

# Nebraska Criminal Justice Review

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## The legislature and a new focus on violent crime

By David Ditter 32547, Tecumseh  
State Correctional Institution

The Nebraska Legislature needs to rethink the huge cost to society of the life sentences of those offenders who could safely be placed in work release centers or on intensive parole after serving many decades in prison.

Prisoners' rights advocates have argued that, for the number of U.S. prisoners to drop dramatically, the criminal justice system will have to take steps to address offenders convicted of violent crimes.

President Obama, who has drawn attention to high levels of incarceration by commuting the sentences of hundreds of mostly non-violent offenders, has also suggested expanding the focus of reform efforts beyond non-violent crimes, asking, "**can we, in fact, significantly reduce the prison population if we are only focusing on non-violent offenses when part of the reason that in some countries—in Europe, for example, they have a lower incarceration rate because they don't sentence violent offenders for such long periods of time?**"

The non-profit Justice Policy Institute (JPI) issued a report in August, 2016 ([www.justicepolicy.org](http://www.justicepolicy.org)), concluding that a criminal offense often reflects **a singular event**, not a person's capacity to change.

Editor's note: In August of 2015, 269 persons were serving terms of life without parole in Nebraska.

## Transformation or punishment?

By Ken Ackerman, former prisoner

After sitting in on the Department of Correctional Services Special Investigative Committee [LB34] hearing Friday afternoon, October 30, 2016, on programming for the Nebraska Department of Correctional Services, I noted the following:

The Committee would like to see that prison would include programs for every prisoner, to offer education, job skills training, and needed treatment, so that when paroled, they would be safer in society and not return to prison again. They could become productive members, instead of engaging in destructive behavior, including new hostile skills learned from other prisoners. Of course, many things would have to change to provide these results.

The committee heard testimony from Director Scott Frakes. Although he was considerate of these goals, his first and foremost concern was adequate staffing, including correctional officers that are now overworked and leave before becoming experienced enough to handle the overcrowding situation. Everyone agreed that the prison population (now more than 150%) must be brought down before any reform can be effective.

Local jail officers tell me that ideal occupancy is 80% or less. That way people can be moved around to maximize good conduct and safety.

Nebraska has spent hundreds of thousand dollars on studies such as the CSG Justice Center's report in 2014, Justice Reinvestment Group report in 2015, and more recently the Justice Program Assessment and VERA Institute. The Nebraska legislation instituted judicial reform with LB605, but the prison overcrowding has continued unrelieved. Although America has the highest incarceration rate of all free nations, Nebraska is in the middle of all the States for its incarceration rate. Therefore, more prisons cannot be the answer for this issue.

Nebraska's new problem-solving courts have been created to try to slow down the supply end of people going to prison. Diversionary programs are working in the juvenile field. But more must be done.

In 2020, the State of Nebraska may be forced to release prisoners to reduce the overcrowding if changes are not made soon. Ending Judicial mandatory minimums

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## Transformation (Cont. from page 1)

is needed, although it was defeated last year. To force Judges to fit every person into one mold and not take a realistic assessment of the likelihood of not reoffending keeps our prisons population higher than necessary. Expanding the number of first-time offenders processed at the problem-solving courts level and diverting them to community support programs would reduce those sent to prison too. Significant reductions to our prison population can result in more successful programs providing prisoners the ability to transform their behavior and be safer when released into society. California helped in this area, too, by passing a law that said a person with a felony record could request that it be expunged after 10 years of crime-free living.

I must add, our society needs to play its part in this transformation. They must work harder to accept prisoners that have served their time, to find jobs, to find housing, and be accepted in churches and communities. When transformed people with higher education, new job skills, and changed behavior are released from prison this will be easier and much more likely to happen.

## New reentry programming

By Mel Beckman, Editor, NCJR

In September of this year, the Nebraska Department of Correctional Services announced that a program of “entrepreneurship, employment, and character development is being launched at two of the state’s prisons—Omaha Correctional Center and the Nebraska State Penitentiary, by an organization called **Defy Ventures**.

The organization recruits hundreds of local CEOs, business leaders, and entrepreneurs to “intentionally build life-giving, authentic community” while providing business coaching and employment mentoring to inmates, who are called “entrepreneurs in training” (EITs).

Director Scott Frakes, in his news release, said that the program is “a unique opportunity for incarcerated individuals to build their skills and connect with highly successful members of our communities.” Across the country, Defy Ventures serves 1,600 EITs, both inside prisons and post-release. Business executives, Ken Stinson, Howard and Rhonda Hawks, and Bill Gerber were mentioned as being involved locally.

Additional information about Defy Ventures can be found on its website: <https://defyventures.org> and on Facebook. See also “These People” elsewhere on this page.

## (These People)

By Shaheed K. Biko Hamza 36413, written after attending an orientation class for Defy Ventures

Who are ‘these people’;  
Screaming ‘transformation’  
Re-entry & employment (?)  
Who are ‘these people’;  
Do they (secretly) mock our accursed lot,  
while salivating over grant money  
drippin’ from politicians under grassroots pressure  
to reform this financially unsustainable,  
bureaucratic, prison mess (?)  
Who are ‘these people’;  
Do they not see, that only (I) can save (Me)!?  
Do they not recognize, (I’m Already)-  
No-longer the person I use-ta-be (?)  
Who are ‘these people’;  
Who treat me like I’m void of morals,  
Principles, compassion & dignity (?)  
Who are ‘these people’;  
Who offer the world, at the expense of you -  
Compromising—your heart, mind, body, spirit & soul (?)  
There’s an Afrikan proverb that says;  
(‘You alone can do it, but you can’t do it alone;’  
So obviously, (I) welcome ‘these people’, into my life.  
But ‘these people’ need to understand, I’ll do nearly anything-  
for the opportunity to be released from prison -  
Never again to return.  
But respect is mutual; and that’s something ‘these people’,  
Sometimes must learn.  
Who are ‘these people’;  
Screaming ‘transformation’  
Re-entry & Employment (?)  
As I sincerely humble myself,  
My only (“prayer”) is that ‘the joker’  
Isn’t controlling ‘these people’,  
For his financial, and political enjoyment.

## Help plan the next issue of the NCJR

Bring your suggestions for topics to be covered in the March issue. Meeting February 8th, at 11:00 a.m. at Holy Family Church, 1715 Izard Street in Omaha. Entrance and parking on the north side.

## Thank you!

A Readers’ Survey and a request for contributions was sent along with our September issue. Thankfully, we received, in response, over a thousand dollars in contributions and about a hundred completed survey returns. They indicated that the **NCJR** is much appreciated. Good suggestions for improving the newsletter were given. Among the suggestions –keep things positive and feature more success stories. We will try to do that! In this issue, don’t miss the success story of Shakur Abdullah (see page 4), after 40 years in prison, now employed and also leading the charge to reform Nebraska voting laws. See also, on page 12, Lavon Stennis another formerly incarcerated person, now helping many others to succeed.

Mel Beckman, Editor