

Title 71- Nebraska Department of Correctional Services

Chapter 2- Program for At-home Transition Housing (PATH)

001. Purpose and Scope

001.01 These rules establish procedures for the administration and supervision of PATH (Program for At-home Transition Housing), operated by the Nebraska Department of Correctional Services (NDCS).

001.02 These rules govern program operations, participant expectations, and NDCS responsibilities. Specific eligibility and selection criteria for program placement, as well as detailed supervision procedures, shall be established in NDCS policy and are not governed by these rules.

002. Definitions

002.01 PATH is a community-based, structured transition program operated by NDCS for individuals determined eligible through agency policy prior to parole or discharge. PATH participants are responsible for their own housing and living expenses while residing in approved private residences rather than correctional facilities, allowing them to reintegrate into the community while remaining under NDCS supervision. The program promotes stability, access to employment and services, and a smoother transition into the community.

002.02 Participant means an individual nearing the end of their sentence, or with limited time to serve following commitment, who has been placed in the PATH program. Participants reside at a private, non-correctional address; are financially responsible for their own housing and daily living expenses; and are subject to NDCS monitoring and oversight. Participants are not confined in a public institution.

002.03 Supervising Authority is an NDCS team member (e.g., parole officer, community corrections staff) responsible for participant accountability through structured oversight, including reporting, curfews, employment verification, and compliance checks.

002.04 Approved Residence is a Nebraska-based residence verified by NDCS as suitable for PATH placement.

003. Program Administration

003.01 PATH shall be administered by NDCS through designated supervision staff.

003.02 All placements must be authorized by the NDCS Director/designee utilizing the custody classification process.

003.03 PATH placements shall be restricted to the state of Nebraska and shall not constitute parole or early release.

003.04 Participants remain under the jurisdiction of NDCS and subject to all applicable rules, policies, and procedures.

004. Conditions of Participation

004.01 Residence

004.01(A) Participants must reside at an NDCS-approved residence with a functioning phone.

004.01(B) NDCS may conduct inspections and unannounced visits.

004.01(C) The presence of weapons, illegal substances, or alcohol is prohibited.

004.02 Employment and Programming

Participants must maintain full-time employment and/or attend NDCS-approved programming consistent with their individualized success plan. Exceptions may be granted for participants who are receiving disability benefits or are otherwise verified as unable to work.

004.03 Healthcare

004.03(A) Participants are responsible for obtaining and maintaining their own healthcare coverage, including prescribed medications.

004.03(B) Participants are expected to obtain coverage through their employer, Medicaid, or the Healthcare Exchange.

004.04 Public Benefits Eligibility

For purposes of public benefits eligibility (e.g., Medicaid), PATH participants are not considered “inmates of a public institution” under 42 CFR § 435.1010, as they are not confined in a correctional facility and are financially responsible for their housing and daily living expenses.

004.05 Movement and Curfew

Participants must adhere to curfews and may only leave their residence for approved activities.

004.06 Supervision and Monitoring

Participants may be subject to electronic monitoring, GPS tracking, drug and alcohol testing, and regular in-person or telephonic check-ins.

004.07 Transportation

Participants may drive a personal or work vehicle only with prior approval and upon proof of valid license, registration, and insurance.

004.08 Financial Responsibility

Participants are responsible for their own housing, meals, transportation, and other subsistence costs as outlined in NDCS policy.

005. Program Oversight and Compliance

005.01 Supervising authorities shall maintain regular contact with participants to verify compliance with itinerary, employment, programming, and curfew requirements.

005.02 Participants must immediately report any law enforcement contact or significant change in circumstances to their supervising authority.

005.03 NDCS staff will document participation and compliance in the Nebraska Inmate Case Management System (NICaMS).

006. Violations and Removal

006.01 Violations of program rules or NDCS policy will be addressed using the Community Supervision violations and sanctions matrix. Possible responses include, but are not limited to:

006.01(A) Verbal or written warnings;

006.01(B) Increased supervision, including use of electronic monitoring;

006.01(C) Temporary return to a correctional facility;

006.01 (D) Immediate termination from PATH.

006.02 The supervising authority may authorize temporary program removal based on safety, risk, or rule violations. Permanent termination from PATH shall be determined through the NDCS custody classification process.

007. Duration of Participation

007.01 The duration of PATH placement shall be determined by NDCS based on release planning and participant progress.

007.02 PATH placement is not guaranteed and may be modified or terminated at NDCS discretion.