

**1. *Update on the current state of parole services since establishing the Board of Parole as an independent state agency, separate from NDCS and an overview of the services provided to parolees during their time on parole***

Over the last year and half the Board of Parole has developed and contracted for new services to assist clients while on Parole. This effort has been statewide and we have received a positive response from local providers who are willing to assist our clients with their needs. We are currently offering Pre-treatment and Relapse groups related to substance abuse needs, Batterer's Intervention programs for our clients convicted of domestic violence issues, Anger Management, Parenting and Financial Wellness Education classes. We are beginning to offer Thinking for A Change as our cognitive/behavioral intervention program. We are also still working with NDCS to offer some in house substance abuse treatment interventions that serve both Parole clients and individuals on work releases. Our clients are also able to access our service dollars to participate in substance abuse treatment in the community in which they live. This treatment includes: Intensive Outpatient Treatment and Short-term Residential treatment. We also partner with NDCS to utilize their Vocational/Life Skills Grant and with Probation to access their dollars for mental health needs. Finally, Transitional Housing has been a big focus for us and we are working in collaboration with Probation and NDCS to utilize federal and state grant dollars to secure appropriate housing for clients upon their reentry.

We have several new initiatives on the horizon which include: services to provide clients with cell phones that assist them looking for employment through the phones and access to other human services programs, but also allows for GPS accountability at all times. We will be adding more substance abuse treatment options to look at long-term residential substance abuse treatment. We are also working to establish assistance with transportation and other life skills programs including a group for clients who are returning the community after being incarcerated for more than four years.

All the services I have just mentioned are available to all of our clients based on their needs. We use our risk and needs assessment to help us identify the areas that are high needs for each individual client. We target those needs and provide the appropriate interventions.

**2. *An update on the number of inmates granted parole and the process used by the board to determine whether parole should be granted***

Granting parole is a multi-step process comprised of two distinct appearances: the key review and the parole hearing. At a key review, the Board can determine whether an individual is ready to be considered for parole and has the option of scheduling the date of that parole hearing. From October 15, 2016 until October 14, 2017, a total of 3,273 key reviews were held and of that number 1,347 were set for a parole hearing. This amounts to approximately 41.2 percent of all individuals being set for a parole hearing. At a parole hearing, the Board can parole an individual or defer them to a later parole hearing or to their mandatory discharge date. In the past year, a total of 1,959 parole hearings were held. From those hearings, 1,412 inmates were granted parole which is a parole rate of 72.1 percent. The total population of individuals on parole as of October 15, 2017 is 1,265.

With both of the key reviews and the parole hearings, the Board of Parole utilizes decision-making guidelines which incorporate data on risk assessment scores, offense severity, completion of recommended institutional programming, and behavioral misconduct. These guidelines provide a baseline for further investigation of the case for each inmate. The Board goes beyond these guidelines to also consider a wide range of factors that assess parole readiness and likelihood for success—the other things that we research include the parole plan and whether it meets the needs of the inmate particularly their plan for employment and whether they will have a

constructive support network, any developments in personality which may hinder conformity to the law and their attitude towards law and authority, and the prior criminal history of the inmate as well as their previous probation or parole behavior including institutional progress reports from NDCS and the presentence investigation from Probation.

**3. *Information about the number of inmates denied parole over the last few years and a general overview of the most common bases for denial***

In the past 3 years (October 15, 2014-October 15, 2017), a total of 1,692 individuals were not paroled at their parole hearing (975 were deferred and 717 were denied). The data collection for this group indicates that the most common reason for deferral or denial was listed as "Other". The most prominent reasons listed for deferral or denial that did not fall into the category of "other" were excessive or serious misconduct reports, failure to complete residential drug treatment programming, and drug misconduct reports.

With respect to the larger "Other" category for reasons why individuals are denied parole or deferred, the most common reasons listed fall into the following categories:

- Need for more time in the institution to complete programming, often substance abuse treatment
- Behavior of the inmate, including misconduct reports, new/pending charges, or removal from community custody
- Need to secure a residence for the parole plan
- Need to complete/investigate the parole plan

**4. *Information about the challenges faced by the Board of Parole in fulfilling its obligations as an integral part of the Nebraska criminal justice system***

Some of the challenges that the Board has faced with respect to fulfilling its obligations include:

- The need for more programming for justice-involved individuals prior to their transition to the community; a related issue is a lack of time to complete required programming based on sentence structure
- For some justice-involved individuals, there is also a need for more time to transition between the end of programming and placement on parole
- Individuals who waive their appearance before the board, whether that is a review or a hearing
- Insufficient housing
- Implementation of custodial sanctions given jail capacity limitations and a lack of funding to support this initiative

**5. *Information about the progress made by the Board of Parole over the last several years in fulfilling its obligations as an integral part of the Nebraska criminal justice system***

Over the last several years, the Board has worked intensively to align with the priorities established through the Justice Reinvestment process. The Board of Parole and Division of Parole Supervision in the last 2 years has collaborated with the Council of State Governments to implement a number of evidence-based practices, including decision-making guidelines, a new risk and needs assessment instrument, modifications to special conditions to align those conditions with our risk and needs assessment, and implementation of a sanctions matrix and custodial sanctions to limit the need for revocations. In addition, staff has been trained in case management practices and cognitive-behavioral techniques so as to better support clients in terms of their community reintegration. The Board and DPSS have worked with a number of different vendors to integrate supervision practices such as the use of sanctions with our existing data

management system as well as expanded our services provided by engaging with a new set of service providers.

Beyond work with CSG, the Board and DPSS have also been heavily involved in the Seamless System of Services meetings which bring together NDCS, Probation, and Parole in an effort to provide individuals with a more streamlined criminal justice system. The Seamless System has developed a large number of subcommittees which bring together staff members from each agency to discuss ongoing issues like training support and development, document and data-sharing, and programming and service delivery. The Seamless System of Services builds upon the work of the JRI Steering Committee and has proven to be a fruitful method for identifying statewide challenges that we can all work to address.

Most recently, the Board of Parole and DPSS was selected for participation in the National Governor's Association and National Parole Resource Center's Learning Collaborative. This collaborative allowed the leaders of the Board and parole supervision to sit down with leaders from other states to discuss their challenges with evidence-based practices in parole and how best to take on those obstacles. In the next year, the Board and DPSS will be working with NGA and the Governor's Office to continue building on our existing partnership with NDCS and county jail authorities across the state.

- a. NGA – will be supporting Nebraska's efforts to develop collaborative strategies for strengthening parole in our state's justice system..
- b. One goal is to improve coordination strategy with existing partners (NDCS, Probation, Jails) Reentry coordination with NDCS.

**6. *Any recommendations for legislation or statutory changes that you believe would be beneficial to the future of Nebraska's criminal justice system***

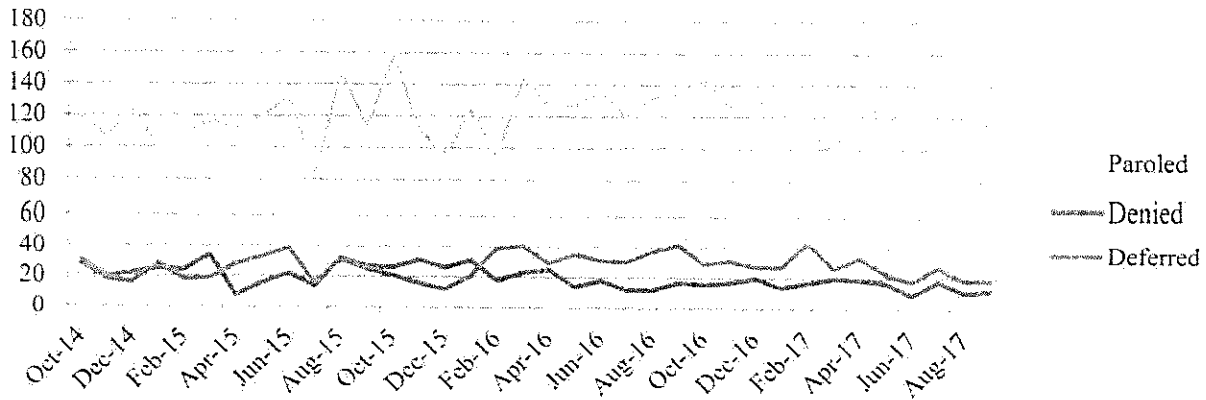
Recommendations that the Board and DPSS believe will be beneficial include the following:

- a. Passage of LB 366; this legislation is currently in committee and the Board/DPSS would like to see this move forward as it will allow for changing the schedules of Board members to accommodate new initiatives and support evidence-based changes to parole practices.
- b. Program for Alternative Community Treatment (PACT); creation of this type of program would allow for the release of low-risk individuals into the community prior to their jam out date. The target participants in this program would be on those who are not parole-eligible and are not sentenced to post-release supervision and the focus would be on monitoring their time in the community and establishing full-time employment to ensure public safety and reduce the likelihood of recidivism.

**PAROLE GRANTS AND DENIALS**

The number of individuals paroled over the course of the last three years has averaged approximately 120 individuals each month; the average number of individuals who are deferred each month is around 27 and the average number of individuals who are denied each month is 20.

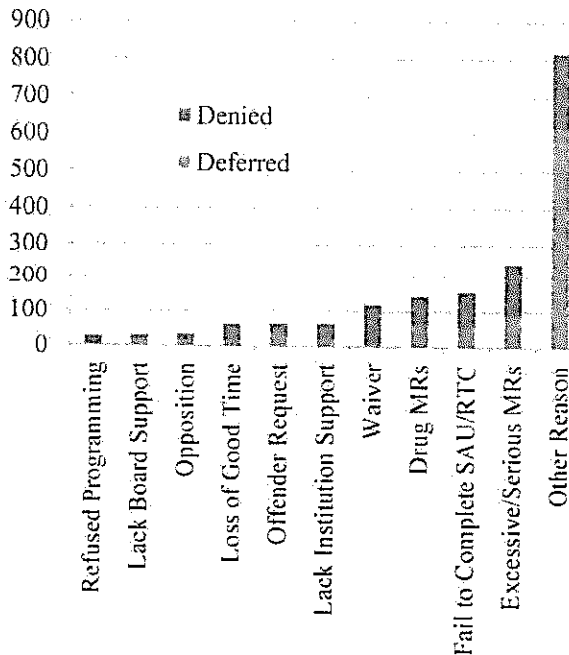
**Figure 1: Count of Individuals Paroled, Deferred, or Denied at Parole Hearing: 10/2014-9/2017**



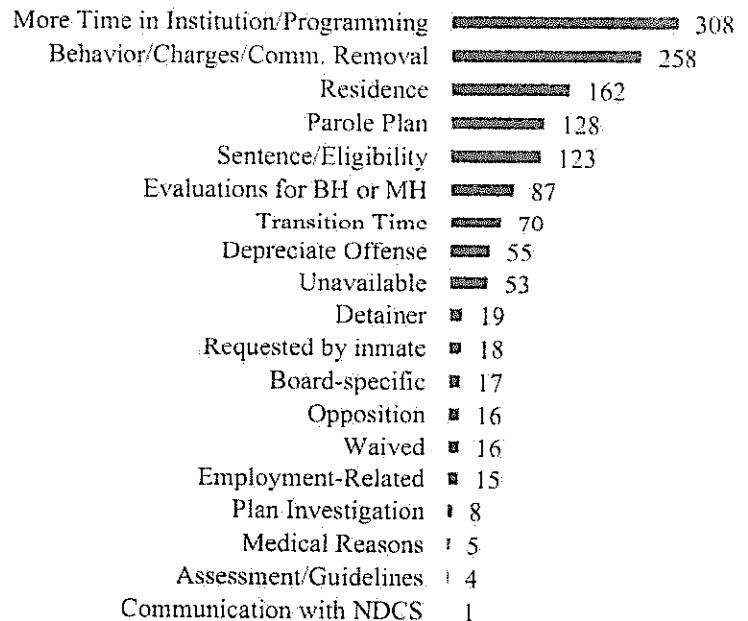
**REASONS FOR DEFERRAL OR DENIAL**

When an individual attends a parole hearing and is denied or deferred, the Board will provide reasons for why that person was not paroled at that time. Standard reasons for denial or deferral are listed in Figure 2. A breakdown of the "Other" reasons which were listed for hearings between October 2014 and September 2017 is provided in Figure 3.

**Figure 2: Reasons For Deferral/Denial at Parole Hearings: 10/2014-9/2017**



**Figure 3: "Other" Reasons: 10/2014-9/2017**



**CHALLENGES:**

**1. NEEDS OF JUSTICE-INVOLVED INDIVIDUALS: HOUSING, PROGRAMMING, TRANSITION**

Figure 3 on the previous page shows that the top reasons for denial or deferral fall into one of a few categories: (1) the need for more time in the institution or for completion of programming; (2) due to the behavior of the inmate—this includes behavior such as new laws violations, removal from community custody, or continuing to accumulate misconduct reports; or (3) the need for residence and approval of the parole plan for that inmate. The challenges of finding an acceptable residential placement as part of the parole plan and of finishing the required programming are two primary obstacles that we are looking to address at this time.

**2. WAIVER OF REVIEW OR HEARING**

A significant number of individuals have waived their parole reviews or hearings in the past and the Board has begun researching this issue. Over the last year (10/15/16-10/15/17), 46 individuals waived their appearance at their parole hearing and 394 individuals waived or failed to appear for their key review appearance. Board members are engaging with the inmate population in discussions about why these reviews or hearings are being waived in an effort to reduce the number of inmates who do not make their appearances before the Board.

**3. REVOCATIONS**

Between October 15, 2014 and October 15, 2017, a total of 1,364 total review of parole hearings have been held which is an average of approximately 455 review of parole hearings per year. Over that 3-year period, a total of 1,196 individuals have had their parole revoked following their review of parole hearing. The most common reason for revoking individuals during the past 3 years was new laws violations: in 659 cases, or 48.3 percent of those review of parole hearings, the parole client had committed a new laws violation. Parole clients can be revoked for multiple reasons, but the most popular reasons that are cited are new laws violations (48.3 percent of all review hearings), use or possession of narcotics (40.8 percent of review hearings), failure to pay their parole fees (31.8 percent of all review hearings) and absconding (27.1 percent of all review hearings). Figure 4 below shows a breakdown of the most serious laws violations for which individuals were revoked during the last 3 years.

**Figure 4: Breakdown of New Laws Violations for which Clients were Revoked: 10/2014-10/2017**

