

OFFICE OF PROBATION ADMINISTRATION

Administrative Office of Probation's 2015-2016 Fiscal Year report on Adult Community Corrections Programs, Facilities, Tools, Services and Supervision.

The Administrative Office of Probation (AOP) delivers adult and juvenile programs and services across all 93 of Nebraska's counties and 12 Judicial Districts. Those programs and services are founded in evidence-based practices, and implemented in such a way to create constructive change through rehabilitation, collaboration, and partnership, in order to enhance safe communities and provide meaningful services to the communities, victims and courts across Nebraska.

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 LB605 during the 2015 Legislative Session, Justice Reinvestment Initiatives (JRI) officially commenced in Nebraska during the 2015-2016 fiscal year. As such, 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.

In an effort to reduce the number of individuals being revoked off of probation for technical (non-criminal, substance use, etc.) reasons, LB605 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, they may request the imposition of custodial sanctions. Only the court can actually impose the custodial sanction.

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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 will need a continued shift to case manage 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.

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 adult male and female 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.

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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.

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, unless there is a significant occurrence that prompts the need to reassess the case outside of that timeframe.

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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 by presenting the court with verified information relating 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 also forwarded to the Nebraska Department of Correctional Services (NDCS) for their use in classification and/or program planning.

	FY 13-14	FY 14-15	FY 15-16
Total Investigations	9,743	9,547	9,693

Post-release Supervision Plans -- are compiled in collaboration with the Department of Corrections, the Office of Parole Administration, 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.

LB605 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 readied for their transition out of prison in early 2016 and the first post-release supervision plan did not occur until February 18, 2016. A total of 71 post-release supervision plans were completed on individuals incarcerated in the Nebraska Department of Correctional Services during the last fiscal year (FY15-16).

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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 will be actively supervised with some intensive 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.

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Offender Demographics CBR	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	3467	3033	2881
Male	6805	5987	5687
	10272	9020	8568
Age			
Under 18	126	78	37
18-20	1205	1045	952
21-25	2568	2179	2030
26-30	1650	1423	1361
31-35	1221	1055	1064
36-40	914	878	837
41+	2588	2362	2286
Race/Ethnicity			
American Indian or Alaskan Native	201	172	161
Asian or Pacific Islander	115	99	97
Black	779	725	721
Other	1279	1100	1015
White	7898	6924	6574
Hispanic Origin	1291	1268	1241
Not of Hispanic Origin	8981	7752	7327
Marital Status			
Single	6161	5316	4966
Married	2161	1912	1798
Separated/Divorced/Widowed	1674	1521	1468
Unknown	276	271	336
Education Level at Entry			
8th Grade or Less	356	335	306
9th Through 11th Grade	919	812	727
12th Grade or GED	4783	3779	2874
Vocational/Some College	2641	2184	1852
College or Above	1485	1246	1092
Unknown	88	664	1717

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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Offense Category CBR Probation	Offense Type	FY 13-14	FY 14-15	FY 15-16
Assaultive Act	Felony	165	161	115
	Misdemeanor	343	322	334
	Other	0	1	1
Burglary	Felony	144	111	96
	Misdemeanor	0	0	4
	Other	0	0	0
Compliance	Felony	54	63	36
	Misdemeanor	241	216	206
	Other	0	0	2
Dangerous Drugs	Felony	802	820	495
	Misdemeanor	73	88	264
	Other	8	6	5
Family Offense	Felony	43	43	42
	Misdemeanor	165	130	149
	Other	0	0	0
Homicide	Felony	16	13	12
	Misdemeanor	17	19	25
	Other	0	0	0
Kidnapping	Felony	3	4	3
	Misdemeanor	0	1	2
	Other	0	0	0
Property & Fiscal	Felony	550	583	467
	Misdemeanor	471	417	440
	Other	0	0	0
Robbery	Felony	19	24	22
	Misdemeanor	0	0	3
	Other	0	0	0
Sex Offense	Felony	6	5	1
	Misdemeanor	4	6	2
	Other	0	1	2

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Traffic Offense	Felony	145	140	128
	Misdemeanor	6,381	5,330	4,899
	Other	16	9	10
Weapon Offense	Felony	40	46	52
	Misdemeanor	21	19	39
	Other	2	2	1
Unknown	Felony	60	67	87
	Misdemeanor	429	337	597
	Other	54	36	27
Total	Felony	2,047	2,080	1,556
	Misdemeanor	8,145	6,885	6,964
	Other	80	55	48

Funding for Community Based Resources (CBR) comes from the probation general fund. The average cost to supervise a CBR probationer per-day is approximately \$3.19.

Community Based Intervention/Intensive Supervision Probation (CBI/ISP) – Since the advent of Justice Reinvestment in Nebraska in August of 2015, CBI/ISP has been targeted to be the second highest level of supervision by the Nebraska Probation Administration. 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 and precipitating criminogenic behaviors, and/or as ordered by the court to intensively supervise individuals in this population.

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 in most cases. 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.

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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.

Discharges and Revocations Adult Courts:

Discharges	Successful Completion	Revoked New Crime	Revoked Technical Violation	Revoked Other or Not Specified	Other	N
FY 2013-2014	73%	7%	8%	1%	11%	10,722
FY 2014-2015	71%	8%	8%	1%	13%	10,070
FY 2015-2016	71%	8%	9%	1%	11%	10,137

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 this same individuals taking the average of their final LSCMI score prior to discharge from probation.

Fiscal Year	Avg 1st LSCMI Score	Avg Last LSCMI Score	Change in LSCMI Score	% change
2013-2014	23.71	17.04	-6.67	-28.31%
2014-2015	23.37	17.47	-5.9	-25.24%
2015-2016	22.79	16.75	-6.04	-26.50%

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Community Based Intervention (CBI) High Risk	FY 13-14	FY 14-15	FY 15-16
CBI Domestic Violence	804	858	906
CBI Sex Offender	302	287	272
Offender Demographics CBI (Intensive Supervision)	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	798	814	883
Male	2779	2832	2933
	3577	3646	3816
Age			
Under 18	63	57	45
18-20	621	537	505
21-25	774	777	812
26-30	576	613	627
31-35	451	503	558
36-40	331	384	390
41+	761	775	879
Race/Ethnicity			
American Indian or Alaskan Native	128	118	105
Asian or Pacific Islander	25	27	33
Black	446	449	472
Other	378	377	372
White	2600	2675	2834
Hispanic Origin	378	422	451
Not of Hispanic Origin	3199	3224	3365
Marital Status			
Single	2219	2240	2330
Married	589	576	597
Separated/Divorced/Widowed	608	643	698
Unknown	161	187	191

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Education Level at Entry			
8th Grade or Less	78	78	79
9th Through 11th Grade	634	632	626
12th Grade or GED	1934	1837	1668
Vocational/Some College	678	677	661
College or Above	218	215	206
Unknown	35	207	576

Offense Category CBI (Intensive Supervision	Offense Type	FY 13-14	FY 14-15	FY 15-16
Assaultive Act	Felony	197	191	140
	Misdemeanor	607	667	766
	Other	0	0	0
Burglary	Felony	159	154	115
	Misdemeanor	0	0	2
	Other	0	0	0
Compliance	Felony	35	43	36
	Misdemeanor	98	107	111
	Other	0	0	0
Dangerous Drugs	Felony	544	662	462
	Misdemeanor	26	18	176
	Other	4	5	3
Family Offense	Felony	41	44	47
	Misdemeanor	61	65	53
	Other	0	0	0
Homicide	Felony	7	6	8
	Misdemeanor	4	4	1
	Other	0	0	0
Kidnapping	Felony	7	4	5
	Misdemeanor	2	4	7
	Other	0	0	0
Property & Fiscal	Felony	201	199	211
	Misdemeanor	136	123	130

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	Other	0	0	0
Robbery	Felony	27	31	27
	Misdemeanor	0	0	2
	Other	0	0	0
Sex Offense	Felony	269	254	227
	Misdemeanor	31	32	44
	Other	2	1	1
Traffic Offense	Felony	134	149	146
	Misdemeanor	656	552	554
	Other	3	0	1
Weapon Offense	Felony	26	26	35
	Misdemeanor	10	14	11
	Other	0	0	0
Unknown	Felony	22	25	78
	Misdemeanor	219	217	370
	Other	49	49	47
Total	Felony	1,669	1,788	1,537
	Misdemeanor	1,850	1,803	2,227
	Other	58	55	52

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 \$6.00.

Alternatives to Incarceration (AI) – Adult Alternatives to Incarceration (AI) Probation is a supervision approach intended for probationers who are considered to be at the highest risk to reoffend, are participating in problem solving courts, are on probation or are completing a term of incarceration for a crime requiring a “split sentence” and shall be 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 the appropriate cognitive behavioral interventions, treatment services, and monitoring.

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Probationers are targeted to be at the highest level of supervision and are the first priority of supervision resources by the Nebraska Probation Administration. Probation officers will 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. (This ratio does not include problem solving courts)

Post-release Supervision (PRS) – with limited exceptions, following the passage of LB605 in 2015, certain felonies committed on or after August 30, 2015 carry a possible 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.

A total of 169 individuals were released from an either a county or state correctional facility with a term of post-release supervision between 8/30/2015 and 6/30/2016.

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.

LB605 and other Justice Reinvestment efforts called for the expansion of SSAS. During FY15-16, additional resources were placed to expand capacity in existing SSAS locations and new sites were established in Gage, Adams and Lincoln counties.

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 the 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.

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	7/1/2013- 6/30/2014	7/1/2014- 6/30/2015	7/1/2015- 6/30/2016
	FY 2013	FY 2014	FY 2015
Total New SSAS Referrals made during FY	300	443	541
Total SSAS Clients Served during FY	488	668	1005
Successfully Completed SSAS Referral During FY	262	247	244
Still Active SSAS as of 10/1/2016	54	195	610
Average initial SSAS LS/CMI Score	23.00883002	23.35913313	23.84047856
Average Final and/or Current LS/CMI Score	17.79848866	18.3040293	19.39130435
Percentage Risk Decrease	-22.64%	-21.64%	-18.66%

**** PLEASE NOTE: Due to budget issues, Parole ceased participation in the SSAS program in FY15-16. Therefore, SSAS Numbers only reflect probationers that participated in a SSAS Program.**

Offender Demographics SSAS	FY 13-14	FY 14-15	FY 15-16
Gender			
Female	132	105	173
Male	340	300	425
Age			
18-20	26	23	46
21-25	84	74	133
26-30	82	89	102
31-35	107	83	114
36-40	51	48	66
41+	122	88	137
Race/Ethnicity			
American Indian or Alaskan Native	14	13	16
Asian or Pacific Islander	5	3	8

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Black	58	46	72
Other	34	33	62
White	361	310	440
Hispanic Origin	33	36	78
Not of Hispanic Origin	439	369	520

Funding for Specialized Substance Abuse Supervision (SSAS) comes from the Community Corrections general fund. The average cost to supervise a SSAS probationer per-day is approximately \$10.53. (Please note – the Specialized Substance Abuse Supervision Program expanded during the second half of FY15-16 due to Justice Reinvestment efforts which became effective on August 30, 2015. This may have caused inflation of the per-day cost of supervision of this population.)

SERVICES

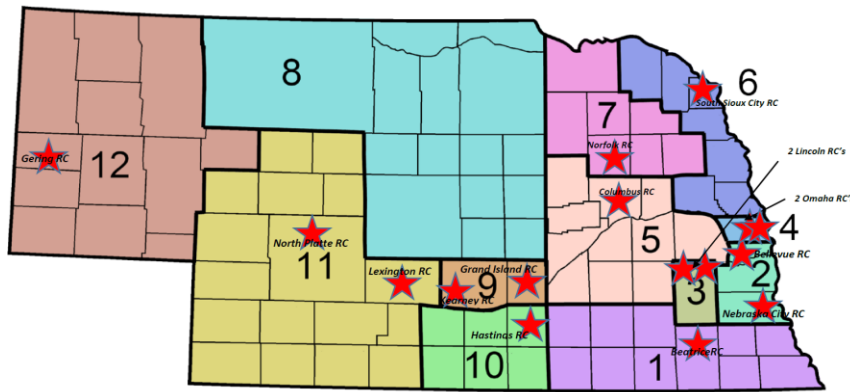
Reporting Centers -- Probation's Reporting Center are a centralized service delivery site designed to provide supervision, programs and services to Probation, Problem-solving Courts and other appropriate referral sources representative of the needs of the district in which a Reporting Center has been 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. During the FY2015-16 expansion, second reporting centers were awarded to Douglas and Lancaster Counties, the counties demonstrating the state's biggest needs, while new sites were opened in Gage, Adams and Lincoln Counties. 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.

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Nebraska Reporting Centers



Fiscal Year	2013	2014	2015	% Increase over three fiscal years
Unique Individuals Served	1,563	1,535	2,686	73%
Programming Referred	2,008	1,914	3,718	88%

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
FY13-14	119	419	136	183	56	207	557	73
FY14-15	152	586	79	178	59	61	602	99
FY15-16	294	920	408	181	122	410	582	213
Totals	565	1,925	623	542	237	678	1,741	385

**** 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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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 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.

Probation Teleservices -- Reporting Centers have the ability to offer programming via Probation TeleServices (PTS). PTS offers the availability for a two-way connection of two or more locations through audio and video equipment and merges the geographical gap between probation officers, treatment providers, and clients deal with in the state of Nebraska due to transportation and logistical issues. 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 2015, probation staff conducted 2,888 hours of business, including program facilitation to underserved areas, and meetings to avoid travel and accommodation costs to the state's taxpayers, using its PTS network.

Fee for Service, 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 should serve 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 substance use service must receive those services through a Standardized Model Registered Service Provider.

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Adult Fee for Service, Financial Assistance Vouchers by Level of Care

Level of Care	Amount FY 2013-2014	Amount FY 2014-2015	Amount 2015-2016
Assessment and Evaluation	\$196,745	\$243,885	\$400,807
Short-Term Residential	\$2,359,943	\$2,788,540	\$2,011,570
Intensive Outpatient	\$746,727	\$854,568	\$681,700
Outpatient Counseling	\$842,795	\$941,882	\$693,970
Total	\$4,146,210	\$4,828,876	\$3,788,047

**** 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.

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Number of Drug Tests by Classification

	FY 13-14	FY 14-15	FY 15-16
Classification	# of Drug Tests	# of Drug Tests	# of Drug Tests
CBI	66,070	74,670	79,682
CBI DUI	16,723	17,662	20,001
CBI Domestic Violence	11,492	18,372	31,019
SSAS	20,993	26,981	36,594
Sex Offender	5,005	5,328	5,703
CBR	101,975	122,780	141,002
Other	6,934	11,944	17,538
Unclassified	44	27	30
Grand Total	229,236	277,764	331,569

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 devise 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 2013-2014	FY 2014-2015	FY 2015-2016
Number Served	330	216	134

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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 its 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 2013-2014	FY 2014-2015	FY 2015-2016
Number Served	825	864	738

OffenderLink (Electronic Reporting System (ERS)) -- is tool used to help manage the potentially large caseloads of officer 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 2013-2014	FY 2014-2015	FY 2015-2016
Number Served	5,372	4,667	4,618

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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 (positive chemical testing, missed appointments, failure to pay fines and fees, etc.) are addressed through the imposition of administrative of custodial sanctions.

	FY 2013-2014	FY 2014-2015	FY 2015-2016
Administrative Sanctions	6,906	8,647	10,397
Custodial Sanctions	N/A	N/A	273

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 are 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 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, and Family Drug 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.

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Of the current 20 Nebraska Problem-Solving Courts, 16 are drug courts targeting juveniles, young adults, and adults. In 2014-15, these problem-solving courts served 939 participants with 226 successfully graduating. So far in 2016, drug courts in Nebraska have served over 1,000 participants of which 123 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).

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Demographics -Problem Solving Courts	FY13-14	FY14-15	FY15-16
<i>Total</i>	721	939	1,036
Gender			
Female	256	359	354
Male	465	580	682
Age			
18-20	122	101	211
21-25	171	310	271
26-30	136	189	192
31-35	96	147	139
36-40	57	70	81
41+	98	122	142
Race/Ethnicity			
American Indian/ Alaskan Native	16	18	19
Asian or Pacific Islander	8	7	7
Black	70	67	96
Other	48	43	88
White	516	586	826
Unknown	0	1	0
Hispanic Origin	48	93	113
Not of Hispanic Origin	673	845	923
Marital Status			
Single	91	133	735
Married Cohabiting	95	133	108
Separated/ Divorced/ Widowed	470	624	157
Unknown	65	48	36
Education Level at Entry			
8 th Grade or Less	17	21	17
9 th Through 11 th Grade	132	196	233
12 th Grade or GED	454	562	608
Vocational/Some College	94	115	133
College or Above	24	34	36
Unknown	0	4	9

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ADULT DRUG AND DUI COURTS

Nebraska Adult Drug and DUI Courts operate as 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 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 twelve 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 19, 20, and 16 participants in the past three fiscal years.

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Demographics Adult Drug and DUI Courts:			
Gender	FY13-14	FY14-15	FY15-16
Female	256	351	340
	37%	40%	37%
Male	440	536	582
	63%	60%	63%
Total	696	887	922
Race			
American Indian/ Alaskan Native	18	20	18
	3%	2%	2%
Asian Or Pacific Islander	6	5	6
%	1%	1%	1%
Black	60	66	69
%	9%	7%	7%
Other	40	76	70
%	6%	9%	8%
White	572	719	758
%	82%	81%	82%
Ethnicity			
Hispanic Origin	46	88	95
	7%	10%	10%
Not of Hispanic	650	798	826
	93%	90%	90%
Age			
18-20	110	71	119
	16%	8%	13%
21-25	176	288	249
	25%	32%	27%
26-30	144	189	192
	21%	21%	21%
31-35	101	147	139
	15%	17%	15%
36-40	60	70	81
	9%	8%	9%
41 +	104	122	142
	15%	14%	15%
Under 18	1	0	0

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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 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.

Juvenile and Young Adult Court Demographics:			
<i>Gender</i>	FY13-14	FY14-15	FY15-16
Female	13	8	14
	15%	14%	20%
Male	57	45	41
	85%	86%	80%
Total	26	50	114
<i>Race</i>			
American Indian Or Alaskan Native	1	0	1
	0%	0%	0%
Asian Or Pacific Islander	0	1	1
	0%	2%	2%
Black	8	19	19
	31%	38%	37%
Other	0	4	4
	0%	8%	8%
White	18	26	27
<i>Ethnicity</i>			
Hispanic Origin	0	5%	5
	0%	0%	10%
Not of Hispanic	26	45	46
	100%	90%	90%
<i>Age</i>			
18-20	19	28	28
	73%	56%	55%
21-25	6	22	22
	23%	44%	43%
Under 18	1	0	1

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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.

Nebraska Problem-Solving Courts	2013		2014		2015	
	Number of Participants	Number of Drug Tests	Number of Participants	Number of Drug Tests	Number of Participants	Number of Drug Tests
Adult Drug Courts	872	53,610	886	59,178	899	63,729
Juvenile Drug Courts	70	1,354	56	1,526	69	2,538
Young Adult Court	34	591	51	909	52	1,832
DUI Court	19	512	20	541	16	888
Total	995	56,067	1,013	62,154	1,036	68,987

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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 targets the risk/need areas that have been identified as specific criminogenic risk factors most likely to influence the offender's probability of continuing criminal behavior. These areas are Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug Problems, Pro-Criminal Attitude/Orientation, and an Anti-Social Pattern.

The following 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. 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.

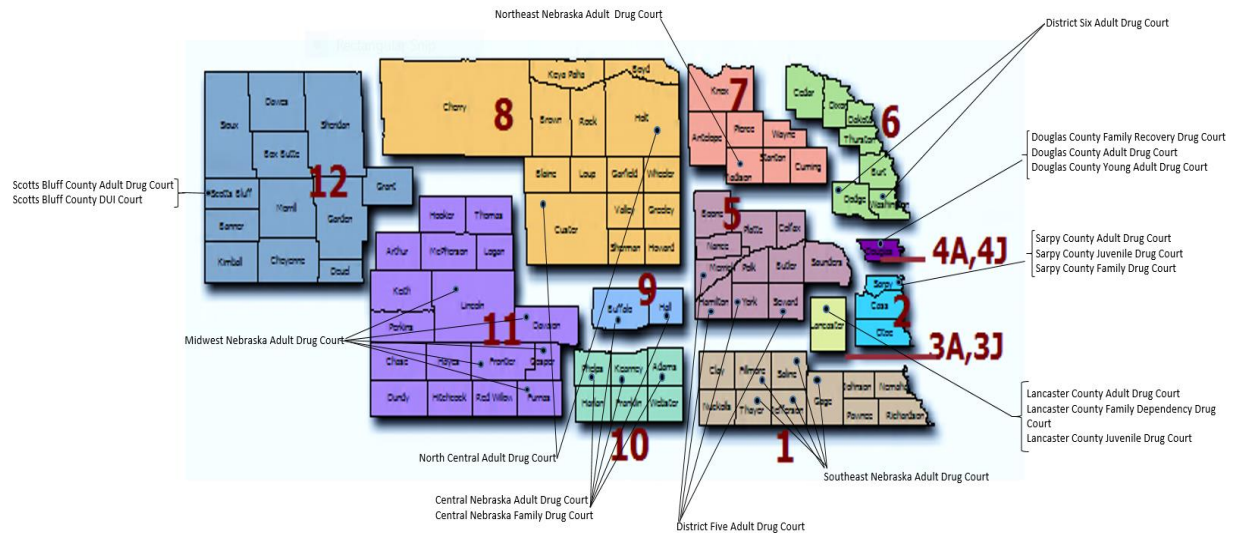
Fiscal	LSCMI Score at Entrance	LSCMI Score at Discharge	Difference in Scores	% Change	N
FY13-14	21.86	11.63	-10.23	-47.60%	185
FY14-15	21.08	10.99	-10.09	-47.86%	206
FY15-16	22.28	10.43	-11.85	-53.19%	183

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

Funding for Problem Solving Courts (PSC) comes from Problem Solving Court general fund. The average cost to supervise a PSC participant per-day is approximately \$7.56 per day.

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Nebraska Problem-Solving Courts*



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