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NEBRASKA JUDICIAL BRANCH PROGRAM AND PROJECT QUICK LOOK

Nebraska Probation – Transitional Living Initiative

As a result of Legislative Bill (LB) 605, designed to reduce prison overcrowding, Nebraska Probation was tasked with providing supervision and rehabilitative services for individuals convicted of Class III, IIIA or IV felonies being released from state prisons and county jails. These Post-Release Supervision (PRS) clients experience significant obstacles upon their release, specifically a lack of housing or sober living options.

Origin & Authorization

Legislative Bill (LB) 605 & 1094 (Expands the use of probation in lieu of incarceration.)

Nebraska Revised Statute 28-105 (New felony offense classification requiring post-release supervision.)

Nebraska Revised Statute 29-2260 (Cases requiring a determinate sentence of post-release supervision.)

Nebraska Supreme Court Rule § 6-1904 (Rules of post-release supervision.)

Since the passage of LB 605 in August 2015, Nebraska Probation has been entrusted with the responsibility of supervising clients within the community who have been released from the Nebraska Department of Correctional Services or local county jails under a term of Post-Release Supervision. Presently, Nebraska Probation has identified a lack of access to transitional housing and funding for appropriate residential reentry options.

Program Overview

The Transitional Living Initiative (TLI) was created to increase success for probation, post-release, and problem-solving court clients while also reducing recidivism. TLI provides short-term, stable housing for individuals at high risk to reoffend while improving community safety. The initiative places probationers, post-release, and problem-solving court clients in a supportive environment, enabling them to concentrate on treatment and/or employment, reintegrating into the community, and ultimately becoming self-sufficient. Simultaneously, this provides a greater ability to know the whereabouts of individuals under court ordered supervision.

Target Population

- Felony offenses and limited Class I misdemeanor offenses, including domestic violence offenses, sex offenses and 3rd Offense DUIs or higher
- With a court order, or as part of a sanction, and:
 - Discharging from jail or prison to Post-Release Supervision
 - Currently on Post-Release Supervision
 - Currently on probation or under problem-solving court supervision

AND

- Assessed at high risk to reoffend
- Cannot immediately afford to pay for services on their own
- Must have unsupportive housing upon release from jail or prison
- Or must be in need of therapeutic housing for support

Program Overview

» Housing Options

- Therapeutic Housing/Licensed Halfway House
 - A 24-hour structured supportive/treatment/recovery facility generally used following short-term residential treatment. Licensed by the Division of Behavioral Health.
- Transitional Living Facility (which offers in-house programming)
 - Supportive, temporary housing which includes services (i.e. employment, financial management) to facilitate transition to independent living.
- Transitional Living Facility (which offers only safe, sober living)
 - Temporary housing for individuals requiring more stability than an emergency shelter with the goal of achieving independent living.

Accomplishments

- A network of Transitional Living service providers has been recruited to partner with Probation in this Initiative
- Three levels of Transitional Living services have been identified and partner service providers have agreed to the service expectations and a financial assistance reimbursement model
- Probation Officers and Navigators have been trained on this Initiative and are actively making referrals to Transitional Living facilities, already having an impact on probationers with unsupportive housing
- The program began with 10 Transitional Living service providers and has since expanded to over 30 partners across the state.
- The Justice Reinvestment Maximizing Grant, also referred to as Project Integrate, was implemented to focus exclusively on expanding Transitional Living options in Douglas County, in partnership with the Nebraska Department of Corrections, Douglas County Corrections, and the Administrative Office of Parole, to serve clients with a housing need and who are diagnosed with mental health and/or substance use disorders

Looking Forward

- Add additional Transitional Living service providers to increase referral options both in metropolitan and outstate areas
- Continue to identify opportunities for expanding Transitional Living through new and creative housing options
- Implement a Justice Reinvestment Maximizing Grant to focus exclusively on expanding Transitional Living options for probationers and parolees in Douglas County with diagnosed mental health and/or substance use disorders

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References

Nebraska Supreme Court Rules: <https://supremecourt.nebraska.gov/supreme-court-rules/chapter-6-trial-courts/article-19-nebraska-court-rules-probation-practices/%C2%A7-6-2>