	0
Sex Offense	Felony	1	1	5
	Misdemeanor	1	0	3
Traffic Offense	Felony	142	138	388
	Misdemeanor	4437	4201	6338
Weapon Offense	Felony	145	35	52
	Misdemeanor	772	28	64
Unknown	Felony	46	182	394
	Misdemeanor	29	777	669
Total	Felony	1620	1543	2205
	Misdemeanor	6533	6426	9043

PROBLEM-SOLVING COURTS

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

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

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

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

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

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

In accordance with evidenced-based research, all problem-solving court participants are screened and assessed for substance use, criminogenic risk to reoffend, mental health concerns, trauma history, and trauma-related symptoms. Nationally, over one-quarter of drug court participants reported having experienced a serious traumatic event, such as a life-threatening car accident, work-related injury, or physical/sexual abuse (Cissner et al., 2013; Green & Rempel, 2012).

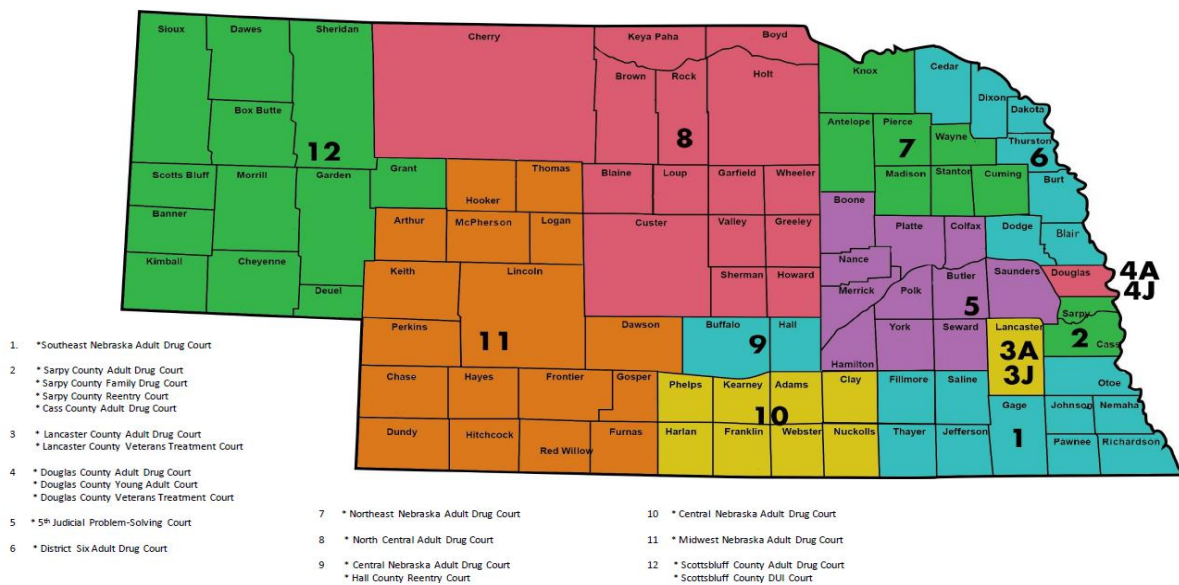
The Nebraska Supreme Court Committee on Problem-Solving Courts recognized statewide standards were essential for expanding capacity and ensuring the establishment of best practices and quality assurance. As a result, Best Practice Standards for Adult Drug and DUI Courts, Veterans Treatment Courts, and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

Funding for Problem-Solving Courts (PSCs) comes from the Problem-Solving Court general fund. The average per-day cost to supervise a PSC participant is approximately \$6.90.

Nebraska Adult Problem-Solving Court models include:

- Adult Drug and DUI Courts
- Veterans Treatment Courts
- Reentry Courts
- Young Adult Courts

Nebraska Adult Problem-Solving Courts Statewide Map



ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

RISK REDUCTION

Nebraska Problem-Solving Courts target individuals for admission who have indicators of substance use and/or mental health disorders who are at substantial risk for reoffending or failing to complete a less intensive intervention, such as standard probation or pretrial supervision. These individuals are commonly referred to as high-risk and high-need individuals. A substantial body of research shows that drug courts that focus on high-risk/high-need defendants reduce crime approximately twice as much as those serving less serious defendants (Cissner et al., 2013; Fielding et al., 2002; Lowenkamp et al., 2005).

The Level of Service/Case Management Inventory (LS/CMI) identifies the risk/need areas and specific criminogenic factors most likely to influence the individual's probability of continuing criminal behavior. These areas are Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug Problems, Pro-Criminal Attitude/Orientation, and an Anti-Social Pattern.

The following table summarizes LS/CMI admission and discharge scores for adult Problem-Solving Court participants. The table clearly shows significant risk reduction at the end of the Problem-Solving Court intervention. This data was collected and analyzed from the AOC's case management system.

Adult Problem Solving Court Risk Reduction

	Average LSCMI at Entrance	Average LSCMI Score at Discharge	Difference in Score	% Change	N
FY 16-17	23.10	10.60	-12.50	-54.10%	196
FY 17-18	22.03	11.61	-10.42	-47.29%	219
FY18-19	19.42	12.44	-6.98	-35.96	229

***Overall, the average risk score of participants decreased by nearly 7 points at the time of their discharge.**

YOUNG ADULT COURTS

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

Young Adult Court Demographics	FY16-17	FY-17-18	FY18-19
Gender			
Female	9	7	11
Male	35	30	47

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Total Young Adult Court Individuals	44	37	58
Race			
American Indian or Alaska Native	0	0	2
Asian or Pacific Islander	1	0	0
Black	14	8	13
Other	2	4	14
White	27	25	29
Ethnicity			
Hispanic Origin	3	5	14
Not of Hispanic Origin	41	32	44
Age			
Under 18	0	0	0
18-20	26	24	33
21-25	18	13	24
26-30	0	0	1

ADULT DRUG AND DUI COURTS

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

There are presently 20 Adult Drug Courts operating in Nebraska. These courts serve the following counties: Gage; Saline; Jefferson; Fillmore; Thayer; Sarpy; Lancaster; Douglas; Merrick; Hamilton; York; 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. Nebraska’s only DUI Court operates in Scotts Bluff County.

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Adult Drug and DUI Court Demographics	FY17-18	FY18-19
Gender		
Female	371	384
Male	556	537
Total Adult Drug and DUI Court Individuals	927	923
Race		
American Indian or Alaska Native	17	20
Asian or Pacific Islander	6	9
Black	53	57
Other	87	83
White	764	752
Ethnicity		
Hispanic Origin	114	117
Not of Hispanic Origin	813	804
Unknown	0	2
Age		
18-20	132	87
21-25	260	246
26-30	191	206
31-35	121	160
36-40	98	93
41+	125	131

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

VETERANS TREATMENT COURTS

In April 2016, the Nebraska Legislature passed LB919, which authorized the expansion of the definition of Problem-Solving Courts to include Veterans Treatment Courts. Just six months after receiving authorization, Nebraska's first Veterans Treatment Court opened on November 4, 2016 in Douglas County. Nebraska's second Veterans Treatment Court opened on April 19, 2017 in Lancaster County.

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

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

Veterans Treatment Court Demographics	FY17-18	FY18-19
Gender		
Female	2	6
Male	30	51
Total	32	57
Race		
American Indian or Alaska Native	0	0
Asian or Pacific Islander	0	1
Black	6	8
Other	1	3
White	25	45
Ethnicity		
Hispanic Origin	3	4
	29	53
Age		

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

18-20	0	0
21-25	2	2
26-30	9	14
31-35	7	10
36-40	2	9
41+	12	22

REENTRY COURTS

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

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

Reentry Court Demographics	FY18-19
Gender	
Female	3
Male	31
Total	34
Race	
American Indian or Alaska Native	0
Asian or Pacific Islander	1
Black	3
Other	4

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

White	26
Ethnicity	
Hispanic Origin	8
Not of Hispanic Origin	26
Age	
18-20	1
21-25	14
26-30	7
31-35	5
36-40	3
41+	4

PROBLEM SOLVING COURT SUBSTANCE USE TESTING

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

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

The following is a drug testing summary for all Nebraska Problem-Solving Court participants. This information was collected and analyzed through the AOC's case management system.

Adult Problem Solving Court Substance Use Testing

Fiscal Year	FY 16-17	FY 16-17	FY 17-18	FY 17-18	FY18-19	FY18-19
	Number of Participants	Number of Drug Tests	Number of Participants	Number of Drug Tests	Number of Participants	Number of Drug Tests
Adult Drug and DUI Courts	976	64,708	963	55,808	923	48,969

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ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Veteran's Treatment Courts	10	196	32	1567	57	2399
Reentry Courts					34	1232
Juvenile and Young Adult Courts					119	3366
Total	986	64,904	995	57,375	1,133	55,966

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

SUPPORTIVE SERVICE TOOLS

Substance Use Testing – is conducted as directed by the Court; adult probationers are subject to random, unannounced testing to assist in establishing a period of sobriety. Effective alcohol and other substance testing is an integral part of effective community supervision and can provide an objective measure of treatment effectiveness. The results of these tests can provide the basis for incentives, sanctions and treatment adjustments, all which are the underlying pillars for participant success. As alcohol and other substances vary substantially in their windows of detection, a variety of testing methodologies are available to assist individuals in abstaining from substance use. Drug screens can be conducted on-site, in-home, and in the field utilizing multiple matrices such as urine analysis, mouth swabs, sweat patches and preliminary breath tests.

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

Number of Drug Tests by Classification

	FY 16-17	FY 17-18	FY18-19
Classification	# of Drug Tests	# of Drug Tests	# of Drug Tests
CBI	74,308	83,332	89,618
CBI DUI	21,747	18,328	13,656
CBI Domestic Violence	40,663	38,251	35,366
SSAS	38,096	41,255	32,498

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

PRS	16,167	38,792	55,306
Reframe	3,795	5,743,	8061
TIP	59	65	75
Sex Offender	6,887	7,999	6814
CBR	141,953	143,916	148,779
Other	31,845	40,295	55,790
Unclassified	0	0	7788
Grand Total	375,520	417,976	453,751

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

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

Electronic Monitoring All Programs

Electronic Monitoring	FY 16-17	FY 17-18	FY 18-19
Individuals Served	68	95	138

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

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

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

ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Continuous Alcohol Monitoring Probation and Problem Solving Courts

Continuous Alcohol Monitoring	FY16-17	FY 17-18	FY18-19
Number Served	672	747	805

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

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

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

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

Electronic Reporting	FY16-17	FY 17-18	FY18-19
Number Served	3,001	2,691	4,485

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 substance use testing, missed appointments, failure to pay fines and fees, etc.) are addressed through the imposition of administrative or custodial sanctions.

	FY16-17	FY 17-18	FY18-19
Administrative Sanctions	13,440	16,432	23,178
Custodial Sanctions	1,056	1,795	1,944

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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 an individual's risk to recidivate and criminogenic needs, which guides the level of supervision and case management of any individual under community supervision.

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

	FY16-17	FY 17-18	FY18-19
Total Investigations	10,098	10,132	11,158

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

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

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

	FY 16-17	FY 17-18	FY 18-19
Total PRS Plans	443	763	984

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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.

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 adults. The LS-CMI is used in all District Court cases, as well as other specified misdemeanor populations out of Nebraska’s County Courts.

The LS-CMI was re-validated for use within Nebraska Probation in a study conducted by the University of Nebraska Law and Psychology Department in 2015. During this study, the Law and Psychology Department also looked for, and ruled out, bias in the statewide application of the tool, and helped identify a need for enhanced training to improve interrater reliability across tool application. On the heels of the research, the AOCB 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-2 (VASOR-2) -- assesses risk among adult males who have been convicted of at least one qualifying sex offense. It is composed of a 12-item re-offense risk scale, and a 4-item severity factors checklist. The re-offense risk scale is statistically derived, and designed to assess risk for sexual and violent recidivism. The factors checklist is clinically derived and is designed to describe the severity of the offense.

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

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

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

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

REHABILITATIVE SERVICES

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

This financial assistance is not intended to eliminate the need for accountability and financial responsibility. Rather, it serves as another resource available to the individual when financial barriers exists. Individuals are expected to contribute toward the financial obligations associated with services

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using the AOC's sliding fee scale. Financial assistance is available only after all other financial resources have been exhausted.

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

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

Service Type	Amount FY 16-17	Amount FY 17-18	Amount FY 18-19
Substance Use Evaluation	\$240,720	\$260,746	\$295,067
Short-Term Residential	\$2,557,900	\$2,788,490	\$2,910,601
Intensive Outpatient	\$856,274	\$905,858	\$995,941
Outpatient Counseling	\$821,742	\$1,079,004	\$1,280,067
Co-Occurring Evaluation	\$87,667	\$144,475	\$194,861
Co-Occurring Short Term Residential	\$146,686	\$211,602	\$234,055
Pretreatment – Reporting Center	\$127,158	\$224,889	\$218,073
Relapse Group – Reporting Center	\$178,582	\$284,573	\$304,885
Mental Health Evaluation/Assessment	\$143,712	\$49,042	\$42,168
Mental Health Outpatient Treatment	\$88,082	\$175,466	\$211,482
Adults who Sexually Harm Assessment And Treatment	\$56,173	\$140,013	\$292,093
Reporting Center Behavioral Health Contracts	\$438,868	\$1,191,304	\$1,270,839
Total	\$5,743,563	\$7,455,462	\$8,250,132

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

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

Transitional Living Eligibility Requirements

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

Levels of Transitional Living

- Transitional Living Halfway House
 - 24-hour structured treatment/recovery facilities licensed by DHHS
 - Qualifies for reimbursement up to \$117 per day for 12 weeks (84 days)
- Transitional Living with Programming
 - Supportive housing which includes life skills programming
 - Qualifies for reimbursement up to \$90 per day for 12 weeks (84 days)
- Transitional Living without Programming
 - Supportive housing
 - Qualifies for reimbursement up to \$20 per day for 12 weeks (84 days)

Transitional Living Housing Assistance

	FY16-17	FY 17-18	FY18-19
Assistance by Fiscal Year	\$26,444	\$1,487,135	\$3,466,008

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

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DISCHARGES AND REVOCATIONS

Discharges and Revocations Adult Courts, Traditional Probation

Discharges	Successful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	N
FY 2016-2017	70%	9%	8%	1%	12%	9,967
FY 2017-2018	70%	9%	7%	2%	12%	9,797
FY 2018-2019	72%	9%	8%	2%	10%	9,137

Discharges and Revocations Post-release Supervision

Discharges	Successful Completion	Unsuccessful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	N
FY 2016-2017	NA	NA	12%	12%	3%	NA	387
FY 2017-2018	35%	32%	14%	13%	5%	2%	1,230
FY 2018-2019	48%	21%	12%	12%	4%	3%	1,498

An “unsuccessful completion” arises when a court terminates an order of post-release supervision when financial obligations haven’t been met, required days of custodial sanctions have not been met to face revocation, or other factors have intervened not allowing the post-release probationer to satisfy all of the conditions and case management included in the Court Order.

Other is defined as “Death,” “Deported,” or , in one instance, “referral to a problem solving court.”

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Risk Reduction of High Risk Individuals who successfully completed their probation term.

Calculated on those individuals who came into probation with a high or very high score on the LSCMI when compared to the LSCMI score upon discharge.

Traditional Probation

Fiscal Year	Average 1st LSCMI Score	Average Last LSCMI Score	Change in LSCMI Score	% change
FY 2016-2017	24.97	19.3	-5.67	-22.70%
FY 2017-2018	25.01	19.35	-5.66	-22.63%
FY 2017-2018	25.70	20.40	-5.30	-20.70%

Post-release Supervision

Fiscal Year	Average 1 st LSCMI Score	Average Last LSCMI Score	Change in LSCMI Score	% change
FY 2016-2017	NA	NA	NA	NA
FY 2017-2018	27.93	24.56	-3.37	-12.06%
FY 2018-2019	27.90	26.3	-1.6	-5.8%

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

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

Law Violation	FY 16-17	FY 17-18	FY18-19
Prison	159	165	169
County jail	120	227	231
Total	279	392	400
% to Prison	57%	42%	42%

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Technical Violations	FY 16-17	FY 17-18	FY18-19
Prison	89	82	83
County jail	111	197	229
Total	200	279	312
% to Prison	45%	29%	27%

Adult Probation Annual Report – FY18-19

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