COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM

Annual Report to the Governor and Legislature
July 1, 2015 – June 30, 2016

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COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

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Introduction

The Director of the Community-based Juvenile Services Aid Program for the Nebraska Commission on Law Enforcement and Criminal Justice (Nebraska Crime Commission) is responsible for developing data collection and evaluation protocols, overseeing statewide data collection, and generating an annual report on the effectiveness of juvenile services that receive funds from the Community-based Juvenile Services Aid Program pursuant to Nebraska Revised Statute § 43-2404.01.

History

The County Aid Program was created in 2001 and administered by the Office of Juvenile Services. Beginning in 2005, the Nebraska Crime Commission administered the County Aid Program. For eight years, the County Aid Program allocated funds to assist counties in the implementation and operation of programs or services identified in their comprehensive juvenile services plan, including, but not limited to; programs for assessment and evaluation, prevention of delinquent behavior, diversion, shelter care, intensive juvenile probation services, restitution, family support services, and family group conferencing. In 2013, with the passage of Legislative Bill 561, the County Aid Program was replaced with the Community-based Juvenile Services Aid Program. The program broadened recipients to Indian tribes, outlined eligibility requirements, and expanded eligible programs and services to be utilized by the Community-based Juvenile Services Aid Program.

Community-based Juvenile Services Aid Division

The Community-based Juvenile Services Aid Division is a separate and distinct budgetary program within the Nebraska Crime Commission. Funds under this program shall be used exclusively to assist aid recipients in the implementation and operation of programs or the provision of services identified in the aid recipient's comprehensive juvenile services plan, including programs for local planning and service coordination; screening, assessment, and evaluation; diversion; alternatives to detention; family support services; treatment services; truancy prevention and intervention programs; pilot projects approved by the Nebraska Crime Commission; payment of transportation costs to and from placements, evaluations, or services; personnel when the personnel are aligned with evidence-based treatment principles, programs, or practices; contracting with other state agencies or private organizations that provide evidence-based treatment or programs; pre-existing programs that are aligned with evidence-based practices or best practices; and other services that will positively impact youth and families in the juvenile justice system.

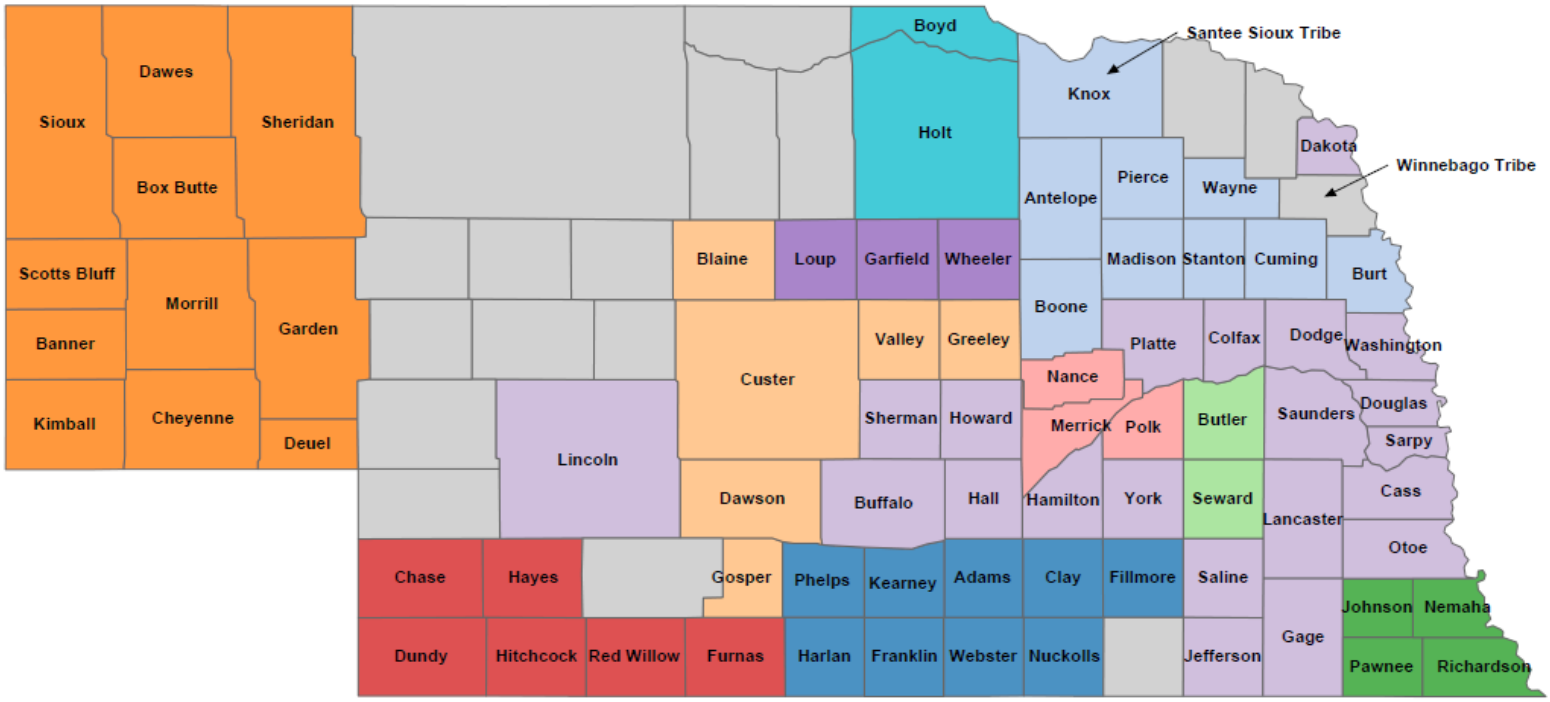
The Director of the Community-based Juvenile Services Aid Division of the Nebraska Crime Commission is responsible for providing technical assistance and guidance for the development of comprehensive juvenile services plans; coordinating the review of the

Community-based Juvenile Services Aid Program application and making recommendations for the distribution of funds; developing data collection and evaluation protocols, overseeing statewide data collection, and generating an annual report on the effectiveness of juvenile services that receive funds; developing relationships and collaborating with juvenile justice system stakeholders, providing education and training as necessary, and serving on boards and committees when approved by the commission; assisting juvenile justice system stakeholders in developing policies and practices that are research-based or standardized and reliable and are implemented with fidelity and which have been researched and demonstrate positive outcomes; developing and coordinating a statewide working group as a subcommittee of the Nebraska Coalition for Juvenile Justice to assist in regular strategic planning related to supporting, funding, monitoring, and evaluating the effectiveness of plans and programs receiving funds; and working with the coordinator of the Nebraska Coalition for Juvenile Justice in facilitating their obligations specific to the Community-based Juvenile Services Aid Program. The Financial Grants Monitor is responsible for fiscally monitoring subgrantees, processing reimbursement contingent upon documentation, reviewing cash reports, processing cash requests, and the overall fiscal oversight of the Community-based Juvenile Services Aid Division.

Comprehensive Juvenile Services Community Plans

To be eligible for participation in the Community-based Juvenile Services Aid Program, a comprehensive juvenile services plan (community plan) shall be developed, adopted, and submitted to the Nebraska Crime Commission. The community plan may be developed by eligible applicants for the Community-based Juvenile Services Aid Program and by individual counties, by multiple counties, by federally recognized or state recognized Indian tribes, or by any combination of the three for the Community-based Juvenile Services Aid Program. Each community plan is required to be developed by a comprehensive community team representing juvenile justice system stakeholders; be based on data relevant to juvenile and family issues; identify policies and practices that are research-based or standardized and reliable and are implemented with fidelity and which have been researched and demonstrate positive outcomes; identify clear implementation strategies; and identify how the impact of the program or service will be measured. Currently, there are 33 community plans filed with the Nebraska Crime Commission. These community plans represent 76 counties and 2 Indian tribes. Community plans serve the timeframe July 1, 2015—June 30, 2018. It is essential that communities have programs to prevent youth from becoming unnecessarily involved in the juvenile justice system. These programs should be available at multiple points throughout the system, providing every opportunity to exit the system. Such programs rarely occur by chance; they are almost always the result of careful community planning. Community planning can also be used to assess current programs, identify preventive measures to keep youth from entering the juvenile justice system, pinpoint duplication and gaps in services to youth and focus on effective, research-proven strategies.

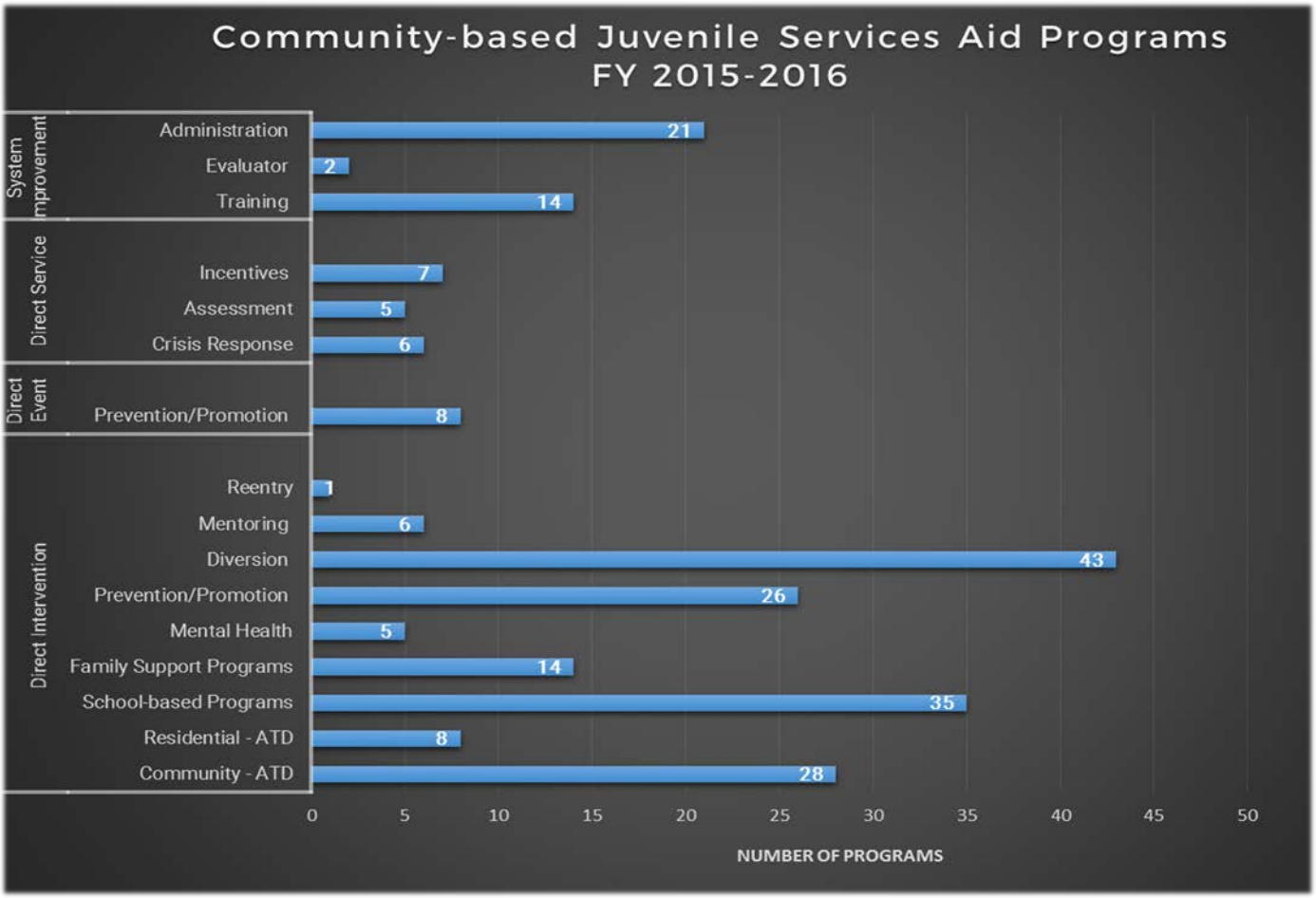
Community Plans in Nebraska



- No Plan
- Custer, Blaine, Dawson, Gosper, Greeley, Valley
- Garfield, Loup, Wheeler
- Holt, Boyd
- Individual County Plans
- Merrick, Nance, Polk
- Northeast Partnership
- Panhandle Partnership
- Richardson, Nemaha, Johnson, Pawnee
- Seward, Butler
- South Central Partnership
- Southwest Partnership

Community-based Juvenile Services Aid Grants Program

For Fiscal Year 2015-2016, a total of $6,300,000 was distributed across 73 counties and 2 Indian tribes. Ten percent of funds are set aside for the development of a common data set and evaluation of the effectiveness of the Community-based Juvenile Services Aid Program. The common data set maintained by the Nebraska Crime Commission shall be provided to the University of Nebraska at Omaha, Juvenile Justice Institute to assess the effectiveness of programs.



Quarterly Reports

According to Nebraska Revised Statute § 43-2404.01, the Nebraska Crime Commission, in consultation with the University of Nebraska at Omaha (UNO), Juvenile Justice Institute (JJI) is responsible for developing and administering a statewide system to monitor and evaluate the effectiveness of plans and programs receiving funds from the Commission Grant Program and Community-based Juvenile Services Aid Program. In addition, JJI is statutorily charged with measuring the effectiveness of programs implemented with Community-based Juvenile Services Aid. The following excerpts are included in JJI's quarterly reporting submissions.

Juvenile Justice Institute First Quarter Report: July 1, 2015 – September 30, 2015

Program Identification and Classification

During the first quarter, JJI worked with the Nebraska Crime Commission to establish four overarching categories of programs funded by Community-based Juvenile Services Aid: direct intervention, direct service, direct event, and system improvement. Direct interventions are most often programs where staff meet with a youth multiple times over a specific period of time.

Generally, the program includes an educational or relationship-based component to invoke behavioral change within the youth. Direct Services are often agencies where staff meet with a youth a few times to conduct a singular service. Direct Events are often initiatives where staff meet with youth only once to host a prevention-type activity. System Improvements are often entities where staff do not work directly with youth, but support programs, agencies, and initiatives that implement direct services.

JJI developed an online site for program registration to obtain an initial estimate of the number and types of programs funded by Community-based Juvenile Services Aid in FY 2015-2016. JJI used this information to categorize all programs into one of the four overarching program categories, then expanded further into 18 program types and subtypes. Please see the following link for an exhaustive list of program types: https://www.unomaha.edu/college-of-public-affairs-and-community-service/juvenile-justice-institute/evidence-based-nebraska/index.php.

Juvenile Case Management System

JJI worked with the University of Nebraska Omaha School of Interdisciplinary Informatics (IS&T) and Nebraska Crime Commission staff on the Juvenile Case Management System (JCMS), which is the secure data system used by community-based juvenile services aid programs to conduct quarterly reports and provide data to determine program effectiveness and recidivism rates.

JJI began the process of determining outcome measures for several program types and creating definitions for outcome measures as needed. In order to ensure program staff are adapting to the process and have their voices heard, JJI involved funded programs in the process of determining outcomes. To that end, JJI conducted several conference calls and meetings with programs in the following program categories during the first quarter: truancy, crisis response, drug courts, and alternatives to detention.

Variables were finalized for truancy and crisis response programs and JJI worked with UNO IS&T to create mock-up screens of JCMS to illustrate system structure. JJI asked for program feedback during conference calls and in-person meetings. Feedback was integrated into the JCMS mock-up screens.

During first quarter, the JCMS was still under development, yet programs were required to report electronically. Therefore, JJI established a temporary system of reporting via Microsoft Excel spreadsheets. JJI created spreadsheets for truancy, crisis response, systems improvement, and diversion programs and a general spreadsheet to be used for all program types.

Data Summary

A total of 124 programs uploaded first quarter reports. Of these, 77 programs reported individual-level data. Many programs were still in the process of transitioning to this type of reporting. For example, some programs needed to establish consent forms before collecting individual-level data, and were in the process of developing forms and procedures. Based on the first quarter report data submitted by funded programs providing individual-level data, approximately 3,113 youth were served.

Programmatic Measures

During the second quarter, JJI determined that programmatic measures will add value to the overall analysis of the project. Programmatic measures are similar to the measures developed by JJI and University of Nebraska Lincoln Law and Psychology Program during the first year of the Evidence-based Nebraska Project. Examples include the number of training hours received by staff, the education or training level of staff hired, or whether a program has an updated and current manual in place. JJI began evaluating how programmatic measures will fit into the reporting process and the JCMS website. During the second quarter, JCMS development focused on individual-level variables and data collection.

Juvenile Case Management System

JJI continued to work with UNO IS&T and NCC on the development of the JCMS. The process of identifying outcome measures for each program type began during the first quarter. By the end of the second quarter, JJI had identified outcomes for approximately 66% of funded programs. JJI identified outcomes for the following 4 program types: mentoring, school-based, family support, and direct events. When identifying outcomes, JJI involved program staff to ensure they were part of the process. JJI established and streamlined an outcome identification process with program staff and UNO IS&T. First, JJI initially conducted a conference call with program staff to identify outcomes, then worked with UNO IS&T to enter those outcomes into a "protoshare" screen, which is a nonfunctional mock-up screen. Then, JJI followed up with programs to demonstrate the mock-up screens and collect additional feedback. This feedback was integrated into the "protoshare" screens until an acceptable draft was finalized for UNO IS&T to use for website development.

Recidivism

During the second quarter, JJI worked on developing pertinent measures of recidivism, which is an ongoing component of the project. JJI attended a Nebraska Diversion Subcommittee meeting to brainstorm recidivism measures and discuss related challenges.

Data Summary

A total of 239 programs uploaded second quarter reports via the temporary JCMS upload site or the Juvenile Case Management System. Of these, 105 programs reported individual-level data. Based on the second quarter report data submitted by funded programs providing individual-level data, approximately 4,246 youth were served.

Evaluation

During the third quarter, JJI worked on the diversion program evaluation report. A large portion of JJI's time was spent working through issues related to gathering the most accurate recidivism data. During the second quarter, JJI requested recidivism from JUSTICE and requested that NCC also provide an extract from JUSTICE that electronically matched youth in diversion to cases in JUSTICE. During the third quarter, JJI received the extract from both the NCC and JUSTICE and began comparing the two for accuracy. JJI merged diversion data with the NCC/JUSTICE recidivism data and recoded the data for multiple measures of recidivism (within a given time period, by charge type, by charge level, and number of charges). JJI analyzed this data and prepared a report to reflect three years of diversion program data. In addition to both data sources, JJI collaborated with the NCC Diversion Director to incorporate data received from a survey conducted with diversion programs for which 35 diversion programs completed.

Training and Technical Assistance

During third quarter, JJI provided technical assistance for the following reasons: installing and troubleshooting Nebraska Crime Commission certificates; accessing and completing reporting spreadsheets; accessing the temporary JCMS upload site; uploading reports to the temporary JCMS upload site; accessing JCMS truancy and diversion screens; answering miscellaneous questions about the reporting process; discussing HIPAA privacy concerns; and providing draft versions of consent forms.

The JCMS truancy screens were introduced during the third quarter and programs began entering second quarter data into JCMS. JJI conducted online training sessions in early February; one for training program staff responsible for submitting truancy data only and a second for program staff responsible for submitting both truancy and diversion data.

Juvenile Case Management System

During the third quarter, JJI worked closely with UNO IS&T and NCC on the development of the JCMS, the secure data system used by Community-based Juvenile Services Aid programs to conduct quarterly reporting and provide data to determine program effectiveness and recidivism rates.

By the end of the third quarter, JJI had identified outcomes for approximately 97% of funded programs, which include the following program types: system improvement, prevention/promotion, assessment, and mental health.

JCMS truancy screens were released during the third quarter. JJI worked with UNO IS&T throughout the development of truancy screens, providing guidance on outcome variables, layout, functionality, and usability. Moreover, JJI staff performed testing, feedback, and retesting on the truancy screens prior to the roll out to programs. During the reporting period, JJI worked with UNO IS&T to develop "protoshare" screens for Alternative to Detention (ATD) programs, including reporting centers, electronic monitoring programs, tracker programs, and

shelters. JJI conducted a review and feedback session with ATD programs in early March 2016. JJI and UNO IS&T presented the ATD "protoshare" design and program staff had the opportunity to practice entering mock data.

Data Summary

During the third quarter, a total of 122 programs uploaded spreadsheets. Of these, 62 reports included individual-level data, 35 reports were from system improvement programs that did not serve individual youth, and 12 programs indicated they did not serve youth during the reporting period. A total of 48 diversion and 28 truancy programs entered individual-level data into JCMS during the third quarter.

Juvenile Justice Institute Fourth Quarter Report: April 1, 2016 – June 30, 2016

Fiscal Year 2016-2017 Program Registration

During the fourth quarter, JJI developed and implemented an extensive registration survey to capture all programs that are awarded 2017 Community-based Juvenile Services Aid funds. The survey was distributed to project directors and coordinators to complete during the reporting period. Survey results were used to aid quarterly reporting for the upcoming fiscal year, including setting up JCMS access and certificates, identifying new programs in need of training, identifying new program types or classifications, and assisting the NCC with gathering fiscal information for each program.

Program-level Variables

During the fourth quarter, JJI developed and implemented an extensive survey that included program-level variables for all funded programs. The survey will be completed annually by each funded program. Within the program-level survey, each program completes a set of general questions that are applicable to all funded programs, as well as a set of customized questions that are specific to that particular program type. Certain system improvement programs were also asked to share a portion of the survey with community planning team members, in an effort to measure collective impact.

Juvenile Case Management System

During the reporting period, JJI worked with UNO IS&T and NCC on the development of the JCMS. By the end of the third quarter, JJI had identified program outcomes for 100% of registered programs funded in Fiscal Year 2015-2016. During the fourth quarter, JJI identified outcomes for 2 program types: reentry and incentive.

Alternative to detention (ATD) and mentoring screens were released during the fourth quarter. ATD screens included 4 subtypes: electronic monitoring, tracker, reporting centers, and shelters. Mentoring screens included 4 subtypes: community, school, justice, and youth initiated. JJI worked with UNO IS&T throughout the development of screens, providing guidance on outcome variables, layout, functionality, and usability. JJI performed extensive testing, feedback, and retesting on the ATD and mentoring screens prior to the roll out to programs.

Evaluation

During the fourth quarter, JJI worked on the diversion program evaluation report. A large portion of JJI's time was spent working through issues related to gathering the most accurate recidivism data. During the third quarter, JJI received an extract of greater than 105,000 cases from JUSTICE and began the process of calculating recidivism for youth in diversion. The final database included approximately 60,000 unique people after duplicates were reconciled. JJI merged diversion data with the data provided by JUSTICE and recoded the data for multiple measures of recidivism.

Programs Operating with CBA Funds

JJI counted the total programs in operation and the number of youth served. During the fourth quarter, a total of 221 programs uploaded reports via the temporary JCMS upload site and the Juvenile Case Management System. Of these, 179 programs reported individual-level data. At the end of the reporting period, the number of cases entered in the JCMS for diversion, truancy, ATD, and mentoring was extracted, and the number of cases uploaded via spreadsheet was hand-counted by JJI interns and students to compile a total number of youth served in Fiscal Year 2015-2016. As the same youth could have been enrolled in multiple programs, these numbers reflect the number of cases rather than the number of individual youth. JJI estimates the number of youth served in Fiscal Year 2015-2016 to be 13,681.

Evaluation

According to Nebraska Revised Statute § 43-2404.01, the Nebraska Crime Commission, in consultation with the University of Nebraska at Omaha (UNO), Juvenile Justice Institute (JJI) is responsible for developing and administering a statewide system to monitor and evaluate the effectiveness of plans and programs receiving funds from the Commission Grant Program and Community-based Juvenile Services Aid Program in preventing persons from entering the juvenile justice system and in rehabilitating juvenile offenders.

According to Nebraska Revised Statute § 43-2404.02, evaluation of the use of funds and the evidence of the effectiveness of the programs shall be completed by the University of Nebraska at Omaha, Juvenile Justice Institute, specifically:

- The varying rates of recidivism, as defined by rules and regulations adopted and promulgated by the Nebraska Crime Commission, and other measures for juveniles participating in community-based programs; and
- Whether juveniles are sent to staff secure or secure juvenile detention after participating in a program funded by the Community-based Juvenile Services Aid Program.

A detailed update is provided in the **Quarterly Reports** section of this annual report in regards to the quarterly progress made toward the evaluation of the Community-based Juvenile Services Aid Program by the Juvenile Justice Institute.

Two evaluation reports were completed on data received during Fiscal Year 2015-2016.

- Nebraska Juvenile Diversion Programs 2012–2015 published in October 2016. Please reference Attachment A in the Appendix for the full evaluation.
- Nebraska Truancy and Absenteeism Programs 2015-2016 published in March 2017. Please reference Attachment B in the Appendix for the full evaluation.

Rules and Regulations

Title 75, Chapter 1; Distribution of Community-based Juvenile Services Aid was adopted on January 11, 2016. Drafting of the rules and regulations began in the fall of 2014 and feedback was obtained from several entities to include the following: University of Nebraska – Omaha and Lincoln, Community Planning Advisory Subcommittee, Nebraska Crime Commission Staff and Legal Counsel, Through the Eyes of the Child Initiative, Nebraska Office of Probation Administration, Nebraska Bar Association, Office of Inspector General of Nebraska Child Welfare, Secretary of State, Nebraska Association of County Officials, and the Legislature.

There are several advanced processes included in the rules and regulations which include a detailed appeals process; a new and more efficient grant review process that maintained all levels of review but expedited the process for subgrantees; a detailed set of guidelines for quarterly reporting; and the addition of a majority vote of the community planning team prior to the application submission to the Nebraska Crime Commission. Please reference Attachment C in the Appendix for the approved rules and regulations.

Community Planning Advisory Subcommittee

Pursuant to Nebraska Revised Statute § 43-2404.01, the Director of the Community-based Juvenile Services Aid Program shall develop and coordinate a statewide working group as a subcommittee of the coalition to assist in regular strategic planning related to supporting, funding, monitoring, and evaluating the effectiveness of plans and programs receiving funds from the Community-based Juvenile Services Aid Program. The working group was developed in 2013 and is comprised of approximately 14 individuals from across Nebraska. This statewide working group is referred to as the Community Planning Advisory Subcommittee of the Nebraska Coalition for Juvenile Justice.

In Fiscal Year 2015-2016, the Community Planning Advisory Subcommittee accomplished many tasks to assist with the successful distribution of Community-based Juvenile Services Aid funds. The subcommittee convened 6 times and discussed the assigned statutory duties.

During the first quarter, the subcommittee assisted the Juvenile Justice Institute with common definitions to be utilized statewide. The Legislature appropriated additional funds to the Community-based Juvenile Services Aid Program after the grants were approved and the subcommittee assisted with a process for distributing the supplemental dollars in a fair and equitable manner. The subcommittee assisted with the creation of rules and regulations and a public hearing occurred during the first quarter.

During the second quarter, the subcommittee reviewed and provided recommendations for comprehensive juvenile services community plans submitted to the Nebraska Crime Commission. These recommendations were distributed to all counties and tribes who submitted a community plan.

During the third quarter, the subcommittee reviewed 49 grants in the amount of $6,325,168 for the Fiscal Year 2016-2017. Each community's plan was reviewed in conjunction with each application to ensure priorities identified in the community plans were aligned with funding requests.

During the fourth quarter, the subcommittee reviewed and provided suggestions for the 2017 application for the Community-based Juvenile Services Aid Program to be released in October of 2016. The subcommittee revisited statutory requirements and provided recommendations on the upcoming role of the staff reviewers.

Appendix

Attachment A: Nebraska Juvenile Diversion Programs 2012–2015

EVIDENCE-BASED NEBRASKA

NEBRASKA JUVENILE DIVERSION PROGRAMS

2012 to 2015

Lindsey E. Wylie, J.D., Ph.D.
Anne Hobbs, J.D., Ph.D.

University of Nebraska Omaha

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Executive Summary

In Nebraska, approximately 4,000 youth are referred to a juvenile diversion program annually. From 2012 to 2015, the majority of cases (87.0%) referred to juvenile diversion programs involved a law violation. Data from juvenile diversion programs indicates that Black youth are referred to diversion at twice the rate at which they appear in the population, whereas Asian and Native American youth are under-represented in juvenile diversion. Ideally we would examine how this compares to juveniles stopped by law enforcement for law violations, but this data is not consistently available in Nebraska. Without access to law enforcement stops, the underlying reasons for these patterns are unclear. To ensure equitable access to diversion, we recommend that Nebraska consistently collect data on law enforcement stops, referrals and citations.

Of the cases referred to juvenile diversion, only 61% successfully divert out of the official court process. Failing to enroll in the program appears to be a primary obstacle. Once youth enroll in a program, their chances of success jump by eleven percentage points, to 72%. To encourage youth to divert out of the system, programs should examine the primary reason cited for failure to enroll. It is important to investigate the reasons that prevent youth and families from successfully enrolling in the local juvenile diversion program.

The majority of the youth have only been referred to diversion one time (93.8%, n = 9,866). While some youth have been referred twice (5.9%, n = 619), three times (0.3%, n = 29), four times (0.1%, n = 3), and one youth was referred five times (0.1%, n = 1).

Overall success rates for completing diversion varied across all counties and ranged from 50 to 100%, which may be attributed to the variation in the number of youth served within each county (i.e. counties that handle few cases), but may also reflect the programs and practices of the diversion program.

To determine how effective diversion programming is at reducing subsequent offending, we examined law violations that occurred after the youth's final time in diversion. Because many juvenile cases are sealed records, the Juvenile Justice Institute requested and received permission through the Nebraska Courts and the Nebraska Supreme Court, to ensure that we captured accurate information on new law violations.

We examined rates of recidivism at three time periods: within 2-3 years post completion; within 1-2 years post completion and 6 months to 1 year post completion. Across all three time periods, rates of recidivism significantly differed by discharge reason. Specifically, youth who were successfully discharged from diversion were significantly less likely to recidivate than those who did not successfully complete the program. This was true whether the youth failed to complete the program because of a new law violation or failing to meet the program requirements. Overall, youth that completed diversion two to three years prior recidivated 30.2% of the time, which is consistent with a meta-analysis that found an average recidivism rate of 31.4% across 45 experiments with follow-up that ranged from 6 months to 36 months (Schwalbe et al., 2012). For youth who recidivated, on average that new law violation occurred almost a year post program completion.

Our analysis revealed a range of effective diversion programs with variance by county. It is likely that outcomes for youth, including recidivism rates, are the result of programming and implementation quality. Throughout this report we included county-level results, so that programs can begin to analyze youth outcomes at the local level and work on strategies to improve program effectiveness.

Perhaps the most important finding is that Nebraska youth who complete a diversion program successfully are significantly less likely to recidivate at both 1-2 and 2-3 years post program completion.

Research has been mixed on the effectiveness of juvenile diversion programs on recidivism. One meta-analysis of 28 studies by Schwalbe and colleagues (2012) did not find a significant difference in average recidivism rates for diverted youth (31.4%) and non-diverted youth (36.3%). On the other hand, another meta-analysis by Wilson and Hoge (2013) did find a significant difference in average recidivism rates for diverted youth (31.5%) and non-diverted youth (41.3%). There is evidence, however, that certain strategies within diversion are more effective than others.

In our sample, only 27% of the youth had diversion requirements and activities information entered in to the Juvenile Case Management System (JCMS). The data that was provided is critical because it indicates that particular activities were significantly related to lower rates of recidivism: youth assigned community service, administrative requirements, having an individual assignment, a parental involvement requirement, and whether a mental health or substance evaluation or therapy was required.

Overall, juvenile diversion programs in Nebraska are statistically more likely to reduce recidivism for the youth who enrolled in the programs than youth who did not enroll in the program. Although this is a noteworthy finding, it should be noted that this finding does not indicate that diversion programming caused a reduction in recidivism. It could be that youth who were more likely to enroll and complete the program are youth who would be less likely to recidivate regardless of the intervention. We note this and other limitations to this study in the limitations section.

Future directions may include comparing juvenile diversion recidivism rates in Nebraska to other juvenile justice systems and programs (e.g., probation, detention, youth rehabilitation treatment centers, or other community-based programs). Currently, however, calculating recidivism is a lengthy process because JUSTICE does not have a way to connect people across cases. There is a need for unique identifiers within systems and across systems. Future directions may also include a randomized study with a control group. This would require juvenile diversion programs who are willing to randomly assign kids to diversion programs and either traditional court processing or an alternative-type programming.

Following this report, we recommend that programs begin to accurately report all fields available in the JCMS so we can continue to evaluate programs in Nebraska and better understand what individual-level and program-level variables predict outcomes. Programs should consistently enter information such as risk assessment scores and other assessment scores. All diversion activities that the youth participates in should also be indicated so that we can begin to see what programming may be working better than others. Our hope is that programs will use the information outlined in this report as a learning tool for improving their programs and that this report will create conversation between programs on what appears to be working best for juvenile diversion programs in Nebraska.

Introduction

Evidence-based practices for reducing youth involvement in the legal system have garnered attention over the past few decades. Research has demonstrated that one predictor for negative long-term outcomes, is a youth's unnecessary involvement in the juvenile justice system (Wilson and Petersilia, 2011). For instance, youth who are formally processed are more likely to have closer monitoring by the justice system, which in turn, may increase the likelihood they will be caught for normal adolescent behaviors like violating curfew or missing school. Youth may be pushed deeper into the system for committing technical violations stemming from the stipulations of being monitored (Hobbs, Wulf-Ludden, & Strawhun, 2013). National statistics demonstrate the rate of juvenile crime has decreased from 1994 to 2006, and "the Juvenile Violent Crime Index arrest rate reached a new historic low-point in 2014" (OJJDP). Despite a decline injuvenile crime rates, thousands of youth are still unnecessarily brought into the juvenile justice system (Holman and Ziendenberg, n.d.)

Figure 1. Arrests per 100,000 juveniles ages 10-17 1980-2014

Source: OJJDP (Statistical Briefing Book)

To address the concerns with formally processing youth further into the juvenile justice system, pretrial diversion programs have been established across the county. The notion of diverting juveniles from the justice system has had scholarly attention, as well as federal juvenile justice policy (Wilson and Petersilia, 2011). Theoretically, juvenile diversion is based on the argument that labeling juveniles may have detrimental effects, rather than helping, such that the juvenile justice system may harm juveniles by contributing to additional delinquent acts (Lemert, 1951). Furthermore, it is believed that youth who have contact with the legal system may require attention for other issues, such as substance abuse or mental health (Cocozza et al., 2005). As such, the goals of diversion programs are to: (1) reduce recidivism, (2) provide services, (3) avoid labeling effects, (4) reduce system costs, and (5) reduce unnecessary social control (Juvenile Diversion Guidebook, MacArthur foundation).

Nebraska Juvenile Diversion Programs

Recognizing that unnecessary formal involvement in the juvenile justice system may be contrary to the best interests and well-being of juveniles, the state of Nebraska established programs and services for juveniles under the Community-based Aid (CBA) Fund (Neb. Rev. Stat. § 43-2404.02). The purpose of the Community-based Aid Fund is to assist counties with developing intervention and prevention activities "designed to serve juveniles and deter involvement in the formal juvenile justice system" (Neb. Rev. Stat. § 43-2404.02 (b). This fund encourages the provision of appropriate preventive, diversionary, alternatives for juveniles, as well as better coordination of the juvenile services system. The statute specifically outlines funding particular activities, including diversion. Specifically, lawmakers intended the CBA funding to be set aside for

> "programs for local planning and service coordination; screening, assessment, and evaluation; diversion; alternatives to detention; family support services; treatment services; truancy prevention and intervention programs; pilot projects approved by the commission; payment of transportation costs to and from placements, evaluations, or services; personnel when the personnel are aligned with evidence-based treatment principles, programs, or practices; contracting with other state agencies or private organizations that provide evidence-based treatment or programs; preexisting programs that are aligned with evidence-based practices or best practices; and other services that will positively impact juveniles and families in the juvenile justice system." (Neb. Rev. Stat. § 43-2404.02(b)).

Juvenile diversion programs fulfill many of the requirements outlined in Neb. Rev. Stat. § 43-2404.02. Consequently, most of Nebraska's programs are funded through CBA. In Nebraska, the county attorney has statutory authority to create a diversion program, with the approval of the county board (Neb. Rev. Stat. § 43-260.02). State law also outlines that, in referring youth to diversion, county attorneys should consider the juvenile's age, the nature of the offense, the role of the youth in committing the offense, the youth's history and future risk, and the recommendation of the referring agency, victim, and advocates (Neb. Rev. Stat. § 43-260.04). Juvenile diversion programs are voluntary, in which youth charged with a minor offense are diverted from the juvenile justice system to a continuum of requirements and services. If the youth successfully completes the diversion program, then the case is dismissed or not filed in court (Nebraska Juvenile Pretrial Diversion Guidelines, 2015).

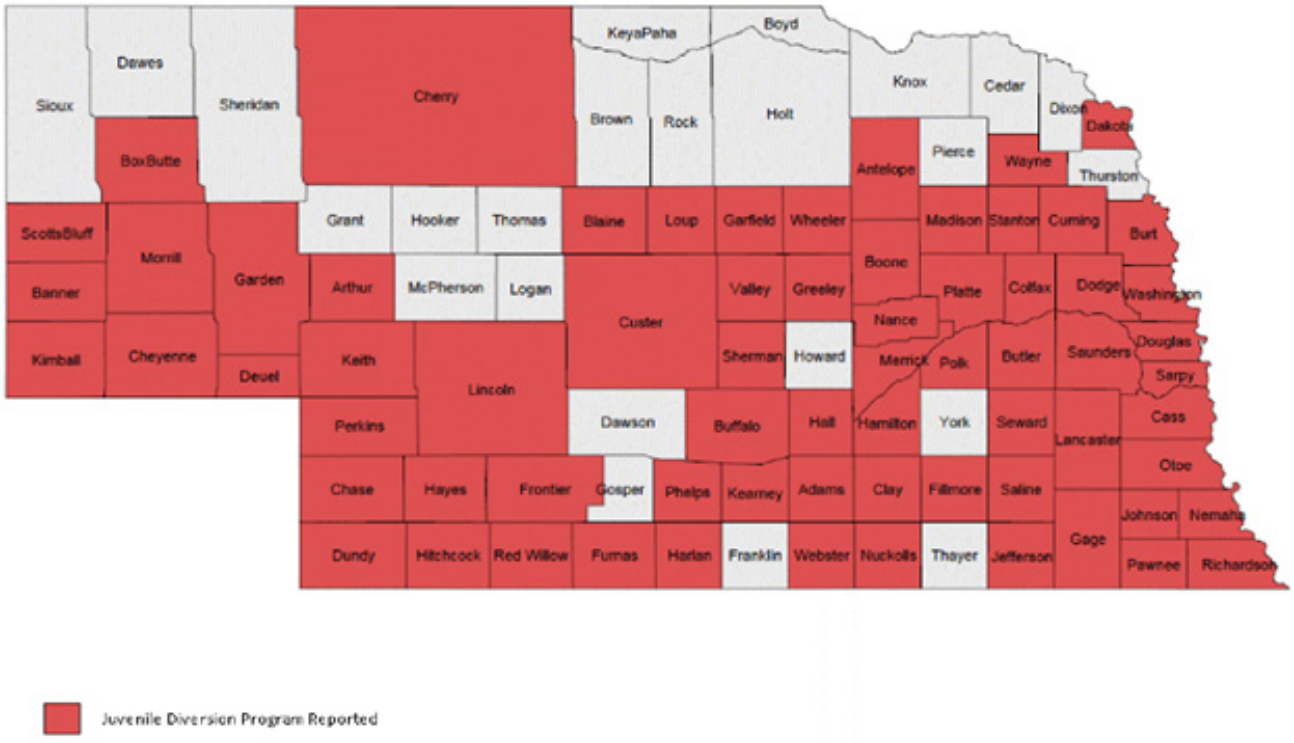
State statute (Neb. Rev. Stat. § 43-260.03) has identified four goals of diversion:

(a) To provide eligible juvenile offenders with an alternative program in lieu of adjudication through the juvenile court;
(b) To reduce recidivism among diverted juvenile offenders;
(c) To reduce the costs and caseload burdens on the juvenile justice system and the criminal justice system; and
(d) To promote the collection of restitution to the victim of the juvenile offender's crime.

Reporting Data in JCMS

Juvenile diversion programs in Nebraska are statutorily required to report data to the Nebraska Commission on Law Enforcement and Criminal Justice (Nebraska Crime Commission or NCC). This requirement is fulfilled when programs enter youth information into the Juvenile Case Management System (JCMS). According to the Diversion Administrator's FY2015 annual report to the governor and legislature, 69 of 93 counties in Nebraska, or 74%, reported having a juvenile diversion program (an increase from 57 counties in FY2013 and 62 counties in FY2014). Only 58 of these counties reported into the Juvenile Case Management System in FY2015 (Juvenile Diversion in Nebraska, 2016). Figure 2 indicates the counties with diversion programs during FY2015.

Figure 2. Juvenile Diversion Programs in Nebraska 2015



Source: Juvenile Diversion in Nebraska (2016)

Between 2012 and 2015, Nebraska experienced a great deal of juvenile justice reform aimed at diverting youth from the juvenile justice system; therefore, we would expect an increase in the number of youth being offered diversion from 2012 to 2015. The data displayed in Table 1 demonstrates that while some counties did see an increase over time, other counties experienced a decrease in youth referred over time. Without law enforcement data for comparison, however, we are unable to determine whether youth are being referred to early preventative efforts, as the reform efforts require.

Some counties did not report in JCMS within a given year. This may have been for one of three reasons: (1) the diversion program did not exist, (2) the program existed but did not serve any youth, or (3) the program did not comply with the statutory requirement to report youth served in diversion programs.

Table 1: Juvenile Cases Within Each County by Fiscal Year				
	2012 to 2013	2013 to 2014	2014 to 2015	Total
Adams County	38	39	53	130
Antelope County	2	5	8	15
Boone County	2	3	1	6
Box Butte County	7	7	1	15
Buffalo County	153	154	320	627
Burt County	0	0	5	5
Butler County	21	16	18	55
Cass County	0	0	2	2
Chase County	3	3	8	14
Cherry County	0	0	1	1
Cheyenne County	9	17	10	36
Clay County	2	1	2	5
Colfax County	45	76	33	154
Cuming County	15	10	5	30
Custer County	0	0	13	13
Dakota County	25	30	73	128
Deuel County	9	1	0	10
Dodge County	29	58	77	164
Douglas County	1,341	1,251	1,301	3,893
Dundy County	3	6	0	9
Fillmore County	7	2	3	12
Frontier County	0	1	3	4
Furnas County	5	9	0	14
Gage County	23	27	68	118
Garfield County	0	4	4	8
Hall County	236	235	260	731
Hamilton County	0	0	3	3
Harlan County	0	5	9	14
Hayes County	0	2	1	3
Hitchcock County	7	3	1	11
Jefferson County	4	5	12	21
Johnson County	1	4	4	9
Kearney County	0	0	4	4
Keith County	15	16	12	43
Kimball County	2	0	3	5
Lancaster County	795	523	568	1,886
Lincoln County	82	102	93	277
Madison County	82	176	127	385
Merrick County	22	15	27	64
Nance County	0	4	16	20
Nemaha County	0	7	3	10

Otoe County	63	49	35	147
Pawnee County	0	4	7	11
Perkins County	8	4	6	18
Phelps County	1	4	6	11
Platte County	109	101	162	372
Polk County	1	5	0	6
Red Willow County	27	9	15	51
Richardson County	0	2	6	8
Saline County	6	8	9	23
Sarpy County	658	566	525	1,749
Saunders County	64	65	64	193
Scotts Bluff County	109	64	53	226
Seward County	34	41	49	124
Sherman County	9	6	3	18
Stanton County	0	2	0	2
Washington County	10	0	0	10
Wayne County	3	2	2	7
Webster County	0	7	4	11
York County	8	3	5	16
Total	**4,095**	**3,759**	**4,103**	**11,957**

Law or Status Violations

Across all referrals, there were a total of 15,378 law or status violations. The twenty most frequent violations are presented in Table 2. The most common violation was for shoplifting (16.5%), followed by minor in possession (11.9%), and then possession of marijuana (9.3%). Note that the number of law or status violations is an under-estimate of the total number of violations because in 350 cases data, were missing, that is - programs failed to indicate the law or status violations for those referrals.

Table 2: Twenty Most Frequent Law or Status Violations		
	Frequency	Percent
Shoplifting	2,535	16.5%
Minor in Possession	1,824	11.9%
Marijuana Possession	1,432	9.3%
Assault	1,245	8.1%
Possession of Paraphernalia	1,104	7.2%
Truancy	978	6.4%
Criminal Mischief	906	5.9%
Traffic Offense	745	4.8%
Theft by Unlawful Taking	667	4.3%
Disturbing the Peace	480	3.1%
Trespassing	511	3.3%
Disorderly Conduct	468	3%
Tobacco; Use by Underage	214	1.4%
Larceny	203	1.3%
Obstructing Police	172	1.1%
Curfew	131	0.9%
False Report	146	0.9%
Ungovernable	102	0.7%
Violation of Curfew	96	0.7%
Vandalism	90	0.6%
All others	1,329	8.6%
Total	**15,378**	**100%**

Referrals to Diversion Programs

Referral Case Type

The majority of cases (87.0%) referred to diversion from 2012 to 2015 involved a law violation (n = 10,403); 4.8% for attendance issues (n = 573); 3.5% as a warning (n = 421) and 4.7% were companion cases (n = 560). Warning cases are cases in which youth and families are sent a warning letter but do not formally enroll in a diversion program. Companion cases are cases in which a youth, who is already on diversion, receives a new legal violation, and the new legal violation becomes part of the initial referral. Although this terminology is unique to Douglas County, other counties have a similar practice. In other counties the new law violations are not designated as "companion cases," and are simply combined with the original case. Youth with new violations while on diversion are further discussed below with results discussed by youth rather than by referral.

Referral Source

From July 1, 2012 to June 30, 2015, there were a total of 11,957 cases referred to juvenile diversion programs in Nebraska. The county attorney was the most frequent referring agency (60.1%), followed by law enforcement (18.5%)[1] and city attorneys (17.8%). A smaller proportion of cases were referred by schools and other counties (Table 3). Cases are often referred from other counties if the referring county does not have a diversion program or for the convenience of the youth and family.

Table 3: Referral Sources for Each Referral to Diversion		
	Frequency	**Percent**
County Attorney	6,850	57.3
Law Enforcement	2,458	20.6
City Attorney	2,199	18.4
School	390	3.3
Other County	37	0.3
Other	20	0.2
Unspecified	3	0.0
Total	**11,957**	**100.0**

Referral by Offense

On average, youth referrals included an average of 1.35 law or status violations (SD = 0.77) and ranged from 1 to 17 charges in a single referral. In the majority of cases, however, the number of violations referred to diversion was 1 (n = 8,156). If a youth had more than one violation, we coded for the youth's most serious violation into four categories guided by state statutes: (1) felony (person, property, drugs, weapons, other), (2) misdemeanor (person, property, drugs, weapons, other), (3) status offense, and (4) other offense (i.e., traffic, violations of court orders). Overall, the majority of youth's most serious offense was a misdemeanor (n = 9,894, 82.7%), with fewer having felony-level charges (n = 189, 1.6%).

Table 4: Most Serious Offense Within Each Referral		
	Frequency	**Percent**
Felony	189	1.6
Misdemeanor	9,894	82.7
Status	1,095	9.2
Other	334	2.8
Missing	445	3.7
Total	**11,957**	**100**

1 After completing the analysis for referral source, the authors learned that Douglas County referral sources may have inadvertently been entered into JCMS as being referred from law enforcement instead of the county attorney. As such, the values for law enforcement may be over-estimated and the values for county attorney may be under-estimated.

Referral by Gender

Approximately 39.9% (n = 4,771) of referrals during this time frame were for female youth and 60.1% (n = 7,187) of the referrals were for male youth.

4,771 7,187

Referral by Age

Table 5 presents the frequency of referrals for each age. Age at the time of referral ranged from age 5 to 17, with a mean age of 15.06 (SD = 1.78). The most frequent age at the time of referral was 16 (24.5%). All youth ages 5 and 6 were referred for attendance issues. For those aged 8 and older, referrals consisted of all case types.

Table 5: Frequency for Age by Referral		
Age	**Frequency**	**Percent**
17	2,717	22.7
16	3,079	25.8
15	2,359	19.7
14	1,697	14.2
13	1,047	8.8
12	599	5
11	246	2.1
10	102	0.9
9	46	0.4
8	20	0.2
7	19	0.2
6	14	0.1
5	5	0.1
Not Specified	7	0.1
Total	**11,957**	**100.0**

Referral by Age and Gender

On average, females referred to diversion were slightly older (15.2 years old) compared to males referred to diversion (15.0 years old). Statewide, there have been discussions that reform efforts have led to an increase in older youth being referred to diversion. However, when we examined the average age by year, there were only slight fluctuations in the age of youth and it does not appear that the average age of youth being referred to diversion has changed over the past three years.

Referral by Race and/or Ethnicity

Most youth referred to diversion were White (n = 7,177; 60.0%), followed by Hispanic (n = 2,078; 17.4%) and Black/African American (n = 1,968; 16.5%). In some instances, race and/or ethnicity was not specified (n = 342; 2.9%). Fewer youth were American Indian/Alaskan Native (n = 175; 1.5%), Asian (n = 108; 0.9%), Other race (n = 66; 0.6%), Multiple races (n = 22; 0.2%), and Native Hawaiian/Pacific Islander (n = 21; 0.2%).

When we compared the race of youth referred to diversion to the racial and ethnic composition of Nebraskan youth of the same age (5-17), data indicated that White youth were underrepresented in diversion (i.e. less likely to be referred to diversion); while Black youth are referred to diversion at twice the rate at which they appear in the population (more likely to be diverted). Asian and Native American youth are also under represented in diversion (Table 6).

Table 6: Nebraska Population Ages 5-17 Compared to Population Referred to Diversion

	Nebraska		Diversion	
	Frequency	**Percent**	**Frequency**	**Percent**
White	245,725	73.0%	7,177	60.0%
Black	26,182	7.8%	1,968	16.5%
Hispanic	47,791	14.2%	2,078	17.4%
Asian	9,184	2.7%	108	0.90%
Native American	7,549	2.2%	175	1.5%
Other or Multiple Races	—	—	21	0.02%
Total	**336,431**	**100.0%**	**11,527**	**100.0 %**

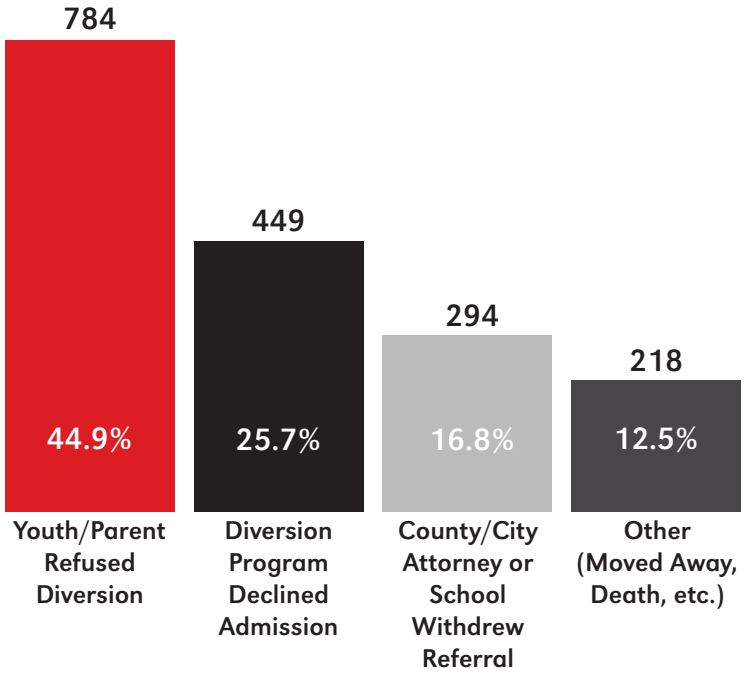
Ideally, we would compare data on law enforcement contacts to diversion referrals, but this data is not readily and uniformly available at the state level. As such, it is unclear why Black youth are over-represented in referrals to diversion. One reason may be that Black youth are more likely to receive a citation than youth of other races and/or ethnicities. Another explanation may be due to systematic disproportionate contact in each stage of the criminal justice system. Further research is necessary to explore this phenomenon.

Diversion Program Outcome Measures

Program Completion

First, we examined reasons youth were discharged from diversion. Of the 11,957 referrals to diversion programs, discharge reason was included for 11,409 cases. In 908 of the cases (7.6%), discharge reason was missing, which may have been due to failure to close cases or cases that were still active. To examine diversion program completion, we divided the sample by discharge reasons for youth who did enroll and discharge reasons for youth who did not enroll (i.e., reasons a case was closed). Of the 1,745 youth not enrolled (Figure 3), the discharge reasons were due to youth/parent refusal (44.9%, n = 784), declined admission by diversion (25.7%, n = 449), or the referral was withdrawn by county/city attorney or school (16.8%, n = 294).

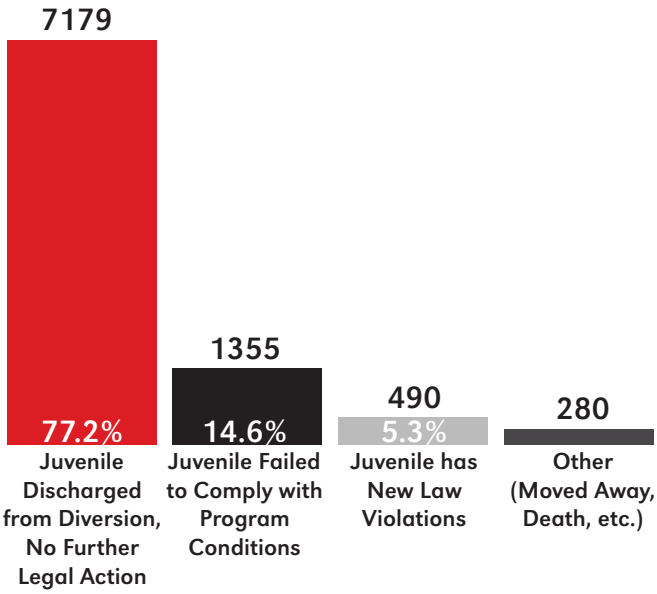
Figure 3. Discharge Reason for Youth Not Enrolled in Diversion (n = 1,745)



Of the 9,304 youth enrolled (Figure 4), 77.2% (n = 7,179) of youth completed diversion and were discharged without further legal action (i.e., the case was not filed). Of those that did not successfully complete the program, 14.6% (n = 1,355) failed to comply with the program conditions and 5.3% (n = 490) received a new law violation while on diversion.

In the remaining cases, the discharge reason was indicated as "other (moved away, death, etc.)". It is not clear from this discharge code whether youth were enrolled or not enrolled, therefore we examined whether the youth had an intake or enrolled date. In 218 cases (12.5%), a youth was discharged for "other" without an intake or enrolled date and these were assumed to be youth who did not enroll (and included as part of the 1,745 youth not enrolled). In 278 cases (3.0%), there was an intake or enroll date and these cases were assumed to be youth who did enroll (and included as part of the 9,304 youth enrolled). These figures, however, may be misleading because programs may have failed to enter an intake date despite youth being enrolled.

Figure 4. Discharge Reason for Youth Enrolled in Diversion (n = 9,304)



Discharge by Fiscal Year

Overall, discharge reasons have remained fairly consistent across the three fiscal years. Although referrals were lower in 2013 to 2014, in all three time periods approximately two-thirds of youth who are referred (of both those who enrolled and those who were not enrolled) are successfully discharged from diversion. As Table 7 illustrates, on average 60% of cases referred to diversion are successfully diverted out of the official court process.

Table 7: Percent of Referrals Within Each Fiscal Year by Discharge Reason			
	2012 to 2013	2013 to 2014	2014 to 2015
Juvenile Discharged from Diversion, No Further Legal Action	60%	59%	61%
Juvenile Failed to Comply with Program Conditions	11%	12%	11%
Juvenile had New Law Violation	4%	4%	4%
Youth/Parent Refused Diversion	8%	6%	6%
Diversion Program Declined Admission	3%	4%	4%
County/City Attorney or School Withdrew Referral	3%	2%	2%
Other (Moved Away, Death, etc.)	4%	6%	3%
Unspecified/Missing	8%	6%	9%
Total Referrals	4,095	3,759	4,103

Discharge by County

The following three tables display the frequency of discharge reasons for each county by youth enrolled in the program (Table 8), youth not enrolled in the program (Table 9), and those where discharge was unspecified (Table 10). "Other" cases were divided between enrollment and not enrollment, depending on whether they had an enrollment or intake date. Unspecified cases are included separately in Table 10 because these were either cases that were still open or those that did not have a discharge reason.

Reasons Youth Are Discharged After Enrollment

As Table 8 indicates, overall success rates varied across all counties and ranged from 50% to 100% (n = 9,304). Fewer youth failed to meet the program conditions (ranged from 0% to 27%) or had youth with a new law violation (ranged from 0% to 100%). One reason programs may have higher or lower rates of program compliance may be due to the number of youth served; another reason may be the type of requirements and/or the number of requirements youth have for completing diversion. The variability in the number of youth discharged for a new law violation may be due to differences between programs in policies for how to handle youth who get a new law violation while on diversion—some programs discharge youth while other programs merge the new law violation into the current occasion in diversion.

Table 8: Discharge Reason for Enrolled Youth by County

	Discharged from Diversion, No Further Legal Action	Failed to Comply with Program Conditions	New Law Violation	Other (Moved, Death, etc.)	Total Number Enrolled
Adams County	83%	14%	3%	0%	126
Antelope County	86%	7%	7%	0%	14
Boone County	67%	0%	33%	0%	6
Box Butte County	86%	14%	0%	0%	7
Buffalo County	82%	11%	7%	1%	461
Burt County	100%	0%	0%	0%	5
Butler County	81%	8%	11%	0%	37
Cass County	100%	0%	0%	0%	2
Chase County	92%	8%	0%	0%	12
Cherry County	100%	0%	0%	0%	1
Cheyenne County	97%	3%	0%	0%	35
Clay County	80%	20%	0%	0%	5
Colfax County	85%	14%	1%	0%	111
Cuming County	93%	3%	3%	0%	30
Custer County	89%	11%	0%	0%	9
Dakota County	88%	6%	5%	1%	108
Deuel County	90%	10%	0%	0%	10
Dodge County	83%	8%	9%	1%	164
Douglas County	78%	20%	1%	0%	2,820
Dundy County	100%	0%	0%	0%	9
Fillmore County	73%	27%	0%	0%	11

Frontier County	100%	0%	0%	0%	2
Furnas County	100%	0%	0%	0%	14
Gage County	77%	9%	13%	1%	113
Garfield County	100%	0%	0%	0%	1
Hall County	79%	9%	12%	0%	625
Hamilton County	100%	0%	0%	0%	3
Harlan County	100%	0%	0%	0%	13
Hayes County	100%	0%	0%	0%	3
Hitchcock County	100%	0%	0%	0%	10
Jefferson County	89%	0%	0%	11%	18
Johnson County	100%	0%	0%	0%	7
Kearney County	100%	0%	0%	0%	3
Keith County	100%	0%	0%	0%	43
Kimball County	50%	0%	25%	25%	4
Lancaster County	69%	14%	11%	7%	1,585
Lincoln County	80%	7%	11%	1%	216
Madison County	52%	9%	5%	34%	380
Merrick County	84%	7%	9%	0%	58
Nance County	88%	13%	0%	0%	16
Nemaha County	100%	0%	0%	0%	4
Otoe County	94%	4%	1%	1%	135
Pawnee County	100%	0%	0%	0%	6
Perkins County	94%	6%	0%	0%	17
Phelps County	100%	0%	0%	0%	5
Platte County	83%	10%	5%	2%	321
Polk County	100%	0%	0%	0%	6
Red Willow County	90%	8%	2%	0%	48
Richardson County	88%	13%	0%	0%	8
Saline County	86%	9%	5%	0%	22
Sarpy County	76%	19%	3%	2%	1,216
Saunders County	83%	13%	3%	2%	119
Scotts Bluff County	84%	8%	9%	0%	158
Seward County	79%	15%	7%	0%	89
Sherman County	86%	14%	0%	0%	14
Stanton County	0%	0%	100%	0%	1
Washington County	100%	0%	0%	0%	10
Wayne County	86%	14%	0%	0%	7
Webster County	90%	10%	0%	0%	10
York County	91%	0%	0%	9%	11

Reasons Youth Fail to Enroll and Efficient Case Processing

Table 9 illustrates the reasons a youth may not enroll in diversion and other case processing information. The column on the far right indicates the number of youth who did not enroll in that county and the percentages in each column display the percentage of youth who did not enroll for that reason within all youth who did not enroll. For instance, Adams County had 4 youth who did not enroll with 1 youth who did not enroll for youth or parent refusal (25%) and three (75%) who did not enroll because the referral was withdrawn.

Youth failed to enroll in a diversion program for a variety of reasons (n = 1,745). To encourage youth to divert out of the system, programs should examine the primary reason cited for failure to enroll. If youth and parents are opting not to enroll, the program may want to examine the cost of the program and the hours of operation. If the diversion program is consistently declining the case and returning it to the referral agency, then the eligibility guidelines should be examined with the referral source. Similarly, if the referral agency is sending the case and then requesting it back, the individual reasons for returning it should be examined.

Table 9: Discharge Reason for Youth Not Enrolled by County

	Youth/Parent Refused	Program Declined Admission	County/City Attorney or School Withdrew Referral	Other (Moved, Death, etc.)	Total Number Not Enrolled
Adams County	25.0%	0.0%	75.0%	0.0%	4
Antelope County	100.0%	0.0%	0.0%	0.0%	1
Boone County	0.0%	0.0%	0.0%	0.0%	0
Box Butte County	0.0%	0.0%	0.0%	0.0%	0
Buffalo County	29.5%	66.9%	3.6%	0.0%	166
Burt County	0.0%	0.0%	0.0%	0.0%	0
Butler County	66.7%	16.7%	11.1%	5.6%	18
Cass County	0.0%	0.0%	0.0%	0.0%	0
Chase County	0.0%	0.0%	0.0%	0.0%	0
Cherry County	0.0%	0.0%	0.0%	0.0%	0
Cheyenne County	0.0%	0.0%	100.0%	0.0%	1
Clay County	0.0%	0.0%	0.0%	0.0%	0
Colfax County	61.5%	30.8%	7.7%	0.0%	13
Cuming County	0.0%	0.0%	0.0%	0.0%	0
Custer County	0.0%	0.0%	0.0%	0.0%	0
Dakota County	50.0%	0.0%	14.3%	35.7%	14
Deuel County	0.0%	0.0%	0.0%	0.0%	0
Dodge County	0.0%	0.0%	0.0%	0.0%	0
Douglas County	43.4%	21.9%	34.8%	0.0%	581
Dundy County	0.0%	0.0%	0.0%	0.0%	0
Fillmore County	100.0%	0.0%	0.0%	0.0%	1
Frontier County	0.0%	0.0%	0.0%	0.0%	0
Furnas County	0.0%	0.0%	0.0%	0.0%	0

Gage County	0.0%	0.0%	0.0%	0.0%	0
Garfield County	100.0%	0.0%	0.0%	0.0%	3
Hall County	90.5%	1.0%	7.6%	1.0%	105
Hamilton County	0.0%	0.0%	0.0%	0.0%	0
Harlan County	0.0%	0.0%	0.0%	0.0%	0
Hayes County	0.0%	0.0%	0.0%	0.0%	0
Hitchcock County	0.0%	0.0%	100.0%	0.0%	1
Jefferson County	0.0%	0.0%	0.0%	100.0%	3
Johnson County	100.0%	0.0%	0.0%	0.0%	2
Kearney County	0.0%	0.0%	100.0%	0.0%	1
Keith County	0.0%	0.0%	0.0%	0.0%	0
Kimball County	0.0%	0.0%	0.0%	0.0%	0
Lancaster County	0.0%	0.0%	0.0%	100.0%	8
Lincoln County	86.7%	3.3%	5.0%	5.0%	60
Madison County	0.0%	100.0%	0.0%	0.0%	1
Merrick County	33.3%	16.7%	50.0%	0.0%	6
Nance County	50.0%	0.0%	50.0%	0.0%	4
Nemaha County	100.0%	0.0%	0.0%	0.0%	6
Otoe County	100.0%	0.0%	0.0%	0.0%	12
Pawnee County	100.0%	0.0%	0.0%	0.0%	5
Perkins County	100.0%	0.0%	0.0%	0.0%	1
Phelps County	100.0%	0.0%	0.0%	0.0%	1
Platte County	71.4%	25.7%	2.9%	0.0%	35
Polk County	0.0%	0.0%	0.0%	0.0%	0
Red Willow County	0.0%	0.0%	0.0%	0.0%	0
Richardson County	0.0%	0.0%	0.0%	0.0%	0
Saline County	0.0%	100.0%	0.0%	0.0%	1
Sarpy County	26.5%	26.3%	10.3%	37.0%	525
Saunders County	31.1%	66.2%	2.7%	0.0%	74
Scotts Bluff County	90.7%	1.9%	1.9%	5.6%	54
Seward County	96.9%	0.0%	3.1%	0.0%	32
Sherman County	75.0%	25.0%	0.0%	0.0%	4
Stanton County	0.0%	0.0%	0.0%	0.0%	0
Washington County	0.0%	0.0%	0.0%	0.0%	0
Wayne County	0.0%	0.0%	0.0%	0.0%	0
Webster County	100.0%	0.0%	0.0%	0.0%	1
York County	100.0%	0.0%	0.0%	0.0%	1

Unspecified Reasons

Finally, Table 10 includes the number of unspecified discharge reasons. Unspecified discharges could be because a case is still active or could be cases that were inadvertently never closed in JCMS. Programs with higher rates of unspecified cases may want to explore ways to ensure a process of effective case closing.

Table 10: Unspecified Discharge Reasons by County		
	Unspecified	Total Number of Referrals
Adams County	0%	130
Antelope County	0%	15
Boone County	0%	6
Box Butte County	53%	15
Buffalo County	0%	627
Burt County	0%	5
Butler County	0%	55
Cass County	0%	2
Chase County	14%	14
Cherry County	0%	1
Cheyenne County	0%	36
Clay County	0%	5
Colfax County	19%	154
Cuming County	0%	30
Custer County	31%	13
Dakota County	5%	128
Deuel County	0%	10
Dodge County	0%	164
Douglas County	13%	3,893
Dundy County	0%	9
Fillmore County	0%	12
Frontier County	50%	4
Furnas County	0%	14
Gage County	4%	118
Garfield County	50%	8
Hall County	0%	731
Hamilton County	33%	3
Harlan County	0%	14
Hayes County	0%	3
Hitchcock County	0%	11
Jefferson County	0%	21
Johnson County	0%	9
Kearney County	0%	4
Keith County	0%	43

Kimball County	20%	5
Lancaster County	16%	1,886
Lincoln County	0%	277
Madison County	1%	385
Merrick County	0%	64
Nance County	0%	20
Nemaha County	0%	10
Otoe County	0%	147
Pawnee County	0%	11
Perkins County	0%	18
Phelps County	45%	11
Platte County	4%	372
Polk County	0%	6
Red Willow County	6%	51
Richardson County	0%	8
Saline County	0%	23
Sarpy County	0%	1,749
Saunders County	0%	193
Scotts Bluff County	6%	226
Seward County	2%	124
Sherman County	0%	18
Stanton County	50%	2
Washington County	0%	10
Wayne County	0%	7
Webster County	0%	11
York County	25%	16

Time Spent in Diversion Programs by County

For youth who had both an intake/enroll date and a discharge date (n = 8,988), we calculated the number of days in diversion programs. The fewest number of days a youth was in diversion was 1 day, and the most number of days a youth was in diversion was 853 days. Although it is possible a youth was enrolled for 853 days, this is highly improbable and may be due to data entry error. Of the 8,732 youth enrolled in diversion for at least 1 day, on average, youth spent 126.43 (SD = 82.13) days in diversion programs from intake date to discharge date.

The number of days each youth spent in diversion programs varied by county. Table 11 includes the number of youth with both intake and discharge dates, the mean number of days in the diversion program, and the standard deviation. Larger standard deviations indicate more variability in the number of days each youth spent in the program, while smaller standard deviations indicate less variability in the number of days each youth spent in diversion. Standard deviations are not calculated when the N value is one because there is no variability.

Table 11: Mean Number of Days Youth Spent in Diversion Programs by County

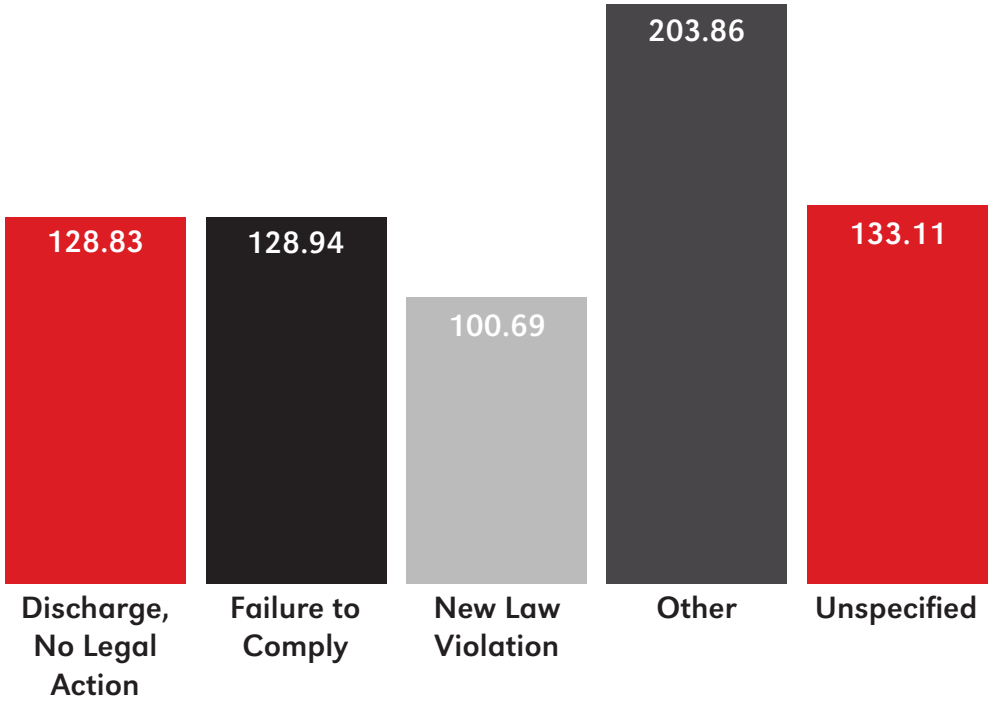
	N	*M*	*SD*
Adams County	124	93.53	40.93
Antelope County	8	188.25	11.47
Boone County	1	322.00	–
Box Butte County	6	163.67	61.73
Buffalo County	518	80.54	77.78
Burt County	5	151.00	47.08
Butler County	49	160.47	123.30
Cass County	2	313.00	12.73
Chase County	14	106.57	52.24
Cheyenne County	28	125.82	91.88
Clay County	4	140.75	100.02
Colfax County	120	138.96	101.76
Cuming County	30	79.53	60.13
Custer County	10	212.70	106.06
Dakota County	85	147.68	71.47
Dodge County	159	105.09	49.15
Douglas County	2,423	101.44	57.70
Dundy County	9	225.33	208.75
Fillmore County	12	81.83	26.30
Frontier County	2	32.00	11.31
Furnas County	14	96.57	44.33
Gage County	112	229.73	109.05
Garfield County	5	217.80	74.78
Hall County	649	150.08	71.55
Hamilton County	3	180.67	42.00
Hayes County	3	122.33	49.01
Hitchcock County	11	153.64	68.35

Jefferson County	16	57.44	19.59
Johnson County	5	66.80	45.31
Kearney County	1	232.00	–
Keith County	20	192.15	99.00
Kimball County	2	41.00	4.24
Lancaster County	1,591	122.89	72.55
Lincoln County	219	149.53	71.18
Madison County	379	191.63	177.71
Merrick County	59	117.95	73.58
Nance County	17	113.00	65.62
Nemaha County	3	105.33	58.31
Otoe County	142	89.57	51.45
Pawnee County	6	89.33	32.20
Perkins County	8	92.00	20.07
Phelps County	2	130.50	21.92
Platte County	355	81.94	57.90
Polk County	6	62.67	21.02
Red Willow County	49	176.57	84.43
Richardson County	6	48.67	12.93
Saline County	5	78.60	13.45
Sarpy County	1,250	139.73	71.12
Saunders County	142	129.55	95.88
Scotts Bluff County	154	126.29	90.05
Seward County	106	192.05	119.72
Sherman County	15	142.73	75.91
Stanton County	1	84.00	–
Wayne County	7	73.57	18.90
Webster County	11	101.09	61.89
York County	3	94.00	40.11
Total	**8,575**	**122.83**	**83.64**

Time Spent in Diversion by Discharge Reason

In addition, we examined how time in diversion may differ by the discharge reason for youth enrolled for at least 1 day (Figure 5) using Analysis of Variance (ANOVA), which compares whether differences in means are statistically different. The ANOVA results found that the time spent in diversion was statistically different by discharge reasons [$F(7, 8724) = 101.82$, $p<.001$]. Overall, youth successfully discharged, on average, participated in diversion programs for 128.83 days (SD = 67.97). On the other hand, youth who failed to comply with the program's requirements participated in diversion programs for 128.94 days (SD = 83.70) and those discharged with a new law violation participated in diversion programs for 100.69 days (SD = 81.64). Youth who were discharged for "other" reasons, which includes moving away or death, had the longest time in diversion (203.86 days, SD = 216.90). Results for "other" reasons, however, may be due to some outlying cases that occurred as a result of moving away because the standard deviation is quite large, which indicates variability within time spent in diversion for "other" cases.

Figure 5. Mean Number of Days in Diversion Programs by Discharge Reason



Recidivism Outcome Measures

Tracking Recidivism

According to a 2015 survey conducted by the Nebraska Crime Commission Juvenile Diversion Administrator, almost 46% of the 35 juvenile diversion programs that responded to the survey do not track any data on recidivism. Of the 19 programs that do, there is not a consistent process of tracking recidivism across programs. Some track recidivism as a return to diversion (20% track to see if the youth has been referred to diversion a second time). Twelve diversion programs (34.3%) work with other juvenile justice providers, like the county attorney and probation, to see if the youth has a new law violation.

The definition of what is considered recidivism also varies. Some programs examine whether the youth has a new violation that is similar in nature to the diversion referral. Other programs are quite broad and include "getting into trouble with school, law enforcement, court, any time after taking diversion." Some programs only examine whether the youth has contact with the juvenile justice system (i.e. has a law violation) and they specifically exclude traffic and status offenses. Another important distinction is that many programs only examine the youth who were successfully discharged. When asked about the time frame that they examine for recidivism, the range was 6 months to 2 years.

Perhaps the most difficult obstacle for collecting reliable recidivism data is that many juvenile records are sealed. According to a discussion with the Nebraska Court Administrator's Office, a quarter of all juvenile cases are eventually sealed. Consequently, any analysis that does not include sealed cases will be substantially under-counted. The Juvenile Justice Institute requested and received permission through the Nebraska Courts and the Nebraska Supreme Court, to ensure that we captured accurate information on new law violations. In the sections below, we include a number of ways that we defined recidivism.

Internal Recidivism – Youth Referred to Diversion More Than Once

One measure of recidivism is whether youth referred to a diversion program have subsequent referrals to diversion. Programs across Nebraska may handle these cases in one of two ways: discharge the youth from the program for the new law violation (reported above) or treat the new law violation as part of the current diversion case. In cases where the youth was not discharged and instead the new law violation became part of the current case, we coded these as a single referral (or time in diversion). Overall, 469 of the referrals were for youth who were already in the diversion program, and we treated those referrals as part of the same occasion in diversion. The referrals were only counted as a single referral if the discharge dates were identical; thus, some referrals that may have been close in date but were not identical would not be included in that number (despite, for instance, being marked as a companion case in Douglas County). On average, youth with additional referrals that were counted as a single diversion occasion had 1.41 additional law or status violations (SD = 0.84) and ranged from 1 to 7 new law or status violations.

As a measure of internal recidivism, we also examined youth referred to diversion on separate occasions with different discharge dates. Of the 11,957 referrals, a total of 10,518 youth were referred to diversion programs in Nebraska from July 1, 2012 to June 30, 2015. The difference between the total number of referrals and the total number of youth is a result of youth who were referred to a diversion program more than once. The majority of the youth have only been referred to diversion one

time (93.8%, n = 9,869). While some youth have been referred twice (5.9%, n = 616), three times (0.3%, n = 29), four times (0.1%, n = 3), and one youth was referred five times (0.1%, n = 1).

Table 12 displays the frequency with which youth referrals resulted in actual enrollment in the program. Again, enrollment in the program was defined as cases with either a successful discharge, an unsuccessful discharge by failure to meet program requirements, a new law violation, or youth discharged as "other" but who had an enrollment or intake date.

Table 12: Number of Times Youth Enrolled Within the Number of Referrals

	Number of Referrals					
	1	2	3	4	5	Total
Never enrolled	2,076	91	5	1	0	2,173
Enrolled once	7,793	196	13	2	0	8,004
Enrolled twice	0	329	9	0	1	339
Enrolled three times	0	0	2	0	0	2
Total	**9,869**	**616**	**29**	**3**	**1**	**10,518**

In examining the 616 youth who were referred to a diversion program twice, 329 youth were actually enrolled in a diversion program twice (see Table 13). Approximately 59.6% (n = 175) of the youth who participated in the program twice successfully completed the program both times; 18.5% (n = 61) failed the program conditions or had a new law violation the first occasion in diversion, but then were successfully discharged during the second occasion in diversion; 3.4% (n = 10) successfully completed the program the first occasion, but then failed to comply or had a new law violation the second occasion; and 4.6% (n = 15) failed to comply or had a new law violation on both occasions. Of the 616 youth with two referrals, the majority of referrals (74.7%, n = 460) were within the same county.

Table 13: Discharge Reasons for Youth Who Participated in Diversion Twice

First Time in Diversion	Second Time in Diversion		
	Discharged, No Further Legal Action	Failed Program Conditions	New Law Violation
Discharged, no further legal action	175	6	4
Failed program conditions	51	11	2
New law violation	10	1	1

For the one youth with five referrals, the youth was enrolled twice, and the other three times the youth was declined admission by the program. These referrals were across the same county all five times.

For the three youth with four referrals, one youth never enrolled (the diversion program declined admission all four times); the other two youth enrolled once and then the program declined admission or withdrew the referral for the remaining three referrals. For youth with four referrals, two of these were across the same county. For the 29 youth with three referrals, 16 enrolled in the program at least once and 13 never enrolled. For youth with three referrals, 22 of these were across the same county.

Describing the circumstances for youth with more than two referrals, however, was complicated by issues such as uncertainty for whether these referrals were the same case moving across court

systems. As such, we did not speculate on whether these subsequent referrals should be considered new law violations or count as recidivism.

As a measure of internal recidivism, we also examined the amount of time between referrals for the first and second occasion in diversion for youth referred twice (see Table 14). On average, there were 330.72 days (SD = 231.29) between referrals. We compared whether youth who were successfully discharged at occasion 1 significantly differed in the amount of time between referrals. Using Analysis of Variance (ANOVA), which compares whether differences in means are statistically different, the results indicated that youth who were successfully discharged from diversion had significantly more time before a new referral than all other discharge types, excluding unspecified discharge reasons for which they were statistically similar [$F(7,603) = 6.73$, $p<.001$]. One or more referral dates were missing for eight cases and time between referrals could not be calculated.

Table 14: Mean Days from Discharge to New Referral for Youth Referred to Diversion Twice

	N	*M*	*SD*
Discharged, no further legal action	347	379.19**	220.63
Failed program conditions	54	250.59**	238.71
New law violation	29	280.90**	259.96
Youth/parent refused	48	240.42**	228.84
Diversion program declined admission	29	258.86**	241.34
Withdrew referral	19	220.26**	258.09
Other	38	232.97**	217.12
Unspecified	47	355.96**	203.78
Total	**611**	**330.72****	**232.95**

Note: ** indicates values that are statistically different from the successful discharge

External Recidivism – Youth with a New Law Violation Following Diversion

Methodology

The Juvenile Justice Institute is statutorily charged with calculating recidivism for youth who participate in diversion programs. Recidivism for youth was calculated using Nebraska's JUSTICE system, which allows for online access to the Nebraska State Trial Court case information. We requested a data extract from JUSTICE to include all juvenile and adult misdemeanor and felony cases between July 1, 2012 and December 31, 2015, including cases that were sealed. Adult cases (up to aged 21 at the time of filing) were also requested from JUSTICE so that we could calculate recidivism for youth who may have participated in diversion when they were almost 18 years old (i.e., a 3-year follow-up period).

The JUSTICE extract, which is structured at the charge-level, contained 173,708 charges over the three-year period. We removed all cases that were dismissed. We removed cases with specific types of charges including, traffic charges that would not apply for Supreme Court definition of recidivism for either adults or juveniles. We also removed less serious offenses including fireworks charges, animal-related charges, and charges related to park violations (i.e., not have park registration).

Next, we identified any exact matches in JUSTICE (i.e., unique people with multiple cases) using first name, middle name, last name, and date of birth. Using this list, we used the Center for Disease Control's Link Plus Software version 2.0 that utilizes probabilistic record linkage for deduplicating data using first name, middle name, last name, and date of birth.

Once the matches were reconciled in the database as the same individuals, then we matched those individuals to the youth who participated in Diversion within the three-year period. Again using probabilistic record linkage in the Link Plus software, we matched individuals who participated in diversion to those in the JUSTICE database using first name, middle name, last name, and date of birth.

Lastly, we calculated whether the case should be considered recidivism based on whether the case in JUSTICE came after the youth was discharged from diversion. For calculation purposes, we examined charges that occurred after the discharge date of the most recent time in diversion. This removes youth who were filed on and discharged for new law violation or was the filed on charge for a youth who did not complete diversion successfully.

External Recidivism Results

Recidivism for All Youth Referred to Diversion

A total of 2,377 youth (23.1%) who were referred to diversion programs reoffended following the referral to diversion. Across all three years, the average time for recidivism was 300.10 days (SD = 253.10) with a range of 1 day to 1,243 days. These values include all youth, regardless of whether they enrolled in diversion or whether they successfully completed diversion. We were unable to calculate recidivism for 205 cases (1.9%) that did not have a discharge date indicated; half of these cases were from the most recent fiscal year (n = 103); another 69 from 2013-2014; and 33 from 2012-2013.

Recidivism for Youth Enrolled in Diversion

Next, we calculated recidivism rates for youth who enrolled in diversion during the most recent referral to a diversion program. Recidivism is time-sensitive, therefore, in many of the analyses below we examined recidivism rates by year. Youth referred to a diversion program during the first year for which we have data (FY2012 - 2013), for instance, were tracked for a 2 to 3-year period depending on the discharge date and more opportunity for recidivating. Youth referred to a diversion program in the most recent year of data (FY2014 - 2015), on the other hand, would only have 6 months to 1-year period for calculating recidivism. Table 15 displays the rate of recidivism for each year.

Table 15: Recidivism Rates by Year for All Youth Enrolled in Diversion

	Total Enrolled	Total Recidivated	Percent
FY2012-2013	2,628	917	34.9%
FY2013-2014	2,594	601	23.2%
FY2014-2015	2,957	286	9.7%
Total	**8,179**	**1,804**	**22.1%**

Recidivism by Gender, Race/Ethnicity, and Age

To compare the frequency of youth who recidivated by gender, we used Chi-square analysis, which estimates statistical differences between groups on frequency of occurrence. Chi-square tests indicated

that males recidivated at a higher proportion than females as indicated in Table 16 with the non-matching subscript letters [x^2 (1) = 47.51, p<.001].

Table 16: Recidivism Rates by Gender for All Youth Enrolled			
	Total Enrolled	Recidivated	Within Group Percent
Female	3,337	609_a	18.2%
Male	4,842	1195_b	24.7%

Again using Chi-square to compare group frequencies, results indicated there were some significant differences between racial/ethnic groups as indicated in Table 17 with non-matching subscript letters [x^2 (8) = 53.59, p<.001]. Specifically, Black youth (29.2%) were significantly more likely to recidivate than all other racial/ethnic groups (indicated with subscript a). White youth (20.3%) and Hispanic youth (22.3%) were less likely to recidivate than all other racial/ethnic groups (indicated with subscript b). Caution should be taken, however, with significance tests based on frequencies that are less than 5 including youth with multiple races and Native Hawaiian/Pacific Islander youth.

Table 17: Recidivism Rates by Race/Activity			
	Total Referred	Total Recidivated	Within Group Percent
American Indian, Alaska Native	131	$33_{a, b}$	25.2%
Asian	75	$10_{a, b}$	13.3%
Black, African American	1,142	334_b	29.2%
Native Hawaiian, Other Pacific Islander	13	$3_{a, b}$	23.1%
White	5,255	$1,068_a$	20.3%
Hispanic	1,446	322_a	22.3%
Other Race	50	$13_{a, b}$	26.0%
Multiple Races	20	$4_{a, b}$	20.0%
Unspecified	47	$17_{a, b}$	36.2%

With respect to age, we employed logistic regression to predict whether age at the time of referral to diversion predicted the probability that a youth would recidivate. According to the analysis, older youth were more likely to recidivate than younger youth, such that for every 1 year older, the probability for recidivating increased by .07 [SE = 0.02, Wald x^2 (1) = 17.30, p<.001].

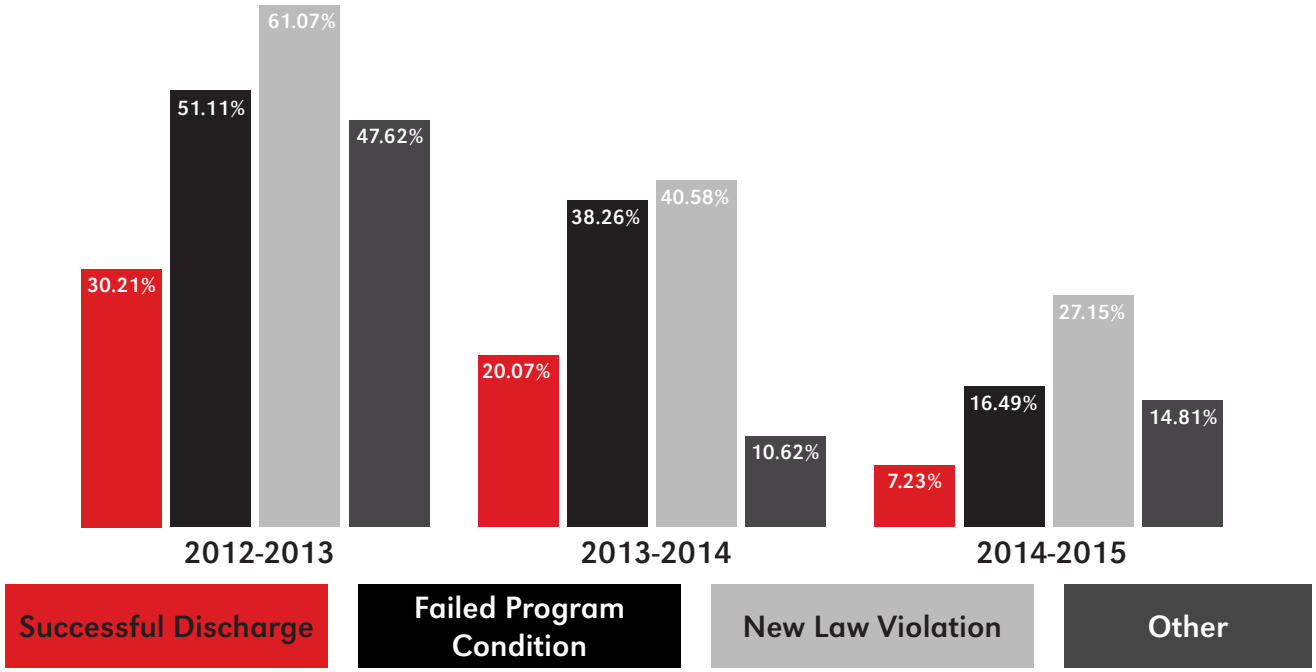
Recidivism by Discharge Reason

Figure 6 displays the recidivism rates by discharge type. Overall, youth successfully discharged had a recidivism rate of 30.2% at 2-3 years post diversion; whereas youth who did not successfully complete diversion recidivated at the rate of 51.1 to 61.1% during the same time frame.

We also compared recidivism rates by discharge reason across the three fiscal years using Chi-square analysis. As would be expected, recidivism rates were highest for the first fiscal year in this sample, and lowest for the most recent fiscal year in the sample. Across all three time periods, rates of recidivism significantly differed by discharge reason [2012-2013 x^2 (3) = 104.37, p<.001; 2013-2014 x^2 (3) = 88.42, p<.001; 2014-2015 x^2 (3) = 91.87, p<.001].

Specifically, youth who were successfully discharged from diversion were significantly less likely to recidivate than those who did not successfully complete the program. This was true whether the youth failed to complete because of a new law violation or failed to meet the program requirements. Youth successfully discharged, however, were equally as likely to recidivate as those who were discharged for "other" reasons. During the first two fiscal years, there were no differences in recidivism rates for youth unsuccessfully discharged with a new law violation or failing to meet the program requirements. In the most recent year, however, data indicated that youth with a new law violation while in diversion were more likely to recidivate than youth who failed to meet the program requirements. Perhaps it is not surprising that youth who break the law while in diversion would have higher recidivism rates subsequent to diversion.

Figure 6. Recidivism Rates for Youth by Discharge Reason Across Three Fiscal Years



Recidivism by Discharge Reason Within Each County

Recidivism rates for youth enrolled in diversion programs were calculated for the first fiscal year (2012-2013) by the county-level for a measure of 2 - 3 years post-diversion. Table 18 displays the number of cases discharged for each discharge reason and the percentage of youth who recidivated within that discharge reason. Most counties show that youth who were successfully discharged have lower recidivism rates than youth who failed the program conditions or who had a new law violation. In some counties, this is not the case, most likely a result of having fewer enrolled youth in counties with smaller populations.

Table 18: Recidivism Rate (R.R.) by Discharge Reason and County for 2012-2013								
	Successfully Discharged		Failed Program Conditions		New Law Violation		Other	
	N	R.R.	*N*	R.R.	*N*	R.R.	*N*	R.R.
Adams County	27	40.7%	5	60.0%	2	50.0%	0	0.0%
Antelope County	1	0.0%	0	0.0%	1	100.0%	0	0.0%
Boone County	2	50.0%	0	0.0%	0	0.0%	0	0.0%
Box Butte County	4	25.0%	1	0.0%	0	0.0%	0	0.0%
Buffalo County	78	32.1%	9	33.3%	3	100.0%	0	0.0%
Butler County	9	22.2%	2	50.0%	0	0.0%	0	0.0%
Chase County	3	33.3%	0	0.0%	0	0.0%	0	0.0%
Cheyenne County	7	42.9%	0	0.0%	0	0.0%	0	0.0%
Clay County	2	50.0%	0	0.0%	0	0.0%	0	0.0%
Colfax County	32	21.9%	3	66.7%	0	0.0%	0	0.0%
Cuming County	14	35.7%	0	0.0%	1	0.0%	0	0.0%
Dakota County	19	15.8%	2	0.0%	0	0.0%	0	0.0%
Deuel County	8	12.5%	1	0.0%	0	0.0%	0	0.0%
Dodge County	25	28.0%	1	100.0%	3	33.3%	0	0.0%
Douglas County	544	31.6%	133	56.4%	10	50.0%	0	0.0%
Dundy County	3	33.3%	0	0.0%	0	0.0%	0	0.0%
Fillmore County	3	33.3%	2	50.0%	0	0.0%	0	0.0%
Furnas County	5	60.0%	0	0.0%	0	0.0%	0	0.0%
Gage County	11	27.3%	2	0.0%	9	33.3%	0	0.0%
Hall County	137	37.2%	27	51.9%	26	69.2%	0	0.0%
Hitchcock County	6	33.3%	0	0.0%	0	0.0%	0	0.0%
Jefferson County	2	0.0%	0	0.0%	0	0.0%	1	0.0%
Keith County	13	23.1%	0	0.0%	0	0.0%	0	0.0%
Kimball County	1	100.0%	0	0.0%	0	0.0%	1	0.0%
Lancaster County	394	36.0%	76	50.0%	46	63.0%	31	64.5%
Lincoln County	49	28.6%	4	0.0%	7	42.9%	1	0.0%
Madison County	59	30.5%	8	62.5%	5	40.0%	4	0.0%
Merrick County	17	17.6%	2	0.0%	0	0.0%	0	0.0%
Otoe County	58	25.9%	1	100.0%	1	100.0%	0	0.0%
Perkins County	6	50.0%	1	100.0%	0	0.0%	0	0.0%
Platte County	83	41.0%	2	100.0%	3	66.7%	0	0.0%
Polk County	1	0.0%	0	0.0%	0	0.0%	0	0.0%
Red Willow County	19	26.3%	2	0.0%	0	0.0%	0	0.0%
Saline County	6	0.0%	0	0.0%	0	0.0%	0	0.0%
Sarpy County	316	18.0%	65	47.7%	10	70.0%	3	0.0%
Saunders County	25	20.0%	4	75.0%	0	0.0%	1	0.0%
Scotts Bluff County	60	30.0%	2	0.0%	4	100.0%	0	0.0%
Seward County	18	33.3%	5	60.0%	0	0.0%	0	0.0%
Sherman County	9	11.1%	0	0.0%	0	0.0%	0	0.0%
Washington County	10	50.0%	0	0.0%	0	0.0%	0	0.0%
Wayne County	2	0.0%	0	0.0%	0	0.0%	0	0.0%
York County	7	28.6%	0	0.0%	0	0.0%	0	0.0%

Number of Times Recidivated

In addition to whether a youth reoffended, we also calculated the number of times a youth was filed on for a new violation post discharge from a diversion program. To simplify the analysis, we recoded discharge reason into three groups: (1) youth successfully discharged, (2) youth unsuccessfully discharged (i.e., youth had a new law violation and youth failed to meet the program requirements), and (3) youth who never enrolled or other (i.e., program declined admission, youth/parent refused, referral withdrawn, or other).

The majority of youth only had a single instance of recidivism (n = 1481, 62.3%) following diversion; 21.4% (n = 509) recidivated twice, and the remaining recidivated more than twice (Table 19).

Table 19: Number of Times Youth Recidivated Post-Discharge

Times Recidivated	Frequency	Percent
1	1,481	62.3
2	509	21.4
3	214	9.0
4	85	3.6
5	36	1.5
6	22	0.9
7	14	0.6
8	4	0.2
9	4	0.2
10	3	0.1
11	3	0.1
12	1	0.0
13	1	0.0
Total	**2,377**	**100.0**

For youth who recidivated at least once, we examined the frequency of recidivism by comparing whether youth who were successfully discharged significantly differed in the number of times they recidivated as compared to youth unsuccessfully discharged and who never enrolled. As noted by different subscripts in Table 20, youth that were unsuccessfully discharged or who never enrolled had significantly more times recidivating following discharge than youth successfully discharged [$F(2, 2259) = 4.94$, $p<.001$]. Youth who never enrolled and who were unsuccessfully discharged had a similar number of recidivism occasions. This means that youth who were successfully discharged, despite recidivating, had fewer violations than those who were unsuccessful or who did not participate, but that youth who were unsuccessful or never enrolled were equally as likely to have multiple occasions of recidivism to each other.

Table 20: Average Number of Times of Recidivism by Discharge Type		
	Mean	***SD***
Successful Discharge	1.59_a	1.19
Unsuccessful Discharge	1.88_b	1.44
Never Enrolled or Other	1.74_b	1.26
Total	**1.70**	**1.13**

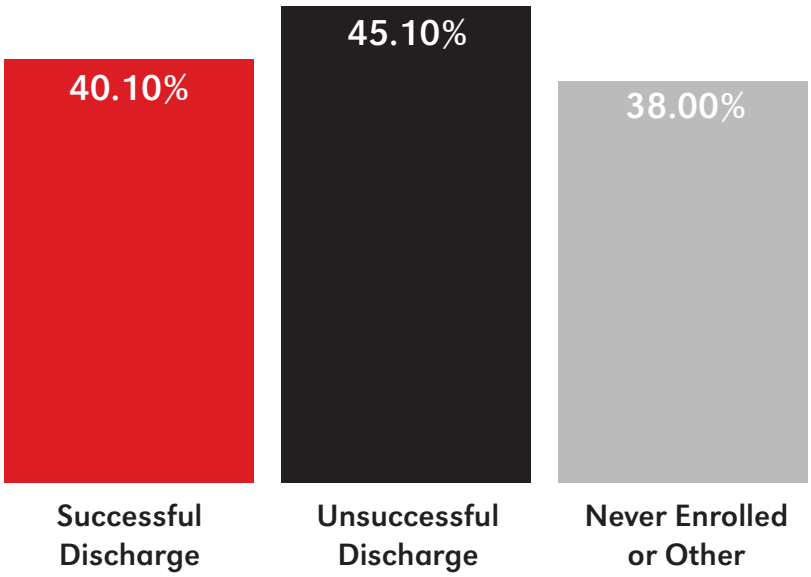
Recidivated by Offense Type

For youth who recidivated, we examined whether the offenses for which they recidivated matched the offenses that were referred to diversion. To do so, we compared whether the offense that resulted in the referral to diversion matched the offense the youth committed on the first occasion he or she recidivated. We coded each offense according to 10 categories:

(1) traffic violations (e.g., negligent/reckless driving, leaving the scene of an accident); (2) drug or alcohol related (e.g., minor in possession, possession of marijuana or other controlled substances, tobacco); (3) property crimes (e.g., theft, shoplifting, trespass, burglary, vandalism/graffiti); (4) crimes against person (e.g., robbery, assault sex crimes); (5) weapons related; (6) procedural/administrative (e.g., false reporting, refusing to comply with officer, fleeing arrest); (7) uncontrollable/disorderly (e.g., disturbing the peace, uncontrollable juvenile); (8) truancy; (9) curfew; or (10) unclear/unspecific.

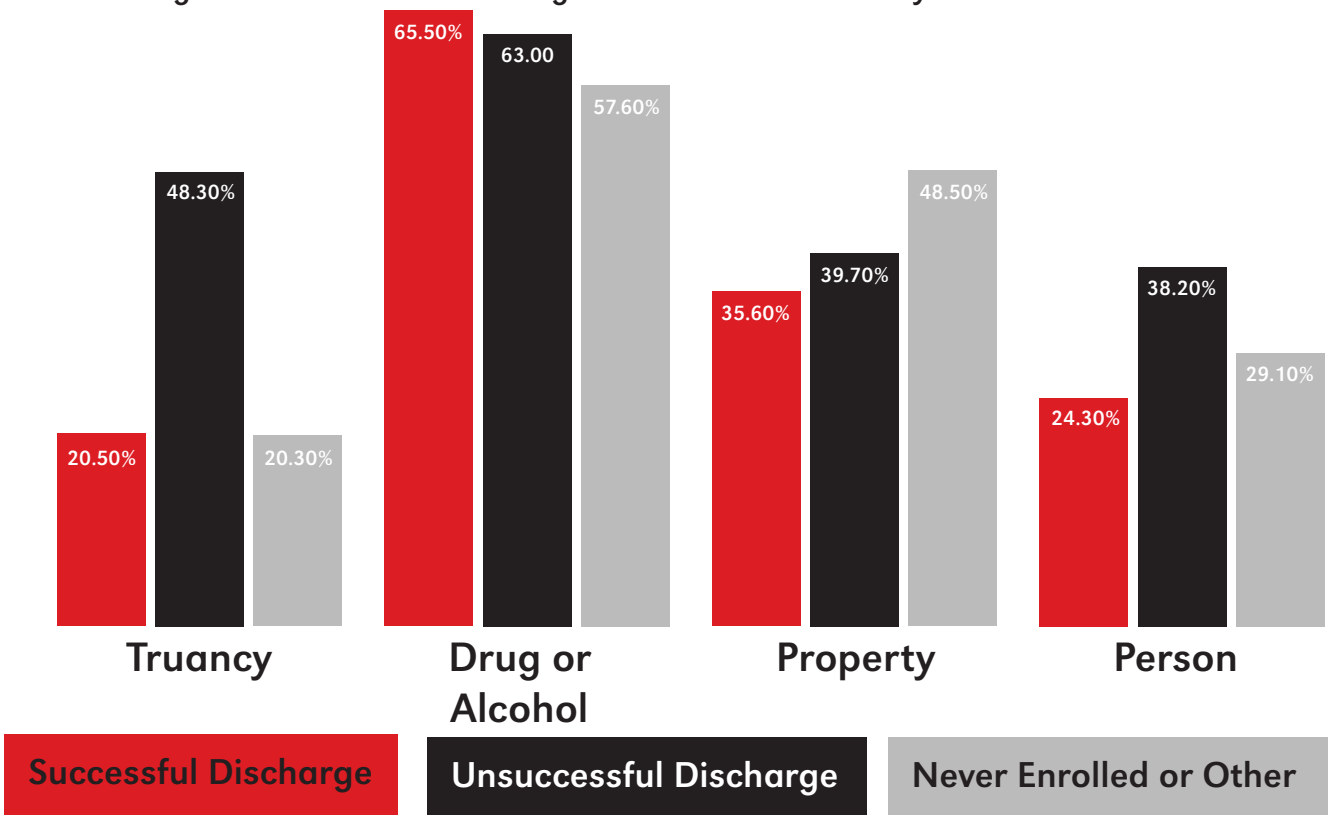
Overall, of the youth who recidivated, 40.8% recidivated with a similar type of offense. When comparing whether there were significant differences by discharge using Chi-Square tests, youth who were unsuccessfully discharged were more likely to recidivate with the same type of offense than youth successfully discharged or youth who never enrolled/other [x^2 (2) = 6.03, p<.05]; See Figure 7.

Figure 7. Rates of Recidivating with the Same Offense Type



To more specifically examine these trends by offense type, we compared whether youth who were referred to diversion for specific offense types were more likely to reoffend with that same offense type. Figure 8 displays the rates of recidivism with the same offense type for youth referred with a truancy charge, drug or alcohol-related charge, property charge, or crime against person charge.

Figure 8. Rates of Recidivating with the Same Offense by Diversion Offense



In comparing rates across all offense types, there are some noted differences in patterns by offense type. For instance, youth with truancy charges have the lowest likelihood of recidivating with a new truancy charge following a successfully discharge (20.5%); whereas youth with drug or alcohol charges have the highest likelihood of recidivating with a new drug or alcohol offense following a successful discharge (65.0%). After an unsuccessful discharge, however, it appears that youth with offenses related to crimes against people (38.2%) or property (39.7%) have a lower likelihood of recidivating than truancy (48.3%) or drug and alcohol offenses (63.0%).

Youth referred to diversion with at least one truancy case, for example, demonstrated a pattern in that youth who were unsuccessfully discharged were more likely to recidivate with a similar offense than youth who were successfully discharged or who never enrolled/other [x^2 (2) = 15.43, p<.001].

Youth referred to diversion with at least one property offense, on the other hand, demonstrated a different pattern such that youth who successfully discharged were less likely to recidivate with a similar offense than youth who never participated/other, but equally as likely as youth who were unsuccessfully discharged [x^2 (2) = 8.31, p <.05].

Contrast this with the pattern for youth referred to diversion with drug or alcohol-related and crimes against person offenses. Youth that were referred with a drug or alcohol-related offense were equally as likely to recidivate with another drug or alcohol offense than youth who were successfully discharged or who never enrolled/other [x^2 (2) = 3.34, p=.19]. Furthermore, there were no significant differences for youth with a crime against person offense demonstrating that they too were equally as likely to recidivate with another crime against person offense regardless of discharge reason [x^2 (2) = 3.47, p = .18].

There are a couple of possible explanations for this. One is that youth with drug or alcohol-related referrals may be more likely to reoffend with the same type of offense because they are higher risk or have a more difficult time refraining from drug and alcohol-related activity. Another explanation may be that diversion programming is better suited for addressing behaviors related to some offense types rather than other offense types.

Recidivated by Offense Severity

In addition to type of offense, it may be important to understand whether diversion participation is reducing the risk that youth commit more serious offenses following diversion. As such, we compared whether the offense that resulted in the referral to diversion matched in severity to offense the youth committed on the first occasion he or she recidivated. We coded each offense according to 4 categories:

> (1) felony (person, property, drugs, weapons, other); (2) misdemeanor (person, property, drugs, weapons, other); (3) status offense; (4) other offense (traffic violation, administrative violation, violation of court order).

Then, we indicated whether the youth's first recidivism offense(s) decreased, increased, or stayed the same in severity from the diversion referral offense(s). If the youth had more than one offense at either time (diversion or recidivism), then we used the most serious offense for analysis.

Overall, most youth's offenses were of the same severity for diversion and the recidivating offense (75.2%); while 7.6% decreased in severity and 17.2% increase in severity [x^2 (4) = 25.76, p < .001]. Results by discharge type revealed that severity of offense did not increase or decrease by successful or unsuccessful discharge; however, youth who never enrolled or other were more likely to increase in severity, and less likely to decrease or stay the same when compared to youth successfully discharged. Youth who were unsuccessfully discharged were also less likely to increase in severity than youth who never enrolled or other.

Although this could mean that youth who never enroll fair worse in terms of recidivism than youth who at least enrolled for a time-being (regardless of being discharged unsuccessfully), it may also mean that youth who never enrolled/other were higher risk youth. Without consistent information on youth's level of risk, however, we are unable to account for these types of competing explanations.

Table 21: Rates of Recidivating with a Less or More Severe Offense

	Decreased in Severity	Similar Severity	Increased in Severity
Successful Discharge	$9.1\%_{a}$	$76.4\%_{a}$	$14.6\%_{a}$
Unsuccessful Discharge	$6.6\%_{a,b}$	$76.2\%_{a,b}$	$17.2\%_{a}$
Never Enrolled or Other	$5.1\%_{b}$	$71.3\%_{b}$	$23.6\%_{b}$
Total	**7.6%**	**75.2%**	**17.2%**

Limited Sample: Program and Risk-Level Variables

Contract Activities - Diversion Program Requirements

As documented in the Nebraska Juvenile Pretrial Guidelines (2015), which outlines best practice recommendations for diversion, several activities should be available to youth enrolled in diversion and these activities "must match the needs of the youth and should be relevant to the alleged offense when appropriate". There are some requirements, however, that can apply to all youth including community service and refraining from violating the law. In JCMS, programs included approximately 45 activities that a youth may be required to complete. We recoded those into 10 categories that are displayed in Table 22. Overall, the most common activity type was an administrative requirement such as paying a diversion fee or a curfew. The next most common was community service, followed by attending some form of class (both in person classes and online classes).

Table 22: Types of Activities Youth in Diversion are Required to Complete

	Frequency	Percent
Administrative Requirement (fee, curfew)	3,706	34.7%
Community Service	1,920	18.0%
Attend Class (RDMC, TAW)	1,754	16.4%
Victim Focus (restitution, apology, mediation)	993	9.3%
Independent Assignment	862	8.1%
School Engagement	729	6.8%
Evaluation or Therapy	530	5.0%
Youth Employment	61	0.6%
Unspecified	47	0.4%
Parent or Guardian Requirement	45	0.4%
Teen Court	22	0.2%
Total		**100.0%**

Based on each of these 10 coded categories, we examined whether any of them were related to completing diversion successfully or recidivism. One caveat that should be noted, however, is that this only includes activities for 2,238 youth (approximately one in four of the total sample).

With respect to program completion, the only activity that was significantly related to completion was whether the youth had been referred for an assessment or therapy (mental health or substance abuse). Youth with a requirement to have an evaluation or therapy were more likely to successfully complete the program (73.1%) than youth who did not have an evaluation or therapy [x^2 (1) = 37.48, p < .001].

With respect to recidivism, four activities were significantly related to reoffending. Youth with community service requirements were less likely to reoffend (78.1%) than youth without community service [x^2 (1) = 12.18, p < .001]; youth with administrative requirements were less likely to reoffend (78.5%) than youth without them (21.5%) [x^2 (1) = 8.20, p < .01]; youth with an individual assignment (23.4%) were less likely to reoffend than youth without one (76.6%) [x^2 (1) = 3.97, p = .05]; youth with an evaluation or therapy (76.6%) were less likely to have a new offense than youth who did

not (33.7%) [x^2 (1) = 53.43, p < .001]. Finally, youth with a parent or guardian required to participate beyond the initial intake, were less likely to recidivate than youth without this requirement [x^2 (1) = 10.51, p < .01].

One limitation is that relatively few programs included all of the program goals and objectives; and that some of the largest counties do not have activities entered in to JCMS. Although our findings are significant, future research would ideally include all counties.

Youth Screening and Assessment Scores

According to Nebraska statute, a juvenile pretrial diversion program "shall provide screening services for use in creating a diversion plan utilizing appropriate services for the juvenile" (Neb. Rev. Stat. § 43-260.04(5)). As documented in the Nebraska Juvenile Pretrial Guidelines (2015), programs may utilize any screening and assessment tool related to risk of future harm, needs or strengths, or behavioral/mental health.

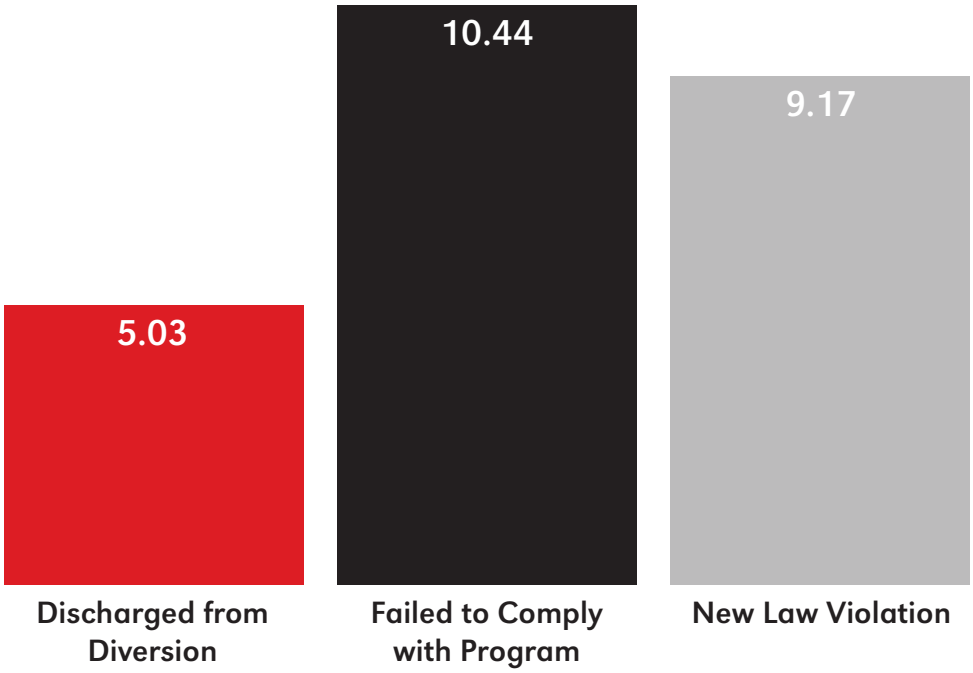
Of the 8,196 youth enrolled in diversion, data for screening or assessment scores were only entered for 868 cases (10.6%). Only 23 counties have entered information on screening or assessment scores into JCMS (Buffalo, Chase, Custer, Dakota, Dodge, Dundy, Gage, Hall, Hamilton, Kearney, Madison, Merrick, Nance, Otoe, Perkins, Platte, Polk, Red Willow, Sarpy, Saunders, Seward, Webster, and York). Of those counties, only 3 counties had greater than 90% of the youth with a screening or assessment score (Custer, Hamilton, and Saunders). The remaining counties with a diversion program either did not screen youth with a screening tool or did not enter the scores into JCMS.

Programs utilized a variety of screening tools but the most common were the Youth Level of Service (YLS), the Massachusetts Youth Screening Instrument-Version 2 (MAYSI-2), the Developmental Assets Profile (DAP), the Global Appraisal of Individual Needs (GAIN), and the Nebraska Youth Screen (NYS). The YLS and NYS are intended to measure future risk of reoffending; the MAYSI-2 measures mental health needs; the DAP measures internal strengths and support; the GAIN identifies a range of needs. Although all assessments are appropriate under statute and the Nebraska Juvenile Pretrial Guidelines (2015), only the YLS and NYS are intended to measure future risk of reoffending.

The YLS is the most common risk assessment tool in Nebraska diversion programs. Specifically, while only 40 youth have NYS scores entered into JCMS, 559 youth have YLS total scores entered into JCMS. Because there are so few youth with NYS scores, we only conducted analysis with the YLS total, which included data from the following counties: Dodge, Hall, Merrick, Nance, Platte, Sarpy, and Saunders. In general, the YLS-total ranges from a score of 0 (the lowest risk) to 42 (the highest risk). In this sample of youth, the average YLS-total score was 6.05 (SD = 4.82), which is considered low risk. The range of scores in this sample was 0 to 30.

Using ANOVA procedures, which compares whether there are mean differences between groups, we examined whether YLS-total scores significantly differed by discharge reason [F(3,548) = 38.13, p<.001]. Figure 9 includes the YLS-total scores by discharge reason for the 550 youth who were enrolled in a diversion program and who had a YLS-total score. Please note that for two youth, the discharge reason was "other" and they were not included in the figure because there were so few youth in that group. Youth who successfully completed the program had a significantly lower YLS-total score than youth who did not successfully complete the program; however, there were no difference in scores between youth who failed to comply with the program or had a new law violation.

Figure 9. YLS-Total Scores by Discharge Reason



We also estimated the probability a youth would recidivate based on the YLS-total scores using logistic regression procedures. The results indicated that YLS-total scores significantly predicted whether a youth would recidivate, accounting for 10% of the variance (Nagelkerke R2 estimate). It is expected that the odds of re-offense increased by 13% as the YLS-total score increased by 1 point [B = 0.12, SE = 0.2, Wald $x^2(1) = 30.95$, $p<.001$]. As such, it appears that YLS-total scores are predictive of recidivism with the limited sample of youth available.

Limitations

Control Variables and Missing Data

A number of relevant data may impact and predict whether a youth will be successful on diversion. There may be practical issues like whether the youth has responsible adults in his or her life to help him or her meet the requirements of diversion, attend classes or pay the court fees. Socioeconomic factors may influence whether a youth is successful in diversion. Often there are individual level risk factors that influence a youth's ability to complete diversion, like deviant peer groups, mental health issues, prior trauma, etc. Many of these variables are requested via the Juvenile Case Management System (JCMS). Unfortunately, most programs do not collect all of the information that might explain completion rates, and recidivism.

For example, JCMS includes fields to measure custody (one parent, both parents, state ward or guardian), family income, family size, enrollment status in school, and prior legal violations. Within the data we extracted from 2012 to 2015 we have data for the following percentage of youth: custody (64.8%); family income (15.3%); family size (20.8%), school enrollment (54.9%), and prior legal violations (7.3%). With more complete data, we could control for various youth factors that contribute to outcomes, identify what type of youth are best served in diversion, and explain why some programs may have better outcomes than others.

Furthermore, as a result of incomplete or missing data, there were some analyses that were not completed and several that could not be carried out. A primary outcome variable is whether youth have new law violations following their discharge from diversion. In a percentage of cases, however, we could not calculate whether a law violation occurred following discharge because there was no discharge reason. Although some cases could have been active cases, many were not; and as such, we could be under-estimating recidivism rates in cases without a discharge date. Similarly, without a discharge reason, we are unable to identify successful and unsuccessful youth. Without this, we are limited in ascertaining how youth are doing in diversion programs and whether diversion programs are having an impact on recidivism.

One recommendation when analyzing recidivism rates is to take into account the assessed risk level of the population being measured because recidivism rates differs substantially depending on the risk-level of the youth (National Reentry Resource Center, 2104). Of the 8,196 youth enrolled in diversion, data for screening or assessment scores were only entered for 868 cases (10.6%). Analysis with this small subset did show promising results in that the YLS-total was predictive of recidivism; however, with such a small subset of the sample these results should be yielded with caution. If it is the case that programs assessed youth but did not enter the scores into JCMS, then it would be possible for the Juvenile Justice Institute to update these analyses to get a clearer picture of the predictive validity of the YLS-total for youth in diversion programs. Previous research has mostly examined the predictive validity of the YLS in higher risk youth (e.g., probation); therefore, this is an area ripe for investigation and would be beneficial to the state.

Program-level variables are another area that could help explain outcomes for youth. In JCMS, programs are asked to complete information about the types of activities or interventions that each youth is required to complete. Of the 8,196 youth enrolled in diversion, data for diversion requirements were only entered for 2,238 cases (27.3%). Although results indicated that some activities are related to program outcomes and recidivism, we are not able to determine whether the activities are causing these outcomes or whether there are youth characteristics that may explain the

relationship (i.e., risk-level, needs, mental health or substance abuse issues). Some preliminary results with an even smaller subset of youth (n = 392) with both activities and a YLS-total score in JCMS do indicate that risk-level is related to whether a youth is required to completed certain activities (i.e., individual assignment, attending classes, having an evaluation or therapy, and school engagement). Again, however, a higher percentage of complete data would be required for more reliable analysis.

Conclusion

In this analysis of juveniles who completed diversion between 2012-2015, the results are promising. Despite research that shows diversion nationwide may not be effective, Nebraska programs overall appear to significantly impact whether or not a youth is charged with a subsequent law violation. However, this is only accurate if the youth successfully completes the program, and it does vary by county. One important area to focus our efforts is understanding why youth fail to enroll in diversion, and overcoming that obstacle. A second area that appears to impact diversion outcomes is the content of the diversion programming. It is likely that outcomes for youth may be explained by both the type of programming the youth receives and the quality of the programming.

The Juvenile Justice Institute anticipates producing a statewide juvenile diversion report every three years, as part of the Evidence-Based Nebraska series. It is our hope that data input and quality will be improved in upcoming years, so that we can examine specifically the types of diversion programming that have the most significant impact. Individual level characteristics, program level and county level variables will help explain the variance in program outcomes.

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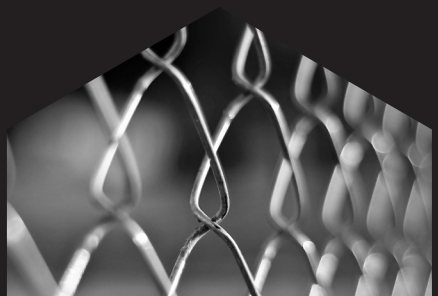

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Attachment B: Nebraska Truancy and Absenteeism Programs 2015-2016

EVIDENCE-BASED NEBRASKA

NEBRASKA TRUANCY AND ABSENTEEISM PROGRAMS

2015 to 2016

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Table of Contents

Executive Summary

There are a wide variety of programs that address truancy and absenteeism across the state of Nebraska. This report is the first opportunity that we have had to quantify whether or not truancy interventions effectively encourage youth to improve school attendance. In the beginning of this report, we present three example program models that differ in the approach and interventions for addressing absenteeism. In the second part of this report, we present data on the youth served and the effectiveness of the truaancy interventions across Nebraska.

The Community-based Juvenile Services Aid Program fund specifically outlines funding particular activities, including truancy prevention and intervention programs, and setting state policy. The philosophy of the fund is that youth who are having problems attending school regularly are best served in our communities, not through the court system. To measure effectiveness, data were collected using a pre-and-post design. That is, programs entered youth absences prior to enrolling in the truancy program and then after the youth enrolled. The Juvenile Justice Institute (JJI) then calculated the change in attendance for these two time periods.

In FY 2015/2016, a total of twenty-nine programs addressing absenteeism were funded through Community-based Aid. Approximately 1,237 youth participated in these programs and remained out of the juvenile justice system, for at least a short period of time. Programs and schools worked diligently to gather the data required to calculate whether youth improved attendance. Overall, 21 programs were able to input sufficient data. Of those, 57% (12 of the 21 programs) showed a statistically significant ($p < .05$) improvement in absenteeism, and an additional seven showed measurable improvement in attendance while they were working with the youth. Furthermore, with the exception of absences for religious reasons—all absence types improved after a youth enrolled in a program, whether the youth was ill, truant, excused, or parent acknowledged. We then examined whether age, gender, race or other factors impacted change in attendance. Gender was the only youth demographic that affected attendance improvement. Although both males and females had improved attendance overall, females demonstrated a greater reduction in absences than males.

Although there were some challenges in this first year in gathering data for various reasons (e.g., not having access to data, not knowing what needed to be entered), programs have expressed that data collection will improve in the upcoming years as they learn the system. Although this initial report represents only two points in time, we hope to eventually capture youth attendance after they complete the program, in order to determine long-term effectiveness. We also plan to measure program impact on other long-term goals including graduation and future delinquency. JJI will continue to improve JCMS to capture informative data including measuring specific reasons for absences and specific interventions.

Introduction

A growing body of research illustrates that missing an excessive number of school days, regardless of reason, can place a child at risk of falling behind academically and may cause the child to become discouraged about school. As a risk factor, truancy and absenteeism have been associated with negative outcomes, including poor academic performance, substance abuse, gang activity, sexual promiscuity, involvement in criminal activities, and school dropout (Baker, Sigmon & Nugent, 2001; Huizinga, Loeber, and Thornberry, 1995; Monahan, VanDerhei, Bechtold & Cauffman, 2014; Sutphen, Ford & Flaherty, 2010).

In response to research linking negative outcomes to irregular school attendance, many states like Nebraska passed more stringent truancy laws to discourage excessive absenteeism. According to statute, schools "may report to the county attorney" when the school's efforts have not been successful, resulting in twenty or more absences (Neb. Rev Stat. § 79-209). Statute requires the schools to form collaborative plans to "reduce barriers to improve regular attendance" prior to referring a case to the county attorney. These include:

> (a) Verbal or written communication by school officials with the person or persons who have legal or actual charge or control of any child; and
> (b) One or more meetings between, at a minimum, a school attendance officer, a school social worker, or a school administrator or his or her designee, the person who has legal or actual charge or control of the child, and the child, when appropriate, to attempt to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall consider, but not be limited to:
>
> (i) Illness related to physical or behavioral health of the child;
> (ii) Educational counseling;
> (iii) Educational evaluation;
> (iv) Referral to community agencies for economic resources;
> (v) Family or individual counseling; and
> (vi) Assisting the family in working with other community services. (Neb. Rev. Stat §79-209(a) and (b)).

Nebraska's Community-based Juvenile Services Aid Program

Recognizing that unnecessary formal involvement in the juvenile justice system may be contrary to the best interests and well-being of juveniles, the state of Nebraska established a fund entitled the Nebraska's Community-based Juvenile Services Aid Program (CBA) Fund, to support local programs and services for juveniles (Neb. Rev. Stat. § 43-2404.02). The purpose of the Community-based Aid Fund is to assist counties with developing intervention and prevention activities "designed to serve juveniles and deter involvement in the formal juvenile justice system" (Neb. Rev. Stat. § 43-2404.02(b)). This fund encourages the provision of appropriate preventive, diversionary, alternatives for juveniles, as well as better coordination of the juvenile services system. The statue specifically outlines funding particular activities, including truancy prevention and intervention programs. Specifically, lawmakers intended the CBA funding to be utilized for:

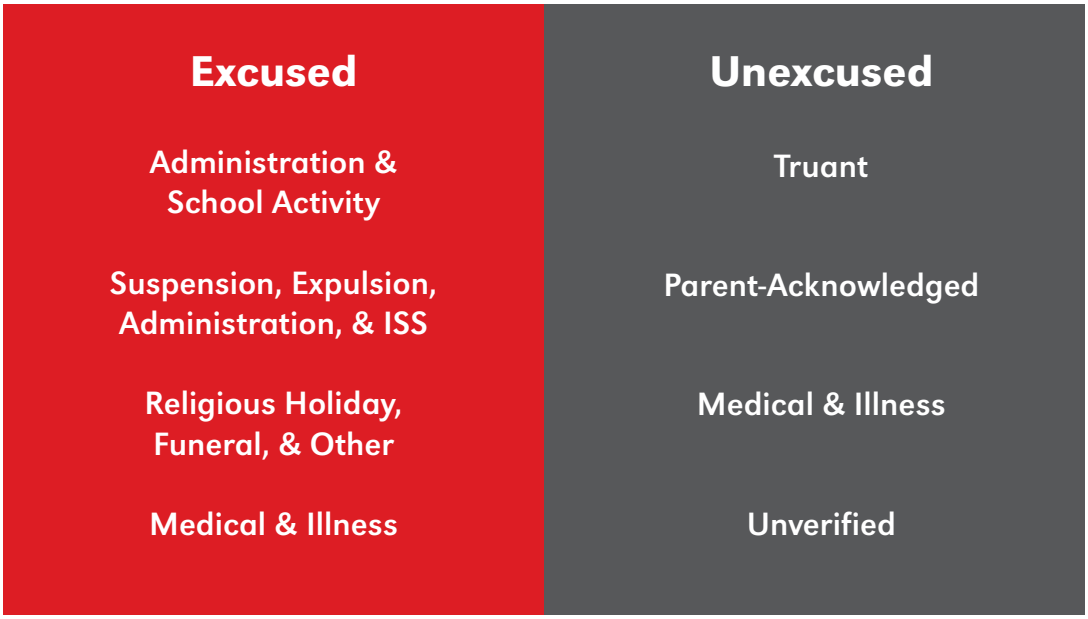
> "programs for local planning and service coordination; screening, assessment, and evaluation; diversion; alternatives to detention; family support services; treatment services; truancy prevention and intervention programs; pilot projects approved by the commission; payment of transportation costs to and from placements, evaluations, or services; personnel when the personnel are aligned with evidence-based treatment principles, programs, or practices; contracting with other state agencies or private organizations that provide evidence based treatment or programs' preexisting programs that are aligned with evidence-based practices or best practices; and other services that will positively impact juveniles and families in the juvenile justice system." (Neb. Rev. Stat. § 43-2404.02(b)).

Reporting Data in JCMS

Programs funded through CBA, and more specifically, truancy and absenteeism programs are statutorily required to report data to the Nebraska Commission on Law Enforcement and Criminal Justice (Nebraska Crime Commission or NCC) to receive the CBA funds. This requirement is fulfilled when programs enter youth information and attendance records into the Juvenile Case Management System (JCMS), which is a secure, web-based application. JCMS assists programs with meeting their statutory obligation to report, but it also established statewide definitions across programs. This provides for consistent measures across truancy programs, regardless of where they are located across Nebraska.

In order to establish consistent definitions across key data elements, like types of absences, the Juvenile Justice Institute held several webinars and in-person training sessions and gathered absenteeism codes from several school districts in Nebraska—both rural and urban. With these absentee codes, JJI created eight categories; four excused: (1) administrative/school activity, (2) suspension, (3) religious/funeral, and (4) medical/illness; and four unexcused: (5) truant, (6) parent acknowledged, (7) medical/illness, and (8) unverified (Figure 1). There are also field options to enter excused and unexcused tardiness. Programs were instructed and trained to enter absences in to JCMS according to how the school counted the absence. For instance, if the school counted the absence as excused, the program should document the absence under the most relevant excused absence category (i.e., Administration, School Activity; Suspension, Expulsion Administration, ISS; Religious Holiday, Funeral, Other; and Medical, Illness).

Figure 1. Absence Types in JCMS



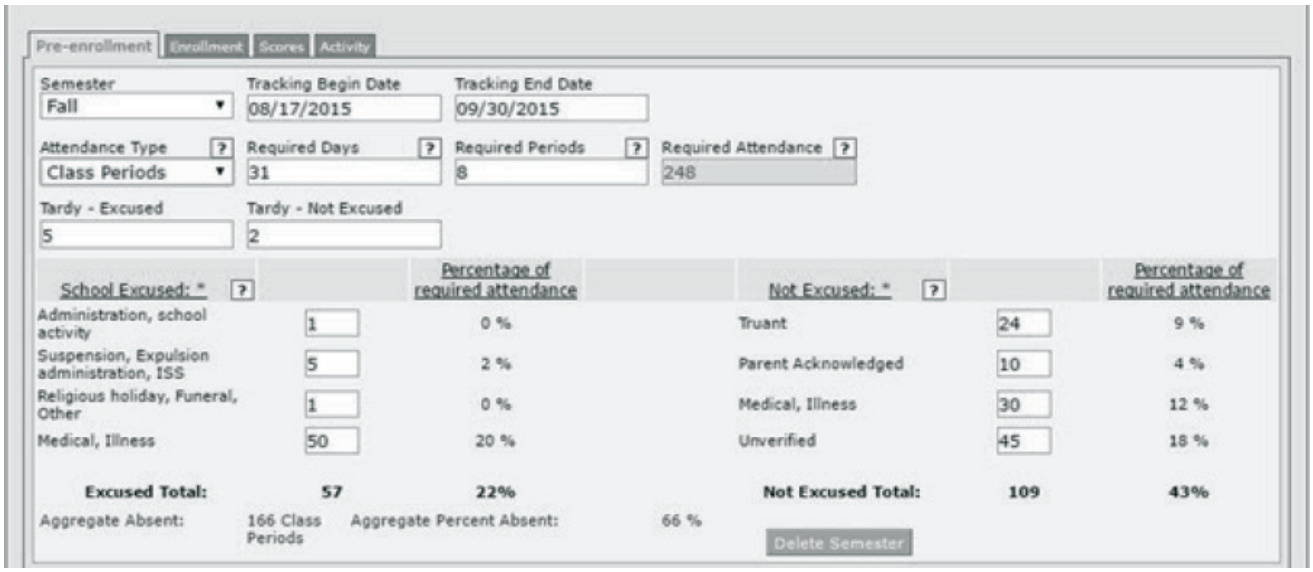
To measure whether their efforts have an impact, programs entered absence information prior to the youth's enrollment in the program – to document the pattern of absenteeism before the intervention. Based on the enrollment or case date, programs also entered absence information after the program's intervention. Figure 2 provides a snapshot of the pre-enrollment attendance fields within the JCMS screen.

It should be noted, however, that several programs have a "monitor only" option whereby a student does not officially "enroll" in the program but rather just receives a letter or warning from the county attorney or school official. In these types of cases, programs were asked to document pre-enrollment absences as prior to the case date (i.e., the date the family received the letter or warning) and enrollment absences after this date.

One noted benefit of JCMS is that programs are able to access youth outcomes instantly, once programs have entered both the required attendance for a given time period and the number of absences. Within each attendance time period, the following were required:

- the date range for the tracking period (e.g., from the first day of school until the day before enrollment);
- the attendance type for that school (days, half days, periods, or minutes);
- the number of required school days in that time period;
- if the school measures attendance in periods, the number of periods should be entered; if the school measures attendance in minutes, then the number of minutes in each period would also be entered; and
- the number of absences within the metric measured by that school (i.e., days, half days, periods, or minutes).

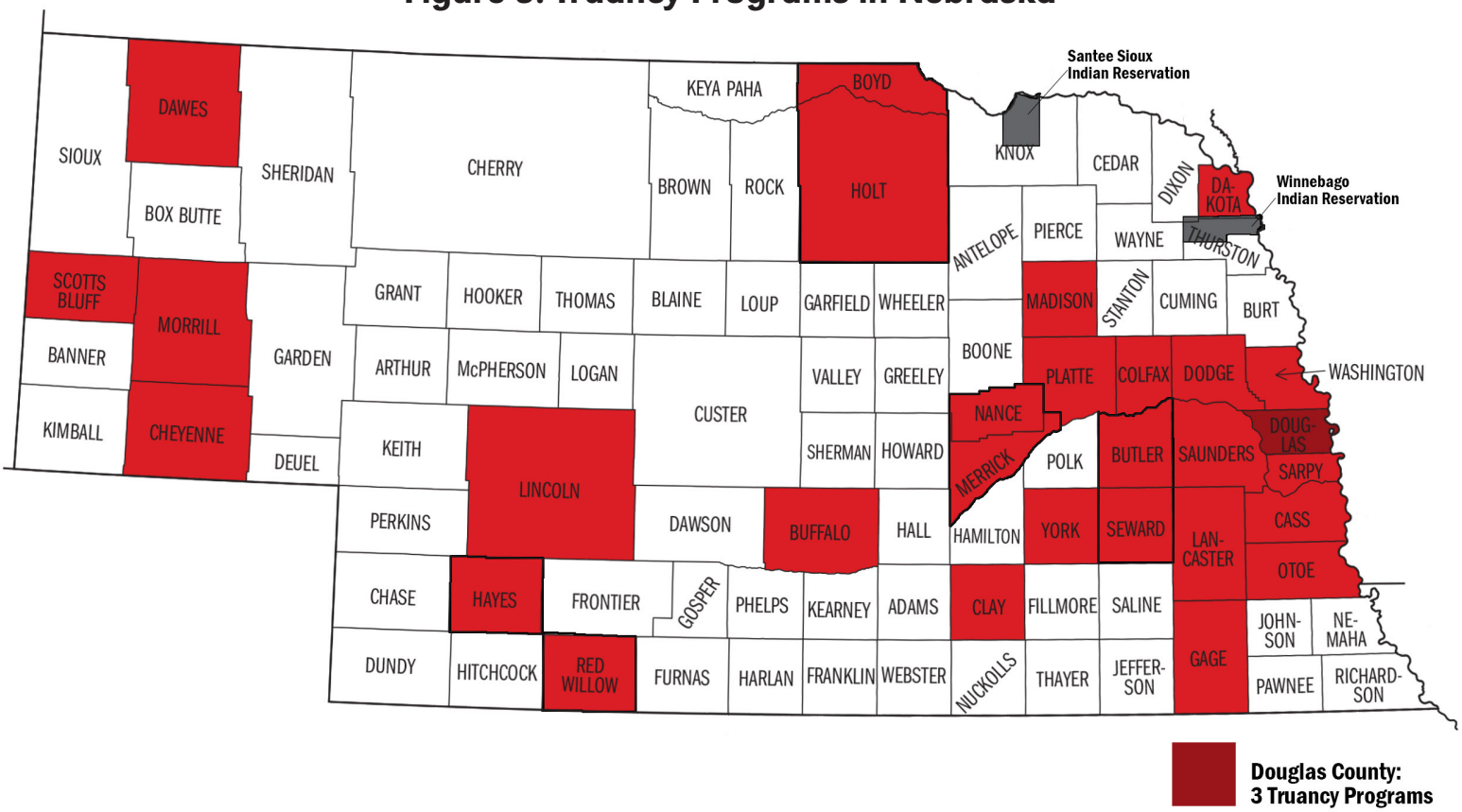
Figure 2. Pre-enrollment Example in the Juvenile Case Management System



If entered correctly, the required attendance automatically populates in the metric the school uses to measure attendance. As illustrated with the example above, the student was absent 66% of the time he was required to be in school. Once absences are entered, the percentage of required attendance the student was absent automatically populates within each category, by excused and unexcused absences, and an aggregate total. As such, programs may compare absences from pre-enrollment to enrollment or across tracking periods (e.g., fall to spring) to track students' progress.

Nebraska Programs Addressing Truancy and Absenteeism

Figure 3. Truancy Programs in Nebraska



During FY 2015/2016, approximately 29 programs (across 31 counties and tribes) that focused on issues related to truancy and absenteeism were funded through CBA. Some of these programs only work with truancy and absenteeism, while others are juvenile diversion programs that take referrals for truancy cases. Although we recognize that programs across the state address both truancy as well as other types of absenteeism (e.g., medical reasons, excused, etc.), for consistency within this report, we refer to all programs as "truancy programs."

The underlying reasons for absenteeism vary widely, consequently the most efficacious approach to absenteeism must be individualized to the youth. This is not to say the broad approaches cannot be tried first. For instance, schools generally send out a letter advising the youth and parents of the mandatory attendance law and the student's number of absences. For many students and parents, this letter may be enough to change the pattern of absences. If the letter does not improve absenteeism, programs then initiate some type of intervention. In our work across the state of Nebraska, we have found that programs use a wide range of approaches designed to increase school attendance. Below we have highlighted three of these programs.

Interview with Three Nebraska Programs

Colfax County Truancy Program

"Urban Issues in Small Town Nebraska"

Although it was classified as a truancy program, it was abundantly clear from our interviews that the Colfax County School attendance officer's duties extend far beyond school attendance. In the 2016/2017 calendar school year alone, the attendance officer has addressed safety, gang issues, domestic violence, student basic needs, and diverse cultural situations. Many of the issues faced in this small town of Schuyler are situations more commonly associated with our larger, metro areas.
The environment and industry within a region significantly impacts the educational system. A prime example of this is Colfax County. According to the 2000 census there were 10,441 people, 3,682 households, and 2,592 families residing in Colfax County. A little over one-third of the households had children under the age of 18 living at home. By 2010, the county had only 74 new residents, but experienced a 1,171.43% increase in minority population (http://censusviewer.com/county/NE/Colfax). The population has changed even more dramatically since 2010, with the growth of the meat packing industry in Schuyler.

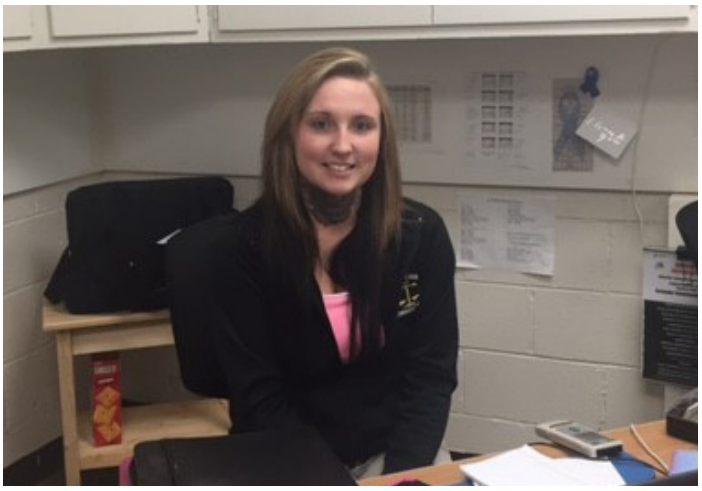
The influx of immigrants has had a seismic impact on the educational system in Schuyler, Nebraska. Notably, the school is past capacity, with 725 students in a school built to accommodate 600. The racial/ethnic composition of rural Nebraska is predominately a White. According to data from Schuyler High School, White youth make up only 13% of the 725 students in Schuyler High School. The majority of students (80%) are Hispanic and roughly 15% are from African countries, representing mostly Sudanese and Somalian cultures.

The meat packing industry is the predominant employer in this rural area of Nebraska. Cargill's largest operation in the United States is located in Schuyler, Nebraska, and locals refer to it as "the pack." The size of the company demands that workers be transported from elsewhere and many immigrants are willing to do the challenging physical labor of the meat packing plants. Consequently, the demographic breakdown of the town has changed significantly in the past decade.

The cultural influences dramatically impact the work of the attendance officer. For example, one individual missed 19 days for religious observances. With the large Muslim population in Schuyler, schools now dismiss at 1:30 p.m. every Friday to accommodate Muslim prayer time.

When the Truancy Program developed in 2014, the truancy officer was housed in the Colfax County Attorney's Office. In 2016, Ms. Pavel's title changed to School Resource Officer to reflect her changing duties. Her office is now located in a more private area in Schuyler High School where students can stop in to request help. When she was located in the county attorney's office, Ms. Pavel had less influence on the students, and was not able to be as strong of a resource to the school. By moving her office to Schuyler High School, she has been able to "be accessible to the kids and to form a better working relationship with the school." Unlike some other truancy programs, Ms. Pavel does not provide incentives, nor does she wake kids up and transport them to school. The program's model involves meeting students' basic needs for safety, hygiene, and relationships.

Figure 4. Sidnee Pavel, Colfax County



Although Ms. Pavel is sometimes called into Court, she starts her day by checking student attendance in Infinite Campus (a software used in schools for recording attendance). Using this system, she is able to quickly identify students that are not in school and not excused from school. Approximately every two weeks, she assists the school with drafting letters, notifying parents and guardians of the mandatory attendance laws in the U.S., and monitoring the number of absences. She often translates those letters into multiple languages including Spanish, Arabic, and languages native to African refugees (i.e., from Somalia and Sudan). Next, she has a meeting with the family to help identify the root of the issue and to brainstorm solutions.

Sometimes youth are afraid to come to school because of safety issues. Ms. Pavel routinely works on issues of safety and reviews school video tape of the school's perimeter. Some of the incidents that Ms. Pavel described involved groups of youth singling out a student; as well as individual students bullying multiple students. Gangs are a legitimate issue in the school, and Ms. Pavel identified four predominant gangs that operate in the school. At times, her involvement in school situations has caused concern for her own safety.

Figure 5. iPhone Stun Gun online $27.00

Ms. Pavel has worked with students who have been sexually assaulted, physically abused, and bullied. Students are clearly comfortable communicating about issues –and sometimes reach out to her on weekends and evenings to update her about an impending issue. Because of the trust she has developed, she often has a sense of what is going on in teen culture. For instance, she recently learned of Tasers that look exactly like an iPhone being purchased and sold on school grounds (Figure 5).

Sometimes, students fail to attend school because they do not have their basic needs met, like sleep and adequate clothing. When this is the situation, Ms. Pavel works with the family to secure clothing, shelter and food. She has a cabinet full of hygienic items and often reaches out to the faculty to ensure youth have adequate clothing for the winter months.

In one situation, Ms. Pavel was aware that a senior who was sleeping through his first few classes of the day was because he worked a 3rd shift at "the pack" in order to support his family. When Ms. Pavel learned of this, she was able to advocate for some schedule changes that allowed the student to get some sleep after his shift, while still obtaining the credits he needed to graduate.

Another hygiene and cultural issue that Ms. Pavel has encountered involves Muslim young women, who are often required to stay home during their menstrual cycle. Sometimes the young women attend school but do not use feminine hygiene products, because it is not part of their cultural habit.

Another gender and cultural issue involves communication. In traditional Muslim culture, women are not allowed to communicate or make eye contact with men outside their family. Ms. Pavel relayed multiple situations where this comes into conflict with school policies and practices. For example, Muslim girls often will not communicate or make eye contact with a male teacher, which can impede learning. In another situation, two young female students were involved in a physical altercation and a male teacher separated them. This became a cultural situation when the father of the Muslim girl came to school upset that his daughter had been touched by a male teacher. When a conference is necessary due to unexcused and/or excessive absence from school, generally the father is the member that represents the family outside the home. However, in some conferences, the father would not speak to Ms. Pavel, because she is a single female, and speaking to a woman is viewed as inappropriate. Clearly this makes it difficult for her to discuss the attendance problem that the child is having.

Every year brings new efforts to working with the large immigrant and refugee populations. In fall 2016, Ms. Pavel, developed a proactive letter about mandatory school attendance to send out to parents from other cultures.

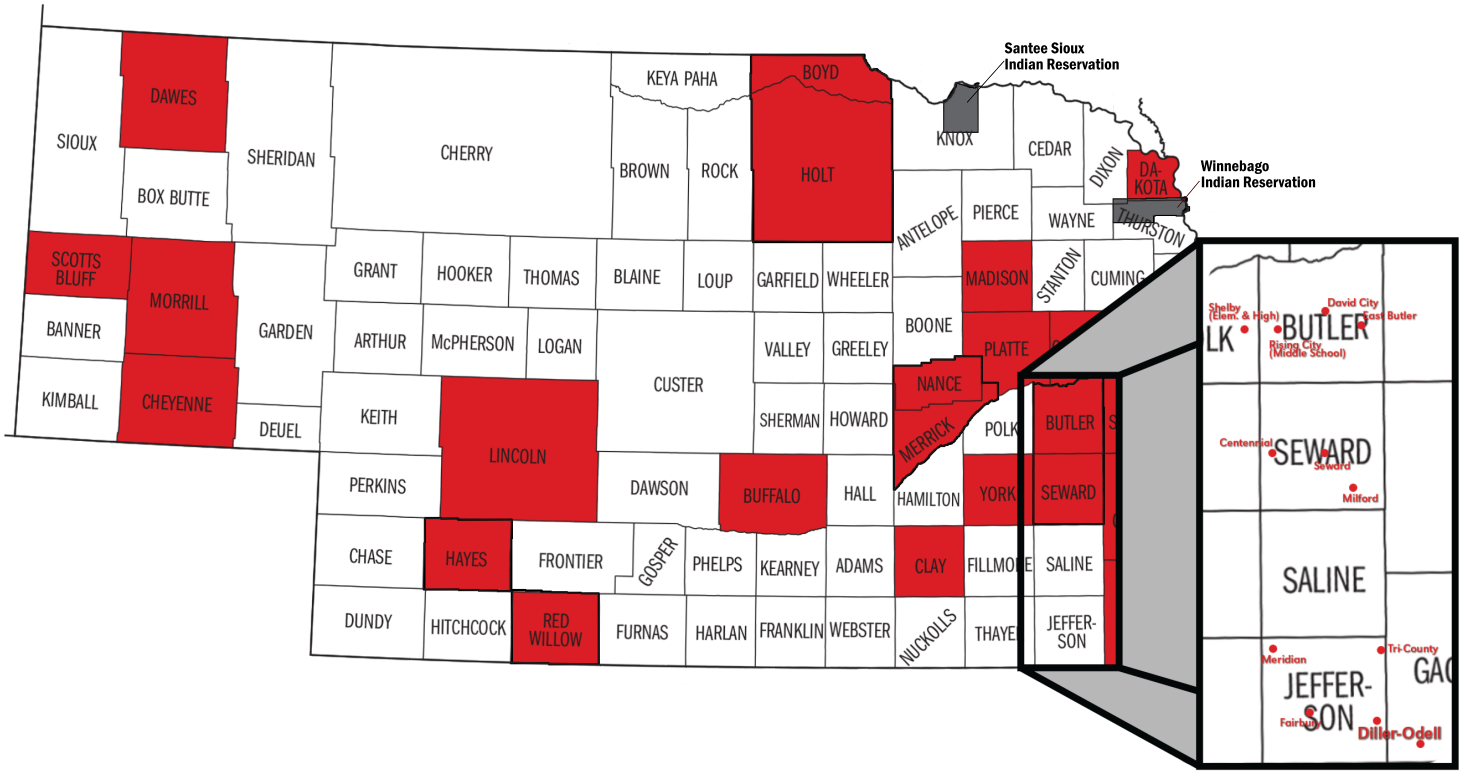
Ms. Pavel works to improve attendance by meeting students' basic needs, working closely with school officials and advocating for youth whenever possible. Often she serves as a cultural liaison across the 15 different cultures and 11 different languages spoken in Schuyler High School. She works passionately to make sure "that no kid is going to slip through the cracks" in our system.

Seward, Butler, and Jefferson Counties Attendance Support Program

"Serving Multiple Rural Towns Under a Single Program"

The Attendance Support Program is located in Seward, Nebraska, however, this program currently serves students across three counties, in 10 school districts, within 13 towns. The program, started in Seward County approximately 8 years ago, was expanded to meet the needs of students in Butler County approximately 4 years ago, and expanded in 2016 to include Jefferson County. One truancy officer, April Whitney, travels from the city of Seward to these towns to meet with students at their schools—sometimes an hour commute each way from Seward to Fairbury. Ms. Whitney does not consider the city of Seward to be rural, but the communities she travels to definitely feel more rural to her. To someone living in a metropolitan area such as Omaha, this would probably not be the case but when comparing Seward to the other towns she serves. Her point is well-made. In fact, in looking at Census.gov, the population of the city of Seward was listed as 7,167, while the populations for Fairbury and David City were unavailable because the site only publishes facts for cities and towns with a population of 5,000 or more. One of the criteria that contributes to a town feeling more rural, stated Ms. Whitney, was the number of services available in a town. While there are at least three mental health providers in Seward, the more rural communities may only have one or none at all.

Figure 6. Map of the Area Served by the Attendance Support Program



The availability of services is a barrier in and of itself, however, serving clients in small towns generates other issues as well. In smaller communities, clients have expressed not wanting to be seen walking in to "that office" because others would know they were seeking mental health or substance abuse treatment. The program has worked to establish relationships with larger cities nearby (e.g., Columbus, Nebraska) to help clients feel more anonymous, however, another barrier emerges with this—transportation to cities that could be 30 to 45 minutes away. Another barrier is that not all of the program's interventions may be feasible from a distance. For instance, it is less feasible for program

staff to visit homes first thing in the morning when a student is marked absent in cities or towns that are farther away.

When Ms. Whitney started working at diversion services, she and another staff person each worked half time with juvenile diversion and the other half time with the truancy program. After about a year, she asked if she could do the truancy program full-time because trying to do both often did not make sense. One of the key features of this program is accountability for students. Ms. Whitney checks attendance records for every youth in the truancy intervention program every morning using Power School (a software used in schools for recording attendance). If a student is not in school, she reaches out to the school, followed by the family and student (high school only) to find out the student's location. At times, she has gone to the home and worked with law enforcement to accompany the youth to school, if needed. By 10:00 am, her goal is to know who is absent, why they are absent, and what the plan is for getting to school. When doing both diversion and truancy work, at times, she was unable to troubleshoot a student's absence because of her schedule with the diversion program. Now that she is full-time with the truancy program, there is a noticeable difference because students and families have instant accountability when they are absent.

Figure 7. April Whitney, Attendance Support Program

Most of the students who are referred to the program have not yet reached the 20 absences required in statute for truancy. As such, Ms. Whitney describes the program as more of a prevention program that seeks to address the underlying issues for why a student is missing school and connect that student with the appropriate services to address underlying issues. The majority of the referrals are from the school, with very few referrals coming from the county attorney and parents. The Attendance Support Program recommends that students be referred prior to reaching 8 absences, especially if they had chronic absences in the previous semester. The program has both a monitor only and truancy intervention options. When only being monitored, youth are notified by letter that they are being monitored, and provided a brochure about the program. Attendance for the monitor only youth is checked weekly for a duration of two semesters.

If absences continue, then the student and family are asked if they would like to enroll in the truancy intervention program. Each student begins as a monitor only case if they have fewer than 15 absences and is given the opportunity to correct the behavior before they are offered the intervention program. If a youth enrolls in the truancy intervention program, they begin with an assessment questionnaire that addresses why they are missing school and any other barriers they are experiencing. At this time, they agree to an attendance plan that includes academic requirements, as well as meeting with the truancy officer as needed. Other referrals are provided as needed, but because the program is voluntary, these are typically just referrals and not necessarily part of the attendance plan.

Most of the time, Ms. Whitney is not in her office and she spends the majority of her time visiting schools and checking in with the students in the program. Ms. Whitney's office is located in the same building as the county attorney and diversion, so students do not often come to her office. When they do come to her office, she emphasizes that they are not in trouble with the law and tries to distinguish the Attendance Support Program from diversion. In fact, to emphasize this distinction, the name of the program was changed a couple of years ago from the Truancy Program to the Attendance Support Program in recognition that many students who are absent are not truant, but instead have underlying medical, mental health, or psycho-social issues that need to be addressed.

Students in the Attendance Support Program are offered incentives for adhering to their attendance plan. The approach Ms. Whitney subscribes to is to have students choose their own goals and choose from the options of small incentives. For example, students may set a goal to attend school every day for 2 weeks and receive a gift card to a nearby restaurant. Although it would be easiest to offer the same incentives for all youth across all three counties, Ms. Whitney recognizes that each student is motivated by different things. Similarly, gift cards need to be tailored to the particular area because not all towns have the same restaurant or shopping options. Surprisingly, one incentive that is popular amongst the students are notebooks. The program has a budget for incentive items and accepts donations.

Ms. Whitney identified poverty as the largest barrier to students attending school. When students live in poverty, transportation to school is sometimes difficult. Another issue is student employment or caring for other family members while parents work. Substance abuse amongst parents is another issue that seems to affect a lot of communities, especially in rural areas.

Ms. Whitney identified the program's greatest strength as accessibility. She carries a work cell phone and students and families can contact her as needed during business hours. If she is not available, then other office staff are familiar enough with the program to provide them feedback until Ms. Whitney is available. While the over-arching goal is to increase attendance, another primary goal is to have kids be more successful while in school. Families contact Ms. Whitney if they have issues with the school; similarly, the school contacts her if the student is having issues at school. As such, Ms. Whitney and the program often serve as mediators between the school and the family, addressing whatever needs the student may have to be successful.

Douglas County Truancy Diversion Program

"Collaborative Attendance Initiative in Metropolitan Nebraska"

The Truancy and Diversion Program in Douglas County was first developed in 2011 by the Douglas County Attorney's Office. The program was developed and administered by three full time attorneys. Douglas County shifted the program to a team of one attorney and two Assessment Specialists at the Juvenile Assessment Center (JAC) at the beginning of the 2015/2016 calendar school year. The program prides itself in the core mission of getting at the root of truancy and diversion issues in Douglas County. As of the 2010 census, the population of Douglas County consisted of 517,110 residents. The Truancy Prevention and Diversion Program reviews all Truancy Referrals received from Douglas County schools, an average of 1,200 annually in FY 2015/2016. Three individuals, Ms. Stirts, Ms. Moran, and Ms. Sanchez (Assessment Specialists), are vital to the successful implementation of the program in Douglas County. Ms. Stirts serves as the Deputy Douglas County Attorney in handling truancy cases for the Douglas County Attorney's Office. Ms. Moran and Ms. Sanchez are Assessment Specialists at the Juvenile Assessment Center (JAC), which serves as a focal point for comprehensive assessment and case management.

All Truancy referrals that come to the attention of the Douglas County Attorney's Office are reviewed and processed by the truancy team. The decision to refer a youth to the Juvenile Assessment Center (JAC) for diversion assessment and eligibility is at the sole discretion of the Douglas County Attorney. The County Attorney considers several factors (i.e. risk, needs and circumstances of the youth) while considering how to proceed with each youth's case. Ms. Stirts refers cases to the Juvenile Justice Center (JAC), but there are two attorneys who handle truancy cases from the Douglas County Attorney's Office (DCAO). The second attorney is Sarah Graham who is in charge of filling cases once court involvement is necessary.

Figure 8. Photo taken at the JAC in Omaha, Nebraska

Once the County Attorney refers a truancy diversion case to the JAC, the Assessment Specialists assess the youth's risk, and the barriers and needs of the youth. Through collaboration with the JAC and County Attorney, an individualized plan of services is developed for the youth, which often includes school and community-based resources based on the youth's risks, barriers, and needs. The process is truly a collaboration. While the County Attorney has her office in the Douglas County Attorney's Office (DCAO), she makes frequent visits to the JAC to review the referrals and staff cases. This collaborative environment allows the DCAO and JAC to identify and address underlying causes of absenteeism for each student in order to effectively increase engagement between student, family, school and the community at large. The idea is that by facilitating earlier and more efficient prevention and intervention services, the youth has a higher likelihood of positive life outcomes and a life diverted from delinquency.

Most of the students who are referred to the JAC for truancy diversion have missed 20 unexcused days of school. As we noted in the Introduction of this report, this is only one component of the statute—there are other steps that must be completed by the school before they should refer a student, regardless of whether the 20 days have been missed. Eligibility is determined through the full assessment process, which includes information contained in the truancy referral, collateral information gained through the school and system information. Once this information is gathered, a truancy diversion eligibility meeting is held at the school with the youth, family, Assessment Specialist, and school representatives. If the youth is determined to be eligible, they will be offered diversion enrollment contingent upon approval by the County Attorney. At this time, the youth and his or her family have participated in development of the diversion plan, and are fully aware of their individualized plan and the available resources within the community to address their specific circumstances.

Ms. Stirts and the Attendance Specialists identified poverty, family issues, and transportation as some of the most difficult barriers to students being unable to attend school. Barriers to school attendance are often found in the home, so reducing truancy requires intervention with the family. As such, having the family included in the diversion intervention meeting is essential for creating a common agenda with the youth and his or her family to improve absenteeism. Obtaining transportation is difficult for some students—especially those that are not on bus routes who have to find alternative methods of transportation to school. Although some students do receive metro bus passes, the bus stops can often be far from the youth's house or in an unsafe neighborhood in which walking alone may be unsafe. One of the greatest strengths of the Douglas County Truancy Diversion Program is the ability to work on an individualized plan for each youth with a team approach. Ms. Stirts noted that the change of administering the diversion eligibility meetings from the courthouse to schools has made a tremendous difference in truly embracing a collective team approach (i.e. student, parent, teachers, attorney, and JAC representative). The team noted that the collaborative meeting allows the youth and family to leave the room with a plan and know exactly what is expected of them. Also, there are a tremendous amount of community services that youth can be referred to for specific reasons (i.e. Physical/home situations, cultural accommodations, mental health supports etc.).

The County Attorney, the JAC Attendance Specialists and school professionals work to improve attendance through a common agenda, mutually reinforcing activities for the youth, and continuous communication. The key goal of the partnership between the County Attorney's Office and Juvenile Assessment Center are simple: intervention through collaborative efforts. It is only through collaboration between student, family, school and community that one can build connectedness and address underlying causes of absenteeism.

Youth Served in Truancy Programs

The total number of youth served in truancy programs from July 1, 2015 to June 30, 2016 was 1,237 across 29 programs (Table 1). It appears that all programs reported data into JCMS; however, there may still be diversion programs that are entering truancy cases into the diversion case management system. JJI continues to train programs in order to have an accurate account of the youth served and the programs they attended across Nebraska.

Table 1. Number and Percent of Truancy Juvenile Cases by County		
County/Tribe Program	**Number of Cases**	**Percent of Sample**
Buffalo County	92	7.4%
Butler/Seward Counties	139	11.2%
Cass County	3	0.2%
Cheyenne County	5	0.4%
Clay County	65	5.3%
Colfax County	20	1.6%
Dakota County	7	0.6%
Dawes County	26	2.1%
Dodge County	16	1.3%
Douglas County		
JAC	143	11.6%
Urban League	50	4.0%
Re Connect	23	1.9%
Gage County	59	4.8%
Holt/Boyd County	189	15.3%
Lancaster County	70	5.7%
Lincoln County	10	0.8%
Madison County	33	2.7%
Merrick/Nance Counties	13	1.1%
Morrill County	1	0.1%
Otoe County	4	0.3%
Platte County	7	0.6%
Red Willow/Hayes Counties	3	0.2%
Santee Sioux Tribe	22	1.8%
Sarpy County	54	4.4%
Saunders County	158	12.8%
Scotts Bluff County	1	0.1%
Washington County	12	1.0%
Winnebago Tribe	5	0.4%
York County	7	0.6%
Total	1,237	100.0%

Truancy Status Case Type

Table 2 displays the truancy status case type. The majority of cases (43.6 %) referred to truancy programs during FY 2015/2016 involved monitor only (n = 539); 11.5% for truancy intervention (n = 142); 14.9 % for truancy diversion (n = 184); and 30.1 % did not indicate a truancy status type (n = 243). Monitor only cases are those cases in which the program is monitoring attendance (but is not intervening) and the case is not under review by the County Attorney for filing. Truancy intervention cases are those cases in which the program has begun to take steps to intervene with the juvenile or family at the request of the school or parent. Truancy diversion cases are those cases in which the County Attorney has filed a truancy petition (or will file one if the youth does not complete the truancy intervention).

Table 2. Truancy Status Case Type		
Truancy Status	Frequency	Percent
Monitor Only	539	43.6%
Truancy Intervention	142	11.5%
Truancy Diversion	184	14.9%
Not Indicated	372	30.1%
Total	1,237	100.0%

Referral Source

Table 3 displays the referral source for each case. As one might expect, schools are the most frequent referral sources (78.8%), followed by the county attorney (15.7%). A smaller number of cases came from other sources (1 %) or a parent (.08 %).

Table 3. Referral Sources for Each Case to Truancy		
Case Source	Frequency	Percent
School	975	78.8%
County Attorney	194	15.7%
Parent	10	0.1%
Other	12	1.0%
Missing	46	3.7%
Total	1,237	100.0%

Cases by Gender

Programs served a similar number of females and males. Approximately 49.6.3 % (n =601) of the cases during this time frame involved female youth and 51.3 % (n =634) of the cases involved male youth.

N = 601 N = 634

Cases by Age

Table 4 presents the frequency of cases by age. Age at the time of referral ranged from 5 to 19, with a mean age of 11.05 (SD = 33.93). The most frequent age at the time of case was 16 (19.8 %). There were 11 cases with missing information (either missing a date of birth or a referral date); thus, age could not be calculated for those 11 youth.

Table 4. Frequency for Age by Case		
Age	Frequency	Percent
5	6	0.1%
6	19	1.5%
7	22	1.8%
8	27	2.2%
9	19	1.5%
10	29	2.3%
11	48	3.9%
12	84	6.8%
13	125	10.1%
14	181	14.6%
15	200	16.2%
16	245	19.8%
17	184	14.9%
18	33	2.7%
19	4	0.1%
Not Specified	11	0.9%
Total	1,237	100.0%

Cases by Race and/or Ethnicity

Most youth referred to truancy programs were White (n = 816; 66.0 %), followed by Hispanic (n=198; 16.0 %) and Black/African American (n= 114; 9.2 %). For a few cases, race and/or ethnicity was not specified (n= 3; .02 %). Fewer youth were American Indian (n= 59; 4.8 %), Asian (n= 5; .04%), Native Hawaiian, Other Pacific Islander (n=2; .02 %), Other Race (n= 7; .06 %) and Multiple Races (n= 33; 2.7 %).

When we compared the race of youth in truancy programs to the racial and ethnic composition of Nebraska youth of the same age (5-17), data indicated that White and Asian youth were underrepresented in truancy programs; while Hispanic, Black/African American and American Indian youth were overrepresented in truancy programs (Table 5).

Table 5. Nebraska Population Ages 5-19 Referred to Truancy Program

	Nebraska		Truancy Programs	
Race/Ethnicity	Frequency	Percentage	Frequency	Percentage
White	245,725	73.0%	816	66.0%
Hispanic	47,791	14.2%	198	16.0%
Black/African American	26,182	7.8%	114	9.2%
American Indian	7,549	2.2%	59	4.8%
Asian, Pacific Islander	9,184	2.7%	7	0.6%
Other or Multiple Races	–	–	40	3.2%
Unspecified	–	–	3	0.2%
Total		100%	1,237	100.0%

Truancy Program Outcome Measures

Methodology

In order to measure change in school attendance patterns, programs entered attendance data for every youth who participated in their program. This was a fairly complex process and programs should be commended for their dedication to entering attendance data.
The Juvenile Justice Institute calculated attendance patterns for two time periods:

- Pre-enrollment: This period included any time period prior to the youth enrolling or being referred to the program (in cases of monitor only cases). Programs were asked to include at least one semester prior to enrollment date. In some circumstances, programs entered more than one semester. In other circumstances, programs entered pre-enrollment data from the same semester the youth enrolled if the enrollment date was later in the semester. All pre-enrollment data were combined across semesters or data blocks.
- Enrollment: This period included any time period after the youth enrolled in the program. Programs were asked to enter attendance until the student was discharged from the program. All enrollment data were combined across semesters or data blocks.

Programs entered data into JCMS for 8 absence types, categorized under both excused and unexcused absences (see Figure 1). It should be noted that for the purposes of analyses we did not include administrative and school activity absences because youth are actually in school those days, even if away. We also did not include excused or unexcused tardies because practices across the state vary widely on whether these are considered absences and the number of total tardies that becomes a single time absent.

Discharge Reason for Youth in Truancy Programs

First, we examined reasons youth were discharged from truancy programs. Of the 1,237 cases referred to truancy programs, discharge reason was included for 920 cases. In 317 of the cases (25.6%), a discharge reason was missing, which may have been due to failure to closed cases or cases that were still active. Table 6 displays the discharge reasons for all youth.

Table 6. Discharge Reason

Discharge Reason	Frequency	Percentage
Completed Program Requirements	541	43.7%
Did Not Complete Program Requirements	193	15.6%
Transferred Schools	82	6.6%
Transferred to GED Program	1	.01%
Transferred to Homeschool	8	.06%
Dropped Out	16	1.3%
Graduated	69	5.6%
Referred to Higher Services	2	.02%
Case Type Changed	8	.06%
Unspecified/Missing	317	25.6%
Total	1,237	100%

Discharge by County

The following three tables display the frequency of discharge reasons for each county (Table 7 and Table 8), and those where the discharge reason was unspecified (Table 9). For ease of presentation and analysis, we grouped the various discharge reasons into 4 categories: (1) Successful completion (completed program requirements and graduated), (2) Unsuccessful completion (did not complete program requirements and dropped out), (3) Other (cases with a discharge date but no reason indicated, transferred schools, transferred to GED program, transferred to homeschool, referred to a higher level of service, and case type changed), (4) Open cases (cases with no discharge date or reason indicated).

It should be noted that after working with programs, additional discharge reasons were created. These include: case type changed, referred to higher service, and other (moved away, death). Ten cases were closed as a case type changed or referred to a higher level of service, however, these discharge reasons were not readily available to all programs at the time we extracted the data.

Overall, programs had varying rates of successful and unsuccessful program completion (Table 7). One caveat that should be noted, however, is that programs may vary by how they define successful completion of the program. JJI will continue to train programs on uniform definitions and approaches, but regardless of how cases close—programs that are trying to improve school attendance should be able to demonstrate that they in fact improve school attendance—at a minimum while the youth is involved in the program.

Table 7. Successful, Unsuccessful, and Other Discharge Reasons by County					
County/Tribe Program	Successful	Unsuccessful	Other	Open	Number of Cases
Buffalo County	87.0%	7.6%	5.4%	0.0%	92
Butler/Seward Counties	66.9%	7.2%	19.4%	6.4%	139
Cass County	33.3%	33.3%	0.0%	33.3%	3
Cheyenne County	0.0%	20.0%	40.0%	40.0%	5
Clay County	10.8%	18.5%	21.5%	49.2%	65
Colfax County	0.0%	25.0%	5.0%	70.0%	20
Dakota County	42.9%	28.6%	0.0%	28.6%	7
Dawes County	11.5%	3.8%	26.9%	57.7%	26
Dodge County	56.3%	43.8%	0.0%	0.0%	16
Douglas County					
JAC	21.0%	48.3%	0.0%	30.8%	143
Urban League	26.0%	0.0%	2.0%	72.0%	50
Re Connect	43.5%	47.8%	0.0%	8.7%	23
Gage County	3.4%	11.9%	3.4%	81.4%	59
Holt/Boyd County	93.7%	2.1%	4.2%	0.0%	189
Lancaster County	27.1%	32.9%	7.1%	32.9%	70
Lincoln County	10.0%	90.0%	0.0%	0.0%	10
Madison County	27.3%	15.2%	45.5%	12.1%	33
Merrick/Nance Counties	92.3%	0.0%	7.7%	0.0%	13
Morrill County	100.0%	0.0%	0.0%	0.0%	1
Otoe County	25.0%	75.0%	0.0%	0.0%	4
Platte County	71.4%	14.3%	14.3%	0.0%	7
Red Willow/Hayes Counties	0.0%	0.0%	0.0%	100.0%	3
Santee Sioux Tribe	18.2%	31.8%	4.5%	45.5%	22
Sarpy County	46.3%	25.9%	3.7%	24.1%	54
Saunders County	60.8%	4.4%	26.6%	8.2%	158
Scotts Bluff County	0.0%	0.0%	100.0%	0.0%	1
Washington County	58.3%	25.0%	16.7%	0.0%	12
Winnebago Tribe	0.0%	0.0%	0.0%	100.0%	5
York County	28.6%	0.0%	28.6%	42.9%	7
Total					1,237

Because data was extracted in the middle of a school year, we anticipated that many programs would have open cases. However, programs that discharged a large percent of their cases unsuccessfully must examine why this is occurring. Perhaps the school is referring youth and expecting a different outcome. Perhaps the underlying reasons for absenteeism are not getting identified and addressed. In the table above, many cases remain open, which impacts the overall success rate, but programs with higher than 25% of their cases closing unsuccessfully should examine the model they are using and determine whether their intervention matches the population they are serving. Borrowing an example from the medical model, if a patient has high blood pressure and is prescribed insulin, the blood

pressure will not show improvement. It is imperative to stop the intervention and determine whether a different model should be applied.

Programs with high rates of "other" discharges should review their cases to make sure they indicated a discharge reason if a youth was discharged. Perhaps one explanation is that the case management system did not have an appropriate discharge reason (prior to the new discharge reasons being added).

Time Spent in Truancy Program by County

For youth who had both an intake/enroll date and a discharge date (*n*= 943), we calculated the number of days in the truancy program from intake/enrollment to discharge. The fewest number of days a youth was in a truancy program was 1, and the most number of days a youth was in a truancy program was 859 (approximately 2 and half years).

The number of days each youth spent in truancy programs varied by county. Table 8 includes the number of youth with both intake/enrollment and discharge dates, the mean number of days in the truancy program, the standard deviation, the minimum number of days and the maximum number of days. Larger standard deviations indicate more variability in the number of days each youth spent in the program, while smaller deviations indicate less variability in the number of days each youth spent in truancy programs. Standard deviations are not calculated when the *N* is one because there is no variability.

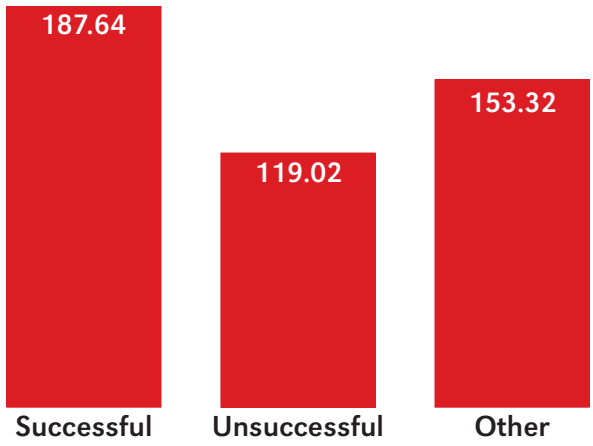
Table 8. Number of Days Youth Spent in Truancy Programs by Program					
Program	*N*	*M*	*SD*	Minimum	Maximum
Buffalo County	91	143.86	85.29	22	294
Butler/Seward Counties	129	209.09	90.56	18	433
Cass County	2	131.5	184.56	1	262
Cheyenne County	2	137	42.43	107	167
Clay County	28	163.68	134.33	0	400
Colfax County	5	242.00	262.67	3	645
Dakota County	4	301.25	178.09	35	406
Dawes County	11	242.73	181.99	39	551
Dodge County	16	119.56	52.95	21	221
Douglas County					
JAC	99	79.79	41.20	6	190
Urban League	14	274.36	91.10	43	337
Re Connect	21	110.00	65.38	7	241
Gage County	11	124	93.64	16	366
Holt/Boyd County	188	121.56	52.58	0	241
Lancaster County	47	187.06	106.58	9	603
Lincoln County	10	118.00	89.02	14	290
Madison County	27	150.78	118.80	0	389
Merrick/Nance Counties	13	66.46	12.10	36	77
Morrill County	1	100.00	-	100	100
Otoe County	4	148.00	6.27	140	153
Platte County	7	138.00	76.99	61	295
Red Willow/Hayes Counties	-	-	-	-	-
Santee Sioux Tribe	12	66.25	81.35	13	230
Sarpy County	41	172.56	113.06	23	539
Saunders County	143	295.64	151.26	0	859
Scotts Bluff County	1	34.00	-	34	34
Washington County	12	55.42	50.03	9	172
Winnebago Tribe	-	-	-	-	-
York County	4	164.75	59.02	79	207
Total	943	168.10	119.83	0	859

Note. Dashes indicate programs for which we could not calculate average number of days because intake/enrollment dates or discharge dates were unavailable.

Time Spent in Truancy by Discharge Reason

Using Analysis of Variance (ANOVA), we examined how time in truancy programs might differ by discharge reason for youth. That is, do youth who are successful in the program stay in longer or shorter than youth who are unsuccessful? Results indicate that the time spent in truancy programs was statistically different by discharge reason [$F(2,940) = 27.50$, $p<.001$]; all three discharge reasons were significantly different from each other (Figure 10). As such, youth successfully discharged spent the most number of days in programs, followed by other reasons, and then unsuccessful cases.

Figure 10. Number of Days in Program by Discharge Reason



Impact on Attendance

Cases Included in the Attendance Analysis

To assess whether programs are having an impact on absenteeism, we compared pre-enrollment attendance patterns to enrollment attendance patterns. Cases that did not have complete data for either pre-enrollment or enrollment could not be included in the analysis. As such, program impact on attendance could only be calculated for 821 cases (66.4% of the total sample). This means that for some programs, we could not examine outcomes on attendance because they did not have any cases with sufficient data. The reasons a case may not have been included are listed below:

- Youth transferred in and out of school districts and attendance information was not available;
- Youth were new to a program and only enrollment data was available;
- Programs were not able to accurately enter data during the training/data quality assurance period so the absence data was not split by enrollment date or absences were missing;
- Cases had obvious data entry error that could not be reconciled for analysis;
- Cases did not have the data required to calculate required attendance.

Table 9. Reasons a Case is Not Included in Analysis

Reason not Included	Frequency
Only enrollment data	70 (5.7%)
Only pre-enrollment data	235 (19.0%)
No required attendance	31 (2.5%)
Did not split by enrollment date	61 (4.9%)
Multiple reasons	9 (0.7%)
Data entry error	4 (0.3%)

Successfully Closed Cases

We employed a Repeated Measures ANOVA to determine if there were significant mean differences between absences from pre-enrollment and absences from enrollment. A Repeated Measures ANOVA compares mean values at time 1 (pre-enrollment) to mean values at time 2 (enrollment) to estimate significant change between those two time periods. Table 10 displays the number of cases included in analysis, % absent pre-enrollment, % absent enrollment, % change, and the effect size of this change. Effect sizes measure the magnitude of effects, so even if a % change is not significant, effect sizes greater than .10 indicate there are likely effects that are not apparent because of small sample sizes.

Table 10. Change in Overall Absences from Pre-enrollment & Post-enrollment for Successful Case Closures					
County/Tribe Program	Number of Cases	% Absent Pre-enrollment	% Absent Enrollment	% Change	Effect Size
	N	*M (SE)*	*M (SE)*	%	n^2
Buffalo	46	23.55% (2.74)	14.55% (2.51)	-9.00%**	.16
Butler/Seward	91	12.40% (0.81)	7.88% (0.79)	-4.52%***	
Cheyenne	0	–	–	–	–
Clay	4	10.03% (5.06)	8.01% (2.44)	-2.02%	.06
Colfax	0	–	–	–	–
Dakota	3	21.46% (3.32)	10.21% (1.61)	-11.26%	.81
Dawes	3	9.32% (3.71)	6.81% (2.97)	-2.51%	.35
Dodge	9	34.27% (7.74)	7.64% (1.03)	-26.63%**	.60
Douglas - JAC	29	38.36% (2.62)	23.37% (2.62)	-14.99%***	.42
Gage	2	26.58% (2.21)	38.82% (6.25)	12.24%	.68
Holt/Boyd	51	8.58% (0.99)	3.92% (0.53)	-4.67%***	.28
Lancaster	19	19.58% (1.95)	8.48% (1.03)	-11.11%***	.61
Lincoln	0	–	–	–	–
Madison	5	13.83% (2.02)	4.28% (2.01)	-9.55%**	.74
Merrick	12	14.84% (1.14)	1.40% (0.75)	-13.44%***	.90
Otoe	0	–	–	–	–
Platte	2	28.00% (12.70)	18.72% (8.55)	-9.28%	.83
Sarpy	21	40.42% (2.89)	15.47% (2.51)	-24.94%***	0.73
Santee Sioux	1	–	–	–	–
Saunders	92	11.08% (0.69)	6.88% (0.41)	-4.20%***	.32
Washington	7	21.71% (2.40)	15.21% (5.35)	-6.50%**	.24
Note. **=p<.01; ***=p<.001. Significance tests or means for programs with only 1 case could not be calculated.					

Youth Characteristics on Attendance within Successful Program Cases

Next, we examined whether changes from pre-enrollment to enrollment significantly differed by age, gender and race/ethnicity. In other words, whether demographic information (i.e., age, gender, race/ethnicity) could explain students' improved attendance during their involvement in the program.

Attendance Change and Age

Overall, there were not any significant differences in total attendance by age $F(1,395) = 0.01$, $p = .92$, $n^2 = .00$. This means that across all ages, youth were absent roughly the same amount, regardless of age. In addition, there was not a significant effect between age and pre/post enrollment $F(1,395) = 0.20$, $p = .66$, $n^2 = .00$. This means that age is not a significant predictor for the percent change from pre-enrollment to enrollment.

Attendance Change and Gender

Overall, there were not any significant differences in total attendance by gender $F(1,400) = 0.30$, $p = .58$, $n^2 = .01$. This means that for both males and females, youth were absent roughly the same amount. There was, however, a gender effect that significantly affected the percent change from pre-enrollment to enrollment absences $F(1,400) = 4.12$, $p < .05$, $n^2 = .01$. Specifically, females (9.43% reduction) demonstrated a greater reduction in absences compared to males (6.49 % reduction). Table 11 displays the values for male and female youth.

Table 11. Significant Interaction Effects of Gender & Pre/Post-enrollment

Gender	Number of Cases	% Absent Pre-enrollment	% Absent Enrollment	% Change
	N	*M (SE)*	*M (SE)*	
Female	197	17.90% (1.01)	8.55% (0.75)	-9.35%
Male	201	17.16% (1.01)	10.67% (0.74)	-6.49%

Attendance Change and Race/Ethnicity

Overall, there were significant differences in total attendance by race/ethnicity $F(1,395) = 5.91$, $p < .001$, $n^2 = .06$. This means that the total amount absence across both time periods was statistically different based on race/ethnicity. These differences, however, did not affect the percent change from pre-enrollment to enrollment absences $F(1,396) = 0.67$, $p = .64$, $n^2 = .01$. This means that there was not a racial or ethnic group that improved more than another, but that some groups did have more absences overall. Table 12 displays the values for all youth.

Table 12. Significant Interaction Effects of Race and Pre/Post-enrollment

Race	Number of Cases	% Absent Pre-enrollment	% Absent Enrollment	% Change
	N	*M (SE)*	*M (SE)*	
American Indian/ Alaskan Native	4	31.66% (6.99)	16.36% (5.18)	-15.29%
Black/ African American	16	31.50% (3.49)	19.03% (2.59)	-12.47%
White	319	16.15% (0.78)	8.81% (0.58)	-7.35%
Hispanic	49	19.77% (1.99)	10.39% (1.48)	-9.38%
Other races	3	17.45% (8.07)	12.51% (5.98)	-4.94%
Multiple races	7	26.18% (5.28)	14.57% (3.92)	-11.60%

Change in Specific Attendance Types within Successful Program Cases

For successful cases, the change in absences was compared by absence type from pre-enrollment to post-enrollment. Table 13 shows that all types of absences depicted a significant effect, excluding religious excused absences. This stands to reason because religious absences would not necessarily be the types of absences that could be affected by a program.

Table 13. Change in Absences by Absence Type from Pre-enrollment to Post-enrollment for Successful Case Closures

Absence Type	% Absent Pre-enrollment	% Absent Enrollment	% Change	Effect Size
	M (SE)	*M (SE)*	%	n^2
All Excused Absences	8.27% (0.42)	5.81% (0.40)	-2.46% ***	.07
Suspension	0.42% (0.08)	0.85% (0.24)	+0.43%***	.01
Religious	0.27% (0.07)	0.22% (0.04)	-0.05%	.01
Medical	7.58% (0.41)	4.74% (0.30)	-2.84%***	.11
All Unexcused Absences	9.29% (0.65)	3.81% (0.31)	-5.49%***	.20
Truant	3.39% (0.51)	1.31% (0.29)	-2.08%***	.12
Parent Acknowledged	2.16% (0.18)	1.25% (0.13)	-0.91%***	.09
Illness	1.49% (0.24)	0.92% (0.18)	-0.57%***	.03
Unverified	2.23% (0.34)	0.95% (0.16)	-1.28%***	.05

Note. ***=p<.001. Significance tests or means for programs with only 1 case could not be calculated.

Unsuccessfully Closed Cases

We also compared whether there was any change from pre-enrollment to enrollment for unsuccessful cases. There were no significant differences from pre-enrollment to enrollment. In this report, absences neither significantly improved, nor got significantly worse while enrolled in the programs.

Table 14. Change in Overall Absences from Pre-enrollment and Post-enrollment for Unsuccessful Case Closures

County/Tribe Program	Number of Cases	% Absent Pre-enrollment	% Absent Enrollment	% Change	Effect Size
	N	*M (SE)*	*M (SE)*	%	n^2
Buffalo	2	26.67% (0.00)	44.47% (18.39)	+17.81%	.48
Butler/Seward	10	37.43% (11.23)	17.44% (3.85)	-19.99%	.26
Cheyenne	1	–	–	–	–
Clay	0	–	–	–	–
Colfax	2	14.05% (3.73)	68.42% (46.39)	+54.38%	.62
Dakota	1	–	–	–	–
Dawes	1	–	–	–	–
Dodge	7	25.49 % (5.04)	23.43 % (6.55)	- 2.07 %	.01
Douglas - JAC	69	48.43 % (2.06)	52.33 % (2.66)	+ 3.90 %	.03
Gage	5	28.49 % (9.46)	42.52 % (19.74)	+ 14.03 %	.13
Holt/Boyd	3	10.62 % (2.69)	13.20 % (2.51)	+2.58 %	.11
Lancaster	23	24.85 % (2.20)	26.45 % (2.57)	+ 1.60 %	.02
Lincoln	4	14.38 % (8.30)	8.77 % (2.82)	- 5.61 %	.14
Madison	5	13.11 % (3.00)	24.85 % (7.94)	+ 11.74 %	.33
Merrick	0	–	–	–	–
Otoe	2	38.81 % (13.98)	92.85 % (7.15)	+ 54.05 %	.98
Platte	1	–	–	–	–
Sarpy	13	33.11 % (5.35)	28.12 % (5.85)	- 4.99 %	.12
Santee Sioux	0	–	–	–	–
Saunders	92	19.57 % (7.44)	19.70 % (9.50)	+ 0.14 %	.01
Washington	2	31.52% (8.11)	5.00% (5.00)	-26.52%	.99

Note. **=p<.01; ***=p<.001. Significance tests or means for programs with only 1 case could not be calculated. There were no significant differences from pre-enrollment to enrollment.

Limitations

Data collection was the most serious obstacle to the evaluation of truancy programs. All of the programs indicated that data collection was an issue. Many had multiple data entry personnel, which set forth some obstacles (i.e. standardization, definitional inconsistencies, etc.). Given that our data entry database is relatively new, these challenges were expected. The Juvenile Justice Institute provided interns to enter data, and extensive individualized training, to fix inconsistencies in reporting for a majority of the programs. Many programs expressed that now that the system is available and they are aware of what the system requires, coupled with extensive training, that data collection will improve moving forward.

In addition to limitations from users, there are also systematic limitations that should be noted. Programs rely exclusively on schools to report their data. Programs that were not embedded in the schools may have had more difficulty in obtaining data. In some instances, program staff were granted access to the school's online attendance reporting software. Programs have expressed that this has greatly improved their ability to gather data. Furthermore, some school superintendents felt that reporting data might be a violation of the Family Educational Rights and Privacy Act (FERPA). JJI produced a memo and trained programs on why this data collection effort is exempt from FERPA.

Missing data was also an issue as entering information into JCMS was complicated. When JJI realized the obstacles, the data entry screens were rebuilt for ease of use. Users have reported that the new screens are more user-friendly and this should aid in future data entry. There were some variables that were inconsistently entered into JCMS and could not be examined as control variables. For instance, there were only approximately 11 youth who had any assessment scores reported in to JCMS (e.g., The School Refusal scale). Without assessment information, we are unable to control for a youth's level or kind of risk. For instance, it is possible that some programs appear to have had less of an impact than other programs. One reason for this may be the risk level of the youth or the type of truancy issues he or she may be having. Other variables not entered consistently were variables related to income and family size. With this information, we could evaluate program effects based on information other than age, gender and race/ethnicity.

Conclusions and Future Directions

Based on our qualitative and quantitative research, we have reached three main conclusions. We found that school attendance was significantly improved while a youth was enrolled in a truancy program; however, our data does not tell us whether these improvements will continue over time after a youth has been discharged from the program until graduation. Second, we found that each truancy program encounters various obstacles in addressing truant behavior. Coordination between attorneys, schools, districts, and counties varies widely. Formal, ongoing partnerships with community organizations, county attorneys, schools, and social workers is essential to helping families address the underlying factors contributing to truancy (Chang, Leong, Fothergill, & Dizon, 2013). Even relatively small efforts, like notifying immigrant and refugee families that attendance is required, can lead to improved school attendance.

Other examples that can lead to increased student attendance include phone calls, meeting with guardians, monitoring and intervention. These findings underscore the consistent research consensus of the importance of intervention at the earliest possible point in a truant student's academic career (Schoeneberger, 2012). Truancy and chronic absenteeism is a solvable problem. Small, manageable changes and practices can improve school attendance; when school attendance improves, academic achievement does as well (Gottfried, 2015). The truancy programs funded by Community-based Juvenile Services Aid are found to produce statistically significant impact on school attendance. In the future, JJI plans to update JCMS to include fields that measure identified reasons a youth is absent and specific interventions for each youth. By indicating the reason(s) the youth is having attendance issues (e.g., substance abuse, teen parenting, transportation, major medical illness, etc.), it will provide a richer picture of the types of truancy reasons and the type of students for which truancy programs work best. By indicating the specific interventions that programs used with each youth (e.g., phone calls, rides to school, substance abuse counseling, etc.), we will be able to evaluate what interventions may be working best for the type of truancy issues and to assess whether matching the intervention to the truancy issue (i.e., primary reason for absence is substance abuse, therefore the youth must go to substance abuse counseling) is effective. To date, there is very little research on specific interventions for truancy. Nebraska is in a unique position to contribute to that research as a result of the data entry requirements of CBA into JCMS.

The short-term goal of truancy programs is to improve school attendance, grades, and attitudes toward school while the youth is enrolled. The long-term goals are for students to maintain regular school attendance after the completion of the program and for students to eventually graduate from high school. This report focuses only on the short-term goal, but in subsequent years, the Juvenile Justice Institute plans to examine which interventions appear to be having the highest impact on long-term goals as well. We also hope to track student enrollment and outcomes beyond involvement in the program. With this information, we will glean whether youth who have participated in a truancy program show improved attendance until graduation, even post-discharge. We will also examine whether participating in truancy programs affects more long-term secondary goals. For instance, we will examine whether a youth is more likely to graduate after participation and whether a youth is less likely to engage in future delinquency.

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Appendix

Truancy Site Visit Questionnaire

1. How do cases get referred to you?

2. What is the process you have for identifying youth with attendance issues? (For example, do you get a referral from the County attorney and then you start working on a case?
    a. Do your cases start with monitoring? (always)
        i. Do you have cases that you just get a letter?
    b. Do they start with an intervention (always?) Do your cases start with truancy diversion (always?)
3. What school personnel are involved?

4. Do you assist with any of the following?
    - Wake up
    - Rides
    - Medical situations
    - Cultural conditions
    - Family Crisis
    - Other (please describe)

    If yes, please answer part A: If so, please elaborate how you assisted..).

5. Do you offer incentives for attendance? If yes, what are they?

6. What do you think it the most effective element of your program? (Is there something unique about your program?)

7. Does a unique population exist within your program that accounts for a majority of the students that are truant? If so, describe.
    If yes, please answer part A: If so, does the program have adequate resources for that unique population?

8. Can you use three adjectives to describe the students that are truant in your program? (straggler, unmotivated, inactive etc).

9. Other than attendance issues, do you have anything else you would like to share with us?

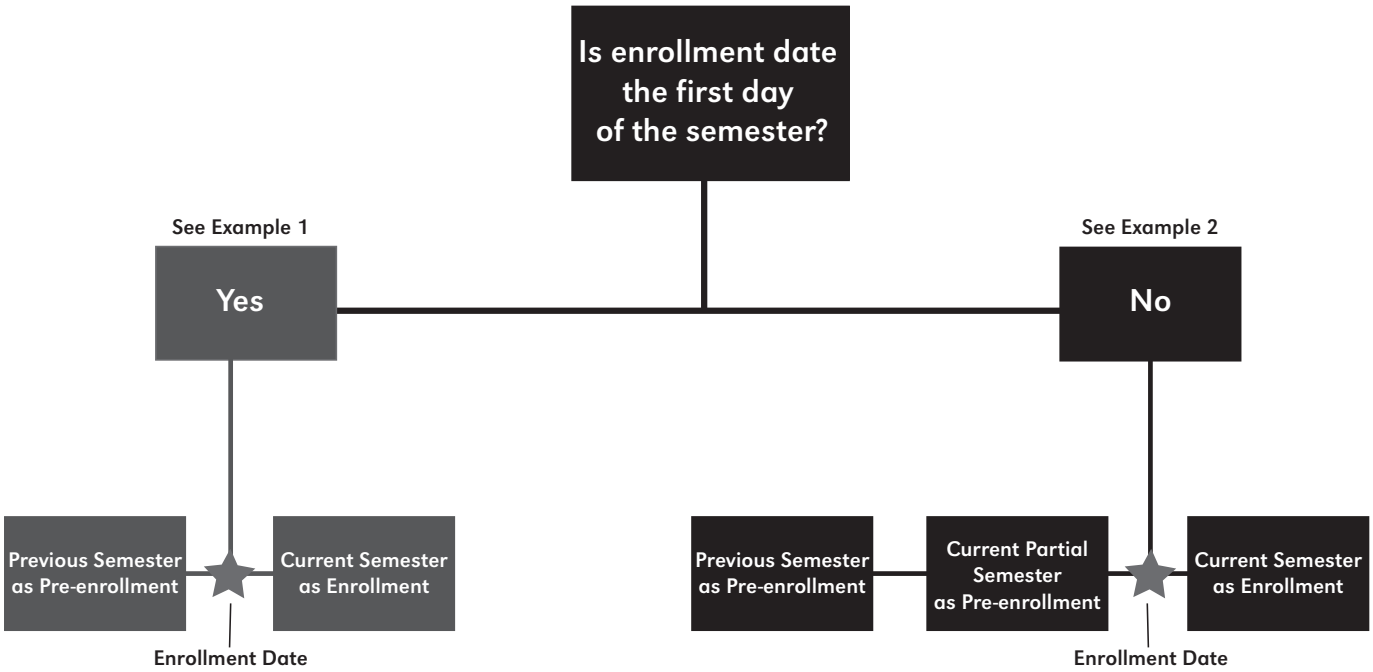
10. Have there been any policy changes?

JCMS Truancy Data Entry Training: Site Visits

A statewide evaluation using one common metric was a challenge because of the variety of truancy programs. In August 2016, JJI researchers extracted data from JCMS to begin analysis. In first looking at the data, there were a number of gaps in the dataset and many programs were inconsistently entering data. An analysis of the data revealed a number of consistent errors: (1) incorrectly entering semesters based on enrollment, (2) incorrect calculation of required attendance based on school calendars, (3) missing absence data and (4) no discharge date or reason upon completion of the program.

JJI utilized funds available through the Nebraska Rural Futures Institute to send paid interns across the state of Nebraska to train programs one-on-one, on data entry and other issues related to CBA fidelity and quality. From October 2016 to November 2016, a total of four interns were assigned to work with truancy programs, which resulted in training 27 programs on effective data entry procedures. Interns also assisted programs in updating their data into JCMS and assisted in facilitating procedures for more effective data entry.

Figure 9. Decision Tree Provided to Programs for JCMS Training



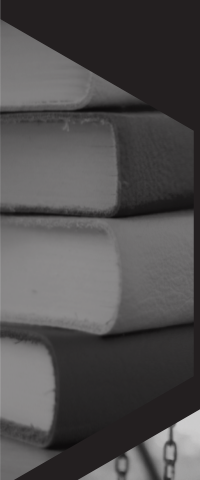
To address issue (1), programs were provided the decision tree presented in Figure 9 to emphasize entering pre-enrollment data before the enrollment date and enrollment data after the enrollment date. To address issue (2) programs were trained on looking at school calendars and counting the number of days for required attendance (e.g., excluding holidays and snow days). To address issue (3), interns worked with program staff to look up absence information, update JCMS, and worked with programs to facilitate communication between programs and schools for gathering this data. To address issue (4) interns worked with programs to update discharge information.

Feedback from Interns on Data Entry Issues

The interns logged travel notes upon successful completion of their site visits. The notes included a general overview of the visit, obstacles encountered and supplemental information that was relevant. A few examples are listed below:

(1) Program 1 "is not able to easily obtain attendance records for past semesters for students. Without the correct data we were not able to enter any cases– however we spent a lot of time on the test certificate familiarizing the program with the correct process. By the end of the meeting I was confident with the type of questions being asked that they understood what needed to be done. Additionally, we discussed what they need to email the schools in order to obtain the correct data."

(2) Program 2 "had trouble with the system of entering in periods and required days. She wasn't putting in the amount of periods, so her numbers didn't match up in the system but once we entered in two cases she understood it. She had a couple of questions about diversion that I couldn't answer for her but told her I would ask and get back to her. She only had two truancy cases and one of them was previously diversion so she was just putting in information as she went. I left her with physical information about how to enter (data) in case she forgets or something crashes within the system."



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Attachment C: Title 75, Chapter 1; Distribution of Community-based Juvenile Services Aid

TITLE 75, COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM

CHAPTER 1, DISTRIBUTION OF COMMUNITY-BASED JUVENILE SERVICES AID

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

TITLE 75

STATE OF NEBRASKA

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE
COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM

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TITLE 75. NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE – COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM

CHAPTER 1 – DISTRIBUTION OF COMMUNITY-BASED JUVENILE SERVICES AID

TITLE 75 – COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM

CHAPTER 1 – DISTRIBUTION OF COMMUNITY-BASED JUVENILE SERVICES AID

001 PURPOSE AND SCOPE

001.01 PURPOSE: To establish procedures governing the distribution and management of Community-based Juvenile Services Aid funds by the Nebraska Commission on Law Enforcement and Criminal Justice.

001.02 SCOPE: Applicable to individual counties, multiple counties, federally recognized or state recognized Indian tribes requesting and receiving funds distributed by the Commission with the intent to provide community-based services to juveniles under programs aligned with evidence-based practices.

002 REFERENCE: Juvenile Services Act, 43-2401 – 43-2413.

003 DEFINITIONS: The following terms and definitions will be utilized for purposes of this chapter:

003.01 APPLICANT refers to individual counties, multiple counties, federally or state recognized Indian tribes within the State of Nebraska that have applied for Community-based Juvenile Services Aid.

003.02 CASH REPORT is a document prepared by the subgrantee that reports quarterly expenditures and may serve as a request for funds.

003.03 COMMISSION is the Nebraska Commission on Law Enforcement and Criminal Justice.

003.04 COMMISSION FUNDING PANEL is a three-person panel that makes final funding decisions. The Commission Funding Panel shall consist of three Commission members approved by the Commission, and shall include the Chair of the Nebraska Coalition for Juvenile Justice so long as he/she does not have a conflict of interest. The Commission Funding Panel members shall be selected by the Commission annually and will include selection of one alternate member.

003.05 COMMUNITY PLANNING ADVISORY SUBCOMMITTEE is a statewide working group of the Nebraska Coalition for Juvenile Justice State Advisory Group pursuant to Nebraska Revised Statute 43-2404.01 tasked with regular strategic planning related to supporting, funding, monitoring, and evaluating the effectiveness of plans and programs receiving funds from the Community-based Juvenile Services Aid Program.

003.06 COMMUNITY PLANNING RESOURCES refers to the *Juvenile Services Comprehensive Community Planning User Manual* adopted by the Commission, and additional resources and requirements deemed necessary by the Director of the Community-based Juvenile Services Aid Program and Community Planning Advisory Subcommittee. Community planning resources will be posted on the Commission's website and outlined in the Request for Application.

003.07 COMMUNITY PLANNING TEAM is a local community team comprised of members who represent the interests of the county or Indian tribe within the community, and consist of individuals serving the community in the roles listed in the community planning resources, and is formed to oversee the planning and implementation of services developed and provided within each community or region.

003.08 COMMUNITY-BASED JUVENILE SERVICES AID APPORTIONMENT FORMULA is based on the total number of residents per county and federally recognized or state recognized Indian tribe who are twelve years of age through eighteen years of age and other relevant factors as determined by the Commission. The Commission may determine a minimum funding amount for

counties or Indian tribes whose population produces an apportionment below the minimum funding amount.

003.09 COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM provides aid to counties and federally recognized or state recognized Indian tribes as outlined in Nebraska Revised Statute 43-2404.02.

003.10 COMPREHENSIVE JUVENILE SERVICES COMMUNITY PLAN is the document created by the community planning team and approved by their respective county board or tribal council that covers three years of planning for juveniles within the identified community. The comprehensive juvenile services community plan will satisfy the requirements laid out in this chapter and be consistent with instruction found in the community planning resources. Comprehensive juvenile services community plans must be developed every three years, and submitted to the Director of the Community-based Juvenile Services Aid Program for approval. Annual updates are completed with the submission of the application for the Community-based Juvenile Services Aid Program.

003.11 CONFLICT OF INTEREST shall include situations where the individual would be required to take any action or make any decision that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business or organization with which he or she is associated, or a community which he or she represents.

003.12 CONTINGENCY is a condition(s) required by the Commission that must be satisfied prior to the awarding of a grant.

003.13 DIRECTOR OF JUVENILE DIVERSION PROGRAMS is the individual appointed by the Executive Director of the Commission who shall perform duties as provided in Nebraska Revised Statute 81-1427.

003.14 DIRECTOR OF THE COMMUNITY-BASED JUVENILE SERVICES AID PROGRAM is the individual appointed by the Executive Director of the Commission who shall perform duties as provided in Nebraska Revised Statute 43-2404.01.

003.15 EVIDENCE-BASED PRACTICE is a program, service or practice with strong evidence to indicate it achieves or will achieve its intended outcomes. Such evidence may include randomized field experiments, clinical or non-clinical research, quasi-experimental research designs or other forms of evaluation that demonstrate program success.

003.16 EXECUTIVE DIRECTOR is the individual who is responsible for the supervision of the policies as established by the Commission and has the powers and duties as outlined in Nebraska Revised Statute 81-1425.

003.17 GRANT AWARD PACKET is an agreement between the Commission and the subgrantee that awards funds; specifies terms; sets conditions on the receipt, usage, and documentation of funds; and specifies other conditions deemed necessary by the Director of the Community-based Juvenile Services Aid Program.

003.18 GRANT REVIEW SUBCOMMITTEE is a subcommittee of the Nebraska Coalition for Juvenile Justice State Advisory Group tasked with reviewing grant applications to the Commission, oversight of the grant review process, and reporting to the Nebraska Coalition for Juvenile Justice.

003.19 MEMORANDUM OF UNDERSTANDING is an agreement between two or more counties or Indian tribes that are applying as a regional group that outlines the commitment to combine their Community-based Juvenile Services Aid funds to accomplish the priorities in their comprehensive juvenile services community plan and project(s) in the grant application.

003.20 NEBRASKA COALITION FOR JUVENILE JUSTICE is the State Advisory Group for the state of Nebraska pursuant to the Juvenile Justice and Delinquency Prevention Act; responsible for advising the Commission on the awarding of grants, identifying and sharing juvenile justice issues, and other duties and powers outlined in Nebraska Revised Statute 43-2412.

003.21 REGIONAL GROUP is a group of counties or Indian tribal communities that have agreed to work together to serve juveniles who reside within their boundaries. A memorandum of understanding must

be submitted as outlined in the Request for Application if a regional group jointly applies for grant funding.

003.22 REQUEST FOR APPLICATION is the announcement and solicitation of the Community-based Juvenile Services Aid Program that is apportioned as aid by the Commission as outlined in this chapter. The Request for Application includes, but is not limited to program specifications, application procedures, evidence-based practice requirements, and predetermined allocation amounts. The information included in the Request for Application is subject to change contingent upon statutory requirements, agency requirements, evaluation outcomes, and evidence-based practices and principles.

003.23 STAFF REVIEW TEAM is comprised of members from the Community Planning Advisory Subcommittee, staff from the Commission, research experts, and other individuals deemed necessary to review grant applications for compliance with use of funding restrictions as outlined in Nebraska Revised Statute 43.2404.02 and appropriately determine the effectiveness of the program(s) in the grant applications.

003.24 SUBGRANTEE refers to applicants which have accepted the grant award packet for the Community-based Juvenile Services Aid Program.

004 ELIGIBILITY FOR FUNDING: Individual counties, multiple counties, federally recognized or state recognized Indian tribes, or any combination of these entities, within the state of Nebraska, are eligible for funding so long as they have developed, adopted, and submitted to the Commission an approved comprehensive juvenile services community plan and application for funding as outlined in the annual Request for Application. Counties or Indian tribes may apply individually for funds or apply as a regional group. Should a group of counties or Indian tribes apply, one county or Indian tribe must be the lead applicant and provide memorandums of understanding in the funding application between each participant in the regional group.

005 COMPREHENSIVE JUVENILE SERVICES COMMUNITY PLANNING PROCESS: All applicants shall submit a comprehensive juvenile services community plan to the Commission for approval before submitting an application for funds. Each comprehensive juvenile services plan must be developed by a community planning team and submitted in accordance with the Juvenile Services Act, community planning resources, and requirements of this chapter. Comprehensive juvenile services community plans shall:

005.01 Provide relevant county-level data, including but not limited to, types of data listed within the community planning resources that supports the existence of the problem that the planning team will address;

005.02 Identify clearly defined community priorities of the community planning team, that includes defining a problem, or set of problems, that affects juveniles at risk or those already involved in the criminal justice system;

005.03 Identify programs and practices for addressing the community's priorities. Such programs and practices shall be supported by evidence-based practice, research, or are standardized and have reliably demonstrated positive outcomes in other areas of juvenile services;

005.04 Identify clear implementation strategies; and

005.05 Identify how the impact of the program will be measured in alignment with evidence-based practices or research.

006 FUNDING APPLICATION PROCESS

006.01 Notification of the availability of funds shall be announced annually by the Director of the Community-based Juvenile Services Aid Program through a Request for Application. Such notification will include application requirements and instructions. Funding amount will be calculated by the community-based juvenile services aid apportionment formula.

006.02 After a community planning team has submitted their comprehensive juvenile services community plan to the Commission and approval has been granted, applicants must also submit an application for funds that shall:

006.02A Align with the priorities identified in the comprehensive juvenile services community plan;

006.02B Be written consistent with the program development strategies outlined in the community planning resources and comprehensive juvenile services community plan;

006.02C Identify how the funds will be used to implement programs identified in the comprehensive juvenile services community plan;

006.02D Demonstrate that the use of funds shall be limited to developing policies and practices that are supported by evidence-based practice, research, or are standardized and have reliably demonstrated positive outcomes in other areas of juvenile aid services;

006.02E Be determined by a majority vote among the community planning team representing the interests of the applicant submitting the grant application for the Community-based Juvenile Services Aid Program; and

006.02F Include the respective county board or tribal council's approval of the grant application. In the event the county board or tribal council does not approve recommendations from the community planning team, the county board or tribal council may submit written justification to the Commission in consideration of a modification of the initial proposal approved by the community planning team.

006.03 If an applicant's community planning team would like to request a determination of whether the use of funds is permissible, they should submit this request for determination to the Director of the Community-based Juvenile Services Aid Program no less than 30 days prior to the grant application due date. The Director of the Community-based Juvenile Services Aid Program shall consult with the Juvenile Justice Institute for assistance in determining alignment with evidence-based practices. The Director of the Community-based Juvenile Services Aid Program will notify the applicant after consultation with the Juvenile Justice Institute.

006.04 Community-based Juvenile Services Aid is awarded on an annual basis. Applicants receiving funds shall be required to reapply annually for funding, pursuant to requirements outlined in the Request for Application and this chapter.

007 FUND MATCHING

007.01 Subgrantees may be required to provide up to a 40% match of the designated Commission award amount. The mandatory match requirement will be outlined in the Request for Application.

007.02 Subgrantees must include documentation of matching funds. Any local county or tribal expenditures for community-based programs, including funds directly associated with the grant application, may be applied toward the match requirement. Subgrantees must include documentation of these match expenditures in their cash report. Instructions are subject to change and will be outlined in the conditions that are included in the grant award packet.

007.03 Counties or Indian tribes applying as a regional group must each provide their designated portion of the mandatory match requirement.

007.04 Subgrantees contracting with non-profit agencies or service providers cannot require the contracting agency to provide matching funds.

008 REVIEW OF GRANT APPLICATION

008.01 All grant applications that were received by the appropriate deadline outlined in the Request for Application shall receive initial review by the Staff Review Team. Upon completion of staff review, funding recommendations and summary comments will be sent to the Grant Review Subcommittee.

008.02 Evaluation and funding decisions by all reviewing entities will be determined based on the following criteria:

008.02A Eligibility of the applicant;

008.02B Adherence to federal and state requirements and guidelines;

008.02C Completeness, clarity, continuity, and consistency of the written application. The written application shall include all sections and information as outlined in the Request for Application;

008.02D Ability and capacity of the proposed program to make an impact on the identified problem and comprehensive juvenile services community planning priorities;

008.02E Assessment of the relationship between the proposed program and existing models or analyses of evidence-based practices. If the program is not aligned with evidence-based practices, the review process will consider how the applicant's proposal will move the program closer to such an alignment;

008.02F Other resources available to address the problem including an explanation of how the grant applicant's proposal will work with or coordinate with existing resources;

008.02G Cost effectiveness of the proposed project;

008.02H Amount of funds available; and

008.02I If previously funded, the performance and ability of the applicant to manage a grant program, including the timely submission of required reports to the Commission.

008.03 The Grant Review Subcommittee will conduct a review of the grant applications, taking into consideration the criteria listed in 008.02 of this chapter, and recommendations from the Staff Review Team. The Grant Review Subcommittee will submit a funding recommendation to the Commission Funding Panel.

008.04 The Commission Funding Panel will conduct a final review of the grant applications. The Commission Funding Panel shall take the grant proposal and recommendations from the Staff Review Team and the Grant Review Subcommittee under advisement before issuing a final decision on the grant applications.

008.04A Final funding determinations will be made by a majority vote of the Commission Funding Panel. The Commission Funding Panel may:

008.04A (1) Vote to adopt the funding recommendations and contingencies of the Grant Review Subcommittee;

008.04A (2) Modify the recommendations of the Grant Review Subcommittee which may include additional

contingencies or requirements that the applicant must meet in order to receive funding; or

008.04A (3) Reject any recommendation made by the Grant Review Subcommittee and establish its own funding determination. Any funding determinations contrary to the recommendations of the Grant Review Subcommittee shall include a written justification.

008.04B Upon issue of its final decision, the Director of the Community-based Juvenile Services Aid or his or her designee will notify applicants within (10) working days of the final decision in the following manner:

008.04B (1) For applicants who receive funding, the notification will inform the applicant of the final status of the application, the requirement to meet any contingencies, and the steps necessary to obtain the grant award packet.

008.04B (2) For applicants who were denied funding or funding use, the notification will inform the applicant of the final status of the application, the reason(s) for the denial, and the appeal process.

009 ACCEPTANCE OF FUNDS AND CONDITIONS

009.01 Applicants who are approved to receive aid from the Commission will be required to accept the grant award packet subject to the conditions outlined in this chapter and specified by the Commission.

009.02 Applicants who are required to meet contingencies articulated by the Commission will have thirty (30) days from the notification of application approval to satisfy the requirements. Exceptions to the 30 day deadline may be allowed on a case by case basis, approved by the Director of the Community-based Juvenile Services Aid Program.

009.03 After contingencies have been approved by the Director of the Community-based Juvenile Services Aid Program, the applicant will be required to accept the grant award packet within 30 days. Acceptance requires the appropriate signatures of all documents included in the grant award packet and the original documents returned to the Commission. Exceptions to the 30 day deadline may be allowed on a

case by case basis, approved by the Director of the Community-based Juvenile Services Aid Program. In the event that the grant award packet is not received by the deadline, three attempts will be made to contact project personnel listed on the application. If contact is unsuccessful, the applicant will be considered to have withdrawn their application for funding. The Director of the Community-based Juvenile Services Aid Program will notify the applicant of said withdraw.

009.04 Once all the steps have been taken to accept the grant award packet and all necessary documents are received by the Commission, the subgrantee will be eligible to receive funds as outlined in the grant award packet.

009.04A Subgrantees receiving funds will adhere to all reporting and monitoring requirements as outlined in this chapter and the grant award packet.

009.04B Failure to satisfactorily meet any of the conditions outlined in the grant award packet or to submit the required reports or documents by the deadlines may result in the suspension of the subgrantee's funds. Such suspension can be rescinded upon resolving the identified deficiencies. Reasonable efforts will be made by the Director of the Community-based Juvenile Services Aid to work with the subgrantee prior to the suspension of funds.

009.05 Funds received from the Commission shall be used exclusively in accordance with the statutory obligations of the Juvenile Services Act.

009.06 Subgrantees who misuse funds for unallowable expenses are subject to suspension or termination by the Commission. The Commission will require the subgrantee to return misused funds.

010 SUSPENSION AND TERMINATION OF FUNDS

010.01 Suspension of funds may occur when the subgrantee is out of compliance with any state or federal laws, guidelines or requirements; or fails to comply with the conditions stated in the grant award packet, or specified by this chapter. In order to suspend funds, the following procedures shall be followed:

010.01A The Director of the Community-based Juvenile Services Aid Program or his or her designee shall notify the subgrantee of the suspension of funds and provide conditions of reinstatement;

010.01B The Director of the Community-based Juvenile Services Aid Program or his or her designee may reinstate a suspension if the subgrantee has taken steps to correct non-compliant activities; and

010.01C If the subgrantee has not taken steps to correct the non-compliant activities within 90 days, the suspended funds shall be considered terminated.

010.02 Termination of funds shall occur for failure to comply with the conditions of reinstatement. A termination of funds may be appealed pursuant to this chapter.

010.03 Subgrantees that have spent money contrary to the grant award packet will be required to repay misspent funds to the Commission. Any funds returned shall be handled in accordance with state and federal law.

011 APPEALS PROCESS

011.01 Applicants or subgrantees may appeal an adverse funding decision to the Commission. Appeals are limited to the following grounds:

011.01A Partial denial of funding amount requested;

011.01B Denial of proposed use of funds;

011.01C Full denial of application that results in refusal of funding; or

011.01D Grant funds have been terminated.

011.02 The basis for an appeal shall be limited to one or more of the following grounds:

011.02A The decision being appealed was biased, arbitrary or prejudiced against the applicant County or Indian tribe;

011.02B The decision being appealed was reached without following procedures outlined in this chapter; or

011.02C The decision being appealed was reached without adherence to statutory requirements as specified in the Juvenile Services Act.

011.03 Notice of an appeal must be made in writing and submitted to the Director of the Community-based Juvenile Services Aid Program or his or her designee within ten (10) working days of receipt of final funding decision or termination of funding notification. Notice of an appeal shall identify the basis for the appeal, and will inform the Director of the Community-based Juvenile Services Aid Program of the intent to file a full written appeal.

011.04 A full written appeal will detail the basis for the appeal, and include an explanation of why the proposed use of funds satisfies the requirements of this chapter. The full written appeal will be submitted to the Director of Community-based Juvenile Services Aid Program within (20) working days of the notice of appeal.

011.04A All proceedings shall be conducted in accordance with the Administrative Procedures Act, Nebraska Revised Statute 84-901 et seq. and with Title 53 of the Nebraska Administrative Code, Chapter 4, as they relate to the pleadings, notice, ex parte communications, prehearing conferences, discovery and the progression of the actual contested case at hearing.

011.04B The burden of demonstrating that an appealed decision should be reversed is on the party filing the appeal. The burden of proof shall be by a preponderance of the evidence.

011.04C Should the applicant or subgrantee filing the appeal fail to meet deadlines to submit either the notice of appeal or the full written appeal, the appeal will be considered waived and the funding decision shall be final.

011.05 The hearing shall be conducted before the Commission at its next available quarterly meeting. On appeal, the Commission will take into consideration the written appeal of the appellant, all recommendations for funding made during the application review process, and testimony from parties made during the appeal hearing.

The final appeal decision shall be determined by a majority vote of the Commission.

012 REPORTING OF FUNDING AWARDS

012.01 REPORTING PROCEDURES

012.01A Subgrantees shall submit reports on program activity, financial expenditures, and individual and programmatic data that shall be maintained by the Commission. Subgrantees shall report according to requirements outlined in the Request for Application, grant award packet, and Nebraska Revised Statute 43-2404.02.

012.01B Subgrantees may be assisted by the University of Nebraska at Omaha, Juvenile Justice Institute in reporting, as outlined in the Request for Application, grant award packet, and Nebraska Revised Statute 43-2404.01. Community-based Juvenile Services Aid utilization and evaluation data shall be stored and maintained by the Commission.

012.01C If the subgrantee does not submit reports by the required deadlines, or submits a report that demonstrates failure to meet funding requirements, the Director of the Community-based Juvenile Services Aid Program will provide notice to the subgrantee of the steps necessary to correct deficiencies in satisfying reporting requirements.

012.01D The subgrantee will have ten (10) working days from the date of notification from the Director of the Community-based Juvenile Services Aid Program to respond with a plan to correct program deficiencies.

012.01E Should the subgrantee fail to respond to correct the deficiencies in reporting requirements, the matter will be referred to the Commission for possible termination of the funding award.

012.02 FINANCIAL REPORTING REQUIREMENTS

012.02A All subgrantees shall be required to submit financial reports as prescribed by the grant award packet and this chapter.

012.02B Financial reports shall be submitted to the Director of the Community-based Juvenile Services Aid Program. Funding is subject to suspension if:

012.02B (1) The Director of the Community-based Juvenile Services Aid Program does not receive reports by required deadlines.

012.02B (2) The Director of the Community-based Juvenile Services Aid Program finds discrepancies between financial reports and permissible uses of funding described in the grant award packet or this chapter, and the county or Indian tribe fails to provide a plan for corrective action within ten (10) working days of receiving notification of discrepancy.

012.02C If reasonable efforts have been made by the Director of the Community-based Juvenile Services Aid Program to address deficiencies in reporting and the subgrantee continues to be out of compliance with the financial reporting requirements, the funds will be deemed terminated.

012.03 ACTIVITY REPORTING REQUIREMENTS

012.03A All subgrantees shall be required to submit activity reports as prescribed by the grant award packet and this chapter.

012.03B Activity reports shall be submitted to the Director of the Community-based Juvenile Services Aid Program. Activity reports shall include a narrative and data that addresses the following:

012.03B (1) Explanation of each program or process funded by the Community-based Juvenile Services Aid Program. This section will include information on program operation, community staff involvement, and how programs assisted juveniles within the community;

012.03B (2) Explanation of how each program assisted juveniles at the individual level. This section will explain how the program impacts the juveniles who are affected by it;

012.03B (3) Explanation of the program's impact on the community. This section will focus on broad community outcomes such as juvenile arrests, recidivism, and other community issues that the program addresses; and

012.03B (4) Additional information deemed necessary by the Director of the Community-based Juvenile Services Aid Program as outlined in the grant award packet.

012.04 REPORTING PROCESS FOR THE COMMISSION TO THE GOVERNOR AND LEGISLATURE: The Commission shall report annually to the Governor and the Legislature on the distribution and use of funds appropriated under the Community-based Juvenile Services Aid Program pursuant to Nebraska Revised Statute 43-2404.02.

013 PROGRAM EVALUATION

013.01 Evaluation of the use of the funds and the evidence of effectiveness of the programs shall be completed by the University of Nebraska at Omaha, Juvenile Justice Institute; specifically whether juveniles enrolled in community-based programs have reduced recidivism and other measures as defined by the Community Planning Advisory Subcommittee.

013.02 Evaluation will examine each Community-based Juvenile Services Aid Program to ensure ongoing alignment with evidence-based practices. A plan for ongoing evaluation of programs shall be developed jointly between the Community Planning Advisory Subcommittee, the University of Nebraska Omaha, Juvenile Justice Institute, and the Commission.

014 CONFLICT OF INTEREST

014.01 COMMISSION CONFLICT OF INTEREST: Recipients of grant awards, recipients of contracts associated with grants, personnel involved in the Staff Review Team, Grant Review Subcommittee, Commission Funding Panel and members of the Commission and staff that have a conflict of interest shall recuse themselves from participating in any discussion or vote regarding the grant application pursuant to section 008 or appeal hearings pursuant to section 011 that directly involve their agency, institution, or personnel.

014.01A In the event that a member of the Commission Funding Panel has a conflict of interest, that member shall remove himself or herself from the panel and an alternate member designated by the Commission shall take that member's position.

014.01B Any member of the Commission may raise the issue of a conflict of interest.

015 IF ANY ONE SECTION OF THIS ACT OR ANY PART OF ANY SECTION SHALL BE DECLARED INVALID OR UNCONSTITUTIONAL, SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OR CONSTITUTIONALITY OF THE REMAINING PORTIONS THEREOF.