PAROLE IN NEBRASKA

An Interview With Mr. James McKenzie, Nebraska Adult Parole Administration

Editor: Mr. James McKenzie, Adult Parole Administrator, agreed to answer a number of questions submitted by NCRJ, to follow up on his earlier article about parole which appeared in the August 2000 issue. In his earlier article, Mr. McKenzie explained that APA is a division of the Dept. of Correctional Services. APA provides supervision services to offenders placed on parole status by the Board of Parole, which is a separate government agency. The questions and Mr. McKenzie’s answers appear below. APA can be reached at: Box 94661, Lincoln NE 68509. Ph. 402-471-2654.

How many inmates were released to Adult Parole Administration (APA) during each of the last three years? 1999 - 692 1998 - 708 1997 - 771

How many have been released so far this year? 413 as of the end of August, 2000.

What is the percentage of Nebraska inmates who serve their entire sentence without being placed on parole, as compared with those who are paroled and placed under community supervision? 61% serve their time without parole.

Why are not all inmates routinely placed on parole for a period of time prior to the completion of their sentence? Parole in Nebraska is discretionary, and therefore, not all inmates are routinely placed on parole. Each inmate’s institutional record is considered as well as any opposition or support for parole at the time of the parole hearing.

What determines the length of time an inmate spends on parole? The length of time spent on parole is determined by a mathematical calculation which deducts two days of parole good time every month from the tentative release date (jam date) for every month an offender serves on parole without violating the conditions of parole.

What is the average time a parolee spends on parole in Nebraska? For the year 1999, the average length of stay on parole was 10.2 months.

Does the Department of Correctional Services provide the Parole Board with a recommendation for or against parole when each inmate is being considered for parole? A parole progress report is submitted by case management staff of each institution prior to an inmate’s parole hearing. That report contains information regarding the offender’s institutional adjustment and progress as well as a recommendation for or against parole, with justification for said recommendation.

Does APA itself provide services like half-way houses or job location assistance or is the community relied upon to provide such services? Adult Parole Administration relies heavily upon community resources to meet the needs of parolees. Some job location assistance is provided to the offender by his/her parole officer when officers are aware of employment opportunities in the community that appear to meet the qualifications of the parolee.

In your experience, what kinds of services needed by parolees are most often not available in the communities to which they return? Those services most often lacking are transitional living houses, affordable substance abuse programming and affordable mental health programming.

Does the kind of offense committed by an inmate make some difference in the likelihood that he/she will be placed on parole before complete release? Does the length of sentence make a difference? Parole in Nebraska is discretionary and offenders who are eligible for parole are reviewed at least annually by the Board of Parole with consideration given as to whether the inmate would be a good candidate for parole. I do not believe the type of offense or the length of sentence make a difference.

What is the recidivism rate for parolees in Nebraska? For year 1999 the recidivism rate for Adult Parole Administration was 21.1%. For inmates who complete their sentence without the community supervision afforded by parole? The latest data show a recidivism rate of 24.6%.

"Those services most often lacking are transitional living houses, affordable substance abuse programming and affordable mental health programming"
McKenzie Interview (continued from page 1)

What is the current annual funding provided by the Department of Correctional Services for the Adult Parole Administration? Adult Parole Administration’s budget for fiscal year 2000-2001 amounts to $1,446,000. $1.2 million is designated for personal services and the rest to operations.

If more funding were available, what new or expanded services could be provided by Adult Parole Administration? Adult Parole Administration could expand the use of electronic monitoring to increase supervision over parolees who provide a greater risk and as an intermediate sanction to revocation in the disciplinary process.

What are the job qualifications and starting salary for a Nebraska Adult Parole Officer? A parole officer must possess a bachelor’s degree in Criminal Justice or Behavioral Science field or the minimum of four years experience in corrections, parole or probation, and possess a valid driver’s license. The starting salary for an entry level parole officer is $23,619 per year.

What is the percentage of new hires each year? There is very little turnover in parole field staff. Currently, we average a turnover of one position per year.

Is Nebraska’s system of parole similar to that of most other states? What are the predominant kinds of systems elsewhere? In Nebraska and several other states parole is a separate agency from corrections, parole or probation, and possess a valid driver’s license. In other states, parole and probation are combined into one agency. Similarities exist in areas of assessment of risk and needs, supervision levels, and types and frequency of contact and due process hearings.

From your experience, what changes in the state’s parole system, if any, should the Nebraska Legislature consider? By increasing the use of parole for incarcerated offenders, public safety would be enhanced and supervision could be provided to assist with the transition from life in prison to life in the community. Without parole, the discharged inmate has no one to monitor his/her progress and to intervene when their life in the community becomes unstable. Parole provides a means for stabilizing an offender’s adjustment in the community and increases his or her chances of experiencing a successful transition.

THE COST OF INCARCERATION, PER INMATE, COMPARED TO PAROLE

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(Statistics from the Nebraska Dept. of Correctional Services Monthly Data Sheet, October 17, 2000.)

WHY NOT MORE PAROLE?

If citizens misunderstand parole and think it is the reduction of an offender’s sentence, they are likely to be upset when the offender is placed on parole. They want the offender to pay the full price for his/her crime. Actually, a parolee continues to serve his or her sentence, but under supervision, and in the community.

Nebraska appears to be using parole very sparingly - perhaps too sparingly. According to Mr. McKenzie, the Adult Parole Administrator, 61% of Nebraska’s prison inmates are never paroled - which means they come back into society without any kind of a transition from incarceration to complete freedom. Mr. McKenzie points out the greater security for the public which results from providing a transition period. The parolee’s progress is monitored and, if his or her situation becomes unstable, intervention is still possible. For the sake of community security and savings to the taxpayer, if for no other reasons, the public should want as many offenders as possible to receive a period of supervised release before their sentences are completely served.

Nebraska’s Parole Board is composed of Linda Kruzt, Chairperson, along with Esther Casmer, Bob Boozer, Mike Gomez, and James Pearson. This Editor visited with Linda Kruzt on November 7th and asked about the possibility of parole being used more often. She explained some of the complexities of parole and how either state statutes or the offender’s institutional record might prevent the granting of parole by the Board. Citizens would need to use the legislative process to change the state’s statutes on parole. She also gave some statistics on revocations of parole - which may be reassuring to those who think of parole as a license to go out and become a criminal again. In fiscal year 1997 to 1998, the Parole Board revoked 334 parolees. In 1998 to 1999, parole was revoked in 244 instances. And in 1999 to 2000, parole was revoked 269 times. Adult Parole does give more freedom to the offender, but it can be withdrawn when necessary.

Because of parole, the wider community can become personally involved with offenders - by helping them to find jobs, transitional housing, transportation, treatment programs for mental illness and substance abuse, and other services. If we want to pay less taxes for prison construction and for years of incarcerating offenders, there is a need to support parole, which allows offenders to get back to the community a little sooner, to begin earning money and paying taxes again, and to provide for the families they were not able to support while in prison. As Mr. McKenzie stated, Adult Parole relies heavily on community resources.

GETTING INVOLVED

Churches, civic organizations, and individuals who can offer various kinds of help to parolees, or who would like to inquire about initiating services lacking in their area, can contact the offices below.

STATE PAROLE OFFICES
GRAND ISLAND: 308-385-6215 or 308-385-6230
LINCOLN: 402-471-1280
NORFOLK: 402-370-3539 or 402-370-3136
NORTH PLATTE: 308-535-8115
OMAHA: 402-595-2050
SCOTTSBLUFF: 308-632-1283

Adult Parole Administration State Office
Folsom & West Prospector Place, Bldg #15
P.O. Box 94661
Lincoln NE 68509 Phone: 402-479-5771
HOUSING FOR PAROLEES

Editor: While many parolees reside with family or friends for awhile after release, some have no place to stay while they search for work and establish themselves in the community. Others need a “half-way” kind of house where they can continue to deal with issues like substance abuse. Parole cannot be granted unless the parolee has arranged for a suitable place to live. The following are some examples of existing transitional houses.

House For New Life, 4505 Holdrege, Lincoln NE 68503. Phone: 402-466-6080. The house is a community service project of C.B.O.L., Inc. (Christians by our love). It has space for fourteen residents, two to a room, and serves both men and women. Inmates consult with staff about possible entry while still in prison and sign a contract before acceptance. The house is both a home and a therapeutic program - designed to help ex-offenders manage conflict, anger and stress, budget their time and monies, develop positive family relationships, and enhance job skills. A weekly room and board fee is paid. Parolees are encouraged to stay a minimum of three months and may stay as long as eighteen months.

The Wolf House, 3423 Cuming Street, Omaha NE 68131. Phone: 402-561-8024. In a family-type atmosphere, Wolf Recovery Services, Inc., offers transitional living space for 24 persons, 12-Step recovery program, relapse prevention, group therapy, individual counseling, family therapy, chemical dependency evaluations, after-care groups, addiction counseling, compulsive gambling counseling and 4th nd 5th Step work. The house has been open since October of 1999. A stay of six months is recommended.

Harbour of Hope, a transitional residence in Columbus, Nebraska, with space for a maximum of eight. It is supported by a thrift store (Simon House) at 1572 16th Avenue. Both houses are owned by St. Bonaventure’s Church in Columbus. Mary Jo VanAckeren can be contacted for more information (402-564-8444).

Penny’s House, 3103 North 18th Street, Omaha NE 68110. Phone: 402-933-1912 or 932-6224. For women coming out of prison who suffer from an addiction. Established by Penny’s House Recovery Ministries, a non-profit organization, in January of 2000. The house has room for eight women who pay for their housing through employment.

NEW SUPPORT FOR CRIMINAL JUSTICE REFORM

According to a Washington Post story reprinted in the Omaha World Herald, Nov. 16, 2000, the U.S. Catholic bishops have called for “an overhaul of the nation’s criminal justice system, hoping to shift its emphasis from prison building and punishment to rehabilitation and drug treatment.”

The unanimously approved statement, “Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice” was issued on November 15, 2000. See the document at http://www.ncbcsus.org/sdwp/criminal.html. It is also available in a print edition and can be ordered by calling 800-235-8722. Ask for publication number 5-394 for the English edition or 5-846 for the Spanish edition. The cost is $2.95 for a single copy, plus shipping and handling.

According to the Post story, “the bishops recognized the task they proposed would be nothing short of a ‘moral revolution,’ one that would require ‘changing the hearts and minds’ of political leaders as well as average Catholics...”

IMPROVING TREATMENT: A QUALITY OF LIFE APPROACH

By Nancy Vossler, who has over 14 years experience in community-based correctional programming, and D.J. Williams, a therapist with the Center for Family Development in Salt Lake City, Utah.

Despite well-intentioned efforts by correctional personnel, it has been our experience that many offenders still hold the common perception that treatment programming is a part of punishment by the criminal justice system. This perception hinders personal progress for offenders from the beginning of the treatment process. It also produces other misperceptions; for example, that there may be no need for further treatment when not mandated by the criminal justice system. We have found that although offender treatment programming is delivered and legally mandated by the legal and correctional system, it is imperative for offenders to understand that from a functional perspective, treatment is a separate process from the system that mandates it. By using a quality of life-based approach to correctional programming, we may help offenders recognize treatment is a valuable means that can be applied to improve their lives, thereby challenging the common offender perception that treatment is part of punishment with little personal value.

Since it is common for offenders to seek instant gratification through drug use and other behaviors that are self defeating over time, many have never fully considered long-term needs and personal desires. Yet, with a little probing and guidance at the beginning of the treatment process, nearly ever offender will eventually verbalize common human needs that can bring satisfaction and fulfillment over the course of a lifetime - “a good job, relationships with family and friends, health, leisure time, and education.” These are reasons for an individual to engage in treatment, and the goal of any treatment program is to help the individual progress in these core areas that bring quality of life. It is starting to feel the initial resistance from offenders disappear as they realize that treatment is to help them improve their lives - not to further punish them. Now the process of change can begin, since the motivation for engaging in treatment has begun to change from an extrinsic to an intrinsic origin.

Research shows that lasting behavioral change requires intrinsic, rather than extrinsic motivation. If we expect offenders to progress through the change process and eventually maintain positive behaviors, there must be a constant emphasis on how treatment is improving quality of life, thereby continually reinforcing intrinsic motivation. We advocate that at the end of every programming experience offenders recognize how that experience can be utilized as a vehicle to improve family functioning, job/career, health, or educational progress - those same variables that were initially identified as essential to quality of life. Effective offender rehabilitation can be, but is not always, positive; in fact, it is sometimes unpleasant and painful. Still, these experiences also need to be perceived from a positive, long-term framework that promotes a future of healthy living. In short, regardless of the approach or method used in the rehabilitation process, the underlying framework from which therapy is interpreted is based on quality of life improvement and it is critical that the offender understands this.

We have found that supplementing existing offender treatment programming with a quality of life approach increases program effectiveness in a variety of ways. Our research at the Northern Utah Day Reporting Center provides evidence of improved program completion rates and reduced recidivism following implementation of this approach. Reports of programming by both offenders and correctional staff tend to be more positive. We are excited to continue researching this approach and we encourage corrections staff to deliver offender rehabilitation services from a quality of life perspective.
FOCUS ON VICTIMS’ ISSUES

VICTIMS OF DWI CRASHES
By Ruth Kruse, one of MADD Metro’s six victim advocates.

Crash victims of impaired driving feel twice hit by tragedy. First the initial blow of death or serious injury to a loved one and second, the indifference of the judicial system.

Victims who are feeling severe emotional injury suddenly receive the second blow: a legal system which allows such a variety of loopholes that the offender is well-protected by his/her rights while the DWI victim is not yet adequately provided for. Loopholes and legal maneuvers (such as extensive plea-bargaining) provide the offender with a favorable trial. Many victims, already weakened by the loss of life or healthy body, simply cannot find the strength to stand up for their rights. Initially, they are totally dependent on prosecutors presenting the state's case for infraction of the law. How carefully that is handled is often the key to a judge or jury's decision. “Selection” of the judge (often back-room manipulation) is too often handled by the offender’s defense attorney. Defense attorneys pocket large payments on DWI offenses.

Victim rights are slowly being recognized: access to the offender’s driving record, the right to be notified of all court proceedings, the right to submit a victim impact statement, the right to be notified of parole hearings of their offender (and submit testimony for that), the right to ask the judge about the sentence.

Victims usually feel a sense of powerlessness when they hear the charges for the offender. Lawyers are so well-trained in how to maneuver charges that it is likely that the DWI charge may be dropped for a charge of fleeing the scene, or other lesser offenses. This means that a DWI charge does not go on the offender’s record. The results are devastating because offenders know they can beat the system and continue to drive impaired. The bar room talk reinforces their thoughts - that they will not be punished for DWI. In the early 1990s, Nebraska had a reputation for getting offenders off easy, so some offenders admitted moving here to continue drinking and driving.

The problem of some defense attorneys choosing judges is very questionable at best. Victims are led to feel that a few judges receive payments for light sentences. A pattern of decisions by certain judges indicates a serious “buddy-buddy” system with certain high-paid defense attorneys. There is a slow, but steady, movement by some defense attorneys to quit taking on repeat offenders. They apparently are getting disgusted with that system.

Many victims of DWI crashes opt for a civil suit after the state case is settled. Sometimes that is to straighten out a flaw in the state’s case by bringing in additional evidence. The recent example of an Iowa case was of this nature. The records were inadequate and probation did not track the offender, so the Nebraska case (for a DWI death) was not based on all the evidence. Iowa did a fair job of trying to correct that in a second trial.

Other civil suits often request remuneration for funeral expenses, medical expenses, emotional trauma expenses, loss of work days or loss of principal wage-earner. While every state now has a victim compensation fund, only medical costs and loss of wages are reimbursed to the victims who have quite limited assets. Most victims suffer serious financial losses - vehicle, counseling, and therapy not covered by insurance. The financial loss to many victims puts them into a low-income bracket permanently. Too many families live in poverty after a DWI crash, unable to be employed and often with no payment by the convicted offender.

MADD members across the country make prevention of DWI crashes their prime issue, with support of victims second, and the prevention of teen-age drinking as their third mission. Thus it is of utmost importance that the court system and corrective rehabilitation become part of prevention.

Jail is not the most effective measure for preventing repeat offenders from drunk-driving again - and it is expensive to the community. Special low-cost, minimum security facilities, house arrest and community service can reduce criminal justice costs and help motivate hardcore offenders to conform to license restrictions and recovery programs. Close supervision is essential. Too many “work release” offenders have continued to cause crashes. Non-cooperative offenders can be placed in special DWI jails or under house arrest.

Creative sentencings address many issues: facing the family monthly with a $1 payment for ten years, keeping a picture of the deceased in the offender’s billfold at all times, deceased victim’s picture in prison cell, attendance at MADD Victim Impact panels, etc. Creative victims often come up with new ideas for their particular offender.

MADD victims are usually not vindictive (although a few are - usually to their own detriment in the healing process). But they are more than fierce about wanting to see that roads are safe. While others may see MADD as unreasonably fierce, the fact remains that alcohol-related deaths have been reduced by 37% since MADD organized 20 years ago. An estimate of 90,307 to 128,520 lives have been saved through the cooperation of many groups. MADD is 20 years old in 2000 - thus the downward trend began about 1982. The greatest progress is in the under-21 age group. Since 1975, the minimum drinking age law has saved more than 17,000 lives. MADD’s new emphasis on preventing teen-age drinking is expected to produce even better results.

In the United States, four times as many have been killed in car crashes as in all wars: no other country has this kind of record.

DOMESTIC VIOLENCE: TAKING STEPS TO DO BUSINESS DIFFERENTLY IN PROBATION

By Deborah A. Carey-Minardi (Chief Probation Officer, State of Nebraska District #4 Probation Office, 164 Hall of Justice, 1701 Farnam, Omaha NE 68183. Ph. 402-444-4648.)

It started with a homicide. I am sure it was not the first time in history that someone on probation committed homicide and then killed himself, but it was the first time for us. It brought a lot of media attention to domestic violence and sleepless nights for me, wondering if we should be doing business differently.

In 1993 we took the first step to do business differently and haven’t looked back since. The Officers who work in the Domestic Violence Probation Unit do so with an attitude, and plan to make a difference.

Our first step, way back before there was an awareness of domestic violence in our community, was to specialize a Probation Officer. This Officer would handle both the investigations and supervision of cases involving domestic violence. Soon after we did this the stress level caused by this specialized caseload became apparent. When you deal with an entire caseload of clients whose
DOMESTIC VIOLENCE (CONTINUED)

basic method of operation is power and control, we should not have been surprised that one Officer would burn out quickly. Once we began to identify domestic violence cases the actual numbers astonished us. We were forced to do more internal reorganization and add another officer to share the load. We also incorporated technology to help with the supervision. The technology called Juris monitoring consists of placing an ankle bracelet on an offender and a monitor in the home of the victim. If the offender tries to get near the victim an alarm is sent out to the probation officer and law enforcement.

Our second revelation came when we discovered that a victim of domestic violence is most likely to call a probation officer for help over any other agency when the perpetrator is on probation. In essence this gave the officers almost a double caseload because they had to work with the defendant and also assist the victim. We knew our priority had to be the safety of the victim if we truly wanted to prevent another homicide and stop the violence. Our solution, through a grant, was to hire a probation officer who would specialize in victims. We realized that in the past we did not do anything about the safety of the victims until they called us. By then it was often too late and additional violence had already occurred. The role of the new probation officer victim specialist was to take a more proactive approach, maintain contact with the victim throughout the supervision of the offender, and be the voice of the victim in the investigation stages. The effectiveness of this was staggering as we discovered we could better supervise the offenders and they were less likely to reoffend when they knew we would be maintaining ongoing contact with the victim. This contact includes victim welfare checks where we can examine the environment and look for other signs of violence as well.

The caseloads continued to grow and it became more and more difficult for the officers to divide their time between investigations and supervision. So step three came when we divided the duties of the officers. Again, through grants, we added officers who specialized in investigations. These officers would receive advanced training in domestic violence and would eventually develop our own lethality scale. In addition, they also identify for the Court effective rehabilitative strategies for the offender. With dual intent of victim safety and offender rehabilitation, these strategies would include specific recommendations for conditions of probation that include a minimum: batterers intervention treatment, no weapons clause (in accordance with federal law), search and seizure clauses, no drug or alcohol use, and testing.

We believed that we were on the right track in our work with victims, but the size of our caseload still prevented us from doing offender supervision to the degree we needed. So one last step and one more specialization. This time, division of the rehabilitation and accountability duties of the supervision officers. Supervision officers would work on changing the behavior while field officers would enforce the accountability side of the supervision. They ensure that conditions like no weapons, no alcohol or drugs, home visits and searches were in fact being complied with. Working closely with law enforcement they assist in making arrests on warrants and probation violations. They become familiar with the offender’s habits and environment to better monitor behavior.

This team approach has been critical in our over-riding philosophy of victim safety, homicide prevention, and offender behavior change and accountability. We have a long way to go. The caseloads are still too large. The Court does not always add the conditions for offender rehabilitation. Domestic violence is still prevalent in our community. But, for every case in which we are successful, one more homicide is prevented. It has and does make a difference.
LETTERS TO THE EDITOR

Sun City West, AZ.

Thank you for the fine, informative publication! Diversion and drug court programs need to take the place of incarcerations, felony records, building more prisons, and the horrendous costs to the taxpayers. Many non-violent offenders are capable of continuing to work, pay taxes, and maintain family and home. Instead, the $25,000 to $30,000 per year costs to the State (the taxpayers) to keep each non-violent person in prison just doesn’t make logical or common sense.

Former President Jimmy Carter said, “Penalties against possession of a drug should not be more damaging to an individual than the use of the drug itself.” The public needs better information to bring pressure at the ballot box for a common sense drug policy.

Roma Thomas
Omaha, NE

I’m very grateful to all who have produced the Review. It is chock full of thought-provoking and stimulating articles.

I am particularly interested in the mentally ill in prisons and jails. It appears that, with more and more mental hospitals closing over the last several years, many people with mental illness are ending up in jails and prisons. How are the prisons in Nebraska responding?

Also, it seems to me that some mental illnesses could actually be brought on by living in a prison environment - such things as depression, anxiety, and chronic anger are examples. Is there an inherent conflict between the goal of medicine, which is to heal and to reduce suffering and pain, and the goal of the penal system, which is to punish, and, to some degree, induce suffering? Is there always going to be a conflict between these two things? To what extent does Nebraska’s prison system consider mental health issues in sentencing, design of prisons, and rehabilitation?

As someone who has had a diagnosed mental illness for 25 years, I know that I owe my sanity and my life to institutions and trained people who were there to help me when I needed it. These days, many of those institutions are no longer there. What is happening to people like me? What is the view from inside jails and prisons?

Kelly Freese

FIVE PERCENT BUDGET REDUCTION COULD CLOSE TWO CORRECTIONAL FACILITIES, INCLUDING TREATMENT CENTER FOR SUBSTANCE ABUSERS Governor Johanns has asked all State government agencies to submit 95% budget requests for the next biennium budget period. If a 5% reduction in the budget of the Nebraska Dept. of Correctional Services were implemented, the Department’s recommendation would be to close the Hastings Correctional Center and the Nebraska Correctional Treatment Center (treatment center for substance abusers). According to a September 1, 2000 employee bulletin supplied to NCJR by the Department, inmates at the two facilities would be reassigned to other facilities according to their classification and the programs would also be assimilated into other facilities. Employees would likely be retained. No further information about the possible 5% budget reduction is available at this time.

NORTH PLATTE: MARTIAL ARTS FOR AT-RISK YOUTH The North Platte Police Department’s “No Limits” program was developed in October of 1998 and is taught by Police Officer Roger Freeze who is a Chang-Ji 1st degree black belt. “No Limits” is a non-profit organization depending on donations and fund-raisers. At-risk and troubled youth between the ages of 6 and 17 learn the fundamentals of the martial arts, as a basis for the more important aspects of the program which are teaching the students respect, self-esteem, discipline and a positive outlook on life. Twenty-five students are currently enrolled and there is a waiting list. Classes are held in the Public Safety Conference Center at the North Platte Police Department. Youth from the North Platte area who are interested in joining the program can contact Officer Roger Freeze at 535-6789.

FUNDS APPROVED FOR MENTAL HEALTH COURTS S. 1865 has been approved and sent to the Governor. It provides money for pilot mental health courts which emphasize supervision and treatment rather than prison sentences for the mentally ill who commit nonviolent crimes. Two of the “findings” cited in the bill: Between 600,000 and 700,000 mentally ill persons are annually booked in jail alone, according to the American Jail Association. Fully 16 percent of all inmates in State prisons and local jails suffer from mental illness, according to a July, 1999 report conducted by the Bureau of Justice Statistics. See text of bill at http://thomas.loc.gov.

A CHRISTMAS GIFT IDEA The Douglas County Drug Court diverts non-violent, substance abusing felony offenders from a prison term. Small rewards to offenders who are doing well act as incentives for them to “stay with the program.” One can help provide such incentives by purchasing gift certificates, movie and recreational passes, bus tokens, food certificates, GED fees, and AA/NA books. The court’s funding does not always allow for purchase of such things. Money may also be donated. Checks should be made payable to Drug Court and sent to: Drug Court Office, 1909 Douglas St., Omaha NE 68102. To arrange to observe a Drug Court session, call Judy Barnes, Drug Court Coordinator, at 444-6655.

SARPY COUNTY: TOBACCO EDUCATION GROUP Sarpy County offers juveniles ticketed with a tobacco-related offense a chance to stay out of the court system. The program consists of four two-hour sessions. Mary Tyner is the Director of Sarpy County Diversion Services, Courthouse Annex East, 1257 Golden Gate Dr, Suite 11W, Papillion NE 68046. Ph. 402-593-2207.

LINCOLN: NEW SUPPORT GROUP FOR FAMILIES & FRIENDS OF INMATES “Family and Friends of Inmates” meets on the fourth Monday of the month at Trinity United Methodist Church, 16th and A Streets, in Lincoln from 6:30 to 8:00 p.m. Representatives of agencies linked to human resources or corrections are invited to participate, as well as families and friends of inmates. The group is sponsored in part by the United Methodist Ministries Restorative Justice Program at 5903 Walker Ave, Lincoln NE 68507. Tamara Holtz is the Restorative Justice Coordinator and can be reached at 402-471-6010. FFI can be reached at P.O. Box 84424, Lincoln NE 68501. Ph. 402-476-3184.

PRISON MEDICAL SERVICES TASK FORCE REPORT A forty-four page document entitled the Final Report of the Governor’s Task Force on the Department of Correctional Services’ Medical Services System is available without charge from the Dept. of Health and Human Services Regulation and Licensure, P.O. Box 95007, Lincoln NE 68509. Phone: 402-471-2133. Creation of the task force was recommended to Governor Johanns by Harold Clarke, Director of the Dept. of Correctional Services, after an unfavorable report on prison medical procedures by the State Ombudsman. Excerpts from the report appeared in NCJR, August 2000.
“PROJECT IMPACT”: CURBING YOUTH GUN VIOLENCE IN OMAHA

By Kandace Gentry, Senior Probation Officer, District #4 Probation, 4937 S. 24 Street, Omaha NE 68107.

Project Impact is a data driven effort between multiple agencies on the Federal, State, County, and City levels, along with community providers and members of the faith community, to stop youth gun violence, to address those issues surrounding youth gun violence, and to develop strategies and interventions to prevent further youth gun violence in Omaha.

The structure of Project Impact includes several committees which collect data, exchange information, analyse data, and develop and implement strategies and interventions. These committees are overseen by a steering committee.

A working committee is responsible for reviewing the allocation of resources and ensuring that interventions and strategies are implemented as needed.

An Omaha Public Schools Probation-Parole Task Force has been established to ensure minimal discipline problems in the school system.

The Incident Review Team are the street-level law enforcement and criminal justice officials who are responsible for developing the strategies and interventions for further prevention of any youth gun violence. They review the violent incidents that occur and develop the strategies of interventions. Three main components have been developed by this team to address youth gun violence in Omaha:

- “Nightlight Operations” - in which probation or parole officers are coupled with police officers conducting checks on offenders in the evenings, weekends, or nontraditional hours to ensure that offenders are in compliance with their court orders.
- “Notification Meetings” - in which offenders or groups of offenders who engage in violent activities are given a clear and concise zero-tolerance-to-violence message by law enforcement and criminal justice representatives. Representatives from the community are present at those meetings. They offer offenders who wish to walk away from the violence the opportunity to change their behavior by helping them to utilize available resources.
- “Ceasefire Operations” - are an immediate response to gun violence by all law enforcement and criminal justice agencies. Teams of probation or parole and police officers, as well as INS, ATF, and FBI go into areas where there has been recent violence, checking hot spots of youth and looking for those offenders with warrants who may be in violation of their probation or parole.

Also important in Project Impact is the Community Team. These are community providers as well as the faith community who have expertise in the area of resources that may be available for use toward reduction of gun violence in our community.

Project Impact has been in existence since the spring of 1998 and continues to be an innovative way to address the youth gun violence in our community. For further information on this project, contact Joe Jeanette, US Attorney’s Office, at 402-221-4774.

AN UPDATE ON THE CASE OF RICE AND POINDEXTER

By Carter Van Pelt, a free-lance writer and political activist from Lincoln.

In recent months, the case of Ed Poindexter and Mondo we Langa (formerly David Rice), has received renewed attention and focus from human rights communities in Nebraska and internationally. The 30th year of the two men’s incarceration was observed in late August, as internationally recognized human rights activists Angela Davis and Charlene Mitchell spoke at high profile rallies in Lincoln and Omaha.

Davis and Mitchell brought renewed hope and energy to supporters of the two men, who maintain that they were framed for the killing of Omaha Police Officer Larry Minard in a bomb explosion in 1970. Not only is there new focus and work in the public arena, but a new team of experts has been assembled to examine aspects of the case that could substantiate the two men’s claims.

Rice and Poindexter were each convicted and sentenced to life in 1971, but key evidence in the case, a phone call recording of a 911 call, was suppressed. Advocates assert that had this evidence been available to the defense team at the time, no conviction would have taken place. In addition, Rice and Poindexter were convicted with the help of physical evidence, dynamite and traces of dynamite, that is still highly controversial.

These and other aspects of the case are being reexamined with hopes that modern technology and 30 years of hindsight can lead to justice for the two men.

For more information on the case or to send a contribution in support of the effort to secure a new trial for Mondo we Langa and Ed Poindexter, write or contact Nebraskans for Justice, P.O. Box 4307, Omaha NE 68104-0307.

Details on the case can also be found at http://www.geocities.com/Athens/Forum/2617/

CALIFORNIA CHOOSES...DRUG TREATMENT INSTEAD OF JAIL!

(This information from an AP story, printed in the Nov. 13, 2000 Omaha World Herald.)

Proposition 36 was passed in California this month, requiring treatment instead of imprisonment for an estimated 36,000 drug users each year. California, which jails more drug users per capita than any other state, must now change course and implement the most ambitious drug-treatment program in U.S. history.

California’s program will likely cost more than the $120 million a year allocated by Proposition 36. But projections are that much of the cost will be offset because treatment is cheaper than building and operating prisons.

Proposition 36 devotes $60 million for a crash effort to create, expand and license enough treatment providers to handle the flood that will start July 1.

A November, 9, 2000 editorial in The Sacramento Bee commented, “Voter approval signals a remarkable turning point. Nearly every law enforcement interest in California strongly opposed Proposition 36...Governor Gray Davis opposed the measure, as did Attorney General Bill Lockyer...But voters roundly rejected their counsel, voting overwhelmingly for treatment over incarceration.”
“OASIS” - A PILOT PROGRAM IN
RESTORATIVE JUSTICE AT THE
NEBRASKA PENITENTIARY

(Editor: Information for this article was supplied by the founder of “Oasis,” Mr. James Jones, an offender released from prison in 1992 after serving time for robbery.)

“Oasis” is a program based on the principles and values of restorative justice, which looks at crime not as an act against the state, but as an act against human relationships. Restorative justice attempts to address the needs and interests of victims, offenders, and the community. Proponents of restorative justice believe that all parties involved in crime - the victim, the offender, and the community, must benefit from the justice process, while working toward restoration of those broken relationships and repairing the harm to the greatest degree possible. When a crime is committed, the present system asks what laws were broken and how do we punish the offender. Restorative justice asks what harm was done and who is responsible for repairing it?

Oasis will provide convicted offenders with an eight hour “accountability awareness workshop.” The Nebraska Penitentiary in Lincoln will be the site for the first pilot workshop, sometime in December, 2000. The workshop will prepare the offenders to use the Oasis communication system. Other workshop topics include: effects of crime on victims, victims’ rights, apology letters, victim/offender dialogue education, and how the Oasis Website - Accountability List works.

When the offender completes the workshop, information that the offender wishes to post on the website (apology for the crime and efforts at self-betterment) will be cleared through the Department of Correctional Services and Oasis before being posted for their victims to access. Personal information about the offender, such as social security number, names of relatives, addresses, etc. is NOT posted on the internet. The victim would have access only to the apology letter and self-improvement efforts.

Offenders who want to participate must write for an application form (address: OASIS, Attn: Application Clerk, P.O. Box 30856, Lincoln NE 68508). There is no justice system relief or benefits for participation. Offenders whose crimes involve child abuse, sexual offense, domestic violence or a victim who was a minor are not eligible for the OASIS website communication vehicle but they can take the OASIS workshops, which are open to all inmates.

Survivors of crime who want to inquire about their offender’s willingness to stand accountable to them will do so through the communication vehicle of the Oasis website. They will write or call Oasis for a security access code that will enable them to see only the information posted by their offenders. Crime victims will not have to give any information about themselves when requesting an access code. Oasis only needs the offender’s name, institution number and case number.

When the access code is obtained, victims will be able to go to www.OASIS-ne.org to pull up their offender’s “Accountability List” and the other communications options such as face-to-face dialogue which will also appear. The telephone numbers of the appropriate contact persons will appear if the victim wishes to go further with the communication process (victim/offender dialogue). Survivors of crime will be able to review their offender’s information by June of 2001.

Oasis will provide both the offender and the victim opportunity for healing. Victims will have the opportunity to have their voices heard and to ask questions only the offender can answer. Offenders will have a chance to see the crime from the victim’s perspective and to understand the obligation their actions have created and the harm they caused. The Community should benefit from meaningful restoration between offender and victim and the safe reintegration of rehabilitated offenders into the community.

If the pilot program is successful, Oasis would like to offer workshops at other correctional institutions throughout the state. In the future, the program could also be offered in the community, so that ex-offenders would have the opportunity to communicate with their victims in a non-threatening manner.

Presently, James Jones serves as Executive Director of OASIS, Inc. OASIS is a non-profit organization (pending) dedicated to crime victims, offenders, and communities.

For more information about OASIS, see www.OASIS-ne.org. To talk with Mr. Jones, ask for more information, or schedule a presentation, call 402-483-4245. Donations to the project are welcomed and may be sent to P.O. Box 30856, Lincoln NE 68503.