

# Nebraska Strategic Plan

**2012-2015**

**This report includes the statewide criminal justice strategic plan for the Edward Byrne Memorial Justice Grant (JAG) funding.**

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# Introduction

The Consortium for Crime and Justice Research (CCJR) at the University of Nebraska at Omaha was tasked by the Nebraska Commission on Law Enforcement and Criminal Justice to facilitate the development of a three-year strategic plan for the use of Edward Byrne Memorial Justice Assistant Grant (JAG) funds. The Crime Commission serves as the State Administering Agency that is responsible for funding projects that fit into one or more of the seven JAG purpose areas: law enforcement programs; planning, evaluation, and technology improvement programs; prevention and education programs; drug treatment and enforcement programs; corrections and community corrections programs; prosecution and court programs; and crime victim and witness programs.

The JAG stakeholder committee included representatives of various Nebraska criminal justice programs, as well as community organizational leaders. A first task of the stakeholder committee was to identify overarching themes for the use of JAG funds and to identify specific funding needs. CCJR compiled data on crime and criminal justice trends in Nebraska and from previous JAG-funded initiatives. This research was presented to the stakeholders to assist their decision-making.

CCJR also undertook a priority analysis to determine stakeholder members' top priorities for the use of JAG funds. Some of the components of this priority analysis included a survey asking members to rank the seven JAG purpose areas and to rate the stakeholder-identified funding priorities. This survey indicated that the highest priorities for JAG funding in Nebraska were the "law enforcement" and "planning, evaluation, and technology" purpose areas. Some of the top-rated funding priorities included "the enhancement of data collection and sharing across state agencies" and "enhancing community coordination efforts" in fighting delinquency, crime, drug-use, and gangs. Interviews of stakeholders were also conducted by CCJR staff. These interviews indicated that, of the federal priorities, "evidence-based programs/practices" had the highest support among interviewed stakeholders.

Perhaps the most important task conducted by CCJR and the JAG stakeholder committee was the identification of *existing resources*, *gaps in existing resources*, and *needed resources* for funding areas identified as high priorities. The results of this "resource needs" analysis figure prominently in this strategic plan.

# Strategic Planning Process

The Consortium for Crime and Justice Research at the University of Nebraska at Omaha, in conjunction with the Nebraska Commission on Law Enforcement and Criminal Justice, was tasked with coordinating a committee to create a 3-year strategic plan for distributing Nebraska's annually awarded JAG funding.

To ensure inclusive representation, the stakeholder committee was comprised of representatives across the Nebraska criminal justice system, as well as community organization leaders.

The primary charge of the committee was to determine the best use of the Edward Byrne Memorial Justice Grant (JAG) funding with respect to evidence-based practices and to develop Nebraska's strategic plan based on the identified needs throughout the criminal justice system in Nebraska.

## Overarching Themes

During the first meeting, stakeholders discussed strategies that formed the basis for their final identified needs:

- *Identified priorities should lessen the state's dependency on federal funding to maintain programs*
- *Priorities should support systemic changes that improve the overall criminal justice system and prepare state institutions for continued reductions in funding*
- *Data collection/sharing improvements and program evaluation should support both the implementation and the sustainment of evidence-based practices*
- *Improved communications and connectivity between the various organizations and services within communities and the criminal justice system should improve efficiency and outcomes*
- *Stakeholders representing community-based organizations and re-entry suggested that strategies cannot solely focus on enforcement and prosecution but should also validate and motivate individuals to change their behaviors*

# Identified Needs

## **Expansion of Remote Recovery**

Remote Recovery uses web conferencing to bridge gaps between providers/offenders and officers/offenders, particularly in rural areas where a lack of transportation inhibits the ability to provide services. It is currently being piloted by probation in 5 districts across the state.

## **Task Forces & Fusion Centers**

Task forces impact drug arrests and criminal networks across the state. This has been the top funding priority for 20 years. There are currently 9 multi-jurisdictional task forces working with the fusion center.

## **Data Collection and Sharing / Link All State Data Systems**

To date, there has not been a systematic approach to improving data systems. There is a need to move data more easily and completely across systems.

## **Cross-System Training Opportunities**

There is a recognized need for training professionals on other aspects of the criminal justice system, in addition to their own specializations (e.g. probation officers need training in the best practices for treatment, etc.).

## **24/7 Sobriety Program**

This is an evidence-based practice being run in South Dakota targeting second-offense DUIs. Offenders check in with the county sheriff twice a day for breath test or urinalysis. County sheriffs would like to see this project piloted in Nebraska to reduce jail populations.

## **System Collaborations in the Case of Crossover Youth**

There is a desire for improved collaboration between the criminal justice system and the child welfare system. Communities need assistance in implementing collaborative plans.

## **DUI Court Expansion**

Continuation and expansion of specialty courts is dependent on additional funding.

## **Victim Services: Increasing Staffing & Update Case Management**

It is time-consuming for Crime Victim Reparation Services to share information with necessary agencies due to the outdated computer system and too few employees. Currently, tracking and sharing data/information is done manually.

## **Children Impacted by Parent Incarceration of Non-Violent Offenses**

Studies indicate that parental incarceration increases aggressive behavior in children. There is a need for community programs to coordinate with the justice system to bridge this gap.

## **Enhancing Community Coordination Efforts**

There is a need to create and maintain a collaborative effort between community organizations, re-entry programs, and criminal/juvenile justice agencies.

# Data and Analysis

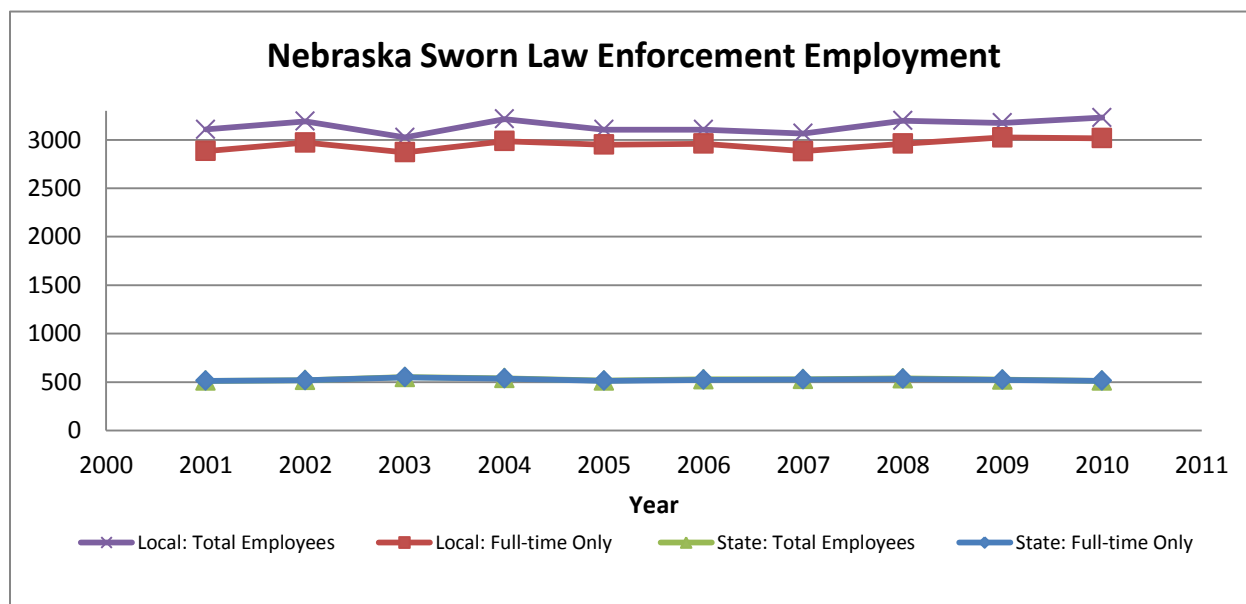
In this section, we examine the context and current state of crime and justice in Nebraska. We present general trends of law enforcement employment, property crime/arrests, violent crime/arrests, drug crime arrests, DUI arrests, and victim reparation claims. More specific data is provided to describe activities and results of criminal justice task forces funded by previously awarded JAG funds.

## **LAW ENFORCEMENT EMPLOYMENT TRENDS IN NEBRASKA**

Figures 1 and 2 present Nebraska law enforcement employment trends from 2001 to 2010. The data is presented for both sworn and civilian employees. Within these categories, we separate the data by state versus local employees and present the data for both the total number of employees in each category and full-time employees only. Data for these trends was extracted from Nebraska Commission on Law Enforcement and Criminal Justice *Law Enforcement Employment in Nebraska Series* annual reports.

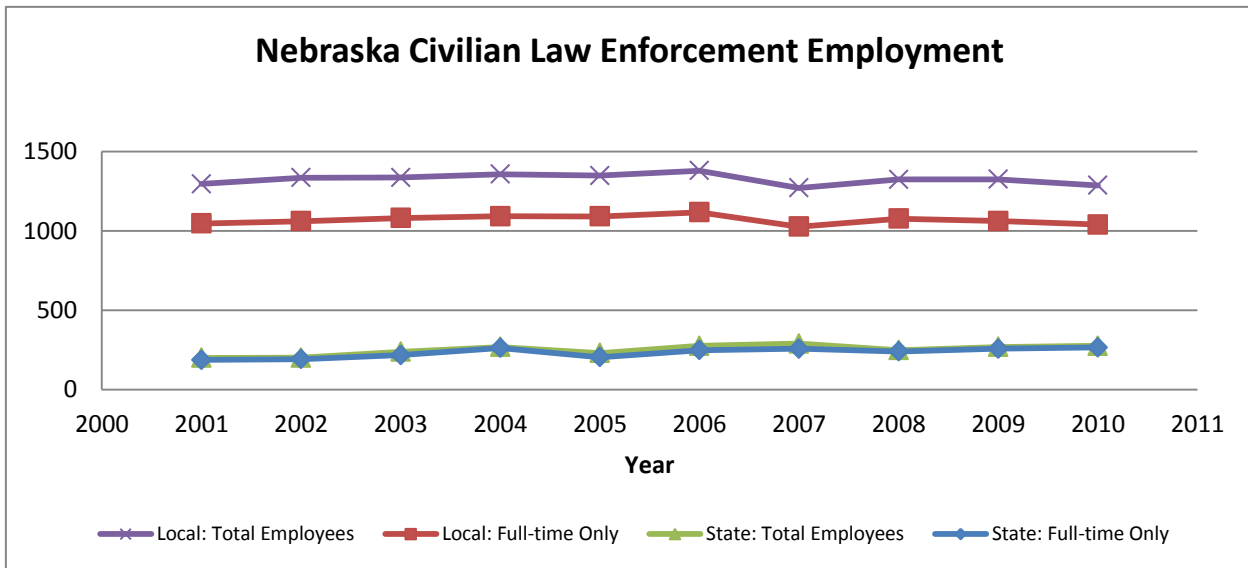
Overall, trends in Nebraska law enforcement employment are fairly steady. One exception is state civilian law enforcement employees. For example, full-time state civilian law enforcement employment increased from 188 in 2001, to 267 in 2010, an increase of 42%. Similarly, the total number of state civilian law enforcement employees increased from 201 in 2001, to 277 in 2010, an increase of 38%. In general, the number of full-time employees and the total number of employees tend to trend together, suggesting the absence of a shift from full-time to part-time employees, or vice versa.

**Figure 1. Nebraska Sworn Law Enforcement Employment 2001-2010**



SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

**Figure 2. Nebraska Civilian Law Enforcement Employment 2001-2010**



SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

## Crime Statistics in Nebraska

### VIOLENT CRIME

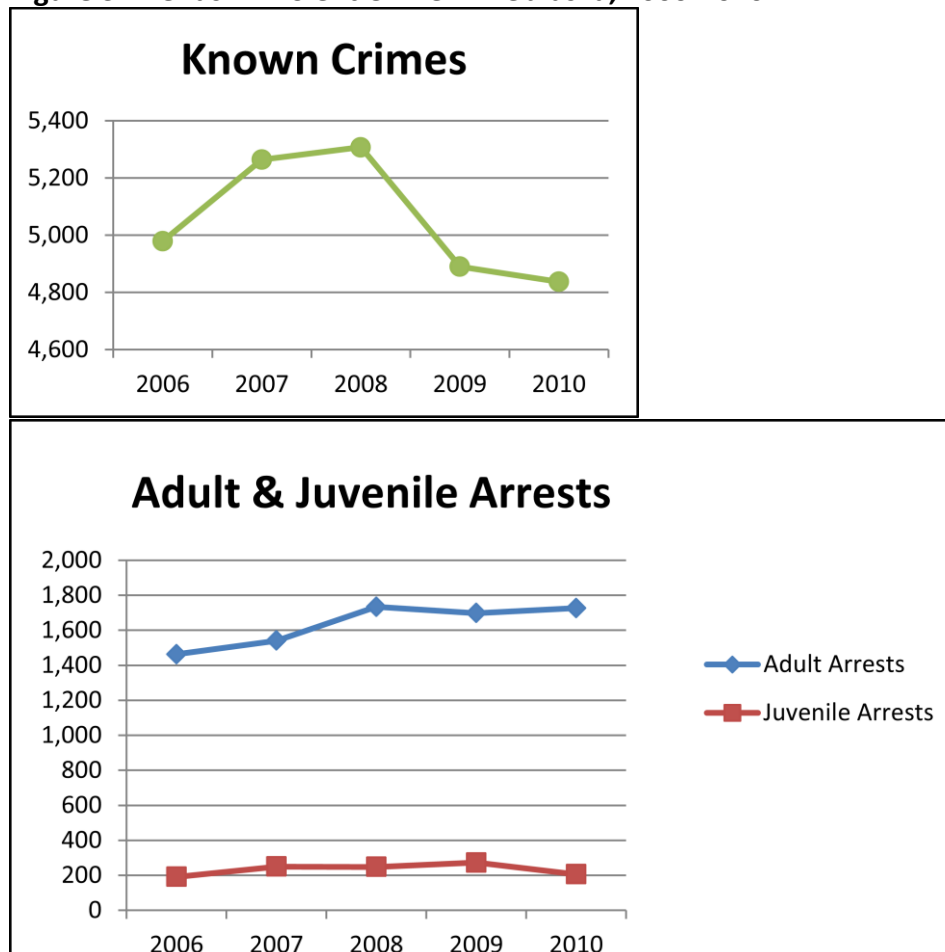
Three trends of violent crime in Nebraska are presented in Table 1 and Figure 3 for the 2006-2010 period. Data for these trends was extracted from Nebraska Crime Commission reports based on the federal UCR data. The first trend is “crimes known to police,” which rose from 2006 to 2008, then decreased the next two years. The lowest level of violent crimes known to police was reported in 2010 (4,837 violent crimes). The second trend is adult arrests. The number of adults arrested for violent crimes rose to a peak in 2008, decreased in 2009, but increased again in 2010. The final trend is juvenile arrests. The number of juveniles arrested for violent crimes in Nebraska increased 43% from 2006 to peak at 273 arrests in 2009. These numbers declined 33% the next year, however, to 206 arrests in 2010.

**Table 1. Trends in Violent Crime in Nebraska, 2006-2010**

	Known Crimes	Adult Arrests	Juvenile Arrests
<b>2006</b>	4,979	1,463	191
<b>2007</b>	5,264	1,541	250
<b>2008</b>	5,307	1,734	248
<b>2009</b>	4,890	1,698	273
<b>2010</b>	4,837	1,727	206

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

**Figure 3. Trends in Violent Crime in Nebraska, 2006-2010**



SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

## PROPERTY CRIME

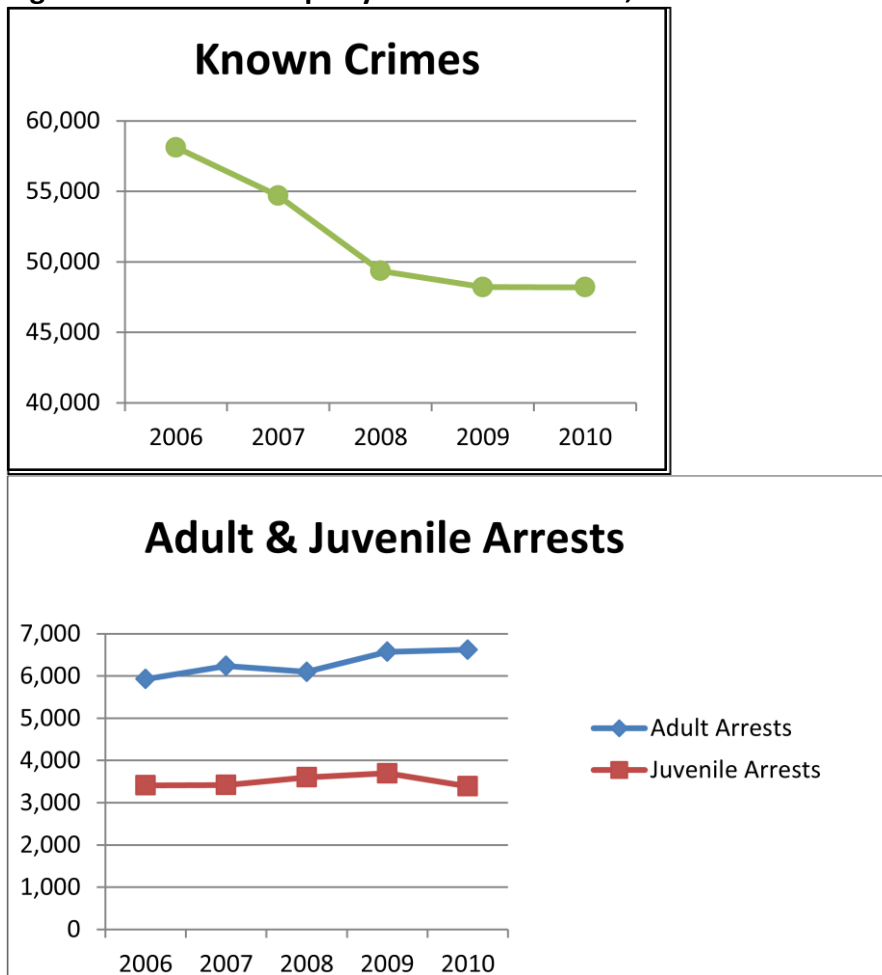
Three trends are also presented for property crime in Nebraska for the 2006-2010 period. Data for these trends was extracted from Nebraska Commission on Law Enforcement and Criminal Justice reports based on the federal UCR data and is presented in Table 2 and Figure 4. The first trend is “crimes known to police,” which decreased steadily from 2006 to 2010. Known property crime rates were about 20% lower in 2010 as compared to 2006. The second trend is adult arrests, which moved in the opposite direction. Adult arrests for property crimes in Nebraska were about 10% higher in 2010 as compared to 2006. The final trend is juvenile arrests. Juvenile arrests increased slightly from 2006 to 2009, then decreased in 2010.

**Table 2. Trends in Property Crime in Nebraska, 2006-2010**

	Known Crimes	Adult Arrests	Juvenile Arrests
<b>2006</b>	58,120	5,927	3,411
<b>2007</b>	54,694	6,241	3,420
<b>2008</b>	49,362	6,097	3,604
<b>2009</b>	48,215	6,575	3,698
<b>2010</b>	48,203	6,625	3,389

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

**Figure 4. Trends in Property Crime in Nebraska, 2006-2010**



SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice



## TASK FORCE ACTIVITY DATA

Nebraska criminal justice task forces that receive support from JAG funds provide reports of their activities and outcomes to the Federal Bureau of Justice Assistance (BJA). Examples of JAG-funded activities include multi-jurisdictional drug and violent crime task forces. The following three tables include a compilation of the task force activities and outcomes reported to the BJA for the period from October 2010 to December 2011. Table 3 includes information on the type and amount of drugs seized by the JAG-funded task forces for each quarter. Table 4 includes other types of seizures by JAG-funded task forces for each quarter. Finally, Table 5 lists criminal justice outcomes from JAG-funded task forces for each quarter. The extent of data presented and variety of trends in the data preclude an overall summary of task-force activity.

**Table 3. Drug Task Force Activities, Oct. 2010 to Dec. 2011: Drugs Seized**

Substance	Amount					Unit
	Oct-Dec 2010	Jan-Mar 2011	Apr-Jun 2011	Jul-Sep 2011	Oct-Dec 2011	
Heroin	0.003	0.01	0	0.0026	0.0768	kg
Cocaine (powder)	0.58185	1.45803	5.61422	0.08655	0.4609	kg
Crack cocaine	0.02666	0.14954	0.09133	0.48467	0.26	kg
Marijuana (commercial grade)	30.8092	65.70807	180.69609	47.18270	147.27092	kg
Marijuana hydroponic	1.064	52.064	2.008	0.07	0.99935	kg
Methamphetamine	3.75127	9.44982	14.18641	11.50311	4.207178	kg
Methamphetamine ice	1.07601	2.6485	0.32467	0.46489	2.8927	kg
Ecstasy	1,241 du	Data Unavailable	Data Unavailable	1,685 du 2.80 kg	Data Unavailable	dosage units
LSD	0	7	0	0	3.5	dosage units
Pharmaceuticals	20	0	330	0	85	dosage units
Morphine	1	0	0	0	6	dosage units
Hydrocodone	0	130	57	0	18	dosage units
Clonazepam	0	0	0	0	17	dosage units
Diazepam	0	0	8	0		
Oxycodone	1,097.5	19	56.5	6	37	dosage units
Opana	0	0	6	0	0	
Adderall	2	8	0	0	0	tablets
Clonazepam	284	0	0	0	0	tablets
Alprazolam	389	0	0	0	0	tablets
Methadone	34	0	0	0	0	tablets
Unknown pills	333	1,068	151	286	173	tablets
Hash	0	0	.114	0	0.0088	kg
Psilocyn/mushrooms	0	0.2448	0.03	0	0.0011	kg

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice JAG reports

**Table 4. Drug Task Force Activities, Oct. 2010 to Dec. 2011: Other Seizures**

Item(s) Seized	Amount				
	Oct-Dec 2010	Jan-Mar 2011	Apr-Jun 2011	Jul-Sep 2011	Oct-Dec 2011
Indoor cannabis-growing operations	4	4	2	18	3
Cultivated marijuana plants	38	102	22	2,085	206
Firearms	39	12	26	54	17
<i>Federal cases: Cash</i>	\$89,670.38	\$173,951.00	\$338,246.00	\$342,447.36	\$173,080.50
<i>Federal cases: Vehicles, weapons, jewelry, etc.</i>	\$7256.25	0	\$16,944.00	\$10,250.00	\$17,000
<i>State cases: Cash</i>	\$91.50	\$1876.53	\$483.00	\$448.10	\$16.33

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice JAG reports

**Table 5. Drug Task Force Activities, Oct. 2010 to Dec. 2011: Criminal Justice Outcomes**

Outcome	Number				
	Oct-Dec 2010	Jan-Mar 2011	Apr-Jun 2011	Jul-Sep 2011	Oct-Dec 2011
New investigations initiated	300	351	449	486	278
Federal judicial search warrants served	0	2	6	1	5
State judicial search warrants served	62	83	101	104	57
Individuals arrested for felony based on task force activity during the reporting period	206	226	252	237	165
Individuals arrested for misdemeanor based on task force activity during the reporting period	188	74	56	61	23
<i>Gang members</i> arrested for felony based on task force activity during the reporting period	7	16	21	16	14
<i>Gang members</i> arrested for misdemeanor based on task force activity during the reporting period	1	4	1	1	0
Defendants accepted for Federal felony charges	60	59	61	86	42
Defendants accepted for Federal misdemeanor charges	2	1	0	0	0
Defendants accepted for State felony charges	1,617	1,366	1,014	1,080	1,019
Defendants accepted for State misdemeanor charges	1,025	891	60*	902	908
Disrupted drug trafficking gangs/street gangs	8	10	19	16	10
Disrupted drug trafficking organizations/money laundering organizations	7	4	26	28	35
Individuals in the targeted group arrested during the quarter <i>prior to</i> the start of the award	19,541	572	532	522	482
Individuals in the targeted group arrested during the reporting period	17,501	707	788	763	726

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice JAG reports

\*Small value is an anomaly and perhaps represents a change in task force focus or a data-entry error in the report to BJA

## ***CRIME TRENDS IMPACTING COMMUNITY CORRECTION/SUBSTANCE USE TREATMENT***

We collected data on two crime trends that are directly related to community correction and substance use treatment in Nebraska. The crime trends collected were drug-related crime arrests and DUI arrests.

### **DRUG-RELATED CRIME**

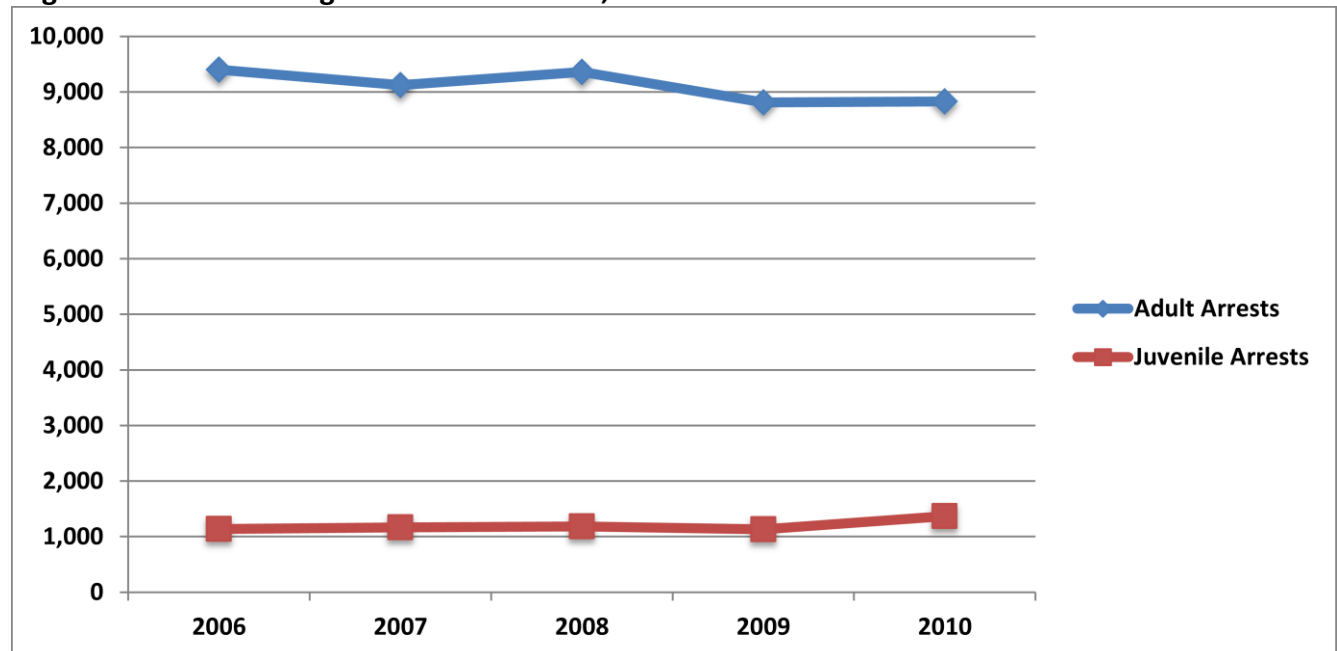
Because drug-related crime often does not come to the attention of police, only arrest data are available for this type of crime. As displayed in Table 6 and Figure 5, adult arrests for drug-related crimes decreased by just over 6% from 2006 to 2010. In comparison, juvenile arrests for drug-related crimes remained nearly steady for the first four years, then increased in 2010. The number of arrests in 2010 was about 20% higher than the number of arrests in 2006.

**Table 6. Trends in Drug Arrests in Nebraska, 2006-2010**

	Adult Arrests	Juvenile Arrests
<b>2006</b>	9,402	1,141
<b>2007</b>	9,125	1,170
<b>2008</b>	9,359	1,182
<b>2009</b>	8,811	1,131
<b>2010</b>	8,830	1,371

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

**Figure 5. Trends in Drug Arrests in Nebraska, 2006-2010**



SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

## DUI DATA

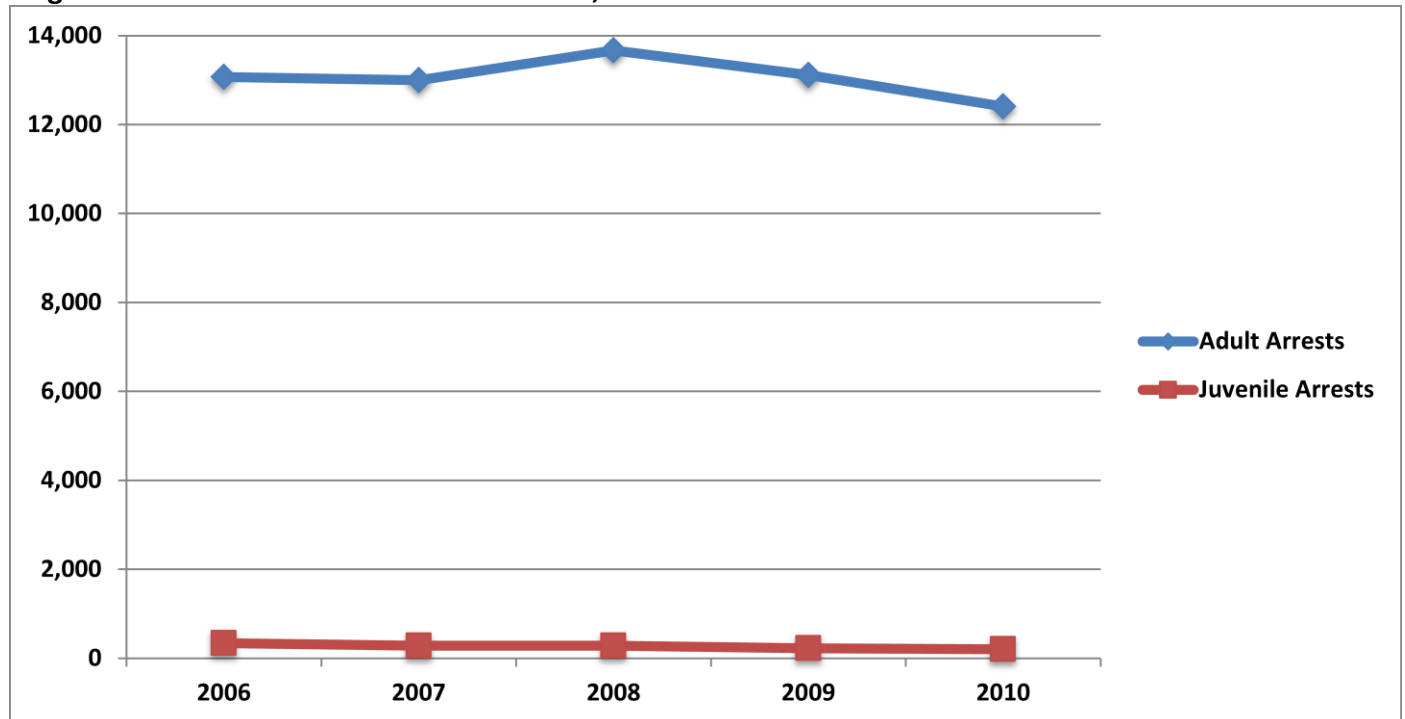
Driving under the influence of drugs and/or alcohol is another offense that rarely comes to the attention of police, so our data on DUIs also relies on arrest statistics. As indicated in Table 7 and Figure 6, adult DUI arrests rise and then fall during the period from 2006 to 2010. The 12,409 arrests in 2010 were a 5% decrease from the 13,072 arrests in 2006. Juvenile arrests tended down from 2006 to 2010, decreasing 39% during this period.

**Table 7. Trends in DUI Arrests in Nebraska, 2006-2010**

	Adult Arrests	Juvenile Arrests
<b>2006</b>	13,072	336
<b>2007</b>	12,998	282
<b>2008</b>	13,669	283
<b>2009</b>	13,110	226
<b>2010</b>	12,409	205

SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

**Figure 6. Trends in DUI Arrests in Nebraska, 2006-2010**



SOURCE: Nebraska Commission on Law Enforcement and Criminal Justice

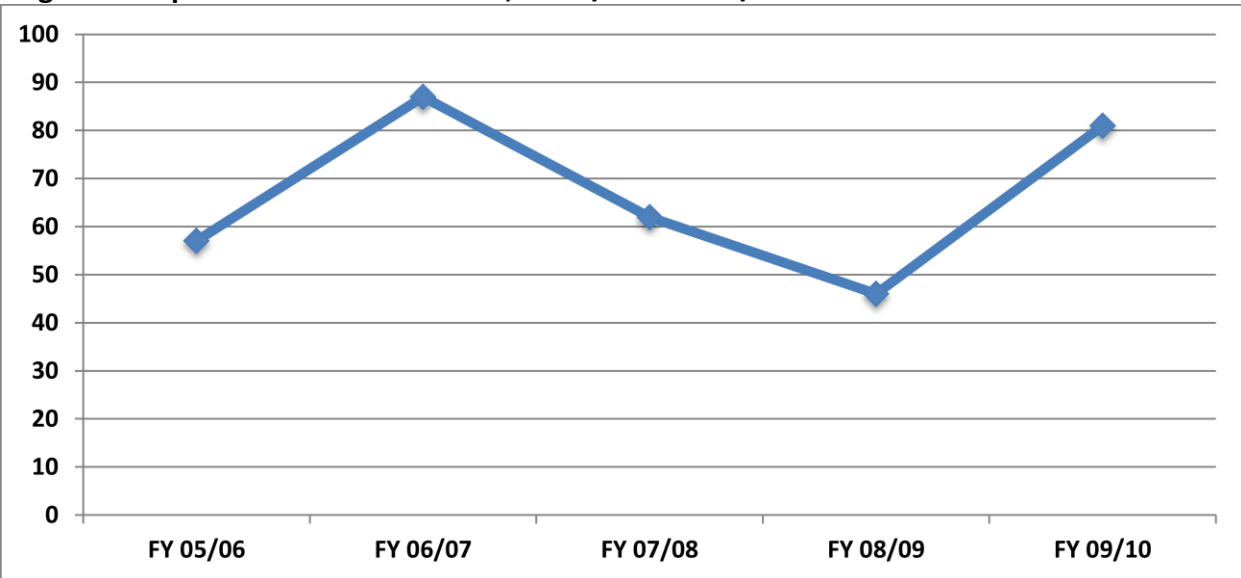
## **FUNDING FOR VICTIM SERVICES**

Figures 7 and 8 display the number of reparation claims received and the funds awarded for these claims for each of the last five years for which data are available. Although the number of claims received have varied with little discernible pattern, the funds awarded for these claims peaked in FY 07/08 and decreased significantly over the next two years. Putting this in historical context, since 1990, the highest number of claims received per fiscal year was 262 in FY 97/98. In addition, the highest amount rewarded since 1990 was \$430,000 in FY 00/01. From 1990 to 2010, the average number of claims received was 160.65. It is evident that the number of claims received in the last five years falls well below this mean. Moreover, the average amount awarded per fiscal year from 1990 to 2010 was \$250,938.25. This average annual award is more than double the annual amount awarded for any of the last five years.

Because claims received in one fiscal year might not be processed until the following fiscal year and because claims might be denied, determining the average allocation per claim is not as simple as dividing the annual amount awarded by the number of claims received. For example, in FY 08/09, 48 claims were considered, with 22 being awarded and 26 being denied or ineligible. For the 22 claims awarded, \$89,588.13 was disbursed, for an average of \$4072.19 per awarded claim. In comparison, in FY 09/10, 60 claims were considered, with 16 being awarded and 43 being denied or ineligible. For the 16 claims awarded, \$62,848.36 was disbursed, for an average of \$3928.02 per awarded claim.

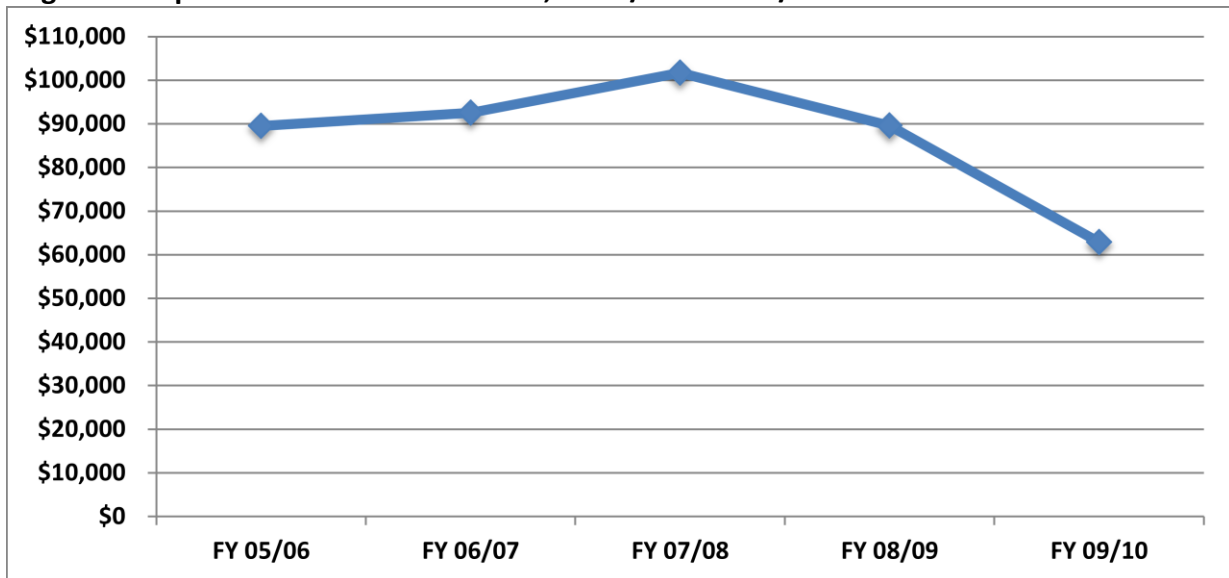
**Future funding needs.** The Nebraska Crime Victim's Reparations Program began accepting felony assault claims as of July 1, 2011. This increase in the population of victims eligible for reparations was projected by the Victim's Reparation Committee to result in 120 claims for FY 11/12, with an estimated 60 or 70 approved claims (SOURCE: *Minutes of Crime Victim's Reparations Committee: October 21, 2011*). The lower estimate of 60 approved claims would be a 173% increase over the 22 claims approved in FY 08/09 and a 275% increase over the 16 claims awarded in FY 09/10. The higher estimate of 70 approved claims would be a 218% increase over the 22 claims approved in FY 08/09 and a 338% increase over the 16 claims awarded in FY 09/10. These dramatic increases in the projected number of approved claims indicate the need for a substantial increase in funding of victim reparations. For example, approximately \$4000 was allocated for each approved claim for FY 08/09 and FY 09/10. Using this estimated funding amount for FY 11/12 would result in a funding need of \$240,000 for 60 claims (a 282% increase over the FY 08/09 expenditures) and a funding need of \$280,000 for 70 claims (a 346% increase over the FY 08/09 expenditures).

**Figure 7. Reparation Claims Received, FY 05/06 – FY 09/10**



SOURCE: 23<sup>RD</sup> Nebraska Crime Victim's Reparations Report, Issued by the Nebraska Commission on Law Enforcement and Criminal Justice, Jan. 2011

**Figure 8. Reparation Amounts Awarded, FY 05/06 – FY 09/10**



SOURCE: 23<sup>RD</sup> Nebraska Crime Victim's Reparations Report, Issued by the Nebraska Commission on Law Enforcement and Criminal Justice, Jan. 2011

## **ADDITIONAL FOCUS: INCARCERATION OF NON-VIOLENT OFFENDERS AND ITS IMPACT ON THE FAMILY**

***“When my mother was sentenced, I felt like I was sentenced. She was sentenced to prison—to be away from her kids and family. I was sentenced as a child, to be without my mother.”<sup>i</sup>***

Mass incarceration is a national phenomenon that is filling prisons beyond their intended capacity, straining state budgets, and significantly impacting families and communities. Of particular concern is the incarceration of non-violent offenders and the impact this incarceration has on the families of inmates. As little direct information is available on regarding the impact on the family of incarcerating non-violent offenders in Nebraska, a literature review was conducted to summarize research on the subject.

### **WHAT WE KNOW ABOUT CHILDREN WITH PARENTS IN PRISON**

- In 2007 more than 1.7 million children had a parent in prison or jail, an 82% increase from 1991.<sup>ii</sup>
- In 2007 there were 809,000 parents in prison, an increase of 79% from 1991.<sup>iii</sup>
- From 1991 to 2007, the number of incarcerated mothers increased by 122% and the number of incarcerated fathers rose 76%.<sup>iv</sup>
- The majority (52%) of inmates are parents.<sup>v</sup>
- This phenomenon is not race-neutral. One in 15 black children has a parent in prison, one in 42 Latino children has a parent in prison, and 1 in 111 white children has a parent in prison.<sup>vi</sup>
- Approximately half of children with incarcerated parents are under ten years old.<sup>vii</sup>
- The problem is increasingly receiving research attention. In 2006, for example, the department of Health and Human Services issued 13 grants for programs focused on family strengthening and responsible fatherhood for men in correctional settings.<sup>viii</sup>

### **IMPACT ON CHILDREN: FINDINGS FROM THE LITERATURE**

- *One consistent finding: the impact areas that follow tend to be inter-related in their impact on families and children.*

#### **Family Instability:**

- A study of rural youth in North Carolina suggests that the risk of family instability was nearly 4.5 times larger for children of an incarcerated parent.<sup>ix</sup>
- Parental incarceration has a significant impact on breaking up intact families.<sup>x xi</sup>

### Economic Strain:

- The same study of rural youth in North Carolina indicates that the risk of economic strain was nearly 3 times larger for children of an incarcerated parent.<sup>xii</sup>
- Formerly incarcerated men are less likely to contribute to their families, and those who do contribute provide significantly less...not only due to the low earnings of formerly incarcerated men but also to their increased likelihood to live apart from their children.<sup>xiii</sup>
- These economic strains accrue over the course of incarceration, leaving offenders and their families left trying to dig themselves out of debt. Moreover, following reentry, many ex-prisoners are not prepared to assume the role of a financial provider.<sup>xiv</sup>

### Mental Health:

- In a study with a long-term follow-up of boys with present fathers, fathers absent due to imprisonment, or fathers absent due to other reasons, researchers found that separation because of parental imprisonment predicted boys' internalizing problems from age 14 to 48, even after controlling for childhood risk factors including parental criminality. Separation because of parental imprisonment also predicted the co-occurrence of internalizing and antisocial problems.<sup>xv</sup>
- In a study of youth receiving mental health services, nearly half (43%) of the youth studied had experienced the incarceration of one or both parents. Youth who experienced parental incarceration had been exposed to significantly more risk factors during their lifetimes including parental substance abuse, extreme poverty, and abuse or neglect. They were more likely than other treated youth to display attention-deficit/hyperactivity and conduct disorders and less likely to have major depression.<sup>xvi</sup>

### Physical Aggression:

- In a study of approximately 3,000 urban children, fathers' incarceration increased children's aggressive behavior and attention problems, and these effects are stronger than for other forms of father absence. Effects are strongest if child lived with the father prior to the incarceration, but they also exist for children of nonresident fathers.<sup>xvii</sup>
- A more sophisticated analysis of the same data suggests that having an incarcerated parent results in a 20 to 30% increase in a child's aggression.<sup>xviii</sup>



### Arrest:

- Using quantitative and qualitative social file data among a sample of youth referred to an urban juvenile court, research suggests that maternal incarceration was significantly related to re-arrest among youth, and residential instability that occurred following both maternal and paternal incarceration was also significantly associated with re-arrest.<sup>xix</sup>

### **POTENTIAL BENEFITS FROM PARENTAL INCARCERATION**

- Incarceration of some parents may improve child well-being by removing a destabilizing influence. For example, if a father is abusive or if his illegal activities disrupt family relationships or undermine family safety, children may benefit from his incarceration.<sup>xx</sup>
- Jail or prison time may also serve as a “turning point” for some parents, in which they resolve to redirect their lives and become better spouses and parents upon release.<sup>xxi</sup>
- Fathers’ jail or prison experiences may also have a deterrent effect, reducing their or their children’s likelihood of future imprisonment.<sup>xxii</sup>

### **SPECIFIC IMPACT OF INCARCERATING NON-VIOLENT OFFENDERS**

A very limited amount examines property offenders and violent offenders separately in assessing the impact of incarceration on families. For example, qualitative interviews of children of incarcerated fathers indicate that, whereas the overall impact of paternal incarceration on children is negative, children of violent sex offenders and children of those with a history of domestic violence might benefit from the removal of a father to prison.<sup>xxiii</sup>

In addition, a quantitative study using data from the Fragile Families and Child Wellbeing Study focusing on 5-year old children produced four central findings:

1. Fathers’ incarceration increases boys’ physical aggression.
2. Controlling for other changes in family life other than fathers’ absence does not reduce this relationship.
3. Results sometimes suggest a negative association between fathers’ incarceration and girls’ physical aggression, but this relationship is not robust.
4. *Paternal incarceration appears to increase boys’ aggression only for non-violent offenders:* removing violent offenders from the household has little influence on boys’ physical aggression and removing abusive fathers may even diminish boys’ aggression.<sup>xxiv</sup>

## **IMPORTANT CONSIDERATIONS FROM THIS RESEARCH**

- “The reason that the average effect of paternal incarceration on children is harmful is because the average inmate incarcerated today is much less likely to be a serious, high-rate, and violent offender than in the past.”<sup>xxv</sup>
- A study of nonresident fathers suggests that most of these men have something to offer their children because the overwhelming impression they convey is immaturity and irresponsibility, not pathology or dangerousness.<sup>xxvi</sup>
- For female offenders, at least, many of the negative impacts of incarceration are avoided through the use of community-based sentences, such as house arrest, halfway houses where the mother and children reside, and day programs. A survey of 24 community-based programs for mothers and children in 14 states suggests that these programs reduce recidivism and increase family preservation.<sup>xxvii</sup>

## ***ADDITIONAL FOCUS: LAW ENFORCEMENT AND PROSECUTION PERSONNEL AND EXPENSES***

A representative of the Nebraska Attorney General’s Office was not present during the initial JAG stakeholder meeting at which time funding needs were identified. Consequently, their input was not included when identified funding needs were rated according to priority. However, the funding of law enforcement and prosecution personnel and expenses is crucial to Nebraska’s criminal justice system, justifying inclusion of this focus in the strategic plan.

Such funding assists in the establishment of specialized enforcement and prosecution units which focus on specific areas of drug and violent crime. In the absence of these specialized units, generalized enforcement and prosecution personnel must address these identified troubled criminal areas. In doing so, either the identified areas will not receive adequate resources to properly address the problems, or so many resources will be drawn away from regular law enforcement and prosecution efforts that other important criminal enforcement areas will not be adequately staffed.

# Priority Analysis

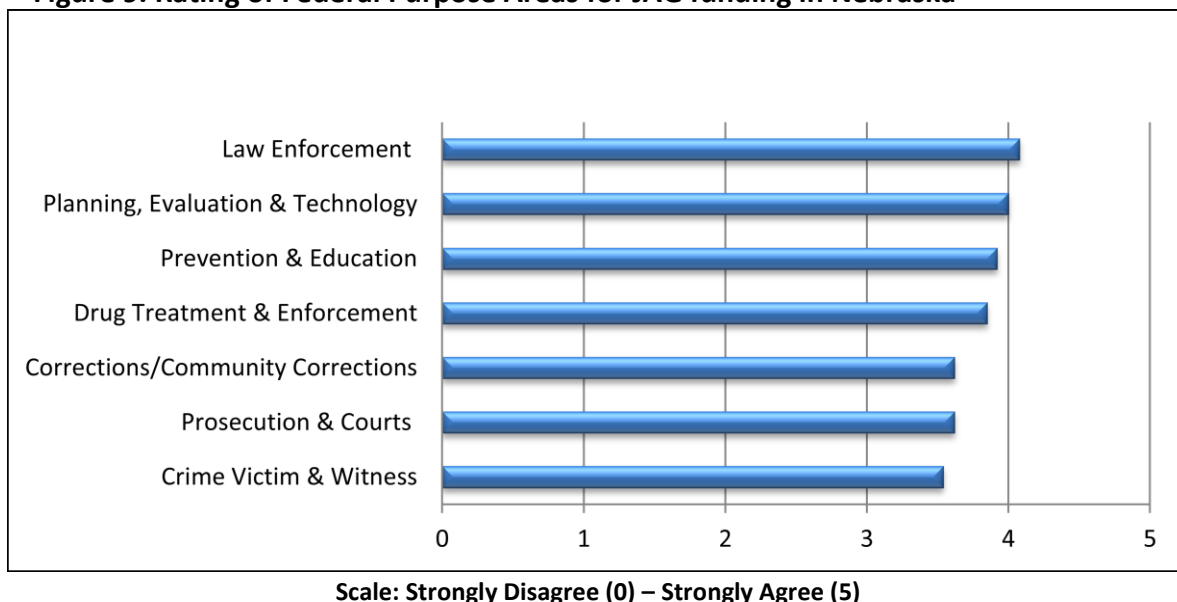
## ***JAG PRIORITY SURVEY***

JAG stakeholder committee members were tasked with completing a priority survey to gauge committee members' top priorities for the use of JAG funds. As the first step of this process, stakeholder committee members were asked to rank the federally identified funding purpose areas as priorities for funding in Nebraska. Stakeholders responded to each question using Likert-scale responses ranging from Strongly Disagree (0) to Strongly Agree (5) to determine which purpose areas should be considered top priorities. Data was collected from February 27 to March 5, 2012. There were thirteen respondents for this survey. Summary results of the survey are presented in Figure 9.

There is only a small amount of variation in the level of support across these Priority Purpose Areas, with responses ranging from a high of 4.08 for law enforcement (where "4" indicates that respondents "Agree" that this area should be a priority) to a low of 3.54 for crime victim & witness (keeping in mind that a "3" would indicate that respondents "neither agree nor disagree" that this area should be a priority). Other areas receiving the highest levels of support include "Planning, Evaluation & Technology" (4.00), "Prevention & Education" (3.92), and "Drug Treatment & Enforcement" (3.85). Overall, the group did not disagree that any of the Federal Priority Purpose Areas should be a top priority for the future use of Nebraska's JAG funds.

*QUESTION: Please provide your level of agreement that each of the following PURPOSE AREAS should be a TOP PRIORITY for the future use of Nebraska's JAG funds:*

**Figure 9. Rating of Federal Purpose Areas for JAG funding in Nebraska**

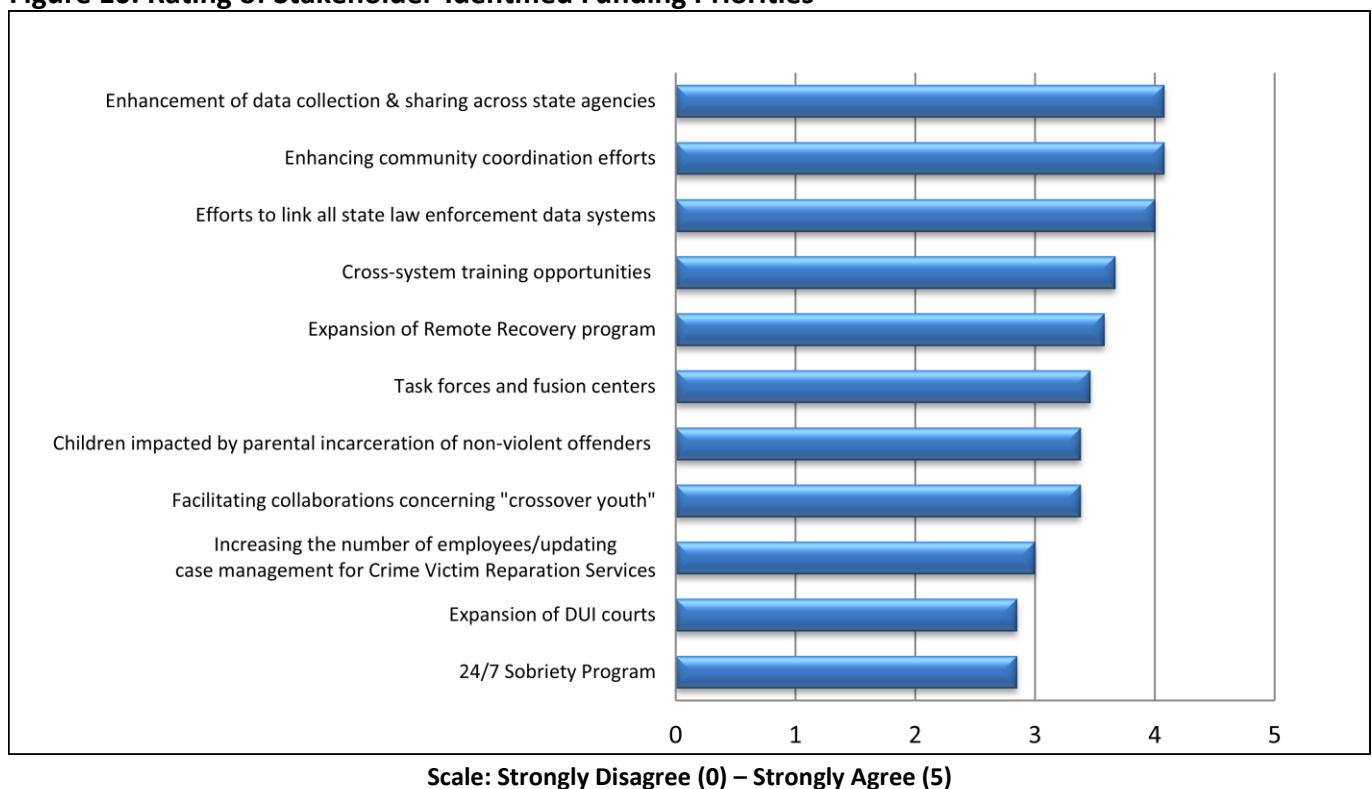


The second step of the priority analysis was to assess stakeholder ratings of stakeholder-identified funding priorities. Stakeholders responded to each question using Likert-scale responses ranging from Strongly Disagree (0) to Strongly Agree (5) to determine which funding areas should be considered top priorities. Data was collected from February 27 to March 5, 2012. There were thirteen respondents for this survey. Summary results of the survey are presented in Figure 10.

Here we see more variation, with the highest scores being 4.08 for the areas of “Enhancement of data collection & sharing across state agencies” and “Enhancing community coordination efforts” ( where “4” indicates that respondents “Agree” that this area should be a priority) and the lowest score being 2.85 for “24/7 Sobriety Program” (keeping in mind that a “3” would indicate that respondents “neither agree nor disagree” that this area should be a priority). Other areas receiving high scores include “Efforts to link all state law enforcement data systems” (4.00), “Cross-system training opportunities” (3.67), and “Expansion of Remote Recovery program” (3.58).

*QUESTION: Please provide your level of agreement that each of the following activities should be a TOP PRIORITY for the future use of Nebraska’s JAG funds:*

**Figure 10. Rating of Stakeholder-Identified Funding Priorities**



## **STAKEHOLDER INTERVIEWS**

Stakeholder committee members were also selected at random to participate in a brief interview to gauge stakeholder opinions of the federal priorities for JAG funds. At the time of the interview, the federal priorities included:

- *Counter-terrorism and Information Sharing/Fusion Centers*
- *Evidence-Based Programs or Practices*
- *Fight Economic Crime*
- *Re-entry and Smart Probation*
- *Indigent Defense*
- *Children Exposed to Violence*

Interviewees were provided questions prior to the interview. The stakeholder picked his/her top federal priority then explained how that specific priority promoted public safety in Nebraska. They were also asked to suggest possible programs, practices, technology and/or trainings that were compatible with that priority and could be implemented with JAG funding. Seven stakeholders were chosen at random to participate in this interview. Of the federal priorities, evidence-based programs/practices had the highest support among interviewed stakeholders.

# Resource Needs

In order to identify specific resource needs in Nebraska's criminal justice and juvenile justice systems that could be addressed with Justice Assistance Grant funds, the JAG stakeholders were tasked with identifying *existing resources*, *gaps in existing resources*, and *needed resources* for funding areas identified as high priorities. The results of this process are presented below.

## Identified Need: Community Coordination Efforts

Existing Resources	Gaps	Needed Resources
Nebraska has the ability to draw resources from our Office of Violence Prevention as well as our highly qualified behavioral health professionals.	A lack of community corrections options in rural areas; A lack of successful re-entry programs; The state's current stance on crime and punishment and insufficient education of state senators on crime and justice issues result in a lack of community coordination efforts.	A coordinator to educate "decision makers"; A state program evaluator; Improvement in the continuum of services provided, such as aftercare programs for youth and re-entry programs for offenders, that will allow for issue identification and solution identification.

### Discussion:

There is a clear and present lack of community coordination in relation to the Nebraska Criminal Justice system. In order for criminal justice issues to be properly addressed, it is important that community leaders/stakeholders are formally brought to the table to identify key problems and address pertinent issues within his or her community. In addition, there is a lack of community corrections options in rural areas.

Funds need to be available for the state to hire a coordinator in order to facilitate community coordination on a larger scale, as well as inform and educate state senators on juvenile justice and criminal justice issues. As of 2011, Nebraska's nine state prisons were approximately at 140% capacity. To address prison-overcrowding, there is a definite need for community-driven reentry programs and resources. The juvenile justice system also needs to develop successful community-oriented alternatives to incarceration in order to decrease the likelihood of continued criminal activity into adulthood. There is also a need for a full-time employee who is familiar with evidence-based practices to evaluate the effectiveness of state programs.

## Identified Need: Training

Existing Resources	Gaps	Needed Resources
There is currently some federal and state funding for specific conferences and trainings.	Statewide, there is a lack of coordinated training; As a system, a lack of time and resources prevent necessary trainings; There are concerns that state universities are not adequately preparing students for jobs within the justice system.	Cross-systems training for various entities within the criminal justice system; Specifically, the Attorney General's Office, child advocacy programs and the Office of Probation Administration were identified as agencies that would benefit from cross-training programs.

### **Discussion:**

There are currently limited federal and state funds for small-scale trainings and conferences for Nebraska employees, however there are few funds that are specifically targeted towards cross-systems trainings.

The main goal of cross-systems training is to have each individual entity of the Nebraska criminal justice system play a role in creating a unified-systems approach. Specifically, the Attorney General's office, child advocacy agencies and the Office of Probation Administration were identified as the primary criminal justice entities that should be involved in this process. Currently there are a number of trainings that are grant funded, however, there are very few that focus on cross-training between different purpose areas. A lack of coordinated training statewide has led to a gap in knowledge between the different criminal justice entities.

Despite its necessity, the Nebraska criminal justice system, as a whole, suffers from a lack of time and resources to put into training. Adequate cross-systems training would result in the coordination of agencies and coordinated community-outreach.

## Identified Need: Data Collection and Sharing

Existing Resources	Gaps	Needed Resources
Existing data collection and sharing resources include the Fusion Centers, intelligence meetings, Nebraska Criminal Justice Information System (NCJIS), the FBI's National Crime Information Center (NCIC), the switch/NCIS, Nebraska Probation Application Community Safety (NPACS) case management system data, the JUSTICE Trial Courts Case System database, and Health and Human Services to assist in data collection and sharing.	There are several limitations on what information can be shared (this is state dictated); The systems have been built on different platforms; There is also a lack of state funding as well as a lack of personnel for facilitation of data-sharing.	The involvement and extensive coordination of State Patrol, the Crime Commission, the DMV, the Attorney General's Office, Corrections, Courts, sheriff and police departments, county attorneys, and public defenders.

### **Discussion:**

The enhancement of data collection and sharing across state agencies is necessary for state agencies to work quickly and efficiently. For example, in some portions of the state, there are currently victim's services offices that are manually entering information into notepads. With systems not having the capacity to speak the same language in terms of data, there is a large limitation on what information can be shared.

The goals for systems integration would be to enhance crime prevention, enhance predictive policing, and improve the efforts to identify, apprehend, and prosecute criminals; increasing the overall efficiency of the criminal justice system.

Currently, the various criminal justice data systems in Nebraska are not easily integrated. There is a need for a database platform that can be integrated with existing databases. A project of this scale would require state funds for continued maintenance that is specific enough to fit system needs, but general enough to be used everywhere. The state would need to hire an information coordinator for this project's facilitation. A project of this magnitude would result in the necessary implementation and enhancement of Nebraska criminal justice system integration.



## Identified Need: Remote Recovery Expansion

Existing Resources	Gaps	Needed Resources
Nebraska can currently only draw from the Federal Bureau of Prison Systems and a potential drug court grant.	Training and coordination regarding how the system can be used for treatment, stakeholder buy-in, and fiscal sustainability.	The facilitation, coordination and training of probation staff, court staff, treatment providers, law enforcement, prosecution and defense attorneys and juvenile intake officers will be necessary for full implementation of this program.

### **Discussion:**

Remote Recovery is a program in the pilot stages throughout Nebraska that is intended to connect offenders to probation officers and treatment professionals using secure, web-based video conferencing. Goals of the Remote Recovery program include soliciting proactive case management, evoking a responsive interaction with the offender, fostering improved community support, and building rapport between the offender and his/her treatment provider and probation officer.

Nebraska's expansive geography presents significant hurdles for continual interactions between offenders located in rural areas and their probation officers and treatment providers. Funding is necessary to further develop and promote this cost-saving video conferencing technology throughout Nebraska. The Remote Recovery pilot program has decreased both the travel cost and the working hours lost due to travel for probation officers and treatment providers. Courts are also successfully using this technology to meet with clients for arraignments and hearings.

There are severe sustainability issues due to a lack of funding for this innovative project. Maintenance issues that occur are currently being funded by a grant that ends September 2012. This project would ultimately increase the accessibility of supervision and treatment in rural areas, leading to improved efficiencies in rehabilitative efforts.

Cross-trainings will also be necessary to educate various agencies on how Remote Recovery treatment can be used for their benefit and to get agencies on board with the video conferencing approach for the offender.

## Identified Need: Task Forces

Existing Resources	Gaps	Needed Resources
There are currently grant funds with a 25% match required. There are other state funds that will assist with functionality of task forces.	There is a strong reliance on federal funding for the task forces in the state of Nebraska; There is no sustained funding for personnel and there is an overreliance on seizure money; There is also a lack of communication between the various task forces in Nebraska.	Additional funding is necessary for their continued existence.

### **Discussion:**

Currently, task forces in the state of Nebraska are reliant on federal funds. There is very little state funding available to continue to fund the task forces within the state of Nebraska. There is a need for sustainable funding for personnel and a need to move away from a reliance on seizure money to financially stabilize task forces.

A primary goal of task forces is to disrupt the organization of drug trafficking by targeting dealers and consequently stifling the flow of drugs into Nebraska communities. Moreover, the prevention of non-drug crimes in Nebraska communities is aided by intelligence acquisition and distribution by task forces.

# Selected Programs

## **ENHANCEMENT OF DATA COLLECTION AND SHARING ACROSS STATE AGENCIES**

JAG funds will be used to fund Nebraska Criminal Justice Information System (NCJIS). NCJIS is a secure data portal providing access to a wide variety of criminal justice and related data for criminal justice users. NCJIS incorporates data from a variety of sources and is used by over 8,000 users from 480 agencies. The data made available, selectively based upon statute or protocol, includes jail/corrections admissions, Patrol Criminal History, probationers, court cases, protection orders, warrants, pardons, etc. JAG funds are used to provide funding for a NCJIS Analyst position within the Crime Commission. This position provides primary technical support for the ongoing operations and projects undertaking to improve data sharing among criminal justice agencies.

## **ENHANCING COMMUNITY COORDINATION EFFORTS**

JAG funds will be used to fund the Friday Night Lights Teen Leadership Academy which provides motivation, mentoring, tutoring, and leadership skills to at-risk youth. This program addresses poverty and gang violence by providing services to at-risk youth who are currently connected to gangs, live in poverty, or have low graduation rates in their family. The Leadership Academy works with other community efforts to empower the community to recognize youth as valuable assets.

JAG funds will be used to fund the Many Nations Healing project. This project is a Trauma-Informed Substance Abuse Treatment program that implements evidence-based practices that are trauma sensitive and focused on individuals who are currently at risk of incarceration. JAG funds will be used to enhance the Violent Crime Unit (VCU) in Douglas County. The Douglas County Attorney's Office has developed a Violent Crime Prosecution Unit to more effectively target violent crime and habitual violent offenders in Omaha. The unit works with the Omaha Police Department Gang Unit to establish qualifying criteria for identifying eligible violent or gang-linked crimes. All investigators and deputy county attorneys participate in community involvement, outreach, and public education to promote violence prevention and provide gang intervention. Outreach activities involve presentations, meetings and educational activities. The VCU follows the philosophy of Operation Ceasefire and Operation Hardcore from the Los Angeles County District Attorney's Office and has made the prosecution of gun crimes its number one priority.

## **TASK FORCES**

JAG funds will be used to fund the Nebraska State Patrol drug task force, MULE. MULE's current goal is to disrupt the illegal drug market in Nebraska by targeting the major dealers and the economic base of the drug trade. Through investigation, intelligence-sharing and evidence collection, the Patrol incorporates all facets of the law enforcement system into a coordinated and multi-jurisdictional approach. By partnering with Nebraska's task forces and other law enforcement organizations the task force identifies and deters domestic and foreign-based drug trade organizations through intelligence-based investigations and the interdiction of persons transporting illegal drugs and weapons. Continued emphasis is placed on the investigation of those individuals or groups who are at the top of distribution networks.

## **PROSECUTION AND THE COURTS**

JAG funds will be used to fund the Nebraska Attorney General's Drug and Violent Crime Unit to address the issue of serious or unprecedented crime events occurring in predominantly rural areas. Many counties have never faced the complexities of a murder case or the dangers and impact of a clandestine methamphetamine lab. When such a crime occurs, local law enforcement and prosecutors need expert advice and assistance to help them to effectively investigate and prosecute the cases. The Byrne grant-funded employees are able to provide both assistance and guidance during those precarious incidents. The JAG funded Investigator has become the State Administrator for the Meth Precursor Database. The Investigator is responsible for the authorization of an individual in each law enforcement agency to insure such individual is a sworn officer and verify the person's rank is within the agency. In addition to giving authorization to law enforcement to gain access into the database, pharmaceutical and retail outlets will be contacted to ensure the registering of the precursor drug to manufacture methamphetamine is being completed as required by state law.

## END NOTES

- <sup>i</sup> Bernstein, N. *All Alone in the World, Children of the Incarcerated*. 2005.
- <sup>ii</sup> Mauer, M., Nellis, A., Schirmer, S. *Incarcerated Parents and their Children – Trends 1991-2007*. The Sentencing Project, Feb. 2009.
- <sup>iii</sup> Ibid.
- <sup>iv</sup> Ibid.
- <sup>v</sup> Ibid.
- <sup>vi</sup> Ibid.
- <sup>vii</sup> Ibid.
- <sup>viii</sup> Lindquist, C. and A. Bir. 2008. "The National Evaluation of the Responsible Fatherhood, Marriage, and Family Strengthening Grants for Incarcerated and Re-entering Fathers and their Partners: Program Overview and Evaluation Summary." edited by O.o.t.A.S.f.P.a. Evaluation. Washington, DC: U.S. Department of Health and Human Services.
- <sup>ix</sup> Phillips, S., Erkanli, A., Keeler, G.P., Costello, E.J., Angold, A. 2006. "Disentangling the Risks: Parent Criminal Justice Involvement and Children's Exposure to Family Risks." *Criminology & Public Policy* 5(4):677-702.
- <sup>x</sup> Edin, K., T.J. Nelson, and R. Paranal. 2004. "Fatherhood and Incarceration as Potential Turning Points in the Criminal Careers of Unskilled Men." in *Imprisoning America: The Social Effects of Mass Incarceration*, edited by M. Pattillo, D.F. Weiman, and B. Western. New York, NY: Russell Sage Foundation.
- <sup>xi</sup> Western B., Wildeman C. 2009. "The Black Family and Mass Incarceration." *Annals of the American Academy of Political and Social Science* 621(1):221-242.
- <sup>xii</sup> Phillips, S., Erkanli, A., Keeler, G.P., Costello, E.J., Angold, A. 2006. "Disentangling the Risks: Parent Criminal Justice Involvement and Children's Exposure to Family Risks." *Criminology & Public Policy* 5(4):677-702.
- <sup>xiii</sup> Geller, A., I. Garfinkel, and B. Western. 2011. "Paternal Incarceration and Support for Children in Fragile Families." *Demography* 48(1):25-47.
- <sup>xiv</sup> Braman, D., and Wood, J. 2003. "From One Generation to the Next: How Criminal Sanctions Are Reshaping Family Life in Urban America." In *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families, and Communities*, ed. J. Travis, M Waul, pp. 157–188. Washington, DC: Urban Inst. Press
- <sup>xv</sup> Murray, J. and Farrington, D.P. 2008. "Parental Imprisonment: Long-Lasting Effects on Boys' Internalizing Problems through the Life Course." *Development and Psychopathology* 20:273-290.
- <sup>xvi</sup> Phillips, S.D., Burns, B.J., Wagner, H.R., Kramer, T.L., Robbins, J.M. 2002. "Parental Incarceration Among Adolescents Receiving Mental Health Services." *Journal of Child and Family Studies*. 11(4):385-399.
- <sup>xvii</sup> Geller, A., Cooper, C.E., Garfinkel, I., Schwartz-Soicher, O. and Mincy, R.B. 2012. "Beyond Absenteeism: Father Incarceration and Child Development." *Demography* 49(1):49-76.
- <sup>xviii</sup> Wakefield, S. and Wildeman, C. 2011. "Mass imprisonment and racial disparities in childhood behavioral problems." *Criminology & Public Policy*. 10(3):793-817.
- <sup>xix</sup> Tasca, M. Rodriguez, N., and Zatz, M.S. 2011. "Family and Residential Instability in the Context of Paternal and Maternal Incarceration." *Criminal Justice and Behavior* 38(3):231-237.
- <sup>xx</sup> Whitaker, R.C., S.M. Orzol, and R.S. Kahn. 2006. "Maternal Mental Health, Substance Use, and Domestic Violence in the Year After Delivery and Subsequent Behavior Problems in Children at Age 3 Years." *Archives of General Psychiatry* 63(5):551-560.
- <sup>xxi</sup> Edin, K., T.J. Nelson, and R. Paranal. 2004. "Fatherhood and Incarceration as Potential Turning Points in the Criminal Careers of Unskilled Men." in *Imprisoning America: The Social Effects of Mass Incarceration*, edited by M. Pattillo, D.F. Weiman, and B. Western. New York, NY: Russell Sage Foundation.
- <sup>xxii</sup> Ibid.
- <sup>xxiii</sup> Wakefield, S. 2007. *The Consequences of Incarceration for Parents and Children*. Unpublished doctoral dissertation, University of Minnesota, Minneapolis.
- <sup>xxiv</sup> Wildeman, C. 2010. "Paternal Incarceration and Children's Physically Aggressive Behaviors: Evidence from the Fragile Families and Child Wellbeing Study." *Social Forces* 89(1):285-309.
- <sup>xxv</sup> Wakefield, S. and Wildeman, C. 2011. "Mass Imprisonment and Racial Disparities in Childhood Behavioral Problems." *Criminology & Public Policy* 10(3):793-817.
- <sup>xxvi</sup> Garfinkel, I., McLanahan, S., and Hanson, T.L. 1998. *A Patchwork Quilt of Nonresident Fathers*, Working Paper 98-25. Princeton, NJ; Princeton University Press.
- <sup>xxvii</sup> Devine, K. 1997. *Family Unity: The Benefits and Costs of Community-Based Sentencing Programs for Women and Their Children in Illinois*. Chicago: Chicago Legal Aid to Incarcerated Mothers.