

Lincoln, Nebraska
September 22, 2006

COMMUNITY CORRECTIONS COUNCIL
MEETING MINUTES

The Community Corrections Council (Council) met Friday, September 22, 2006, 9:00 a.m., at the Cornhusker Hotel, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Scot L. Adams
Mike Behm
William Burgess
Esther Casmer
Ellen Fabian-Brokofsky
The Honorable Karen B. Flowers
Julie Hippen
The Honorable John P. Icenogle
Joe Kelly
Jim McKenzie
Chris Peterson
Senator John Synowiecki
Janice Walker
Senator Kermit A. Brashear, Chair

Others present:

Bruce Ayers
Jeff Beatty
Scott Carlson
Michael Dunkle
Doug Hanson
Aaron Hendry
Frank Jenson
Howard Kensinger
Steve King
Jennifer Kirkpatrick
Doug Koebernick
Deb Minardi
Connie Nemecek
Jim Pieper
Rich Robinson
Steve Rowoldt
Christine Salvatore
Ron Sorensen
Jessica Watson
Larry Wayne
David Wegner
Cameron White

Members absent:

Catherine Cook
Aileen Gruendel
Robert Lindemeier

Council Staff Present:

Linda Krutz, Executive Director
Julie L. Rogers
Jennifer Doné

CALL TO ORDER, WELCOME & OVERVIEW

Chairperson Brashear called the Council meeting to order at 9:00 a.m. and gave an overview of the meeting. Attendance is indicated above. Christine Peterson is the new acting director of Health and Human Services and will sit on the Council until the new director is hired. Expected absences were announced.

APPROVAL OF MINUTES

The minutes of the June 23, 2006, Council meeting stood approved as presented.

COMMUNITY CORRECTIONS FEE REPORT

Bruce Ayers of the Crime Commission reviewed the Community Corrections Fees Report for FY 05/06 and 06/07 and the Community Corrections Funding for 06/07. New information was added to the report including the fiscal year appropriation and expenditures for treatment, Specialized Courts, and Day and Evening Reporting Centers. The Community Corrections Council Budget shows general funds appropriations for 06/07 and requests for 07/08 and 08/09.

TARGET POPULATION REPORT

Mike Dunkle of the Crime Commission presented the Target Population Report. Dunkle will look into breaking down the data to show counties that do and do not have community corrections programs, i.e. Specialized Substance Abuse Supervision programs and Day and Evening Reporting Centers.

TIMELINE

The 2006 Timeline was reviewed and approved as presented.

JUSTICE BEHAVIORAL HEALTH COMMITTEE REPORT

Steve Rowoldt, Co-Chair of Justice Behavioral Health Committee, formerly Justice Substance Abuse Team, gave an overview of the June Justice Behavioral Health Committee meeting. The co-chairs met with Council staff to draft guidelines, including membership, subcommittees, open meetings, mission, vision, charge statement, and processes. The next scheduled Justice Behavioral Health Committee meeting is on December 6, 2006, at Bryan LGH West.

COMMUNITY CORRECTIONS PROGRAMS REPORT

Deb Minardi, Community Corrections Programs Coordinator, gave the Community Corrections Programs Report which included a review of the Community Corrections Initiative, definitions of the Fee for Service Voucher Treatment Program Expansion, and details of the evaluation the VERA Institute of Justice will be conducting on Probation's Intensive Supervision Program.

Minardi presented a proposal for expansion of the Fee for Service Voucher Treatment Program, including the "Projected Fee for Service Expansion Costs." The four areas of expansion would be 1) Offenders receiving Parole as of September 1, 2006, who have an order

for substance abuse evaluation or treatment (\$904,441); 2) Felony Probation or Problem Solving Court Offenders unable to remain drug/alcohol free, as demonstrated by one or more positive drug/alcohol tests, failed attempt at treatment, or admission of use, via an administrative sanction or during the violation of probation process and approved by Chief or designee (\$1,320,615); 3) Class I Misdemeanor Drug Offense, where a substance abuse problem has been identified either through a Pre-Sentence Investigation or a substance abuse evaluation completed by a registered provider prior to sentencing, resulting in an order by the court as a condition of probation (\$699,631); 4) and DUI III Offense or Felony DUI, where a substance abuse problem has been identified either through a PSI or a substance abuse evaluation completed by a registered provider prior to sentencing, resulting in an order by the court as a condition of probation (\$943,764). The total projected expansion cost was \$3,868,451. As the Fee for Service Voucher Treatment Program is now on a sliding payment scale, Probation projects that offenders will be able to pay 15% of the cost of evaluation and treatment (\$580,267.65). This leaves a balance of \$3,288,183.35 which Probation is requesting to spend.

There was discussion about giving all offenders in Drug Courts access to the Fee for Service Voucher Treatment Program. Probation will collect data about offenders in drug courts to present at the next Council meeting.

Council member, Bill Burgess *motioned to approve the expansion of the Fee for Service Voucher Program to: 1) Offenders receiving Parole as of September 1, 2006, who have an order for substance abuse evaluation or treatment (\$904,441), and 2) Felony Probation or Problem Solving Court offenders unable to remain drug/alcohol free, as demonstrated by one or more positive drug/alcohol tests, failed attempt at treatment, or admission of use, via an administrative sanction or during the violation of probation process and approved by Chief or designee (\$1,320,615), for a total of \$2,225,056.* Scot Adams seconded the motion and the motion passed.

Probation requested an evaluation by the VERA Institute of Justice to ensure quality programming and evidence-based programming across their entire system. VERA will be performing process and impact evaluations on Probation's Intensive Supervision Program.

PROBATION FEE PROPOSAL

Ellen Brokofsky, Probation Administrator, requested the Council approve the spending of fees for substance abuse evaluation and treatment of Specialized Substance Abuse Supervision, officer training, incentives, Day and Evening Reporting Centers expansion, research and evaluation, public information and outreach, and interdisciplinary administrative costs for a combined total of \$3,576,863.

A motion was made by Ellen Brokofsky to *approve the request to spend \$385,000 on training for evidence based principles for officers and advanced ISP officer training, a collaborative provider conference, and the Probation and Parole fall conference.* Jim McKenzie seconded the motion and the motion passed.

There was discussion about which fund the treatment moneys would come from for this proposal and for the Fee for Service Voucher Treatment Program expansion. Probation will review the proposal and bring a revised request to the next Council meeting.

Council member, Bill Burgess made a *motion to rescind the motion to approve the expansion of the Fee for Service Voucher Program to: 1) Offenders receiving Parole as of September 1, 2006, who have an order for substance abuse*

evaluation or treatment (\$904,441), and 2) Felony Probation or Problem Solving Court offenders unable to remain drug/alcohol free, as demonstrated by one or more positive drug/alcohol tests, failed attempt at treatment, or admission of use, via an administrative sanction or during the violation of probation process and approved by Chief or designee (\$1,320,615), for a total of \$2,225,056. Joe Kelly seconded the motion and the motion passed.

PROBLEM SOLVING COURTS FUNDING ALLOCATION PROGRESS

Scott Carlson, Coordinator for Problem-Solving Courts, presented a PowerPoint showing progress of the statewide system of Problem-Solving Courts. Probation Administration is preparing a bid for modification of the Nebraska Probation Management Information System (NPMIS) to accommodate Problem-Solving Courts. The Supreme Court continues to work on inter-local agreements with several counties across Nebraska.

DEPARTMENT OF CORRECTIONAL SERVICES: CHANGES

Connie Nemecek, Legislative Liaison from the Department of Corrections (DCS), talked about a 2006 legislative proposal regarding opening the Work Ethic Camp (WEC) to parolees. After incarceration, appropriate offenders as determined by the Board of Parole may be paroled, pending successful completion at the WEC. This will make better use of WEC and will be used as a transitional point for offenders who are close to parole, but need more "polishing" before parole is granted.

Doug Hanson, Engineering Manager from DCS, spoke about the strategic plan which will be rolled out at the beginning of October. DCS has submitted a capitol construction request to the Department of Administrative Services. There are four capitol projects, including a stand-alone facility for treating 125-250 medium to low risk male offenders with a substance abuse condition. The location is yet to be determined. DCS is also looking to make security camera and front end improvements at five correctional facilities and to expand Cornhusker State Industries buildings at three additional correctional facilities.

Dr. Cameron White presented the State of Nebraska DCS Review of Mental Health Services, written by Dr. Thomas White from Training and Consulting Services. Dr. Thomas White made a number of recommendations to DCS. His primary point is that DCS needs to expand services for inmates with mental illness needs. DCS will look at expanding the current residential mental health unit at the Lincoln Correctional Center by July, 2007. They are also working to improve treatment program for sex offenders.

CONCLUDING REMARKS & ADJOURNMENT

There being no further business, the meeting was adjourned.

The next scheduled meeting of the Council is Friday, October 20, 2006, 9:00 a.m., in Lincoln, Nebraska.

Respectfully submitted,

Jennifer K. Doné