

Form Number 500

Agency Adjustment Summary

State of Nebraska - Administrative Services - Budget Division

| | |
|--------|-----------------------|
| | PAGE NUMBER |
| | CODE & DESCRIPTION |
| AGENCY | 78 NE Comm on Law Enf |
| | |
| | |

| EXPENDITURE ACCOUNT | ADJUSTMENTS | |
|--------------------------------------------|-------------|-----------|
| | 2007-2008 | 2008-2009 |
| Permanent F.T.E. Positions | | |
| 511100 Permanent Salaries - Wages | | |
| 511200 Temporary Salaries - Wages | | |
| 511600 Per Diem Payments | | |
| 511900 Supplemental (One-time payments) | | |
| All Other Salaries | | |
| Sub-Total Salaries | 0 | 0 |
| 515100 Retirement Plans Expense | | |
| 515200 OASDI Expense | | |
| 515400 Life and Accident Insurance Expense | | |
| 515500 Health Insurance Expense | | |
| All Other Personal Services | | |
| Sub-Total Benefits | 0 | 0 |
| 510000 Personal Services | 0 | 0 |
| 520000 Operating Expenses | | |
| 543100 Data Processing Contractual | | 383,854 |
| 554900 Other Contractual (Pass-Thru) | | 1,062,098 |
| 570000 Travel Expenses | | |
| 580000 Capital Outlay | | |
| 590000 Government Aid | | |
| Total Expense | 0 | 1,445,952 |
| Means of Financing | | |
| General Fund | | 1,062,098 |
| Cash Fund | | 383,854 |
| Federal Fund | | |
| Revolving Fund | | |
| Total Funding | 0 | 1,445,952 |

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

| | CODE | DESCRIPTION |
|---------|------|-----------------------|
| AGENCY | 78 | NE Comm On Law Enf |
| PROGRAM | 220 | Community Corrections |
| REQUEST | 1 | Uniform Data Fund |

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

A) Description of Request: State Statutes Section 47-627 creates a uniform crime data analysis system in Nebraska which includes data from the probation and parole systems, the State Court Administrator, the Department of Corrections, the State Patrol, counties, local law enforcement, and other criminal justice entities. The data collected via the data analysis system is coordinated by an IT Business Systems Analyst, who is funded in Program 220.

The Uniform Data Analysis Fund is created in 47-632 and this cash fund utilizes funds collected via a court fee to support the analysis of data collected via the crime data analysis system.

The Community Corrections Council was created in 2003 to develop and coordinate a continuum of community corrections sentencing and release options for adult felons. The Council, the Council’s Executive Director, and the Supreme Court have access to data collected in the uniform data analysis system. Such data is critical in implementing the Community Corrections Act.

A deficit request is submitted for FY 08-09 to increase the cash fund appropriation in Program 220 from 361,025 to 744,879. This is an increase of 383,854.

B) Rationale for Request: As of November 30, 2007 the cash fund balance in the Uniform Data Fund is \$1,162,641. The 07-08 appropriation is 360,477. We estimate the cost of operations in 07-08 to be \$71,000, which leaves a balance of \$289,477 for data fund projects.

These are the current data fund projects operational in 07-08:

Nebraska Probation Management Information System (NPMIS) II -- \$128,000 est. cost

NPMIS II+ -- \$39,570 est. cost

Nebraska Criminal Justice Information Systems (NCJIS),
Modifications for NPMIS and Parole -- \$20,000 est. cost

Parole (Case Management System Development) -- \$90,000 est. cost

Arrest Data (Omaha - case level) -- \$10,000 est. cost

Sentencing Codes (Import new sentencing codes to Department of Corrections from NCJIS) -- \$10,000 est. cost

Operations -- \$71,000 est. cost

Program Adjustment Narrative

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Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

The total costs listed on page 1 total \$368,570 (8,093 higher than appropriation). No deficit is requested for 07-08.

FY 08-09 Deficit:

The 08-09 appropriation is \$361,025. The estimated cost of operations is \$75,000, which leaves a balance of \$286,025 for data projects.

The proposed data projects for 08-09 are:

NPMIS III -- \$480,000 est. cost

NCJIS (Modifications for NPMIS and Parole) -- \$10,000 est. cost

Parole (Continuing development of case management system) -- \$149,879 est. cost

Arrest Data (Lincoln – case level) -- \$10,000 est. cost

Sentencing Codes (Import new sentencing codes to Department of Corrections from NCJIS) -- \$20,000 est. cost

Total (operations plus data projects) \$744,879.

A deficit request in the amount of \$383,854 is necessary for FY 08-09.

By waiting for the next biennial budget request to ask for an increase in appropriations, some of these proposed 08-09 data projects would not be implemented until 09-10 or later. This would cause delays in implementing the Community Corrections Act since the data collected via these projects is critical to decision making and setting priorities on funding treatment, day and evening reporting centers, and specialized courts.

C) Impact of the Request:

The major component of the deficit request is \$480,000 for NPMIS III. The Nebraska Probation Administration has been working with the Community Corrections Council to develop Evidenced Based offender programming together with modifications to the Nebraska Probation Management Information System (NPMIS). It is important that NPMIS be evaluated and modified because the Evidenced Based expectation is to provide accurate and detailed documentation of offender outcomes. The Probation Administration must routinely assess offender change in cognitive and skill development and evaluate offender recidivism if services are to remain effective.

Program Adjustment Narrative

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| AGENCY | 78 | NE Comm On Law Enf |
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| REQUEST | 1 | Uniform Data Fund |

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

Continued and uninterrupted funding for the NPMIS III project is important to provide a foundation that will insure accurate data and provide for validated reports. These funds will assist the Probation Administration in providing a case management and data management system to criminal justice and treatment agencies. This project, when completed, will generate accurate data and allow for the appropriate measurement of outcomes.

Another major component of the deficit request is \$149,879 to complete the Department of Parole’s case management system. There is an important need for more complete information on parole populations, including revocations and the impact on the Department of Corrections’ prison population.

In a real sense, all these components of the deficit request are related and need to be completed on similar timelines during FY 08-09. This will allow for the continued implementation of the Community Corrections Act. The projects funded with the Uniform Data Fund are crucial because they provide accurate data and information to the Community Corrections Council. The Council is a policy-setting board which decides on funding for the major components of the Community Corrections movement in Nebraska.

More detailed information on these data projects is provided via documents included with this deficit narrative.

Form Number 520

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

PAGE NUMBER 1

CODE & DESCRIPTION

| | |
|---------|---------------------------|
| AGENCY | 78 Ne Comm On Law Enf |
| PROGRAM | 220 Community Corrections |
| REQUEST | 1 Uniform Data Fund |

| EXPENDITURE ACCOUNT | APPROPRIATIONS | | ADJUSTMENTS | |
|--------------------------------------------|----------------|-----------|-------------|-----------|
| | 2007-2008 | 2008-2009 | 2007-2008 | 2008-2009 |
| Permanent F.T.E. Positions | | | | |
| 511100 Permanent Salaries - Wages | 41,521 | 42,559 | | |
| 511200 Temporary Salaries - Wages | | | | |
| 511600 Per Diem Payments | | | | |
| 511900 Supplemental (One-time payments) | | | | |
| All Other Salaries | | | | |
| Sub-Total Salaries | 41,521 | 42,559 | 0 | 0 |
| 515100 Retirement Plans Expense | 3,114 | 3,192 | | |
| 515200 OASDI Expense | 3,176 | 3,256 | | |
| 515400 Life and Accident Insurance Expense | 17 | 17 | | |
| 515500 Health Insurance Expense | 14,428 | 15,441 | | |
| All Other Personal Services | | | | |
| Sub-Total Benefits | 20,735 | 21,906 | 0 | 0 |
| 510000 Personal Services | 62,256 | 64,465 | 0 | 0 |
| 520000 Operating Expenses | 6,244 | 7,735 | | |
| 543100 Data Processing Contractual | 289,477 | 286,025 | 0 | 383,854 |
| | | | | |
| | | | | |
| 570000 Travel Expenses | 2,500 | 2,800 | | |
| 580000 Capital Outlay | | | | |
| 590000 Government Aid | | | | |
| Total Expense | 360,477 | 361,025 | 0 | 383,854 |
| Means of Financing | | | | |
| General Fund | | | | |
| Cash Fund | 360,477 | 361,025 | 0 | 383,854 |
| Federal Fund | | | | |
| Revolving Fund | | | | |
| | | | | |
| | | | | |
| Total Funding | 360,477 | 361,025 | 0 | 383,854 |

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

| | CODE | DESCRIPTION |
|---------|------|-----------------------|
| AGENCY | 78 | NE Comm On Law Enf |
| PROGRAM | 220 | Community Corrections |
| REQUEST | 2 | Reporting Centers |

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

A) Description of Request: In FY 07-08 \$1,250,000 was appropriated to the Community Corrections Council to fund day and evening reporting centers. These centers, operated by the Probation Administration, are intended to be on-site, community-based facilities that blend high levels of offender control with intensive delivery of services. They ensure access to services which include (1) educational and vocational training, (2) provide a means to structure an offender’s time towards pro-social and rehabilitative activities, (3) respond to non-compliance in graduated ways that will not add to prison crowding, and (4) process/outcome evaluations.

These reporting centers are one of the three general-funded components of the Community Corrections movement in Nebraska. The other two components are treatment and evaluation services, and specialized courts.

B) Rationale for Request:

After carefully assessing data which determined the need for services in selected locations, the Probation Administration has opened 7 reporting center locations. Research indicates that resources need to be aimed towards offenders at the highest risk for recidivism for best results. Reporting centers have been designed first to meet the needs of these high risk offenders. These offenders are assessed by probation, parole, and drug courts. Each site maximizes resources by offering services and bringing together offender populations regardless of their referral source.

Current locations for these reporting centers are Lincoln, Omaha, Papillion, Nebraska City, South Sioux City, Kearney and Lexington.

The cumulative numbers of offenders served by site for the month of September 2007 are:

- Douglas County – 64 (opened in May 2007 in collaboration with the Douglas County Department of Corrections)
- Dakota County – 103
- Sarpy and Otoe Counties – 470
- Lancaster County – 672
- Lexington and Kearney – 553

The Specialized Substance Abuse Supervision (SSAS) program is designed to manage prison bound offenders safely within the community. The goal is to reserve prison beds for the most serious offenders. The SSAS programs are most effective when combined with the utilization of the reporting center programs. As of October 29, 2007, the total capacity of all SSAS programs is at 63%. There is significant variance in the capacity from site to site and the Probation Administration is working to identify the reasons.

The reasons for the variance in capacity, as identified by Probation are:

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

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| REQUEST | 2 | Reporting Centers |

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- 1) Probation has indicated that they deliberately bring offenders into the program slowly after rigorous screening and assessment which has included an education process with the judiciary and the parole board. Probation believes they have been successful in matching the targeted population of the felony drug offender who was otherwise intended for prison or transitioning out of prison.
- 2) Probation has identified the Lexington/Kearney site as not selected by them based on data but one selected by the Community Corrections Council to better serve western Nebraska. They noted the location has two drug courts also operating which serve a similar population.
- 3) Probation feels they have learned that parole offenders need to be screened prior to discharge from the institution, allowing for specific parole conditions and a smoother transition. Probation and the Department of Corrections have worked together to develop a screening process prior to discharge and to educate staff about that process.
- 4) The last factor which impacts capacity is related to staffing. In several locations, the originally trained SSAS officers have been promoted or have left for employment outside the probation system. Each site has gone through transitional periods affecting the capacity. Whenever there is staff turnover there is an associated relationship to the referral process and the hiring and training period for the new officer. SSAS officers need to be highly trained and Probation has pursued hiring the “best and the brightest” to work in this capacity. Due to the extensive training and skill sets these officers have, they are sought after by other entities

Probation has not taken any action to develop the next report sites in the next phase. Efforts that have occurred to develop community based programming in these areas have occurred when communities have solicited Probation concerning the need for services in those areas. Through an assessment of data, Probation has indicated the next locations they are considering for reporting centers are Madison County, Platte County, and Scottsbluff (in that order, based on data). Reporting centers are developed and utilized collaboratively. To date they have been funded in the following manner:

- Reporting Center Staff – Council General Funds
- SSAS staff – General Funds
- Rent – County Funds
- Ongoing Operations – County Funds (after initial setup)
- Services – General Funds and Offender Fees

Requested 08-09 Deficit Amount: Probation estimates the first year start-up costs for two more sites are \$556,049 and on-going costs are \$506,049. The total deficit request for 08-09 is \$1,062,098. See the attached document for a breakdown of costs.

The attached supporting documentation includes: 2007 Reporting Center Services by Site, Reporting Center Costs (per site) and SSAS Program Report (by site).

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

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|---------|------|-----------------------|
| AGENCY | 78 | NE Comm On Law Enf |
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| REQUEST | 2 | Reporting Centers |

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

C) Impact of the Request: As of December 20, the population of the Department of Correctional Services is at 139.8% of capacity. This is 6 offenders away from a capacity of 140%, the point at which the Governor may declare an emergency.

Reporting centers are a strategy for correctional reform. Reform can best be accomplished by smart decisions around community corrections that can reduce incarceration without jeopardizing public safety, effectively manage the risk of certain offenders, and deploy resources in a better manner.

Public safety is impacted if offenders are not effectively rehabilitated. The cost of incarceration increases with recidivism. Research shows that recidivism increases when treatment needs are not met. Research also shows recidivism increases when offenders are over-supervised (a correctional setting) when they could have been supervised in a less restrictive environment – i.e. “community supervision”, which can be provided through reporting centers and programs like the SSAS program.

The cost of building the prison at Tecumseh in 2001 was \$73,000,000. The current cost of operations for the Tecumseh prison is \$20,938,000 per year. The estimate to build a new prison now is estimated to be \$100,000,000. Operating costs for a new prison would be at least \$20,000,000 per year.

Form Number 520

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

PAGE NUMBER 1

CODE & DESCRIPTION

| | |
|---------|---------------------------|
| AGENCY | 78 Ne Comm On Law Enf |
| PROGRAM | 220 Community Corrections |
| REQUEST | 2 Reporting Centers |

| EXPENDITURE ACCOUNT | APPROPRIATIONS | | ADJUSTMENTS | |
|--------------------------------------------|------------------|------------------|-------------|------------------|
| | 2007-2008 | 2008-2009 | 2007-2008 | 2008-2009 |
| Permanent F.T.E. Positions | | | | |
| 511100 Permanent Salaries - Wages | 170,341 | 175,659 | | |
| 511200 Temporary Salaries - Wages | | | | |
| 511600 Per Diem Payments | | | | |
| 511900 Supplemental (One-time payments) | | | | |
| All Other Salaries | | | | |
| Sub-Total Salaries | 170,341 | 175,659 | 0 | 0 |
| 515100 Retirement Plans Expense | 12,776 | 13,174 | | |
| 515200 OASDI Expense | 13,031 | 13,348 | | |
| 515400 Life and Accident Insurance Expense | 51 | 51 | | |
| 515500 Health Insurance Expense | 20,534 | 21,890 | | |
| All Other Personal Services | 1,000 | 1,000 | | |
| Sub-Total Benefits | 47,392 | 49,463 | 0 | 0 |
| 510000 Personal Services | 217,733 | 225,122 | 0 | 0 |
| 520000 Operating Expenses | 75,261 | 77,617 | | |
| 554900 Other Contract (Merger Study) | 25,000 | 0 | | |
| 554900 Other Contractual (Pass-Thru) | 5,456,878 | 5,456,878 | | 1,062,098 |
| | | | | |
| 570000 Travel Expenses | 17,400 | 17,400 | | |
| 580000 Capital Outlay | 1,000 | 1,000 | | |
| 590000 Government Aid | | | | |
| Total Expense | 5,793,272 | 5,778,017 | 0 | 1,062,098 |
| Means of Financing | | | | |
| General Fund | 5,793,272 | 5,778,017 | 0 | 1,062,098 |
| Cash Fund | | | | |
| Federal Fund | | | | |
| Revolving Fund | | | | |
| | | | | |
| | | | | |
| Total Funding | 5,793,272 | 5,778,017 | 0 | 1,062,098 |

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.