



# Community Corrections Council

Coming together is a beginning; keeping together is progress; working together is success. ~ Henry Ford

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## Nebraska Supreme Court Institutes Distance Learning Initiatives With the Assistance of Community Corrections funds

By Carole McMahan-Boies, Director of Judicial Branch Education & Jerid Wedige, Probation Education Manager

Beginning in 2006, the Nebraska Supreme Court established the requirement that all judges and court staff obtain mandatory continuing education each year. The Nebraska probation system, a part of the Nebraska Court System has long had an extensive live training schedule for all probation officers. Judicial Branch Education (JBE) was created in 2006 to oversee the mandatory training requirements and provide training and education for the Nebraska Courts and Probation. Traditionally, that education has been provided through the use of live training requiring statewide travel for judges and employees.

With the resource issues now facing the Nebraska Court system, JBE has established the goal of providing more training with fewer resources. That goal is well on the way to being reached through the use of new technology. With the assistance of community corrections dollars, JBE has been able to establish an educational delivery system that rivals the systems in use on college campuses throughout the country. Employees and judges have available five alternatives in distance learning that offer from 1 to 10 credits for each session

### I. Monthly Webinars offered to all judges and employees

JBE sponsors several webinars each month which allow judges and staff to see a live speaker present a power point or video presentation, ask poll questions and entertain audience questions either through a conference phone link up or through typed in chat question. Speakers have been hosted from as far away as North Carolina. By using webinars, speakers from around the country can present in Nebraska without any travel expense. The webinars are produced to provide needed updates to set audiences. There are monthly webinars for judges, a Leadership series for court and probation managers,

a Court staff series and a Court Reporter Series. In the works are regular webinar updates for probation. The webinars allow judges to share training they have received with other judges statewide. Topics included legislative updates, use of the court management "JUSTICE" system and Courtroom security.

### II. On line classes hosted on MOODLE (Modular Object Orientated Distance Learning Environment)

JBE has built a Moodle Platform found at [www.nebraskajbe.org](http://www.nebraskajbe.org).

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## Community Corrections: Treating High Risk Offenders for a Safer Nebraska

By Bob Houston, Director, Nebraska Department of Corrections

During my five year tenure as Director of the Nebraska Department of Corrections (DCS), our inmate prison population has risen from 4,155 to 4,432 inmates. Some trends that we are seeing in our inmate population include an increase in the number of inmates serving Part I offenses. The U.S. Department of Justice defines Part I Offenses as 1st Degree Murder, 2nd Degree Murder, Manslaughter, 1st Degree Sexual Assault, 1st Degree Sexual

Assault of a Child and Robbery. There are 1,857 inmates who are serving Part I offenses in our system. In the past five years the number of inmates serving these types of offenses grew by 299 inmates. In April 2005, 22.5% of the inmate population was assigned to maximum custody. Today 32.3 % of the DCS population is classified as maximum custody.

This increase in the number of inmates serving these types of offenses changes the composition of the inmate population

and presents new challenges for our Agency. Because of these changes, inmates will be spending more time in prison, have greater mental health acuity, engage in gang related or violent behavior and increase the demands on our resources and services. Inmate on inmate and inmate on staff assaults have also had a corresponding increase over the past several years, thereby further taxing resources be-

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## Community Corrections Council

### Distance Learning Initiatives continued...

Moodle is a free web based program used by many colleges to host distance learning classes and track the progress of students through a graded education program. JBE borrowed the concept from the University of Nevada and contracted with Ken Gibson, who is affiliated with UN, to build classes we will make available to probation, judges and court staff. Forty courses, mostly for probation officers, are being tested prior to a late June launch date. The classes will take the place of approximately 50% of live new probation officer training. In addition there is a ten credit hour course built for Nebraska judges. The judge watches a series of videos, reads articles, takes part in an online discussion group with other judges and takes quizzes to progress through the course. Moodle allows the use of many hands on learning devices: quizzes, word matches, webinar group sessions, discussion boards and videos to keep the student engaged in the material and to monitor progress through a course. Probation officers are assigned a user name and password and register on line for a course. The course can be accessed and taken when the staff has the time to devote to the program. The use of the on line classes is expected to result in annual cost savings that exceed \$120,000.

### III. Court Management Certification Program

In 2008 the Clerks of the District Court sought an educa-

tion program that would result in a certification from the Supreme Court. Nebraska JBE reviewed programs in other states and established a 60 credit hour certification program that requires clerks of the district court and clerk magistrates to complete several courses ranging from human resource management to case management. The online courses are built by JBE and hosted by the University of Nebraska at Omaha in its "Blackboard" distance learning program. The college has agreed to provide college credit for some of the education and the clerk can pursue a public administration degree with an emphasis on court management.

### IV. Computer Courses for use of software

The Court uses "Skilsoft" classes for teaching Word, Lotus, Excel, Dreamweaver and many other computer based skills to ensure our administrative staff has full use of the tools contained in the software the court is using. Skilsoft courses are "canned" online courses that provide hands on demonstrations of the use software. Probation officers can access a user name and password to take the Skilsoft classes.

### V. Jury Management Training hosted on JBE Website.

In April of 2007 the Supreme Court passed a rule that requires education for those in contact with deliberating jurors: § 6-901. Court staff training required.

Commencing July 1, 2007, any person employed by the Nebraska courts or any person volunteering with or working with the courts who may have contact with jurors or juries as provided by Neb. Rev. Stat. §§ 25-1116 and 29-2022 shall complete specialized training provided by the Office of JBE. For purposes of this rule, persons having contact with jurors or juries shall include, but not be limited to, bailiffs, court reporters, court clerks, volunteers, and any other court staff.

JBE hosts a video on its website and requires those covered by the rule to view the video and complete a work sheet to comply with the rule. The hosting of the training on the web provides 24 hour access to the training by all covered employees and volunteers.

The use of current on line education technology has allowed the court to save resources without reducing the content available to judges probation and staff. By focusing on keeping the cost low, JBE was able to find a free platform for on-line courses and obtain a reasonably priced webinar software system, making the Community Corrections Council dollars go a long way toward meeting our distance learning needs. We could not have built the system without the generous support of the Community Corrections Council.

## The 102<sup>nd</sup> session of the Nebraska Legislature

By Jeffry Beaty, Policy Analyst, Community Corrections Council

The 102<sup>nd</sup> session of the Nebraska Legislature adjourned Sine Die on April 14<sup>th</sup>, 2010. There were several pieces of legislation impacting community corrections which were discussed and debated this session, including LB 864, which created new statutory duties for the Council. With the formal work of the session complete, legislative committees now begin to prepare for next year by conducting interim studies over the summer and fall months. While there were no interim studies introduced focusing directly on community corrections this session, there is one study, LR 542, relating to the state budget that will affect the Council.

A short summary of the relevant bills and legislative resolutions is provided below:

### Bills which passed

**LB 864** - Senator Pete Pirsch. LB 864 is the initial recommendation of the Legislature's Sentencing and Recidivism Task Force. LB 864 creates a duty for the Community Corrections Council to develop a plan for the expansion of reporting centers statewide and to submit such plan to the legislature by December 1, 2010. The committee amendment to LB 864 included two additional duties for the Council, to report annually to the legislature on the development of community corrections in Nebraska and to research and develop standardized definitions of outcome measures for com-

munity corrections programs. LB 864 was passed by the legislature without objection and signed into law by the Governor on April 7, 2010.

**LB 510** – Senator Pete Pirsch. LB 510 generates additional funding for crime victims and reentry programs in Nebraska. The bill creates a new \$1 fee on all criminal convictions in Nebraska and authorizes 5 percent of the wages of inmates participating in work release programs in DCS to be set aside. Seventy-five percent of the funds collected through these measures are earmarked for the Nebraska crime victims reparations program and the remaining 25 percent is utilized to support reentry efforts at the Work Ethic Camp. LB 510 was signed into law by Governor Heineman on April 14, 2010.

**LB 988** – Senator Brenda Council. LB 988 increases the amount of credit inmates receive towards their criminal fines for being imprisoned from \$60 to \$90 per day. LB 988 was amended into LB 712 as part of a 13 bill package which was passed by the legislature on April 9, 2010.

**LB 990** – Senator Brenda Council. LB 990 changes the calculation of good time credit for individuals serving a jail sentence to be consistent with that utilized for inmates serving a sentence in prison. Previously, inmates serving a jail sentence received a credit of 7 days for each 14 days without a discipline violation. LB 990 amends this to provide 1 day

of credit for each day served. LB 990 was amended into LB 712 and passed on April 9, 2010.

### Bills indefinitely postponed

**LB 913** - Senator Brenda Council. LB 913 prohibits a government employer from asking on the initial application if an individual has been previously convicted of a crime and the employer may only consider a criminal conviction once an applicant has become a finalist for the position. The act also prohibits arrest records and misdemeanor convictions from being considered in employment decisions. LB 913 was not advanced from the business and labor committee and was indefinitely postponed at the conclusion of the 2010 legislative session.

**LB 955** – Senator Robert Giese. LB 955 proposes to allow the Department of Corrections and political subdivisions to seek reimbursement from offenders for the costs of their incarceration. Reimbursement under the act is limited to the actual costs of incarceration and is capped at a maximum of \$35 per day. LB 955 was not advanced from the Judiciary Committee this session and was indefinitely postponed at the end of the session.

**LB 868** – Speaker Mike Flood. LB 868 is the Community Service Sentencing Act and contains a number of provisions relating to and encouraging the use community ser-

vice as a sentencing option for offenders. The bill creates provisions by which cities, governmental agencies and non-profit organizations can establish community service programs which are approved by the local probation office. LB 868 also expands administrative sanction options for probation and expands the definition of a non-criminal violation of probation to include the failure to comply with rehabilitative programming. LB 868 failed to advance from the Judiciary Committee during the 2010 session.

### Legislative Resolutions

**LR 542** – Executive Board. LR 542 directs the standing committees within the legislature to examine the budgets and program of agencies within each committee's subject matter jurisdiction and make recommendations to the appropriations committee for budgetary reductions. The purpose of the resolution is to assist the appropriations committee in addressing the over \$600 million dollar shortfall over the next biennium. Committees will be collecting information from agencies over the summer and conducting hearings to try and identify programs which could be reduced or eliminated without affecting essential state services.

## Community Corrections Council

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### Treating High Risk Offenders for a Safer Nebraska continued...

cause of our need to separate predatory offenders.

DCS has responded to these challenges. We are expanding the use of technology to enhance the security of our facilities. Our youth facility enables us to separate younger offenders with specialized staff and programming. We have stabilized crowding at higher custody level facilities by carefully reviewing and classifying lower custody inmates to the Work Ethic Camp. We also doubled the capacity of our community centers to 580 beds and expanded opportunities for inmates to prepare for their release. Further, we opened our male mental health unit and will soon open a mental health unit for females. The number of beds for residential / inpatient substance treatment has more than doubled (over 500 beds) thereby eliminating or reducing waiting lists for treatment at our facilities. This increase in program capacity has enhanced earlier recommendations for parole and provides treatment opportunities for more inmates nearer to the beginning of their sentences. DCS social workers make connections with community agencies for treatment after release.

Current economic conditions provide opportunity for our Agency to become even more efficient in delivering services and effect change even though we have reduced our staff complement. We have established programs that are structured according to evidence based principles and we are incorporating and refining interpersonal skills in our staff members with enhanced training curriculum. We are intent on further enhancing our ability to effect positive changes in our inmates to further protect the public and enhance safe operation in our facilities. Less than 250 inmates are on administrative confinement for aggressive/ assaultive behaviors. We strive to shorten the length of their separation and

have developed transition units and programs to incentivize inmates to return to general population; in other words, reentry, prison style. Of comparable states, Nebraska has the lowest number of inmates on administrative confinement; however our protective custody population is higher than the norm. We constantly assess and address inmate behavior because of the close connection between institution behavior and community success after release. Our humane, supportive approach to higher risk inmates pays dividends as they near their eventual release. We know that without successful reentry, these individuals will commit numerous crimes and likely, many of these offenses would involve violence.

I believe there are several emerging partnerships that can be formed or strengthened in the very near future to more effectively address higher risk offenders during their transition period from prisons and jails. For example, the Jail Standards Board has formed minimum community standards that save jail space by encouraging low cost alternatives to jail incarceration. Probation is providing day reporting services, technology and planning support with highly skilled and motivated collaboration. The HHSS Regions are taking a much more active role in services for local incarcerants. Further, the Regions are positioned to assist county safekeepers held at DCS return sooner to local corrections. This assistance by HHSS may very well save county government thousands of dollars each year currently paid to DCS or other agencies for safekeeper costs. A Douglas County Task Force is exploring a "one stop" option for ex-offenders by placing numerous service provider representatives under one roof to broker/ provide services.

The faith community increasingly makes a positive difference for released DCS inmates by providing housing, employ-

ment and counseling for persons who would struggle, at best, without these services. Also, they provide assistance in a variety of ways including programs for incarcerated parents to help their reunification with family.

As Nebraska public servants, we do not turn our backs on persons in need. Our parole officers set aside time to assist ex-offenders, not on parole, but who need assistance and direction to access community resources. We are also tapping the successful reentry experiences of ex-inmates to help community custody and paroling inmates understand and overcome personal obstacles to successful transition to a responsible, independent life. The Board of Parole studies practices and successes in other states for applicability in Nebraska. The UNO Transformation Project helps inmates become responsible citizens by changing "from the inside out" through the life experiences and teachings of Malcolm X.

Our best chance of success lies in the synergy formed by these advances and partnerships. Sound principles and practices call for proven services and the latitude for clients to embrace their personal destiny by making informed choices. All of this and more means fewer victims. Together we can lower victimization and share the good life of Nebraska with our less fortunate citizens.

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## Residential Substance Abuse Program Expansion

By Counselor Supervisor Daniel Sherman, LADC, LMHP

Since 2008, the DCS residential substance abuse units have undergone a dramatic expansion to increase access for adult offenders who need a residential level of care. As over eighty percent of the inmates who are admitted into DCS have identifiable substance abuse issues and many of these offenders need residential treatment, an expansion of the residential programs was viewed as necessary to accommodate this significant need.

Now that the program expansion is winding down after two years of steady growth, we can take a look back at what we have accomplished so far. It is no exaggeration to say that the expansion has caused a tremendous ripple effect throughout the Nebraska Department of Corrections. Inmates are now getting into these programs much sooner, and more are graduating each month to move on to parole or community corrections.

with parole reviews or even their initial parole review.

What this means for a typical inmate is that they are treated earlier and will spend more of their sentence either on parole or at the community setting. It also means that a far greater number of inmates in the DCS system are receiving an intensive level of substance abuse programming. In short, we are better fulfilling the DCS mission of making program opportunities more widely available to the inmate population.

It should be noted that the program expansion has also resulted in an expansion of the number of substance abuse staff. Since late 2007, expansion positions have resulted in a thirty percent increase in residential staff, including supervisors, counselors, social workers, mental health counselors, and support staff.

	2008	2010
Residential Treatment Community (NSP)	95 beds	157 beds
Substance Abuse Unit (OCC)	72 beds	144 beds
Substance Abuse Unit (TSCI)	32 beds	48 beds
Substance Abuse Unit (NCCW)	32 beds	48 beds



Typically, waiting list for residential treatment at both RTC and the SAU in Omaha are less than half of what they used to be. Prior to the expansion, inmates were required to wait longer to get into treatment and would often need to have parole hearings scheduled before even getting into the program. By comparison, many inmates coming into the residential programs today are set

Left to right are Counselor Chara Heese, LADC, Counselor Supervisor Natalie Sluka, LADC, Support Staff Karen Heath, Counselor Tanya Pflaster, LADC, Counselor Joel McCleary, PLADC, and Counselor Cleveland Furby, LADC.

## Evaluation and Research Steering Committee

By Mike Dunkle, Systems Analyst, Nebraska Commission on Law Enforcement and Criminal Justice

The Evaluation and Research Steering Committee of the Community Corrections Council welcomes three new members. Michael Myers is the Community Corrections Manager for Douglas County. Mark Cooper is the Training Coordinator for the University of Nebraska Center on Children families and the Law. Sherri Dennis is a senior business systems analyst with the Supreme Court, and an expert on court-related databases.

Combined, Sherri, Michael and Mark bring extensive backgrounds in community corrections, court processes and information, program implementation and evaluation.

The corrections field is moving increasingly toward evidence-based practices. As Nebraska too implements evidence-based practices, we need to ensure that we are using valid and reliable information to guide improvements in programs and services. The addition of Mark, Sherri and Michael will contribute greatly to our efforts to draw legitimate conclusions from our sometimes limited data. Welcome aboard Mark, Michael and Sherri!

## Federal Probationers Utilize Reporting Centers

By USPO Doug Steensma and USPO Michael Tolley

In an effort to expand Evidence-Based Practices (EBP) resources, the U.S. Probation Office for the District of Nebraska has initiated a collaboration with Nebraska State Probation to utilize services provided at reporting centers developed by state probation. Nebraska State Probation has seven reporting centers across the state, offering offenders and probationers programs for cognitive thinking, substance abuse, employment, anger management, domestic violence intervention, educational services, and substance abuse support groups. The centers are located in Lexington, Kearney, Lincoln, Nebraska City, Bellevue,

Omaha, and Dakota City, Nebraska. The collaboration has been in the development stage since 2006. It includes state and federal officers co-facilitating groups, as well as state probationers and federal offenders participating in groups facilitated by both state and federal officers. We are piloting this effort with state probation in Bellevue and Lincoln.

The reporting centers give federal probation the opportunity to utilize resources in areas that would otherwise be unavailable. As part of the collaboration effort, federal probation has developed a contractual agreement that allows state probation to bill for services. Each reporting center has

its own individualized contract specific to the programs offered at the centers. Referrals at this time are mainly for cognitive programming. The plan is to expand to all of the reporting centers and utilize other services. Federal probation does not have the facilities or numbers to consistently operate their own groups and centers. Use of the reporting centers is a key component in federal probation's framework to increase resources for offenders and enhances our EBP implementation plan.

*Next Community Corrections Council  
meeting on August 6, 2010*

*Next Justice Behavioral Health Committee  
meeting on September 8, 2010*

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