

# *Stakeholder Training Manual*

---

Probation 101



# TABLE OF CONTENTS

<b>NEBRASKA PROBATION: THE JUDICIAL BRANCH</b> .....	<b>4</b>
STATUTE .....	4
VISION, MISSION, VALUES AND BELIEFS .....	4
CODE OF ETHICS .....	5
JUVENILE PROBATION SYSTEM GOAL .....	6
CLIENT OUTCOMES .....	6
THE FOUR PILLARS OF THE JUVENILE JUSTICE SYSTEM .....	6
RECIDIVISM AS DEFINED BY THE NEBRASKA SUPREME COURT .....	7
CULTURE .....	8
<b>EVIDENCE-BASED PRACTICES</b> .....	<b>9</b>
THE INTEGRATED MODEL .....	9
ORGANIZATIONAL DEVELOPMENT .....	9
COLLABORATION .....	9
EVIDENCE-BASED PRINCIPLES .....	10
<b>UNDERSTANDING THE FOUNDATION OF “THE BUSINESS”</b> .....	<b>11</b>
THE COMMUNITY SAFETY IMPACT MODELS .....	11
RESPONSIVITY .....	11
THE STAGES OF CHANGE .....	12
<b>PRINCIPLE #1 – ASSESSING PROBATIONER RISK</b> .....	<b>13</b>
RISK ASSESSMENT TOOLS .....	13
RESPONSIVITY INSTRUMENTS .....	14
<b>PRINCIPLE #2 – TARGET INTERVENTIONS</b> .....	<b>14</b>
PRE-SENTENCE INVESTIGATIONS (THE PSI) .....	14
JUVENILE PREDISPOSITION INVESTIGATION (THE PDI) .....	15
UPDATE PSI/PDI’S OR SUPERVISION OVERVIEWS .....	15
<b>EVALUATIONS AND SERVICES</b> .....	<b>15</b>
BEHAVIORAL HEALTH EVALUATIONS .....	15
OTHER EVALUATIONS AND SERVICES .....	16
REGISTERED PROVIDERS .....	17
VOUCHERS .....	17
ASSESSMENTS AND EVALUATIONS BECOME THE RECOMMENDATIONS IN INVESTIGATIONS .....	18
<b>PROBATION SUPERVISION</b> .....	<b>18</b>
JUVENILE CASE MANAGEMENT .....	18
ADULT CASE MANAGEMENT .....	20
SPECIALIZED PROGRAMS .....	22
<b>PRINCIPLE #3 – ENHANCE INTRINSIC MOTIVATION</b> .....	<b>26</b>
MOTIVATIONAL INTERVIEWING .....	26
REAL COLORS .....	26
<b>PRINCIPLE #4 – SKILL TRAIN WITH DIRECTED PRACTICE</b> .....	<b>26</b>
GROUPS .....	26
TRAINING .....	27
<b>PRINCIPLE #5 – INCREASE POSITIVE REINFORCEMENT</b> .....	<b>27</b>

INCENTIVES AND THE 4-TO-1 RULE .....	27
VIOLATIONS OF PROBATION, ADMINISTRATIVE SANCTIONS .....	28
POWERS OF ARREST.....	28
JUVENILE INTAKE/DETENTION ALTERNATIVES.....	28
<b>PRINCIPLE #6 – ENGAGE ON-GOING SUPPORT .....</b>	<b>29</b>
POSITIVE SUPPORT PERSONS.....	29
<b>PRINCIPLE #7 – MEASURE PROCESS/PRACTICES .....</b>	<b>30</b>
QUALITY ASSURANCE .....	30
<b>PRINCIPLE #8 – PROVIDE MEASUREMENT FEEDBACK .....</b>	<b>30</b>
DISTRICT EVALUATIONS .....	30
<b>ADDITIONAL PROBATION DISTRICT PRIORITIES .....</b>	<b>30</b>
INTERSTATE COMPACT (OUT OF STATE) TRANSFERS OF PROBATION.....	30
DNA .....	30
PROBATION ENROLLMENT, PROGRAMMING AND OTHER FEES.....	31

## NEBRASKA PROBATION: The Judicial Branch

### STATUTE:

The Administrative Office of Probation oversees the statewide system of probation in Nebraska and is part of the judicial branch. As a Chief Probation Officer you are the *hand* of the courts in your area. At all times you will balance ensuring your district is in compliance with administrative directives and local judiciary. For additional information, Probation is authorized by Nebraska Revised Statute 29-2262 (Conditions For and Of Probation).

### VISION:

Be a nationally recognized leader in the field of justice committed to excellence and safe communities.

### MISSION:

We, the leaders in community corrections, juvenile and restorative justice are unified in our dedication to delivering a system of seamless services which are founded on evidence-based practices and valued by Nebraska's communities, victims, offenders and courts. We create constructive change through rehabilitation, collaboration, and partnership in order to enhance safe communities.

### VALUES AND BELIEF STATEMENTS:

To reach our Vision and accomplish our Mission, the Nebraska Probation System is guided by the following **Values and Beliefs**:

**We Believe in Dignity, Respect and Integrity:** As Officers of the Court, we are held to a higher ethical standard. We take responsibility for treating employees, victims, offenders, and all others with dignity and respect in all interactions. Victims of crime are ensured a voice. Staff are valued and respected for who they are and what they do. We appreciate the cultural and gender differences of all.

**We Believe in Professionalism:** Probation staff adhere to a standard of excellence and serve as role models for all offenders. We value and show professionalism toward the courts, victims, offenders, colleagues, and community partners. We value a well-trained, highly-skilled professional staff. Being sensitive to the needs of victims and offenders is key to the success of our mission.

**We Believe in Resourcefulness:** We value evidence-based community correctional programming as a cost-effective alternative to incarceration. A creative and innovative staff is our greatest resource. Investing in juvenile justice ultimately reduces recidivism.

**We Believe in Excellence in Strength-Based Services:** Vital to rehabilitation and accountability is community-based cooperation and collaboration. Solid Probation practices based on proven research is fundamental to our success. Positive change is achievable.

Treatment is a means of crime control: Developing competencies in the youth of today will lead to better citizens of tomorrow. Building on the strengths of offenders creates a basis for positive growth and change.

#### CODE OF ETHICS:

The intent of the Nebraska Probation System Code of Ethics is to define our values, beliefs, and conduct by demonstrating responsibility toward our courts, communities, victims, probationers, and colleagues.

As Probation staff, we commit to demonstrating the highest standards of personal and professional integrity by practicing honesty, respecting the dignity and individuality of human beings, and providing professional and compassionate service. We further resolve to conduct ourselves in a professional manner, so as to avoid the appearance of impropriety and increase the public trust and confidence in the Nebraska Probation System.

- I will carefully guard my reputation of good moral character and citizenship. I will use time, resources, facilities, and information for their intended purpose.
- I will seek to preserve the dignity and rights of all individuals by practicing courtesy, respect, and responsiveness.
- I will conduct myself at all times in a professional manner regarding appearance, conduct, and speech.
- I will model policies, procedures, and personal practices which will enable others to conduct themselves in accordance with our values and beliefs.
- I will neither accept nor grant favors in connection with my position.
- I will continue to work against discrimination based on race, sexual orientation, gender, age, creed, nationality, cultural, physical or economic conditions.
- I will refrain from activities which conflict or appear to conflict with my official duties and responsibilities, which includes inappropriate relationships, misuse of alcohol/drugs, and unlawful acts.
- I will perform my duties in a timely, relevant, and accurate manner.
- I will exercise professional judgment and not allow external pressures to influence my decisions.
- I will advance my professional competency by continuing education and training consistent with evidence-based practices.
- I will safeguard all verbal, written, and electronic information concerning offenders, colleagues, victims, and others.
- I will report any corrupt or unethical behavior which could affect an offender, colleague, or the integrity of the Probation System.

## JUVENILE PROBATION SYSTEM GOAL:

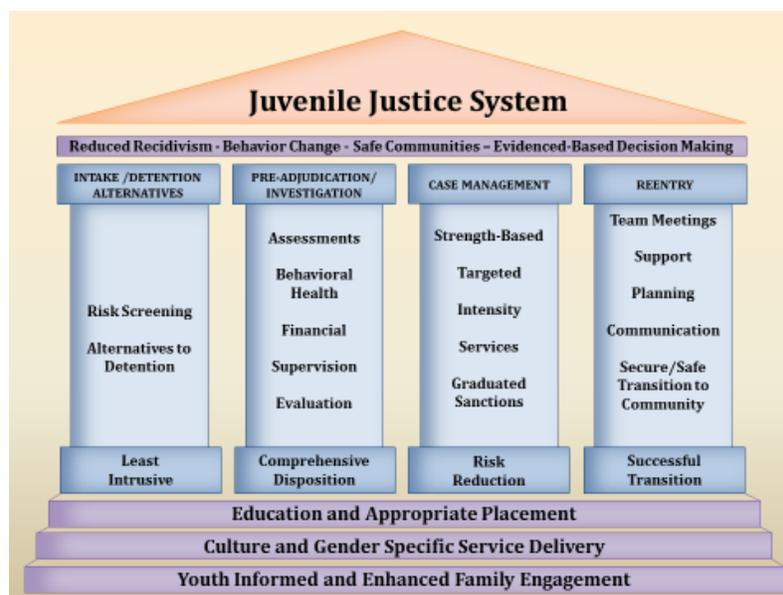
- Preventing juveniles from returning to the juvenile justice system or entering the criminal justice system by:
  - Engaging juveniles and their families in the juvenile court process.
  - Eliminating barriers to families accessing effective treatment and services.
  - Partnering with educational and community stakeholders to assure coordinated case management, focused accountability, and improved outcomes.

## CLIENT OUTCOMES:

- **Risk Reduction**: Youth involved in the juvenile justice system will receive targeted services that reduce assessed risk to reoffend upon release from supervision.
- **Placement**: An increase in utilization of community-based services will reduce the use of out-of-home placements.
- **Detention**: Reduce the number of youth placed in detention who are not high risk to reoffend.
- **Non-Delinquent Status Youth**: An increase in status youth who are deferred from the juvenile justice system or receive a decrease term of probation supervision.
- **Education and Employment**: A higher percentage of youth will be involved in pro-social activities including school and employment.

## THE FOUR PILLARS OF THE JUVENILE JUSTICE SYSTEM:

Along with the juvenile probation goal, the pillars are the foundation of the juvenile justice system. In this manual the pillars will be discussed in detail. But ensuring the foundation of these pillars are always intact in your district is essential. Always prioritizing the base which is education, appropriate placement, culture and gender specific delivery and youth informed and family engaged supervision.



## RECIDIVISM AS DEFINED BY THE NEBRASKA SUPREME COURT

§ 1-1001. Uniform definitions of recidivism for Nebraska State Probation and Nebraska Problem-Solving Court.

For the purpose of accurately assessing post-program recidivism across justice programs, Nebraska State Probation and Nebraska Problem-Solving Courts shall utilize the following uniform definitions of recidivism for all adults and juveniles within their respective programs.

### (A) Adults:

As applied to adults, recidivism shall mean a final conviction of a Class I or II misdemeanor, a Class IV felony or above, or a Class W misdemeanor based on a violation of state law or an ordinance of any city or village enacted in conformance with state law, within 3 years of being successfully released.

### (B) Juveniles:

(1) As applied to juveniles, recidivism shall mean that within 1 year of being successfully released from a probation or problem-solving court program the juvenile has:

(a) an adjudication pursuant to Neb. Rev. Stat. § 43-247(1) or (2).

(b) for a juvenile 14 years or older, a final conviction for a Class W misdemeanor based on a violation of state traffic laws or ordinances of any city or village enacted in conformance with state law; or

(c) a prosecution and final conviction as an adult for any crimes set forth in subsection (A) above.

(2) For juveniles that age out of the juvenile system within 1 year of program exit and who did not recidivate post-program as juveniles, the adult definition of post-program recidivism, including any drug-related or alcohol-related conviction, shall apply.

*§ 1-1001 adopted September 25, 2013.*

## CULTURE:

As defined by Merriam-Webster: *“a way of thinking, behaving, or working that exists in a place or organization (such as a business).”*

### **Culture Statement**

During the Spring, 2014 Management Meeting the leadership of each probation district participated in a reflective dialogue group that facilitated development of a “Culture Statement” for each district. These statements laid out the expectations, of the district, by the district, of attitudes and behaviors displayed by the staff at all levels. What follows is an example of a couple of such statements.

- *At Probation District #22 we understand our success if incumbent upon the relationships we build and maintain among ourselves and with others.*
- *As leaders we are expected to model consistent, cohesive, leadership that empowers and is responsive to the ideas of others.*
- *At all times we will display a positive attitude that is reflective of our dedication, ownership and hard work and embraces the change we all experience.*
- *We will learn from our mistakes and we will have the courage to move forward and continually push the bar higher.*

Setting a culture of excellence within your district will empower staff to succeed and fulfill your expectations.

## EVIDENCE-BASED PRACTICES:

Nebraska Probation is founded on the principles of Evidence-Based Practices (EBP), which assist in accomplishing our mission. EBP is about creating definable outcomes that are measured and practical by building on lessons learned and research. In 2002, Latessa, Cullen & Gendreau found that programs that adhere to the “Principles of Effective Intervention” have consistently been more successful at reducing recidivism. Therefore, the purpose of probation is to assist probationers to change their behavior. With full successful implementation probationer outcomes will include both safe communities and productive citizens.

## THE INTEGRATED MODEL:

The Integrated Model emphasizes the importance of focusing equally on evidence-based principles, organizational change and collaboration to achieve successful and lasting change. The merging of these three separate areas of focus create clarity regarding how to implement interventions and achieve improved outcomes that research is showing result in reduced recidivism.

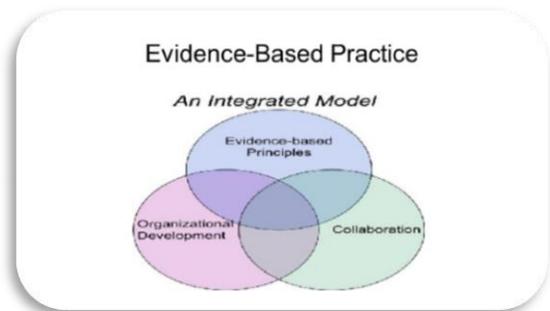
## ORGANIZATIONAL DEVELOPMENT:

It is essential to not only focus on the principle but also include Organizational Development which is required to successfully move into an EBP.

Ensuring the probation culture supports EBP and is about “the business” is essential for success.

## COLLABORATION:

Another key element is stakeholder collaboration, probation staff are empowered to engage with judges, committees, schools, law enforcement and other stakeholders. This ensures that relationships are built to increase the services and access to support for probationers.



## EVIDENCE-BASED PRINCIPLES:

There are eight guiding principles for Evidence-Based Practices which are the foundation for probation. Below you will find a chart including the eight principles and how they relate to probation officer case management.

“Managers vision the destination,  
leaders vision how to get there.”

*Marc Sanborn, 2005*

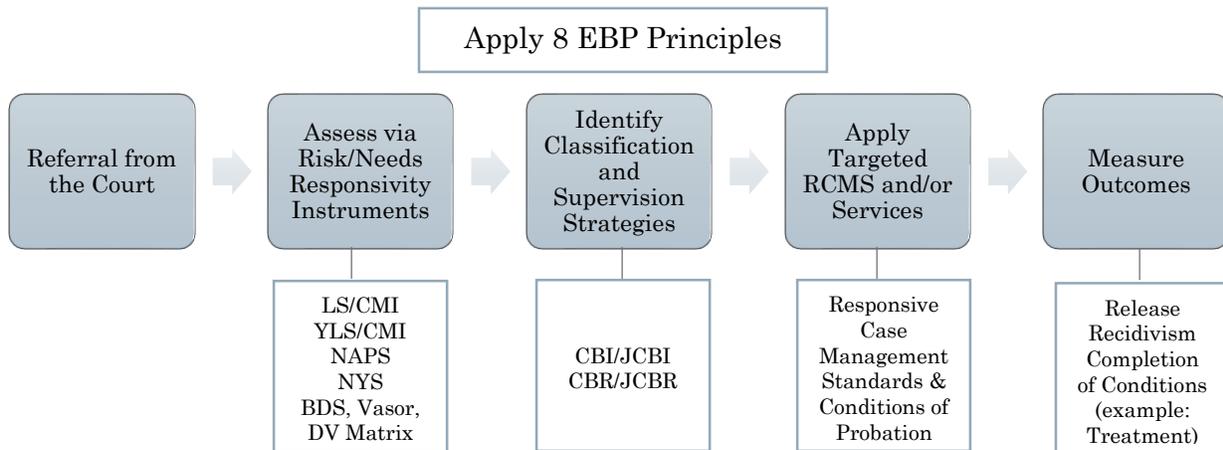
## 8 Evidence-Based Principles for Effective Intervention with probationers

1. **Assess Risk/Need** - Level of Service Inventories/NAPS/BDS/New Juvenile Intake Assessment Instrument
2. **Enhance Intrinsic Motivation** - Motivational Interviewing
3. **Target Interventions** -
  - a) Specialized Substance Abuse Supervision (SSAS)
  - b) Standardized Model for the Delivery of Substance Use Services
  - c) Fee for Service Voucher Program
  - d) Reporting Centers
4. **Skill Train with Directed Practice** – Cognitive Behavioral Groups
5. **Increase Positive Reinforcement** – Incentive Program
6. **Engage Ongoing Support** – Collaboration/Tools/RISE
7. **Measure Process/Practices** - Development of Performance and Outcome Measures
8. **Provide Measurement Feedback** – Employ “only” What Works

For additional information regarding EBP: *Implementing EBP in Community Corrections, 2nd Ed.* [http://www.crj.org/cji/entry/publication\\_integratedmodel](http://www.crj.org/cji/entry/publication_integratedmodel)

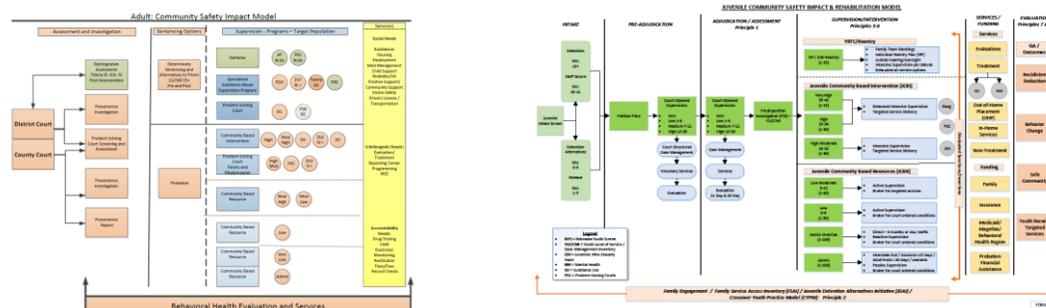
## UNDERSTANDING THE FOUNDATION OF “THE BUSINESS”:

As discussed previously one of the essential foundational supports of probation is to ensure the work done is always focused on “the business.” This is accomplished by ensuring the 8 evidence-based principles are considered at each stage of probation. The graph below identifies each step in a probation case and the implemented system support that ensures the principle is taken into consideration.



## THE COMMUNITY SAFETY IMPACT MODELS:

The way that “the business” is accomplished with probationers is done with support of our own internal blueprint. We call them the Community Safety Impact Models. The models include how intake, appropriate assessment, supervision levels and caseloads, services and interventions available, measurements that must always be taken into consideration and essential outcomes we strive to attain. There is a model specific to adult and juvenile probation with details regarding probationers we supervise.



## RESPONSIVITY:

The Community Safety Impact Models assist in probationer “responsivity,” which is the matching of probationer skills and characteristics with programming and supervision approaches. When an officer takes the time to assess the service that will best match with the probationer they will see success increase.

But for an officer to successfully access responsivity they also must have the four identified skills within the below acronym “FREE.” These officer skills assist with the matching of programming and services.

**F**lexibility

**R**elationship

**E**ngagement

**E**mpathy

## THE STAGES OF CHANGE:

### Stage One: Pre-contemplation

This stage is when the person is not yet acknowledging that there is a problem behavior that needs to be changed. Example, “I don’t have a problem, you do.”

### Stage Two: Contemplation

At this stage there is an acknowledgment that there is a problem but are not yet ready or sure they want to make a change. Example, “Maybe I should make some changes.”

### Stage Three: Preparation/Determination

During this stage of change they are getting ready to change. Example: “What can I do about my problem?”

### Stage Four: Action/Willpower

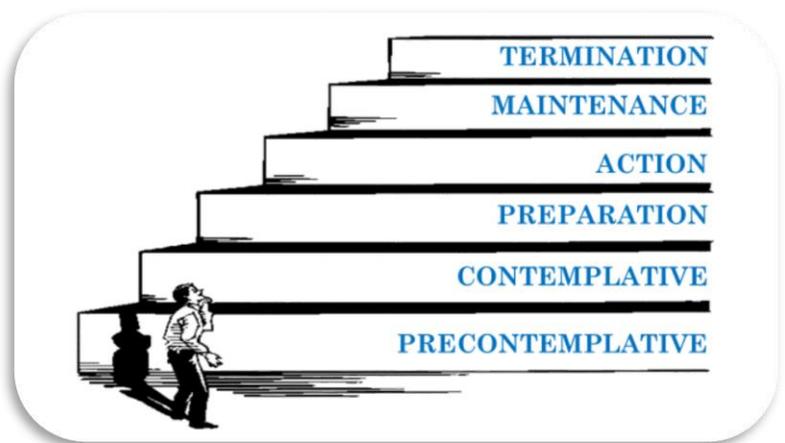
This is the stage where they are actively changing behavior.  
Example: “I’m working on it.”

### Stage Five: Maintenance

During this stage they have made the change and are maintaining the behavior change. Example: “It doesn’t bother me much anymore.”

### Stage Six: Termination

At this stage they have fully implemented the changed behavior. Example: “I used to have a problem.”



## **The Stages of Change and Relapse:**

Ultimately the “Stages of Change” demonstrate that people move through various stages while making changes in their lives and that specific techniques are best employed within specific stages. Conversely, applying the wrong technique in the wrong stage cannot only be ineffective, but counter-productive. For example, teaching someone the skills to solve a problem, when they do not think they have a problem, is usually an unprofitable endeavor. Changes are more likely to occur when a person is receiving assistance formulated to match their current state.

Additionally, understanding that “Relapse” is a piece of making change. For example, if I make a resolution to eat better, I may move to action, but stop before being able to maintain the behavior change. I may need to move back to preparation, or another stage to get back on track with my resolution. This process is dynamic and must be followed up on regularly. Understanding “Stages of Change” will assist a probation officer in successful supervision.

Resource for this information and additional information regarding Leadership Styles is located at [www.addictioninfo.org](http://www.addictioninfo.org)

## **PRINCIPLE #1 – ASSESSING PROBATIONER RISK (Risk/Need/Responsivity)**

### **RISK ASSESSMENT TOOLS:**

When we talk about “RISK” we are referring to a person’s risk to recidivate. To determine these risk scores we use, primarily, the Level of Service – Case Management Inventory (LS-CMI), in all felony offenses and certain misdemeanor offenses (sex offenses, domestic violence offenses, and DWI Third Offenses, and as indicated by the NAPS assessment instruments) and the Youthful Level of Service Inventory (YLS-CMI) which is used for all adjudicated juveniles. The LS-CMI and YLS-CMI are actuarial based, scientifically validated and normed risk assessment tools used to determine overall risk to recidivate.

Historically, when looking at the adult instrument (LS-CMI) the eight best predictors of recidivism are criminal history (because the best predictor of future behavior is always past behavior), education or employment deficiencies (low education or unemployed, underemployed or unemployable with limited employment history elevates risk), companions (strong, prosocial network reduces risk, lack of prosocial others elevates risk), family/marital issues (see companions), alcohol/drug problem, lack of involvement in prosocial leisure/recreation activities (nothing to fill free time elevates risk, involvement in prosocial activities reduces it), displaying a pro-criminal attitude (negative towards their charge, the law, treatment or supervision) or living an antisocial pattern (lack of stability in relationships, living environment, financially, etc.).

Similarly, to the LS-CMI, the YLS-CMI has identified predictors of juvenile recidivism. These include prior and current offenses/dispositions, family circumstances/parenting, education/employment, peer relations, substance abuse, leisure/recreation,

personality/behavior and attitudes/orientation. The YLS-CMI also includes options for “special considerations” which include family and parent identifiers and additional youth needs not included in the formal risk assessment screening.

The LS-CMI and YLS-CMI assesses each of these areas which are referred to as “domains” and the results are reported in the PSI or PDI. In the end, the higher the risk score, the more domains are identified that will require attention during supervision. The lower the risk score, the lower number of high domains.

The Nebraska Probation System also prioritizes supervision based on these scores. While this will be addressed later, in short, the higher the risk score, the lower the caseload and the greater the intervention and attention. The lower the risk score, the higher the caseload and, in turn, less intervention and attention. In fact, research has shown that too much intervention on a low risk person can actually cause recidivism. Therefore, a targeted supervision based on domains is essential.

#### **RESPONSIVITY INSTRUMENTS:**

In addition to the NAPS, LS-CMI and YLS-CMI, there are several additional “Secondary” instruments. Some of the adult specific instruments include the DV – Matrix for DV cases and the VASOR, Drivers Risk Inventory (DRI), Substance Abuse Questionnaire (SAQ), Static 99, Acute, and Stable for Sex Offenses (the VASOR is the only required instrument at this time in sex offenses, the others may be utilized as officers are trained), but there are a number of other instruments in play in any given case. The current juvenile specific instrument includes the Adolescent Chemical Dependency Inventory (ACDI), but there are two instruments used for both adults and juvenile.

The SSI is completed in all adult and juvenile cases and is used to help determine whether or not a referral for a substance use evaluation is indicated. Scores of 4 or above should prompt officers to make these referrals. Additionally, the Standardized Risk Assessment Referral Form (SRARF) is a criminogenic screen which provides supplemental information to a provider in the event an evaluation is completed.

#### **PRINCIPLE #2 – TARGET INTERVENTIONS**

##### **PRESENTENCE INVESTIGATIONS (The PSI):**

As authorized in Nebraska Revised Statute 29-2261 a Presentence Investigation, or PSI, is completed when an offender has been convicted of a felony other than murder in the first degree. A PSI may be ordered in any case, except in cases in which an offender has been convicted of a Class IIIA misdemeanor, a Class IV misdemeanor, a Class V misdemeanor, a traffic infraction, or any corresponding city or village ordinance.

Statutorily, a PSI shall include, “when available, an analysis of the circumstances attending the commission of the crime, the offender’s history of delinquency or criminality,

physical and mental condition, family situation and background, economic status, education, occupation, and personal habits, and any other matters that the probation officer deems relevant or the court directs to be included.

#### **JUVENILE PREDISPOSITION INVESTIGATION (The PDI):**

As authorized in Nebraska Revised Statute 29-2261 Comprehensive investigations create a clear picture of the juvenile's risks, and recommends interventions to reduce those risks. PDI's have been enhanced to include risk/needs assessments such as the Youth Level of Service/Case Management Inventory (YLS/CMI) and other responsive assessments. In addition, family's ability to access services is evaluated by the officer for financial status, insurance coverage and transportation using the Family Service Access Inventory (FSAI). The FSAI services as an essential tool when working with families. The goal of probation is to assist in the development of self-sufficient families, when a family is engaged in the financial support for their youth this increases engagement and service commitment.

Early identification of gaps help to avoid possible barriers to the family's completion of court ordered services and allows the probation officer to engage the family in building on-going supports, such as Medicaid.

#### **UPDATE PSI/PDI's or SUPERVISION OVERVIEWS:**

If an adult or juvenile, who has been placed on probation violates the terms of that probation or a youth is in need of a review hearing, the court can order an "update PSI/PDI," or "Supervision Overview." In short, the supervising probation officer will prepare for the court's utilization for sentencing a report detailing progress (or lack thereof) during supervision on probation.

Generally, a Supervision Overview will specifically provide the Court with information regarding efforts made by the probation office to gain compliance with the Court Order, employment or educational accomplishments while on probation, treatment and program progress and/or completion, drug testing results, additional criminal history, changes in family dynamics, attitude while under supervision and all other information felt to be relevant for the Court in decision making.

#### **EVALUATIONS AND SERVICES:**

##### **BEHAVIORAL HEALTH EVALUATIONS:**

In addition to the probation officer-conducted risk and responsivity assessments and tools, the Court will at times order individuals or juveniles to undergo a mental health, substance abuse or sex offender evaluation as part of the Presentence or Predisposition Investigation. The results of these evaluations should be included in the analysis that goes into the investigation.

Because this is such an important function, the Supreme Court has issued “Rules,” surrounding how these evaluations are to be completed, by whom and what they should

### **SUPREME COURT RULE REGARDING THE STANDARDIZED MODEL**

#### **§ 6-1301. Compliance with Standardized Model for Delivery of Substance Use Services required.**

Substance use evaluations and treatment services for juveniles and adults ordered by the courts of the State of Nebraska, or by judges presiding over non-probation-based programs or services such as a drug court or other similar specialized programs as defined herein, shall comply with the minimum standards as set forth in the Standardized Model for Delivery of Substance Use Services, as promulgated by the Nebraska Supreme Court Administrative Office of Probation. Substance use evaluations and treatment must be obtained by a registered service provider.

Substance use evaluations and treatment services that do not conform to the requirements of the Standardized Model for the Delivery of Substance Use Services shall not be accepted by the courts. Nothing in this rule shall preclude an individual from obtaining, at his or her own expense, additional substance use evaluations or treatment referrals which may or may not comply with the minimum standards referred to within the Standardized Model for the Delivery of Substance Use Services.

look like in many cases. Below please find some brief descriptions of these Rules and initiatives:

#### **Standardized Model for the Delivery of Substance Use Disorder Services:**

The Standardized Model for Delivery of Substance Use Disorder Services for juvenile and adult probationers/problem-solving court participants is used to recognize the connection between substance use and crime/delinquency and effectively address it through treatment. Reliable data indicates that treatment works. Research also shows that mandated treatment can be more effective than voluntary treatment. It is the intent of the Administrative Office of Probation to provide a meaningful opportunity for client rehabilitation in an effort to reduce recidivism, promote good citizenship, and enhance public safety.

#### **OTHER EVALUATIONS AND SERVICES:**

With the passage of legislation initiating juvenile reform in Nebraska in 2014, all delinquent and 3B status offense youth are now served by probation. This, additionally, includes fiscal support for evaluations and services for these juveniles. Therefore juvenile services now expand from behavioral health to non-treatment related services (Tracker). For additional information regarding these services, access the “Juvenile Services Guide” located on the Probation.

## REGISTERED PROVIDERS:

In order to provide services to our population, all service providers must register through the Fee for Service System. This requires them to attend training, demonstrate certain qualifications and agree to and adhere to set a criteria around delivery of services. In turn, the provider is placed on a “list,” as a provider for the service for which they registered. At no time are we allowed to pick and choose among this group based on personal preference.

## VOUCHERS-Financial Assistance Program:

First and foremost, it is important to note, vouchers are available for financial assistance and shall only be utilized for adults and juveniles who fall within defined financial criteria. The Family Service Access Inventory (FSAI) and adult version have been created to assist officers in determining appropriate utilization of vouchers. It is essential that vouchers are used for the correct probationer because research has shown, if a person has invested their time and resources in treatment, they will be more successful.

### **Substance Use**

In adult cases, any felony drug offender and third offense drunk driver or above is immediately eligible to receive a “voucher” that will help them pay for, on a sliding fee scale, a substance use disorder evaluation and/or any identified need for outpatient, intensive outpatient, or short term residential substance abuse treatment. Class I Misdemeanor drug offenses also have voucher availability, as do all felony cases that are under supervision and experience a substance use related violation.

In juvenile supervision the use of substance abuse vouchers can occur when a financial need is established and the youth is in need of the specific service. The services can include an evaluation to determine service level, as well as the service needed by the youth. This can range from out-patient treatment to in-patient treatment.

### **Adult Specific Mental Health Vouchers**

During the 2014 legislative session, per LB907 financial support was allocated to the probation system to pay for Co-Occurring Disorder evaluations, Pre-Treatment Assessments, Sex Offender evaluations and certain levels of outpatient treatment.

In short, individuals scoring as high or above on the LS-CMI, with certain indicators on the MHS and qualifying financially after completion of the required financial screen, and as indicated by the Court or Court order, can receive vouchers for the above listed services from a registered provider. Sex offenders that qualify financially are automatically eligible for a voucher for evaluation and treatment.

## Juvenile Vouchers

It is also very important for to note that service delivery touches each pillar of the Juvenile Justice System. The Juvenile Justice Resource Supervisor (JJRS) is a unique role, crucial to officer support. The JJRS's will approve issued vouchers before they are released to a provider. The JJRS ensures effective service delivery when fulfilling their role which includes, supporting the officer with "fee for service", quality assurance of officer process, community support for providers and service expansion and immediate approval for issued service vouchers.



## ASSESSMENTS AND EVALUATIONS BECOME THE RECOMMENDATIONS IN INVESTIGATIONS:

Throughout the PSI and PDI the investigating officer should analyze information gathered in an attempt to provide the Court with a general idea of the adult or juvenile's "stage of change," high domain areas, results of assessments and instruments, collaterals and any completed evaluation. There may also be suggestions regarding what an appropriate intervention would be to help reduce risk. For example: substance abuse evaluation/treatment if the person has a substance abuse problem or referral to an employment program if they're unemployed. Putting all of this together is essential to supporting the court in making the best decision. In short, this analysis and all of the work of the primary and secondary risk assessments, helps us in targeting our treatment interventions.

## PROBATION SUPERVISION:

### JUVENILE CASE MANAGEMENT:

#### Pre-Adjudication:

Nebraska Revised Statute § 43-254 *Placement or detention pending adjudication; restrictions; assessment of cost*; allows for a youth pending adjudication to receive supervision and services. This level of supervision allows Probation to support the court's efforts to start evaluation processes and/or engage in supportive services for juveniles appearing before the Court after a petition is filed. During this stage the Nebraska Youth Screen (NYS) is utilized to assess the level of contact the youth will receive from the probation officer. Additionally, pre-adjudication includes services that are identified as an immediate need for the juvenile and/or family. These services can be accessed voluntarily by the family and conditions will be solely driven by the court's discretion. The service utilization at this stage can also be used to divert the youth from the juvenile justice system

by providing an immediate response with a needed service. Direct knowledge of the juvenile's progress during this period can be utilized as a part of any subsequent investigation. This support can continue after adjudication if the court deems this appropriate while progressing through the investigative stage.

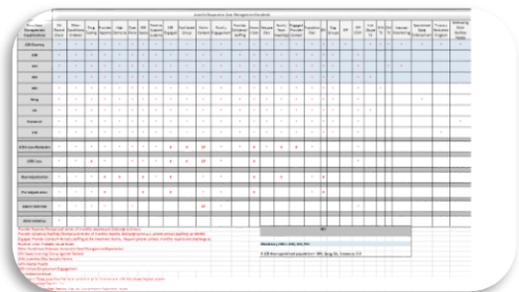
**Adjudication:**

Nebraska Revised Statute § 43-286 identifies circumstance when a youth may be placed under supervision and on probation and lays out a framework for how this should be carried out. Additionally, during the Pre-Disposition stage a youth can receive services and supervision which will be used in the decision the court makes upon determining disposition, as well as the possibility of diverting the youth from the juvenile justice system.

Once a youth is placed on probation, supervision is purposeful, and targeted to the youth's risk level and the court's direction. To ensure a probation officer is focused in their supervision they are required to use the Responsive Case Management Standards (RCMS). These standards come from a combination of evidence-based practices, best practices and what works with juveniles. The standards identify the expectations of an officer's supervision at every level. In addition, essential services are available at all stages. These services will support strength-based supervision and the effective use of graduated sanctions, ensuring that all reasonable efforts have been made prior to a motion to revoke filing.

Family Engagement at all levels is essential, but especially during case management. The Enhanced Family Engagement (EFE) principle guides us in working with families by listening and engaging the family that they will have a voice and a choice in the decision that directly affects them. There are three foundational building blocks of EFE, first we need to demonstrate our willingness to be consistent, reliable, responsive, honest and transparent with the juveniles and families, second we need to utilize motivational communication to actively listen to and engage juveniles and families, and finally, we should clearly establish expectations and purpose of involvement with the family. Engagement with families also includes making sure all parties come together to accomplish this as we utilize family team meetings.

Case management should follow the foundation of risk/need. Officers shall be highly engaged when supervising high risk juveniles referred to as, Juvenile Community Based Intervention (JCBI) youth and low engagement with Juvenile Community Based Resources (JCBR) youth. Research has shown that over-supervising a low risk juvenile can increase compliance issues in the future.



**Juvenile Responsive Case Management Standards**

**Reentry:**

Reentry, is another important component and is a key element of the juvenile justice system. Reentry increases the opportunity for juveniles to transition back into the community successfully. Judicial oversight of a juvenile’s case will continue while the juvenile is placed outside the home and prior to a juvenile’s return home which allows for judges to ensure the appropriate plan is in place.

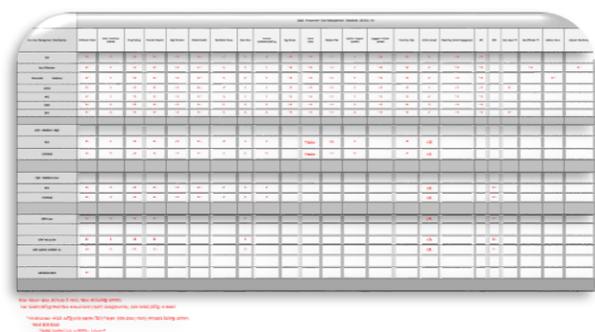
Monthly Family Transition Meetings will ensure the family remains engaged in the process of preparing for the juvenile’s return into the home. Juveniles will receive high intensity supervision, including graduated sanctions, upon returning home. Juveniles will receive assessment and reassessment of their risk/needs to guide any needed changes in the individual case plan.

Considerations for placement when the juvenile returns, home/placement, and the officer’s working with the family to prepare them and make that happen, is essential. This includes family engagement in the decision making process, school engagement by connecting the juvenile quickly back into a school system, intensively supervising the juvenile upon release to ensure the transition is smooth, and on-going reassessment in the community.

**ADULT CASE MANAGEMENT:**

Historically, there have been two official types of probation available to the Court. Traditional and Intensive Supervision Probation, or ISP. While ISP remains a statutory type of probation (29-2262.03), it is only “required” if the Court would like the individual to participate in programs such as the Work Ethic Camp or Electronic Monitoring.

Since 2006, the Nebraska Probation System has been supervising individuals placed on probation based on their assessed risk score. In other words, if a person scores as “High” (20) or above on the LS-CMI, or the NAPS instruments, they will automatically be targets for supervision at a “high,” or ISP level. However, should the Court choose to mandate that a person with a lower than “high” risk score be supervised intensely, the Court can impose a sentence of ISP on the individual. This will direct the Probation office to meet with and conduct home visits frequently on the probationer. It will also automatically bring along with it inclusion in a cognitive program and other indicated programming not necessarily required of a lower risk individual.



**Adult Responsive Case Management Standards**

### **ISP or Community Based Intervention (CBI):**

As was indicated above ISP/CBI includes frequent meetings, mandatory home visits, offense-specific treatment, and inclusion in a cognitive program. Officers assigned to an ISP/CBI caseload carry fewer cases than those at higher risk levels.

Generally speaking, an ISP or CBI level probationer will bring with them multiple needs for intervention. Meaning, for example, they will be chemically addicted, unemployed, have little to no positive support, be suffering from mental illness and will be a criminal thinker.

Regardless of risk level, the probation officer will attempt to intervene in any area of the probationer's life in which there is an identified deficiency that could lead to future problems or criminal behavior. So, for example, in the case indicated in the paragraph above, we'd refer the person for substance abuse evaluation and treatment, plug them into programming at the Reporting Center relevant to employment and/or education, help them identify a positive support network and put them through a cognitive program to help them find new ways of thinking. We'll also refer them to a mental health professional either at the Reporting Center or in the community to help them treat the mental illness.

### **Community Based Resources (CBR) Medium-High:**

A person being supervised at a medium-high level will generally meet at a minimum of one time per month with their Probation Officer. Home visits will occur on an "as needed" basis. In other words, if we receive information indicating we need to look into something (drinking, drug use, possession of stolen items, etc.) we will conduct a home visit. Officers supervising a "medium-high" caseload generally carry in the neighborhood of 100 cases each.

The major difference between a medium-high and a CBI/ISP level probationer is the number of interventions needed to identify deficiencies. Again, generally speaking, a medium-high probationer will display no more than one or two areas in need of intervention. Most of the time these are either chemical addictions, education or employment related issues or mental illness.

### **CBR Medium-low, low, very-low:**

Normally a medium-low or below probationer is someone with minimal, if any, prior record that has had some situational type difficulties that caused them to commit a crime. A Medium-low officer will have as many as 150 or more probationers on their caseload and will supervise this population with the assistance of electronic reporting (the person will call in monthly to report changes on an 800 number).

A medium-low or below probationer doesn't normally enter probation with many indicated areas in need of intervention and most of the time we'll see these folks placed on probation without many court-imposed requirements. Most of the time, indicated levels of treatment

include outpatient counseling or individual sessions. In felony cases, however, our office does not allow for the case to be supervised exclusively by ERS and they will check in at least quarterly with a probation officer unless special circumstances exist.

It is also our hope that all cases, regardless of their risk level upon entry into probation, depart our system under the supervision at this level. It is felt that a gradual step down in services allows the probationer to re-acclimate to life without our oversight, better than if we were heavily involved and then cut the person off without any support.

#### **SPECIALIZED PROGRAMS:**

There are multiple specialized programs for both adult and juvenile probationers. These programs have been created due to evidence-based practices and are focused on specific risk/need that will help an adult or juvenile be successful. Some of the programs focus only on adults or juveniles and some can support both.

#### **Specialized Substance Abuse Supervision (SSAS), adult only:**

Specialized Substance Abuse Supervision – or SSAS – began in 2006 and, much like WEC, is designed to serve as a **prison reduction program**. SSAS specifically targets Felony Drug Offenders that, without SSAS, would likely be headed for prison. Having said this, the ideal SSAS participant scores as “high” or “very high” on their risk assessment screening. Secondary target populations include Third or Felony Level DWI Cases.

The SSAS probationer will receive vouchers for substance abuse evaluation and any recommended substance abuse treatment, will be drug tested frequently (a minimum of three times weekly in the early going and stepped down from there based on demonstrated attendance and sobriety), will participate in a cognitive program, all available reporting center programs, and any and all indicated programming aimed at reducing their risk.

SSAS programming consists of four core components including, as stated, Substance Abuse Treatment/ and drug testing, cognitive groups run by officers, Individualized Case Management to meet specific offender needs. Probationers meet frequently with their officers in a group setting, as well as individual both in the office and in their home, announced and unannounced during traditional and non-traditional hours.

SSAS is not available in all locations across the state. Please refer to SSAS-specific information on the probation intranet relating to where SSAS is available.

#### **Problem Solving Courts, adult and juvenile:**

Problem solving courts, such as drug courts, differ from traditional courts in that they are specially designed court calendars or dockets dedicated to addressing one type of offense or justice involved individual. These court-based interventions may focus on substance use, mental health, and other criminogenic issues. Typically, the judge plays a key supervisory role, and other criminal justice

components (such as probation) and social services agencies (such as substance use treatment) collaborate on case management.

### **Sex Offenders and Youth Who Sexually Harm:**

When an adult or juvenile is placed on probation for a sex offense, including violators of the sex offender registry, they will be supervised at the CBI or JCBI level. Although not all inclusive, anyone placed on probation for a sex offense will be referred for a sex offender evaluation and treatment and will participate in a cognitive program. Adult supervision will also include monitoring of, but not responsibility for, compliance with the registry, as well as monitoring of computer or cell phone related activities. Juveniles in Nebraska are not required to register.

It remains difficult to pinpoint who exactly qualifies as a sex offender. Most of the sex offender registry violations we see resulted after the 2010 change in federal law. It should also be noted, regardless of the convicted offense, our office will look at the facts of the case and will proceed accordingly with our interventions and programming. So, for example, if a person was originally charged with a sex offense but pled to, or was convicted of, something not including the sexual language, we will intervene in a way so as to address the originating behavior.

### **Domestic Violence (DV), adult:**

Any one placed on probation for a DV related offense will automatically be supervised at the CBI level throughout their probation and will be referred for participation in a Domestic Violence Intervention Program (DVIP). This program hopes to interrupt the power and control cycle displayed by DV perpetrators and works in accordance with the Nebraska Statewide Provider's Registry. It also complies with the Duluth Model for dealing with DV offender.

As was the case with the sex offenders, if a person is on probation for an offense other than a DV case but there is a history of DV behavior, or if the case has components of a DV case, we may supervise them as a DV offender.

### **Reporting Centers, adult:**

Much like the SSAS program, there are Reporting and/or Service Centers located in many jurisdictions across the state. Most of the programming occurring at the Reporting Center is at no cost to the probationers utilizing them (aside from Court-imposed probation programming fees through the Reporting Center, Fee for Service Voucher Program and SSAS are funded). They were created to enhance our supervision and are used to occupy high risk individual's time and allow us to have additional opportunities to have our "eyes on them."

Programs occurring at the Reporting and Service Centers include but are not limited to the following: Cognitive Programs Moral Recognition Therapy (MRT), Thinking for a Change (T4C), and Texas Christian University (TCU, various); Women's Trauma Group, Anger Management, individual psych services (UNL), chemical testing, pretreatment, relapse prevention, parenting, Crimes impact on the Community (Community Justice Center), Problem Solving, Employment Skills, GED, Vocational Rehab, time management, money management, community resources, attitude, stress management, etc.

Reporting Centers are designed to address probationer needs by providing a one-stop-shop for services. Especially since many cities have a limited number of free bus passes or other alternatives for individuals having transportation issues. The Reporting Centers are funded through a combination of general funds for staff, offender fees for service contracts, counties for office space. Because space is limited within various programs, a coordinated referral through the reporting center is required.

### **Teleservices/Vidyo, adult and juvenile:**

Each of the Reporting Centers and multiple sites in every probation District are equipped by the Administrative Office with video-conferencing equipment through which training, classes, evaluations, family and youth meetings, and other activities can be accomplished in a HIPPA-compliant fashion. For example, an individual needing an anger management class but living in Oshkosh may not have an anger management class available in close proximity. However, through teleservices this individual could go to their local Probation Office and participate in the Anger Management Class being provided at the Reporting Center.

As has been stated, teleservices/Vidyo has a wide application. The Chiefs and Administrative Office meet regularly using this technology. PSI/PDI Interviews can be conducted on individuals living in in other jurisdictions. Officers can attend training or meetings from their desks rather than traveling. Juveniles are receiving evaluations in a timely manner all over the state. Additionally, many out-of-home facilities have access to Vidyo, for example both of the Youth Rehabilitation and Treatment Centers (YRTC) have access to Vidyo for family and officer meetings with the youth. This is all accomplished because of this technology.

### **Rural Improvement for Schooling and Employment (RISE), adult and juvenile:**

The Rural Improvement for Schooling and Employment (RISE) program was developed for the larger areas of rural Nebraska that have not received the supportive services that urban areas have. The goal of the RISE program is to reduce recidivism through improving education and employment opportunities for probationers in rural areas of Nebraska.

The RISE program is funded by an AmeriCorps grant based on evidence from a Vera Institute study of high risk adult and juvenile probationers in Nebraska. The AmeriCorps members, titled RISE Program Specialists, perform services by organizing and facilitating

employment and education skill-building groups. The groups include job readiness skills such as filling out applications, writing resumes, and teaching what employers want to see during an interview, including dress and attitude. The educational skills include GED, filling out applications, post-high school opportunities, how to be successful, and how they will help the probationers reach their personal goals. The Juvenile School Support groups assist youth at risk of dropping out of high school by building skills around motivation, test taking, organization and goal creation and accomplishment.

The AmeriCorps members are also responsible for networking with local businesses and educational programs (example: high schools and colleges) to assist them in the functioning of their groups. This networking will give the member the ability to speak with local businesses regarding current opportunities, as well as possible development of new job options. It will also give them the ability to visit local colleges to discuss GED options and post high school education. Most importantly, the members are located in the Probation Office and have daily collaboration with the Probation Officers regarding participants and candidates for the group.

### **Chemical Testing, adult and juvenile:**

Because the vast majorities of those individuals coming through the justice system are here because of substance abuse or use-related issues, chemical testing is an integral part of what we do. Generally those individuals on probation for DWI or drug related cases get tested more frequently than those that aren't.

On occasion the Court will mandate a certain testing frequency for a probationer. In other instances, the probation officer supervising the case will make the determination utilizing administrative policy. Additionally, for group testing, for example using the "color" testing system, there are testing frequencies ranging from several times per week to those that test sporadically. By policy, anyone ordered to chemical testing should be tested at least once every 90 days. Their "drug of choice," should be prioritized when determining frequency and type of testing is administered.

In many locations mass testings occur on days following traditional drinking holidays such as New Year's Eve, St. Patrick's Day, Independence Day, or other "special occasions" like Husker football night games or the Super Bowl.

Also available for use, if needed, is ETG (Ethylglucuronide). ETG is an alcohol test that can identify alcohol use for up to 80 hours.

Continuous Alcohol Monitoring or CAM, is an ankle bracelet worn by the probationer. This device monitors alcohol consumption around the clock. The Nebraska Probation System will pay for this with a Court Order for juveniles and only up to 120 days for adults. SMART drug testing is key to successful supervision of probationers and shall be a priority during supervision.

### **PRINCIPLE #3 – ENHANCE INTRINSIC MOTIVATION**

#### **MOTIVATIONAL INTERVIEWING:**

Perhaps one of the most important tools we utilize is MI. A communication style that, if utilized correctly and with fidelity, has proven extremely effective in facilitating change within individuals. Although MI is a communication style, it is also a state of being that shouldn't be turned on or off. We should be operating with MI "spirit," in all of our interactions, whether with probationers, their families, or each other.

The art of helping an individual realize for themselves there are changes to be made is powerful and effective. Strive to be the best you can be in this area and have your staff do the same.

The goal in each and every interaction is to move people along in the stages of change, especially in those areas in which they are in the contemplative stage or below. Motivational Interviewing is a powerful tool in helping people discover for themselves what changes need to be made, why they need to be made and how they can make them.

#### **REAL COLORS:**

As a System, we have gone to great lengths to educate ourselves on personality types through the incorporation of "Real Colors," in everything we do. This technic identifies four colors – gold, blue, green and orange – which relate directly to your personality. All Probation staff have participated in this facilitation to identify which colors support their personality type. Additionally, many Probation staff have been trained as facilitators for the Real Colors assessment. They will be implementing this facilitation technic with CBI/JCBI probationers to assist with supervision that meets the probationer's personality to increase motivation and success on probation. This ensures they supervise with what motivates the probationer in mind.

### **PRINCIPLE #4 – SKILL TRAIN WITH DIRECTED PRACTICE**

#### **GROUPS:**

You will notice in looking at the Responsive Case Management Standards that all probationers involved at the CBI/JCBI are required to participate in groups. In the early stages they may be involved in cognitive programs, while as they progress through their programming, they may be involved in facilitated supervision groups as defined below.

An additional purpose of these groups, which also accomplishes caseload management, is to engage probationers cognitively in order to change thinking and, thus, behavior.

All probationers and juveniles supervised at JCBI/CBI are required by policy to participate in an approved cognitive restructuring program. Additionally, all high risk juveniles and adults are expected to participate in Facilitated Supervision Groups.

## **Guiding Principles to Facilitated Supervision Groups (FSG)**

Facilitated Supervision Groups are mandatory for CBI/JCBI classification only, a CBI/JCBI Officer develops the "skill" to facilitate supervision groups and utilizes FSGs as an effective technique to manage their caseload

Facilitated Supervision Groups:

1. Is a caseload management technique;
2. Is comprised of an officer's own clients;
3. Is a preferred method of meeting with clients;
  - a. Preferred, as in a more effective method of creating intrinsic motivation;
4. Takes the place of reporting one-on-one;
  - a. One-on-one appointments are subsequently reserved to address red flags including those identified during a group and/or violations, relapse issues;
5. Engages the clients at different stages of their probation;
  - a. A supervision group is the core element to CBI supervision (it allows more time for RCM's) and this means if the probationer is not in treatment or MRT that participation in a facilitated supervision group is mandatory;
6. Is required by policy;
  - a. Clients not participating in an FSG should be the exception and not the rule and would equate to a small percentage of an officer's caseload, i.e. mental health disorder;
7. Can incorporate Reflective Dialog and/or Topic Driven as an effective tool;
  - a. Do not think of reflective dialogue as a "program," think of it as a booster training to assist officers' confidence in facilitating a supervision group;
8. Frequency;
  - a. FSGs are consistent with the frequency in which an officer would have otherwise (pre-transformation days) had a client report in person (i.e. early stages of probation may be engaged multiple times per week, late stages of CBI weekly/bi-weekly);
9. Size can range from 5-8 but can be as small as 3.

**TRAINING:**

Creating a culture of training is essential to the Office of Probation Administration. All training for probation staff is facilitated by the Judicial Branch Education (JBE), this includes New Probation Officer Training, specialized training, manager training and more.

## **PRINCIPLE #5 – INCREASE POSITIVE REINFORCEMENT**

**INCENTIVES AND THE 4-TO-1 RULE:**

EBP and Social Learning Theory tells us in order for an individual to truly incorporate change into a new way of life we must reinforce behaviors we are looking for. The general

rule of thumb is we must incentivize positive behavior four times to every one time we sanction undesired behaviors. Make sure your officers are recognizing and issuing sanctions every time they observe positive signs of change and accomplishments.

#### VIOLATIONS OF PROBATION, ADMINISTRATIVE SANCTIONS:

Statutorily, anytime a person commits a new law violation other than a minor traffic violation or other infractions, the Probation Officer is required to submit a Violation Report to the Court and County Attorney for review. Occasionally the County Attorney's office will make a determination that, despite the new law violation, a Motion for Revocation of Probation should not be pursued.

While not all inclusive, technical violations include those things like missed or positive chemical testing, missed appointments with the Probation Officer, failure to attend or complete required or indicated programming, failure to make payments, association with individual's not positively influencing success, failure to attend school and/or failure to gain or maintain employment.

Normally the probation officer will attempt to address the technical violation to advance the probationer's Stage of Change and gain compliance with the Probation Order through the use of Administrative Sanctions. These violations and sanctions are laid out in Nebraska Revised Statute 29-2266(1-3). It should be noted – in order for an Administrative Sanction to be valid, the probationer must agree in writing to the sanction. If they do not agree, a Violation Report is forwarded to the Court and County Attorney's office for review. In essence, once the sanction is imposed and agreed to by the probationer it becomes a modification of the Order of Probation.

#### POWERS OF ARREST:

Probation Officers have limited powers of arrest per Nebraska Revised Statute 29-2266(4). In order for a Probation Officer to use their power of arrest, a person on probation must be in violation of their probation or about to violate their probation AND either be a risk to flee the jurisdiction of the Court or be a danger to themselves or others. If taken into custody, there is to be a finding of probable cause within 48 hours of arrest. People arrested by a Probation Officer are held without bond until such a time they are seen by a Judge and a hearing has been held.

#### JUVENILE INTAKE/DETENTION ALTERNATIVES:

As authorized in Nebraska Revised Statute 29-2260.01 juvenile intake shall be administered by juvenile Probation Officers and we never want to forget the long term effect detention has on a juvenile which includes a high probability of continuing in the system. We always want to approach this from a do-no-harm perspective. So our goal as it applies to the role of intake is to always exhaust every option first and reserve detention

only where absolutely necessary due to research showing the extreme negative effects that detention can have on youth.

Probation became the lead agency for the Juvenile Detention Alternatives Initiative (JDAI) in mid-2012. This is a national initiative through the Annie E. Casey Foundation that emphasizes juvenile justice system reform, not just detention reform. Nebraska has two local sites: Douglas and Sarpy Counties have been working on local reform efforts. JDAI is not a menu of reform strategies, nor is it a jail break. There is a need for detention, but we want to make sure the right juveniles are in detention for the right amount of time and that least restrictive options are available and utilized when appropriate.

Through the work statewide with JDAI, expert technical assistance was received which resulted in implementation of a revised tool in July of 2013, the new tool is called the Office of Probation Administration Nebraska Juvenile Intake Screening Risk Assessment, or also known as the Risk Assessment Instrument (RAI). New Probation officers receive training regarding this tool at new probation officer training.

It is important to remember that at this point in the system, the decision probation officers are making is to determine whether the juvenile is at risk of not showing up for Court and/or re-offending prior to their Court appearance. An objective tool assists in gathering specific information from the law enforcement officer, youth and parent/guardian to make this determination.

Probation now has Service dollars available statewide to provide alternatives to detention locally for youth who are under probation supervision. For youth who are not, counties will have access to Community Service Aid funds through the Crime Commission to assist in developing additional alternatives. Probation also has the responsibility to pay for detention costs for probation youth statewide. We are now responsible for paying for juveniles detained on probation violations or for those juveniles awaiting placement. Utilizing the “Juvenile Justice System Process and Service Responsibility” sheet will assist you in clarity around what probation is responsible for using our service dollars for.

## **PRINCIPLE #6 – ENGAGE ON-GOING SUPPORT**

### **POSITIVE SUPPORT PERSONS:**

Perhaps one of the most important pieces of case management lies in the involvement of prosocial individuals or attendance at prosocial events in the lives of those we supervise. It is very important we involve families, sponsors, self-help groups, positive support persons, etc. in the lives of our probationers and juveniles so when they are done with probation they have someone or somewhere else on which to lean to help facilitate their success.

## **PRINCIPLE #7 – MEASURE PROCESS/PRACTICES**

### **QUALITY ASSURANCE:**

The Chief Deputy is responsible for the oversight of official quality assurance of case management and investigations completed by Officers.

## **PRINCIPLE #8 – PROVIDE MEASUREMENT FEEDBACK**

### **DISTRICT EVALUATIONS:**

District Evaluations were implemented in 2012 and are an essential tool to provide feedback regarding Administrative directives and expectations. These evaluations have set priorities and include a comprehensive data element.

## **ADDITIONAL PROBATION DISTRICT PRIORITIES**

### **INTERSTATE COMPACT (OUT-OF-STATE) TRANSFERS OF PROBATION:**

The Interstate Commission for Adult Offender Supervision (ICAOS) oversees national compact compliance for all adult transfer. All Felonies are eligible for transfer. However, only certain misdemeanors are eligible for certain transfer while others are eligible for discretionary transfer and can be rejected for supervision in another state with little or no cause.

For more information relating to Interstate Compact, please visit the ICAOS website at [www.interstatecompact.org](http://www.interstatecompact.org).

The Interstate Commission for Juveniles (ICJ) oversees the national interstate activity for juveniles, including safely returning runaways, escapees, absconders and accused delinquents. All juveniles that are placed on probation with supervision conditions are eligible, except those transferring to an out-of-home facility in another state. Those youth must be transferred using the Interstate Compact for the Placement of Children (ICPC). These youth are not supervised by the state receiving the case and therefore consistent contact from the local officer in our state is essential.

For more information relating to Interstate Compact, please visit the ICJ website at [www.juvenilecompact.org](http://www.juvenilecompact.org).

### **DNA:**

In 2010 a law was enacted requiring all convicted felons and misdemeanor offenders having committed stalking pursuant to sections 28-311.02 to 28-311.05, second degree false imprisonment pursuant to section 28-315, attempted, conspiracy to commit or solicitation of stalking pursuant to section 28-311.02 to 28-311.05, first degree false imprisonment pursuant to section 28-314, second degree false imprisonment pursuant to section 28-315, knowing and intentional sexual abuse of a vulnerable adult pursuant to section 28-386(1)(c)

or a violation of the Sex Offender Registration Act pursuant to section 29-4011, submit to collection of a DNA test prior to release from their sentence.

DNA samples are collected by the Probation Officer and require a \$25 fee that is mailed to the Attorney General's Office. This fee is not part, nor should it be made part of the Court Costs or other imposed fines or fees.

#### PROBATION ENROLLMENT, PROGRAMMING AND OTHER FEES:

Any time a person is placed on probation they are required by Statute (29-2262.06) to pay a \$30 enrollment fee, per case. Meaning, if there are three separate case numbers, a \$30 fee would be imposed in each case number.

Conversely, per the same Statute, a probation programming fee of \$25 per month should be ordered in a "traditional" probation case (CBI, CBR) and programming fee of \$35 per month should be ordered any time a term of ISP is imposed. Unlike with the enrollment fee, however, this programming fee only applies one time and should be waived in all other cases. Additionally, juvenile probationers are not required to pay enrollment or supervision fees.

Created by:  
Assistant Deputy  
Administrator;  
Kari Rumbaugh  
on 9/21/2015