

2019

Adult Justice in Nebraska 2019

Nebraska Center for Justice Research - University of Nebraska at Omaha

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NEBRASKA CENTER FOR JUSTICE RESEARCH



ADULT JUSTICE IN NEBRASKA

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The Nebraska Center for Justice Research was established in 2014 with a mission to develop and sustain research capacity internal to the State of Nebraska, assist the Legislature in research, evaluation, and policymaking to reduce recidivism, promote the use of evidence-based practices in corrections, and improve public safety. The primary purpose of this report is to provide an overview of recent trends in Nebraska's adult criminal justice system.

Most of the data in this report is presented statewide as well as separated into Nebraska's twelve judicial districts. Nebraska's two most metropolitan counties are represented by District 4 (Douglas County) and District 3 (Lancaster County). The classification of the remainder of the state's 93 counties can be found in the table on page 4. Please contact NCJR for any questions regarding county-level estimates of the data included in this report.

The data in this report represent years ranging from 2014 to 2018. The most recent data available to NCJR at the time of report writing is included in each section and trends across years are included when the data is available and informative.

The report is organized according to the stages of the process of the criminal justice system with major highlights in the front portion and an appendix with detailed tables for additional information:

- Environmental context provides an overview of the population and demographic trends in Nebraska
- System context provides an overview of law enforcement employment
- Offenses provide an overview of crimes reported or known to the police
- County and District Courts include data on the court needs for judges compared to the current number of judges by judicial district
- Problem-Solving Courts provides a map of current problem-solving courts, as well as trends describing court participation
- Corrections provide data on admissions and correctional populations, as well as population trends and projections provided by the Nebraska Department of Correctional Services (NDCS)
- Adults on community supervision includes trends in admissions, discharges, and revocations for those on probation or parole
- How Nebraska Ranks shows state-level trends of various criminal justice system processes and how these compare to the entire United States

Our hope is that this report serves as a reference guide for providing a clearer understanding of recent trends in crime and criminal justice activities in the state of Nebraska. This report was made possible by the financial support provided to the Nebraska Center for Justice Research by LB 907. Questions, suggestions, and comments should be directed to Dr. Ryan Spohn, Director, at rspohn@unomaha.edu. Thank you for your hard work in sustaining and improving criminal justice in Nebraska.

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ENVIRONMENTAL CONTEXT

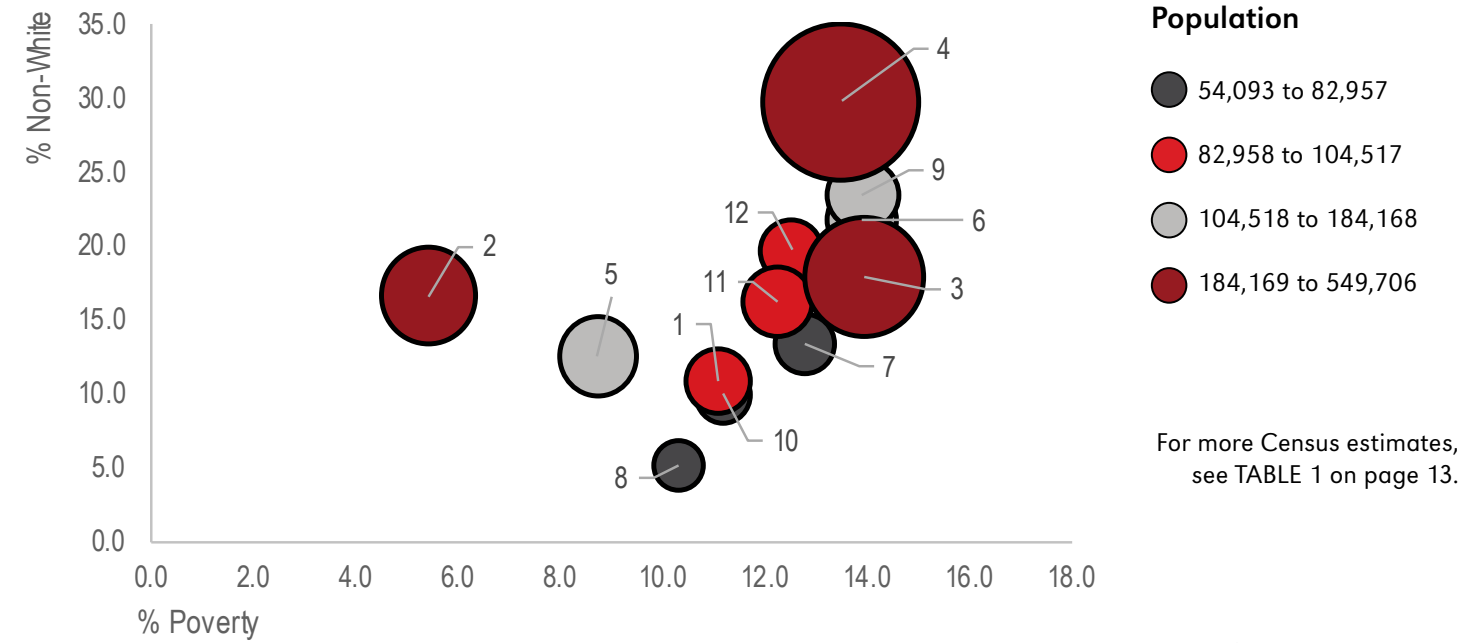


SYSTEM CONTEXT



2017 Census Estimates by Judicial District

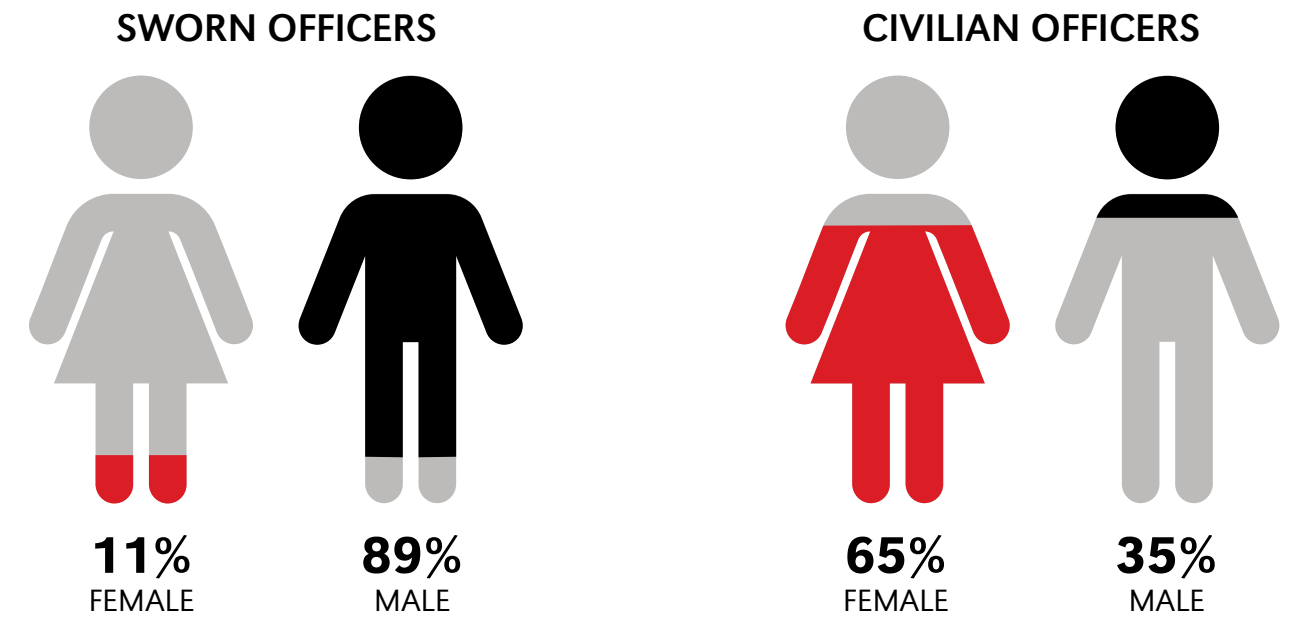
Besides District 2, Judicial Districts that are more urban than rural have higher percentages of non white residents and residents in poverty



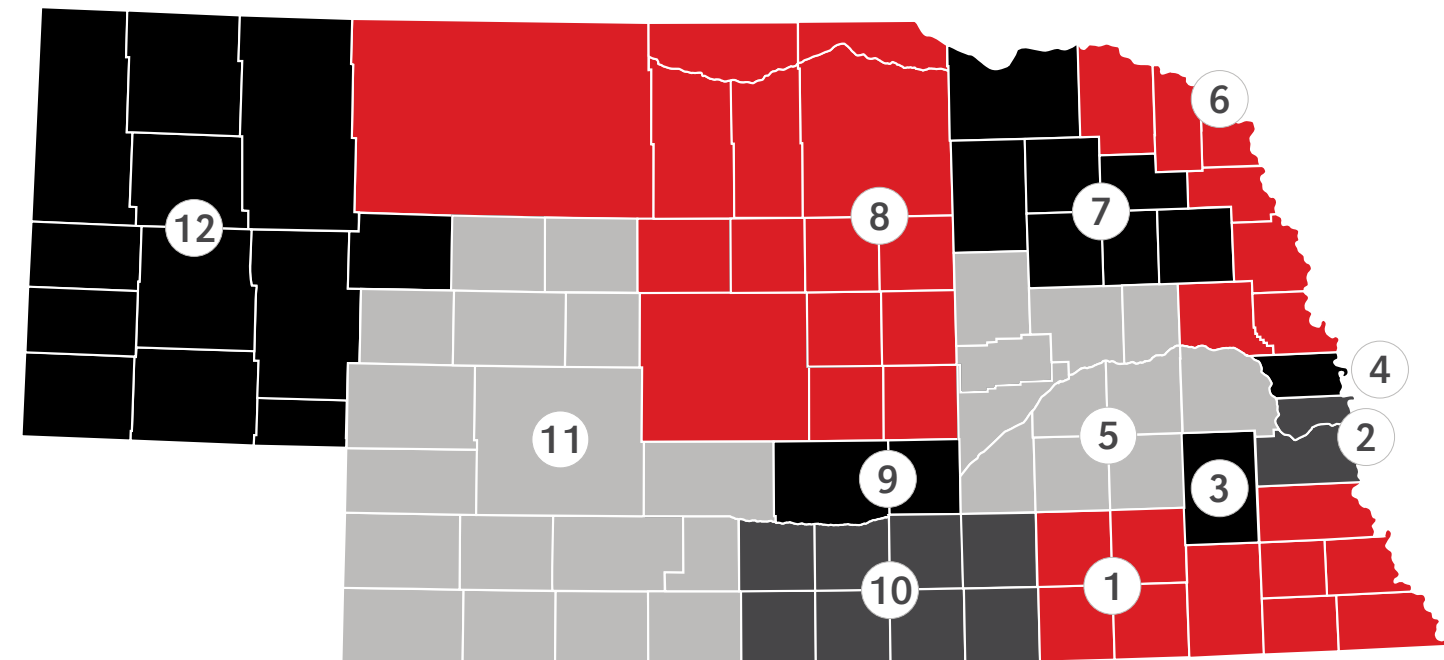
Source: American Community Survey 5-Year Estimates for 2017, U.S. Census Bureau

2018 Percent Full-Time Officers by Sex for Nebraska

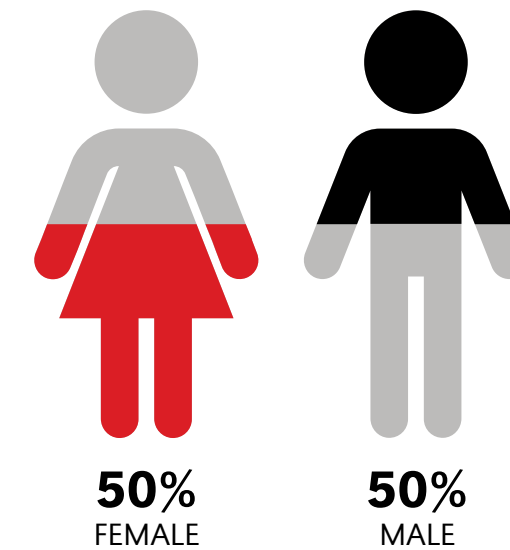
Females are more likely to be employed as civilians



Nebraska Judicial Districts



NEBRASKA POPULATION



Source: 2018 Law Enforcement in Nebraska, Nebraska Crime Commission

For more law enforcement employment statistics, see TABLE 2 on page 14.

OFFENSES

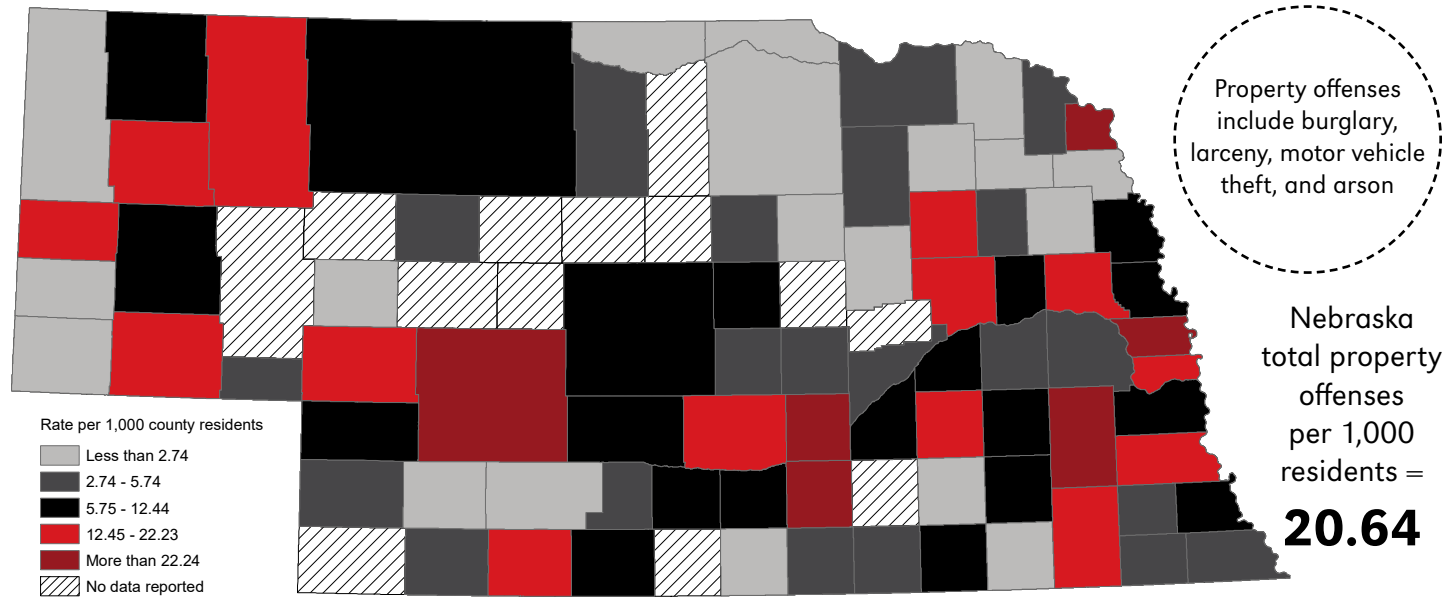


COUNTY & DISTRICT COURTS



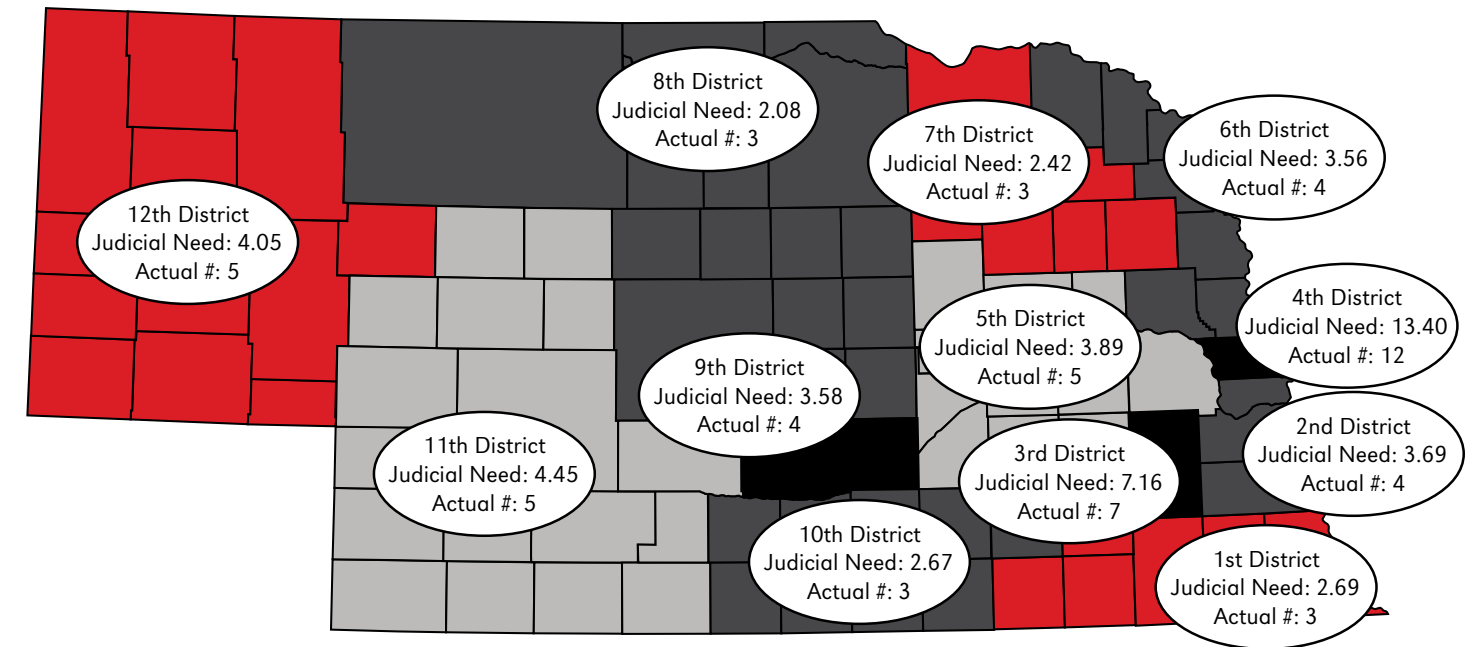
2018 Property Offense Rate by County

Property offenses occur at higher rates along the I-80 corridor and in counties with higher populations



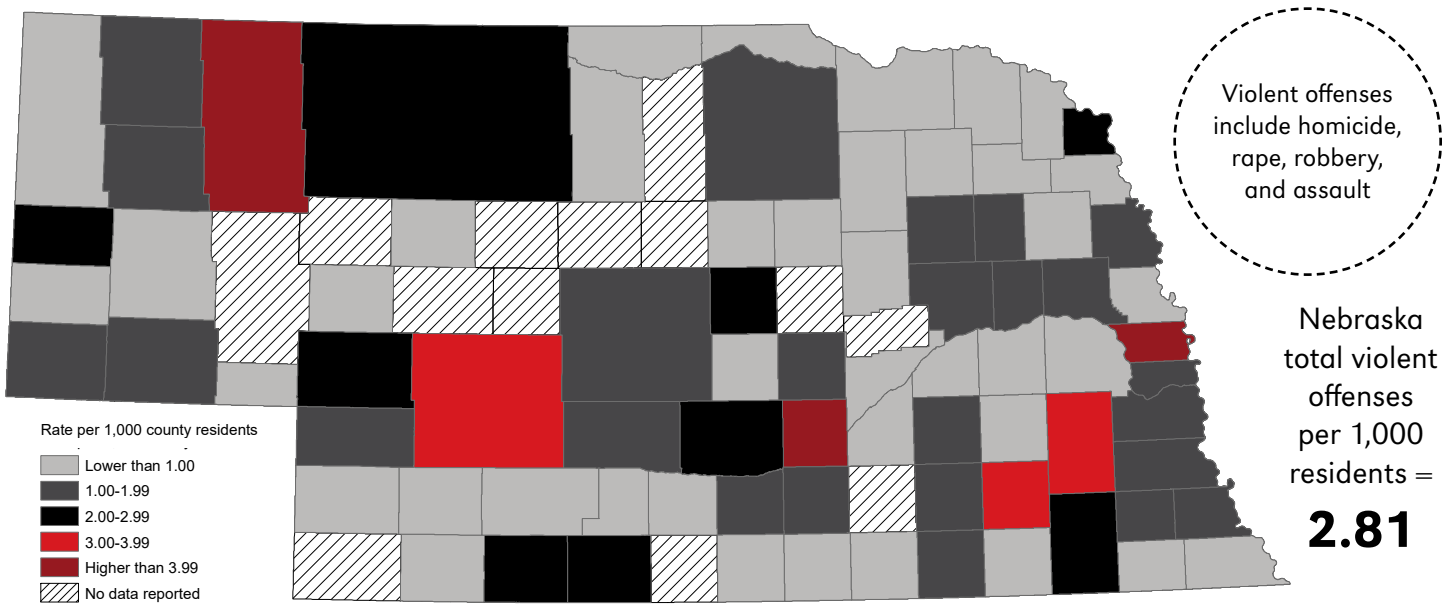
Nebraska County Courts Judicial Needs

Fiscal Year 2019 (July 1, 2018 - June 30, 2019)



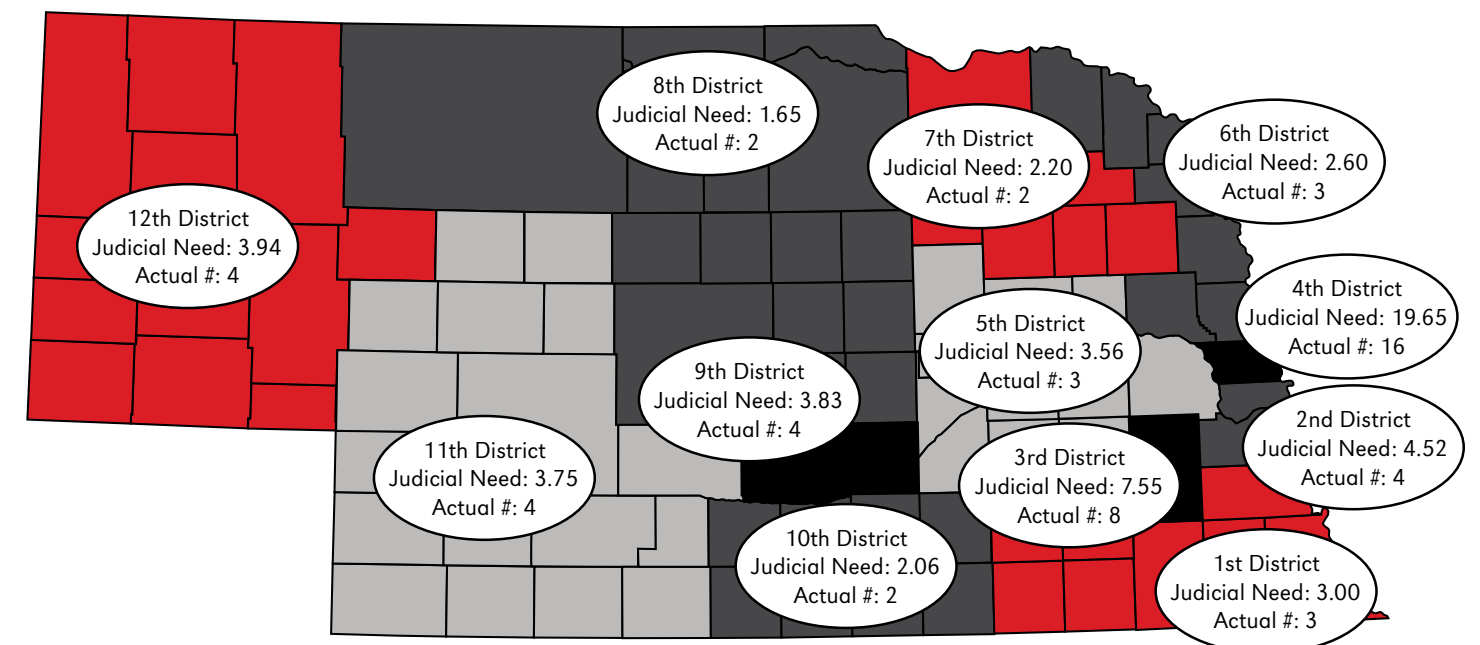
2018 Violent Offense Rate by County

Violent crimes are rare events, but are more likely to occur in counties with higher populations



Nebraska District Courts Judicial Needs

Fiscal Year 2019 (July 1, 2018 - June 30, 2019)



Source: Offense Data Query, Nebraska Crime Commission

Source: Weighted Caseload Reports for County and District Courts, Nebraska Judicial Branch

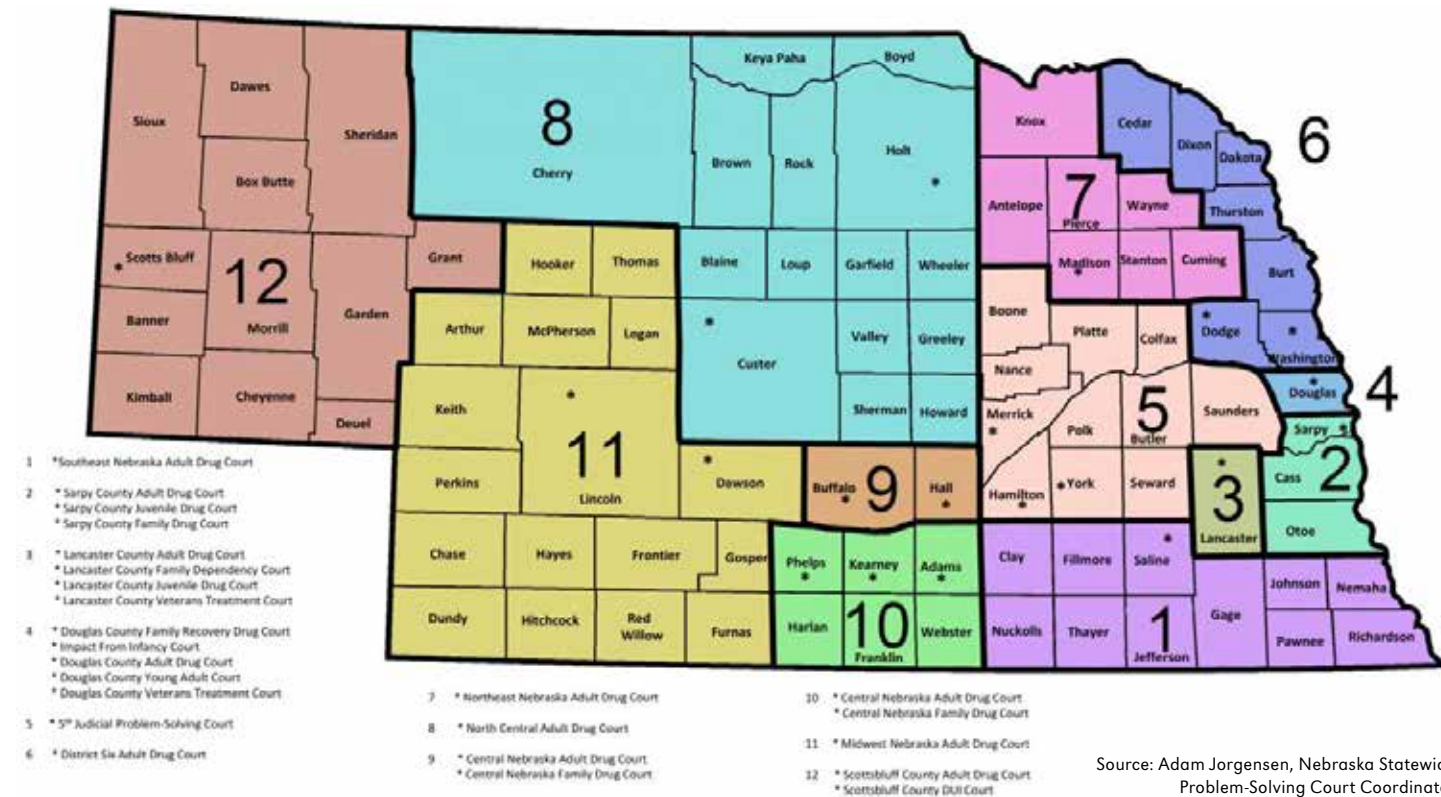
For more offense data, see TABLE 3 on page 14.

PROBLEM-SOLVING COURTS

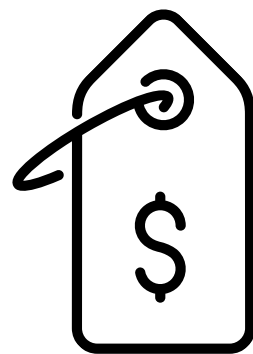


Nebraska Problem-Solving Court Locations

Over a three year period, 598 defendants participated in Nebraska's Problem-Solving Courts. At discharge, these problem-solving court participants reduced their risk to reoffend on average by 51%.



For more information on risk reduction for problem-solving court participants, see TABLE 4 on page 15.



During FY 2017-2018 it cost approximately

\$7.85 per day

to supervise those participating in Nebraska Problem-Solving Courts.

(In 2016, it cost approximately \$98.49 per day to incarcerate someone in the state of Nebraska¹).

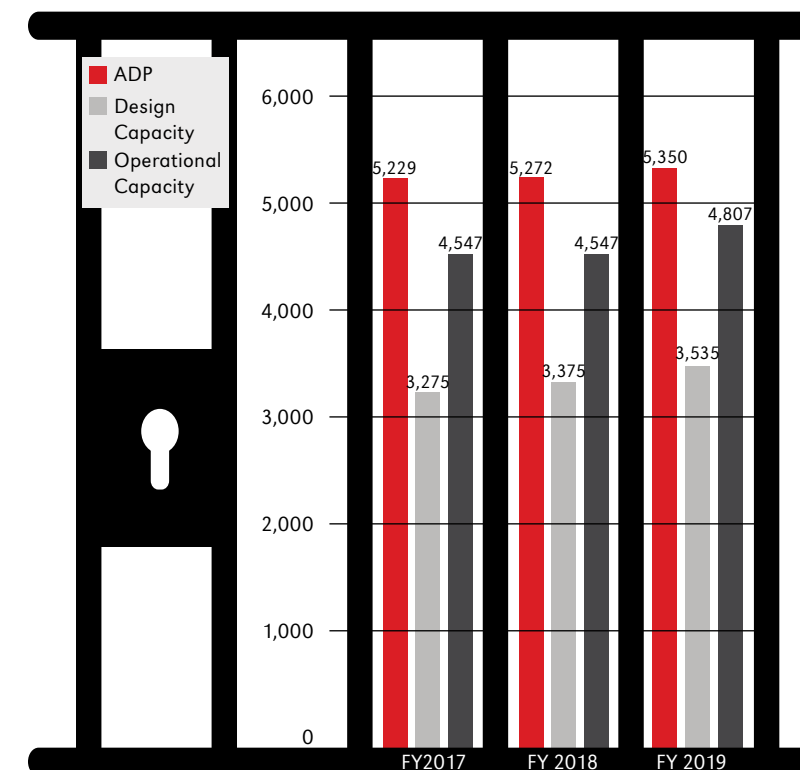
Source: ¹State Statistics, National Institute of Corrections

CORRECTIONS



Nebraska Department of Correctional Services Average Daily Population and Capacity

The average daily population (ADP) for Nebraska prisons continues to rise beyond both design and operational capacity

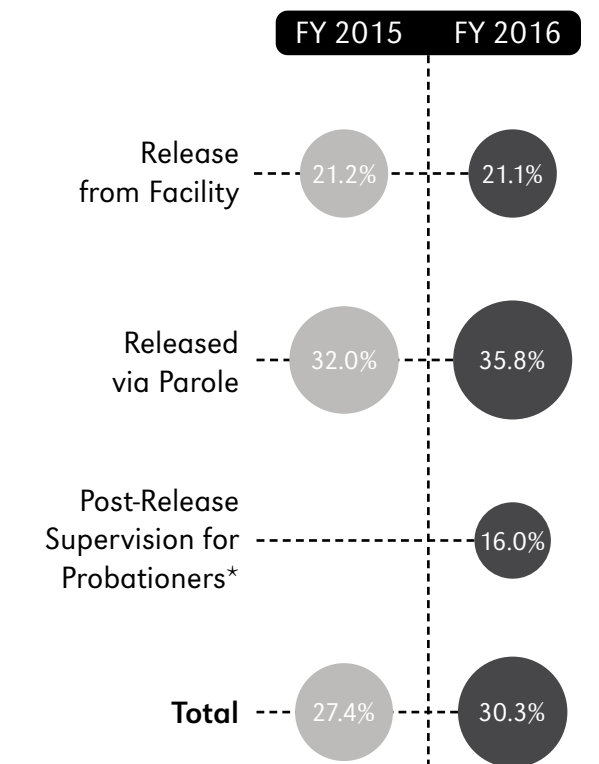


Design capacity refers to the number of inmates that the prison architects intended for the facility. Operational Capacity refers to the number of inmates that can be accommodated based on a facility's staff, existing programs, and services.

For information by facility, see TABLE 5 on page 15.

Nebraska Recidivism Rates

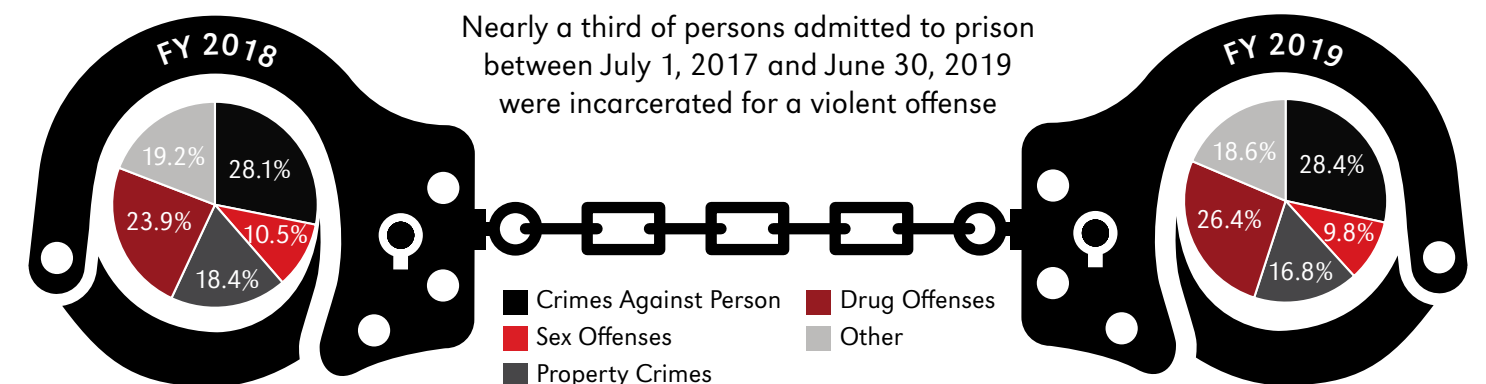
Those on parole account for the greatest number of recidivists in Nebraska



Note: *Post-Release Supervision was instituted after August 30, 2015

Offense Leading to Incarceration

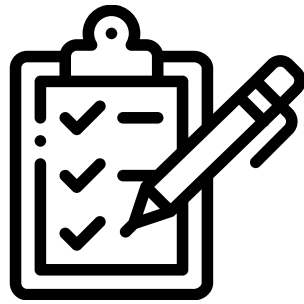
Nearly a third of persons admitted to prison between July 1, 2017 and June 30, 2019 were incarcerated for a violent offense



Source: Abby L. Carbaugh, Ph.D., Nebraska Department of Correctional Services

COMMUNITY SUPERVISION

Probation



Completed
10,132 presentence investigations (PSIs), and
763 post-release supervision (PRS) plans.

Both numbers represent an increase over the previous fiscal year (10,098 PSIs, 443 PRS plans).



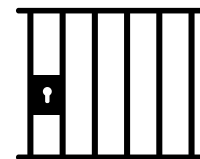
Administrative sanctions rose to
16,432 in FY17-18, while
1,759 custodial sanctions were deployed during the fiscal year.



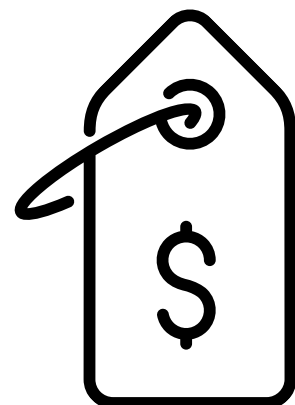
Provided **case management** for
8,731 new, high-risk individuals in their communities.



Supervised
1,040 individuals under post-release supervision.



The number of individuals being revoked off of probation to a state prison for a new law violation **dropped 5%**, (57% to 42%), while those revoked to prison for technical violations **dropped 16% points** from 45% to 29%.



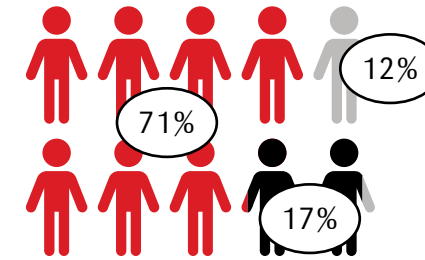
Approximate cost per day during FY 2017-2018:

\$6.67 --- to supervise a high-risk probationer

\$9.68 --- to supervise those individuals in alternatives to incarceration programs such as Specialized Substance Abuse Supervision (SSAS), Reframe, Post-release Supervision (PRS) and Transitional Intervention (TIP)

Parole Admissions

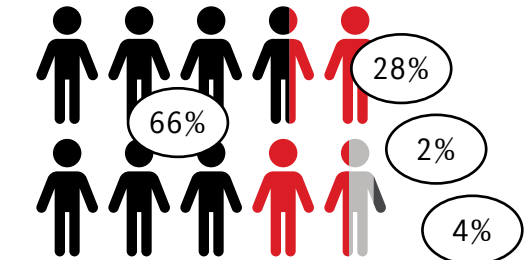
Admissions to Nebraska Parole have decreased between FY 2017 and FY 2019



- First Parole from Prison
- Re-Parole from Prison
- Interstate Parolee/Lifetime Sex Offender Admission

Parole Discharge

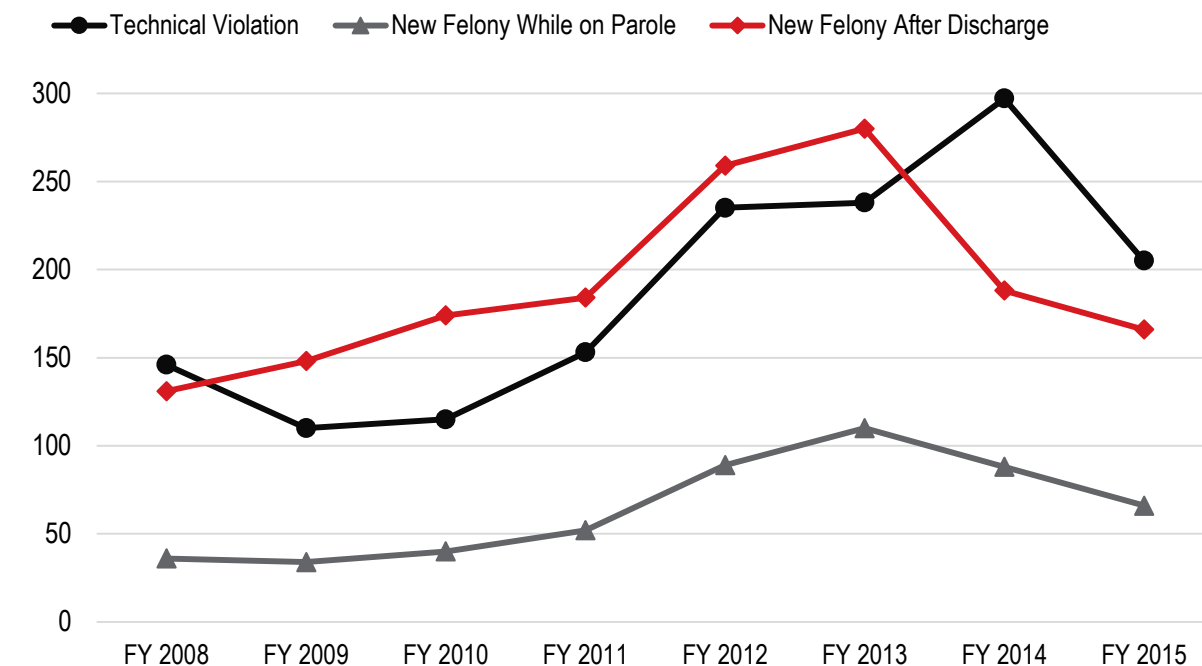
1,237 persons were discharged from Nebraska Division of Parole Supervision in FY 2019



- Successful Discharge from Parole
- Parole Revoked
- Interstate Abscond or Picked up by Sending State
- Other (Includes Rescinded)

Parole Recidivism

The most recent data indicates declines in parolees returning to prison, and of those who return, 80% are returned due to technical violation or a new felony conviction after discharge from parole



Source: Jennifer Miller, Ph.D., Division of Parole Supervision
Notes: Parole clients may be considered recidivists if they are returned to prison up to three years after paroling



NEBRASKA

↓ 12.0% of Nebraskans live in poverty¹

↓ Nebraska maintains the lowest number of police officers assaulted in the United States
30 per 1,000 officers²

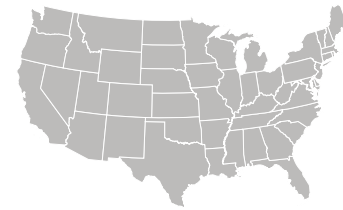
↓ Nebraska has a violent offense rate of 284.8 per 100,000 persons³

↓ Nebraska has a property offense rate of 2,079.9 per 100,000 persons³

↓ As of 2017, for every 100,000 adult residents in Nebraska, 362 were imprisoned⁴

↑ Nebraska trails the nation in prison crowding, operating at 127% of operational capacity (ranked 47th out of 47 reporting) and 154% of design capacity (ranked 29th out of 30 reporting)⁴

↓ In 2016, 1,013 persons per 100,000 adult residents were under either probation or parole in the state of Nebraska⁵



UNITED STATES

14.6% of Americans live in poverty¹

Across the United States, the rate of officers assaulted is 108 per 1,000 officers²

The U.S. has a violent offense rate of 368.9 per 100,000 persons³

The U.S. has a property offense rate of 2,199.5 per 100,000 persons³

As of 2017, for every 100,000 adult residents in the United States, 568 were imprisoned⁴

On average, prisons in the United States are operating at 95% of operational capacity and 105% of design capacity⁴

In 2016, 1,815 persons per 100,000 adult residents were under either probation or parole in the United States⁵

TABLE 1
2017 Census Estimates

Judicial District	Counties	Pop. Est.	% Non-White	% HS Grad or Higher	% in Poverty	% Civilian Labor Force Unemployed	Median Household Income
1	Clay, Fillmore, Gage, Jefferson, Johnson, Nemaha, Nuckolls, Pawnee, Richardson, Saline, Thayer	92,834	10.8	90.0	11.1	3.1	\$51,267
2	Cass, Otoe, Sarpy	200,701	16.6	95.2	5.4	3.3	\$74,750
3	Lancaster	306,357	17.9	93.3	14.0	3.9	\$55,747
4	Douglas	549,706	29.8	89.7	13.5	4.4	\$58,640
5	Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platt, Polk, Saunders, Seward, York	134,574	12.5	90.5	8.7	3.0	\$59,176
6	Burt, Cedar, Dakota, Dixon, Dodge, Thurston, Washington	105,446	21.7	88.0	13.9	4.7	\$55,036
7	Antelope, Cuming, Knox, Madison, Pierce, Stanton, Wayne	81,607	13.4	90.3	12.8	2.9	\$51,452
8	Blaine, Boyd, Brown, Cherry, Custer, Garfield, Greeley, Holt, Howard, Keya Paha, Loup, Rock, Sherman, Valley, Wheeler	54,093	5.2	92.8	10.3	2.0	\$50,277
9	Buffalo, Hall	110,067	23.4	88.2	13.9	4.3	\$54,372
10	Adams, Franklin, Harlan, Kearney, Phelps, Webster	67,941	9.9	91.3	11.2	3.1	\$51,248
11	Arthur, Chase, Dawson, Dundy, Frontier, Furnas, Gosper, Hayes, Hitchcock, Hooker, Keith, Lincoln, Logan, McPherson, Perkins, Red Willow, Thomas	103,590	16.2	88.9	12.3	3.3	\$51,022
12	Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Grant, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux	87,005	19.7	90.2	12.5	3.9	\$49,467
State of Nebraska		1,893,921	20.2	90.9	12.0	3.8	\$56,675
United States		321,004,407	38.5	87.3	14.6	6.6	\$57,652

Source: American Community Survey 5-Year Estimates for 2017, U.S. Census Bureau

Sources: ¹American Community Survey 5-year Estimates for 2017, U.S. Census Bureau; ²2017 and 2018 Law Enforcement Officers Killed and Assaulted, Federal Bureau of Investigation; ³2018 Crimes in the United States, Uniform Crime Report; ⁴Prisoners in 2017, Bureau of Justice Statistics; ⁵Probation and Parole in the United States 2016, Bureau of Justice Statistics

TABLE 2
2018 Law Enforcement Employment Statistics

Judicial District ^a	Full-Time Sworn Officers	Full-Time Civilian Officers	Part-Time Sworn Officers	Part-Time Civilian Officers	Number of Reserve Officers	Full-Time Sworn Officers per 1,000 Population
1	175	90	32	11	8	1.9
2	349	150	3	45	1	1.7
3	429	154	0	12	0	1.4
4	1,046	220	70	43	2	1.9
5	210	149	58	11	5	1.5
6	189	51	21	16	10	1.8
7	132	80	38	12	5	1.6
8	82	28	39	16	12	1.5
9	202	60	6	8	0	1.8
10	110	84	8	19	4	1.7
11	216	153	14	17	6	2.1
12	196	94	20	22	11	2.1
State Agencies ^b	585	325	28	15	0	N/A
Total	3,921	1,638	337	247	64	2.0

Source: 2018 Law Enforcement Employment in Nebraska, Nebraska Crime Commission

Notes: ^aDue to non-reporting by some agencies for 2018, missing data were replaced with values from previous years (2015-2017) for the following districts: 1, 6, 7, 8, 11, and 12. ^bState agencies include Lincoln Airport Police, Metro Community College PD, Nebraska Game and Parks, Nebraska State Fire Marshall, Nebraska State Patrol, University of Nebraska - Kearney PD, University of Nebraska - Lincoln PD, and University of Nebraska - Omaha PD.

TABLE 3
Offense Data for 2018

Judicial District	2018					
	Violent Offenses	Violent Rate	Property Offenses	Property Rate	Total Offenses	Total Rate
1	166	1.8	921	10.0	1,087	11.8
2	257	1.2	2,634	12.5	2,891	13.7
3	1,091	3.4	8,713	27.5	9,804	30.9
4	2,732	4.8	17,284	30.5	20,016	35.3
5	95	0.7	1,181	8.9	1,276	9.7
6	142	1.3	1,445	13.7	1,587	15.0
7	63	0.8	648	7.9	711	8.7
8	60	1.2	227	4.6	287	5.9
9	369	3.3	2,609	23.5	2,978	26.8
10	79	1.4	1,107	19.2	1,186	20.5
11	200	2.0	1,790	18.1	1,990	20.2
12	166	2.0	1,220	14.9	1,386	16.9
Total	5,420	2.8	39,779	20.9	45,199	23.7

Source: Offense Data Query, Nebraska Crime Commission

Notes: Rate per 1,000 population. Offense data are based on crimes reported to or known to law enforcement. Violent offenses include homicide, rape, robbery, and aggravated assault. Property offenses include burglary larceny, motor vehicle theft, and arson.

TABLE 4
Adult Problem-Solving Court Risk Reduction

	Average LS/CMI Score at Entrance	Average LS/CMI Score at Discharge	Difference in Score	% Change	N
FY 15-16	22.3	10.4	-11.9	-53.2%	183
FY 16-17	23.1	10.6	-12.5	-54.1%	196
FY 17-18	22.0	11.6	-10.4	-47.3%	219

Source: Adult Probation Annual Report FY 2017, Administrative Office of Probation

Note: The Level of Service/Case Management Inventory (LS/CMI) identifies the risk/need areas and specific criminogenic factors most likely to influence the individual's probability of continuing criminal behavior. These areas are Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug Problems, Pro-Criminal Attitude/Orientation, and an Anti-Social Pattern.

TABLE 5
Nebraska Department of Correctional Services Average Daily Population and Capacity by Facility

Facility	FY 2017					FY 2018					FY 2019				
	ADP	Design Capacity	% Design	Operational Capacity	% Operational	ADP	Design Capacity	% Design	Operational Capacity	% Operational	ADP	Design Capacity	% Design	Operational Capacity	% Operational
Community Correctional Center (Lincoln) ^a	380	200	190%	300	127%	432	300	144%	300	144%	474	460	103%	560 ^b	85%
Community Correctional Center (Omaha)	167	90	186%	135	124%	167	90	186%	135	124%	166	90	184%	135	123%
Diagnostic & Evaluation Unit	477	160	298%	275	173%	476	160	298%	275	173%	521	160	326%	275	189%
Lincoln Correctional Center	507	308	165%	468	108%	506	308	164%	468	108%	496	308	161%	468	106%
Nebraska Center for Women	337	275	123%	318	106%	331	275	120%	318	104%	322	275	117%	318	101%
Nebraska Correctional Youth Facility	53	68	78%	70	75%	52	68	76%	70	74%	66	68	97%	70	94%
Nebraska State Penitentiary	1,330	718	185%	1,139	117%	1,339	718	186%	1,139	118%	1,350	718	188%	1,139	119%
Omaha Correctional Center	771	396	195%	666	116%	775	396	196%	666	116%	783	396	198%	666	118%
Tecumseh State Correctional Institution	1,029	960	107%	976	105%	1,015	960	106%	976	104%	1,005	960	105%	976	103%
Work Ethic Camp	178	100	178%	200	89%	180	100	180%	200	90%	168	100	168%	200	84%
Total	5,229	3,275	160%	4,547	115%	5,272	3,375	156%	4,547	116%	5,350	3,535	151%	4,807	111%

Source: Abby L. Carbaugh, PhD., Nebraska Department of Correctional Services

Notes: ADP = Average Daily Population. Design capacity refers to the number of inmates that the prison architects intended for the facility. Operational capacity refers to the number of inmates that can be accommodated based on a facility's staff, existing programs, and services. ^aDesign capacity at Community Correctional Center in Lincoln increased by 100 beds in September 2017 as a result of a new housing unit opening. Design capacity at CCL increased by 160 beds in April 2019, and operational capacity increased by 260 beds, as a result of a new housing unit opening.

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