

NEBRASKA JUDICIAL BRANCH

Post-Release Supervision

Quarterly Report



Neb. Rev. Stat. §29-2274

LB631, §21

October 1, 2024





**Post-Release Supervision
Quarterly Report
Q2: April 1, 2024, to June 30, 2024**

October 1, 2024

This report was completed in compliance with Neb. Rev. Stat. §29-2274, LB631 passed by the 108th Nebraska State Legislature and signed into law by the Governor on April 16, 2024, with an effective date of July 19, 2024. Beginning on October 1, 2024, the Office of Probation Administration shall submit a quarterly report to the Judiciary Committee and Appropriations Committee of the Legislature.

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POST-RELEASE SUPERVISION QUARTERLY REPORT OVERVIEW

The Administrative Office of the Courts and Probation (AOCP) is within the Judicial Branch of government. In performing its function, Nebraska Probation strives to achieve intertwined community safety goals, risk reduction, and behavior change. Trusted and valued by Nebraska's courts and citizens, Probation's dedicated professional staff have provided quality investigations, supervision, and service for over sixty years. Nebraska Probation is driven by the understanding that a system founded on research-supported, evidence-based policies and practices will produce positive individual outcomes.

Post-release supervision (PRS) refers to a structured system of oversight that individuals are subject to following their release from incarceration, administered by Probation. This mechanism serves as a critical component of the criminal justice continuum, aimed at facilitating the reintegration of formerly incarcerated individuals into society while simultaneously safeguarding public safety. Intended to provide community supervision for individuals who are released from prison on lower-level felony offenses, Nebraska policymakers enacted Legislative Bill (LB) 605 in 2015. LB605 expanded the use of probation in lieu of incarceration, ensuring more individuals receive supervision upon release from prison. During their supervision period, individuals must comply with a set of court ordered conditions, which includes intensive supervision by the supervising probation officer, maintaining employment, and refraining from criminal activity. The overarching objective of PRS is to reduce recidivism by providing a framework of accountability and support, thereby enhancing the prospects for successful reintegration and reducing the burden on the justice system.

STATUTORY REQUIREMENTS OF NEB. REV. STAT. §29-2274 (LB631, 2024)

§(1)(a) Number of Individuals

As of June 30, 2024, there were a total of 1,270 individuals on post-release supervision (PRS) (§(1)(a)(i)). From April 1, 2024, through June 30, 2024, there were a total of 101 individuals on PRS who were successfully discharged (§(1)(a)(ii)), while 129 individuals on PRS were unsuccessfully discharged (§(1)(a)(iii)).

From April 1, 2024, through June 30, 2024, there was a total 80 individuals on PRS who experienced a revocation (§(1)(a)(viii)). Of those individuals, 24 were revoked for technical violations (§(1)(a)(iv)) and 33 were revoked for law violations (§1(a)(v)).

As of June 30, 2024, there were 47 individuals on PRS who have absconded and not yet completed the conditions of their PRS (§(1)(a)(vi)). From April 1, 2024, to June 30, 2024, there were 90 individuals on PRS who were sent to jails to serve custodial sanctions (§(1)(a)(vii)).

§(1)(b) Number of Beds and Days

The data requested for the number of beds used for custodial sanctions and the number of days such beds are used (§(1)(b)) are, unfortunately, not available within our reporting environment and falls under each individual county jail. As a part of our efforts to enhance the efficiency of reporting on post-release supervision outcomes, a need for additional support was identified in the

form of a request for funding to hire both a Database Administrator (DBA) and an IT Project Manager.

As a proxy, from April 1, 2024, to June 30, 2024, there were 90 individuals on PRS who were committed to 117 custodial sanctions, for a total of 1,342 days, or number of days in jail, or number of beds used in jail (§(1)(b)).

§(1)(c) Types of Programming

Programming for individuals on post-release supervision (PRS) plays a crucial role in supporting their successful reintegration into society and reducing the risk of recidivism. Housed within Nebraska Probation's Reporting Centers and Service Centers, these programs are designed to address the varied needs of individuals transitioning from incarceration to the community, providing them with the necessary tools and resources to lead productive lives.

Reporting centers across Nebraska were created to establish a central location for a continuum of services accessed by individuals under supervision in their communities as a means of providing community safety, accountability, and rehabilitation. By pooling state and county resources, these reporting centers provide structured programming that targets an individual's need and enhance their ability to make long lasting positive changes and to be a successful member of the community. These programs and services are evidence-based and tailored to meet the needs of individuals with a wide range of challenges. Services are provided by local community invested parties, bridging criminal justice and behavioral health. Reporting Centers engage high-risk individuals in structured supervision activities targeted to reduce the likelihood of the individual to reoffend. Reporting Centers are intended to increase community safety while reducing the high cost of incarceration and prison overcrowding in Nebraska.

Programming encompasses a wide range of services, including educational and vocational training, substance use and mental health treatment, cognitive-behavioral therapy that targets criminal thinking with healthy coping strategies and life skills development. Each of these programs is tailored to target specific risk factors as identified in their most recent validated risk assessment, with the overall goal of promoting stability and self-sufficiency.

The targeting of specific risk factors and barriers in these programs is guided by an actuarial-based, normed, and validated risk assessment tool. This tool is used to systematically assess each individual's likelihood of reoffending and to identify their unique criminogenic needs. By relying on empirical data and validated measures, the assessment helps inform decision-making, ensuring that resources are allocated efficiently, and interventions are tailored to the individual's specific risk profile. This approach not only optimizes service provision but also enhances case management by focusing on the most critical areas for reducing recidivism and promoting long-term reintegration success.

Case management targets risk reduction by focusing on the assessed criminogenic need areas. Among the types of programming offered to individuals on post-release supervision, those that target criminogenic needs, factors directly linked to criminal behavior, are particularly vital. Programs such as cognitive-behavior therapy, substance abuse and mental health treatment are

designed to address criminogenic needs, which include antisocial thinking patterns, behavioral health, and impulse control issues. By focusing on those areas, these interventions aim to mitigate the root causes of criminal behavior, thereby reducing the likelihood of recidivism. Educational and vocational programs, while not strictly criminogenic in nature, also play a supportive role by addressing related factors such as unemployment, which can indirectly influence criminal activity.

Educational and vocational training programs are foundational components of PRS, aiming to improve employment prospects and economic independence. These include General Education Development (GED) preparation, adult basic education, and job readiness training. Vocational programs may offer certifications in trades, providing individuals with marketable skills that can help them secure stable employment upon reentry. By addressing the critical link between unemployment and recidivism, these programs empower individuals to build sustainable careers and reduce their reliance on criminal activities for income.

Behavioral Health treatment and cognitive-behavioral therapy are also integral to PRS programming, particularly for individuals with a history of addiction or mental health challenges. Behavioral health treatment programs may include counseling, group therapy, and access to rehabilitation services, helping individuals address the underlying causes of their addiction. Cognitive-behavioral therapy focuses on changing negative thought patterns and behaviors that contribute to criminal activity. Both types of programs are designed to provide long-term coping mechanisms and relapse prevention strategies, enabling individuals to lead healthier and more law-abiding lives.

Life skills programs further support individuals on PRS by equipping them with practical tools for daily living. These programs may cover financial literacy, conflict resolution, parenting skills, and effective communication. By fostering personal development and resilience, life skills programming helps individuals navigate the challenges of reentry, maintain compliance with supervision conditions, and develop positive relationships within their communities.

Overall, these types of programming are vital in promoting successful reintegration and reducing recidivism among individuals on post-release supervision.

§(1)(d) Risk Scores

In order to evaluate changes in risk levels of individuals on post-release supervision (PRS), it is necessary to compare their risk scores at two critical points: when an individual began serving a sentence for imprisonment and upon discharge from post-release supervision (§(1)(d)). Probation uses the Level of Service/Case Management Inventory (LS/CMI) risk assessment tool in conjunction with a presentence investigation ordered by the court. Individuals are assessed at the beginning of their sentence of PRS and upon discharge. Below are the first and last risk assessment scores at time of sentence compared to final risk score at time of discharge (see Table 1).

Table 1

Average Change in Risk Assessment Score using the LS/CMI by Discharge Type, July through September 2024.

PRS Discharge Type	Number of Probationers	Average First LS/CMI Score	Average Last LS/CMI Score	Average Decrease In LS/CMI Score
Early Release Successful	25	26.5	21.2	5.3
Successful	70	25.7	20.9	4.9
Revoked	64	30.4	31.3	-0.9
Unsuccessful	37	28.6	28.7	-0.1
Other	4	22.8	22.0	0.8

It is important to note that all individuals on PRS listed above fall within a high-risk range for recidivism, thus any reduction in risk should be considered positive. Also, individuals that have committed a sex offense, officers also utilize the Vermon Assessment for Sex Offender Risk – 2 (VASOR-2) and the Sex Offender Treatment Progress Scale (SOTIPS). For individuals with a domestic violence related charge, officers also assess for domestic violence risk using the DV Matrix.

§(2) Redaction

All personal identifying information of individuals on post-release supervision has been removed.

CONCLUSION

This report has detailed Neb. Rev. Stat. §29-2274, LB631 passed by the 108th Nebraska State Legislature and signed into law by the Governor on April 16, 2024, with an effective date of July 19, 2024.

For the second quarter of 2024, 101 individuals on PRS were successfully discharged, while 129 individuals on PRS were unsuccessfully discharged. Of those individuals who experienced a revocation, 30% were revoked for technical violations, 41% were revoked for law violations, and 29% are other revocations. As of the end of the second quarter of 2024, 47 individuals on PRS absconded and had not yet completed their PRS. There were 90 individuals on PRS who were sent to county jails to serve custodial sanctions.

The continuum of programming offered to individuals on post-release supervision plays a critical role in their successful reintegration into society and in reducing recidivism. Educational, vocational, substance abuse and mental health treatment, cognitive-behavioral therapy, and life skills programs each address key factors that can either support or hinder an individual’s ability to lead a productive life after incarceration. By providing targeted interventions and resources, these programs not only enhance personal development but also contribute to public safety by reducing the likelihood of reoffending. Ensuring the continued availability and effectiveness of such

programming is vital for fostering long-term stability and positive outcomes for individuals on post-release supervision.

Limitations

Limitations of this report begin with the PRS limitation regarding the insufficient availability of programming for individuals prior to release. Consequently, this significantly impacts the ability to provide adequate interventions during the post-release supervision period. Without comprehensive pre-release programming, individuals enter the re-entry process under Probation supervision with unmet criminogenic needs. This leaves limited time and resources to effectively address these issues that could hinder successful reintegration.

The evaluation of post-release supervision outcomes is contingent upon the availability and integration of comprehensive data, including risk assessment scores, custodial sanctions, and jail bed use. The current limitations, particularly the lack of access to data from the Department of Corrections and discrepancies between risk assessment tools, create significant barriers to conducting a thorough analysis of the effectiveness of post-release supervision in reducing recidivism. Addressing these gaps through a formalized Memorandum of Understanding (MOU) with the Department of Corrections and each county jail would not only enable more robust data sharing but also foster a more effective longitudinal data analysis of risk trajectories and supervision outcomes.

The technical infrastructure supporting data collection and integration requires enhancement to streamline access to critical datasets. Hiring a Database Administrator (DBA) would be instrumental in improving data management processes, facilitating secure data exchange, and optimizing system functionalities. Such investment in both administrative and technical capacities are necessary to produce comprehensive evaluations that can inform evidence-based decisions and contribute to the overall effectiveness of post-release supervision as a means of promoting public safety and reintegration. Through these measures, the reporting framework can evolve to meet the analytical demands required for meaningful reform within the justice system.

It is important to note that among the individuals who experienced a revocation of post-release supervision, 23 cases (29%) have been classified as “other,” which are the result of data entry errors. We are limited to reporting the data as it has been recorded in our environment. Efforts are currently underway to address and correct data entry errors. Due to the complexity of the data reconciliation process, it was not possible to complete these corrections in time for the present report. Despite this ongoing data integrity effort, we are committed to providing the most accurate data available at the time of this report.



**Post-Release Supervision Quarterly Report
Research and Data**

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