



Office of the Public Counsel
Nebraska Ombudsman's Office

2024

Annual Report

Overview

About the Ombudsman's Office

The Office of the Public Counsel, most commonly known as the Ombudsman's Office, is a division within the Nebraska Legislature. The Ombudsman's Office mission is to promote accountability in government by independently and impartially investigating issues related to state agencies, boards, commissions, county jails, youth detention facilities, and employees. The office investigates citizen complaints about state government and works toward resolution of issues. Accountability in public administration is promoted by resolving these problems with state agencies and investigating issues related to the operation of state government, with limited exceptions, and making recommendations for improvement. Because the office is independent of the agencies that it investigates, it is impartial in disputes between administrative agencies and citizens, and promotes reasonable and informal resolution of citizen complaints.

The Ombudsman's Office also conducts investigations under the State Government Effectiveness Act, also known as the Whistleblower Act. State employees are encouraged to disclose information concerning possible violations of law, fraud, waste, and gross mismanagement in state government. Reprisals for such disclosures are prohibited.

Within the Ombudsman's Office there are two additional offices providing state government oversight—the Office of Inspector General of Nebraska Child Welfare and the Office of Inspector General of the Nebraska Correctional System. The Offices of Inspectors General work to provide increased accountability, oversight, and improvement of the state's child welfare, juvenile justice, and correctional systems by conducting formal investigations and reviews. All Inspector General reports can be found on the Legislature's website at https://nebraskalegislature.gov/reports/public_counsel.php.

In addition to handling complaints and conducting investigations, the Ombudsman's Office and Offices of Inspectors General are important resources to the Legislature.

Response to Attorney General's Opinion & Effect on the Ombudsman's Office's Work

Years 2023 and 2024 were very challenging years for the Ombudsman's Office, including the Offices of Inspectors General, largely due to the NDCS and DHHS response to Nebraska Attorney General's Opinion No. 23-008, issued on August 16, 2023. The opinion questioned the constitutionality of the laws governing the Offices of Inspectors General. While the laws remained unchanged, the Nebraska Department of Health and Human Services (DHHS) and the Nebraska Department of Correctional Services (NDCS) entirely and instantly prohibited the Offices' access to information, people, and facilities. This access is essential for the Office to do its work. Importantly, DHHS eliminated the Offices' access to NFOCUS, the electronic case management system for the Division of Children and Family Services, and NDCS eliminated the Offices' access to NICaMS, the electronic cases management system for the state correctional system. Without access to those systems, and no access to get the information in some other way, complete complaint reviews, resolutions, and investigations regarding DHHS and NDCS became impossible.

Indeed, these case management restrictions, coupled with restrictions to other information, people, and facilities significantly hindered the Ombudsman's Office's ability to fully fulfill its statutory obligations for oversight of the Department of Health and Human Services and the Department of Correctional Services. Though the Office could not fully conduct reviews and investigations, the Office continued reaching out to DHHS and NDCS, bringing issues to their attention, which oftentimes resulted in resolution of issues raised.

The office continued to operate as effectively as possible, conducting investigations based on previously obtained information, public information, and historical knowledge of the systems. The Office maintained access to information, people, and facilities in all other state agencies, county jails, and juvenile detention centers.

Much Access Restored After MOU Signed

On February 14, 2024, a Memorandum of Understanding (MOU) was signed between the Legislature and the Governor to restore access to information for the Ombudsman's Office and the Offices of Inspectors General. This MOU outlined communication and information request protocols with DHHS and NDCS.

Department of Correctional Services

After the MOU went into effect, the Ombudsman's Office started getting requested information and answers to inquiries faster from NDCS than before the AG's opinion. Importantly, while not full access, the Ombudsman's Office was restored access to most of NDCS's online case management system, NICaMS. If the office needs information not available on that platform, the office collaborates with NDCS to get that information in a timely manner. Visits to state correctional facilities were restored under new protocols. Though procedures exist to conduct unannounced visits, no staff from the Ombudsman's Office or the Office of Inspector General requested an unannounced visit in 2024.

Department of Health and Human Services

Unlike NDCS, DHHS did *not* restore the Offices' access to their online case management system, NFOCUS, after the MOU was signed. While DHHS does provide information after requested, documents take a long time to receive after requests, and the information received is sometimes not the information the Office is looking for, which then hinders timely resolution to complaints. Visits to DHHS facilities, such as YRTCS and Regional Centers, went well after the MOU was implemented. In addition, DHHS staff respond promptly to email communication. There was occasion for one unannounced visit to a DHHS facility during 2024, which went well.

Legislative Oversight Review Special Committee

The MOU became effective upon the Legislature's adoption of Legislative Resolution 298 in February 2024. This resolution established the Legislative Oversight Review Special Committee to examine the structure and organization of legislative oversight functions.

- The committee was composed of members of the Legislature's Executive Board, including the Speaker, as well as chairpersons from key committees and at-large members.

- The committee was tasked with studying legislative oversight and delivering a report with findings and recommendations, which was completed by December 15, 2024. Proposed legislation for the 2025 Legislative Session was included in the report.

Summary of Ombudsman Cases in 2024

The Ombudsman’s Office received a total of 2,414 intakes in 2024. The complaints were made by, and information was provided by, a variety of individuals throughout Nebraska. Each case is reviewed to determine the appropriate course of action.

The table below details the types of cases received in 2024.

Types of Cases	
Complaints	2,082
Information	320
Self-Initiated	5
Whistleblower	7
Total	2,414

The Ombudsman’s Office received a wide variety of cases concerning different areas of government. The table below details the cases by agency or subject matter received in 2024.

Agency	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Accountability and Disclosure Commission	0	0	0	0	0	1	0	0	0	0	0	0	1
Department of Administrative Services	0	0	0	2	1	0	0	1	2	0	0	0	6
Department of Health and Human Services-State Unit on Aging	0	0	0	1	0	1	0	0	0	0	1	0	3
Department of Agriculture	0	0	0	0	1	0	0	0	0	0	0	0	1
Attorney General’s Office	0	1	0	0	0	1	0	0	0	0	1	0	3
Department of Banking and Finance	0	0	0	0	0	1	0	0	0	0	0	0	1
Brand Committee	0	0	0	0	0	0	0	0	0	0	0	1	1
Claims Board	0	1	0	0	0	0	0	0	0	1	0	0	2

Department of Correctional Services	91	82	77	109	112	103	99	109	84	100	86	78	1130
County Administration	2	0	0	0	0	0	0	2	3	2	1	1	11
County Detention Facility	0	0	0	0	0	5	11	14	17	9	8	13	77
County Jail	52	35	32	36	36	36	42	30	30	44	25	21	419
Courts	10	5	1	1	2	3	5	7	0	1	3	4	42
Department of Economic Development	4	0	1	1	0	0	1	0	0	0	0	1	8
Department of Education	0	1	0	0	2	2	0	1	0	0	0	0	6
Electrical Division	0	0	0	0	0	0	0	0	0	1	0	0	1
Department of Environment and Energy	0	0	0	0	0	0	0	0	0	0	0	2	2
Equal Opportunity Commission	1	0	0	0	0	0	1	0	0	1	0	0	3
Federal	3	3	1	2	1	2	2	1	0	0	1	1	17
Governmental Subdivision	0	0	0	0	0	1	0	0	0	0	0	0	1
Governor's Office	0	3	0	0	0	0	0	1	1	1	0	0	6
Department of Health and Human Services - Medicaid	0	0	0	0	0	3	6	4	2	2	3	6	26
Department of Health and Human Services-Vital Statistics	0	0	0	0	0	1	0	0	1	0	1	1	4
Department of Health and Human Services-Behavioral Health	0	0	0	0	2	0	0	0	0	1	1	0	4
Department of Health and Human Services-Economic Assistance	9	3	2	8	5	3	3	3	2	3	6	6	53

Department of Health and Human Services-Beatrice State Development Center	0	0	0	0	0	1	0	1	2	0	0	0	4
Department of Health and Human Services-Children and Family Services	14	15	12	15	16	18	16	14	17	16	16	15	184
Department of Health and Human Services-Developmental Disabilities	0	0	0	1	2	1	1	2	1	1	2	2	13
Department of Health and Human Services-YRTC-Kearney	0	0	0	2	1	1	0	0	1	2	2	0	9
Department of Health and Human Services	0	0	2	4	1	2	2	3	1	1	2	1	19
Department of Health and Human Services-Regional Centers	9	5	2	6	3	4	6	11	11	8	3	8	76
Department of Health and Human Services-Administration	1	1	2	0	0	0	0	0	0	2	0	0	6
Department of Veterans Affairs-Veterans' Homes	0	0	0	1	0	0	0	0	1	0	0	0	2
Department of Health and Human Services-YRTC	0	0	0	0	0	1	2	0	2	0	1	1	7
Department of Health and Human Services-Office of Juvenile Services	0	0	0	3	0	1	1	0	0	0	0	0	5
Nebraska State Historical Society	0	0	0	0	0	0	0	5	11	4	0	1	21

Nebraska Legislature- Inspector General for Corrections	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Department of Insurance	1	0	0	0	1	1	0	0	0	0	0	1	2	6
Department of Labor	4	4	1	0	5	1	2	1	1	2	1	0	0	22
Nebraska Legislature	1	4	2	0	1	0	1	3	1	0	0	2	1	16
Library Commission	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Department of Motor Vehicles	4	0	1	0	1	2	0	0	0	0	0	0	2	10
Municipal Administration	2	0	1	2	0	0	0	2	3	1	2	2	1	14
Department of Natural Resources	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Parole Administration	2	0	4	1	4	1	2	0	0	0	0	0	0	14
Parole Board	2	0	1	0	0	1	0	3	1	0	0	0	0	8
State Patrol	0	0	0	1	0	0	0	0	0	0	0	0	1	2
Private Matter	6	4	3	7	8	6	8	6	7	7	7	5	4	71
Courts-Probation Administration	0	1	0	0	0	0	0	0	1	1	0	0	0	3
Public Employee Retirement Board	2	0	0	0	0	0	0	0	0	0	0	0	0	2
Department of Revenue	0	0	2	1	0	1	2	0	1	1	1	1	3	12
Department of Administrative Services-Risk Management	1	0	2	0	1	0	1	1	0	0	0	0	0	6
Secretary of State Office	0	0	0	0	1	0	0	0	0	0	1	0	0	2
Department of Transportation	1	0	0	0	0	0	0	0	1	0	0	0	0	2
University of Nebraska System	0	0	0	0	0	0	3	0	0	3	0	2	1	9

Department of Veterans Affairs	0	0	0	0	0	0	0	1	1	0	0	0	2
Total Contacts	226	170	149	207	209	210	221	232	209	216	184	181	2414

Jurisdictional Cases

The Ombudsman’s Office has jurisdiction to review and investigate intakes that concern Nebraska state agencies (code and non-code); boards; and commissions. This includes all state-run facilities. The Ombudsman’s Office also has jurisdiction to review and investigate intakes about county jails and youth detention facilities.

The table below details the cases by jurisdictional authority received in 2024.

Jurisdictional Authority	Cases
State Agencies/Boards/Commissions	1,736
County Jails and Detention	496
Total	2,232

Highest Number of Intakes in 2024

A majority of the cases received by the Ombudsman’s Office stemmed from correctional issues at the state and county level with a total of 1,549 cases. The second highest number of intakes relates to the Department of Health and Human Services with 410 cases.

County Jail/Detention Facilities

The Ombudsman’s Office has jurisdiction to review and investigate issues with county jails and youth detention facilities. Nebraska has 62 county jails and 5 county holding facilities. There are four youth detention facilities spread across Nebraska:

- Douglas County Youth Center
- Lancaster County Youth Services Center
- Madison County Northeast Nebraska Juvenile Services
- Sarpy County Juvenile Justice Center

Department of Correctional Services

In 2024 the Department of Correctional Services ran 9 facilities throughout Nebraska. The Ombudsman’s Office worked on cases dealing with every one of the facilities during the year.

- Community Corrections Center – Lincoln
- Community Corrections Center – Omaha
- Nebraska Correctional Center for Women
- Nebraska Correctional Youth Facility
- Nebraska State Penitentiary
- Omaha Correctional Center
- Reception and Treatment Center
- Tecumseh State Correctional Institution

- Work Ethic Camp

The Ombudsman’s Office received 1,130 cases regarding state correctional issues during 2024.

Report on NDCS Disciplinary Process

During 2024, the Ombudsman’s Office completed an investigative report on the Nebraska Department of Correctional Service disciplinary process. Based on the investigative analysis, the Ombudsman’s Office proposed five recommendations to NDCS. After review of the report and productive meetings between NDCS officials and the Ombudsman’s Office, the “Investigatory Report of Nebraska Department of Correctional Services Disciplinary Process” became final. NDCS committed to clarifying and improving the disciplinary process. The report and NDCS’s response to the report can be found on the Ombudsman’s website.

Department of Health and Human Services

The Ombudsman’s Office received 410 cases regarding the Department of Health and Human Services in 2024.

The Department of Health and Human Services has six main areas:

- Division of Behavioral Health;
- Division of Children and Family Services;
- Division of Developmental Disabilities;
- Division of Medicaid and Long-Term Care;
- Division of Public Health; and
- Office of Economic Assistance

DHHS Facilities (Institutions)

The Department of Health and Human Services also runs four youth facilities and three adult facilities:

Youth Facilities

- Youth Rehabilitation and Treatment Center - Hastings (female youth)
- Youth Rehabilitation and Treatment Center - Kearney (male youth)
- Youth Rehabilitation and Treatment Center - Lincoln (male and female youth)
- Psychiatric Rehabilitation Treatment Facility (Whitehall) - Lincoln (male youth)

Adult Facilities

Public Psychiatric Hospitals:

- Lincoln Regional Center
- Norfolk Regional Center

Residential Treatment Facility:

- Beatrice State Developmental Center

Review of Nebraska Department of Health and Human Services’ State Institutions

The Ombudsman’s Office is required to conduct an annual physical review of the Department of Health and Human Services’ institutions listed above. On December 15, 2024 the Ombudsman’s Office released a report, [“Annual Report Neb. Rev. Stat. § 83-104 Review of Nebraska Institutions”](#) that covers December 1, 2023 to November 30, 2024. Because access to facilities was restored in 2024, this report was able to meet the Ombudsman’s Office’s statutory obligation to report on the state of DHHS institutions.

Department of Veterans Affairs

The Ombudsman’s Office received 4 cases regarding the Department of Veterans Affairs in 2024. Along with the many services they offer, the department runs the state veterans’ homes:

- Central Nebraska Veterans’ Home-Kearney, NE
- Eastern Nebraska Veterans’ Home-Bellevue, NE
- Norfolk Veterans’ Home-Norfolk, NE
- Western Nebraska Veterans’ Home-Scottsbluff

No Jurisdiction Cases

The Ombudsman’s Office receives intakes that the office does not have jurisdiction to resolve or investigate. These are issues or concerns that Nebraska law does not give the office the ability to look into. The table below details the case where the Ombudsman’s Office had no jurisdiction in 2024.

Non-Jurisdictional	Cases
Federal	17
Governor’s Office	6
Court	45
Nebraska Legislature	17
County Administration	12
Municipal Administration	14
Private	71
Total	182

Conclusion

In conclusion, this 2024 report of the Nebraska Ombudsman’s Office reflects the office’s work and commitment to governmental accountability and citizen advocacy. The staff of the Ombudsman’s Office showed true determination, patience, hard work, and perseverance when access to information, people, and facilities regarding NDCS and DHHS was shut down from the fall of 2023 through the beginning months of 2024. Through the handling of thousands of cases dealing with critical issues within areas like corrections and health and human services, the Ombudsman’s Office plays a vital role in ensuring fair, just, and competent administration within Nebraska.