Technical Assistance Regarding Pretrial Service Planning
Lincoln, Nebraska
(Memorandum Report)

TECHNICAL ASSISTANCE REPORT

Bureau of Justice Assistance
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American University Adjudication Technical Assistance Project
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Lincoln, Nebraska
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January 4, 1991

Consultants:
D. Alan Henry and Howard R. Messing
At the request of Mr. Mark D. Martin, Chief of the Jail Standards Division in the Nebraska State Planning Agency, the American University Adjudication Technical Assistance Project contracted with Mr. D. Alan Henry and Prof. Howard R. Messing to provide technical assistance in the form of a one day seminar on jail crowding causes and solutions to the criminal justice actors in Lancaster County, Nebraska. The session was scheduled for November 26, 1990. On November 7, Mr. Martin sent a copy of a completed system survey questionnaire to Mr. Henry for review (Henry and Messing had provided Martin the questionnaire at an earlier conference.), along with data on the status the current jail and projections for its future use. (attached). Mr. Martin also enclosed a tentative agenda for the session and a list of invitees.

Mr. Messing and Mr. Henry met in Lincoln the evening of the 25th, and began reviewing materials provided by Mr. Martin, as well as materials from other jurisdictions to include in the presentation. The morning of the 26th, the two consultants were given a tour of the current jail, as well as the new jail facility due to open this spring. Following the tour, Mr. Martin briefed the two on the training facility layout, dinner break plans and changes in the attendee list.
The training session began at 1:30 with 21 attendees (the participants changed during the session, as courts ended their daily calendars and people were called from the meeting,) with introductions of the attendees and a listing of their expectations. Following these preliminaries, the consultants began the work of the session: "walking through" the criminal justice system in the county, beginning with arrest procedures and continuing through the disposition procedures for both misdemeanors and felonies. The key was to involve as many participants as possible in defining not only the standard procedures employed, but also the exceptional cases and how they differ (at least as they might impact the jail population).

The participants were quite willing to participate, offering the insights that only experience can provide. At the same time, each participant had the opportunity to learn more about how other offices process cases and persons and the potential impact of those procedures on both their own office and the jail.

The meeting broke for dinner at 5:30 and began again at 6:15, closing at 7:00 P.M. Evaluations were distributed and collected prior to participants' departure (attached).

While it appears that the participants enjoyed the workshop, it is not clear that the need for such a session was as great as in other jurisdictions. The current jail, while crowded, is neither under court order nor is their litigation pending related to conditions. In addition, a new expanded facility will be open in the spring. The courts appear to process
cases quite expeditiously for the most part, and an impressive level of system
communication currently takes place, short-circuiting problems before they can have
serious effects. While no pretrial program exists, it is not clear that the benefits
concomitant with the establishment of one would be achieved in Lincoln. Based on the
discussions during the session, few persons are held pretrial; those that are would in all
likelihood be held even with a program. While the level of detail routinely provided in
pre-sentence investigations might be more than necessary, resulting in some cases in
extended time between adjudication and sentencing, system participants were already
planning to address this in the regular course of events. For all of these reasons, the
consultants were faced with the pleasant but unusual situation of having little to isolate
in the way of system problems that were causing crowding.

A travel note: Although the consultants were scheduled to leave early the next morning
to return to their respective home sites, weather conditions closed the airport. Finding
that flights were still leaving from Omaha, the consultants rented a car and quickly
drove there, getting out shortly before that airport closed; thus the travel voucher for a
car rental.