



Office of the Public Counsel

Nebraska Ombudsman's Office

2022

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.

Summary of Ombudsman Cases in 2022

The Ombudsman’s Office received a total of 2,784 cases in 2022. The complaints and information were provided by a variety of individuals throughout Nebraska via phone, email, online, in person, and mail. Each case is reviewed to determine the appropriate course of action.

The table below details the types of cases received in 2022.

Types of Cases	
Complaints	2,733
Information	40
Self-Initiated	10
Whistleblower	1
Total	2,784

The Ombudsman’s Office received a wide variety of cases concerning different areas of government. The table below details the intakes by agency or subject matter received in 2022.

Agency	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Department of Administrative Services	2	1	1	0	0	0	0	0	1	0	1	1	7
Department of Health and Human Services-State Unit on Aging	0	0	1	0	0	1	0	0	1	0	0	0	3
Department of Agriculture	0	0	1	0	0	0	0	1	0	2	0	0	4
Attorney General’s Office	1	0	0	0	0	1	0	0	0	1	0	0	3
Department of Banking and Finance	0	0	1	0	0	0	0	0	0	0	0	0	1
Commission for the Blind and Visually Impaired	0	0	0	0	0	0	0	1	0	0	0	0	1
Department of Correctional Services	118	99	122	114	100	126	126	108	110	79	105	144	1351
County Administration	3	2	5	3	0	2	1	2	2	1	2	2	25
County Jail	37	27	24	27	23	25	25	49	48	38	45	29	397
Courts	7	9	8	5	12	5	11	8	11	6	14	14	110
Crime Commission	0	0	0	0	0	1	0	0	0	0	0	0	1
Department of Economic Development	0	0	0	0	0	0	0	1	0	0	0	0	1
Department of Education	1	0	2	1	0	1	0	0	0	0	0	0	5
Department of Environment and Energy	0	0	0	0	0	1	1	1	0	0	0	0	3
Environmental Quality Council	0	0	0	0	0	1	1	2	0	0	0	0	4
Equal Opportunity Commission	0	0	1	0	1	1	0	0	0	0	0	0	3
Federal	1	2	2	0	2	3	1	1	3	2	3	3	23

Foster Care Review Board	0	0	0	0	0	0	0	0	0	0	0	1	1
Game and Parks Commission	0	0	0	1	0	0	0	0	0	0	0	0	1
Governmental Subdivision	0	2	0	0	0	1	0	2	0	0	0	0	5
Governor's Office	2	1	0	0	1	0	0	0	0	0	0	0	4
Deaf and Hard of Hearing Commission	0	0	0	1	1	0	0	0	0	0	0	0	2
Department of Health and Human Services- Behavioral Health	2	1	1	0	0	0	1	1	1	0	0	1	8
Department of Health and Human Services-Economic Assistance	9	8	5	9	8	5	3	8	10	6	2	3	76
Department of Health and Human Services- Beatrice State Development Center	0	0	1	0	0	0	0	0	0	0	0	0	1
Department of Health and Human Services- Children and Family Services	18	16	23	25	23	19	20	23	31	25	23	26	272
Department of Health and Human Services- Developmental Disabilities	3	0	2	2	0	0	0	1	0	1	4	0	13
Department of Health and Human Services-YRTC- Kearney	0	1	1	0	0	1	0	1	0	0	0	0	4
Department of Health and Human Services	4	3	3	1	3	7	8	9	7	5	4	2	56
Department of Health and Human Services-Regional Centers	7	7	7	3	16	9	5	11	10	6	7	5	93

Department of Health and Human Services-Administration	2	2	1	1	0	1	0	0	2	1	2	1	13
Department of Veterans Affairs-Veterans' Homes	0	0	0	1	0	0	0	0	1	1	1	0	4
Department of Health and Human Services-Office of Juvenile Services	1	1	1	0	0	2	0	0	2	0	2	0	9
Nebraska State Historical Society	0	0	0	0	0	0	0	0	1	0	0	0	1
Nebraska Legislature-Inspector General for Corrections	0	0	0	1	0	0	0	0	1	1	0	0	3
Department of Insurance	0	0	0	0	1	1	0	0	1	0	0	0	3
Department of Labor	11	5	4	6	3	4	4	5	0	5	2	0	49
Nebraska Legislature	2	2	1	2	0	1	0	0	1	1	2	1	13
Library Commission	0	0	0	0	0	1	0	0	0	0	0	0	1
Department of Motor Vehicles	0	1	1	0	1	1	0	0	2	1	2	0	9
Municipal Administration	1	1	1	1	0	2	2	1	2	1	2	4	18
Oil & Gas Conservation Commission	0	0	0	0	0	0	1	0	0	0	0	0	1
Pardons Board	0	0	0	1	0	0	0	0	0	0	0	0	1
Parole Administration	0	2	1	0	2	1	0	0	2	0	0	0	8
Parole Board	1	4	1	1	0	1	0	0	0	3	3	0	14
State Patrol	3	0	0	1	1	1	0	1	2	0	1	0	10
Department of Administrative Services-Human Resources	0	0	0	0	0	0	0	0	0	0	1	0	1
Private Matter	4	6	2	1	3	4	3	2	6	3	4	7	45

Courts-Probation Administration	2	1	0	1	0	2	1	0	0	0	1	1	9
Real Estate Commission	0	0	0	0	0	0	0	0	0	0	1	0	1
Public Employee Retirement Board	1	0	0	0	0	0	0	0	1	0	0	1	3
Department of Revenue	1	2	1	0	0	1	1	0	0	1	1	1	9
Secretary of State Office	0	0	0	0	0	0	0	0	0	0	1	0	1
State College System	0	0	0	0	0	0	0	1	0	0	0	0	1
Department of Transportation	1	0	0	0	0	1	0	1	0	0	2	1	6
Treasurer's Office	1	0	0	0	0	0	0	1	0	0	0	0	2
University of Nebraska System	2	0	0	0	0	1	0	0	0	2	1	0	6
Department of Veterans Affairs	0	0	0	0	0	0	0	0	1	0	0	0	1
Total Contacts	252	214	231	221	207	240	217	244	267	194	244	253	2784

Jurisdictional Cases

During the intake and review process, ombudsman determine whether the complaint or inquiry is under the office's jurisdiction to resolve or investigate. The Ombudsman's Office has jurisdiction to review and investigate cases 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 cases about county jails and youth detention facilities.

The table below details the cases by jurisdictional authority received in 2022.

Jurisdictional Authority	Cases
State Agencies/Boards/Commissions	2,132
County Jails	397
Total	2,529

Highest Number of Cases in 2022

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 1,748 cases. The second highest number of cases related to the Department of Health and Human Services with 545 intakes.

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

The following are the 10 correctional facilities within the Department of Correctional Services. The Ombudsman's Office worked on cases from every one of the facilities during 2022.

- Community Corrections Center – Lincoln
- Community Corrections Center – Omaha
- Diagnostic & Evaluation Center
- Lincoln Correctional Center
- Nebraska Correctional Center for Women
- Nebraska Correctional Youth Facility
- Nebraska State Penitentiary
- Omaha Correctional Center
- Tecumseh State Correctional Institution
- Work Ethic Camp

New Facility - Reception and Treatment Center

In May 2022 the Department of Correctional Services opened the Reception and Treatment Center. The Diagnostic and Evaluation Center and the Lincoln Correctional Center was combined to form one facility with newly built units. Mental health beds and skilled nursing beds were added. A brand-new maximum-security unit with 384 beds was also opened as an addition to the facility.

Department of Health and Human Services

The Ombudsman's Office received 545 cases regarding the Department of Health and Human Services in 2022. 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 was responsible for running four youth facilities and three adult facilities in 2022:

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, 2022 the Ombudsman's Office released a report, "[Annual Report Neb. Rev. Stat. § 83-104 Review of Nebraska State Institutions](#)" that covers December 1, 2021 to November 30, 2022.

Department of Veterans Affairs

The Ombudsman's Office received 5 cases regarding the Nebraska Department of Veterans Affairs. 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 cases where the Ombudsman's Office had no jurisdiction in 2022.

No Jurisdiction	Cases
Federal	23
Governor's Office	4
Court	119
Nebraska Legislature	16
County Administration	30
Municipal Administration	18
Private	45
Total	255

Conclusion

In conclusion, this 2022 report of the Nebraska Ombudsman's Office reflects the office's work and commitment to governmental accountability and citizen advocacy. Through the handling of thousands of cases dealing with critical issues within areas like corrections, juvenile justice, and health and human services, the Ombudsman's Office plays a vital role in ensuring fair and just administration within Nebraska.