

**Lincoln, Nebraska  
November 5, 2010**

**COMMUNITY CORRECTIONS COUNCIL  
MEETING MINUTES**

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The Community Corrections Council (Council) met Friday, November 5, 2010, at the State Capitol, Room 1023, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Scot Adams, Chair  
Mike Behm  
Esther Casmer  
Brenda Council  
Jeff Davis  
Eleanor Devlin  
Thomas Dorwart  
Ellen Fabian Brokofsky  
Darrell Fisher  
Karen Flowers  
Cathy Gibson-Beltz  
Robert Houston  
Joe Kelly  
Dallas Massey  
Travis Parker  
Pete Pirsch  
Janice Walker

Members absent:

John P. Icenogle, Vice-Chair  
Robert Lindemeier  
Frank Peak

Council Staff present:

Tia Bachman  
Jeff Beaty  
Mike Dunkle  
Linda Krutz

Others present:

Eric Asboe  
Bruce Ayers  
Amy Birky  
Kimberly Bunch  
Roselyn Cotton  
Joan Dietrich  
Layne Gissler  
Jim Harvey  
Steve King  
Deb Minardi  
Mike Myers  
Mike Overton  
Kyle Poppert  
Steve Rowoldt  
Mark Rumery  
Marge Schlitt  
Julie Scott  
Rosalie Shimerda  
Dave Sinnott  
Dave Wegner

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

Scot Adams, Director, Division of Behavioral Health (DBH), Department of Health and Human Services (DHHS) and Chair, called the Council meeting to order at 9:01 a.m., announced the meeting is subject to the Open Meetings Act and gave an overview of the meeting. Attendance is indicated above.

## **PUBLIC COMMENT**

There was no public comment.

## **APPROVAL OF MINUTES**

*A motion was made by Mike Behm and seconded by Dallas Massey to approve the August 6, 2010 meeting minutes as presented. The motion passed by acclamation.*

## **MEETING PROCESS**

Adams reminded members that meeting recordings are public record and to be aware of phone usage and side conversations. Public attendees and agency staff will be asked to step to the podium to answer questions asked of them so there is a recording of their response.

## **ADMINISTRATIVE OPERATIONS POLICY**

Adams noted the change requested by Thomas Dorwart, Retired County Judge, on page 5, item F. Motions: “A motion to adjourn must be made and seconded by a voting member of the Council”, had been made to the Administrative Operations Policy.

*A motion was made by Janice Walker and seconded by Thomas Dorwart to approve the Administrative Operations Policy as presented. Roll call was conducted and the motion passed unanimously.*

## **GRANT SUPPORT REVIEW COMMITTEE**

Linda Krutz, Executive Director, Council, said changes were made to the Grant Support Review Committee Process including requiring a written request for support to be submitted to Council staff at least 14 days in advance of the date in which the letter of support is needed and a copy of the grant application or detailed summary including funding information.

Karen Flowers, District Court Judge, suggested the Requirements section include a cover letter informing the Council of how the request is consistent with the mission, goals, and objectives of the Council. Adams suggested the ‘Grant Support Review Committee Process’ be titled ‘Grant Support Review Committee Guidelines’ and discretion given to members of the committee for time allowance and requirement completion.

Council staff will make the suggested changes to the guidelines and present it to the Council for approval at a later date.

### **DCS POPULATION REDUCTION**

Robert Houston, Director, Department of Correctional Services (DCS), presented a plan to reduce the prison population to 125 percent capacity and to meet the agencies required 10 percent budget reduction. The DCS reduction plan will focus on the 63 percent of the prison population that includes inmates who have 36 months or less to serve on their sentence. Attention will also focus on the risk factors such as housing, employment, and programs available to an inmate when they are paroled.

Cathy Gibson-Beltz, Parole Administrator, said parole and DCS staffs have been trained on a research based classification system that assists in the placement of inmates. Houston said substance abuse treatment is now based on risk assessment and sentence structure. Mental health evaluations are being conducted and placed in the parole plan received by case managers who make recommendations to the parole board.

Gibson-Beltz described operationally how DCS and parole will accomplish the population reduction. The Omaha Correctional Center (OCC) is creating 100 additional beds for mid level sex offenders to receive treatment. Approximately 800 additional inmates will be placed on parole or in the reentry furlough program (RFP) within the next two years. Traditional parole officers will have an average caseload of 45 to 65 offenders and intense supervision officers will carry a smaller caseload. Additional parole officers will be hired as DCS housing units close and make trained staff available to apply for parole officer positions. By June 2011, parole estimates the need for one new supervisor and five additional parole officers. Additional funding for 11 parole officers will also become available in July 2011, with officers and clerical staff being hired as demand increases.

A meeting with the Regions is scheduled for November 30, 2010. Travis Parker, M.S., LIMHP, CPC, Deputy Director, Community Mental Health Center of Lancaster County, noted a concern that the majority of the 800 parolees will be paroled to Lincoln and Omaha and will need behavioral health services and mental health or substance abuse treatment with minimal capacity to pay for those necessary services.

Esther Casmer, Chairperson, Board of Parole, said the new evidence based practice (EBP) assessment will speed up the process of which inmates would be eligible for parole. EBP data will be provided through assessments that indicate high risk and low risk based on ages, first criminal arrest, education, and needs.

Brenda Council and Pete Pirsch left at 10:00 a.m.

Members agreed the Evaluation and Research Steering Committee should evaluate the assessment instruments used by DCS, parole, and the parole board and report back to the Council.

## **DOUGLAS COUNTY REPORTING CENTER**

Mike Myers, MS, LMHP, Douglas County Community Corrections Manager, gave a presentation on the Douglas County Community Corrections and the Douglas County Reporting Center (RC) housed at the Criminal Justice Center in Omaha. Douglas County Community Corrections offers various programs including work release, house arrest and pre-trial services. The RC operates as a partnership with state probation, vocational rehabilitation, and problem-solving courts. Classes are offered in the following categories: GED, cognitive/criminal thinking, education, health, substance abuse, and vocational training.

Robert Houston left at 10:45 a.m.

A 15 minute break was called by Adams.

The Council reconvened at 11:09 a.m.

## **REPORTING CENTER EXPANSION PLAN**

Jeff Beaty, Policy Analyst, Council, presented the *Draft Recommendations for Reporting Center Expansion* prepared by the Community Corrections Planning Committee as directed by LB 864 and the Sentencing and Recidivism Task Force of the Legislature.

The recommendations are organized into the following categories:

- New Locations - Recommended locations for new reporting centers in currently unserved judicial districts;
- Existing expansion - Recommendations for expanding reporting center services in those jurisdictions currently served by a reporting center;
- Costs - An examination of the costs of reporting center expansion and options to maximize efficiency;
- Timeline - Options for implementing the expansion recommendations over time; and
- Funding options - An examination of potential funding sources for reporting center expansion and recommendations for policymakers.

Beaty said an update was provided to the Sentencing and Recidivism Task Force on October 19, 2010 and the final report will be submitted to the Legislature by December 1, 2010.

Council members suggested the recommendations should show the short term money needed to fund the expansion will prevent the need for more money in the future to build another prison; show the cost savings of the programs currently in place and the connectivity between services and programs, community response, treatment, and those individuals who should be in prison; and an emphasis should be placed on the Probation Program Cash Fund balance being utilized for the expansion.

*A motion was made by Cathy Gibson-Beltz and seconded by Travis Parker to endorse the Draft Recommendations for Reporting Center Expansion presented by the Community Corrections Planning Committee with the suggested components added and to present a second draft to the Council for approval. Roll call was conducted and the motion passed unanimously.*

Joe Kelly left at 12:00 p.m.  
Janice Walker left at 12:15 p.m.

#### **NEBRASKA PROBATION APPLICATION FOR COMMUNITY SAFETY**

Dave Wegner, Deputy Probation Administrator for Operations and Kimberly Bunch, Information Technology, Probation Administration, described the Nebraska Probation Application for Community Safety (NPACS) system which allows probation officers access real time data and generate uniform data reports.

Esther Casmer left at 12:30 p.m.  
Robert Houston returned at 12:40 p.m.

#### **JUSTICE BEHAVIORAL HEALTH COMMITTEE UPDATE**

Steve Rowoldt, Deputy Probation Administrator in Charge of Field Services, discussed the minutes from the September 8, 2010 Justice Behavioral Health Committee (JBHC) meeting and reminded the Council that information on JBHC is also included on the Council website.

Travis Parker left at 12:50 p.m.

Discussion at the JBHC meeting included the following: Jim Harvey, DBH, DHHS, described Nebraska's Justice Mental Health Initiative and the Category II: Planning and Implementation Grant that will increase public safety by facilitating collaboration among criminal justice, juvenile justice, and mental health and substance abuse treatment systems; Scott Carlson, Statewide Coordinator for Problem-Solving Courts, Nebraska Supreme Court, discussed Project Safe Start - Nebraska, a partnership between Family Treatment Drug Courts and child/family mental health service providers; and Deb Minardi, Deputy Probation Administrator for Community Corrections Programs, said a joint agency task force continues to meet concerning sex offender management throughout the state and priority recommendations are being created for policy, treatment, and community supervision.

Rowoldt noted the Performance Rubrics for Addiction and Criminal Justice Professionals continue to be developed as well as the Proposed Standards for Registered Service Providers to treat criminal justice clients. The next JBHC meeting will be held at the Nebraska State Office Building in room LLB on Wednesday, December 8, 2010.

Ellen Fabian Brokofsky left at 1:00 p.m.

## **EVALUATION & RESEARCH STEERING COMMITTEE**

Mike Dunkle, Systems Analyst, Nebraska Commission on Law Enforcement and Criminal Justice (NCC), gave an update on the Evaluation and Research Steering Committee and discussed the results of surveying a sample of research on outcomes for corrections programs including prison and community corrections.

The next Steering Committee meeting will be held at the Crime Commission on Thursday, November 18, 2010.

## **MENTALLY ILL – JOINT AGENCY DATA**

Harvey discussed the gap in the state behavioral health system for offenders discharging from prison who need access to community based behavioral health services. In June 2009, DBH entered into a cooperative agreement with DCS and NCC to transfer data to the University of Nebraska Medical Center (UNMC) for data analysis. Approval is needed from DCS and NCC prior to reports being released. A contract extension is being finalized that would extend the transfer of data to UNMC until September 29, 2011.

Ellen Fabian Brokofsky, Probation Administrator, said that probation data could be linked to the data currently being transferred to UNMC. Probation has received a grant to allow mental health evaluations of probation clients at RC's for two years.

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

Dunkle presented the *Target Population Report, September 2010*. Data was unavailable from Probation due to the implementation of NPACS. Total DCS, Felony Drug Offenders (FDO) admissions to DCS, FDO's sentenced to three years or less, Parole, and FDO's sentenced to Parole are up compared to admissions during the same time period in 2009.

The total DCS population in 2010 is similar to the average population in DCS for 2009. FDO offenders in DCS, FDO's sentenced to three years or less, Parole, and FDO's sentenced to Parole are down compared to September 2009.

Dunkle presented the *Community Corrections Programs Report, September 2010*. Data was also unavailable from Problem-Solving Courts due to the implementation of NPACS. Specialized Substance Abuse Supervision (SSAS) admissions for September 2010 consisted of 95 percent probation clients and 5 percent parole clients.

The following changes were noted on the chart titled "SSAS Population by District": District 2 (Sarpy, Cass, Otoe), capacity 48, percentage of available capacity 156 percent, changed to capacity 72, percentage of available capacity 104 percent. Totals, capacity 264, percentage of available capacity 114, changed to capacity 288, percentage of available capacity 105.

Combined, District 3 (Lancaster), District 4 (Douglas), and District 2 (Sarpy, Cass, Otoe) accounted for 79 percent of the total SSAS population. All districts except District 9/11 (Buffalo, Dawson) are operating above available capacity. The SSAS population continued to experience the largest downturn in the history of the program, but due to staff attrition, SSAS was still currently operating at 114 percent of capacity.

#### **COMMUNITY CORRECTIONS COUNCIL FINANCIAL REPORT**

Bruce Ayers, Budget/Accounting Division Chief, NCC, presented the *Community Corrections Council Financial Report*. As of September 30, 2010, RC's had \$192,951.53 unallocated carryover funds and Problem-Solving Courts had \$231,775.95 of unallocated carryover funds. All undisbursed and unobligated appropriated amounts will be lapsed to the general fund on June 30, 2011.

As of September 30, 2010, the Probation Program Cash Fund had a balance of \$7,654,121, the Parole Cash Fund had a balance of \$861,135, and the Uniform Data Analysis Cash Fund had a balance of \$950,082 with \$135,415.16 appropriated funds available for contracts. Revenue from the Cash Funds from July to September, 2010 is similar to the revenue from the same time period in 2009.

Ayers noted that the amount of Cash Fund appropriation is less than the balances and the yearly revenue. Adams said the Legislature is authorized to remove the balances of the Cash Funds, use them for other agencies requests, carry it over to the next year, or grant an increase in appropriation for specific projects.

#### **MEETINGS FOR 2011**

Krutz presented the proposed meetings for 2011. Members agreed the amount and length of the meetings were appropriate and finalized the following meeting dates:

February 18, 2011  
March 18, 2011  
May 13, 2011  
June 17, 2011 (tentative)  
August 19, 2011  
November 18, 2011

#### **OTHER BUSINESS**

The Community Corrections Council Organization Chart was presented to the Council. The chart lists the membership of all the subcommittees of the Council.

#### **ADJOURNMENT**

*At 1:20 p.m. a motion was made by Cathy Gibson-Beltz and seconded by Dallas Massey to adjourn. The motion passed by acclamation.*

The next scheduled meeting is Friday, February 18, 2011, at Bryan LGH College of Health Sciences, Lincoln, NE. The meeting will begin at 9:00 a.m.

Respectfully submitted,

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Tia M. Bachman  
Administrative Assistant