

2018

Adult Justice in Nebraska 2018

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NEBRASKA CENTER FOR JUSTICE RESEARCH



ADULT JUSTICE IN NEBRASKA

2018

UNIVERSITY OF
Nebraska
Omaha

FROM THE DIRECTOR

RYAN E. SPOHN



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

Most of the data in this report is presented statewide as well as separated into Nebraska's twelve judicial districts. Nebraska's two most metropolitan counties are represented by District 4 (Douglas County) and District 3 (Lancaster County). The classification of the remainder of the state's 93 counties can be found in the table on page 5. Please contact NCJR for any questions regarding county-level estimates of the data included in this report.

The data in this report represent years ranging from 2012 to 2018. The most recent data available to NCJR at the time of report writing is included in each section and trends across years are included when the data is available and informative.

The report is organized according to the stages of the process of the criminal justice system:

- Environmental context provides an overview of the population and demographic trends in Nebraska
- System context provides an overview of law enforcement employment
- Arrests provides an overview of violent and property crime arrests by districts and compares arrests in Nebraska to other states and the national average
- Offenses provides an overview of crimes reported or known to the police and includes information on the percent of crimes cleared by arrest
- County court provides an overview of the distribution of the county court caseload by district
- District court provides an overview of the distribution of the district court caseload
- Corrections provides data on admissions and correctional populations by factors such as gender, age, race, and correctional institution, as well as population trends and projections provided by NDCS
- Adults on Community Supervision includes trends in hearing, admissions, discharges, and revocations for both Parole and Probation
- Problem-Solving Courts provides a map of current problem-solving courts, as well as trends describing court participants

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

CONTENTS

4	ENVIRONMENTAL CONTEXT
6	SYSTEM CONTEXT
8	OFFENSES
10	ARRESTS
12	COUNTY COURTS
14	DISTRICT COURTS
16	CORRECTIONS
18	COMMUNITY SUPERVISION
21	PROBLEM-SOLVING COURTS

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ENVIRONMENTAL CONTEXT



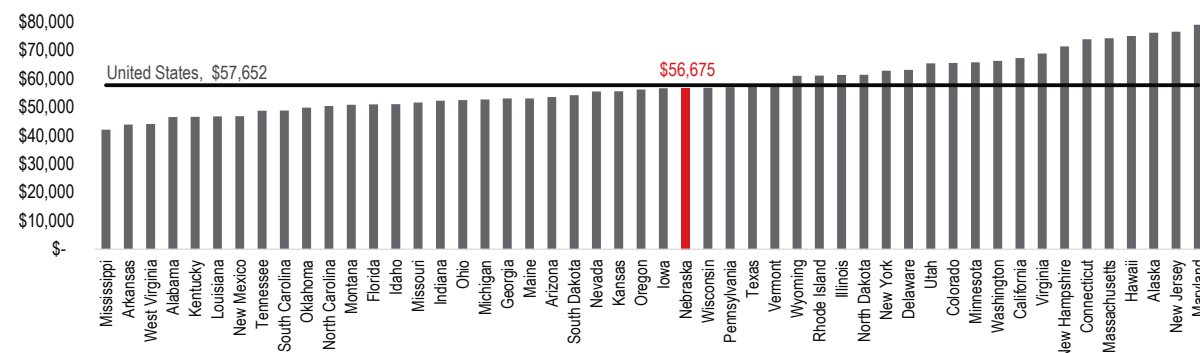
2017 Census Estimates

Judicial District	Counties	Pop. Est.	% Non-White	% HS Grad or Higher	% in Poverty	% Civilian Labor Force Unemployed	Median Household Income
1	Clay, Fillmore, Gage, Jefferson, Johnson, Nemaha, Nuckolls, Pawnee, Richardson, Saline, Thayer	88,104	9.1	90.3	12.8	3.4	\$47,297
2	Cass, Otoe, Sarpy	213,813	11.1	93.7	8.0	3.7	\$63,254
3	Lancaster	301,707	17.3	93.4	14.3	4.4	\$53,730
4	Douglas	543,253	29.4	89.4	14.2	4.9	\$56,003
5	Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platt, Polk, Saunders, Seward, York	134,421	10.2	90.6	9.5	3.5	\$55,098
6	Burt, Cedar, Dakota, Dixon, Dodge, Thurston, Washington	105,763	22.0	87.9	14.4	5.1	\$52,150
7	Antelope, Cuming, Knox, Madison, Pierce, Stanton, Wayne	47,067	9.8	91.5	11.9	2.4	\$51,249
8	Blaine, Boyd, Brown, Cherry, Custer, Garfield, Greeley, Holt, Howard, Keya Paha, Loup, Rock, Sherman, Valley, Wheeler	54,133	3.8	93.7	10.8	1.6	\$47,522
9	Buffalo, Hall	109,507	21.7	88.4	14.2	4.3	\$52,727
10	Adams, Franklin, Harlan, Kearney, Phelps, Webster	57,526	7.4	92.0	11.0	3.1	\$48,168
11	Arthur, Chase, Dawson, Dundy, Frontier, Furnas, Gosper, Hayes, Hitchcock, Hooker, Keith, Lincoln, Logan, McPherson, Perkins, Red Willow, Thomas	138,524	7.6	91.0	11.4	3.0	\$48,177
12	Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Grant, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux	87,441	12.8	92.0	12.9	3.7	\$47,482
State of Nebraska		1,881,259	19.7	90.7	12.4	4.2	\$54,384
United States		318,558,162	38.0	87.0	15.1	7.4	\$55,322

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

2017 State and National Median Household Income

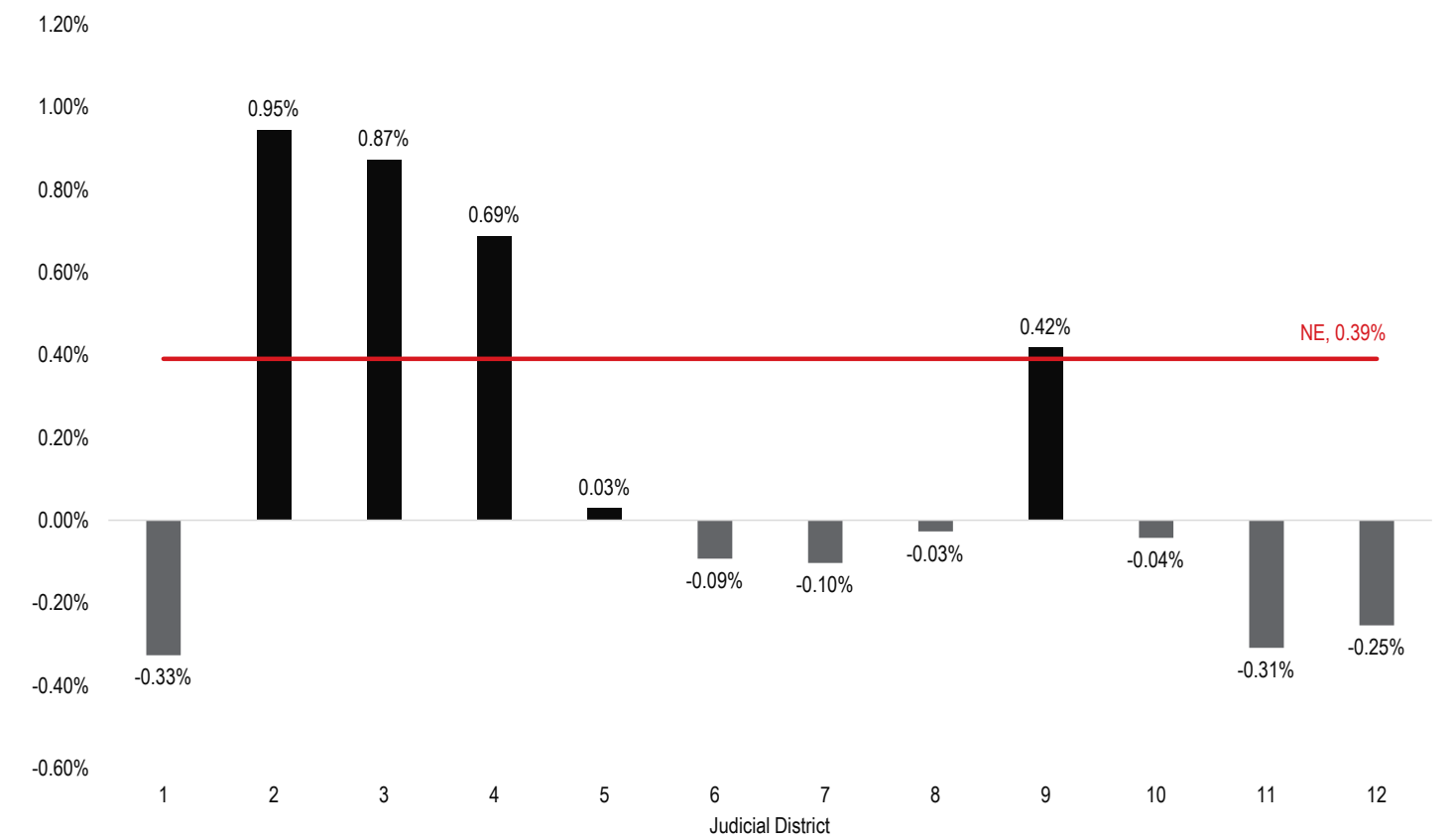
Nebraska's median household income is almost equal to the national average



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

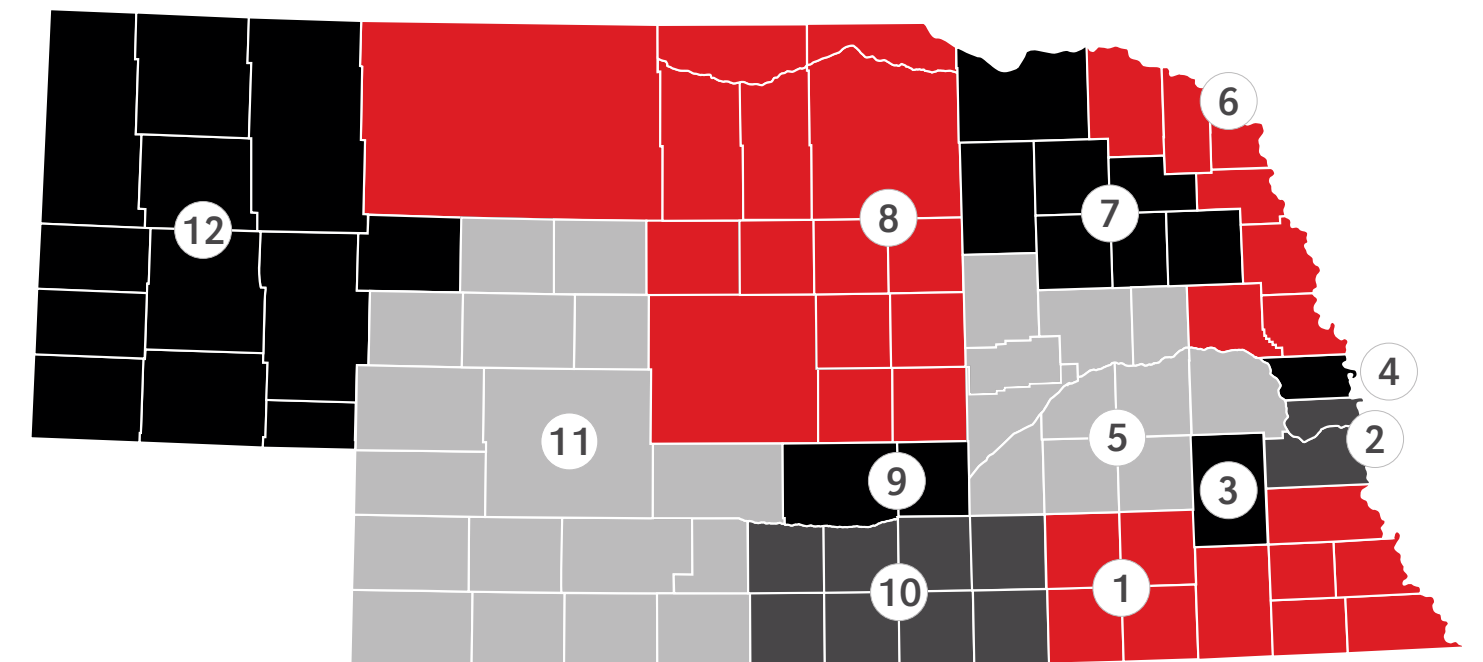
Average Percent Change, 2012-2017

On average, urban areas have experienced population growth over time



Source: American Community Survey 5-Year Estimates for 2012 and 2017, U.S. Census Bureau

Nebraska Judicial Districts

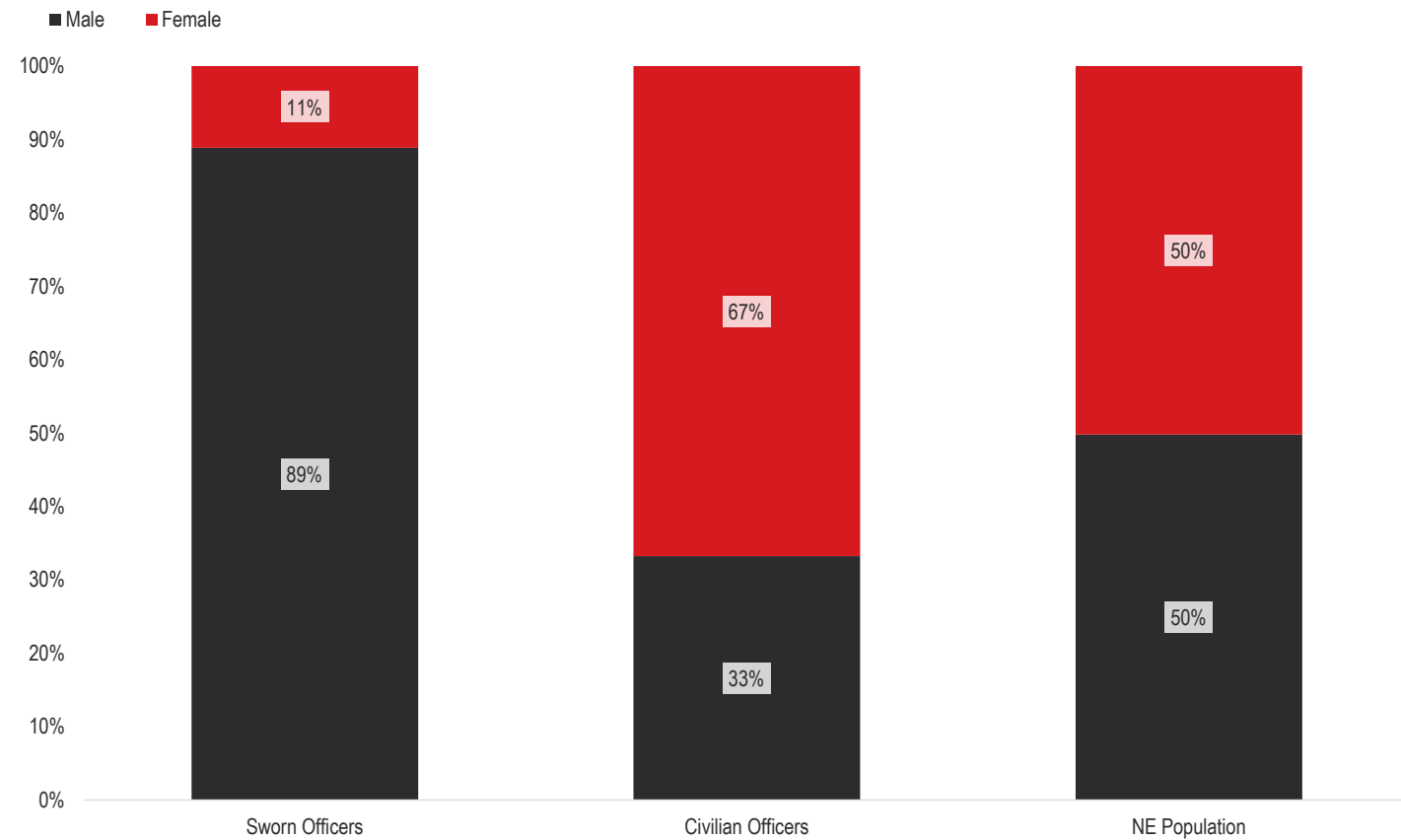


SYSTEM CONTEXT



2017 Percent Full-Time Officers by Sex for Nebraska

Females are more likely to be employed as civilian, rather than sworn, law enforcement officers



Source: 2017 Law Enforcement Employment in Nebraska, Nebraska Crime Commission

2017 Law Enforcement Employment Statistics

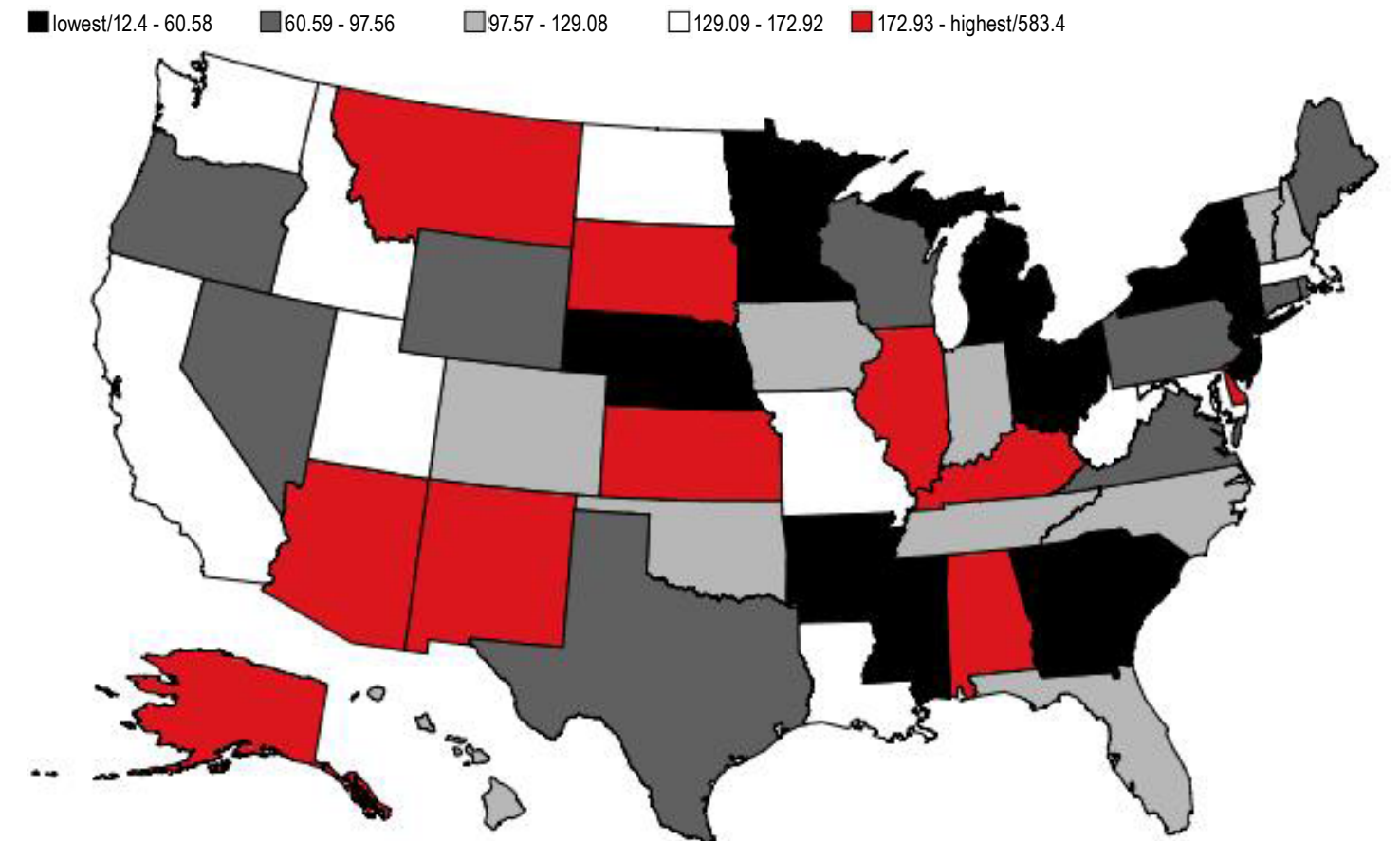
Judicial District ^a	Full-Time Sworn Officers	Full-Time Civilians	Part-Time Sworn Officers	Part-Time Civilians	Number of Reserve Officers	Full-Time Sworn Officers ^b
1	162	156	35	16	9	1.82
2	391	256	2	45	2	1.71
3	407	264	0	10	0	1.30
4	977	371	57	43	4	1.74
5	215	285	24	18	5	1.59
6	182	82	20	15	11	1.72
7	132	139	29	9	8	1.61
8	81	53	33	14	14	1.47
9	200	110	6	7	0	1.76
10	96	113	8	12	0	1.67
11	214	234	17	22	8	2.05
12	181	149	21	23	9	2.09
State Agencies ^c	499	282	16	10	0	N/A
Total	3,737	1,604	268	244	70	1.93

Source: 2017 Law Enforcement Employment in Nebraska, Nebraska Crime Commission

Notes: ^aDue to non-reporting by some agencies for 2017, missing data were replaced with values from previous years; for Districts 7 and 11, data include values from 2015; for District 1, data include values from 2016; and from Districts 5, 6, 8, and 12, data include values from both 2015 and 2016. ^bRate per 1,000 population. ^cState agencies include Lincoln Airport Police, Metro Community College PD, Nebraska State Patrol, UNK PD, and UNL PD.

2017 Rate of Police Officers Assaulted per 1,000 Officers by State

As of 2017, Nebraska has the lowest number of officer assaults (40 per 1,000 officers) in the U.S.



Source: 2017 Law Enforcement Officers Killed and Assaulted, Federal Bureau of Investigation

OFFENSES



Offense Data for 2013 and 2017

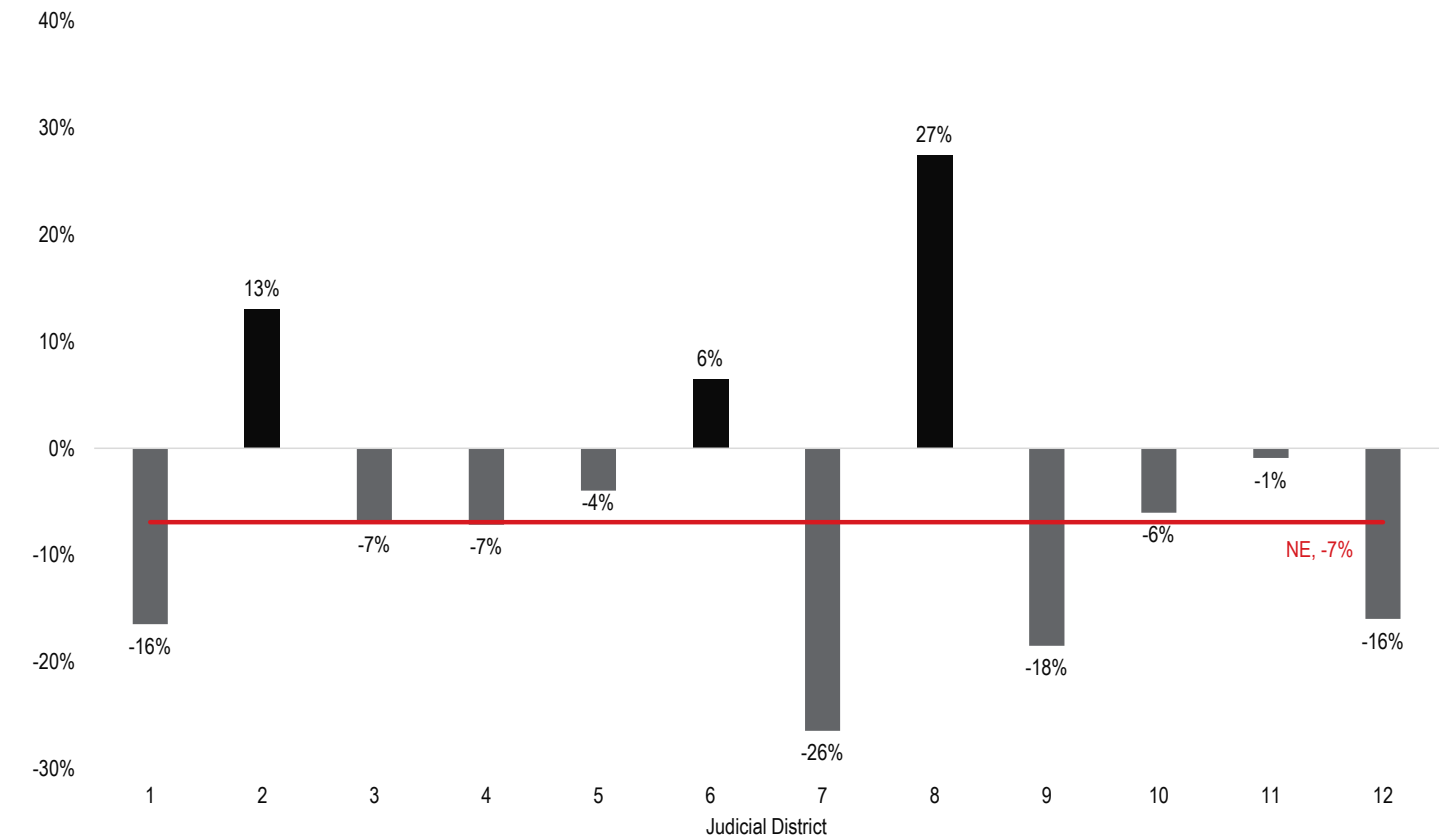
Judicial District	2013						2017					
	Violent Offenses	Violent Rate	Property Offenses	Property Rate	Total Offenses	Total Offense Rate	Violent Offenses	Violent Rate	Property Offenses	Property Rate	Total Offenses	Total Offense Rate
1	187	0.4	2,509	7.8	2,696	3.3	288	1.2	1,964	8.1	2,252	3.5
2	249	0.3	5,557	9.9	5,806	2.7	378	0.8	6,184	13.5	6,562	3.5
3	2,046	1.6	19,892	15.8	21,938	7.4	2,166	2.7	18,258	22.4	20,424	11.0
4	5,144	1.4	41,055	16.2	46,199	4.3	6,152	2.3	36,738	18.7	42,890	5.5
5	123	0.2	2,984	6.6	3,107	2.4	174	0.6	2,810	7.5	2,984	2.7
6	182	0.5	2,878	6.0	3,060	2.4	278	1.0	2,980	8.2	3,258	3.4
7	91	0.3	2,234	4.5	2,325	1.9	176	1.0	1,534	5.1	1,710	2.2
8	32	0.1	395	2.0	427	0.9	80	0.4	464	2.8	544	1.2
9	417	1.1	7,379	19.9	7,796	8.0	756	2.8	5,598	21.2	6,354	9.1
10	132	0.5	2,656	8.7	2,788	3.5	164	1.0	2,456	14.1	2,620	6.7
11	249	0.4	4,494	5.2	4,743	2.0	370	0.7	4,330	7.7	4,700	3.4
12	227	0.7	3,334	6.6	3,561	2.5	298	0.8	2,694	6.0	2,992	2.3
Total	4,545	2.4	47,716	25.6	52,261	28.0	5,640	3.0	43,005	22.5	48,645	25.5

Source: Offense Data Query, Nebraska Crime Commission

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

Percent Change in Total Number of Offenses from 2013-2017

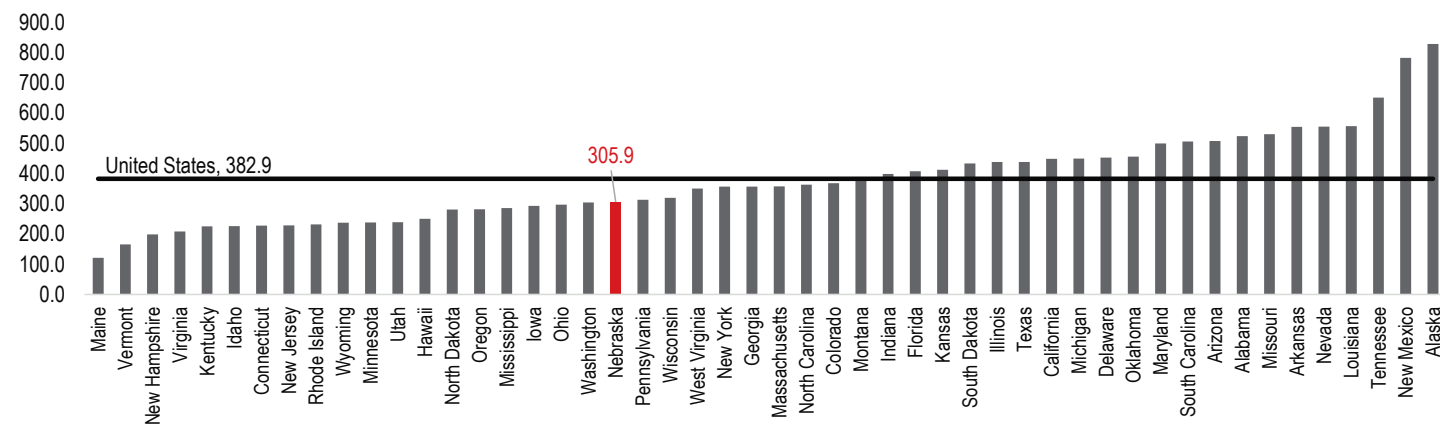
From 2013-2017, the number of total offenses across Nebraska decreased, except for in the areas just north (District 6) and south (District 2) of the Omaha area along the Iowa border, as well as in central and northern portions of Nebraska (District 8)



Source: Offense Data Query, Nebraska Crime Commission

2017 Violent Offense Rate by State

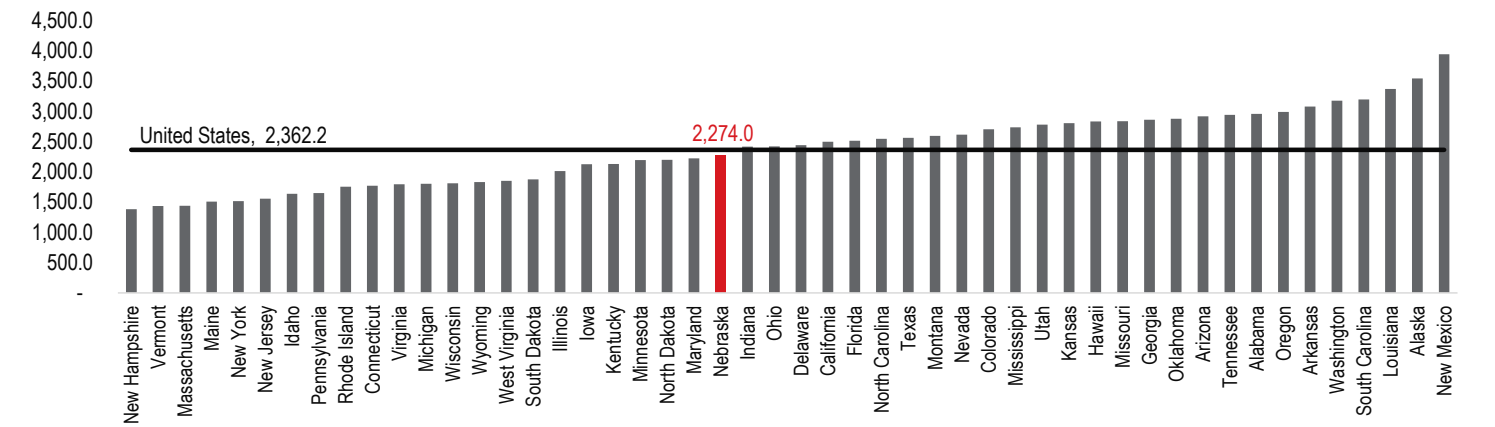
The violent offense rate per 100,000 people in Nebraska is lower than the national average



Source: 2017 Crime in the United States, Uniform Crime Report

2017 Property Offense Rate by State

The property offense rate per 100,000 people in Nebraska is comparable to the national average



Source: 2017 Crime in the United States, Uniform Crime Report

ARRESTS



Arrest data for 2013 and 2017

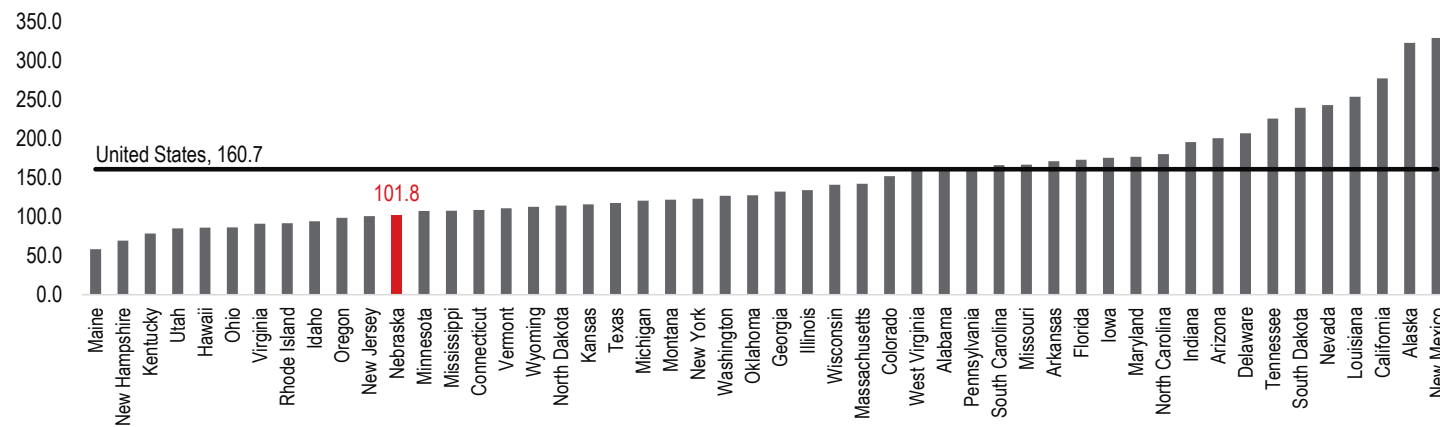
Judicial District	2013						2017					
	Violent Arrests	Violent Arrest Rate	Property Arrests	Property Arrest Rate	Total Arrests	Total Arrests Rate	Violent Arrests	Violent Arrest Rate	Property Arrests	Property Arrest Rate	Total Arrests	Total Arrests Rate
1	41	0.4	176	1.8	1,639	18.0	74	1.0	177	2.1	2,068	26.3
2	29	0.2	376	2.6	3,592	22.4	51	0.3	415	2.7	3,648	20.6
3	431	1.9	1,750	7.9	14,109	63.3	429	1.8	1,678	7.1	12,831	54.4
4	774	2.0	2,645	6.8	18,585	47.9	873	2.1	2,664	6.5	18,264	44.8
5	38	0.3	267	1.7	2,745	20.9	48	0.3	283	2.0	3,230	28.2
6	47	0.5	341	3.2	2,925	26.7	49	0.4	195	1.9	3,236	31.7
7	14	0.2	281	2.3	2,178	23.0	44	0.7	236	1.8	2,202	27.4
8	7	0.1	41	1.0	966	17.2	21	0.3	42	0.6	971	15.4
9	242	2.9	884	10.7	6,421	79.6	170	2.0	518	6.2	6,017	71.7
10	29	0.5	208	2.0	1,555	26.0	31	0.6	188	2.4	1,494	25.3
11	108	0.5	510	1.9	4,466	26.1	96	0.6	399	2.2	4,415	27.4
12	50	1.0	360	2.3	3,158	36.6	68	0.7	282	1.8	3,156	33.2
Total	1,810	1.3	7,839	5.5	62,350	43.8	1,954	1.4	7,077	5.0	61,539	43.2

Source: Arrest Data Query, Nebraska Crime Commission

Notes: Rate per 1,000 population. An arrest is counted each time a person is taken into custody or issues a citation or summons. While an individual may be charged with multiple crimes at the time of arrest, only one arrest is counted. An arrest is counted for the most serious charge at the time of arrest. Violent arrests include homicide, rape, robbery, and aggravated assault. Property arrests include burglary, larceny, motor vehicle theft, and arson. Other arrests not listed that are included in the total arrest estimates: vandalism, prostitution, drug abuse violations, driving under the influence, disorderly conduct, and vagrancy, simple assault, forgery and counterfeiting, fraud, embezzlement, weapons, sex offenses (except rape and prostitution), offense against family and children, liquor laws, and all other offenses (except traffic).

2017 Violent Arrest Rate by State

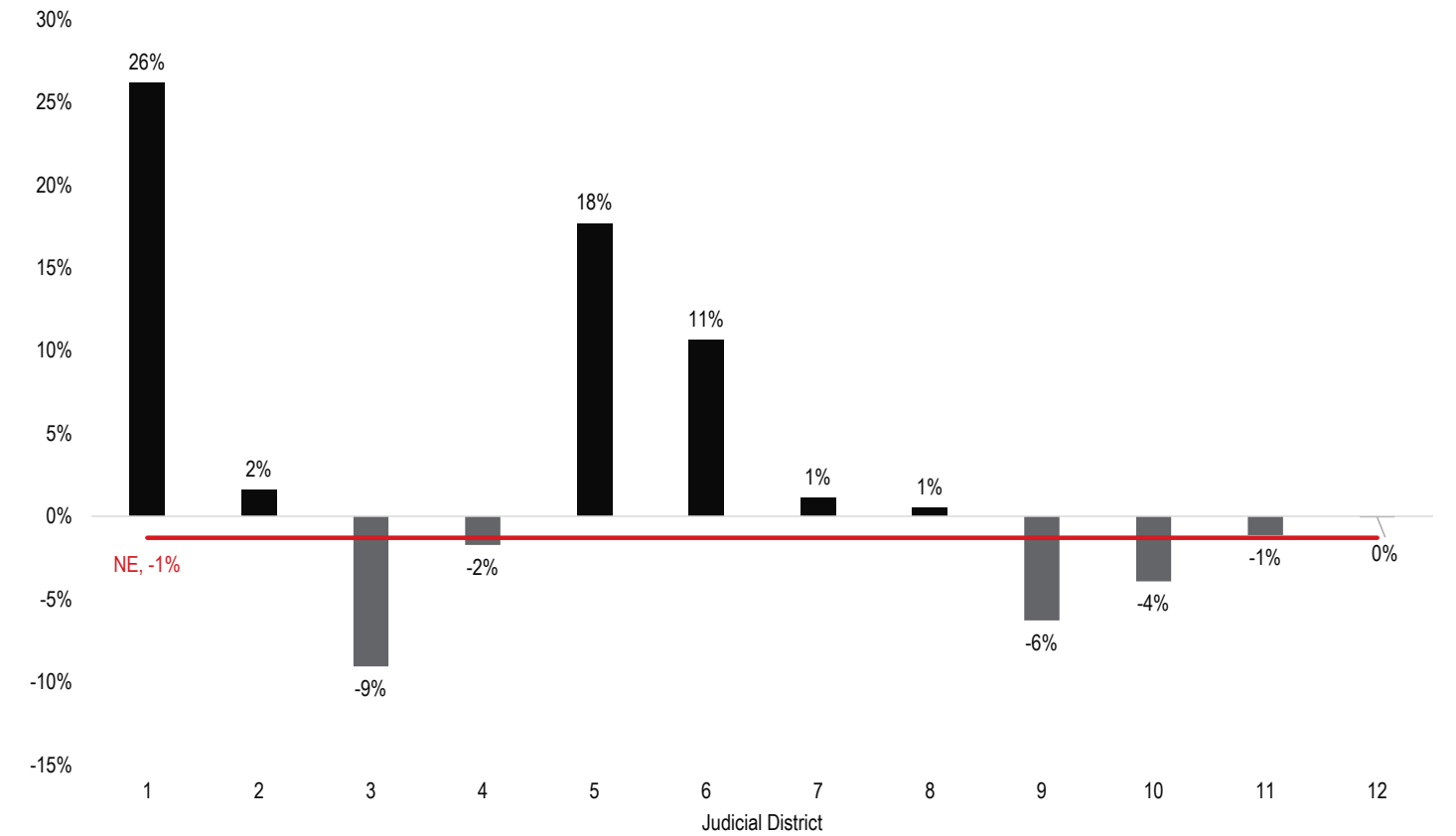
Nebraska's violent arrest rate per 100,000 is lower than most other states



Source: 2017 Crime in the United States, Uniform Crime Report

Percent Change in Total Number of Arrests from 2013 to 2017

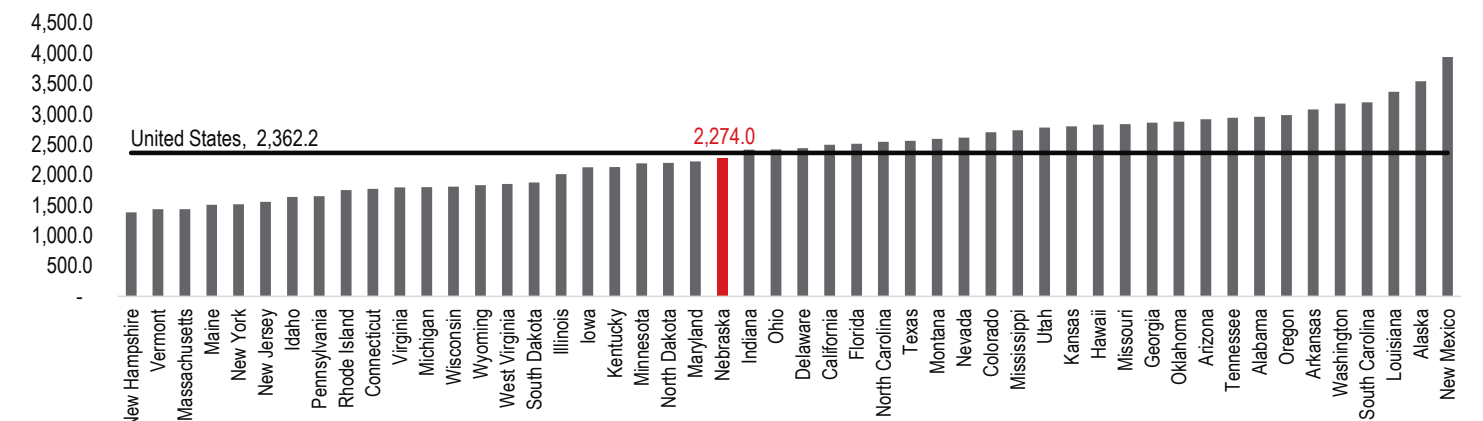
Rural areas in the eastern part of Nebraska observed the largest increases in total number of arrests between 2013 and 2017



Source: Arrest Data Query, Nebraska Crime Commission

2017 Property Arrest Rate by State

The property arrest rate per 100,000 people in Nebraska is comparable to the national average



Source: 2017 Crime in the United States, Uniform Crime Report

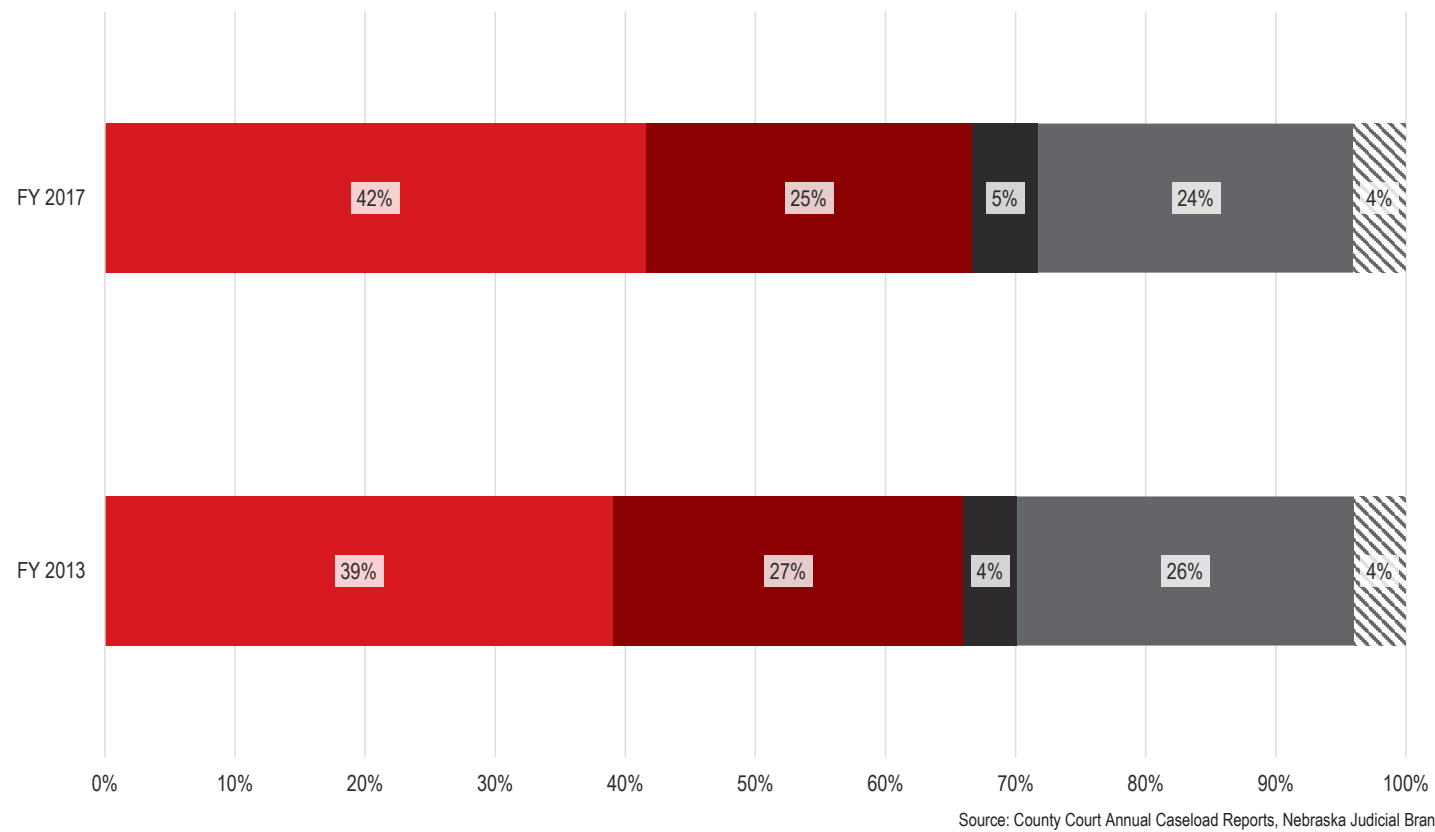
COUNTY COURTS



Breakdown of Nebraska County Court Caseloads by Year

Misdemeanors and civil cases account for the largest amount of statewide county court caseloads

■ Traffic - Misdemeanor/Ordinance ■ Non-Traffic - Misdemeanor/Ordinance ■ Felony ■ Civil ■ Other



Source: County Court Annual Caseload Reports, Nebraska Judicial Branch

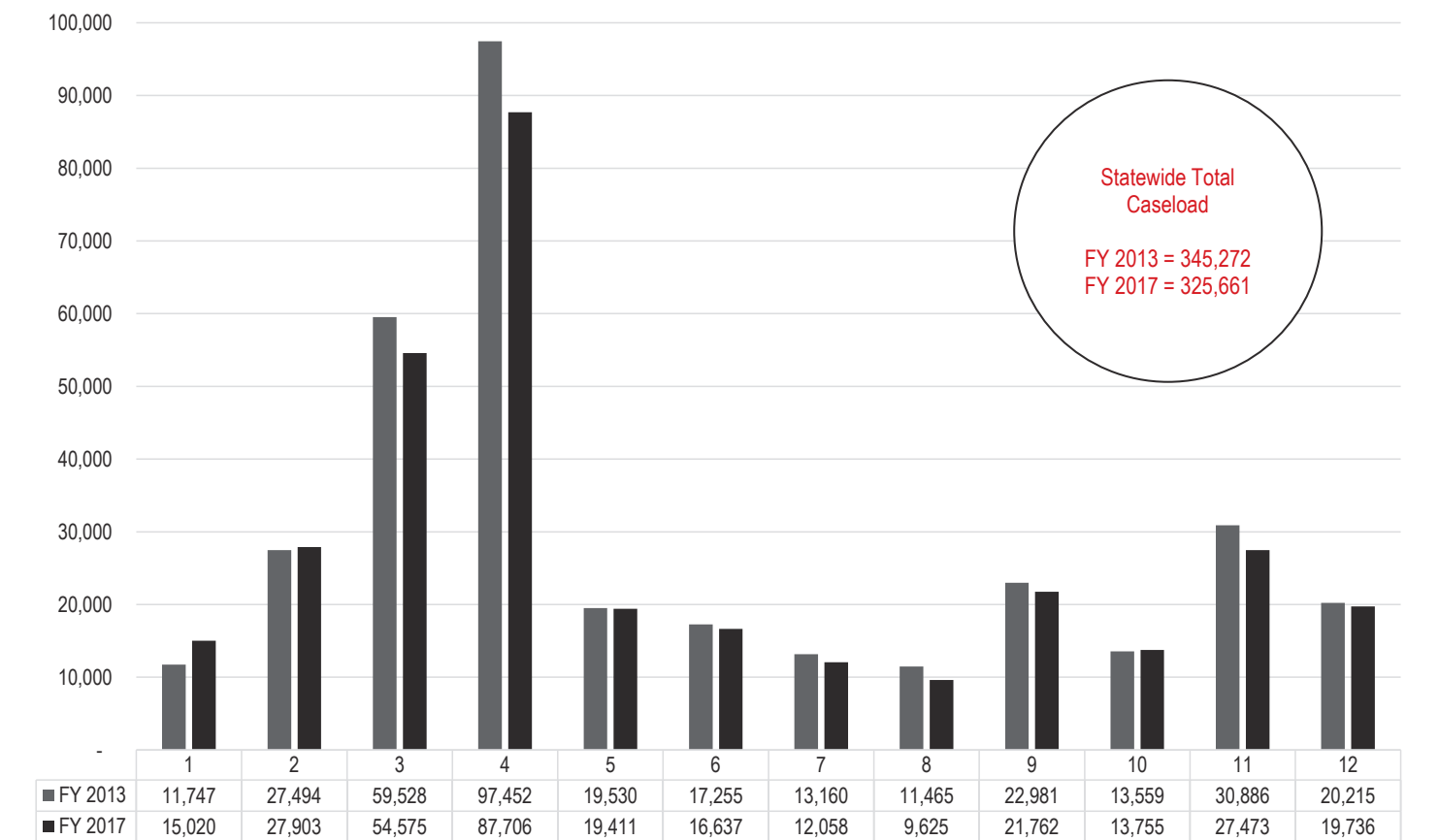
County Court Caseload by Category

Judicial District	FY 2013					FY 2017				
	Traffic Misdemeanor/Ordinance	Non-Traffic Misdemeanor/Ordinance	Felony	Civil	Other	Traffic Misdemeanor/Ordinance	Non-Traffic Misdemeanor/Ordinance	Felony	Civil	Other
1	5,186	2,451	477	2,994	639	7,724	2,836	525	3,349	586
2	9,454	9,678	1,074	6,371	917	13,189	6,116	1,345	6,315	938
3	20,484	19,670	2,312	15,433	1,629	21,301	15,630	2,583	13,302	1,759
4	36,928	27,227	3,960	26,066	3,271	29,880	26,518	4,822	23,252	3,234
5	7,120	4,659	910	5,786	1,055	8,348	4,117	947	4,935	1,064
6	6,923	4,712	864	4,055	701	7,343	4,110	902	3,500	782
7	5,646	3,104	541	3,183	686	5,957	2,845	553	2,039	664
8	6,247	2,014	314	2,278	612	4,828	1,914	364	1,952	567
9	7,177	5,796	1,162	8,103	743	8,461	5,060	1,370	6,006	865
10	5,546	2,514	522	4,231	746	6,352	2,253	527	3,929	694
11	15,621	6,515	1,244	6,361	1,145	13,474	5,788	1,382	5,755	1,074
12	8,881	4,908	807	4,761	858	8,518	4,593	1,144	4,722	759
NE	135,213	93,248	14,187	89,622	13,002	135,375	81,780	16,464	79,056	12,986

Source: County Court Annual Caseload Reports, Nebraska Judicial Branch

Total Number of Cases Filed in County Courts by Judicial District

Generally, fewer cases were filed in the county courts in 2017 than in 2013



Source: County Court Annual Caseload Reports, Nebraska Judicial Branch

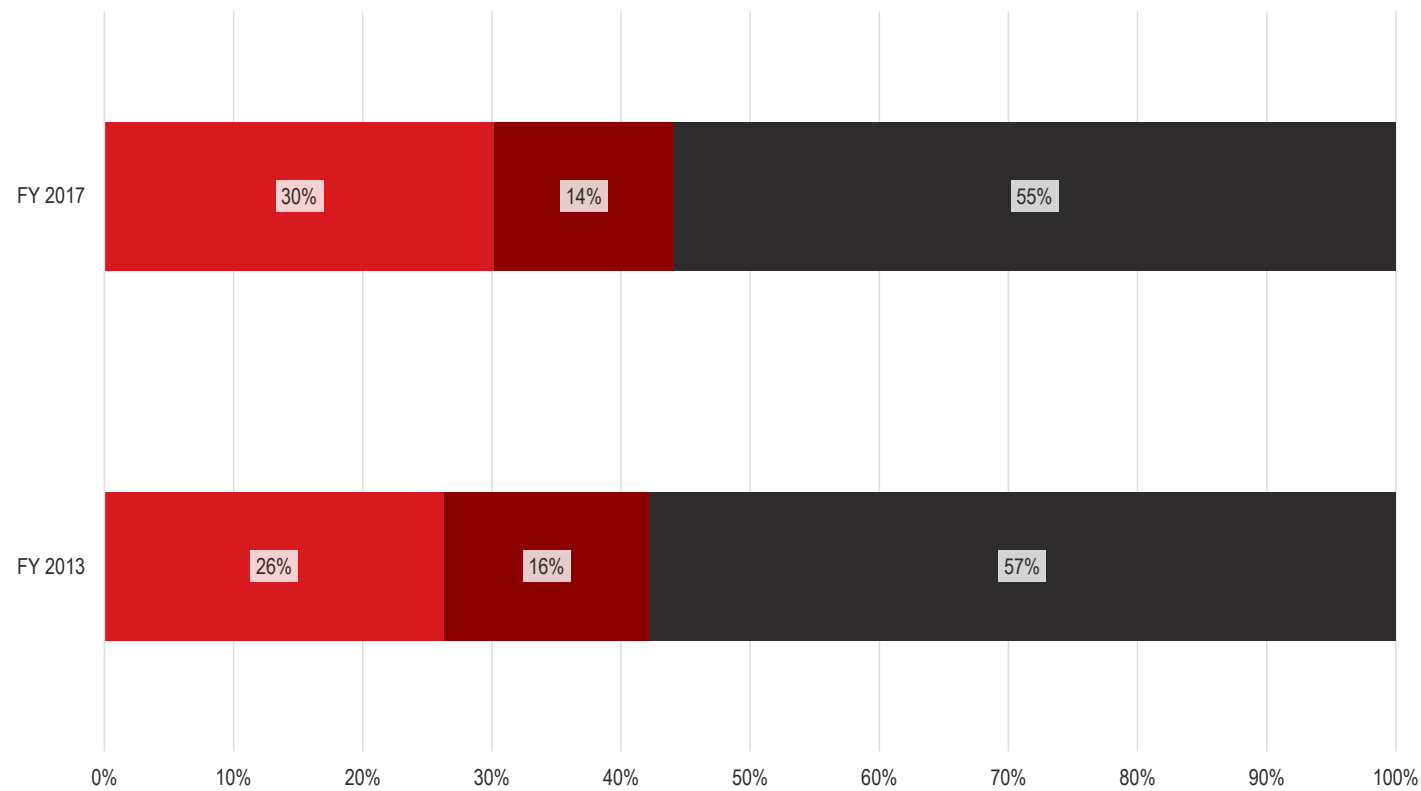
DISTRICT COURTS



Breakdown of Nebraska District Court Caseloads by Year

Cases related to child custody and spousal support make up the largest portion of district court caseloads

■ Criminal ■ Regular Civil ■ Domestic Relations



Notes: Appellate action is not pictured, but accounts for 1% of each year's caseload

Source: District Court Annual Caseload Reports, Nebraska Judicial Branch

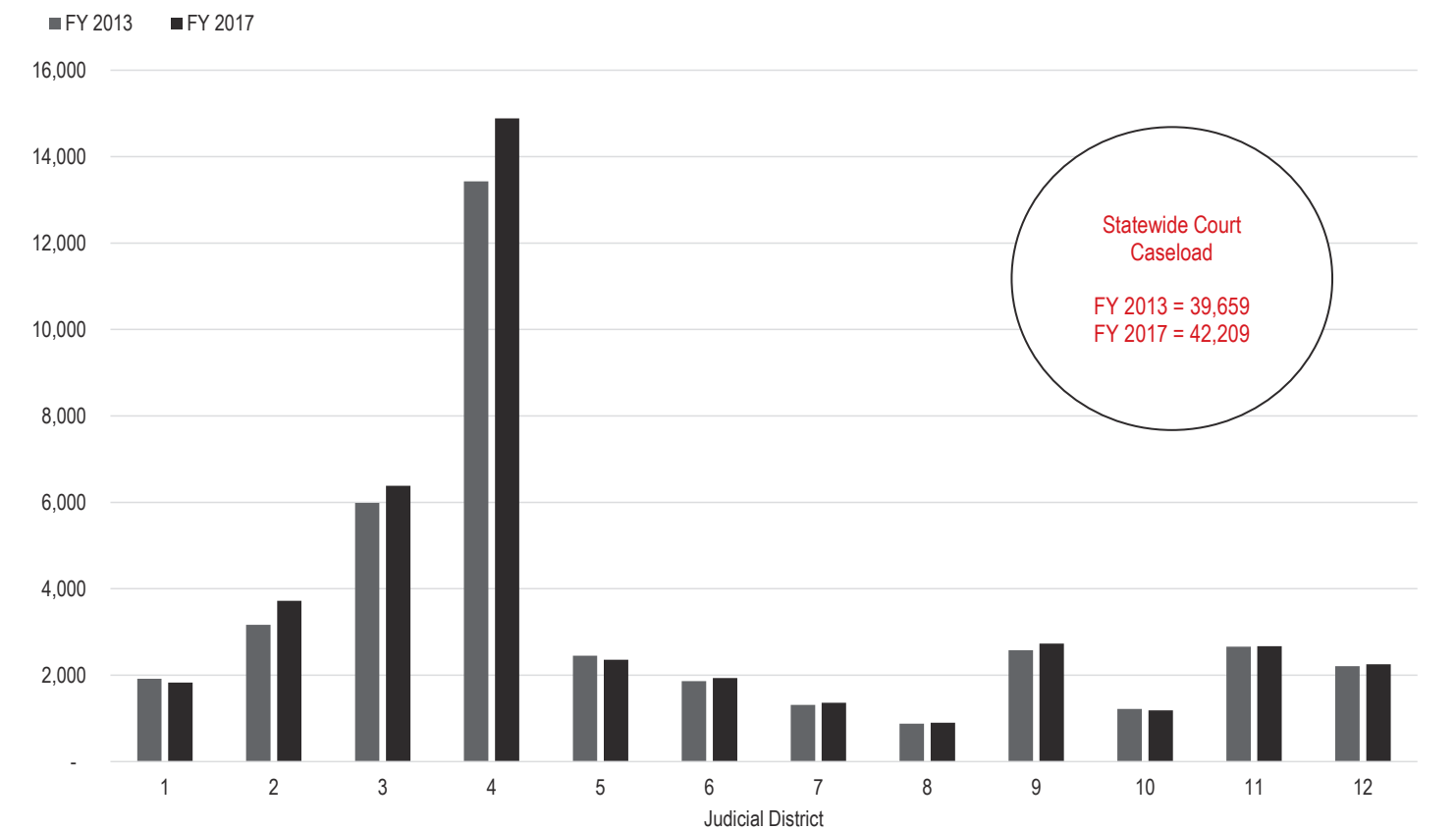
District Court Caseload by Category

Judicial District	2013					2017				
	Criminal	Regular Civil	Domestic Relations	Appellate Action	Totals	Criminal	Regular Civil	Domestic Relations	Appellate Action	Totals
1	348	338	1,200	33	1,919	440	242	1,128	18	1,828
2	721	464	1,927	52	3,164	1,010	507	2,177	27	3,721
3	1,583	895	3,408	100	5,986	1,881	883	3,494	127	6,385
4	3,544	2,089	7,674	122	13,429	4,301	2,180	8,315	88	14,884
5	626	339	1,458	25	2,448	633	322	1,368	33	2,356
6	441	276	1,119	25	1,861	570	264	1,084	16	1,934
7	434	171	695	11	1,311	448	179	715	20	1,362
8	181	235	449	13	878	228	216	420	36	900
9	874	290	1,392	21	2,577	998	230	1,483	20	2,731
10	305	164	733	15	1,217	308	153	718	5	1,184
11	806	414	1,421	18	2,659	1,018	315	1,323	15	2,671
12	454	531	1,178	47	2,210	798	302	1,136	17	2,253
NE	10,317	6,206	22,654	482	39,659	12,633	5,793	23,361	422	42,209

Source: District Court Annual Caseload Reports, Nebraska Judicial Branch

Total Number of Cases Filed in District Courts by Judicial District

District court caseloads are larger in 2017 than they were in 2013



Statewide Court Caseload
 FY 2013 = 39,659
 FY 2017 = 42,209

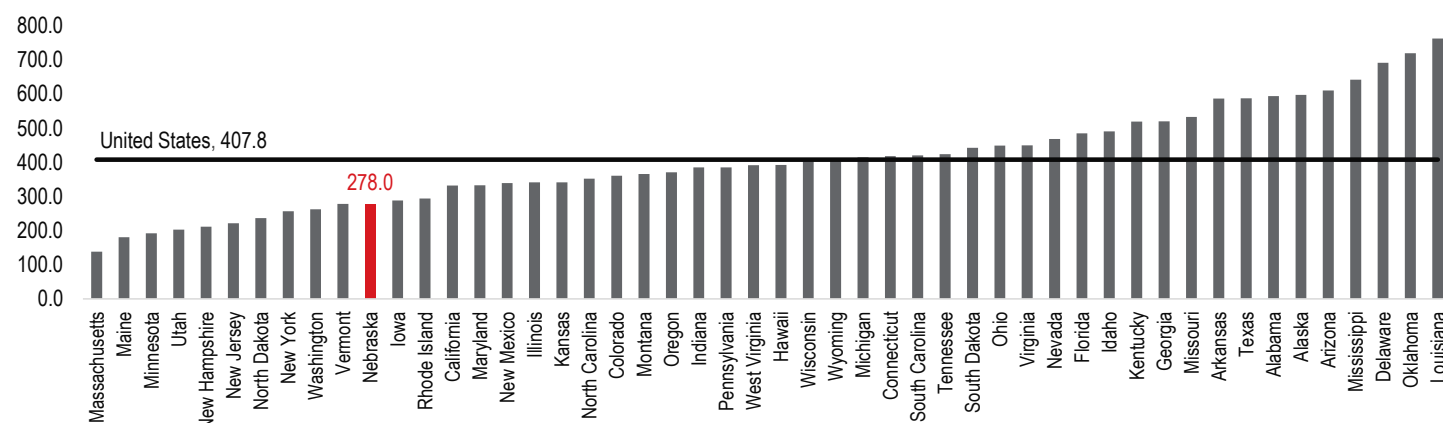
Source: District Court Annual Caseload Reports, Nebraska Judicial Branch

CORRECTIONS



2016 Rate of Incarceration per 100,000 Residents by State

As of 2016, Nebraska continues to imprison fewer individuals than most other states

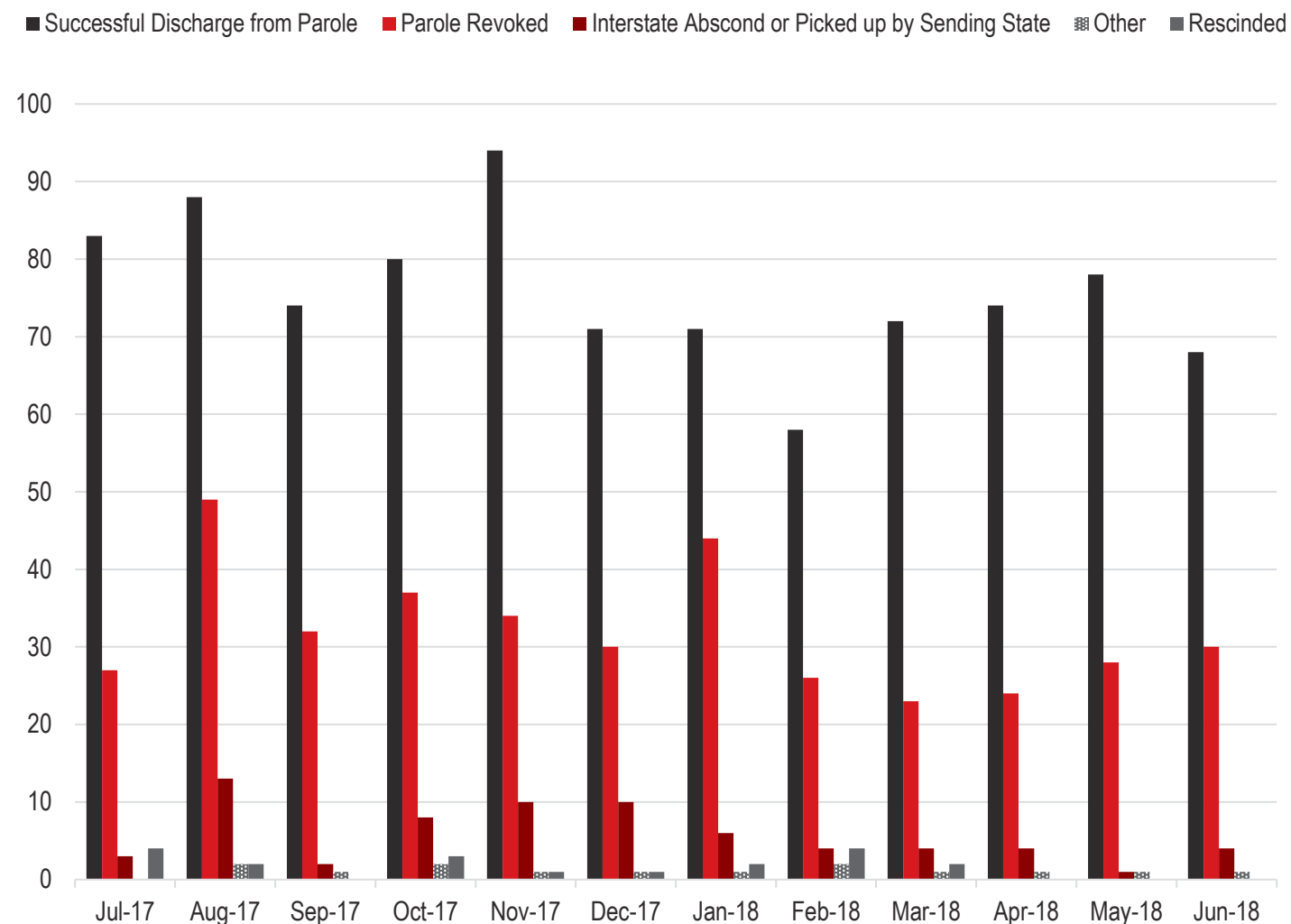


COMMUNITY SUPERVISION



FY 2018 Division of Parole Supervision Discharges

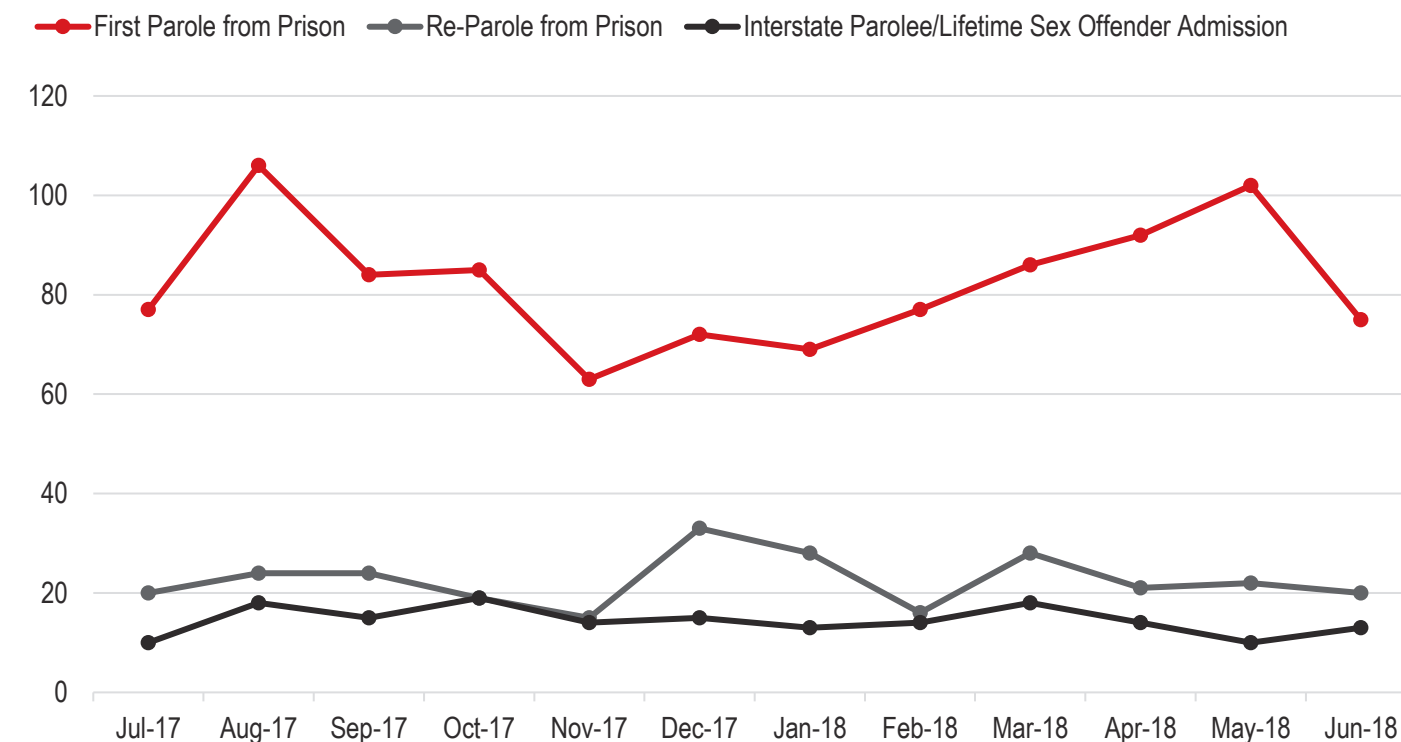
The majority of parole discharges are considered successful



Source: Jennifer Miller, PhD., Division of Parole Supervision

FY 2018 Division of Parole Supervision Admissions

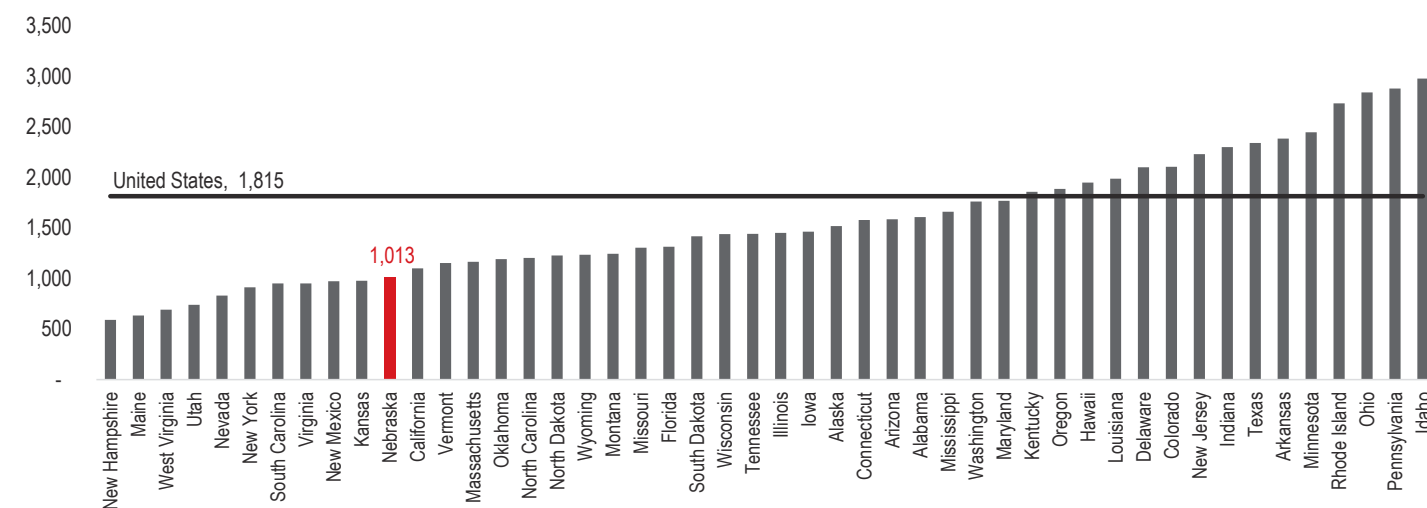
First time parolees make up the largest portion of cases supervised by parole officers



Source: Jennifer Miller, PhD., Division of Parole Supervision

2016 Number under Community Supervision per 100,000 Adult Residents

Only 10 states had lower rates of both parole and probation supervision than Nebraska in 2016



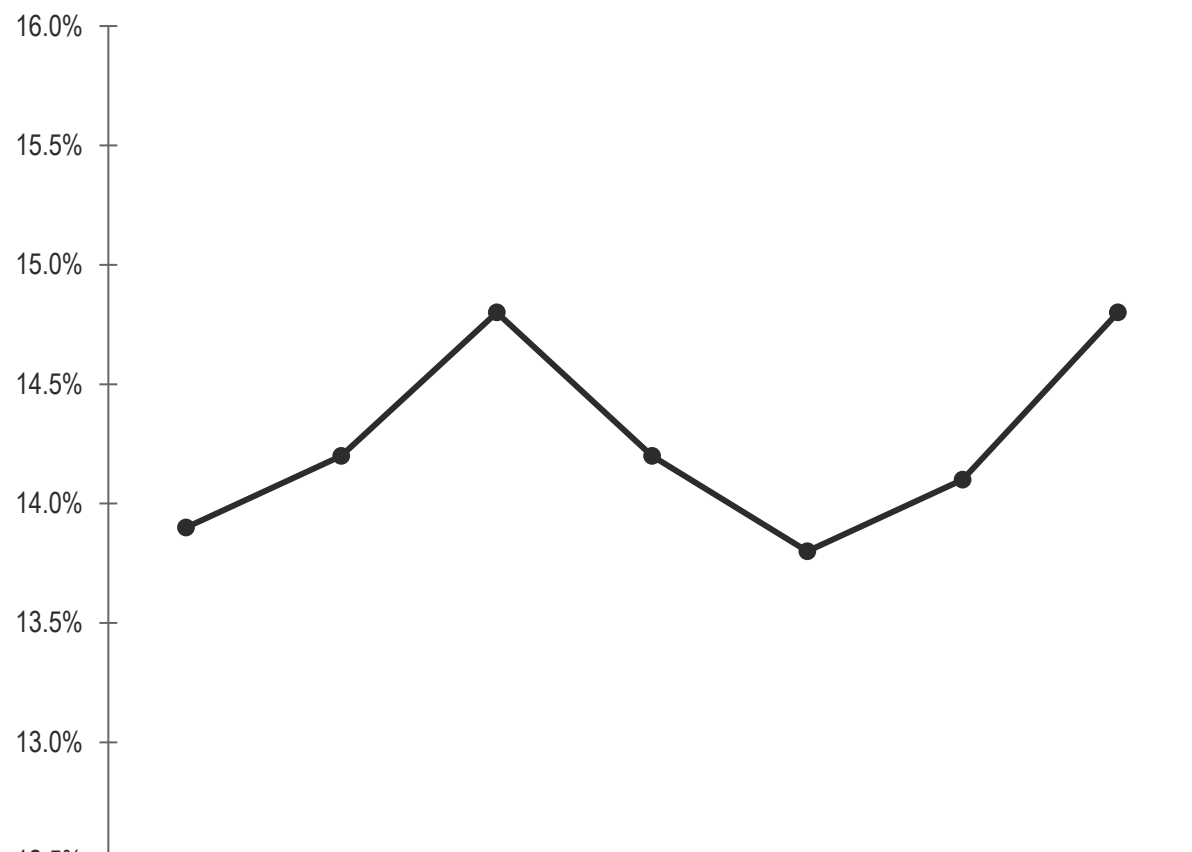
Source: Probation and Parole in the United States 2016, Bureau of Justice Statistics

Notes: Missing data from Georgia and Michigan

COMMUNITY SUPERVISION (CONT.)

Yearly Rate of Recidivism among Discharged Probationers

On average, only 14% of probationers reoffend within three years of release



	2006	2007	2008	2009	2010	2011	2012
Number of Probationers	9,775	9,637	9,401	9,937	9,795	8,765	7,741
Number Recidivating	1,363	1,365	1,394	1,410	1,352	1,233	1,143
Percent Recidivating	13.9%	14.2%	14.8%	14.2%	13.8%	14.1%	14.8%

Source: Richard L. Wiener, PhD, Recidivism Rates for Adult Probationers: 2006 to 2012

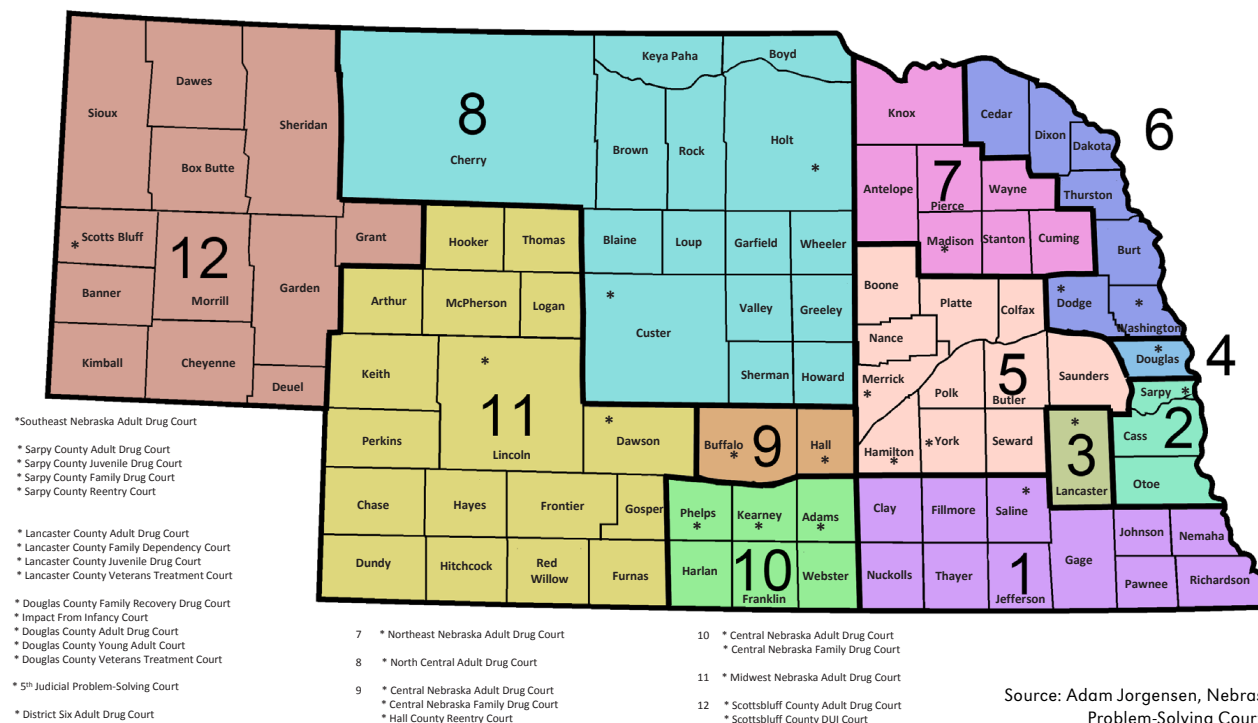
Notes: Most recent data available

PROBLEM-SOLVING COURTS



Nebraska Problem-Solving Court Locations

Nebraska's newest programs include Hall County Reentry Court and Sarpy County Reentry Court



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

PROBLEM-SOLVING COURTS (CONT.)

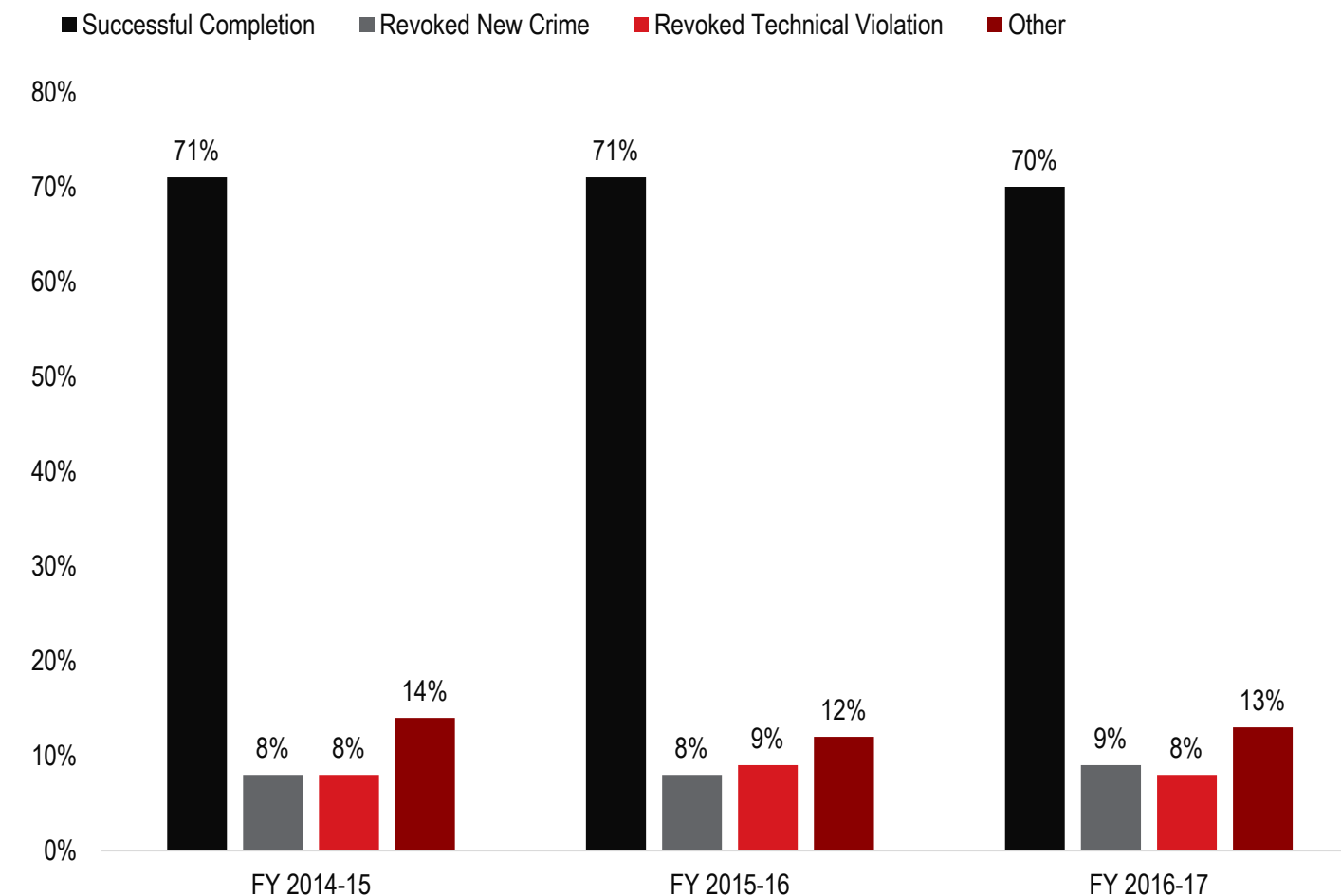
Court Model Descriptions

Court Model	Participants	Goals
Adult Drug Treatment Courts	Nonviolent substance abusing offenders	Combination of judicially supervised treatment, mandatory periodic drug testing, and other sanctions under community supervision to reduce recidivism and substance use.
DUI/Drug Treatment Courts	Hard-core drinking driver	Close monitoring of offenders using home and field visits and technological innovations (e.g., ignition interlock and Secure Continuous Remote Alcohol Monitoring [SCRAM] devices) to increase public safety.
Reentry Courts	Post-Release Supervision clients	Judicial oversight of graduated sanctions and support services for high-risk offenders post-release to improve success upon reentry into the community.
Veterans Treatment Courts	Veterans who have indicators of substance use, mental health, or co-occurring disorders and are at substantial risk for reoffending or failing to complete a less intensive intervention, such as standard probation or pretrial supervision	Designed to reduce recidivism by fostering a comprehensive and coordinated court response using early intervention, appropriate treatment, intensive supervision, and consistent judicial oversight; teams composed of a judge, prosecutor, defense counsel, coordinator, community supervision officer, law enforcement, treatment provider(s), Veterans Health Administration, and other key team members work together to design an individualized program for each participant.
Family Drug Treatment Courts	Clients from juvenile or family court dockets where parental substance abuse is the primary factor in abuse, neglect, and dependency cases	A team composed of judges, attorneys, child protection services, and treatment personnel work to provide a safe and permanent home for children while simultaneously providing support and services to parents to abstain from alcohol and/or drug use.
Juvenile Drug Treatment Courts	Selected delinquent and status offenders having problems with alcohol and/or other drugs	A juvenile drug courts judge maintains close oversight of each case through regular status hearings with the parties involved. The judge both leads and works as a member of a team that comprises representatives from treatment, juvenile justice, social and mental health services, school and vocational training programs, law enforcement, probation, the prosecution, and the defense. The team meets frequently over a year to determine how best to address the substance abuse and criminal justice related problems of the youth and his or her family.
Young Adult Court	Youthful offenders up to age 25, who have been charged with a felony offense	Sentencing alternative that includes community supervision, substance use treatment, mental health assistance, education, employment, and frequent drug testing to help stabilize the participant's life by providing tools for success and ultimately reducing recidivism.

Source: Problem-Solving Courts Webpage, State of Nebraska Judicial Branch

Discharges and Revocations for Adult Problem-Solving Courts

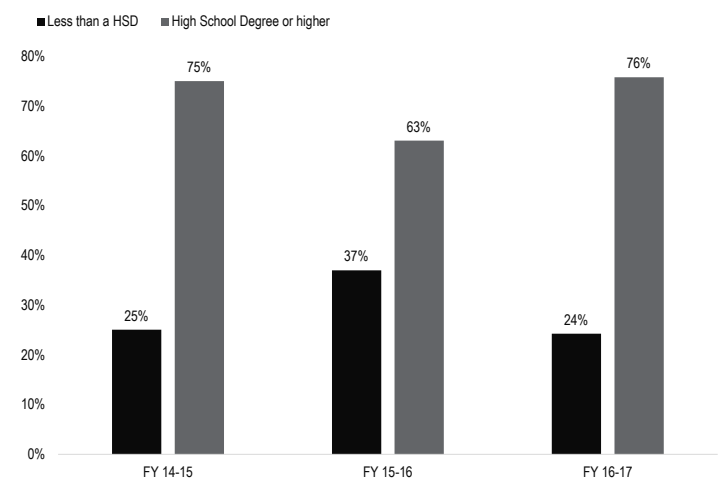
The majority of problem-solving court participants successfully complete the program



Source: Community Corrections Annual Report 2017, Nebraska Crime Commission

Education Level at Entry to Problem-Solving Court

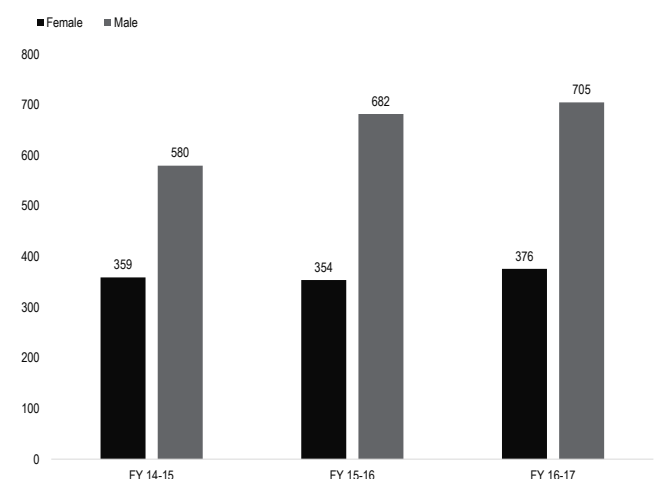
Upon admission, three-quarters of problem-solving court participants have at least a high school degree



Source: Community Corrections Annual Report 2017, Nebraska Crime Commission

Number of Problem-Solving Court Participants by Sex

Number of problem-solving court participants continues to increase, with the largest increase attributed to males rather than females



Source: Community Corrections Annual Report 2017, Nebraska Crime Commission

Race and Ethnicity of Problem-Solving Court Participants

Race	FY 14-15	FY 15-16	FY 16-17
American Indian/Alaskan Native	20	19	27
Asian or Pacific Islander	6	7	6
African American	85	96	89
Other	82	88	90
White	746	826	867
Unknown	1	0	2
Ethnicity			
Hispanic Origin	93	113	125
Not of Hispanic Origin	846	923	954

Source: Community Corrections Annual Report 2017, Nebraska Crime Commission

Age of Problem-Solving Court Participants

Age of Participants	FY 14-15	FY 15-16	FY 16-17
Under 18	-	-	50
18-20	101	147	164
21-25	310	271	289
26-30	189	192	202
31-35	147	139	134
36-40	70	81	92
41+	122	142	150

Source: Community Corrections Annual Report 2017, Nebraska Crime Commission

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