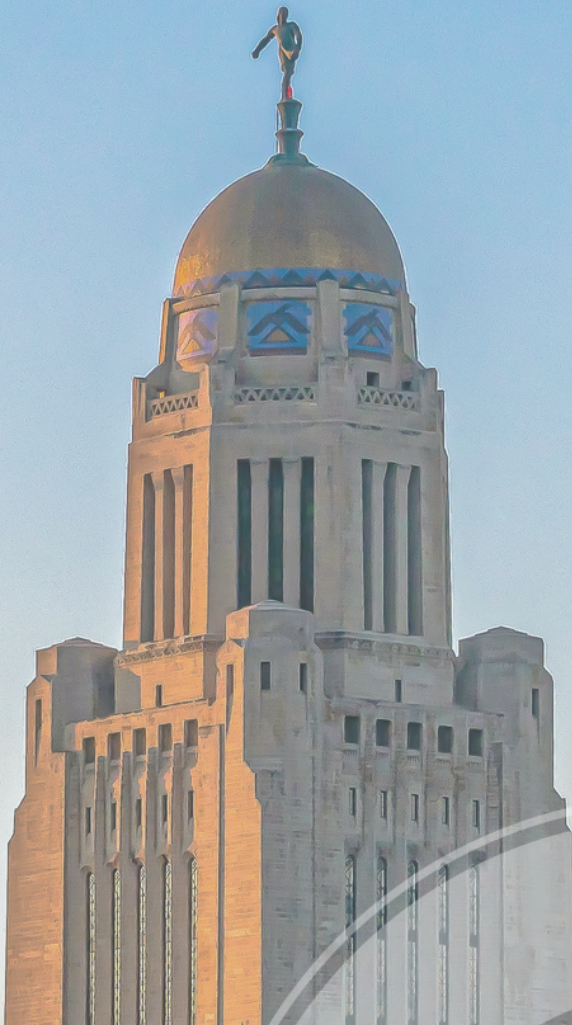




STATE OF
NEBRASKA
JUDICIAL BRANCH
Administrative Office
of the Courts & Probation



PROBATION SEMI-ANNUAL REPORT

JULY 1, 2022 TO
DECEMBER 31, 2022



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Probation Semi-Annual Report

Calendar Year 2022 — July 1, 2022, to December 31, 2022

This report was completed in compliance with Neb. Rev. Stat. § 29-2252.01 (Appended 2001). On January 15th and July 15th of each year, the Administrator shall provide a report to the Department of Administrative Services and the Legislative Fiscal Analyst.

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

OUR MISSION

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

OUR VISION

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

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Introduction

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

While there is significant carryover in the number of individuals served over each six-month reporting period, between July 1, 2022, and December 31, 2022, there were **20,382** unique individuals served by probation in Nebraska, including **17,407** adult and **2,975** juvenile probationers in both regular and intensive programs. Probation officers across the state work within a range of probation programs to assess, supervise, educate, and refer probationers to a host of treatment and skill-building programs. Probation officers assess individual's risk of re-offending and criminogenic needs, as well as determine the skills they require to make amends to victims/communities and avoid further criminal and/or delinquent behavior. Probationers are supervised within the community according to their assessed risk of re-offending, and they are referred to appropriate community-based treatment and skill-based programs, based on their assessed needs. Caseload standards are presently modeled after the American Probation and Parole Association’s evidenced-based research. Nebraska Probation is currently engaged in a workload analysis project to determine appropriate caseload ratios, and as such, these are under review.

During the last half of 2022, juvenile probation has worked to examine juvenile justice practices through the Juvenile Justice System Enhancement (JJSEN) project. We continue to work with our partners to examine the recommendations from the system review. In relation to our work with Adult Probation and Post Release Supervision (PRS), we continue to serve the citizens of this great state.

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

OUR GOALS

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

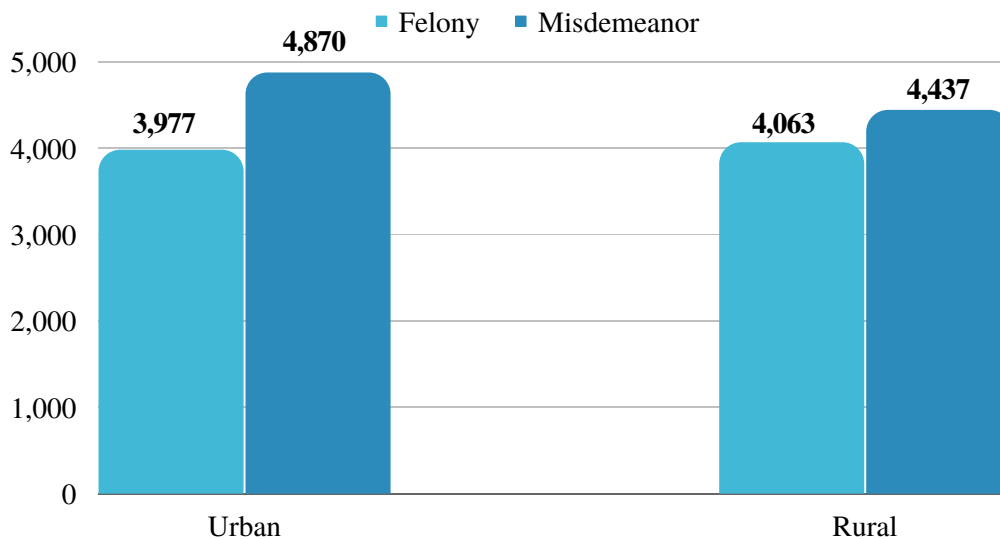
ADULT PROBATION

From July 1, 2022, through December 31, 2022, **17,407** adult probationers were supervised. A decrease of **361** cases from the first half of 2022.

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

- **8,040** felony cases with **4,063** in rural areas (50.5%) and **3,977** in urban areas (49.5%). The last half of 2022 shows a decrease in felony cases by **82** when compared to the first half of 2022 (**8,122**).
- **9,307** misdemeanor cases were on probation, with **4,437** (47.7%) in rural areas and **4,870** (52.3%) in urban areas. This total represents a decrease of **263** in adult misdemeanor cases as compared to the first six months of 2022.
- **60** cases overall exist where the most serious convicted offense was an infraction.

**Adult Probation Population Served by Felony/Misdemeanor
July - Dec 2022**



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

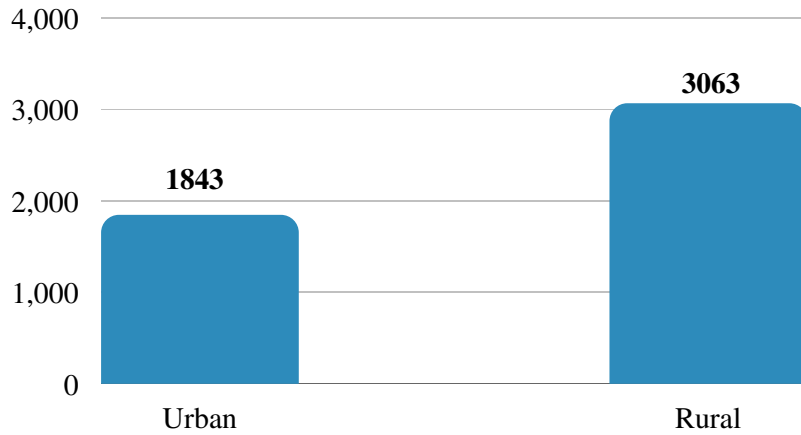
- The highest level of supervision while on probation is Community-Based Intervention (CBI), which is equivalent to intensive supervision probation as referred to in statute. This supervision combines intensive supervision and treatment resources to maximize community safety. On December 31, 2022, there were a total of **5,197** individuals on CBI or 48% of the total adult population.
- Individuals supervised at the Community-Based Resources (CBR) level include 35% of individuals or a total of **3,803**. CBR supervision levels are guided by responsive case management standards and are equivalent to regular probation as referred to in the statute.

ADULT INVESTIGATIONS

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

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

Adult Presentence Investigations & Presentence Reports July - Dec 2022

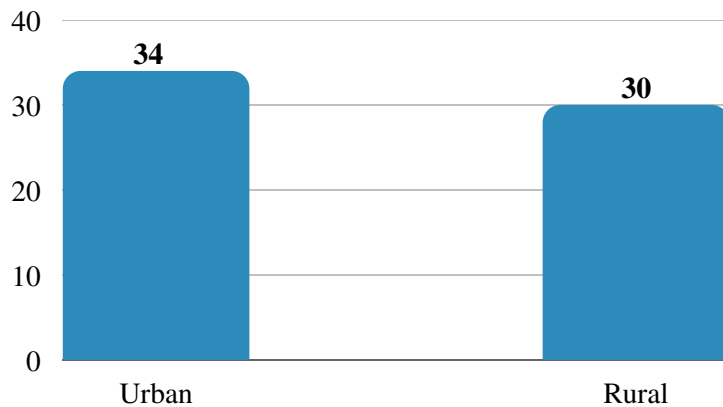


- For the last six months of 2022, a total of **4,906** Adult investigations were completed, with 62% occurring in rural areas and 38% in urban areas. In the first six months of 2022, there were **4,973** adult investigations completed, with 63% in rural areas and 37% in urban areas. This is a decrease of **67** adult investigations.

ADULT PROBATION OFFICER CASELOADS

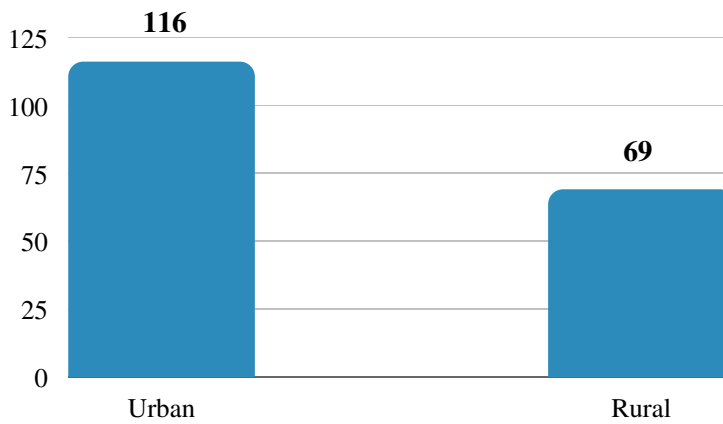
Nebraska Probation officers supervise probationers in 12 judicial districts, serving all 93 counties in Nebraska. Caseloads are not measured by felony and misdemeanor but rather by risk to re-offend. Probation uses a number of assessment tools to determine the potential for reoffending.

CBI Caseloads Urban Vs. Rural Districts December 31, 2022



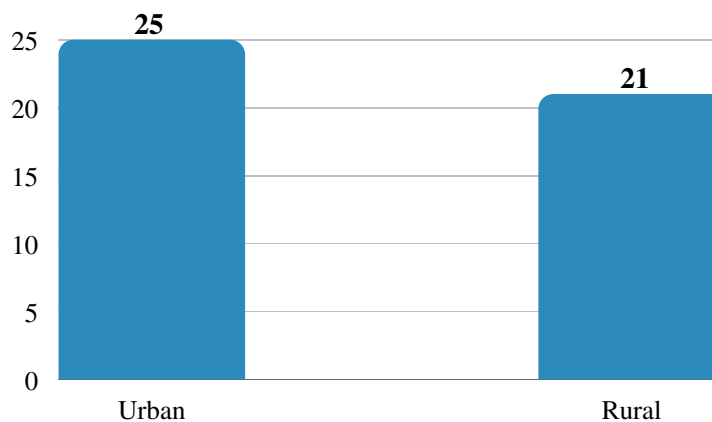
- The average caseload for Adult Probation CBI Officers was **30** individuals for rural areas and **34** for urban areas. CBI cases involve the supervision of a high/very-high risk to re-offend specific probationers group. **48%** of adult probationers are CBI, which can be felony or misdemeanor.

CBR Caseloads Urban Vs. Rural Districts December 31, 2022



- The average caseload for Adult CBR Officers was **69** for rural areas and **116** for urban areas. CBR cases involve the supervision of a moderate-to low-risk specific probationer group. Thirty-five percent of probationers are CBR, which can be felony or misdemeanor.

SSAS Caseloads Urban Vs. Rural Districts December 31, 2022



- The average caseload of an Adult Probation Specialized Substance Abuse Supervision Officer was **21** for rural areas and **25** for urban areas. At the end of December 2022, a total of **1,340** (12.3%) of the state's adult probation system are involved in SSAS.

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

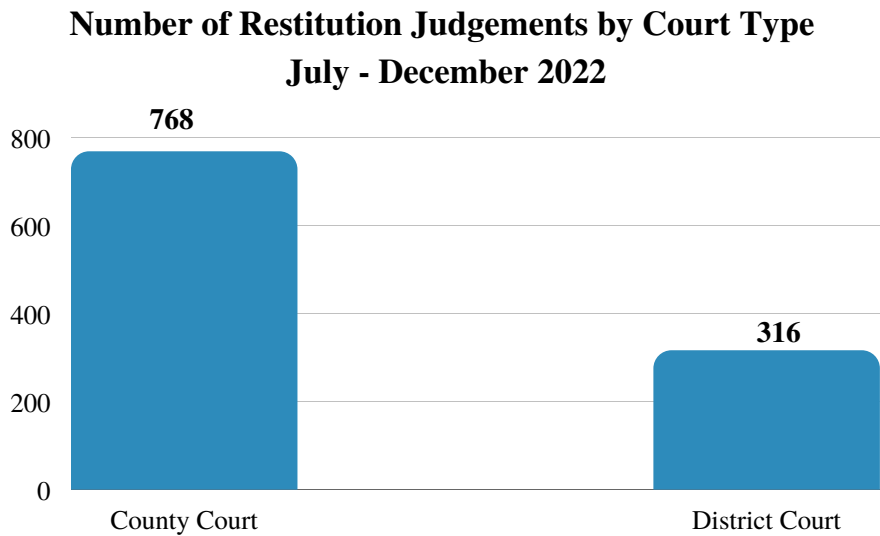
The target population for the program are individuals with substance abuse problems; probation has developed risk assessment tools to identify appropriate candidates. Founded on evidence-based principles shown to reduce recidivism by targeting the treatment needs of the probationer, the program combines substance abuse treatment in the community with intensive case management by specially trained probation officers. We have added several other classifications such as Reframe and all classifications are listed in our [Annual Report](#) found online.

GOALS OF SSAS

- *Lower Levels of Recidivism and Relapse*
- *Address anti-social-pro-criminal thinking and activity*
- *Address contributing substance abusing behaviors*

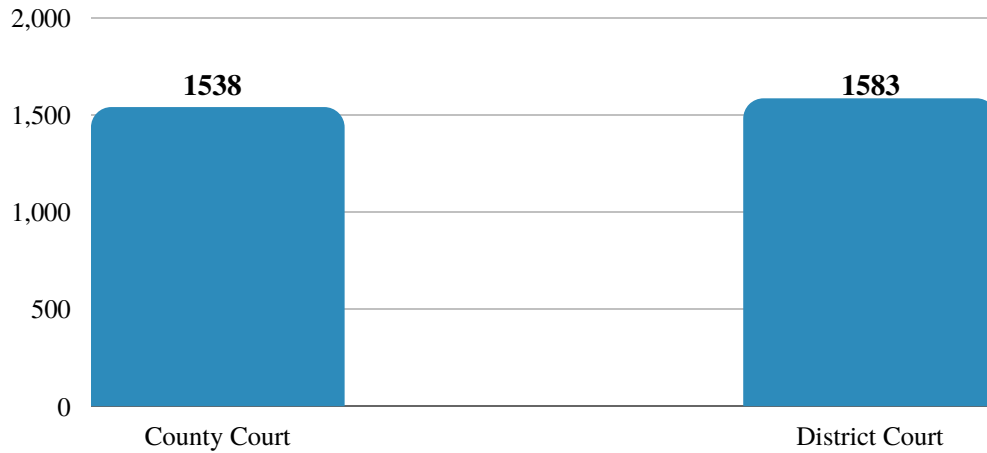
RESTITUTION

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



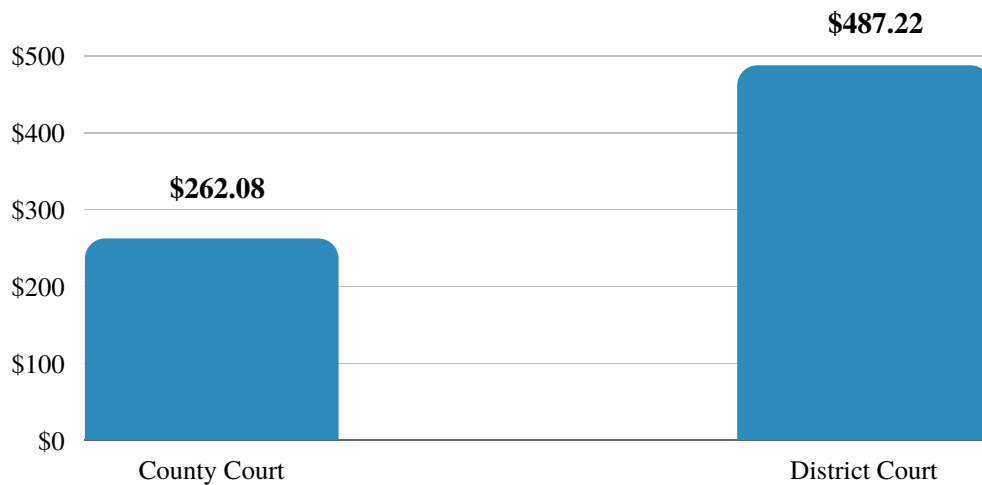
- A total of **1084** judgments for restitution were made during the last six months of 2022, with **768** (70.8%) in county court and **316** (29.2%) in district court.

Number of Restitution Payments by Court Type July - December 2022



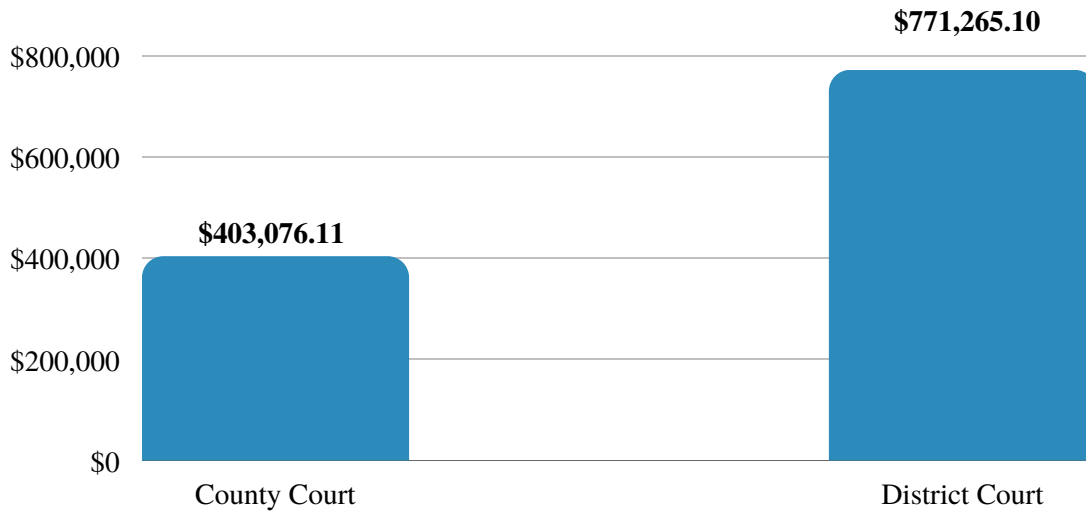
- A total of **3,121** payments were made in the last six months of 2022, with **1,538** (49%) in county court and **1,583** (51%) in district court.

Average Restitution Payment Amount by Court Type July - December 2022



- The average restitution payment amount in county court for the last six months of 2022 was **\$262.08** compared to **\$487.22** in district court for the same time period.

**Total Restitution Collected by Court Type
July - December 2022**



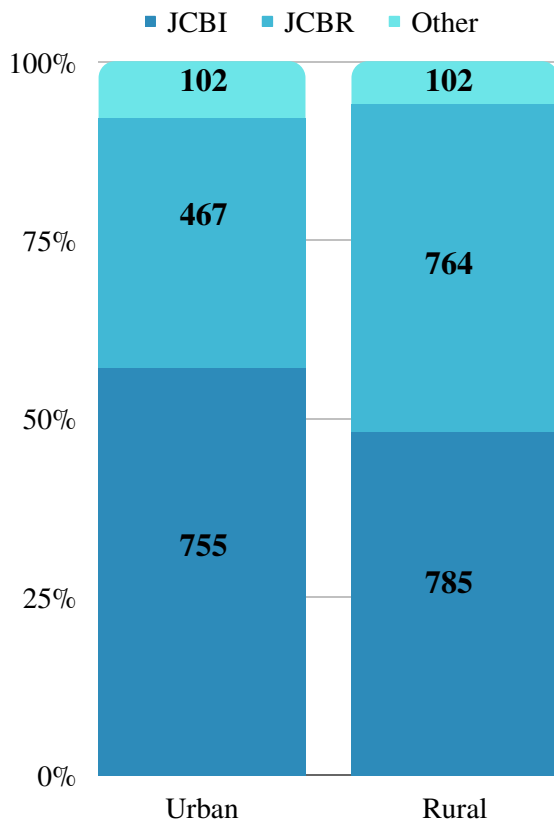
- Total restitution collected in county court for the last six months of 2022 totaled ***\$403,076.11*** compared to ***\$771,265.10*** in district court for the same time period.

JUVENILE PROBATION CASES

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

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

**Juvenile Population Served
July - Dec 2022**

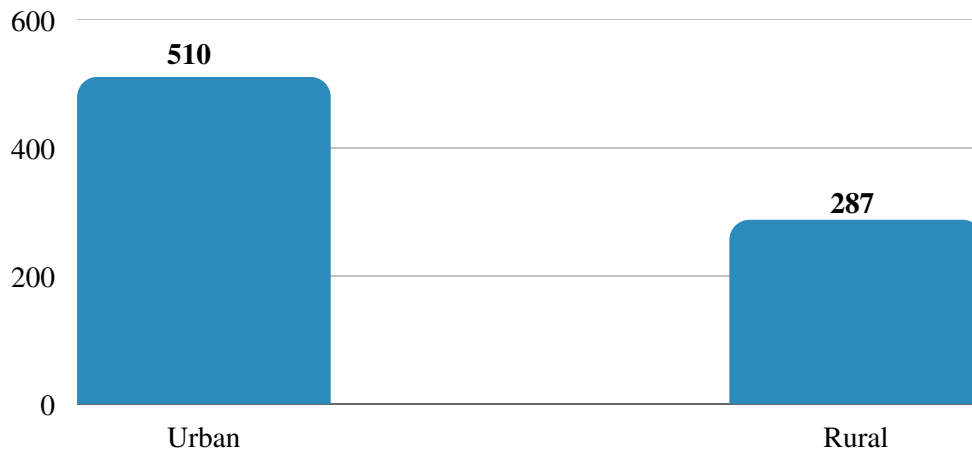


- From July 1, 2022, through December 31, 2022, **2,975** youth on probation were supervised.
- Active youth cases for the last six months of 2022 totaled **2,975** with **1,651** cases (55.5%) in rural areas compared to **1,324** cases (44.5%) in urban areas.
- For the last six months of 2022, there were **1,540** (56%) youth served at the JCBI level and a total of **1,231** (44%) youth were served at the JCBR level.
- The Other category consists of youth that have a case management classification status that are awaiting assessment results or is being served prior to adjudication or disposition.

JUVENILE DETENTION INTAKE

Nebraska state statutes § 43-250 through § 43-260 authorize probation to facilitate the juvenile intake function. This is accomplished through a standardized assessment tool that is administered when law enforcement contacts probation to assess an intake decision. The detention screening instrument examines the youth’s risk of further law enforcement contact before the next court hearing and the risk of failing to appear for the court hearing.

**Juvenile Probation Intake Screenings
Urban vs Rural
July - December 2022**

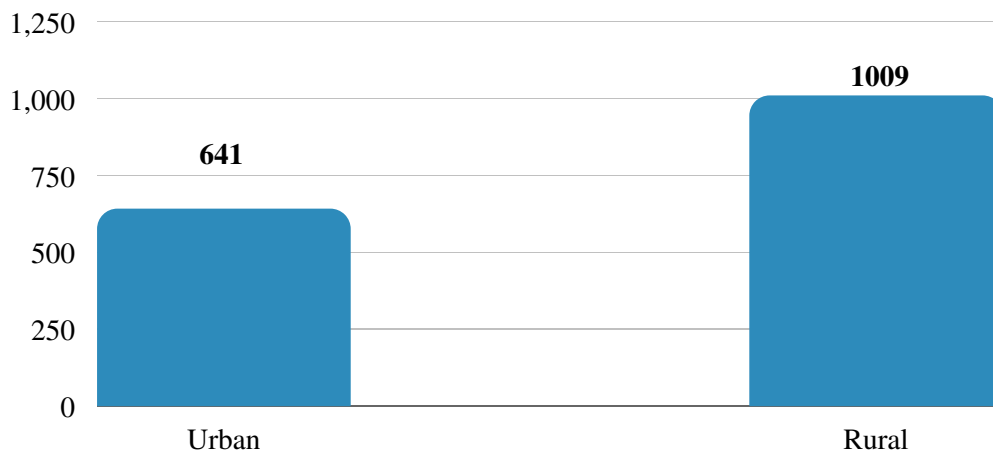


- Juvenile Probation Intake Screenings for the last six months of 2022 totaled **797** with 64% occurring in urban areas and 36% in rural areas.
- Of the intake screenings completed, **313** were detained as a result of the intake.

JUVENILE PREDISPOSITION INVESTIGATIONS

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

**Juvenile Probation Investigations
Urban vs Rural
July - December 2022**

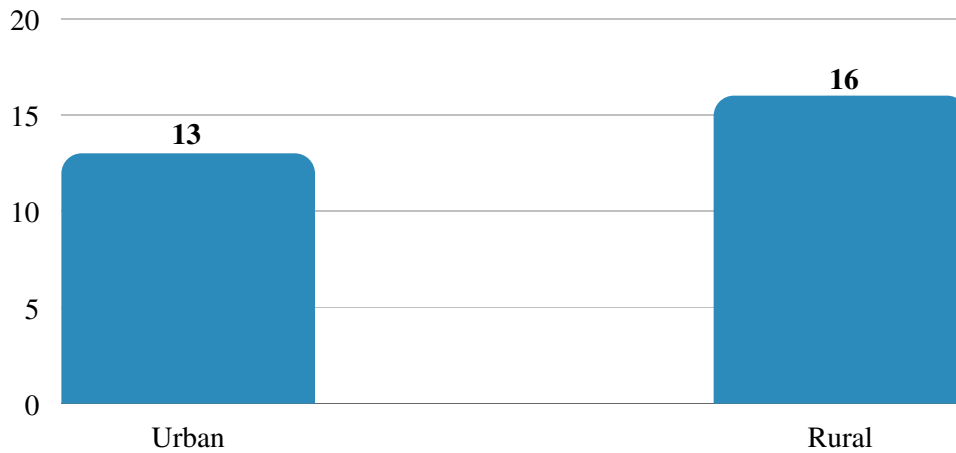


- Juvenile Probation investigations completed for the last six months of 2022 totaled **1,650** with **641 (39%)** for urban areas compared to **1009 (61%)** for rural areas.

JUVENILE PROBATION OFFICER CASELOADS

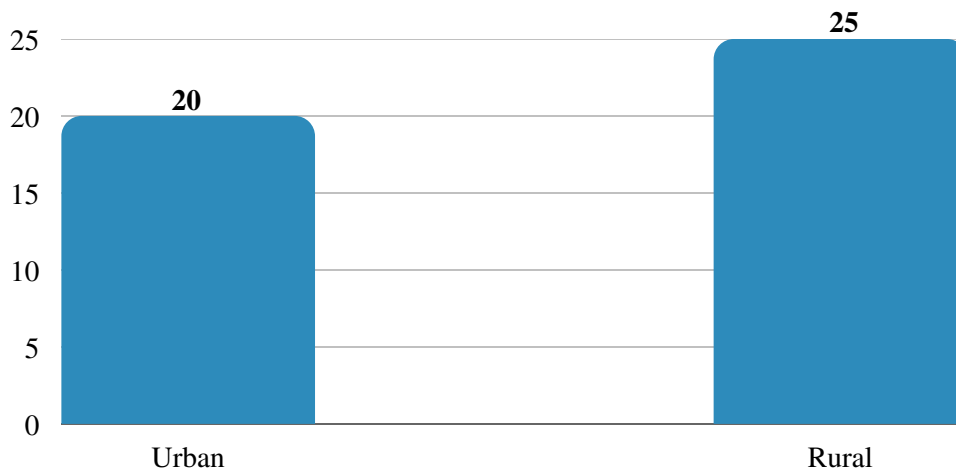
Juvenile Probation has statewide oversight of 12 districts covering all 93 counties in Nebraska. To ensure Probation officers supervising youth in each district are able to target the individual risk and needs caseload numbers are tracked regularly and matched with national research expectations.

**Juvenile Probation Officer Caseload JCBI Officer
July - December 2022**



- For the last half of 2022, the average caseload for a JCBI Probation officer was **13** cases in urban areas and **16** cases in rural areas.

**Juvenile Probation Officer Caseload JCBR Officer
July - December 2022**



- The average caseload for JCBR officers was **20** in urban and **25** in rural areas.