



STATE OF  
**NEBRASKA**  
**JUDICIAL BRANCH**  
Administrative Office  
of the Courts & Probation

# PROBATION SEMI-ANNUAL REPORT

July-December  
2023



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# **Probation Semi-Annual Report**

July 1, 2023, to December 31, 2023

This report was completed in compliance with Neb. Rev. Stat. § 29-2252.01 (Amended 2001). On January 15th and July 15th of each year, the Administrator shall provide a report to the Department of Administrative Services and the Legislative Fiscal Analyst.

*Note: In this report, regular probation is referred to as Community-Based Resources and Intensive Probation is referred to as Community-Based Intervention.*

## **OUR VISION**

Inspiring Hope. Empowering Individuals. Strengthening Communities.

## **OUR MISSION**

We, the leaders in community corrections, and juvenile and restorative justice, are unified in our dedication to delivering a system of seamless services that are founded on evidence-based practices and valued by Nebraska's communities, victims, offenders, and courts. We create constructive change through rehabilitation, collaboration, and partnership in order to enhance safe communities.

## Introduction

The Administrative Office of the Courts and Probation (AOCP) is within the judicial branch of government. In performing its function, Probation strives to achieve intertwined goals of community safety, risk reduction, and behavior change. Trusted and valued by Nebraska’s courts and citizens, Probation’s dedicated professional staff has provided quality investigations, supervision, and service for over 50 years.

While there is significant carryover in the number of individuals served over each six-month reporting period, between July 1, 2023, and December 31, 2023, there were **21,318** unique individuals served by probation in Nebraska, including **17,271** adult and **4,047** juvenile probationers in both regular and intensive programs. Probation officers across the state work within a range of probation programs to assess, supervise, educate, and refer probationers to a host of treatment and skill-building programs. Probation officers assess individual's risk of re-offending and criminogenic needs, as well as determine the skills they require to make amends to victims/communities and avoid further criminal and/or delinquent behavior. Probationers are supervised within the community according to their assessed risk of re-offending. They are referred to appropriate community-based treatment and skill-based programs based on their assessed needs. Caseload standards are presently modeled after the American Probation and Parole Association’s evidenced-based research. Nebraska Probation has recently completed a comprehensive workload study and is working diligently to implement the results of that study. The 2023 Legislature allocated 20 officers identified as needed to accomplish this implementation. The first 10 of these officers are eligible for hire as of July 1, 2023. Probation is currently undertaking a comprehensive review of resources across the state to determine where personnel allocations are needed to fully implement the workload study’s findings.

During the second half of 2023, juvenile probation has worked to examine juvenile justice practices through the Juvenile Justice System Enhancement Nebraska (JJSEN) initiative. The final report was received emphasizing that Nebraska’s juvenile probation is positioned as a positive leader in juvenile justice system practices, with next steps including prioritizing the recommendations from the system review. In relation to our work with Adult Probation and Post Release Supervision (PRS), we are committed to evidence-based practices and continuous improvement.

Nebraska Probation is driven by the understanding that a system founded on research-supported, evidence-based policies and practices will produce positive individual outcomes in addition to meeting our goals.

### OUR GOALS

- *Provide courts with effective sentencing and dispositional recommendations*
- *Reduce juvenile and criminal justice recidivism*
- *Provide for more efficient and effective use of Probation’s limited staff resources*
- *Support community-based programs and services initiatives to reduce prison overcrowding and out-of-home placement for youth*
- *Enhance community safety, risk reduction, and behavior change*

## ADULT PROBATION

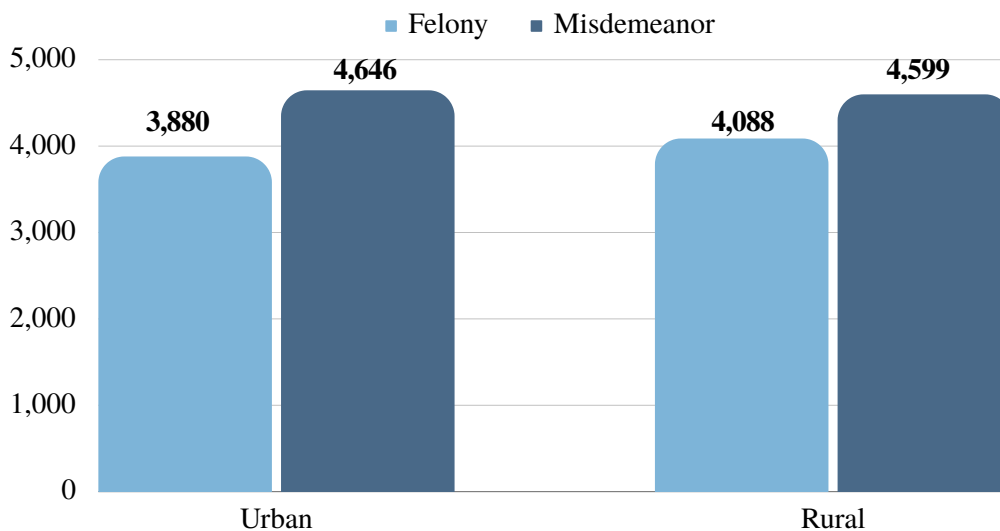
From July 1, 2023, through December 31, 2023, **17,271** adult probationers were supervised. This total represents a decrease of **298** cases from the first half of 2023.

Throughout this report, urban and rural areas are referenced. Urban probation districts include District 2 (Cass, Otoe, and Sarpy Counties), District 3 (Lincoln/Lancaster), and District 4 (Omaha/Douglas). Rural probation districts include Districts 1, 5, 6, 7, 8, 9, 10, 11, and 12.

### ADULT FELONY/MISDEMEANOR CASES (§29-2252.01 (1) and (2))

- **7,968** felony cases with **4,088** in rural areas (51.3%) and **3,880** in urban areas (48.7%). The second half of 2023 shows a decrease in felony cases by **80** when compared to the first half of 2023 (**8,048**). See Table 1.
- **9,245** misdemeanor cases were on probation, with **4,599** (49.7%) in rural areas and **4,646** (50.3%) in urban areas. This total represents a decrease of **214** in adult misdemeanor cases as compared to the first six months of 2023 (**9,459**). See Table 1.
- **58** cases overall exist where the most serious convicted offense was an infraction.

**Table 1. Adult Probation Population Served by Felony/Misdemeanor July - Dec 2023**



Nebraska Probation uses a public safety approach to case management. Probationers are prioritized for supervision and treatment services according to an assessment of their risk of reoffending using a normed and validated actuarial-based risk assessment tool, which measures risk, need, and responsivity.

- The highest level of supervision while on probation is Community-Based Intervention (CBI), which is equivalent to intensive supervision probation as referred to in Neb. Rev. Stat. § 29-2252.01. This supervision combines intensive supervision and treatment resources to maximize community safety. On December 31, 2023, there were a total of **5,334** individuals on CBI or 30.9% of adult probationers. See Table 3.
- Individuals supervised at the Community-Based Resources (CBR) level include 21.9% of adult probationers or a total of **3,789**. See Table 4. CBR supervision levels are guided by responsive case management standards and are equivalent to regular probation as referred to in Neb. Rev. Stat. § 29-2252.01.

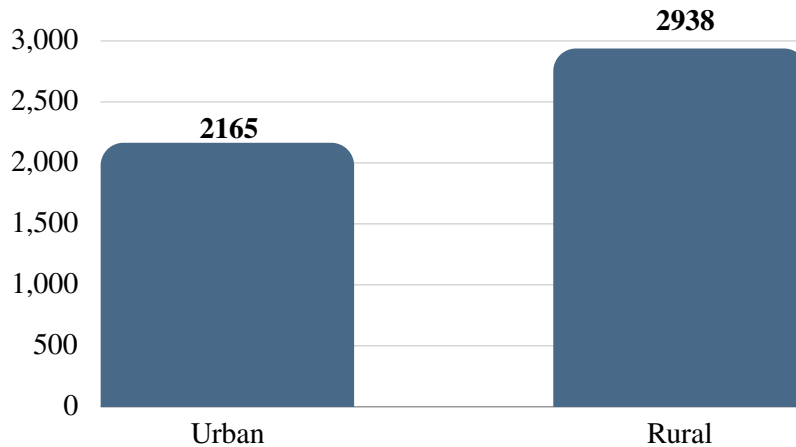
## **ADULT INVESTIGATIONS**

Investigations provide the court with timely, relevant, and accurate information about an individual prior to the sentencing of a case. A pre-sentence investigation (PSI) is used for high-risk individuals and/or those convicted of felonies and Class I misdemeanors, as well as those who may be convicted of lower-level crimes but score higher on validated risk assessments. A pre-sentence report (PSR) is used for those convicted of lower-level crimes and score medium or low on the risk assessment and provides the court with information regarding the probationer's background and criminal history. PSRs include victim impact statements, individuals statements, the official version of the offense, and the probation officer's summary to the court. This information is provided to the court in order to determine the sentencing of an individual.

## **ADULT PRE-SENTENCE INVESTIGATIONS AND REPORTS (§29-2252.01 (7))**

The PSI is used by the court to render a fair and appropriate sentence. The report contains the officer's analysis of factors presented through an interview with the individual and other information collected throughout the process. Probation officers complete a research-based, actuarial assessment of each individual that helps to identify specific risk to re-offend, need factors, and responsivity. Factors explored include past criminal history, family history and support, educational and employment history, current status, alcohol/drug or mental health concerns, and overall attitude regarding the offense. Officers work through the assessments to identify criminogenic factors driving risk, along with areas of strength for the individual. From there, the officer will investigate the history and current status of the individual through the collection of information from a variety of sources including the individual's employer, treatment providers and/or evaluators, family, friends, and victims. The probation officer analyzes all of this information to prepare a document for the court. In many jurisdictions across the state, the probation officer is required to use their skills of analysis and investigation to make a recommendation to the court regarding targeted interventions based on the individual's assessment.

**Table 2. Adult Pre-Sentence Investigations & Presentence Reports July - Dec 2023**

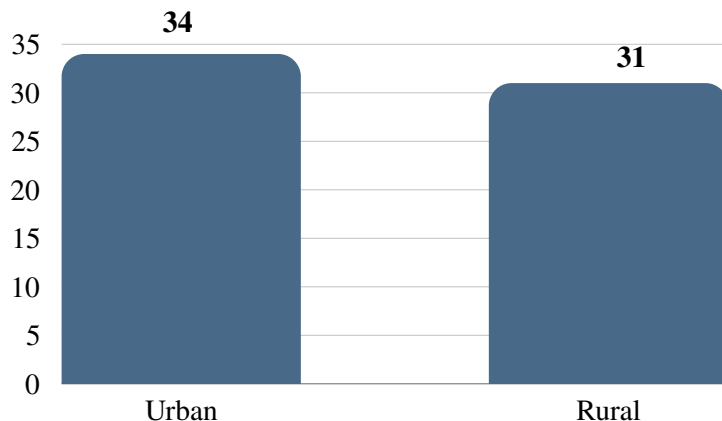


- For the last six months of 2023, a total of **5,103** adult investigations were completed, with 57.6% occurring in rural areas and 42.4% in urban areas. See Table 2. In the first six months of 2023, there were **5,049** adult investigations completed, with 62% in rural areas and 38% in urban areas. This is an increase of **54** adult investigations.

**ADULT PROBATION OFFICER CASELOADS (§29-2252.01 (3) and (4))**

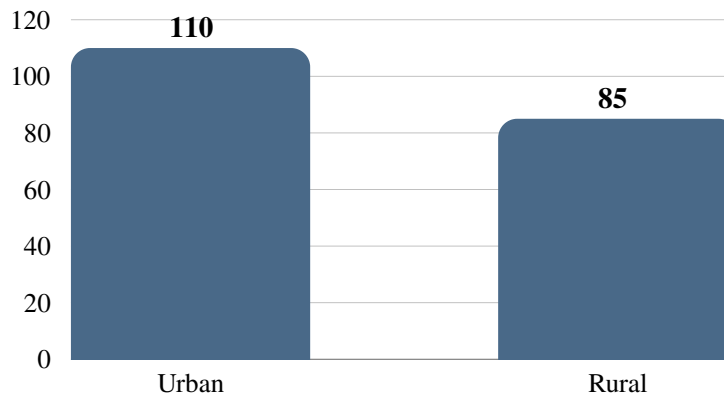
Nebraska probation officers supervise probationers in 12 judicial districts, serving all 93 counties in Nebraska. Caseloads are not measured by felony and misdemeanor, but rather by risk to re-offend. Probation uses assessment instruments and screening tools that assist an officer in determining supervision intensity and level.

**Table 3. CBI Caseloads Urban vs. Rural Districts July - Dec 31, 2023**



- The average caseload for Adult Probation CBI Officers was **31** individuals for rural areas and **34** for urban areas. See Table 3. CBI cases involve the supervision of a high/very-high risk to re-offend specific probationers group. Of adult probationers, 30.9% CBI, which can be felony or misdemeanor.

**Table 4. CBR Caseloads Urban vs. Rural Districts July - Dec 31, 2023**



- The average caseload for Adult CBR Officers was **85** for rural areas and **110** for urban areas. See Table 4. CBR cases involve the supervision of a moderate to low-risk specific probationer group. Of adult probationers, 21.9% are CBR, which can be felony or misdemeanor.

**SPECIALIZED SUBSTANCE ABUSE SUPERVISION (SSAS)**

Specialized Substance Abuse Supervision (SSAS) was created in response to prison overcrowding experienced in Nebraska, specifically in the 2000's. Drawn from evidence-based practices, SSAS is a sentencing alternative that combines intensive supervision with substance abuse treatment as a means of crime control. Highly trained officers work with a select target population of individuals experiencing substance abuse or dependency who have also been identified as having anti-social, pro-criminal tendencies.

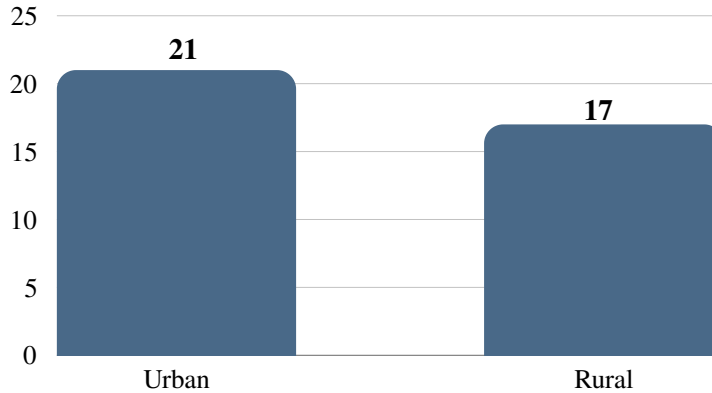
Probation has developed risk assessment tools to identify appropriate candidates. Founded on evidence-based principles shown to reduce recidivism by targeting the treatment needs of the probationer, the program combines substance abuse treatment in the community with intensive case management by specially trained probation officers. We have added several other classifications such as Reframe and all classifications are listed in our [Annual Report](#) found online.

**GOALS OF SSAS**

- *Lower Levels of Recidivism and Relapse*
- *Address anti-social-pro-criminal thinking and activity*
- *Address contributing substance abusing behaviors*



**Table 5. SSAS Caseloads Urban vs. Rural Districts July - Dec 31, 2023**

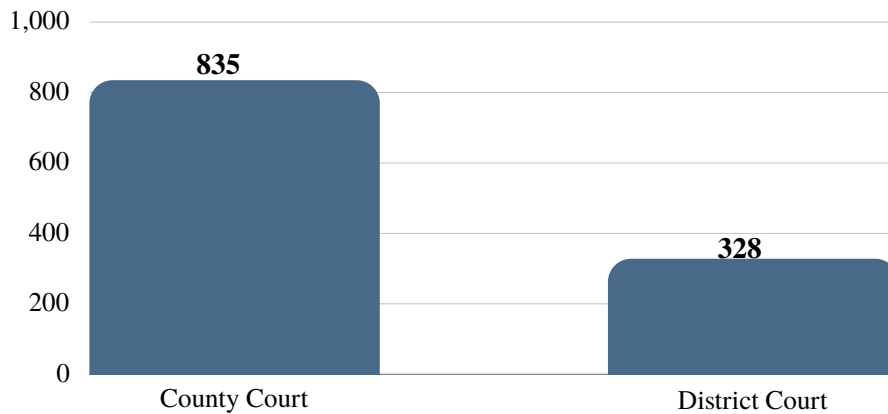


- The average caseload of an Adult Probation Specialized Substance Abuse Supervision (SSAS) Officer was **17** for rural areas and **21** for urban areas. See Table 5. At the end of December 2023, a total of **1,329** (7.7%) of the state’s adult probation system are involved in SSAS.

**RESTITUTION AND PAYMENTS (§29-2252.01 (9))**

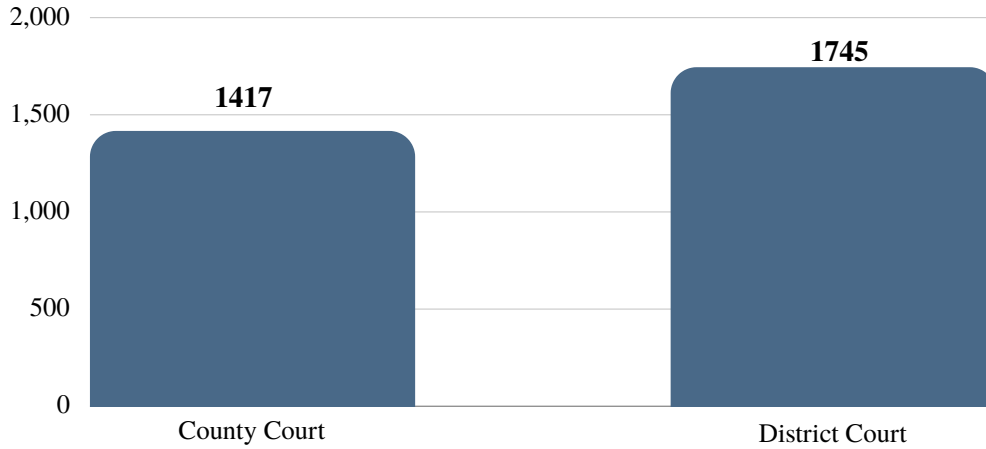
In compliance with Neb. Rev. Stat. § 29-2252.01(9), the following charts represent restitution judgments and payments for both county and district courts for the last six months of 2023.

**Table 6. Number of Restitution Judgements by Court Type July - Dec 2023**



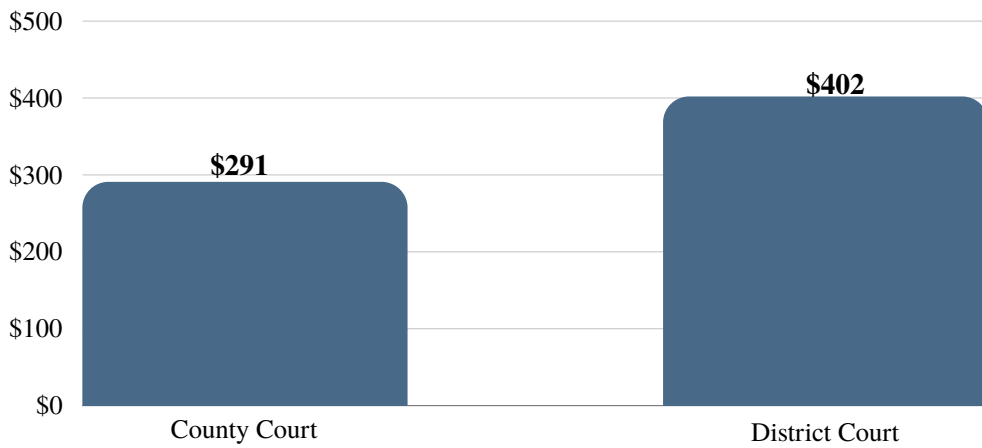
- A total of **1,163** judgments for restitution were made during the first six months of 2023, with **835** (71.8%) in county court and **328** (28.2%) in district court. See Table 6.

**Table 7. Number of Restitution Payments by Court Type July - Dec 2023**



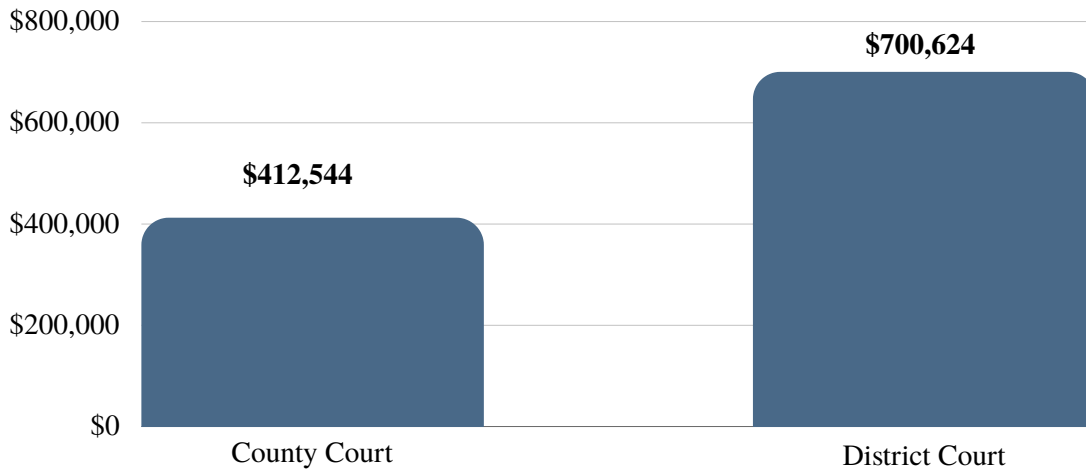
- A total of **3,162** payments were made in the last six months of 2023, with **1,417** (44.8%) in county court and **1,745** (55.2%) in district court. See Table 7.

**Table 8. Average Restitution Payment Amount by Court Type July - Dec 2023**



- The average restitution payment amount in county court for the last six months of 2023 was **\$291** compared to **\$402** in district court for the same time period. See Table 8.
- Total restitution collected in county court for the last six months of 2023 totaled **\$412,544** compared to **\$700,624** in district court for the same time period. See Table 9.

**Table 9. Total Restitution Collected by Court Type July - Dec 2023**

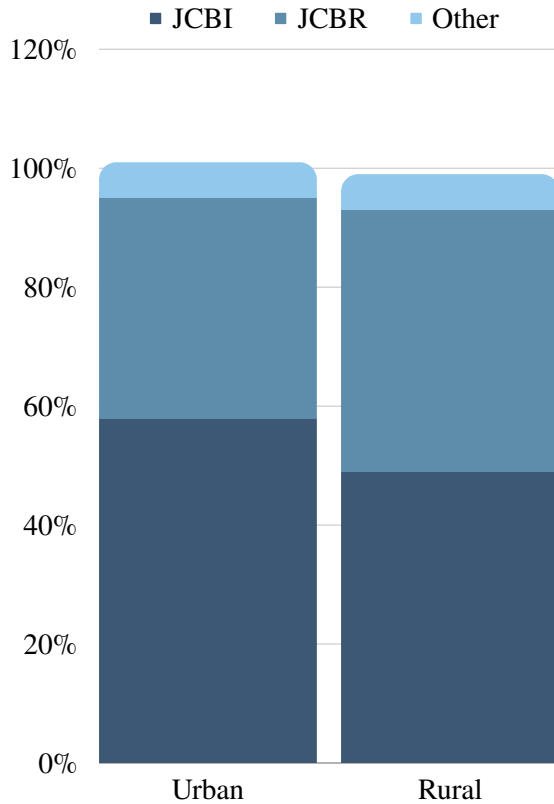


**JUVENILE PROBATION CASES (§ 29-2252.01 (5) and (8))**

The juvenile justice system strives to provide supervision and services for youth and families, impacting community safety, habilitation, and behavior change. Youth in the justice system receive a validated risk/needs/responsivity assessment that assists in the creation of an individualized plan, including adolescent development approaches, which research has shown reduces continued delinquent behavior.

The highest level of supervision for youth on probation is the Juvenile Community-Based Intervention (JCBI) level. JCBI combines intensive supervision with treatment and non-treatment services that correspond with each youth’s risk to re-offend and needs. The Juvenile Community-Based Resource (JCBR) level is a lower intensity level of supervision for youth on probation who are under community supervision for optimum success.

**Table 10. Juvenile Population Served July - Dec 2023**



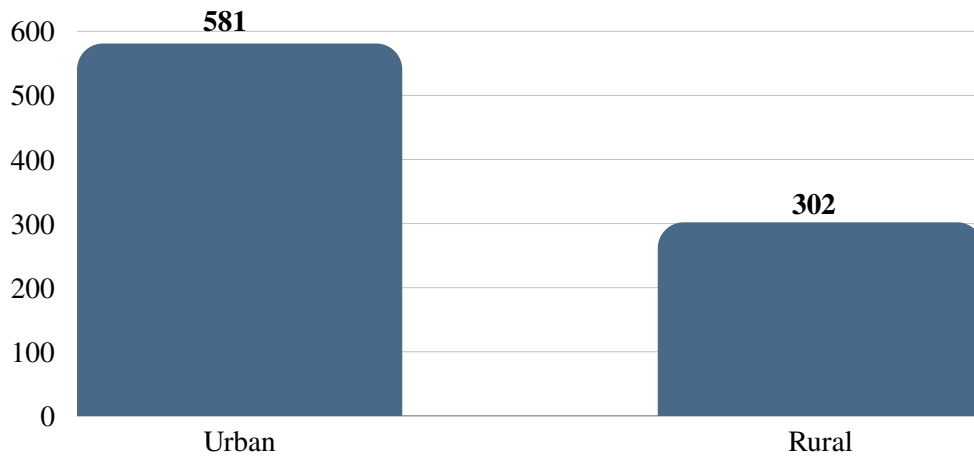
- From July 1, 2023, through December 31, 2023, **4,047** youth on probation were supervised. See Table 10.
- Active youth cases for the last six months of 2023 totaled **4,047** with **2,032** cases (50.2%) in rural areas compared to **2,015** cases (49.8%) in urban areas. See Table 10.
- For the last six months of 2023, there were **2,162** (53.4%) youth served at the JCBI level and a total of **1,638** (40.5%) youth were served at the JCBR level. See Table 10.
- The Other category consists of youth who have a case management classification status who are awaiting assessment results or are being served prior to adjudication or disposition. See Table 10.

**JUVENILE DETENTION INTAKE (§ 29-2252.01 (8))**

Nebraska Revised Statutes § 43-250 through § 43-260 authorize probation to facilitate the juvenile intake function. This is accomplished through a standardized juvenile detention screening instrument that is administered when law enforcement contacts probation to assess an intake decision. The detention screening instrument examines the youth’s risk of further law enforcement contact before the next court hearing and the risk of failing to appear for the court hearing.

- Juvenile Probation Intake Screenings for the last six months of 2023 totaled **883** with 65.8% occurring in urban areas and 34.2% in rural areas. See Table 11.
- Of the intake screenings completed, **368** were detained as a result of the intake.

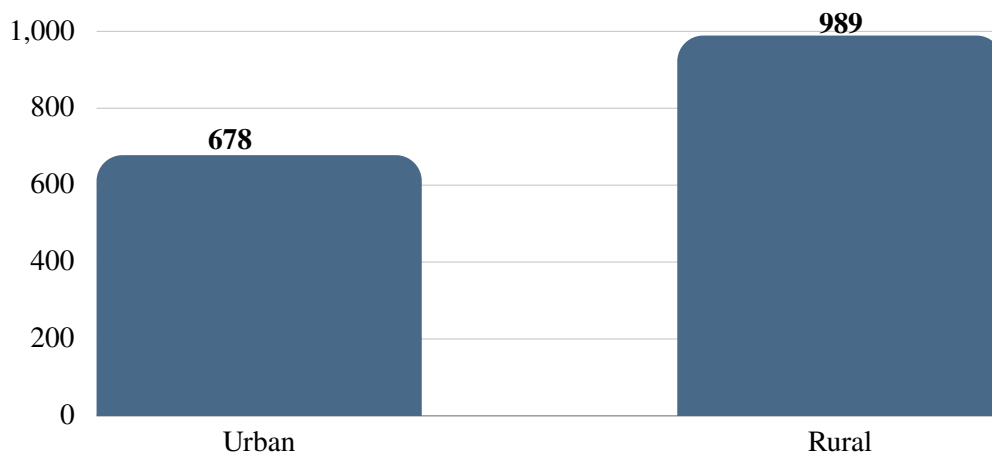
**Table 11. Juvenile Probation Intake Screenings Urban vs. Rural July - Dec 2023**



**JUVENILE PRE-DISPOSITION INVESTIGATIONS (§ 29-2252.01 (6))**

Probation officers complete comprehensive investigations, including both youth and family, which aid the court in making dispositional decisions. Once a youth is adjudicated and the pre-disposition investigation is ordered, a variety of assessments and screening tools are administered as part of the investigation to make recommendations to the court. Completion of a comprehensive investigation early on in the juvenile justice process identifies the targeted supervision and service needs that are most effective and will result in risk reduction and successful completion of probation.

**Table 12. Juvenile Probation Investigations Urban vs Rural July - Dec 2023**

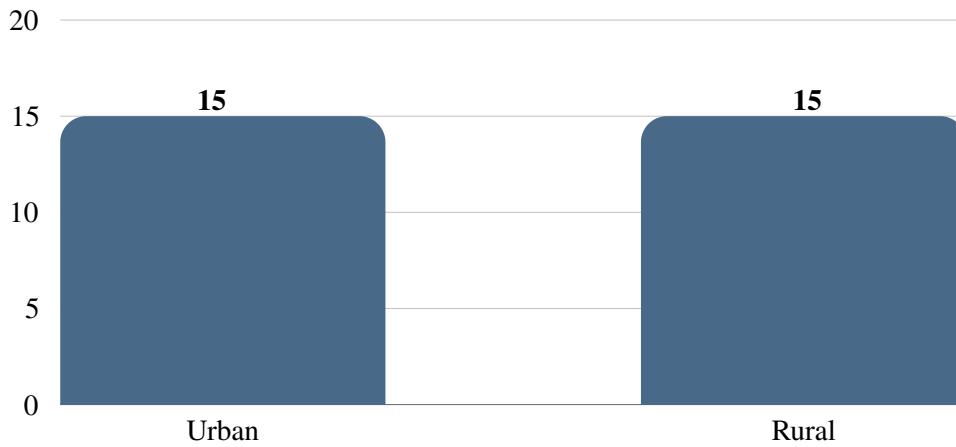


- Juvenile Probation investigations completed for the last six months of 2023 totaled **1,667** with **678** (40.7%) for urban areas compared to **989** (59.3%) for rural areas. See Table 12.

## JUVENILE PROBATION OFFICER CASELOADS (§ 29-2252.01 (5))

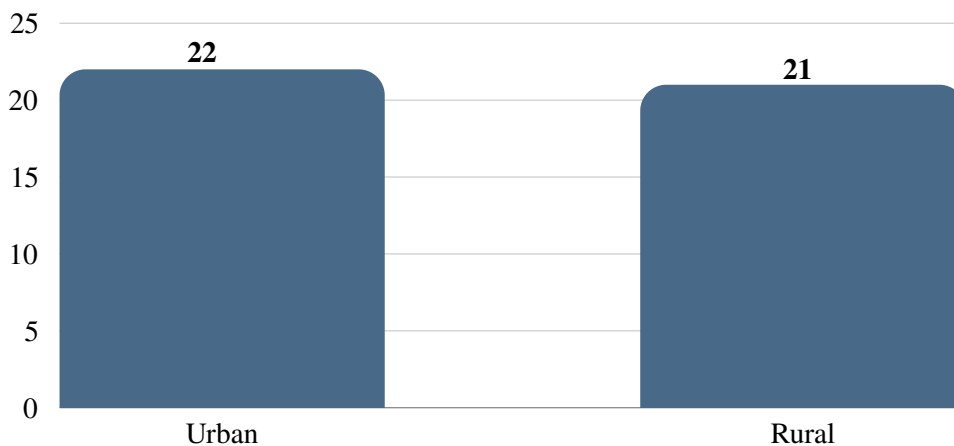
Juvenile Probation has statewide oversight of 12 districts covering all 93 counties in Nebraska. To ensure probation officers supervising youth in each district are able to target the individual risk/need/responsivity, caseload numbers are tracked regularly.

**Table 13. Juvenile Probation Officer Caseload JCBI Officer July - Dec 2023**



- For the last half of 2023, the average caseload for a JCBI Probation officer was **15** cases in urban areas and **15** cases in rural areas. See Table 13.

**Table 14. Juvenile Probation Officer Caseload JCBR Officer July - Dec 2023**



- The average caseload for JCBR officers was **22** in urban and **21** in rural areas. See Table 14.



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