

Office of Probation Administration

Mailing Address
P.O. Box 98910
Lincoln, NE 68509-8910

Physical Address
Room 1220
State Capitol

Phone: (402) 471-3730

This report covers the period of
January 1, 2002
to
December 31, 2003.

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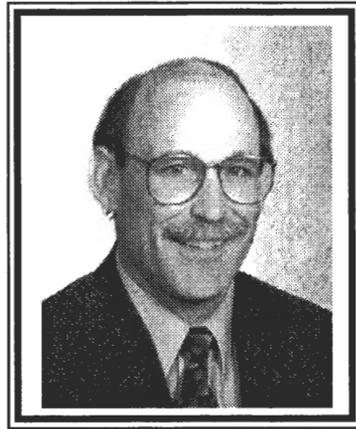
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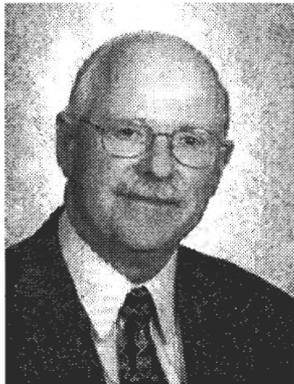
Office of Probation Administration

Probation Administrator



Edward C. Birkel

Deputy Probation Administrator



David L. Wegner

Deputy Probation Administrator



Franklin H. Jenson



Additional Administrative Staff

Back row l-r: **Katherine Widders**, Interstate Compact Officer
Linda Zabel, Administrative Secretary
Donna Hase, Information Systems Specialist
Front row l-r: **Jane Wray**, Financial Administrative Assistant
Thelma Smith, Payroll Assistant

Chief Probation Officers

District 1 - Chadron

GARY HOFFMAN

District 10 - Gering

DAN WITKO

District 2 - Wayne

DICK BROWN

District 12 - Beatrice

JOHN McCARTY

District 3 - Columbus

RICH CHISHOLM

District 16 - Fremont

DIANE SJUTS

District 4 - Omaha

DEB MINARDI

District 17 - Kearney

KENT LILLY

District 5 - Papillion

ELLEN BROKOFSKY

District 18 - Omaha, Juvenile Court

JIM FAHY

District 6 - Lincoln

STEVE ROWOLDT

District 20 - Lincoln, Juvenile Court

LORI GRIGGS

District 7 - Hastings

BOB HORTON

District 8 - Grand Island

CARROLL BROWN

District 9 - North Platte

DOUG WATSON

Intensive Supervision Probation (ISP) Coordinators

Region A – Sidney

DON DOUGLAS

Region B – Ogallala

LONNIE FOLCHERT

Region C – Hastings

SUE KISSINGER

Region D – Lincoln

THERESE VOBORIL

Region E – Omaha

MARY VYVERMAN

Region F – Columbus

MARK DeMERS

Standing Probation Committees

Personnel

CHAIR, DEB MINARDI

Workload

CHAIR, GARY HOFFMAN

Intensive Supervision Probation

CHAIR, STEVE ROWOLDT

Juvenile / Intake

CHAIR, LORI GRIGGS

Substance Abuse

CHAIR, ELLEN BROKOFSKY

Public Relations

CHAIR, DIANE SJUTS

Information Technology

CHAIR, JOHN McCARTY

Policies and Procedures

CHAIR, JIM FAHY

Training

CHAIR, JODI EDELMAN, Chief Deputy

INTRODUCTION

History

In 1957, under LB 568, Nebraska adopted a general statewide system that provided for a planned, uniform system of presentence investigations, case studies, and coordinated supervision of offenders eligible for probation under court suspension of sentence. Organizationally, the Nebraska District Court Judges Association was initially granted power to exercise general supervision over probation in all district courts. District judges within each probation district appointed Chief Probation Officers who served at the pleasure of the judges. From 1958 to 1971, the statewide probation system functioned primarily for adult felons and supervision of misdemeanants from the county courts was performed as a “courtesy.”

In 1971, the Legislature passed LB 680 which provided for administration of probation in district, county, and juvenile courts, except for the separate juvenile courts; created the Office of Probation Administration and outlined the office’s duties; created the Field Probation Service and outlined its duties as well as the procedures for discharging offenders from probation; and provided a mechanism for the supervision of offenders through the Interstate Compact. In 1972, LB 1032 created a unified county court system and formally allowed for supervision of probation cases from the county court. In 1978, LB 624 was enacted which provided that “county courts shall be prohibited from appointing probation officers after the effective date of this act.” In that same year, LB 625 was enacted creating the Nebraska Probation System Committee whose function was to “assist the Office of Probation Administration and the Probation Administrator in developing policies and standards for Field Probation Service.” In 1985, the Legislature passed LB 13 which merged the municipal courts of Lincoln and Omaha into the county court systems of Lancaster and Douglas counties and placed the Probation personnel of these courts under the supervision of the Office of Probation Administration. The Probation personnel of the separate juvenile courts of Douglas, Lancaster, and Sarpy counties were also placed under the Office of Probation Administration.

By virtue of LB 529, the Legislature on July 1, 1986 placed Agency 06 (District Courts/Probation) under the Nebraska Supreme Court (Agency 05). The bill called for the Nebraska Probation System Committee to serve as an advisory committee until its duties were taken over by the Nebraska Probation Advisory Committee on July 1, 1988. The committee’s role was to provide advice to the Probation Administrator and Supreme Court regarding Probation matters. This committee was abolished by the Supreme Court on May 14, 1998, when the court alternatively elected to designate a Supreme Court judge to serve as liaison to the Probation system.

In 1990, the Legislature provided for the implementation of an Intensive Supervision Probation (ISP) program. ISP is designed to serve as an intermediate sanction between traditional probation and jail or prison for adults or state commitment for juveniles.

Through utilization of a targeting tool, select offenders who have been deemed appropriate for this sanction may be sentenced to ISP. Organizationally, the state is divided into six ISP regions. Each is staffed by a Coordinator, line field staff, and support personnel. Twenty officers were hired as part of this initial program in 1990. An additional five juvenile ISP officers were added in 1991 and five more ISP officers were added in July, 1995.

In 1997, the Legislature passed LB 881 directing the Department of Correctional Services to develop and implement an incarceration work camp no later than January 1, 2005, where adult criminal offenders could be placed as a condition of a sentence of probation (codified in Neb. Rev. Stat. 83-4,142 - 83-4,147). This legislation outlined the work camp's structure and core programming and directed that the court target certain types of eligible felony offenders. Probation's responsibility centers around assisting the court in identifying and assigning appropriate offenders to the work camp, responding to any acts of non-compliance while said offenders are in the work camp, and performing an aftercare role once the offender has completed the work camp and transitions back into their community. Within Probation's FY99-01 biennium budget, thirteen employees, ten of whom were ISP officers, were allocated to accommodate this new intermediate sanction. After several years of collaboration between the Department of Correctional Services and the Nebraska Probation System, this facility became operational April 30, 2001 under the name of Nebraska Department of Correctional Services Work Ethic Camp (WEC).

In 2001, the Legislature passed LB 451 so as to streamline the practice of juvenile intake and allow for a consistent and uniform method of decision-making when the issue of post-arrest detention/placement is requested by law enforcement (codified in Neb. Rev. Stat. 43-250, 43-253, and 43-260). In doing so, such legislation clearly solidified juvenile intake as an exclusive Probation function. Seven juvenile intake probation officers were allocated within Probation's FY02-03 biennium budget to administratively strengthen Probation's ability to successfully implement this new function statewide.

The practices of juvenile intake were further clarified in 2003 by the passage of LB 43, specifically as it relates to Neb. Rev. Stat. 43-250 (3) and (4). Neb. Rev. Stat. 43-250 (3) was amended to clarify that a peace officer retains temporary custody over a juvenile pending a probation officer's detention decision; and 43-248 (4) was amended to clarify that a peace officer shall contact the Department of Health and Human Services not Probation when seeking temporary placement of a juvenile defined within 43-248 (3).

In 2003, the Legislature passed LB 46, herein referred to as the "Community Corrections Act," which promulgated a number of criminal justice reforms that directly affected the administration of probation services. Major key components included the following:

- Establishment of a Community Corrections Council within the Crime Commission to oversee and ensure that a continuum of community corrections is developed for use by probationers and parolees – Section 47-1619 through 47-1633, Neb. Rev. Stat. (2003 Supp.).
- Establishment of probation and parole enrollment and monthly programming fees to support enhanced programming and services as well as a procedure and criteria for determining ability to pay – Section 29-2262.06, Neb. Rev. Stat. (2003 Supp.) and a Probation Program Cash Fund – Section 29-2262.07, Neb. Rev. Stat. (2003 Supp.).
- Establishment of a procedure and method of imposing certain administrative sanctions by probation officers for technical offender violations – Section 29-2266 (1), Neb. Rev. Stat. (2003 Supp.).
- Elimination of presentence investigations in 3A misdemeanor and below class offenses, related traffic and city ordinances – Section 29-2261 (2), Neb. Rev. Stat. (2003 Supp.).
- Require that the Supreme Court develop sentencing guidelines by court rule. Guidelines for felony drug offenses are to be developed first and delivered to the Court by July 1, 2004. An advisory committee comprised of law enforcement representatives, county attorneys, district court judges, defense bar members, and others the Supreme Court deems appropriate may assist in the development of the guidelines – Section 47-630, Neb. Rev. Stat. (2003 Supp.).
- Creation of a Community Corrections Uniform Data Analysis Fund administered by the Executive Director of the Crime Commission, funded by the assessment of an additional \$1 in court costs, and utilized to support data integration efforts amongst a wide array of criminal justice entities – Section 47-632, Neb. Rev. Stat. (2003 Supp.).
- Adoption of Interstate Compact for Adult Offender Supervision – Section 29-2639, Neb. Rev. Stat. (2003 Supp.).

System Structure

Probation's field services are organizationally divided into three divisions:

- Juvenile intake;
- Traditional probation; and
- Intensive Supervision Probation (ISP).

Probation's three divisions are operationally defined within 15 probation districts and 6 ISP regions. Probation districts primarily engage in the investigation and supervision of traditional probation offenders as well as the activities associated with juvenile

intake. Each probation district has a principal office and there are an additional 32 statewide satellite offices that augment the principal offices. Each probation district is managed by a Chief Probation Officer, and some locations have a Chief Deputy Probation Officer, juvenile intake officer(s), and case manager(s), as well as varied numbers of probation officers and support staff. ISP regions are managed by an ISP Coordinator who receives guidance from a designated Chief Probation Officer within the region. ISP regions vary in geographical size, as does the number of intensive supervision probation officers and support staff contained within them. Within all three Probation divisions, staff allocation is primarily determined by measuring task-oriented workloads rather than counting caseload.

Functions

Depending upon the respective field division involved, Probation serves several functions for courts, offenders, and communities.

Within the juvenile intake field division, probation officers are statutorily obligated to respond to law enforcement requests twenty-four hours per day, seven days per week, in order to make decisions regarding detention, alternative placement or release of a juvenile held in temporary custody. This is accomplished through an assessment of the juvenile's background using a standardized instrument. Thereafter, juvenile intake probation officers may engage in preadjudication supervision of the juvenile pending final disposition of the case should the court so direct.

With the traditional probation field division, probation officers have a dual responsibility of providing thorough presentence and preadjudication investigative reports to the courts and community-based offender supervision. Such supervision entails appropriate offender intervention and redirection, victim restitution, community service, and regulated monitoring of offender behavior to ensure that offenders who are not in compliance with their probation orders are returned to court and held accountable for their actions. Within the supervision arena, probation officers are assisted by case managers who are responsible for a higher caseload of low-risk offenders.

Note: In the rural areas of our state, juvenile intake probation officers and traditional probation officers share common responsibilities in order to enhance the efficiencies associated with these mutual functions.

Within the intensive supervision probation (ISP) field division, probation officers provide a community-based intermediate sentencing sanction that is programmatically more restrictive than traditional probation. This sanction appropriately targets and intensely supervises moderately high-risk offenders, both adult and juveniles, who might otherwise be incarcerated or committed to state custody. Caseloads are relatively small and limited so as to allow frequent personal contact with the offender, significant others, and the community in which they live. Unlike traditional probation, intensive supervision probation customarily utilizes electronic monitoring as a program component.

In supervising offenders, Probation staff engage in a wide variety of functions that promotes public safety and offender rehabilitation. Within traditional probation, a standardized risk/needs assessment is utilized to determine the level of supervision provided to each offender. This assessment allows for a change in the initial supervision level through an officer-imposed override and periodically thereafter by virtue of risk/needs reassessments. Within intensive supervision probation, offenders are supervised in accordance with three phases. These phases, over designated periods of time, allow the offender less restrictions concerning their conduct and freedom depending upon their ongoing successful adjustment. If an offender satisfactorily complies with these phase requirements, the offender has the potential to transition into traditional probation supervision.

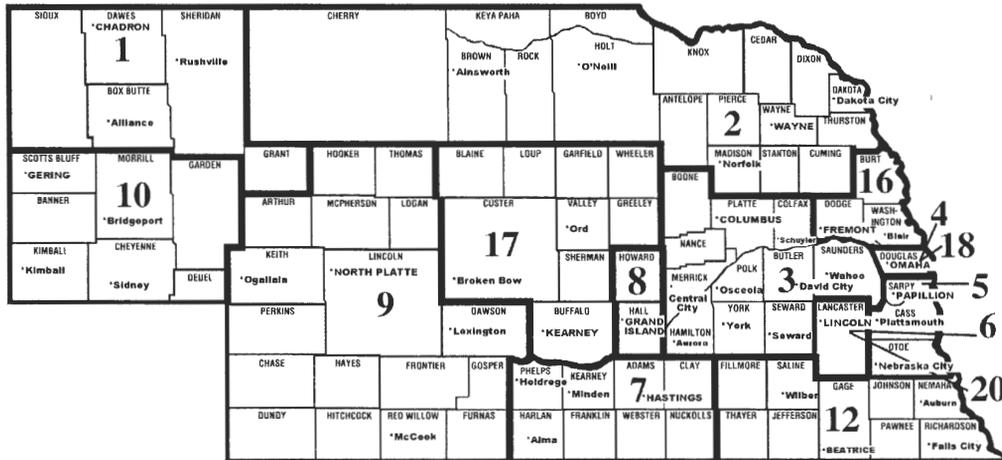
During the period of probation supervision, probation officers monitor an offender's behavior and compliance with court-ordered probation terms. Whereas offenders, at a minimum, are expected to be employed or attending school and maintaining stable residency, their performance in these spheres of life are monitored closely to ensure normal functioning. Changes must be reported to the offender's supervising officer and out-of-state travel is likewise restricted. Probation officers routinely refer offenders to a wide array of treatment services and monitor their involvement with these service providers through collateral contacts. Probation officers monitor and direct the collection of restitution from offenders as well as the performance of community service work. In a large percentage of cases, probation officers are responsible for monitoring offender substance abuse by conducting alcohol/drug tests on offenders.

Administrator

Under Supreme Court direction, the probation administrator directs the state's Probation system; establishes how reports, employment statistics, research and other informational factors are prepared; provides training programs and opportunities for probation officers; cooperates with agencies concerned with the treatment and welfare of those on probation, and teaches the public about the Probation program. In addition, the probation administrator is statutorily responsible for providing a biennial report to the Supreme Court, Governor, and Legislature regarding the overall operation of the Nebraska Probation System. The office of the probation administrator is located in the State Capitol within the Administrative Office of the Courts/Probation.

Nebraska Probation Districts and Offices

(Juvenile Intake/Traditional)



(Main offices in CAPITALS. Satellite offices in lowercase.)

During the reporting period, Probation employed 336 employees (316.68 FTEs) located in 42 counties within juvenile intake and traditional field divisions.

DISTRICT ONE

Gary Hoffman - Chief Probation Officer - Chadron

Area Covered: Sioux, Dawes, Sheridan, Box Butte, and Grant counties
 Judicial District: Judicial District 12
 Satellite Offices: Alliance and Rushville
 Staff Supervised: 3.0 Probation Officers
 .5 Juvenile Intake Probation Officer
 2.3 Clerical Support Staff

DISTRICT TWO

Dick Brown - Chief Probation Officer - Wayne

Area Covered: Cherry, Keya Paha, Boyd, Brown, Rock, Holt, Knox, Cedar, Dixon, Dakota, Antelope, Pierce, Wayne, Thurston, Madison, Stanton, and Cuming counties
 Judicial Districts: Judicial Districts 6, 7, and 8
 Satellite Offices: Ainsworth, O'Neill, Dakota City, and Norfolk
 Staff Supervised: 1.0 Chief Deputy Probation Officer
 10.0 Probation Officers
 .5 Juvenile Intake Probation Officer
 6.1 Clerical Support Staff
 .49 Drug Technician

DISTRICT THREE Rich Chisholm - Chief Probation Officer - Columbus

Area Covered: Boone, Platte, Colfax, Nance, Merrick, Polk, Butler, Saunders,
Hamilton, York, and Seward counties
Judicial District: Judicial District 5
Satellite Offices: Wahoo, David City, Osceola, Central City, York, Aurora, and Seward
Staff Supervised: 1.0 Chief Deputy Probation Officer
 12.0 Probation Officers
 1.0 Juvenile Intake Probation Officer
 7.0 Clerical Support Staff
 .5 Drug Technician

DISTRICT FOUR Deb Minardi - Chief Probation Officer - Omaha

Area Covered: Douglas County
Judicial District: Judicial District 4
Satellite Offices: None
Staff Supervised: 1.00 Chief Deputy Probation Officer
 2.00 Supervisor Probation Officers
 32.25 Probation Officers
 4.25 Case Managers
 17.59 Clerical Support Staff
 2.46 Drug Technicians

DISTRICT FIVE Ellen Brokofsky - Chief Probation Officer - Papillion

Area Covered: Sarpy, Cass, and Otoe Counties
Judicial District: Judicial District 2
Satellite Offices: Plattsmouth and Nebraska City
Staff Supervised: 1.0 Chief Deputy Probation Officer
 14.0 Probation Officers
 1.5 Juvenile Intake Probation Officers
 1.0 Case Manager
 9.13 Clerical Support Staff
 .5 Drug Technician
 2.0 Federal Grant-funded Probation Officers (Drug Court)
 .5 Federal Grant-funded Clerical Support Staff (Drug Court)
 .5 Federal Grant-funded Drug Technician

DISTRICT SIX Steve Rowoldt - Chief Probation Officer - Lincoln

Area Covered: Lancaster County
Judicial District: Judicial District 3
Satellite Offices: None
Staff Supervised: 1.0 Chief Deputy Probation Officer
 1.0 Supervisor
 14.0 Probation Officers
 2.0 Case Managers
 8.0 Clerical Support Staff
 1.5 Drug Technicians
 3.0 Cash-funded Grant Probation Officers (Drug Court)
 1.0 Cash-funded Grant Case Manager

DISTRICT SEVEN Bob Horton - Chief Probation Officer - Hastings

Area Covered: Phelps, Kearney, Adams, Clay, Harlan, Franklin, Webster,
and Nuckolls counties
Judicial District: Judicial District 10
Satellite Offices: Holdrege and Minden
Staff Supervised: 1.0 Chief Deputy Probation Officer
 6.0 Probation Officers
 .5 Juvenile Intake Probation Officer
 4.25 Clerical Support Staff
 1.0 Cash-funded Probation Officer

DISTRICT EIGHT Carroll Brown - Chief Probation Officer - Grand Island

Area Covered: Hall and Howard counties
Judicial Districts: Judicial Districts 8 and 9
Satellite Offices: None
Staff Supervised: 1.0 Chief Deputy Probation Officer
 5.0 Probation Officers
 1.0 Case Manager
 1.0 Cash-funded Juvenile Intake Probation Officer
 2.5 Clerical Support Staff
 1.0 Drug Technician

DISTRICT NINE Doug Watson - Chief Probation Officer - North Platte

Area Covered: Hooker, Thomas, Arthur, McPherson, Logan, Keith, Lincoln, Perkins,
Dawson, Chase, Hayes, Frontier, Gosper, Dundy, Hitchcock, Furnas,
and Red Willow counties
Judicial District: Judicial District 11
Satellite Offices: Lexington, Ogallala, and McCook
Staff Supervised: 1.0 Chief Deputy Probation Officer
 13.5 Probation Officers
 .5 Juvenile Intake Probation Officer
 .5 Case Manager
 7.5 Clerical Support Staff
 .5 Drug Technician

DISTRICT TEN Dan Witko - Chief Probation Officer - Gering

Area Covered: Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne,
and Deuel counties
Judicial District: Judicial District 12
Satellite Offices: Bridgeport, Sidney, and Kimball
Staff Supervised: 1.0 Chief Deputy Probation Officer
 7.0 Probation Officers
 1.0 Juvenile Intake Probation Officer
 5.0 Clerical Support Staff
 .4 Drug Technician

DISTRICT TWELVE John McCarty - Chief Probation Officer - Beatrice

Area Covered: Nemaha, Johnson, Richardson, Pawnee, Gage, Saline, Fillmore,
Thayer, and Jefferson counties
Judicial Districts: Judicial District 1, 2, 10* (*County Court only)
Satellite Offices: Beatrice, Falls City, Friend, and Wilber
Staff Supervised: 1.0 Chief Deputy Probation Officer
 5.0 Probation Officers
 .5 Juvenile Intake Probation Officer
 3.75 Clerical Support Staff

DISTRICT SIXTEEN Diane Sjuts - Chief Probation Officer - Fremont

Area Covered: Burt, Dodge, and Washington counties
Judicial District: Judicial District 6
Satellite Office: Blair
Staff Supervised: 1.0 Chief Deputy Probation Officer
 4.0 Probation Officers
 1.0 Juvenile Intake Probation Officer
 1.0 Case Manager
 2.75 Clerical Support Staff
 .5 Drug Technician

DISTRICT SEVENTEEN Kent Lilly - Chief Probation Officer - Kearney

Area Covered: Blaine, Loup, Garfield, Wheeler, Custer, Valley, Greeley, Sherman,
and Buffalo counties
Judicial Districts: Judicial Districts 8 and 9
Satellite Offices: Broken Bow and Ord
Staff Supervised: 6.0 Probation Officers
 .5 Juvenile Intake Probation Officer
 3.0 Clerical Support Staff

DISTRICT EIGHTEEN Jim Fahy - Chief Probation Officer - Omaha

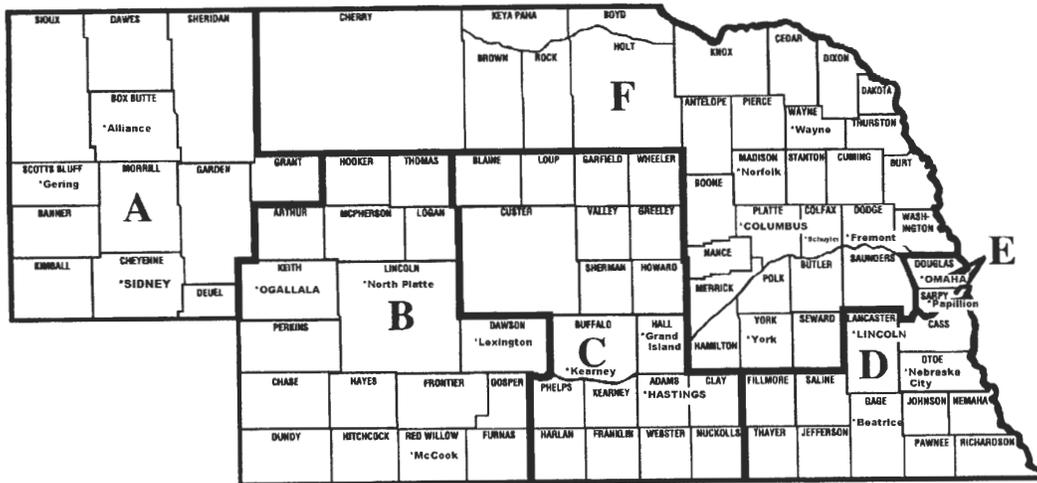
Area Covered: Douglas County (Juvenile Court)
Judicial District: Judicial District 4
Satellite Offices: None
Staff Supervised: 1.0 Chief Deputy Probation Officer
 12.0 Probation Officers
 5.0 Juvenile Intake Probation Officers
 6.0 Clerical Support Staff
 1.0 Federal Grant-funded Probation Officer (Drug Court)
 .5 Federal Grant-funded Drug Technician
 1.0 Cash-funded Grant Probation Officer

DISTRICT TWENTY

Lori Griggs - Chief Probation Officer - Lincoln

Area Covered:	Lancaster County (Juvenile Court)
Judicial District:	Judicial District 3
Satellite Offices:	None
Staff Supervised:	1.0 Chief Deputy Probation Officer
	7.0 Probation Officers
	1.0 Juvenile Intake Probation Officer
	2.0 County-funded Probation Officers (preadjudicated electronic monitoring)
	3.0 Clerical Support Staff
	2.0 Cash-funded Probation Officers (Drug Court)

Nebraska Probation ISP Regions and Offices



(Main offices in CAPITALS. Satellite offices in lowercase.)

During the reporting period, Probation employed 55 employees (54.22 FTEs) located in six (6) Regions within the Intensive Supervision Probation (ISP) field division.

REGION A Don Douglas - Coordinator - Sidney

Area Covered: Sioux, Dawes, Sheridan, Box Butte, Grant, Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne, and Deuel counties
 Judicial District: Judicial District 12
 Satellite Office: Alliance
 Staff Supervised: 3.0 Probation Officers
 1.5 Clerical Support Staff

REGION B Lonnie Folchert - Coordinator - Ogallala

Area Covered: Hooker, Thomas, Arthur, McPherson, Logan, Keith, Lincoln, Perkins, Dawson, Chase, Hayes, Frontier, Gosper, Dundy, Hitchcock, Furnas, and Red Willow counties
 Judicial District: Judicial District 11
 Satellite Offices: North Platte, Lexington, and McCook
 Staff Supervised: 3.0 Probation Officers
 1.0 Clerical Support Staff

REGION C Sue Kissinger - Coordinator - Hastings

Area Covered: Phelps, Kearney, Adams, Clay, Harlan, Franklin, Webster, Nuckolls, Hall, Howard, Blaine, Loup, Garfield, Wheeler, Custer, Valley, Greeley, Sherman, and Buffalo counties
Judicial Districts: Judicial Districts 8, 9, and 10
Satellite Offices: Grand Island and Kearney
Staff Supervised: 3.0 Probation Officers
1.0 Clerical Support Staff

REGION D Therese Voboril - Coordinator - Lincoln

Area Covered: Lancaster, Cass, Otoe, Nemaha, Johnson, Richardson, Pawnee, Gage, Saline, Fillmore, Thayer, and Jefferson counties
Judicial Districts: Judicial Districts 1, 2, 3, and 10* (*County Court only)
Satellite Office: Nebraska City and Beatrice
Staff Supervised: 5.0 Probation Officers
1.37 Clerical Support Staff

REGION E Mary Vyverman - Coordinator - Omaha

Area Covered: Douglas and Sarpy counties
Judicial Districts: Judicial Districts 2 and 4
Satellite Office: Papillion
Staff Supervised: 1.0 Supervisor
15.0 Probation Officers
3.75 Clerical Support Staff

REGION F Mark DeMers - Coordinator - Columbus

Area Covered: Cherry, Keya Paha, Boyd, Brown, Rock, Holt, Knox, Cedar, Dixon, Dakota, Antelope, Pierce, Wayne, Thurston, Madison, Stanton, Cuming, Boone, Platte, Colfax, Nance, Merrick, Polk, Butler, Saunders, Hamilton, York, Seward, Burt, Dodge, and Washington counties
Judicial Districts: Judicial Districts 5, 6, 7, and 8
Satellite Offices: Wayne, Norfolk, Fremont, and York
Staff Supervised: 6.0 Probation Officers
1.10 Clerical Support Staff

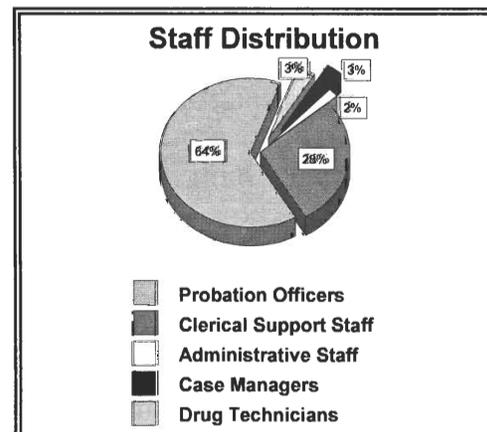
WORK ETHIC CAMP

2.0 Case Managers
.5 Clerical Support Staff

EMPLOYEE BREAKDOWN BY DIVISION AND CLASSIFICATION
(as of 12/31/03)

Division	Number of Employees	FTE
Traditional Probation		
– Probation Officers	185	182.30
– Contract Probation Officers *	13	13.00
– Case Managers	11	9.75
– Drug Technicians	11	7.85
– Clerical Support	99	88.78
– Contract Clerical *	1	.50
– Contract Drug Technician *	<u>1</u>	<u>1.00</u>
TOTAL TRADITIONAL	321	303.18
Intensive Supervision Probation (ISP)		
– ISP Officers	44	44.00
– Clerical Support	<u>11</u>	<u>10.22</u>
TOTAL ISP	55	54.22
Juvenile Intake		
– Juvenile Intake Probation Officers	15	13.50
Administrative Office Staff	8	7.85
– Contract Administrative Support *		.25
TOTALS	399	379.00

* Represents Probation employees who have been hired through inter-local county agreements and/or as a result of federal and state grants to perform Probation-related services.



MISSION

The mission of the Probation system is to provide investigations to the court, enhance community safety, promote accountability, and provide services through risk-reducing supervision strategies.

TRAINING

Probation officers, all of whom are hired with at least a bachelor's degree, are required to participate in both initial and ongoing training in order to develop and hone those skills necessary to serve the court, the offender, and the community in which they work. Training is an essential part of all officers' duties and most probation officers come to their positions with considerable education and experience working with people. For those probation officers entrusted with supervisory responsibilities, an executive management training curriculum has been developed and is similarly required.

Initial Training

Initial training consists of 120 hours of instruction within the first six months of employment plus 35 hours of substance abuse training at either a residential treatment facility or through a non-residential treatment agency. Training is conducted by experienced probation officers and other professionals in such areas as Probation's mission; the structure and administration of probation and the courts; its operational policies, procedures, duties and responsibilities; report writing relative to presentence and predisposition investigations; offender classification and case supervision strategies; substance abuse identification; using available community services and Probation-related equipment as well as officer safety training. Other topics included in the initial training involve cultural awareness, compulsive gambling issues, domestic violence issues, infectious disease control, and suicide prevention. Tours of state and private facilities that serve the needs of offenders are likewise provided.

Ongoing Training

Ongoing training requires each probation officer to complete twenty-four (24) hours of training annually of which eight (8) hours must be devoted to officer safety training. Ongoing training often includes updates on changes in the court or Probation system, substance abuse education and interventions, special offender dynamics, community and/or agency initiatives, and other forms of competency development.

Managerial Training

Probation officers who are entrusted with supervisory responsibilities (i.e., chief probation officers, deputy chief probation officers, ISP coordinators, and supervisors) are required as part of their position to satisfactorily complete an executive management training curriculum. This agency-tailored training is provided to respective Probation

staff within the field by the University of Nebraska College of Business Administration and consists of eight (8), six-hour seminars over the course of two years. Staff who complete this training receive a management development certificate from the University.

INTERAGENCY EFFORTS, GRANTS, AND CONTRACTS

The Office of Probation Administration and its district offices are involved in a wide variety of interagency efforts to improve the justice system and services provided to offenders therein. By virtue of negotiating numerous inter-local county agreements, inter-agency memorandums of understanding and the utilization of federal and state grant monies, additional types of service provisions have been provided to the courts, offenders, and communities which would not otherwise be provided.

Domestic Violence Probation Officers and Victim Specialist

Through an inter-local agreement between Douglas County and the Office of Probation Administration, and funded through a federal grant (VAWA Grant to Encourage Arrest Policies Supplemental Award), a Probation Domestic Violence Victim Specialist works directly with domestic violence victims during the period of time in which the domestic violence offender is involved in the court system. Additionally, two Domestic Violence Field Service Officers closely supervise the enforcement and accountability provisions of probation orders placed on domestic violence offenders. Enforcement and accountability provisions provide for the arrest and detention of batterers on probation who violate protection, no contact, or probation orders. This inter-local agreement had been annually renewed since April, 1999. The last agreement in 2002 was in the amount of \$122,203 and expired in February, 2003. The three employees in question were then assimilated within Probation Administration's General Fund appropriation.

By virtue of three (3) different federal VAWA grants, funding to renew and support probation-oriented domestic violence initiatives in Douglas County was once again initiated in June, 2003. A total of \$212,944 was allocated to support the services of two (2) domestic violence probation officers and a victim specialist through September, 2005.

Drug Treatment Courts (Douglas, Lancaster, and Sarpy counties)

The Office of Probation Administration, through a series of inter-local agreements, has been actively involved in the case management of drug court offenders associated with the three Separate Juvenile Courts and the Lancaster County District Court. The first of these endeavors began within the Sarpy County Juvenile Court in 1999. Within the last reporting period of 2003, roughly \$353,000 was expended annually amongst the four inter-local agreements in question.

In addition to the respective inter-local agreements, the Office of Probation Administration in October, 2001 was designated as the grantee of a 2-year Office of Justice, Drug Treatment Programs, continuation grant on behalf of the three Separate Juvenile Courts. This grant award was in the amount of \$498,733.

In light of reduced federal Office of Justice (OJP) funding and in an attempt to sustain the efforts of the three Separate Juvenile Courts, the Nebraska Commission on Law Enforcement and Criminal Justice, utilizing Juvenile Accountability Incentive Block Grant (JAIBG) monies, awarded these courts \$100,000 to support ongoing personnel and operational costs. This grant award is administered by Probation Administration and covers the period July 1, 2003 - June 30, 2004.

These drug courts were implemented to reduce offender recidivism and substance abuse by fostering a comprehensive and coordinated court response to drug abuse through early intervention, treatment, intensive supervision, and consistent judicial oversight. These inter-local agreements and the federal OJP grant have provided these drug courts with specially trained probation officers who assume responsibility for offender assessment, treatment, and accountability. Additionally, these monies have likewise allowed for the development of support services and the ability to establish an ongoing operational infrastructure.

Hall County Juvenile Intake Officer

Through an inter-local agreement between Hall County and the Office of Probation Administration, and through a Nebraska Commission on Law Enforcement and Criminal Justice grant to Hall County, a probation officer serves as a juvenile intake officer. Duties include screening all youth coming into the justice system and working through the local youth shelter to identify alternatives to detention and out-of-home placement. The juvenile intake officer can make use of shelter and community-based services to assist troubled youth and their families which can save the county money through the use of less costly alternatives to detention. The juvenile intake officer coordinates services deemed appropriate to address the needs of the juvenile. This inter-local agreement has been annually renewed since September, 1999 and the 2003 agreement is in the amount of \$44,282.90.

Juvenile Accountability Incentive Block Grant (JAIBG)

Commencing in 2000, the Office of Probation Administration joined forces with the state Office of Juvenile Services (OJS) in the sharing of federal funds under a Nebraska Commission on Law Enforcement and Criminal Justice grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). This grant, so entitled Juvenile Accountability Incentive Block Grant (JAIBG), provided both agencies the opportunity to provide or intensify a variety of services to juveniles on probation and parole. The grant's focus has primarily been in the rural areas of Nebraska because these areas of the state are where juvenile services are most lacking. As it applies to Probation

services delivered, these funds have been used to expand the use of electronic monitoring and enhancing alcohol and drug testing during non-traditional work hours for adjudicated youth on traditional probation who are experiencing a violation of probation. Similarly, Probation has been able to use these funds to access day reporting and tracking services for select Probation violators. Additionally, both agencies have been able to intensify the use of victim/offender mediation services and school intervention officers in certain rural parts of the state with these grant monies. Whereas these types of services are not typically available to juveniles placed on probation, this funding source provides a unique opportunity to demonstrate demand for and outcome of such utilization. This grant has provided the opportunity for Probation and OJS to coordinate their efforts and share relevant information so as to hold youth accountable for their actions and to enforce respective provisions relative to probation or parole. Most importantly, this grant has enhanced services to at-risk youth, providing them with a structured opportunity to correct their behavior within their own community, rather than experience deeper penetration into the juvenile justice system.

The fruits of JAIBG are demonstrated by the varied use of the program's five core components. With the exception of the use of mediation, JAIBG programming is utilized in the rural counties of Nebraska for juveniles on probation who are facing revocation proceedings. Revocation of probation can lead to further penetration into the juvenile justice system and ultimately state commitment. Thus, successful completion of a JAIBG program leads to a positive outcome for all parties involved in the process. Statistically, between the onset of the program, February, 2000 through December, 2003, 1,464 juveniles on probation participated in one or more of the five core JAIBG programs. Categorically, the following number of juveniles participated in respective programming: Day Reporting, 33 (note: discontinued in October 2002); Enhanced Alcohol Testing, 615; Mediation, 45; Tracking, 442; Electronic Monitoring, 551.

Unfortunately, due to an anticipated sharp reduction in federal JAIBG dollars in FY '04 and thereafter, JAIBG dollar allocations will have to be re-evaluated. It's likely some of the program's components will be scaled back or eliminated.

Lancaster County Preadjudication Electronic Monitoring

Through an inter-local agreement between Lancaster County and the Office of Probation Administration, two probation officers are dedicated to providing electronic monitoring services and supervision for up to 28 preadjudicated juveniles who would otherwise remain in secure detention. This alternative to detention helps reduce overcrowding at the Lancaster County Attention Center and allows for the delivery of community-based services to juveniles within their home and/or school. This inter-local agreement has been annually renewed since June, 1994 and the 2003 agreement is in the amount of \$110,211.

Youth Level of Service/Case Management Inventory (YLS/CMI) Demonstration Project

In order to assist in the successful completion of this project, the Nebraska Commission on Law Enforcement and Criminal Justice provided \$15,000 to Probation in the form of a Juvenile Accountability Incentive Block Grant (JAIBG) grant to support staff overtime costs associated with the completion of these instruments beyond normal working hours. The empirical findings of this research project, as highlighted in the section entitled "Accomplishments" within this report, were beneficial and programmatically will serve Probation well in implementing any forthcoming initiatives.

Nebraska Criminal History Improvement Program (NCHIP)

As a sub-grantee to the Nebraska State Patrol's NCHIP award, Probation Administration was awarded \$70,000 in FY '02 and \$56,000 in FY '03 to enhance our data information system. These monies were initially used to assist in the development and testing of NPMIS 4.0 as a web-enabled application and subsequently to enhance data validation and integration with other databases such as Nebraska Criminal Justice Information System (NCJIS) and Patrol Criminal History (PCH).

COMMUNITY INVOLVEMENT

The involvement of probation officers and staff in their communities mirrors the diversity and variety of communities throughout Nebraska, from volunteering to professional organizations, to religious, school and community activities. With approximately 400 employees living and working throughout Nebraska, Probation employees are truly part of their communities.

Probation employees are likewise deeply involved in community programs across Nebraska. Probation officers take part in community activities such as school visits, breakfasts and lunches with students, county government days, and classroom participation. Schools also provide space for officers to conduct private visits with juvenile offenders during the school day allowing for constructive interaction between the officer, the juvenile, teachers and/or administrators within the school setting. Probation officers are also involved in alternative schools, tutoring and study centers, helping youth enroll in them when necessary, and monitoring them in that environment. Similarly, probation officers are involved in assisting youth who have dropped out of school earn their General Equivalency Degree (GED).

Probation officers are often involved in the development and ongoing operation of community-based programs that serve not only offenders, but victims and the community. Such programs include specialized educational courses to teach new skills and awareness in such areas as money management, substance abuse education, and responsible decision-making. Probation officers often participate in such activities as:

- **Victim Impact Panels** - DUI offenders are often court-ordered to attend educational panels composed of drunk driver victims or their surviving loved ones. Probation officers often attend these panels to check attendance and monitor offender behavior.
- **Detention / Jail / Prison Awareness Programs** - Probation officers often arrange for youth to tour local correctional facilities where they speak to and hear from offenders who are confined for their criminal behavior.
- **Community Teams** - Probation officers are involved in a wide array of community teams involving community leaders and agency professionals working together to address specific problems in the community. These teams may serve a variety of purposes from educational to law enforcement to supporting victims' families. A noteworthy endeavor is Project Impact, a multi-disciplined initiative in Douglas County that focuses on reducing violent crime and high-risk offending through the application of multi-layered intervention strategies and established interagency partnerships.
- **Community Service Programs** - Every community has different community service needs and probation officers coordinate and oversee the completion of community service work by offenders, often in association with community groups or non-profit community organizations.
- **Trackers** - Trackers are individuals assigned by the court to work with youth in need of assistance in maintaining accountability. Trackers work closely with probation officers and are sometimes supervised by them.
- **Specialized Caseloads** - Since 1999 the District #4 Probation Office in Omaha has coordinated a specialized approach in the supervision of domestic violence offenders.

ACCOMPLISHMENTS – 2002 / 2003

Conversion of Probation Database to Web-enabled Platform

After two and one-half years of program development, Probation Administration on September 1, 2003 successfully integrated and migrated its PC-driven database application to an Internet application hosted by Information Management Services (IMS). By changing the architectural delivery design of NPMIS 4.0 and incorporating nQuire, a third-party ad hoc reporting tool, we have dramatically enhanced the system's functionality as a case management tool and likewise strengthened field and administrative staff ability to track, monitor, and evaluate Probation-based performance measures and outcomes. Equally important, we have reduced our overall maintenance costs, quickened our ability to efficiently distribute software modifications, induced real time data input and review, and enhanced the overall security of our system.

Tri-County Drug Treatment Court Evaluation

In June, 2003 Denise C. Herz, Ph.D., of the University of Nebraska in Omaha, reported research findings associated with a two-year process and outcome evaluation of the three juvenile drug courts in Douglas, Lancaster and Sarpy counties. All three juvenile drug

courts are managed by probation staff hired by and through either federal funds or respective county inter-local agreements. This evaluation was required and supported as a result of an OJP drug court grant.

Overall, this evaluation demonstrated these drug court programs were having a positive impact in changing juvenile attitudes and lifestyles. It supported the concept that blending treatment with supervision improved the lives of youth. Drug court participants self-reported decreased rates of delinquency, increased disapproval of marijuana use, increased parental supervision and greater respect for authority compared to a control group. From a supervision perspective, drug court participants were more likely to be tested for substance abuse, were less likely to test positive, and were subject to for more supervision contacts than non-drug court youth.

In an effort to broadcast the research results of this evaluation, a conference at the UN-O Alumni Center was orchestrated by Probation Administration. The group in attendance included drug court team members, judges, deputy county attorneys, public defenders, drug court coordinators, probation officers, treatment providers, school liaisons, legislative aids and state senators.

The study also provided insight and recommendations for program improvement. For further information, this report can be reviewed by accessing the Nebraska Commission on Law Enforcement and Criminal Justice's web site at www.nol.org/home/crimecom.

Formation of LB46 Implementation Team

In an effort to elicit System input and direction with regard to LB 46 (Community Corrections Act) passed by the Legislature in 2003, Probation Administration formed a core group of key probation stakeholders. This group was instrumental in devising an administrative sanction matrix and notice for the handling of technical probation violations as well as various policy and procedure revisions. This and many other facets associated with the Community Corrections Act were systematically delivered statewide to field staff through training organized and offered by individual core group members. The Team's work will be ongoing as we begin to futuristically develop and implement many of the correctional reforms provided for within LB 46.

Administrative Sanctions Matrix and Notice

Section 29-2266 (7), Neb. Rev. Stat. (2003 Supp.), directs that the probation administrator adopt and promulgate rules and regulations relative to the imposition of probation officer-driven administrative sanctions. With the assistance of our LB 46

Implementation Team, this statutory obligation was accomplished in May, 2002 with the creation of two instruments: 1) an Administrative Sanctions Matrix and 2) an Administrative Sanctions Notice that were complimented by extensive revision to departmental policy and statewide training of all field probation staff.

Enrollment and Monthly Programming Fees

Section 29-2262.06, Neb. Rev. Stat. (2003 Supp.), established the provision of a one-time non-waivable enrollment fee and monthly programming fees, based upon the offender's ability to pay, whenever the sentencing court placed an adult offender either on regular or intensive probation.

To accomplish the mandates of this legislation, Probation Administration worked in unison with the State Treasurer's Office to identify and properly code receipt of these monies and likewise established departmental polices to ensure the uniform collection of the same.

Use of Force Video

To compliment what is delivered by our officer safety trainers and to assist field staff in the deployment of various officer safety skills, Probation Administration produced a step-by-step video of these skills in 2002. This video demonstrated skills associated with de-escalation, unarmed defense tactics, handcuffing, and the use of Oleoresin Capsicum (OC). It was produced so that staff could individually or collectively use the video as a method of honing their officer safety skills.

Youth Level of Service/Case Management Inventory (YLS/CMI) Demonstration Project

This project represented a joint interagency training and research effort on the part of Probation Administration, the Office of Juvenile Services, the universities of UNL and UNO, and the Nebraska Commission on Law Enforcement and Criminal Justice. Utilizing the YLS/CMI, every juvenile who was placed on probation or placed in the custody of the Office of Juvenile Services between July 1, 2002 through December 31, 2002 was uniformly assessed by this instrument. Research outcomes not only tracked staff impressions as to the feasibility of using the instrument as an assessment and case management tool, but also criminogenic similarities and differences as well as level of service needs amongst respective juveniles within each entity.

Process findings from this research project demonstrated that participating staff were generally supportive of using the YLS/CMI but not as a stand-alone tool and felt uniform application amongst Probation and the Office of Juvenile Services (OJS) would lead to greater interagency communication and collaboration. Process findings further reflected Probation and OJS's current risk tools appeared to measure "risk" differently. For instance, Probation users object to the (admittedly weak) tendency of the YLS/CMI to under-estimate risk compared to the existing Probation risk tool. OJS

users may object to the way the YLS/CMI ignores the seriousness of the offense. Consequently, changing tools means Probation and OJS users would have to change these perceptions.

Outcome findings demonstrated that the majority of juveniles studied (33.3%) scored moderate risk (9 - 22 on the YLS/CMI) and their presence in both juvenile justice systems was prevalent. Additionally, data research reflected there was little relationship between risk as measured by the YLS/CMI and subsequent placement in Probation versus OJS, with the exception of juveniles placed at the Youth Rehabilitation and Treatment Center (YRTC). Simply put, the data demonstrated that high-risk juveniles were found in all settings and low-risk juveniles were as well, with the exception of the YRTCs. This research evaluation was completed by Coleen Kadleck, Ph.D., Denise Herz, Ph.D., Kenneth Gallagher and José Nava. For further information, this report can be reviewed by accessing the Nebraska Commission on Law Enforcement and Criminal Justice's web site at www.nol.org/home/crimecom.

Establishment of Probation Officer Essential Duties

Under the leadership of Probation's Personnel Committee, Probation Administration's personnel selection and hiring policies were revised in 2003 in an effort to identify a probation officer's essential duties and the necessary skills and abilities to fulfill those essential duties with or without reasonable accommodation.

Tiering of Supervisory Positions

To managerially account for variances amongst the number of employees Chief Probation Officers and ISP Coordinators supervise within a Probation District or ISP Region, Probation Administration tiered both of these classifications into three (3) separate tiers. The tiering of Chief Probation Officers occurred in 2002 and ISP Coordinators in 2003.

SHORT-TERM GOALS (1-2 YEARS)

1. Advocate the creation of specialized offender supervision models in areas of the state where they can be sustained for offenders such as repeat drunk drivers, drug offenders, domestic violence perpetrators, and sex offenders;
2. Train staff and implement the use of third generation risk/need assessment tools and case management practices within ISP for both juvenile and adult offenders;
3. Enhance the functionality of our web-enabled information system (NPMIS 4.0) by securing adequate funding for necessary technological modifications;

4. Evaluate probation officer practices and outcomes associated with the use of administrative sanctions;
5. Investigate barriers, educate stakeholders, and continue to pursue targeting strategies which result in full utilization of the Work Ethic Camp (WEC);
6. Evaluate substance abuse testing practices to ensure they are both cost-effective and focus on the offender's drug of choice; and
7. Enhance field staff substance abuse recognition skills by offering Drug Abuse Recognition (D.A.R.) training statewide.

LONG-TERM GOALS (3-4 YEARS)

1. Through the use of offender enrollment, monthly programming fees and/or general state appropriations, seek adequate staff funding in order to ensure total service hours (overall workload hours necessary to perform tasks required) are comparable to available staff hours (number of staff hours/staff allocated to perform required work tasks); and
2. Solicit support for and encourage the statewide development and implementation of treatment models that are cognitive/behavioral-based in their application and are offender specific.

FIELD DIVISION FUNCTIONS

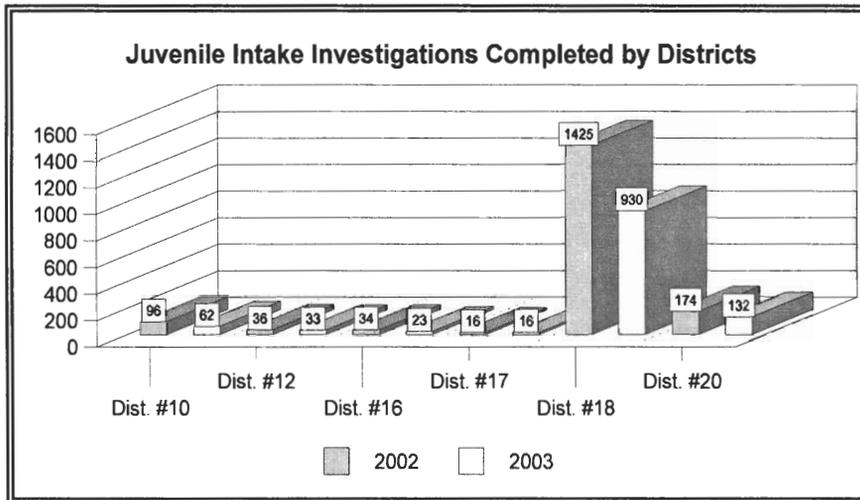
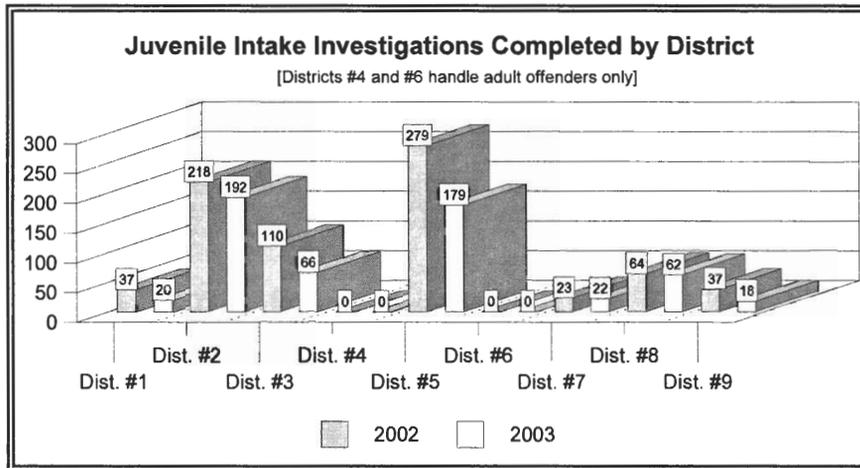
Juvenile Intake

Historically, Probation shared statutory responsibility for juvenile intake services statewide with the judiciary when the issue of post-arrest detention/placement was requested by law enforcement. However, because of legislative change in 2001, that responsibility became an exclusive Probation function. Such is now recognized in statute by virtue of Neb. Rev. Stat. 43-253 (1), 2001 Supp., which states:

“Upon delivery to the probation officer of a juvenile who has been taken into temporary custody under sections 43-248 and 43-250, the probation officer shall immediately investigate the situation of the juvenile and the nature and circumstances of the events surrounding his or her being taken into custody.”

To ensure that the practice of juvenile intake occurred in a consistent and uniform manner, Neb. Rev. Stat. 43-253 (2), 2001 Supp., likewise called for the utilization of a standardized juvenile detention screening instrument as described in 43-260.01, 2001 Supp.

As a result of the aforementioned legislative change, Probation adopted statewide uniform intake procedures and trained staff as well as other key stakeholders regarding this legislation and the standardized juvenile detention screening instrument. While good decision-making remains the primary objective of this legislation, it's anticipated other outcomes such as overall reduction in statewide juvenile detention rates, more appropriate placement of youth at risk, and diminished county costs relating to local detention will follow. Note: Probation has no similar statutory duty for adults.



In 2002, 2,549 intake investigations were performed by probation staff compared to 1,755 intake investigations in 2003, a decrease of 30%. Indicative of the aforementioned charts, the most dramatic decrease occurred within Douglas, Sarpy and Lancaster counties, the three metro regions of our state. While the reason for this decrease is unknown, it might be attributed in part to Probation's efforts to engage in systematic juvenile intake training amongst stakeholders. Training which has sought to clarify the

statutory responsibility of each stakeholder, the manner by which Probation will respond to law enforcement requests for detention and an understanding of what circumstances might call into question the issue of detention.

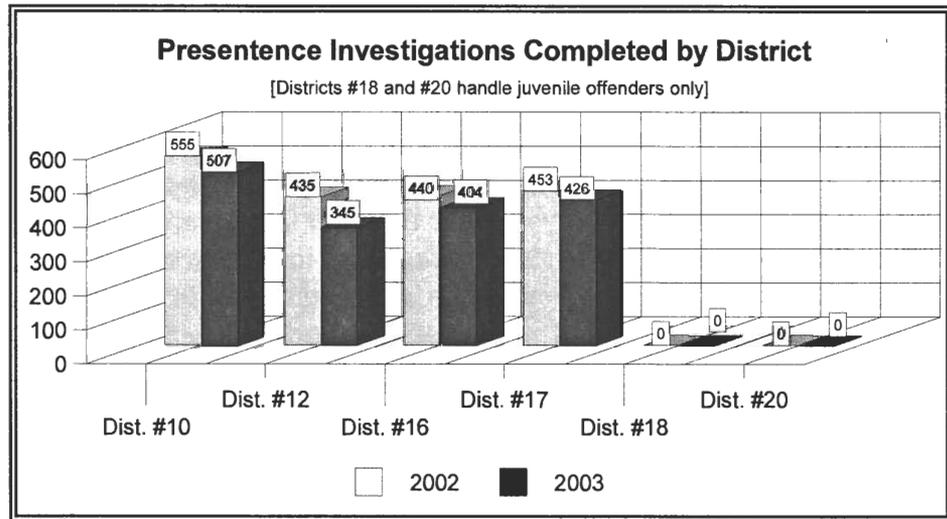
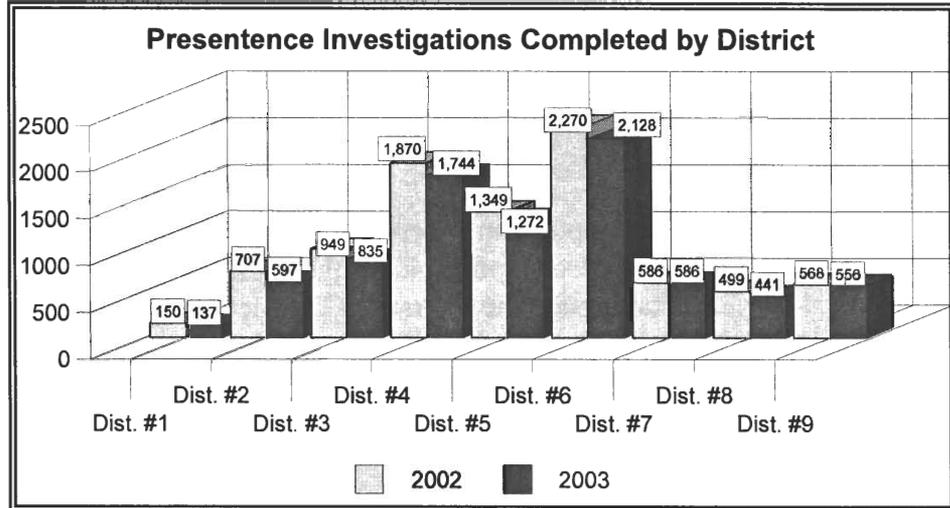
Traditional Probation

The bulk of the offender population supervised under probation falls within this division. This division is also responsible for those offenders who have been transferred to Nebraska through the Interstate Compact (see page 40). Offenders sentenced to traditional probation characteristically demonstrate a lower level of risk than those assigned to Intensive Supervision Probation (ISP). Staff within this division also are responsible for the preparation of virtually all presentence and predisposition investigation reports for the courts.

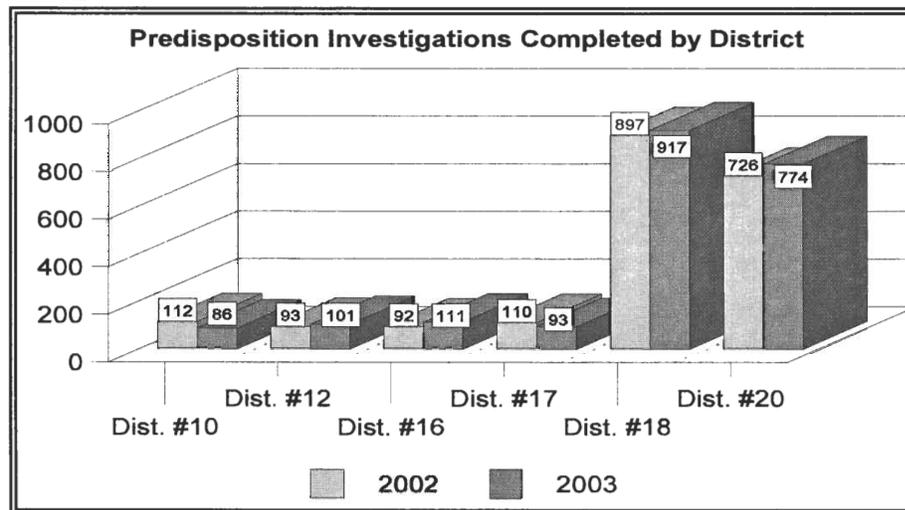
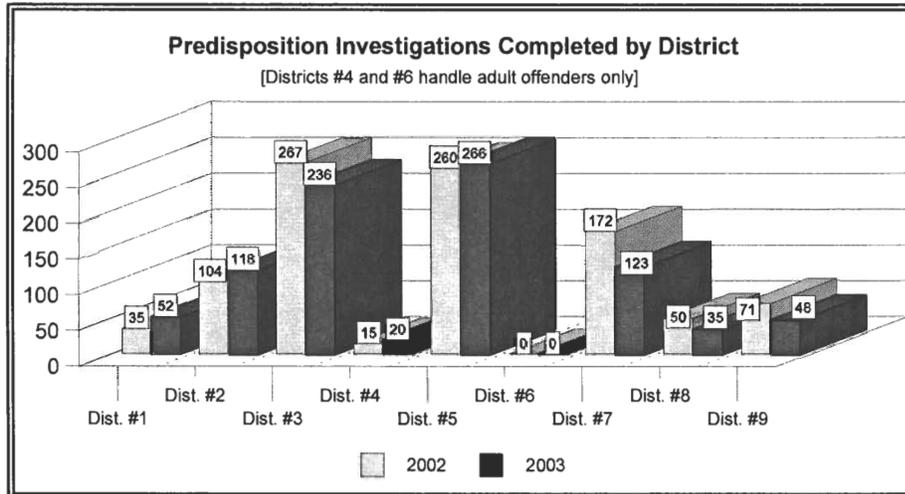
Presentence and Predisposition Investigations

Probation is the sole state entity responsible for producing presentence and predisposition investigations for the judiciary. Presentence investigations are conducted on adults and predisposition investigations on juveniles. These investigative reports serve three purposes. First, the court relies upon the information provided within the report to fashion appropriate sentences and dispositions. An offender's background information and current situation, as revealed during an investigation, assists the court in developing an effective sanction, treatment, or rehabilitation program. The more thorough an investigation, the more likely the court is able to fashion an appropriate sentence or disposition that balances competing interests associated with offender intervention, accountability, and community safety. Second, the report assists probation officers in developing a case management supervision plan. Third, the report forms a basis for offender classification should he/she require incarceration or commitment.

Investigations require a significant amount of staff time and resources. Specifically, from a workload perspective, investigations consume roughly half of a probation officer's available time. A probation officer must research multiple sources of information to develop a complete report. Commonly, information gathered and reported in these investigations reflects criminal history, family history, marital history, educational background, employment history, military history, financial background, substance abuse history, victim impact statements, offender's version of offense, and the probation officer's recommendation to the court.



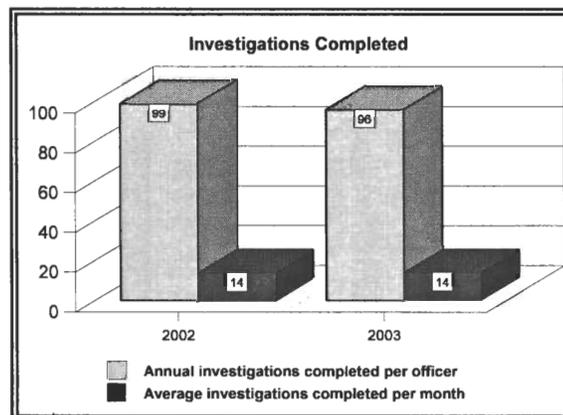
In 2002, a total of 12,833 adult presentence investigations were completed compared to 11,981 investigations in 2003, a decrease of 7%. In part, this may be attributed to a statutory change in 2003 prohibiting court-ordered investigations in 3a misdemeanor class crimes or below (Section 29-2261 (2), Neb. Rev. Stat. (2003 Supp.)).



In 2002, 5,006 juvenile predisposition investigations were completed compared to 4,983 investigations in 2003, a decrease of less than 1%.

Investigations Breakdown

The chart to the right reflects (1) the total number of investigations completed (both presentence and predisposition) by a typical probation officer in 2002 and 2003 and (2) the monthly average breakdown of said investigations per officer. A slight decrease in investigations completed per officer was experienced in 2003.

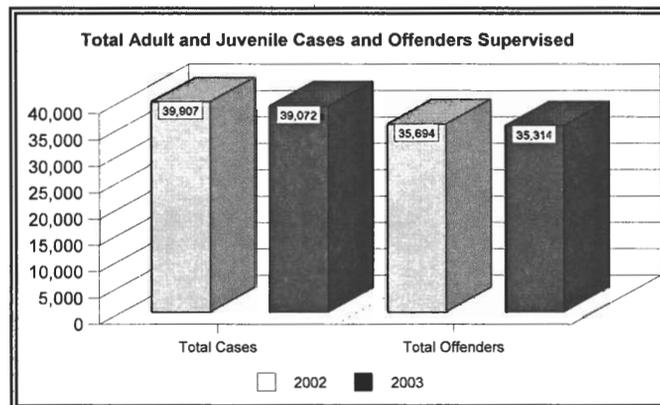


Offender Supervision

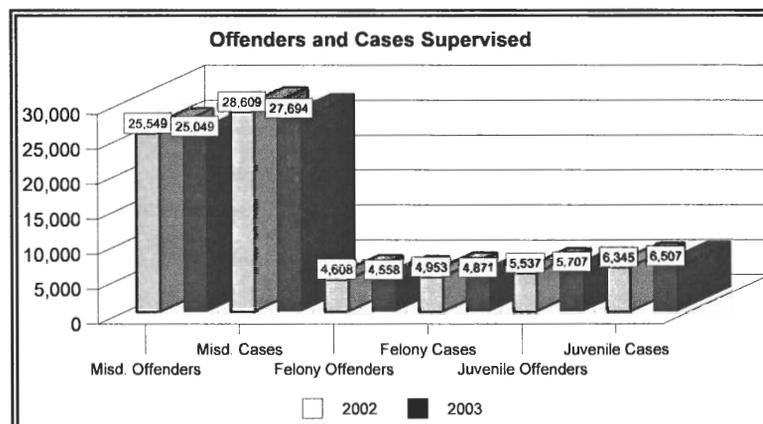
Supervision is the central element of offender accountability and a core responsibility inherent within every probation sentence. Within traditional probation, staff are responsible for the supervision of both adult and juvenile offenders who have been convicted/adjudicated of misdemeanor or felony offenses.

NOTE: The charts contained within this section refer to “cases” and “offenders.” A “case” identifies the actual court case in which an offender has been convicted or adjudicated. An “offender” is the actual offender, either adult or juvenile, who has been convicted or adjudicated. An offender may have several cases.

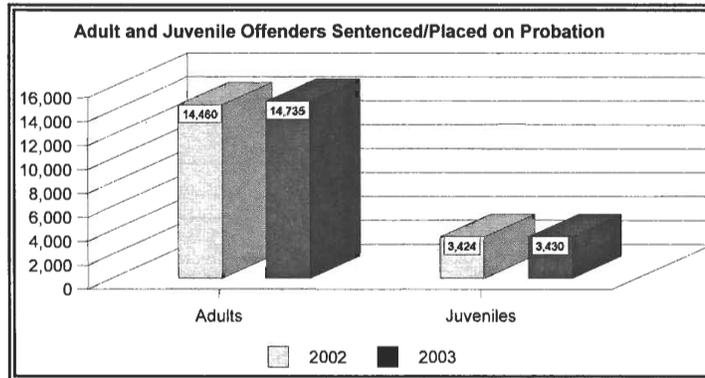
The chart below indicates that from 2002 to 2003 the total number of adult and juvenile cases decreased 2% and, in addition, a 1% decrease in the number of adult and juvenile offenders supervised was experienced.



The chart below indicates that from 2002 to 2003 the number of misdemeanor cases decreased 3% while the number of misdemeanor offenders decreased 2%. The number of felony cases decreased 2% while the number of felony offenders decreased 1%. The number of juvenile cases increased 3% while the number of juvenile offenders increased 3%.



The chart below indicates that from 2002 to 2003 the number of adult offenders sentenced to probation increased 2% while the number of juvenile offenders placed on probation increased less than 1%.



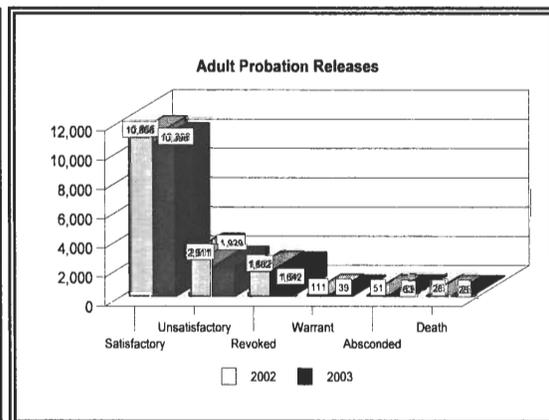
Discharge Formats

Offenders are sentenced to probation in varied periods of time. At the conclusion of their respective probation sentence, unless released early, they either are released satisfactorily from further legal obligation; released unsatisfactorily, revoked, or some other form of disposition transpires.

The respective tables and graphs below depict the manner in which offenders, both adults and juveniles, exited the traditional probation field division. Tables reflect the percentage of each type of release and graphs reflect the total number of offenders categorically released.

Adults

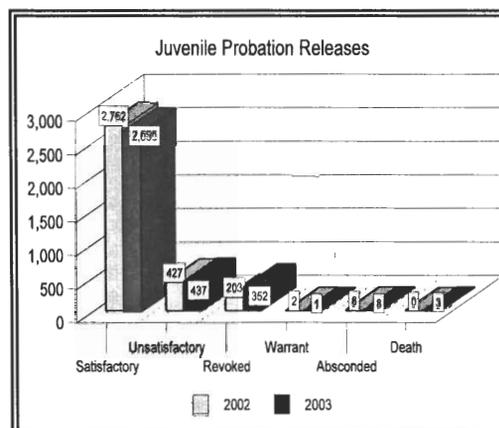
	2002 (%)	2003 (%)	Percentage Point Change
Satisfactory	69	73	+4
Unsatisfactory	18	13	-5
Revoked	10	11	+1
Warrant	<1	<1	NC
Absconded	<1	<1	NC
Death	<1	<1	NC



As noted above, the number of satisfactory releases increased in 2003 and the rate of unsatisfactory releases decreased. Other forms of releases remained essentially unchanged in each of the two years.

Juveniles

	2002 (%)	2003 (%)	Percentage Point Change
Satisfactory	82	80	-2
Unsatisfactory	14	15	+1
Revoked	1	2	+1
Warrant	<1	<1	NC
Absconded	<1	<1	NC
Death	<1	<1	NC



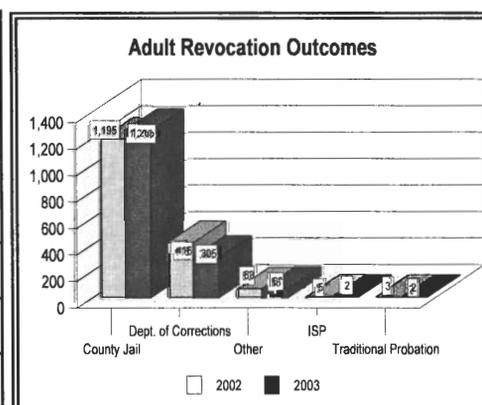
As reflected above, a decline was experienced in 2003 with regard to the rate of satisfactory releases compared to a slight increase in the rate of unsatisfactory releases. The revocation rate likewise increased. No other significant changes were noted.

Revocation Outcomes

Offender non-compliance can lead to revocation of a previously imposed sentence of probation and imposition of an alternate punishment. As it applies to those offenders revoked from probation, the following tables and graphs reflect the number of adult and juvenile offenders whose probation was revoked and who subsequently received an alternate sanction during each of the respective two years. Tables reflect the percentage each alternate sanction was utilized in relation to various other types of sanctions. Graphs reflect the total number of offenders categorically sanctioned as a result of a revocation of probation.

Adults

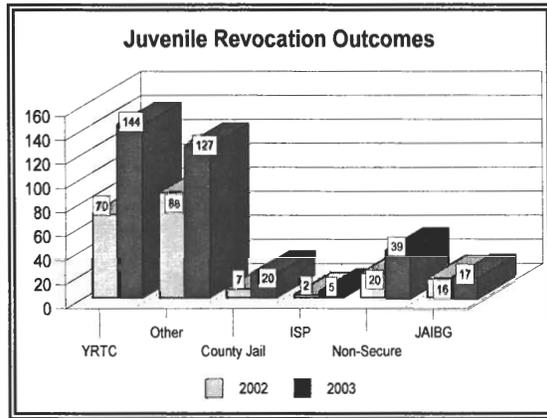
Outcomes	2002 (%)	2003 (%)	Percentage Point Change
County Jail	71	77	+6
Dept. of Corrections	25	19	-6
Other	4	4	NC
ISP	<1	<1	NC
Trad. Probation	<1	<1	NC



As indicated in the previous table and graph, in 2003, 77% or 1,265 adult offenders revoked from probation were sentenced to a term of imprisonment in a county jail; 19% or 305 offenders were sentenced to prison. In all, 96% of all offenders revoked in 2002 and 2003 ended up serving a sentence of imprisonment.

Juveniles

Outcomes	2002 (%)	2003 (%)	Percentage Point Change
YRTC	35	41	+6
Other	43	36	-7
County Jail	3	5	+2
ISP	1	2	+1
Non-Secure	10	11	+1
JAIBG	8	5	-3

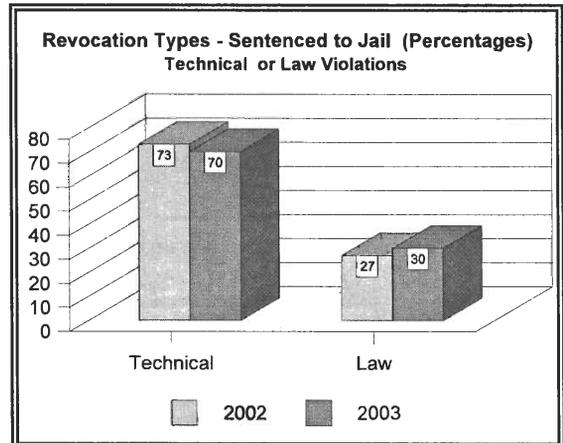
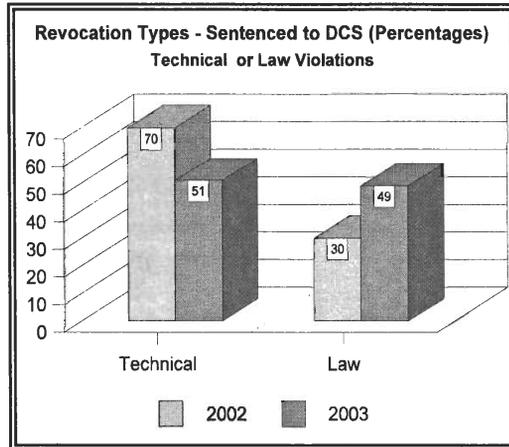


As indicated above, in 2003, 41% or 144 juvenile offenders revoked from probation received a Youth Rehabilitation and Treatment Center (YRTC) disposition. This represents a 6% increase in commitment dispositions from 2002. Noted also in 2003 was a decrease in the use of county-based programs, so noted as “Other” and the use of related JAIBG programming.

Nature of Violation (Technical vs. Law)

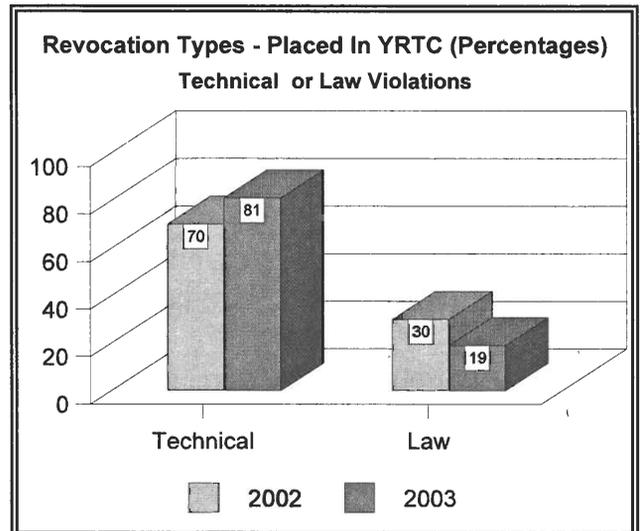
Non-compliance can occur because of an offender’s failure to complete a term(s) of probation such as reporting, completion of a treatment program, payment of fines/restitution and/or positive urinalysis which is commonly referred to as a technical violation or, conversely, because of a new law violation. In relation to technical versus law violations, the graphs analyze by percentage adult revocations that lead either to the Department of Correctional Services (DCS) or local jail imprisonment; and juvenile revocations that lead to YRTC commitments.

Adults



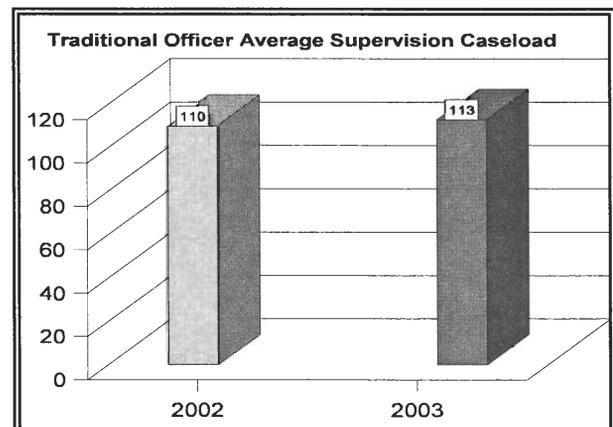
Juveniles

As reflected by the respective graphs, probation violations, particularly technical probation violations, can have a significant impact upon local and state correctional resources.



Caseload Average

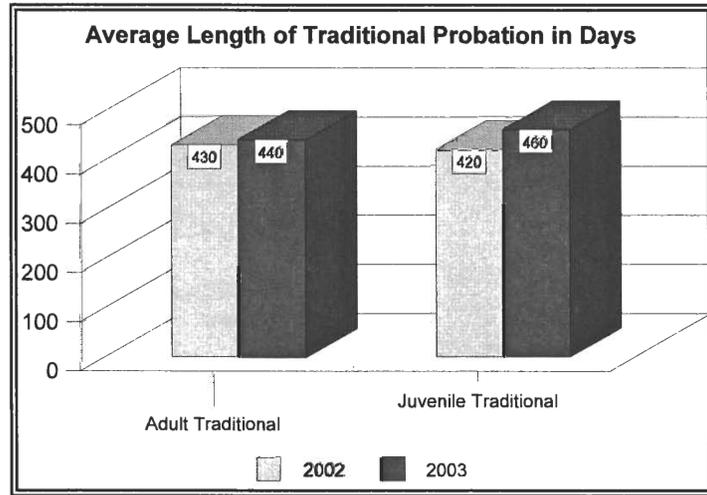
The chart to the right represents the average monthly caseload of a traditional probation officer for 2002-2003. From this perspective, a typical traditional probation officer supervised an average of 110 offenders per month in 2002 and 113 offenders in 2003, a slight increase of less than 3%.



Average Length of Probation

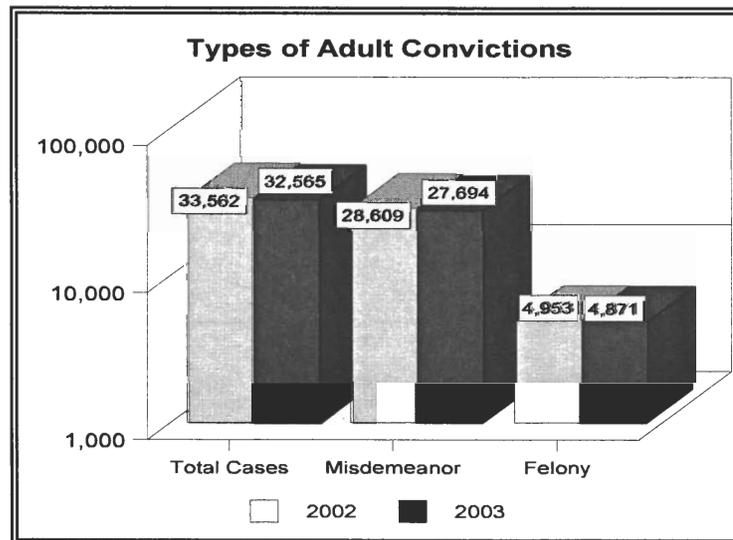
Adults – For the years 2002 and 2003, the average length of traditional adult probation increased from 430 days to 440 days.

Juveniles – For the years 2002 and 2003, the average length of traditional juvenile probation increased from 420 days to 460 days.

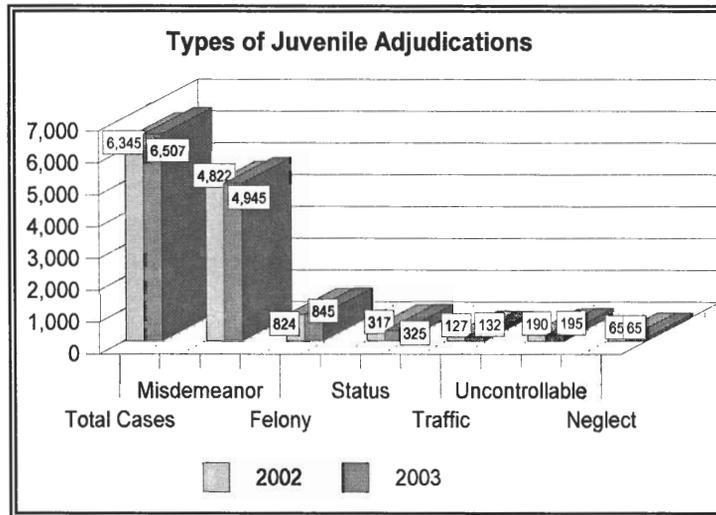


Breakdown of Misdemeanor vs. Felony Probation Cases

The following graphs reflect the relationship between misdemeanor versus felony probation cases as it applies to adult offenders.



For the years 2002 and 2003, the number of adult misdemeanor cases processed through the Probation system decreased 3%. Comparatively, a 2% decrease occurred amongst the number of adult felony cases. Overall, the total number of adult cases processed within the Probation system decreased 3%. In 2003, 85% of adult offenders under probation supervision were convicted of misdemeanor offenses compared to 15% felony offenses.



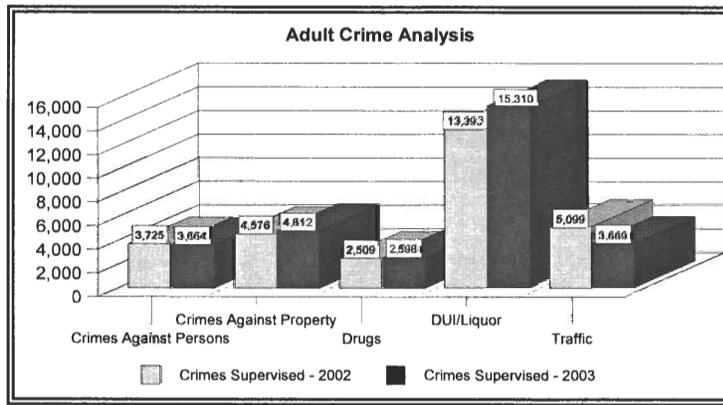
For the years 2002 and 2003, the number of juvenile misdemeanor cases processed through the Probation system increased 3%, felony cases increased 3%, status offense cases increased 3%, and traffic cases increased 4%. Overall, the total number of juvenile cases processed through the Probation system increased 3%. In 2003, 76% of juvenile offenders under probation supervision were convicted of misdemeanor offenses compared to 13% felony offenses. The remainder fell within the status, traffic, or uncontrollable categories.

Offender Crime Analysis

The corresponding tables and graphs reflect broad crime classifications for cases on probation for the years 2002 and 2003. The tables represent the percentages associated with the classifications and the graphs denote the respective number of offenders within each classification.

Adults

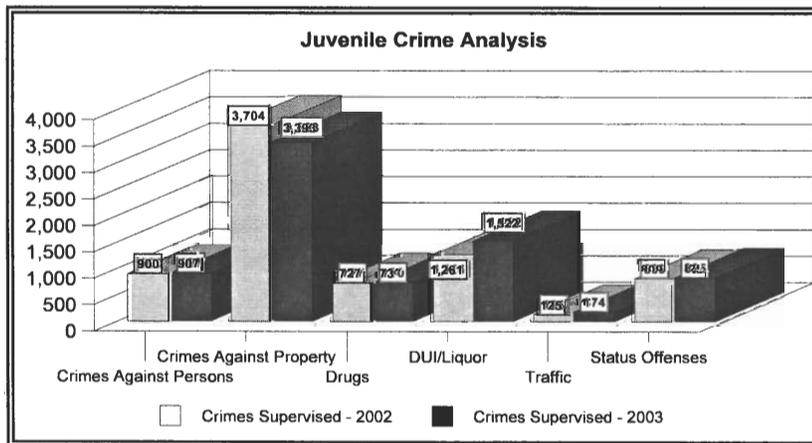
Offense	2002 (%)	2003 (%)	Percentage Point Change
Crimes Against Persons	13	12	-1
Crimes Against Property	16	16	NC
Drug Crimes	9	9	NC
DUI / Liquor	45	51	+6
Traffic	17	12	-5



As denoted, in 2003, DUI/Liquor types of offenses encompassed roughly 51%, Traffic 12%, and Crimes Against Persons 12% of Probation's caseload.

Juveniles

Offense	2002 (%)	2003 (%)	Percentage Point Change
Crimes Against Persons	12	12	NC
Crimes Against Property	49	45	-4
Drug Crimes	10	10	NC
DUI / Liquor	17	20	+3
Traffic	2	2	NC
Status Offense	11	11	NC



Unlike the adult offender, Property Crimes type of offenses comprise roughly 45% of the juvenile probation caseload. Crimes Against Persons, Drugs, and DUI/Liquor comprise 42% of the juvenile probation caseload.

Interstate Compact

The Interstate Compact for the Supervision of Parolees and Probationers was first recognized in 1937 and served as the sole statutory authority for regulating the transfer of adult parole and probation supervision across state boundaries.

Beginning in 1998 with the assistance of the National Institute of Corrections (NIC) Advisory Board and in partnership with The Council of State Governments (CSG), a Drafting Team of state officials developed and facilitated a revised interstate compact, one which came to be known as the Interstate Compact for Adult Offender Supervision (ICAOS). Starting in January 2000, the new Interstate Compact for Adult Offender Supervision saw acceptance in the states and by June, 2002, had reached its threshold of 35 states, thereby becoming active. It is governed nationally by an Interstate Commission comprised of respective state Compact Administrators and within each state there exists a State Council whose purpose is to provide oversight and advocacy concerning interstate compact matters within the states' borders.

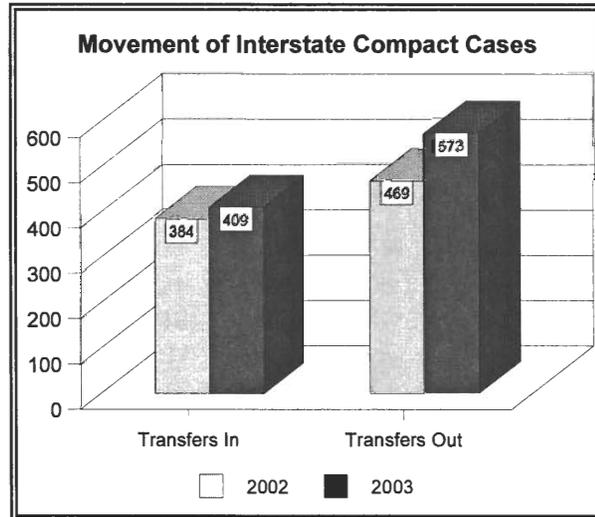
Nebraska adopted ICAOS in May, 2003 and the same is codified within Section 29-2639, Neb. Rev. Stat. (2003 Supp.). Designated within the Office of Probation Administration is an interstate compact division and respective support staff who regulate interstate compact matters nationwide for both adult and juvenile offenders. By statute, the Probation Administrator serves in the capacity of Deputy Compact Administrator for all probation cases. Current departmental regulations prohibit the acceptance or transfer of intensive supervision probation (ISP) cases through the Interstate Compact.

As outlined in part within Section 29-2639, Neb. Rev. Stat. (2003 Supp.), the Interstate Commission serves as the central authority for providing day-to-day oversight of the adult compact between the states. It promulgates rules and monitors rule compliance concerning the interstate movement of offenders as well as initiates interventions to address and correct non-compliance. It is responsible for the establishment of a uniform system of data collection, information access by authorized criminal justice officials of active cases and the reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches as well as criminal justice administrators. For officials involved in such activity, the Commission is also responsible for the coordination of training and education relative to regulations concerning the interstate movement of offenders.

As it relates to juvenile offenders, Nebraska and therein the Office of Probation Administration, is obligated to comply with the Interstate Compact on Juveniles. This compact governs juvenile interstate movement and is statutorily recognized within Neb. Rev. Stat. 43-1001 - 43-1010 (Reissue 1998).

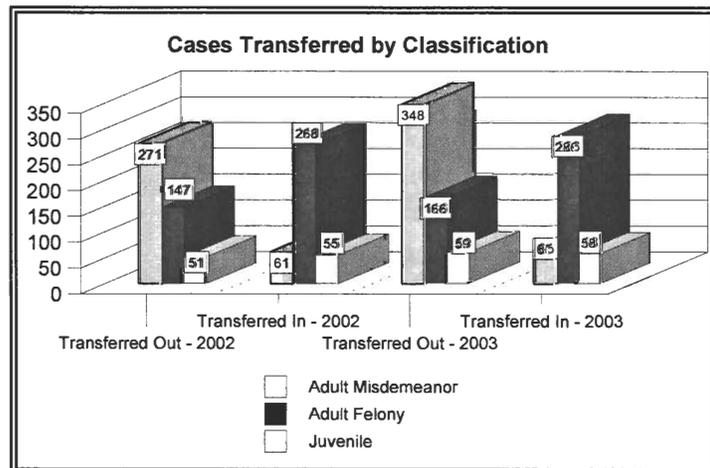
Interstate Compact Transfers

As noted by the graph to the right, there was a 15% comparative increase between 2002 and 2003 in the overall movement of interstate compact offender transfers. Categorically, there was a 6% increase in the number of offenders transferring into the state compared to a 22% increase in the number transferring out of the state.



Interstate Compact Transfers By Offender/Offense Classification

As reflected by the graph to the right, the interstate movement of adult felony, adult misdemeanor, and juvenile offenders remained relatively consistent between 2002 and 2003. However, as it relates to the transferring of misdemeanor offenders, Nebraska transferred far more offenders out than it received from other states within the two-year period in question (619 vs.126).

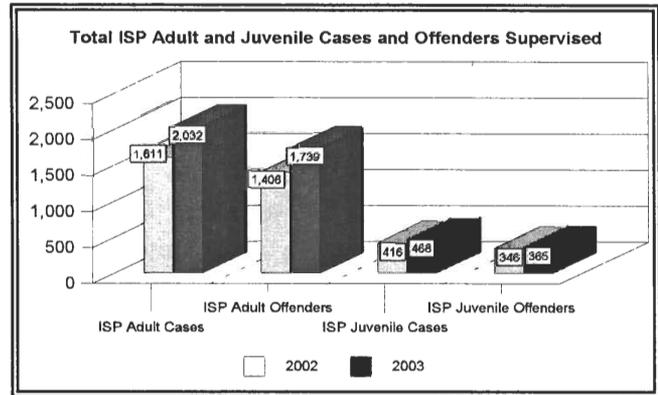


Intensive Supervision Probation (ISP)

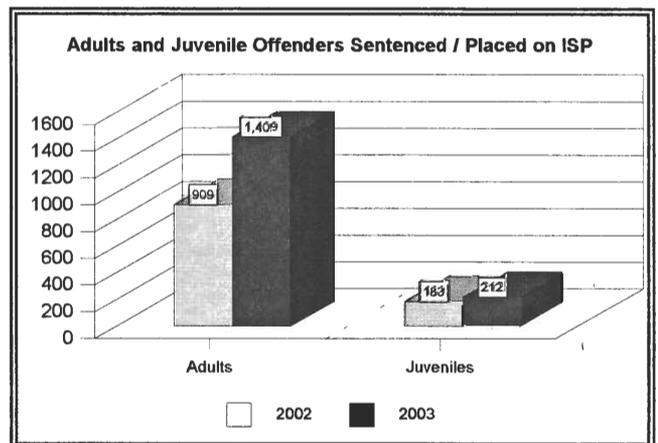
This division is designed to serve as an intermediate sanction between traditional probation and jail or prison for adults or state commitment for juveniles. Through utilization of an automated targeting tool, select offenders who have been deemed appropriate for this sanction may be sentenced to ISP. Offenders in this program characteristically demonstrate a higher risk than those on traditional probation and are supervised accordingly. Common elements of this program include electronic monitoring, frequent contact by phone and in person, contact with employers and family members, substance abuse testing where appropriate, and the requirement that the

offender maintain employment or attend school. Offenders who successfully complete various program phases within ISP may, with the court's approval, transfer to traditional probation supervision. Since its inception in 1990, the use of ISP by the courts for select offenders has increased dramatically. Due to the high risk/needs characteristics of these select offenders and the intensiveness of supervision practices applied, offender to officer ratios within this division range in size between 25 to 30 offenders.

The chart to the right indicates the number of adult ISP cases increased 26% while the number of ISP adult offenders increased 24%. The number of juvenile ISP cases increased 13% while the number of juvenile ISP offenders increased 5%.



The chart to the right indicates the number of adult offenders sentenced to ISP increased 55% and the number of juvenile offenders sentenced to ISP increased 16%. During the two-year period, forty-two (42) ISP officers statewide supervised 2,713 adults and juveniles placed into the program.

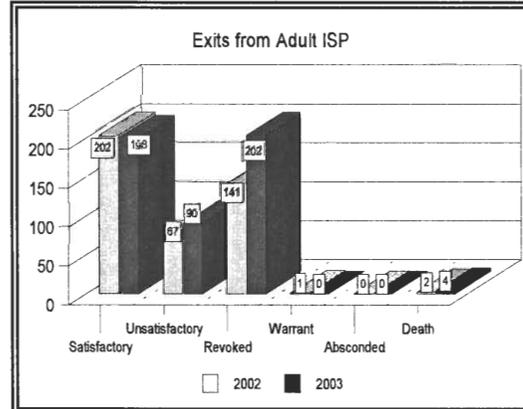


Although the overall percentage of offenders placed on ISP is small compared to those placed on traditional probation, the growth of ISP in terms of offenders, as depicted in the preceding graph, has been dramatic. In part, this is a result of intensified efforts by probation staff to target appropriate offenders for this sanction as well as a result of the immersing impact of the Work Ethic Camp (WEC) for which Probation serves as the principal aftercare provider. During this reporting period, ISP was Probation's fastest growing division both in terms of caseload and workload. Note: The following tables and graphs depict the manner in which offenders, both adults and juveniles, exited the Intensive Supervision Probation (ISP) field division. As similarly displayed and discussed within Traditional Probation, pages 29-32, this data categorically is so entitled "Discharge Formats," "Revocation Outcomes," and "Nature of Violation."

Discharge Formats

Adults

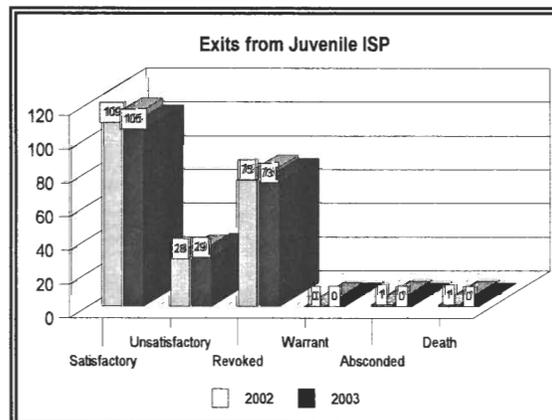
	2002 (%)	2003 (%)	Percentage Point Change
Satisfactory	49	40	-9
Unsatisfactory	16	18	+2
Revoked	34	41	+7
Warrant	<1	0	<1
Absconded	0	0	NC
Death	<1	<1	-0.7



As reflected above, 40% of the adults sentenced to ISP in 2003 were successful, a decrease of 9% from 2002. Correspondingly, adult offenders on ISP experienced an 8% increase in the rate of revocations in 2003. This downward shift in the rate of successful completions and corresponding increase in the rate of revocations may be contributed to a significant increase in the number of offenders placed on ISP between the years 2002 versus 2003.

Juveniles

	2002 (%)	2003 (%)	Percentage Point Change
Satisfactory	51	51	NC
Unsatisfactory	13	14	+1
Revoked	35	35	NC
Warrant	0	0	0
Absconded	<1	0	<1
Death	<1	0	<1

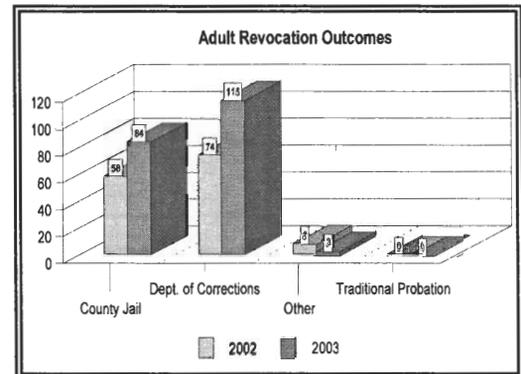


As reflected above, 51% of the juvenile offenders placed on ISP in 2003 were successful with no change occurring from 2002. Correspondingly, there was no change in the revocation rate comparing 2003 with 2002.

Revocation Outcomes

Adults

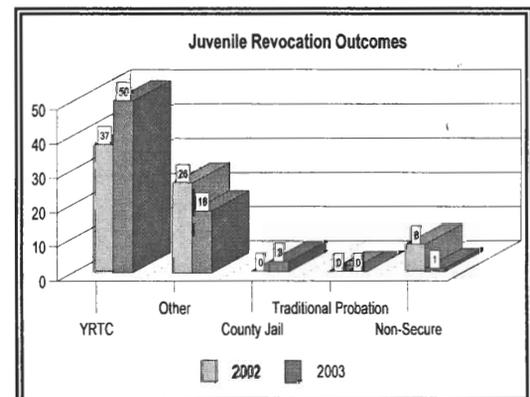
	2002 (%)	2003 (%)	Percentage Point Change
County Jail	41	42	+1
Dept. of Corrections	52	57	+5
Other	6	1	-5
Traditional Probation	0	0	NC



As indicated above, 42% or 84 adult offenders revoked from ISP in 2003 were sentenced to county jail; 57% or 115 offenders were sentenced to a term of imprisonment at a DCS facility. In all, 99% of all offenders revoked from ISP in 2003 ended up serving a sentence of imprisonment. In comparison to 2002, this represents a 6% increase in the use of incarceration as a revocation outcome.

Juveniles

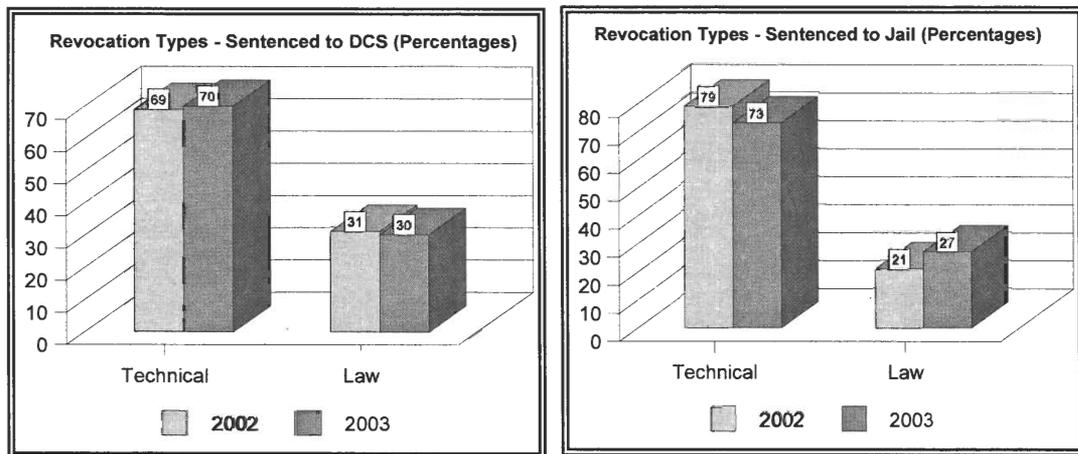
	2002 (%)	2003 (%)	Percentage Point Change
YRTC	52	69	+17
Other	37	25	-12
County Jail	0	4	+4
Traditional Probation	0	0	NC
Non-Secure	11	1	-10



As indicated above, 69% or 50 juvenile offenders revoked from ISP in 2003 were given dispositions resulting in a YRTC commitment; 4% or 3 offenders were sentenced to county jail. In all, 73% of all offenders revoked from ISP in 2003 ended up being committed to either YRTC or jail. In comparison to 2002, this represents a 21% increase in the use of YRTC or jail as a revocation outcome.

Nature of Violation (Technical vs. Law)

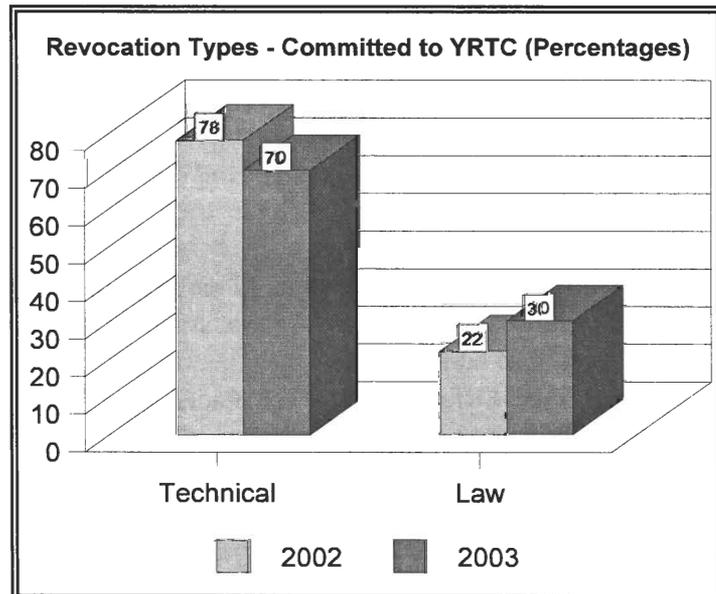
Adults



As reflected above, in 2003, 70% of adult ISP offenders had their probation revoked and were sentenced to DCS as a result of technical violations versus 30% because of new law violations. Comparatively, for those sentenced to jail, 73% occurred as a result of technical violations versus 27% because of new law violations.

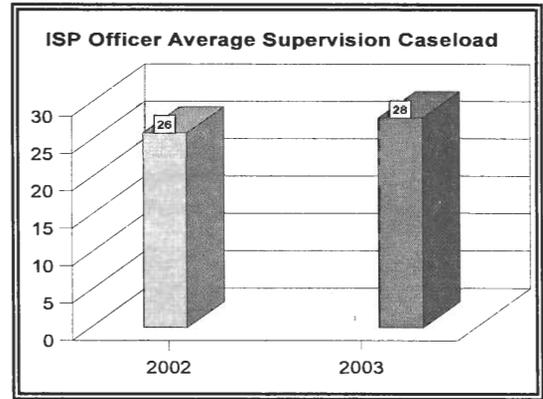
Juveniles

As denoted to the right, in 2003, 70% of juvenile ISP probation revocations were a result of technical violations while 30% were because of law violations. In 2002, 78% of juvenile ISP probation revocations were a result of technical violations while 22% were because of law violations. Thus, in comparison to 2002, a 10% decrease in technical violations and corresponding 36% increase in new law violations was experienced in 2003.



Caseload Average

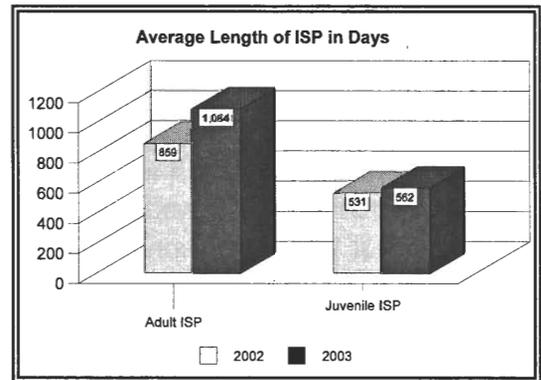
The chart to the right represents an ISP officer's average monthly caseload for 2002-2003. From this perspective, a typical ISP officer supervised an average of 26 offenders per month in 2002 and 28 offenders per month in 2003, an increase of 8%.



Average Length of Probation

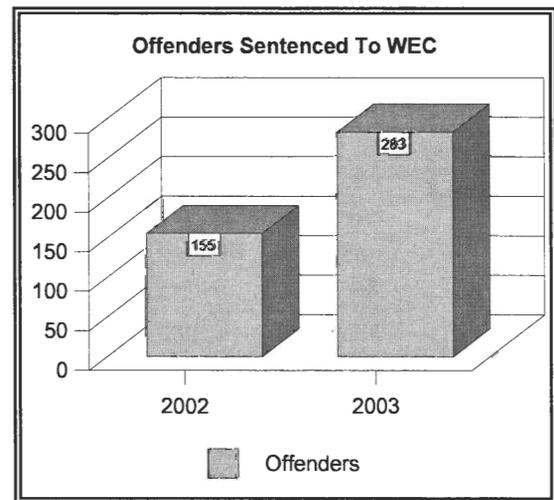
Adults – For the years 2002 and 2003, the average length of adult intensive supervision probation increased 26% from 859 days to 1,084 days.

Juveniles – For the years 2002 and 2003, the average length of juvenile intensive supervision probation increased 6% from 531 days to 562 days.



Intensive Supervision Probation with Work Ethic Camp (WEC) Component

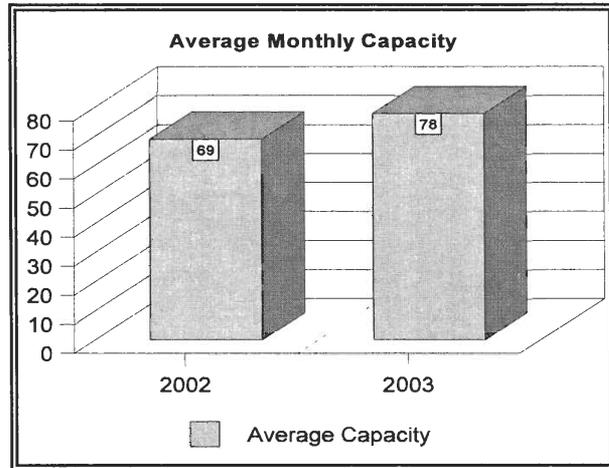
The development of the Work Ethic Camp (WEC) created another sentencing alternative to imprisonment for the courts. Managed by the Nebraska Department of Correctional Services, this facility is designed to accommodate the placement of select felony offenders who meet statutorily defined and administrative regulated guidelines. Offenders who are placed in this facility are sentenced there as a condition of ISP and, in addition to being subject to the facilities structured daily work routine, must likewise engage in pre-defined core programming. Probation's responsibility centers around assisting the court in identifying and assigning appropriate offenders to the work camp (i.e., targeted criminogenic needs that exceed those typically sentenced to ISP without the WEC component), responding to any acts of



non-compliance while said offenders are in the work camp, and performing an aftercare role once the offender completes the work camp and transitions back into his/her community.

WEC Average Monthly Capacity

WEC has the programming capacity to serve 100 offenders within the facility at any given time. The chart to the right identifies the average monthly capacity of WEC for 2002 and 2003. There was a 13% increase in the average number of offenders in 2003 as compared to 2002.

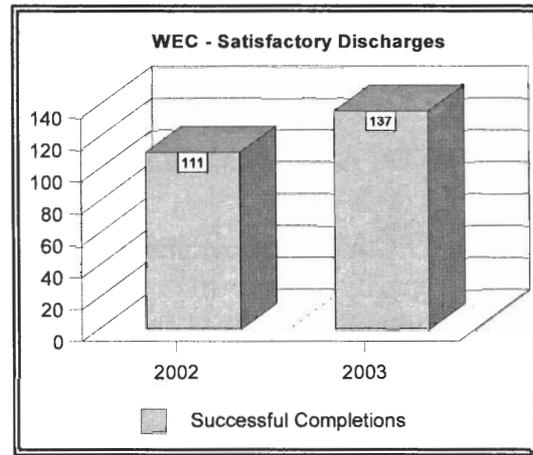


WEC Discharge Formats

By statute, an offender, as a condition of intensive supervision probation (ISP), must satisfactorily complete the programming components of WEC within 120 - 180 days. If unsuccessful, the offender is to return to the sentencing court and as a result of a probation violation, may be re-sentenced to some other form of punishment. The following graphs depict rates of satisfactory versus unsatisfactory completion of WEC.

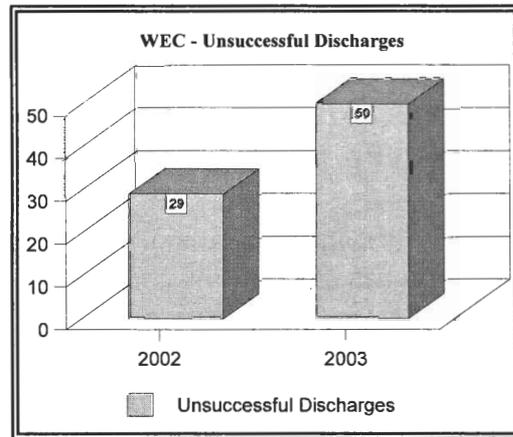
Satisfactory Discharge

As defined by the chart to the right, there was a 23% increase in successful discharges from WEC in 2003 as compared with 2002.



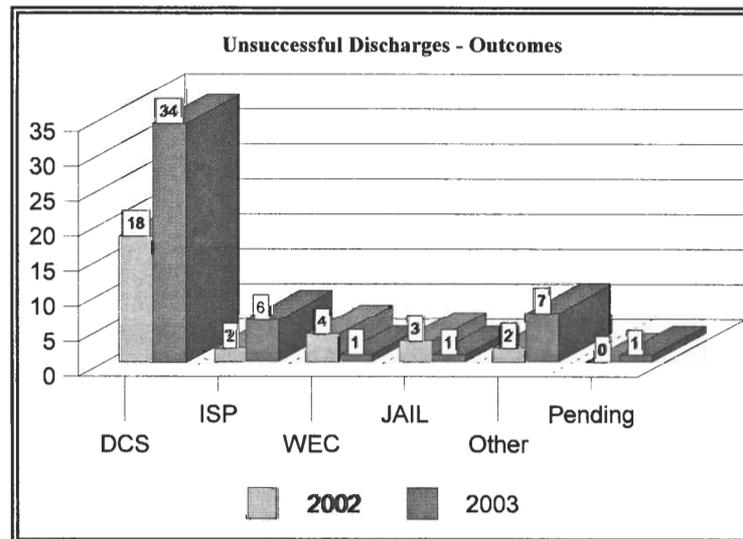
Unsatisfactory Discharge

This chart illustrates the number of offenders who did not successfully complete the program. There was a 72% increase in the number of unsuccessful discharges in 2003 as compared to 2002. This percentage increase is partially due to the fact there were more offenders admitted to WEC in 2003 than there were in 2002.



Unsatisfactory Discharge Outcomes

In the event a WEC offender doesn't satisfactorily complete the programming components of WEC, an Alleged Probation Violation can be filed with the sentencing court. If the offender is subsequently found to be in violation of his/her intensive supervision probation order, the sentencing court may impose other forms of punishment. The chart below depicts the various types of punishment sentencing courts have imposed upon offenders who have not successfully completed WEC. For the reader's information, "Other" denotes discharges associated with warrants or discharges resulting in commitment to a psychiatric hospital. As illustrated by this chart, during 2002 and 2003, 79 ISP offenders were unsuccessfully discharged from WEC. As a consequence, 56 or 71% of the offenders had their probation revoked and were sentenced to a straight term of imprisonment.



PROGRAM TOOLS AND EQUIPMENT

Probation employs a variety of tools and technologies that enhance its capability to provide thorough court investigations, offender case management, victim restoration, and ultimately enhanced public safety. Some of the more prominent program tools and equipment are presented below.

Informational Technology

The Nebraska Probation System employs a web-based case management information system and a third-party ad hoc reporting tool, nQuire, which is hosted by IMServices. It is called the Nebraska Probation Management Information System and is commonly referred to as NPMIS. This internet-based client/server application, which became fully functional in September, 2003, allows probation districts and ISP regions the ability to enter, access and exchange offender/court data, as well as generate reports instantaneously. Within the field as well as within the Administrative Office, infinite types of demographic, court and Probation-related information regarding offenders, staff workloads, and other program performance outcomes can be analyzed. Our architectural design likewise allows Probation data to be integrated with other criminal justice databases such as that provided by CJIS. This linkage not only enhances the exchange of information amongst justice-related agencies but similarly improves Probation staff's ability to determine an offender's criminal history and track his/her legal status within separate criminal history entities in a more proficient and cost-effective way. NPMIS conversion to a web-based application has reduced our overall maintenance costs, quickened our ability to efficiently distribute software modifications, induced real time data input and review, and enhanced the overall security of our information system.

Alcohol and Drug Testing Equipment

The prevalence of substance abuse amongst the probation offender population is substantial and, if left unchecked, can contribute significantly to re-arrest and/or failure on probation. Probation strives to prevent this from happening by conducting frequent alcohol and drug testing among offenders. Alcohol/drug testing serves as a case management tool to curb substance abuse and detect non-compliance among offenders on probation, as well as a method of identifying treatment needs and/or progress in treatment. Based upon their ability to pay, adult offenders are held directly responsible for the costs of this service. Probation Administration employs various types of instrument and non-instrument tools to achieve these objectives. Efforts are likewise underway to invest in skill-based training for probation officers to enhance their ability to detect and identify substance abuse use amongst those under supervision.

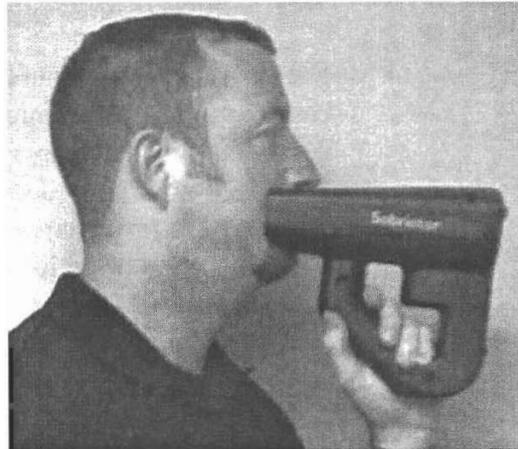
Portable Alcohol Sensor Units

Portable alcohol sensors are automated, software-driven units that probation officers can use in the field to test offenders for the use of alcohol. The units provide the operator with step-by-step instructions for fail-safe testing of samples of deep lung breath and displays results in a 3-digit readout. The units have automatic calibration and a mouthpiece release feature which eliminates operator contact with a used mouthpiece. A fuel cell sensor generates a response that is proportional to the Breath Alcohol Concentration (BAC). The fuel cell does not respond to acetone or other substances which are found in the breath and can accurately detect breath alcohol levels between .000 - .400 BAC. The instrument responds within 10 seconds on negative samples and within 30 - 45 seconds on positive samples.



Sobriotor

The Sobriotor device is an alcohol breath analyzer that allows remote electronic breath alcohol testing of offenders for whom alcohol consumption is prohibited. Test results are automatically returned via telephone to a monitoring center. The Sobriotor unit uses voice verification technology to ensure that the offender is identified and that the enrolled offender is the one taking the breath test; it also uses fuel cell technology which measures only alcohol in the breath. The Sobriotor also uses a deep lung test which forces the offender to exhale deeply before the breath is measured, in much the same manner as a roadside alcohol breath test is conducted. This ensures an excellent correlation between measurement results and the actual content of alcohol in the blood, the best measure of whether an offender has been drinking.



The Sobriotor system allows you to customize an alcohol breath testing schedule that fits the offender's work schedule and other commitments requiring the offender to be away from the home. Test schedules can be set by the probation officer or randomly by the computer. A probation officer can request a test at

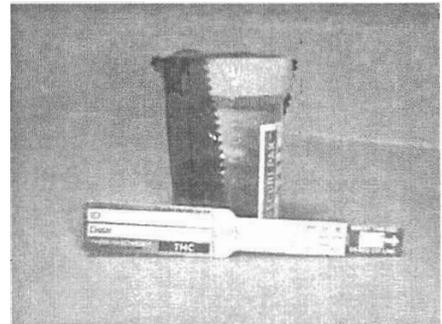
any time and the offender can be tested after he/she returns home. Test results that are outside established parameters are reported at different alarm levels - either immediately by fax, phone or pager, or on a less urgent basis in a daily summary report.

Utilization of the Sobriotor is limited due to the fact departmental resources are lacking to adequately support the use of this tool statewide. However, the District #16 Probation Office in Fremont has used this tool for several years with success on a number of select offenders.

Field Drug Screens

Field drug screens are an innovative technology which incorporates a unique one-step approach for on-site drug testing. The portable drug screen, with results in less than five minutes, virtually eliminates all contact

with the urine sample and is a secure and accurate alternative to laboratory testing. Portable drug screen tests provide a reliable correlation with the standard laboratory screening instrument and are economical. Screens for cocaine, opiates, marijuana, PCP, methamphetamine, amphetamine, barbiturates, benzodiazepines, and methadone are available.



ADx Testing

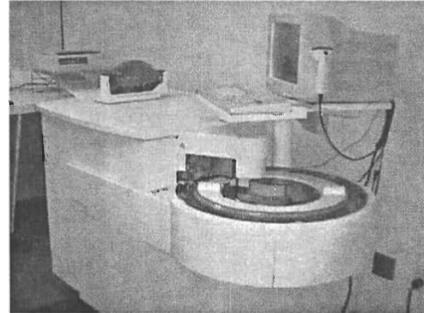
The ADx system, manufactured by Abbott Laboratories, uses Fluorescence Polarization Immunoassay technology for the detection of abused drugs and toxicology assays. ADx results are generated in as little as twenty minutes which can be qualitative or semi-quantitative. Abused drug assays include acetaminophen, amphetamine, methamphetamine, barbiturates II, barbiturates-serum, benzodiazepines, benzodiazepines-serum, cannabinoids, cocaine metabolite, ethanol, methadone, opiates, phencyclidine II, propoxyphene, salicylate, and tricyclic antidepressants.



Six of these systems are strategically located across the State of Nebraska.

AxSYM Testing

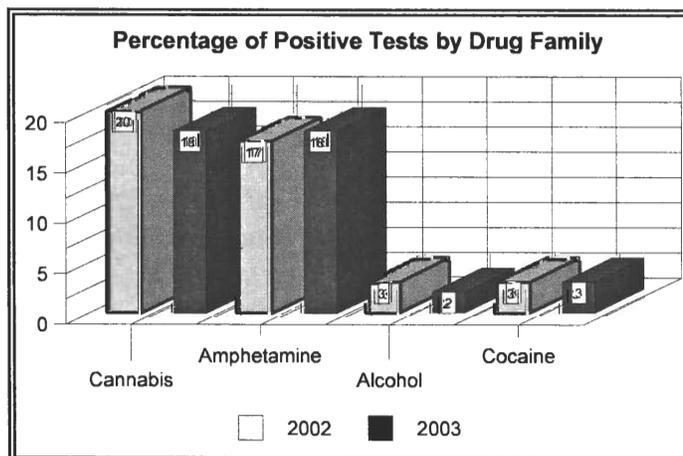
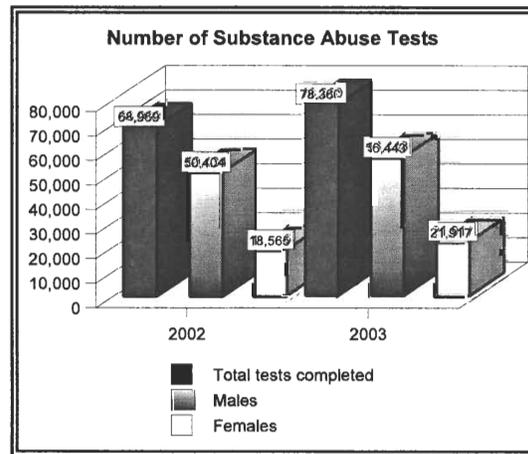
The AxSYM System, manufactured by Abbott Laboratories, is an advanced, computerized, high-speed drug analyzer that utilizes Fluorescence Polarization Immunoassay technology. Like the ADx, the AxSYM can likewise analyze abused drugs such as acetaminophen, amphetamine, methamphetamine, barbiturates II, benzodiazepines, cannabinoids, cocaine metabolite, ethanol, methadone, opiates, phencyclidine II, salicylate, and tricyclic antidepressants.



AxSYMs are located in Douglas and Lancaster counties.

Substance Abuse Testing - Traditional Probation

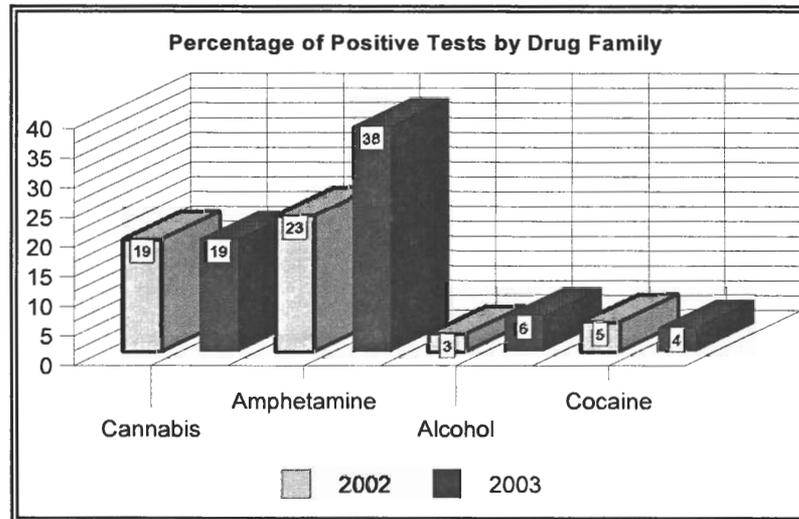
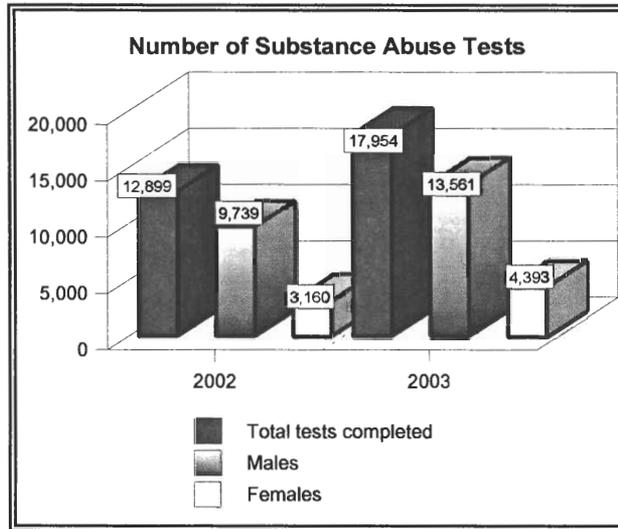
As reflected in the chart to the right, 78,360 substance abuse tests were performed on traditional offenders in 2003 compared to 68,969 in 2002, an increase of 14%. This increase can be attributed to the establishment of an agency-based substance abuse testing protocol and increased testing within designated drug courts.



The chart to the left reflects the percentage rate of positive substance abuse tests by type of substance. Cannabis is the most frequently used substance, followed by amphetamine/methamphetamine, alcohol, and cocaine. Figures include baseline testing of offenders.

Substance Abuse Testing - Intensive Supervision Probation (ISP)

As reflected in the chart below, 17,954 substance abuse tests were performed on ISP offenders in 2003 compared to 12,899 in 2002, an increase of 39%.



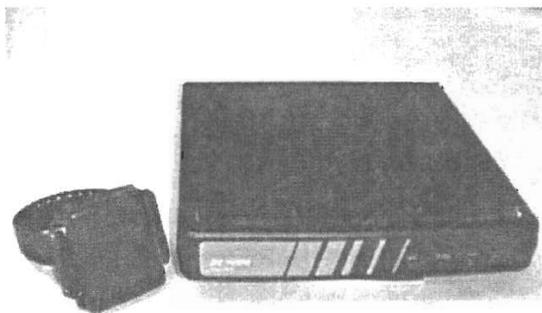
Within intensive supervision, the chart above reflects the percentage rate of positive substance abuse tests by type of substance. Not unlike traditional probation, cannabis is the most frequently used substance but usage was detected at a lower rate than within traditional probation. Amphetamine/methamphetamine, alcohol, and cocaine usage reflect similar rates to traditional probation. Note: Figures include baseline testing of offenders.

Electronic Monitoring Equipment

Probation employs several methods of electronic monitoring of offenders to ensure compliance with orders of house arrest, orders to abstain from alcohol usage, and orders to avoid contact with victims. Electronic monitoring is a highly cost-effective alternative to incarceration but is not a form of incarceration and should not be confused with secure confinement. Not every offender is a candidate for electronic monitoring and, for that reason, Probation carefully screens candidates to decrease risks to the community. Based upon their ability to pay, adult offenders are held directly responsible for the cost of providing this service.

Field Monitoring

Offenders can be fitted with an ankle bracelet that is equipped with a transmitter. The offender wears the ankle bracelet 24 hours a day – not only at home, but also at work or school, or during any other activity outside the home. The transmitter emits a constant radio signal to a Field Monitoring Device – receiver attached to the offender’s telephone. Over the offender’s telephone line, the Field Monitoring Device informs



a computerized monitoring center when the offender leaves and enters their residence, as well as if the offender tampers with the equipment. Through proper programming, the monitoring center’s computer can be programmed to know when the offender is scheduled to be at work or school or otherwise allowed to be away from their residence. If a violation of this schedule occurs, an alert notice is immediately generated and sent to the probation officer who can follow up on the offender’s whereabouts. If necessary, law enforcement and/or the court can then be contacted regarding taking appropriate action.

The Office of Probation Administration contracts with BI, Inc., in Boulder, Colorado in order to ensure that electronic monitoring of all offenders is occurring in a systematic and uninterrupted manner through a centralized monitoring center. In 2003, to take advantage of rapid equipment technology changes within the industry, Probation Administration moved away from ownership to leasing its electronic monitoring equipment. Used in various capacities and for many purposes, a total of 349 electronic monitoring units are currently at Probation’s disposal statewide.

JurisMonitor

Manufactured by B.I. Inc., JurisMonitor is a system whereby the stalker/offender wears an ankle bracelet that emits a continuous signal. The victim is provided with home electronic monitoring equipment that sets off an alarm when the offender's ankle bracelet comes in proximity to the base unit.

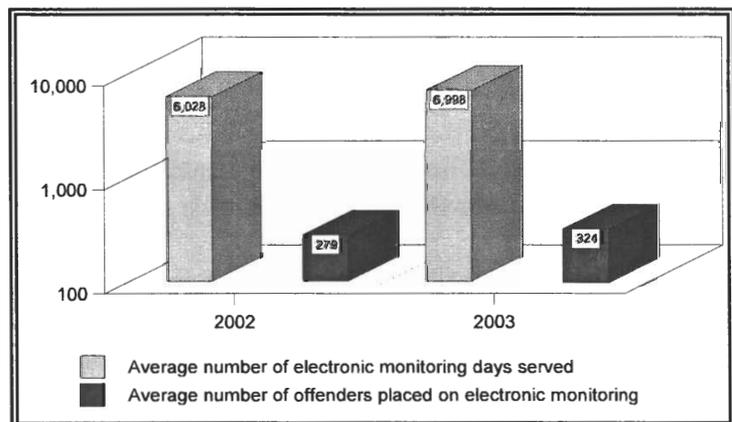


When the victim's monitoring unit detects the offender, four events are set into motion: 1) the Monitoring Center is alerted; 2) an audible alarm sounds; 3) the unit begins an audio recording that can be used as evidence for court proceedings; and 4) police are contacted and dispatched based on the community guidelines and protocols established by the jurisdiction. Additionally, the Monitoring Center can notify the victim advocate and other appropriate professionals. At the conclusion of the incident, the court is provided an Incident Report which can be admissible evidence to establish the violation of a court order.

JurisMonitor monitoring is currently used infrequently due to the lack of departmental resources to adequately support the use of this tool statewide.

Offenders Supervised with Electronic Monitoring and Number of Electronic Monitoring Days Served

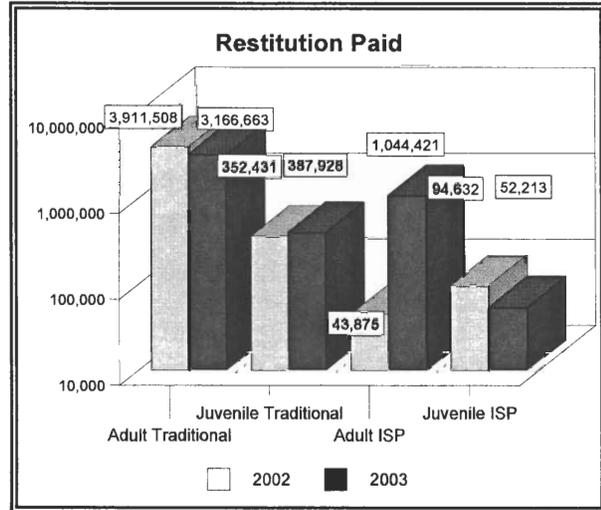
As noted by the chart to the right, an average monthly number of 6,998 electronic monitoring days completed by 324 offenders in 2003. This respectively represents a 14% increase in the average number of days and a 14% increase in the average number of offenders on electronic monitoring as compared to 2002. All total, 83,976 electronic monitoring days were administered in 2003.



PROGRAM/OFFENDER OBLIGATIONS

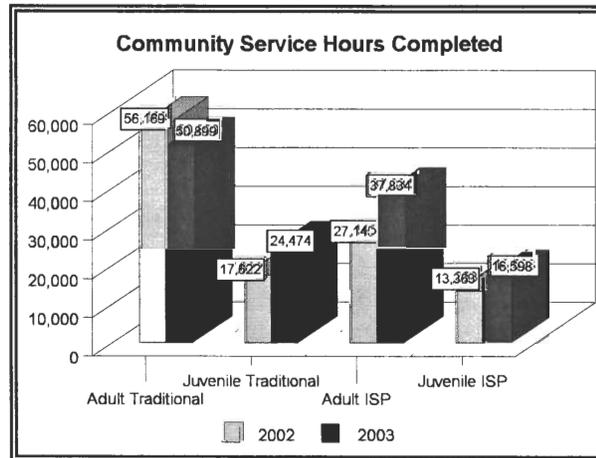
Restitution

On a daily basis, probation officers are serving victims of crime by identifying their losses and thereafter working to ensure the collection of damages rightfully due them from offenders. This responsibility is statutorily provided for within Neb. Rev. Stat. 29-2280 and 29-2281 and occurs during the investigatory and supervisory phases of probation. Securing the successful collection of restitution often means helping offenders secure employment or an educational program that will aid them in securing employment, as well as monitoring their finances and restitution payments. In 2002, probation districts and ISP regions collected \$4,402,446.00 in restitution from offenders. In 2003, they collected \$4,651,225.00, roughly a 6% increase.



Community Service

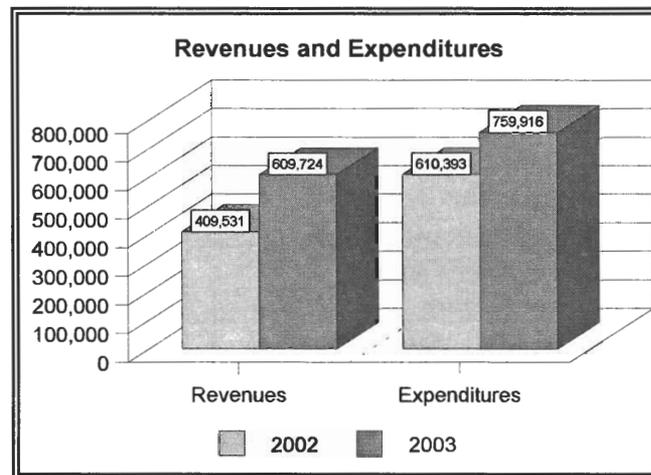
Pursuant to Neb. Rev. Stat. 29-2278, many courts make community service a condition of probation. To ensure the successful completion of this probation condition, probation officers utilize their network of community service providers in order to make appropriate referrals. Community service provides a form of symbolic restitution to the community harmed, provides a human resource to many non-profit entities and, for some offenders, provides an opportunity for them to develop positive work skills and attitudes. For the years 2002-2003, offenders under probation supervision completed 244,104 hours of community service as a condition of probation. When considering the value of this work at the minimum hourly wage of \$5.25 per hour, Nebraska communities received over \$1,281,546 worth of service.



User Fees

Offender Assessments, Substance Abuse Testing, and Electronic Monitoring

Adult offenders on probation are responsible for operating costs associated with offender assessments, substance abuse testing, and electronic monitoring. As part of respective orders of probation, either monthly or daily user fees are assessed which, upon collection (revenue), are deposited within a state cash fund. These cash fund monies in return are utilized to purchase operating supplies and/or equipment (expenditures).



As reflected in the chart above, \$609,724 in revenue was collected from user fees in 2003 compared to expenditures of \$759,916. Both revenues and expenditures increased in 2003 compared to 2002. Increase in expenditures over revenue in 2003 was in part a result of costs associated with Probation Administration establishing a new leasing agreement for electronic monitoring.

Administrative Enrollment and Monthly Programming Fees

Section 29-2262.06, Neb. Rev. Stat. (2003 Supp.), requires all adult offenders sentenced to either regular or intensive supervision pay a one-time administrative enrollment fee of \$30. Further, this legislation requires that adult offenders sentenced to regular probation pay a monthly programming fee of \$25; those sentenced to intensive supervision pay a monthly programming fee of \$35. A procedure and criteria for determining ability to pay is statutorily recognized and the funds collected from these fees are credited to a Probation Program Cash Fund (Section 29-2262.07, Neb. Rev. Stat. (2003 Supp.)). July 1, 2003 was the operative date of this legislation. At the end of December, 2003, a total of \$442,886.18 had been collected as a result of these fees.

WORKLOAD ANALYSIS

Workload analysis refers to the statistical method by which the Office of Probation Administration calculates and thereby determines line staff (i.e., probation officers and case managers) needs statewide. Although we have interest in caseload data, we determine our staffing needs on the basis of analyzing workload data. We believe this method is simply a more defined measure of staff productivity. Therefore, the term “workload analysis” refers to the statistical method by which the Office of Probation Administration calculates and thereby determines staffing needs statewide in both traditional probation and ISP. The method is individually employed within all probation districts/ISP regions and calculated through the use of the Nebraska Probation Management Information System (NPMIS), a centralized information system. All Probation-related tasks central to the supervision of offenders and preparation of court-ordered investigations are measured on the basis of a given value. The cumulative total of such values, in relation to 115 total hours available monthly to individual line staff performing such tasks, forms the basis for determining staff and therefore the system’s capacity to adequately deliver these services. These measurement values have been studied and researched in the field, refined over the years, and are uniform throughout the Probation system. The reader will note in the information that follows that these concepts are explained within the context of “Total Service Time,” “Available Staff Time,” and “Amount of Time Exceeding Time Available.”

Workload Hours by Service Category

The following two tables demonstrate the degree by which the Nebraska Probation System’s existing field division (traditional, intensive supervision, and intake) workloads exceed staff capacity to deliver required services (court investigations and/or offender supervision) for both adults and juveniles. Specifically, the tables denote total workload hours by service category and percent of change between 2002 - 2003 within the field divisions of traditional probation and ISP.

Traditional Probation

Service Category	2002 (hours)	2003 (hours)	Adjustment (%)
Staff Supervision	25,152	25,533	+2
Adult Investigations	53,099	53,603	+1
Adult Supervision	108,992	111,218	+2
Juvenile Investigations	18,956	19,859	+5
Juvenile Supervision	55,893	56,740	+2
Juvenile Intake	5,589	5,404	-3
Travel Time	11,787	11,348	-4
Total Service Time	279,468	283,705	+2

Intensive Supervision Probation (ISP)

Service Category	2002 (hours)	2003 (hours)	Adjustment (%)
Staff Supervision	1,612	1,701	+5
Adult Investigations	268	440	+64
Adult Supervision	27,956	29,400	+5
Traditional Supervision	272	275	<1
Juvenile Supervision	15,053	14,407	-4
Travel Time	8,601	8,804	+2
Total Service Time	53,762	55,027	+2

Service Delivery Hours vs. Available Staff Hours

In an aggregate sense, the following two tables compare total service time compared to total staff time available within traditional and ISP. Based upon this calculation, it subsequently commutes the number of workload hours that exceed available staff time and projects the number of line staff needed to adequately deliver required services.

Traditional Probation

Year	Total Service Time (hours)	Available Staff Time (hours)	Amount of Time Exceeding Available Staff Time (hours)	Number of Line Staff Needed to Meet Required Service Time
2002	279,468	277,053	2,415	21
2003	283,705	281,175	2,530	22

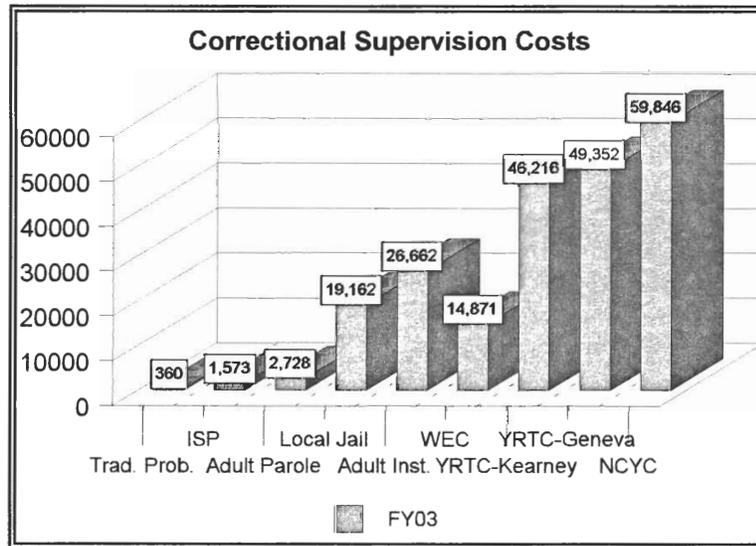
Intensive Supervision Probation (ISP)

Year	Total Service Time (hours)	Available Staff Time (hours)	Amount of Time Exceeding Available Staff Time (hours)	Number of Line Staff Needed to Meet Required Service Time
2002	53,762	53,245	517	4.5
2003	55,027	54,050	977	8.5

Based upon the aforementioned workload calculations, twenty-two (22) additional traditional line staff and eight and one-half (8.5) additional ISP line staff were needed in 2003. This additional need for field probation staff in traditional and ISP probation doesn't take into account the additional need for support staff such as clerical and drug technician personnel.

COST COMPARISON: PROBATION VS. INSTITUTIONAL ALTERNATIVES

The annual costs of correctional supervision varies significantly depending upon the type of sanction utilized. From a cost perspective, community-based sanctions such as Probation, whether it be traditional or intensive, can be delivered at a fraction of the comparative costs of confinement. This graphical depiction illustrates the importance of targeting offenders for sanctions and adequately funding Probation for it is the criminal justice sanction best strategically positioned to contribute to public safety and community well-being.



Annual Costs (FY03):

Traditional Probation	\$360
Intensive Supervision Probation (ISP)	\$1,573
Adult Parole	* \$2,728
Local Jail (average of all facilities)	** \$19,162
.....	(range \$14,600 - \$23,725)
Adult Institutions (average of all facilities)	*** \$26,662
.....	(range \$15,887 - \$31,602)
Work Ethic Camp (WEC)	*** \$14,871
Youth Rehabilitation and Treatment Center/Kearney	**** \$46,216
Youth Rehabilitation and Treatment Center/Geneva	**** \$49,352
Nebraska Correctional Youth Center (NCYC)	*** \$59,846

* Nebraska Adult Parole Administration

** Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission)

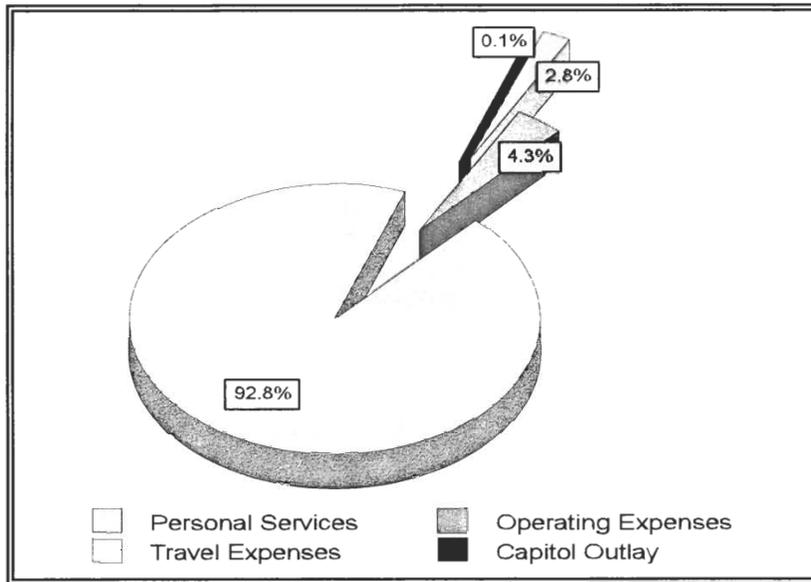
*** Nebraska Department of Correctional Services

**** Department of Health and Human Services, Office of Juvenile Services

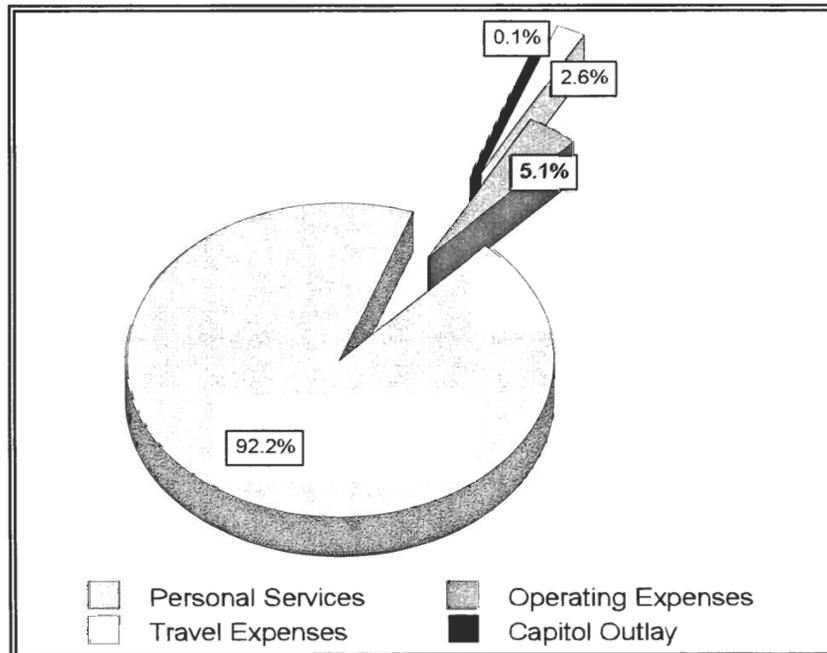
Budget Appropriation 7/1/01 - 6/30/02

	<u>Proposed</u>	<u>Actual</u>
General Fund		
<u>Program 397 - Traditional Probation</u>		
Personal Services		
Permanent and Temporary Salaries	\$ 9,450,970	\$9,266,051
Benefits	2,495,276	2,490,704
Operating Expense	126,119	259,745
Travel	239,379	228,552
Capitol Outlay	<u>4,000</u>	<u>8,538</u>
TOTAL	<u>\$12,315,744</u>	<u>\$12,253,590</u>
 <u>Program 398 - Intensive Supervision</u>		
Personal Services		
Permanent and Temporary Salaries	\$1,515,962	\$1,460,152
Benefits	396,659	418,478
Operating Expense	49,260	66,476
Travel	189,369	151,235
Capitol Outlay	<u>2,148</u>	<u>252</u>
TOTAL	<u>\$2,153,398</u>	<u>\$2,096,593</u>
 Cash Fund		
<u>Program 397 - Traditional Probation</u>		
Personal Services		
Permanent and Temporary Salaries	\$ 0	\$ 0
Benefits	0	0
Operating Expense	50,000	49,951
Travel	0	0
Capitol Outlay	<u>0</u>	<u>0</u>
TOTAL	<u>\$50,000</u>	<u>\$49,951</u>
 <u>Program 398 - Intensive Supervision</u>		
Personal Services		
Permanent and Temporary Salaries	\$148,625	\$144,023
Benefits	35,465	32,602
Operating Expense	428,395	381,563
Travel	460	2,254
Capitol Outlay	<u>0</u>	<u>0</u>
TOTAL	<u>\$612,945</u>	<u>\$560,442</u>
 TOTAL Traditional Probation	 \$12,365,744	 \$12,303,541
TOTAL Intensive Supervision Probation	<u>\$ 2,766,343</u>	<u>\$ 2,657,035</u>
TOTAL ALL FUNDS	<u>\$15,132,087</u>	<u>\$14,960,576</u>
 Cash Fund		
<u>Program 235</u>		
Personal Services	\$425,257	\$410,572
Benefits	93,672	93,367
Operating Expense	28,204	30,979
Travel	9,200	10,079
Capitol Outlay	<u>0</u>	<u>7,475</u>
TOTAL	<u>\$556,333</u>	<u>\$552,472</u>
 Federal Funds		
Personal Services	\$116,709	\$84,631
Benefits	23,655	17,726
Operating Expense	127,774	101,555
Travel	<u>27,550</u>	<u>18,069</u>
TOTAL	<u>\$295,688</u>	<u>\$221,981</u>

PROPOSED ANNUAL BUDGET 7/1/01 - 6/30/02



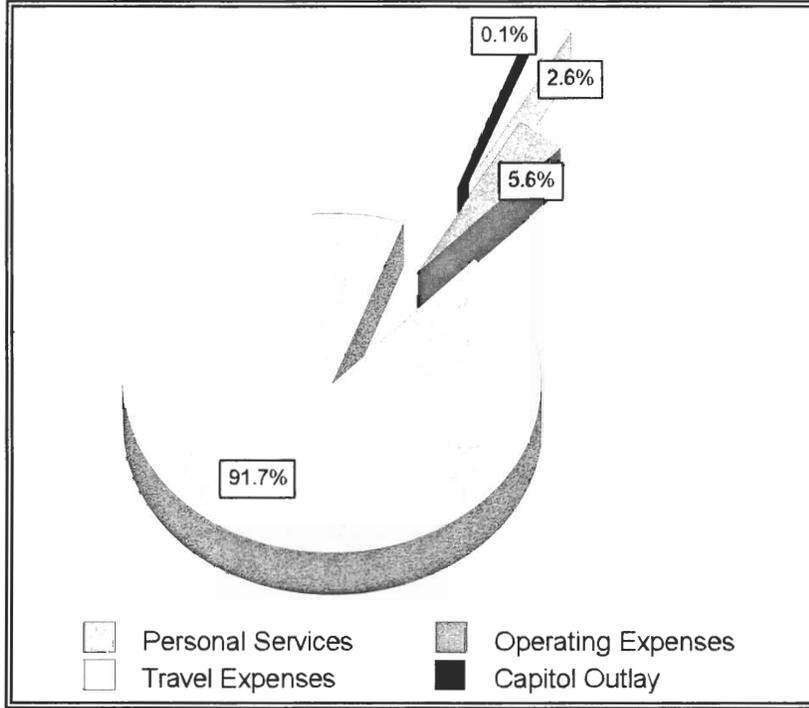
ACTUAL ANNUAL BUDGET EXPENDITURES 7/1/01 - 6/30/02



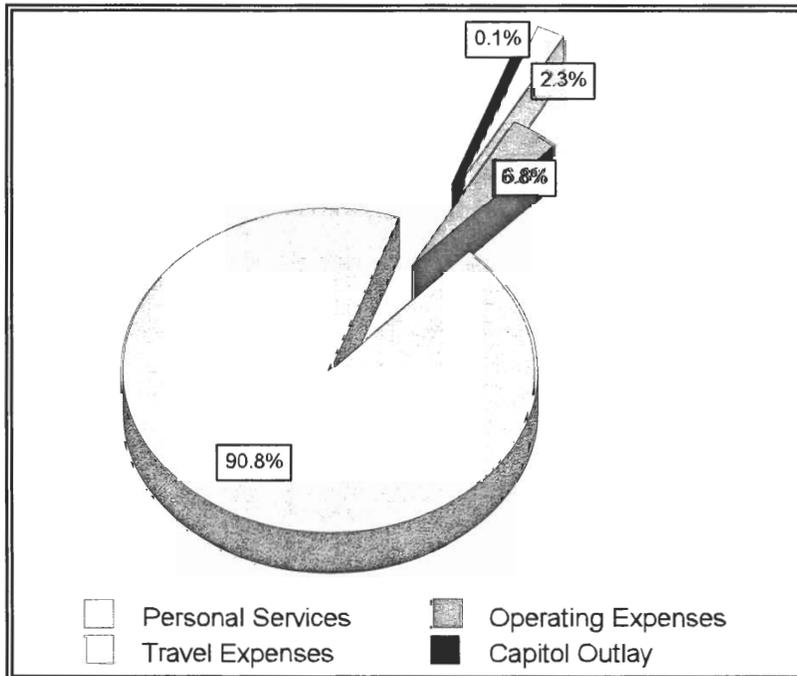
Budget Appropriation 7/1/02 - 6/30/03

	<u>Proposed</u>	<u>Actual</u>
General Fund		
<u>Program 397 - Traditional Probation</u>		
Personal Services		
Permanent and Temporary Salaries	\$9,711,625	\$9,581,534
Benefits	2,785,901	2,676,431
Operating Expense	221,163	213,033
Travel	241,400	209,852
Capitol Outlay	<u>19,000</u>	<u>7,230</u>
TOTAL	\$12,979,089	\$12,688,080
<u>Program 398 - Intensive Supervision</u>		
Personal Services		
Permanent and Temporary Salaries	\$1,598,129	\$1,544,206
Benefits	477,456	464,047
Operating Expense	55,012	50,666
Travel	169,500	159,150
Capitol Outlay	<u>2,148</u>	<u>2,647</u>
TOTAL	\$2,302,245	\$2,220,716
Cash Fund		
<u>Program 397 - Traditional Probation</u>		
Personal Services		
Permanent and Temporary Salaries	\$ 0	\$ 0
Benefits	0	0
Operating Expense	50,000	22,385
Travel	0	0
Capitol Outlay	<u>0</u>	<u>0</u>
TOTAL	\$50,000	\$22,385
<u>Program 398 - Intensive Supervision</u>		
Personal Services		
Permanent and Temporary Salaries	\$152,726	\$248,922
Benefits	30,144	71,567
Operating Expense	569,495	812,126
Travel	0	3,751
Capitol Outlay	<u>0</u>	<u>1,165</u>
TOTAL	\$752,365	\$1,137,531
TOTAL Traditional Probation	\$13,029,089	\$12,710,465
TOTAL Intensive Supervision Probation	\$ 3,054,610	\$ 3,358,247
TOTAL ALL FUNDS	\$16,083,699	\$16,068,712
<hr/>		
Cash Fund		
<u>Program 235</u>		
Personal Services	\$452,468	\$417,816
Benefits	100,355	103,749
Operating Expense	193,204	33,242
Travel	<u>11,400</u>	<u>5,152</u>
TOTAL	\$757,427	\$559,959
Federal Funds		
Personal Services	\$156,303	\$144,632
Benefits	35,505	34,544
Operating Expense	172,376	144,399
Travel	<u>14,800</u>	<u>23,960</u>
TOTAL	\$378,984	\$347,535

PROPOSED ANNUAL BUDGET 7/1/02 - 6/30/03



ACTUAL ANNUAL BUDGET EXPENDITURES 7/1/02 - 6/30/03



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