Adult Justice in Nebraska 2019

Nebraska Center for Justice Research - University of Nebraska at Omaha

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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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**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.

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

**NEBRASKA POPULATION**

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

2018 Property Offense Rate by County
Property offenses occur at higher rates along the I-80 corridor and in counties with higher populations

Nebraska total property offenses per 1,000 residents = **20.64**

Source: Offense Data Query, Nebraska Crime Commission

2018 Violent Offense Rate by County
Violent crimes are rare events, but are more likely to occur in counties with higher populations

Nebraska total violent offenses per 1,000 residents = **2.81**

Source: Offense Data Query, Nebraska Crime Commission

COUNTY & DISTRICT COURTS

Nebraska County Courts Judicial Needs
Fiscal Year 2019 (July 1, 2018 - June 30, 2019)

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

Nebraska District Courts Judicial Needs
Fiscal Year 2019 (July 1, 2018 - June 30, 2019)

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

For more offense data, see TABLE 3 on page 14.
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: State Statistics, National Institute of Corrections

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%.

Source: Adam Jorgensen, Nebraska Statewide Problem-Solving Court Coordinator

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

During FY 2017-2018 it cost approximately
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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: State Statistics, National Institute of 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.

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

Source: ¹State Statistics, National Institute of Corrections

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

Note: ³Includes Federal and State Incarcerations
⁴Includes Incarcerations for Violent Offense
⁵Includes Incarcerations for Property Offense
⁶Includes Incarcerations for Drug Offense
⁷Includes Incarcerations for Other Offense

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.

Release from Facility
Released via Parole
Post-Release Supervision for Probationers*
Total

Design Capacity
Operational Capacity

Page dimensions: 1224.0x792.0
[Image 441x674 to 612x757]
[Image 1054x674 to 1225x757]
[Image 36x289 to 576x588]
COMMUNITY SUPERVISION

Provision
- 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: 71%
- Re-Parole from Prison: 12%
- Interstate Parolee/Lifetime Sex Offender Admission: 17%

Parole Discharge
1,237 persons were discharged from Nebraska Division of Parole Supervision in FY 2019
- Successful Discharge from Parole: 66%
- Parole Revoked: 28%
- Interstate Abscond or Picked up by Sending State: 2%
- Interstate Parolee/Lifetime Sex Offender Admission: 4%

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.

Parole Admissions Parole Discharge
Parole Recidivism

Parole Admissions
Parole Discharge
Parole Recidivism

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.

Parole Admissions Parole Discharge
Parole Recidivism

Parole Admissions
Parole Discharge
Parole Recidivism

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


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


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

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)

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

On average, prisons in the United States are

operating at 95% of operational capacity

and 105% of design capacity

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


HOW NEBRASKA RANKS

NEBRASKA

12.0% of Nebraskans live in poverty

Nebraska maintains the lowest number of police officers assaulted in the United States

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

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

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

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

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

As of 2017, for every 100,000 adult residents in Nebraska, 284.8 per 100,000 adult residents were under either probation or parole in the United States

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

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

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

As of 2017, for every 100,000 adult residents in the United States, 108 per 1,000 officers were assaulted

APPENDICES

TABLE 1

2017 Census Estimates

<table>
<thead>
<tr>
<th>Judicial District</th>
<th>Counties</th>
<th>Pop. Est.</th>
<th>% Non-White</th>
<th>% HS Grad or Higher</th>
<th>% In Poverty</th>
<th>% Civilian Labor Force Unemployed</th>
<th>Median Household Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Clay, Fillmore, Gage, Jefferson, Johnson, Nemaha, Nuckolls, Pinnebog, Richardson, Saline, Thayer</td>
<td>92,834</td>
<td>10.8</td>
<td>90.0</td>
<td>11.1</td>
<td>3.1</td>
<td>$51,287</td>
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<tr>
<td>2</td>
<td>Cass, Clay, Sarpy</td>
<td>200,705</td>
<td>16.6</td>
<td>95.2</td>
<td>6.4</td>
<td>3.3</td>
<td>$74,750</td>
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<td>3</td>
<td>Lancaster</td>
<td>306,357</td>
<td>17.9</td>
<td>93.3</td>
<td>14.0</td>
<td>3.9</td>
<td>$55,747</td>
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<td>4</td>
<td>Douglas</td>
<td>540,136</td>
<td>20.3</td>
<td>97.7</td>
<td>17.5</td>
<td>4.4</td>
<td>$50,540</td>
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<tr>
<td>5</td>
<td>Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platt, Pott, Saunders, Sarpy, York</td>
<td>134,374</td>
<td>12.5</td>
<td>90.5</td>
<td>8.7</td>
<td>3.0</td>
<td>$59,176</td>
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<tr>
<td>6</td>
<td>Butler, Cass, Cuming, Dawes, Holt, Howard, Knox, Parks,LOOP, Rock, Sherman, Valley, Wheeler</td>
<td>105,486</td>
<td>21.7</td>
<td>88.0</td>
<td>13.9</td>
<td>4.7</td>
<td>$55,036</td>
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<tr>
<td>7</td>
<td>Atascosa, Curry, Knox, Madison, Panola, Bannock, Wayne</td>
<td>81,607</td>
<td>13.4</td>
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<td>$51,452</td>
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<td>Blaine, Boyd, Brown, Cherry, Custer, Garfield, Dawes, Holt, Howard, Knox, Parks,LOOP, Rock, Sherman, Valley, Wheeler</td>
<td>54,063</td>
<td>5.2</td>
<td>92.6</td>
<td>10.3</td>
<td>2.0</td>
<td>$50,277</td>
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<td>9</td>
<td>Buffalo, Natl</td>
<td>110,967</td>
<td>23.4</td>
<td>88.2</td>
<td>13.9</td>
<td>4.3</td>
<td>$54,372</td>
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<tr>
<td>10</td>
<td>Ainsworth, Beanland, Garfield, Grant, Hartwell, Hughes, Lincoln, Logan, McCracken, Perkins, Red Willow, Thomas</td>
<td>67,941</td>
<td>9.9</td>
<td>91.3</td>
<td>11.2</td>
<td>3.1</td>
<td>$51,248</td>
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<td>11</td>
<td>Antelope, Beaver, Baca, Blanco, Custer, Colfax, Dent, Doherty, Dore, Ellis, Farnsworth, Kimble, Lake, Lincoln, Logan, McCracken, Perkins, Red Willow, Thomas</td>
<td>103,590</td>
<td>16.2</td>
<td>88.9</td>
<td>12.3</td>
<td>3.3</td>
<td>$51,022</td>
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<tr>
<td>12</td>
<td>Bonneville, Box Butte, Buffalo, Laramie, Lincoln, Platte, Powder, Sheridan, Sweetwater, Teton</td>
<td>87,005</td>
<td>19.7</td>
<td>90.2</td>
<td>12.5</td>
<td>3.9</td>
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<td></td>
<td>State of Nebraska</td>
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<td>90.9</td>
<td>12.0</td>
<td>3.8</td>
<td>$56,675</td>
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<tr>
<td></td>
<td>United States</td>
<td>321,004,407</td>
<td>38.5</td>
<td>87.3</td>
<td>14.6</td>
<td>6.6</td>
<td>$57,552</td>
</tr>
</tbody>
</table>

Source: American Community Survey 5-Year Estimates for 2017, U.S. Census Bureau
TABLE 2

2018 Law Enforcement Employment Statistics

<table>
<thead>
<tr>
<th>Judicial District</th>
<th>Full-Time Sworn Officers</th>
<th>Part-Time Sworn Officers</th>
<th>Part-Time Civilian Officers</th>
<th>Number of Reserve Officers</th>
<th>Full-Time Sworn Officers per 1,000 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>376</td>
<td>32</td>
<td>12</td>
<td>8</td>
<td>3.8</td>
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<tr>
<td>2</td>
<td>349</td>
<td>150</td>
<td>3</td>
<td>45</td>
<td>1.7</td>
</tr>
<tr>
<td>3</td>
<td>429</td>
<td>154</td>
<td>0</td>
<td>12</td>
<td>1.4</td>
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<tr>
<td>4</td>
<td>1,046</td>
<td>220</td>
<td>70</td>
<td>43</td>
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<tr>
<td>5</td>
<td>210</td>
<td>149</td>
<td>58</td>
<td>11</td>
<td>5.5</td>
</tr>
<tr>
<td>6</td>
<td>189</td>
<td>98</td>
<td>16</td>
<td>10</td>
<td>1.6</td>
</tr>
<tr>
<td>7</td>
<td>132</td>
<td>60</td>
<td>38</td>
<td>12</td>
<td>1.6</td>
</tr>
<tr>
<td>8</td>
<td>82</td>
<td>29</td>
<td>39</td>
<td>16</td>
<td>2.4</td>
</tr>
<tr>
<td>9</td>
<td>202</td>
<td>60</td>
<td>6</td>
<td>8</td>
<td>1.8</td>
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<td>10</td>
<td>110</td>
<td>84</td>
<td>6</td>
<td>19</td>
<td>1.7</td>
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<td>11</td>
<td>216</td>
<td>153</td>
<td>14</td>
<td>17</td>
<td>6.2</td>
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<tr>
<td>12</td>
<td>196</td>
<td>94</td>
<td>20</td>
<td>11</td>
<td>2.1</td>
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<tr>
<td>State Agencies</td>
<td>585</td>
<td>325</td>
<td>28</td>
<td>15</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,921</strong></td>
<td><strong>1,838</strong></td>
<td><strong>337</strong></td>
<td><strong>247</strong></td>
<td><strong>64</strong></td>
</tr>
</tbody>
</table>

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

Notes: *Due 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, 11, and 12.
*State 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

<table>
<thead>
<tr>
<th>Judicial District</th>
<th>Violent Offenses</th>
<th>Violent Rate</th>
<th>Property Offenses</th>
<th>Property Rate</th>
<th>Total Offenses</th>
<th>Total Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>166</td>
<td>1.8</td>
<td>921</td>
<td>10.0</td>
<td>1,087</td>
<td>11.8</td>
</tr>
<tr>
<td>2</td>
<td>257</td>
<td>1.2</td>
<td>2,634</td>
<td>12.5</td>
<td>2,891</td>
<td>13.7</td>
</tr>
<tr>
<td>3</td>
<td>1,091</td>
<td>3.4</td>
<td>8,713</td>
<td>27.5</td>
<td>9,804</td>
<td>30.9</td>
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<tr>
<td>4</td>
<td>2,732</td>
<td>4.8</td>
<td>17,284</td>
<td>30.5</td>
<td>20,016</td>
<td>39.3</td>
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<tr>
<td>5</td>
<td>95</td>
<td>0.7</td>
<td>1,181</td>
<td>8.9</td>
<td>1,276</td>
<td>9.7</td>
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<tr>
<td>6</td>
<td>142</td>
<td>1.3</td>
<td>1,445</td>
<td>13.7</td>
<td>1,587</td>
<td>15.0</td>
</tr>
<tr>
<td>7</td>
<td>63</td>
<td>0.8</td>
<td>848</td>
<td>7.9</td>
<td>711</td>
<td>8.7</td>
</tr>
<tr>
<td>8</td>
<td>60</td>
<td>1.2</td>
<td>227</td>
<td>4.6</td>
<td>267</td>
<td>5.9</td>
</tr>
<tr>
<td>9</td>
<td>1,389</td>
<td>3.3</td>
<td>2,692</td>
<td>23.5</td>
<td>3,074</td>
<td>36.8</td>
</tr>
<tr>
<td>10</td>
<td>79</td>
<td>1.4</td>
<td>1,107</td>
<td>19.2</td>
<td>1,186</td>
<td>20.5</td>
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<tr>
<td>11</td>
<td>200</td>
<td>2.3</td>
<td>1,790</td>
<td>18.1</td>
<td>1,990</td>
<td>20.2</td>
</tr>
<tr>
<td>12</td>
<td>166</td>
<td>2.0</td>
<td>1,220</td>
<td>14.9</td>
<td>1,386</td>
<td>16.8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5,420</strong></td>
<td><strong>2.8</strong></td>
<td><strong>39,779</strong></td>
<td><strong>20.9</strong></td>
<td><strong>45,199</strong></td>
<td><strong>23.7</strong></td>
</tr>
</tbody>
</table>

Source: Official 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

<table>
<thead>
<tr>
<th>FY 15-16</th>
<th>FY 16-17</th>
<th>FY 17-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average LCSM Score at Entrance</td>
<td>Average LCSM Score at Discharge</td>
<td>Difference in Score</td>
</tr>
<tr>
<td>22.3</td>
<td>10.4</td>
<td>-11.9</td>
</tr>
<tr>
<td>23.1</td>
<td>15.6</td>
<td>-7.5</td>
</tr>
<tr>
<td>22.0</td>
<td>11.6</td>
<td>-10.4</td>
</tr>
</tbody>
</table>

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

Note: The Level of Service/Case Management Inventory (LCSM) 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, Comparisons, 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

<table>
<thead>
<tr>
<th>Facility</th>
<th>ADP</th>
<th>Design Capacity</th>
<th>ADP % Design</th>
<th>Operational Capacity</th>
<th>ADP % Design</th>
<th>Operational Capacity</th>
<th>ADP % Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Corrections Center</td>
<td>337</td>
<td>275</td>
<td>122</td>
<td>318</td>
<td>100</td>
<td>104</td>
<td>103</td>
</tr>
<tr>
<td>Community Corrections Center (Omaha)</td>
<td>167</td>
<td>98</td>
<td>188</td>
<td>135</td>
<td>173</td>
<td>135</td>
<td>144</td>
</tr>
<tr>
<td>Nebraska Reformatory, Evaluation Unit</td>
<td>477</td>
<td>160</td>
<td>268</td>
<td>275</td>
<td>173</td>
<td>217</td>
<td>173</td>
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<tr>
<td>Lincoln Correctional Center</td>
<td>507</td>
<td>308</td>
<td>165</td>
<td>468</td>
<td>108</td>
<td>468</td>
<td>108</td>
</tr>
<tr>
<td>Nebraska State Penitentiary</td>
<td>1,300</td>
<td>718</td>
<td>185</td>
<td>1,339</td>
<td>117</td>
<td>1,339</td>
<td>117</td>
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<tr>
<td>Colorado Correctional Center</td>
<td>771</td>
<td>396</td>
<td>195</td>
<td>775</td>
<td>116</td>
<td>775</td>
<td>116</td>
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<tr>
<td>Topeka State Correctional Institution</td>
<td>1,029</td>
<td>960</td>
<td>105</td>
<td>1,015</td>
<td>105</td>
<td>1,015</td>
<td>105</td>
</tr>
<tr>
<td>Women's Correctional Center</td>
<td>176</td>
<td>100</td>
<td>108</td>
<td>180</td>
<td>100</td>
<td>180</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5,229</strong></td>
<td><strong>3,272</strong></td>
<td><strong>165</strong></td>
<td><strong>5,457</strong></td>
<td><strong>115</strong></td>
<td><strong>5,457</strong></td>
<td><strong>115</strong></td>
</tr>
</tbody>
</table>

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

Notes: Average LCSM Score at Discharge - ADP = Average Daily Population. Design 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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