

**Lincoln, Nebraska  
September 18, 2009**

**COMMUNITY CORRECTIONS COUNCIL  
*MEETING MINUTES***

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The Community Corrections Council (Council) met Friday, September 18, 2009, at Bryan LGH College of Health Sciences, Room 203, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Mike Behm  
Esther Casmer  
Brenda Council  
Eleanor Devlin  
Thomas Dorwart  
Ellen Fabian-Brokofsky  
Darrell Fisher  
Karen Flowers  
Cathy Gibson-Beltz  
Robert Houston  
John P. Icenogle, Vice-Chair  
Joe Kelly  
Pete Pirsch  
Janice Walker

Others present:

Eric Asboe  
Scott Carlson  
Mike Dunkle  
Anne Hansen  
Steve King  
John Krejci  
Mike Myers  
Doug Nichols  
Mike Overton  
Lamont Rainey  
Rex Richard  
Matt S  
Larry Wayne

Members absent:

Scot Adams, Chair  
Jeff Davis  
Robert Lindemeier

Council Staff present:

Linda Krutz, Executive Director  
Jeffrey Beaty, Policy Analyst  
Tia Bachman, Admin. Assistant

## **CALL TO ORDER, WELCOME, & OVERVIEW**

John Icenogle, Vice-Chair, District Court Judge, called the Council meeting to order at 9:08 a.m., announced the meeting is subject to the Open Meetings Act and gave an overview of the meeting. Attendance is indicated above.

## **APPROVAL OF MINUTES**

The August 14, 2009 meeting minutes were approved as presented.

## **EVALUATION PLAN – POLICY STATEMENT**

Mike Dunkle, Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission), presented the Nebraska Community Corrections Council Evaluation Policy Statement created in response to discussion at the August 14, 2009 Council meeting.

Dunkle discussed the following recommendations from Developing Nebraska Community Corrections Council Evaluation Strategy: Recommendations for an Initial Framework:

- Recommendation 1: The Council should form a steering committee to advise the Council regarding evaluations and provide support for evaluations conducted by the Council and other agencies.
- Recommendation 2: The Council should define the scope of evaluations it is prepared to conduct or support.
- Recommendation 3: The Council should establish a policy for funding evaluations.

*A motion was made by Thomas Dorwart and seconded by Darrell Fisher to approve the Nebraska Community Corrections Council Evaluation Policy Statement as presented and approve Recommendation 1 of the Developing Nebraska Community Corrections Council Evaluation Strategy: Recommendations for an Initial Framework. Roll call was conducted and the motion passed unanimously.*

Council staff will form and determine funding for the steering committee and have a membership list prepared by the next Council meeting.

## **ACTION ITEMS FOR SENTENCING AND RECIDIVISM TASK FORCE**

Pete Pirsch, Senator and Chair of the Sentencing and Recidivism Task Force (Task Force), gave an update on the progress being made. The Task Force is currently working on a list of action items to increase the capacity of community corrections. An update will be given at the next Council meeting.

## **SENTENCED ADMISSIONS**

Jeff Beaty, Council, presented *Categories of Crime*, a list of crimes included within each offense category used by the Department of Correctional Services (DCS) in their admissions

statistics. Beaty then presented a breakdown for Driving Under Revoked License Offense Admissions, Theft Offense Admissions, and Sex Offender Admissions as requested at the August 14, 2009 Council meeting.

Data for parole violators was broken down by law violation and technical violation. Beaty said probation violation data was not available from the DCS at the time the report was prepared. The data will be further evaluated and presented at the next Council meeting.

Senator Brenda Council requested law and technical violation data for parole violators to be broken down into what the original offense and the violation offense was for each offender.

### **2008-2009 CARRYOVER FUNDS**

Scott Carlson, Statewide Coordinator for Problem Solving Courts (PSC), presented a proposal for re-awarding \$368,895.76 of unexpended general fund PSC contract dollars from Fiscal Year (FY) 07-08 and 08-09.

- In collaboration with Probation and the Department of Health and Human Services (DHHS), funds would be used to conduct a substance abuse/mental health training conference, and to develop on-line courses using the learning platform currently in place.

Icenogle suggested referring the training conference to the Justice Behavioral Health Committee to assist in creating a curriculum, funding breakdown, and a list of participating agencies. Karen Flowers, District Court Judge, suggested a portion of the unexpended general funds be used for evaluations. The following are alternative uses of the funds:

- PSC could contract with an organization or post-secondary institution to assist the PSC staff in analyzing data and laying groundwork for an evaluation of PSC. Flowers questioned if the Center for State Courts Technical Assistance would be able to give assistance.
- PSC could send staff to the Drug Court Practitioner Training Series provided by the National Drug Court Institute and to the annual National Drug Court Conference as well as other opportunities.
- Provide services to PSC participants similar to those provided by Reporting Centers (RC).

At the next Council meeting, Carlson will provide details and expenditures for the PSC evaluation, notice of grant approval, and a price breakdown for each item proposed. The Council will prioritize the proposals at that time.

*A motion was made by Brenda Council and seconded by Thomas Dorwart to request Problem-Solving Courts provide a cost breakdown of all proposals and details of the Problem-Solving Court evaluation at the November 13, 2009 meeting. Roll call was conducted and the motion passed unanimously.*

A fifteen minute break was called by Icenogle.  
The Council reconvened at 11:00 a.m.

Ellen Fabian-Brokofsky, Probation Administrator, presented a proposal for re-awarding \$175,848.94 of unexpended general fund RC contract dollars from Fiscal Year (FY) 07-08 and 08-09. The funds would be used to contract services of drug technicians to assist with the increasing need for drug testing.

*A motion was made by Joe Kelly and seconded by Cathy Gibson-Beltz to approve \$175,848.94 for probation to contract services of drug technicians. Roll call was conducted and the motion passed unanimously.*

## **TARGET POPULATION REPORT & COMMUNITY CORRECTIONS PROGRAMS REPORT**

Dunkle presented the *Target Population Report, July 2009*. Total admissions as well as Felony Drug Offenders (FDO) admissions to DCS, Parole, and Probation are down compared to admissions at this time in 2008.

Dunkle then presented the *Community Corrections Programs Reports, July 2009*. Specialized Substance Abuse Supervision (SSAS) is operating at 100 percent capacity. PSC are operating at 75 percent of capacity in July 2009. The adult drug courts had 21 new admissions and 21 departures. Of the departures, 62 percent were graduations and 38 percent were terminated.

## **BYLAWS DRAFT REVIEW**

Beaty presented a draft of proposed Bylaws for the Council. The title will be changed to Administrative Operational Policy. The bylaws will be amended to remove sections which are governed by statute.

Janice Walker, State Court Administrator, requested clarification of voting and non-voting member's ability to make motions and vote. Walker also questioned whether the quorum provisions should require a minimum number of voting members to be present in order to conduct business. Staff will present the revised Administrative Operational Policy at the next Council meeting.

## **2010 MEETING DATES**

The following meeting dates were approved for 2010:

February 12, 2010  
March 19, 2010  
May 21, 2010  
June 18, 2010 - Tentative  
August 6, 2010  
November 5, 2010

The budget discussion for the FY 2010-2011 budget will be held at the May 21, 2010 meeting.

## **STRATEGIC PLANNING RECOMMENDATIONS**

Beaty discussed the listing of short term and long term objectives created from the Joint Strategic Planning Recommendations for Criminal Justice Reform in Nebraska, prepared by DCS, Parole, Probation, PSC, and Council staff, and the work plan from the Council Strategic Planning Retreat on February 6-8, 2008, facilitated by the Vera Institute of Justice.

Of the short term objectives, amend Work Ethic Camp statutes to allow parole from other institutions and expand the eligible population, is completed.

Bob Houston, Director of DCS, said the offender risk matrix, attachment A, Joint Strategic Planning Recommendations for Criminal Justice Reform in Nebraska, could assist Parole, Probation, and DCS to think through community corrections in order to keep offenders from going back to prison. Halfway back options or greater supervision may be utilized.

Icenogle said Scot Adams, Chair and Director of the Division of Behavioral Health, DHHS, Houston, Fabian-Brokofsky, and Council staff will meet prior to the November 13 meeting to determine how to present the strategic planning documents, the amount of time needed for discussion, and plans for adoption.

## **PUBLIC COMMENT**

John Krejci, Emeritus Professor of Sociology and Social Work, and writer for the Nebraska Criminal Justice Review, said the next edition will be out by the end of September. The edition will include articles on prison overcrowding from the viewpoint of a DCS employee, an inmate, and Krejci.

## **ADJOURNMENT**

There being no further business, at 12:25 p.m. the meeting was adjourned.

The October 30, 2009 Council meeting is cancelled.

The next scheduled meeting is Friday, November 13, 2009, at Bryan LGH College of Health Sciences, Room 203. The meeting will begin at 9:00 a.m. and last until 3:30 p.m.

Respectfully submitted,

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Tia M. Bachman  
Administrative Assistant