



NEBRASKA
2024 TITLE II
3 YEAR PLAN

Introduction

Nebraska recently returned to participation with Title II Part B Formula Grant Program in FY23, having not participated from FY17 until the most recent application was approved. Nebraska continues to work through the three-year milestones set to assist with putting processes, policy, and procedure in place to fulfill the compliance of the Title II Formula Grant (11) deinstitutionalization of status offenders (DSO); (12) separation of juveniles from adults in secure facilities; (13) removal of juveniles from adult jails and lockups; (14) effective system of monitoring; (15) Racial and Ethnic Disparities (R/ED).

Within the first year, Nebraska has completed a Compliance Monitoring Manual following the updated policies and procedures from the Juvenile Justice and Delinquency Prevention Act (JJDP A) and established a Compliance Monitoring Universe. The Jail Standards division at the Nebraska Crime Commission (NCC) is responsible for compliance monitoring and noted that they will continue to update the universe as needed during site visits, trainings, and when they are notified of changes within rural sheriff and police holding practices.

Nebraska also began working on a plan for data collection on each of the core requirements. The NCC has access to many data systems but will require additional trainings and MOUs before all the staff working on Title II can access the data as needed. Specifically, regarding jail removal, the NCC already gets data from the jails and 3 of the 4 detention centers and is working on a plan to get data from other facilities that we might not currently receive. The Systems and Research Division director

indicated that the fourth juvenile facility has been more responsive lately and will be submitting data more regularly moving forward. For DSO we are working on this plan on this data. The Systems and Research Division director indicated that the Compliance Monitor, JJ Specialist, and Director of Youth Programs (supervises the JJ Specialist) will have access to jail data after completing required training and will be contacting the Office of the Courts to establish court data access. Regarding sight and sound, the Jail Standards team has stated that sight and sound separation will be inspected during monitors, and this will be outlined in the manual. There is also training on this requirement in the jail administrator training conducted by jail standards staff. To monitor RED, the NCC currently has data on arrests, diversion, and court, and are collaborating with probation and YRTC to gain additional data. We have a process to be able to request the data from the system point that has the data, and we will continue to work on a plan to see if we can establish MOUs to share data on an ongoing basis, or what the timelines for data requests will need to be, and what data we still need.

Additionally, during the first year, the NCC hired a Juvenile Justice Specialist who completed both the Compliance Monitor Cohort and Juvenile Justice (JJ) Specialist Cohort trainings, but then resigned from the NCC. A new JJ Specialist was hired in early November 2024, and no additional cohorts were starting after his hiring so he will be included in the first cohorts in 2025. The Director of Justice and Youth Programs and the Deputy Director of Youth Programs, both who oversee the JJ Specialist, completed both cohorts during 2024. The Jail Standards division of the NCC will all be responsible for compliance monitoring and will attend a cohort training session in 2025. An

additional Jail Standards position has been approved and will be hired in 2025. The current JJ Specialist was hired to also be the R/ED Coordinator, working with a Statistical Analyst at the NCC on data collection and interpretation.

Finally, in the first year, Nebraska worked with the Governor's office to make necessary appointments to the State Advisory Group (SAG), which was already established. We have made progress on recruiting young people who are system involved or previously system involved to join the SAG and be involved on other committees. A plan to revive the Young Adult Subcommittee has been established and will begin in the next year. There has been some difficulty with getting appointments made in a timely manner, but we will continue to work with the Governor's office to ensure all positions are filled as soon as possible.

Moving forward, Nebraska intends to continue to fulfill the four core requirements with these steps as follows:

Year 1: The NCC and Chair of the SAG are working together with the Governor's Office to fill vacancies of the SAG. This is an ongoing process, and any vacancies will continue to be addressed as needed.

The SAG has had past issues with recruiting and maintaining young adult members appointed before the age of 28, which has been the main barrier for SAG membership. In 2023, the SAG and NCC began working with the Nebraska Children's Commission's Youth Advisory Board, and this year discussion and collaboration began with local non-profits and SAG members to identify potential young adult members. The SAG has set a goal to rebuild the young adult subcommittee with young adults from

both the SAG and the community. The young adults will also be encouraged to join other subcommittees to provide their much-needed perspective. The members of the SAG and the Juvenile Justice Specialist will accompany youth to meetings to help mentor them along the way. The SAG is exploring changing meetings days and times in the upcoming year to accommodate all members.

The Compliance Monitor will begin using the established policies and processes to identify if any facilities appear to be out of compliance in the four core requirements. With a return to participation, there are a small number of facilities that have not been inspected previously by Jail Standards Division staff, so introductions to those facilities will take place and the requirements explained. Nebraska has a data collection system in place through the statewide Nebraska Criminal Justice Information System (NCJIS) database as required for all jails and lockups. This data was examined at the end of 2024 to identify areas of non-compliance, and these will be addressed with the facilities in the coming year. The Jail Standards Division will work with the JJ Specialist and other NCC staff to create an efficient method of collecting and examining data and fine-tuning the forms and processes with the facilities. The current Training Policy Certification will be examined to determine if the training curriculum for jail or detention center staff who works with youth needs to be updated.

An R/ED plan was completed at the end of 2024 using data compiled at all five required system points for 2021-2023. While completing the R/ED data analysis, it was discovered that not all relevant information was submitted to the NCC, specifically the secure detention data. NCC staff were able to work with external agencies to gather

more complete information, but a more permanent and workable solution will need to take place. In addition to addressing the data reporting issues, the SAG will begin the implementing the R/ED plan. This will start with determining whether to focus on specific communities, particular system points, or providing statewide assistance for an identified population. Additionally, we will consider funding training opportunities for stakeholders and supporting programs or practices to help with implementing the R/ED plan. The NCC is hosting a statewide conference in early June 2025 with multiple speakers addressing R/ED and how programs can begin to address the concerns in Nebraska.

The JJ Specialist, along with the NCC staff, will create a policy manual specific to the Title II Part B Formula Grant Program, including how applications are received, how to determine targeted program areas, and reporting mechanisms for grantees to submit required data to the Crime Commission. The SAG will be involved at all steps in this process.

Year 2: Nebraska will continue compliance data collection and facility inspections. The Compliance Monitor will educate and provide information on the JJDPa to those within the monitoring universe as inspections are completed. Reports following inspections and follow up on monitoring procedures will be consistently performed, and processes will be updated as needed. Any facilities with violations will be addressed as soon as they are noted. If needed, updates to facilities to provide for sight and sound separation or making hardware changes to doors to have a non-secure room will be provided. A statutory change has been requested which would update Neb. Rev. Stat. §43-

250(1)(c)(iii) which currently allows for youth over the age of 16 charged as adults with felonies to be held with adults in jails and lockups. If the statutory change is made, it will likely go into effect July 1, 2025. This will require updated trainings and facility modifications for those counties who are following this current statute. If this statutory change is not accepted, trainings on the 11(b) exception will take place with judges, county attorneys, and jail staff.

R/ED trainings will continue as necessary as determined based on a review of trainings provided the previous year and feedback from both attendees and trainers. Additional topics will be considered as needed. Any programs funded the previous year will be evaluated to determine their impact on their community. The NCC and SAG will review the FY2024 data and look for changes to determine if the priorities need to be updated.

The SAG will continue to ensure requirements of the JJDPa membership will be met. Nebraska has a statute that outlines SAG membership requirements, but the statute does not align well with JJDPa requirements. A statutory change was proposed to update the SAG memberships requirements as well as allowing the NCC to make appointments on behalf of the governor which may help alleviate long vacancies and allow for compliance with the JJDPa. Memberships will be continually examined and stakeholders invited to apply as needed.

The JJ Specialist, the NCC, and the SAG, will work to release a solicitation for passthrough funds with awards being received by agencies and communities during year two.

Year 3: In year 3, Nebraska will continue to monitor facilities, jails, and lockups for compliance with the core requirements, having visited each facility in the universe by the end of year 3. Forms and procedures will be fine tuned at this point, and the system for collecting, monitoring, and reporting data should be clearly established. Trainings for jail staff as well as judges will continue on an ongoing basis for clarity on the requirements.

In year 3, programs and communities that received Title II funding will be monitored and program measures submitted to the NCC for review and submission to OJJDP. Trainings on reporting will be held if necessary.

The R/ED plan will be updated based on a new data analysis, and the action steps modified if necessary. Existing programs will be examined to determine whether they should be continued, extended, or ended based on the ability to impact change and meet intended goals.

Required Elements of the Title II Formula Grant 3 Year Plan

Attachment A, *33 State Requirements*, addresses all 33 statutory elements of the state plan under 34 U.S.C. § 111333(a), including the four core requirements (34 U.S.C. §§ 11133(a)(11), (12), (13), and (15)), the establishment of an effective system of monitoring (34 U.S.C. § 11133(a)(14)), and the SAG membership criteria (34 U.S.C. §§ 11133(a)(3)). This document details the requirements that have been met, and how the state intends to fulfill those elements that are not yet met within three years of the award date.

Analysis of Juvenile Delinquency Problems and Needs

The following overview of juvenile justice and delinquency prevention system is summarized from “The Three-Year Plan Juvenile Justice System Structure and Process-Final” created by the University of Nebraska at Omaha Juvenile Justice Institute, included as Attachment B, unless otherwise noted.

Nebraska’s Juvenile Justice Process

The juvenile justice system in Nebraska is interconnected. State and local governments support the infrastructure of the juvenile justice system and provide some direct services to youth. These governmental entities also utilize a combination of local, state, federal, and philanthropic funding to contract for treatment and non-treatment youth services.

Law Enforcement: Law enforcement officers encounter juveniles in a variety of situations including investigations of abuse/neglect, emergency mental health placements, street contact, in/out of state runaway youth, and arrest. Law enforcement may release a youth, issue a citation, or take a youth into custody if they are considering a request for detention. Law enforcement officers also have contact with youth during court or other transportation situations. In Nebraska, youth are not technically arrested, rather taken into temporary custody by law enforcement. The statewide probation system has authority and responsibility for juveniles who enter the system. When a youth is taken into temporary custody by law enforcement, probation does the screening to determine if a youth needs to be placed in detention, released on a detention alternative, or released with no intervention.

Prosecution/County attorney: All citations are sent to county attorneys who are elected officials in each of Nebraska’s 93 counties. There are also city attorneys who may prosecute city ordinance violations. The attorneys review the citation to make the determination if the youth should be referred to diversion.

Diversion: Nebraska statute gives county and city attorneys the discretion to create and operate juvenile diversion programs. The county attorney has the discretion to refer a citation to diversion, file on the citation, or no file. Not all counties in Nebraska operate a juvenile diversion program.

Probation: Probation in Nebraska is a statewide system housed within the Administrative Office of the Courts and Probation (AOC). The Juvenile Services Division is responsible for “statewide administration of juvenile intake, investigations, supervision, and services for youth and families impacting community safety, habilitation, and behavior change.” (State of Nebraska Judicial Branch, 2021c). The AOC also houses a Rehabilitative Services Unit to support adult and juvenile behavioral health. This unit provides oversight of registered service providers for probation, behavioral health training for probation staff, and collaborates on statewide behavioral health policy. Probation in Nebraska is a state and county partnership. The AOC supports personnel for 14 probation districts statewide which align with District Court Judicial Districts. Each local district has a chief probation officer who works with the county(s) they serve to support local office infrastructure. By statute, probation is responsible for intake assessment. Law enforcement contact probation for this assessment when they have taken a youth into custody and a decision is needed to

determine whether the youth should go to secure detention, an alternative placement, or can be released pending court.

Detention: There are four juvenile detention centers in Nebraska. Three of the centers have “secure” detention, one is only “staff secure.” A Juvenile Detention facility in Nebraska is defined by Neb. Rev. Stat. §83-4,125(2) as: “[A]n institution operated by a political subdivision or political subdivisions for the secure detention and treatment of persons younger than eighteen years of age, including persons under the jurisdiction of a juvenile court, who are serving a sentence pursuant to a conviction in a county or district court or who are detained while waiting disposition of charges against them. Juvenile detention facility does not include any institution operated by the department.” The Department of Corrections operates one youth facility, a minimum, medium, and maximum-security facility for males up to the age of 21 years old who have been adjudicated as adults; females adjudicated as youth are placed at the Nebraska Correctional Center for Women in a unit separate from the adults.

Courts: Nebraska’s court system includes the Supreme Court, Court of Appeals, District Courts (general jurisdiction), County Courts (limited jurisdiction), and other courts created by the legislature such as Separate Juvenile Courts and Workers Compensation. Judges are appointed by the governor and subsequently elected every six years, with exceptions for the Supreme Court and Court of Appeals which are lifetime appointments. Each county has a county court, which has original jurisdiction over probate, guardianship, conservatorship, adoption, and eminent domain issues. These courts also process many misdemeanor cases. County courts oversee juvenile matters

in the absence of a designated juvenile court. District courts are trial courts of general jurisdiction, which are responsible for processing felony, civil, and some misdemeanor cases. Separate juvenile courts are responsible for handling abuse and neglect cases, dependency and delinquency cases. Additionally, these courts share concurrent jurisdiction with district courts matters pertaining to the care, support, custody or control of mentally deficient children younger than 18. The jurisdiction of juvenile courts is established in Neb. Rev. Stat. §43-247. Broadly, delinquency juvenile courts in Nebraska have jurisdiction over any juvenile who has committed an act, when they were 11 years of age or older, that would constitute as a felony, misdemeanor, or any other law violation, except for some traffic violations. Additionally, juveniles with life circumstances (e.g., homelessness, lack parental care) are subject to the jurisdiction of juvenile courts for child welfare purposes.

Department of Health and Human Services/Division of Children and Family Services:

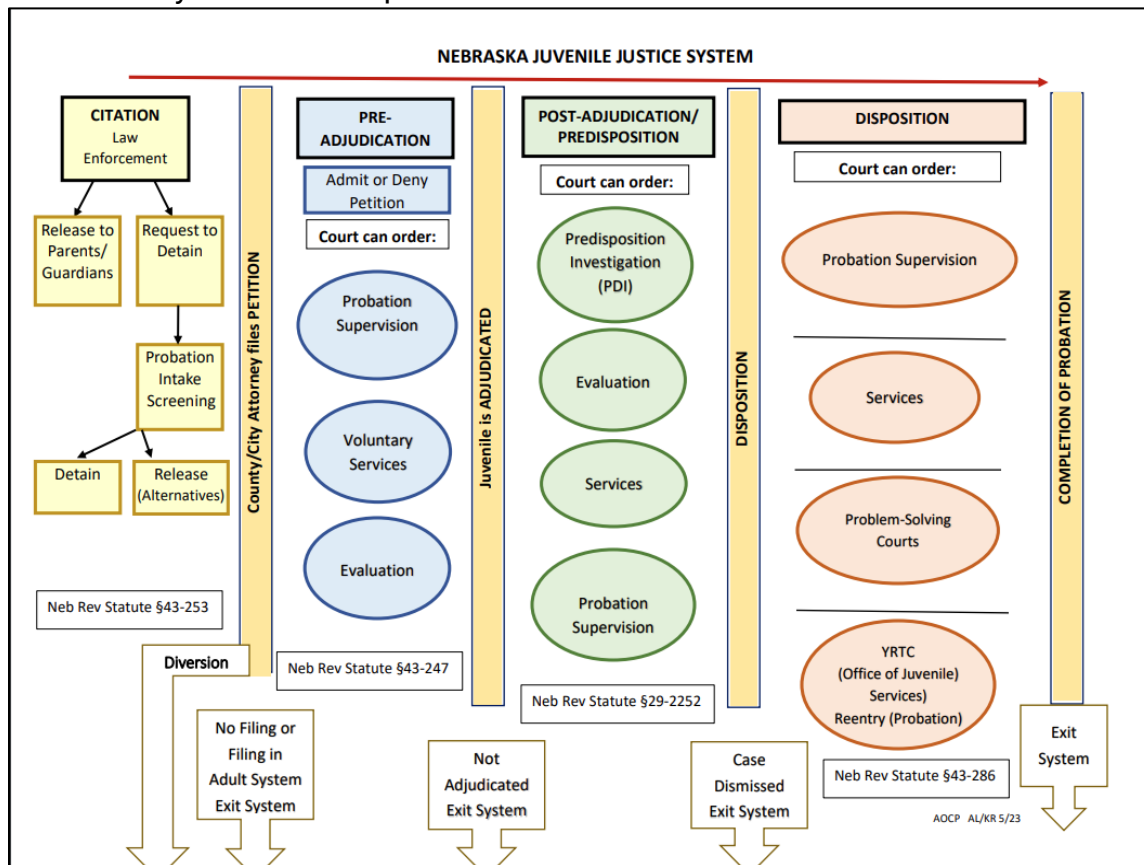
The Department of Health and Human Services provides a variety of children, family, adult, and behavioral health services. The Protection and Safety Division provides and supports prevention programs, child and adult protective services, foster care and independent living, adoption, domestic violence services, safety and treatment services, and education support.

Youth having contact in the child welfare and juvenile justice systems are identified as crossover youth. The Division of Children and Family Services and the AOCF have worked collaboratively on state policy that encourages the efficiency and effectiveness of serving youth in both systems at the same time.

The Division of Children and Family Services/Office of Juvenile Services also oversees the administration of three Youth Rehabilitation and Treatment Centers (YRTC) in Kearney (for boys), Hastings (for girls), and Lincoln (for high behavior needs). The mission of the YRTCs is to provide individualized supervision, care, accountability, and treatment in a manner consistent with public safety to those youth in its care. Youth between 14 and 19 years that have been adjudicated as delinquent and committed to the Office of Juvenile Services' custody may be placed at YRTC.

While at YRTC youth attend school, participate in cognitive behavioral programming, counseling, and positive youth development activities. Facility staff, probation officers, youth, and their families begin the process of re-entry planning very early in their stay at the facility. Youth are discharged from the facility and work with the probation re-entry team to assist with their transition, either returning home, entering a foster placement, or other community-based option. The Whitehall Psychiatric Residential and Treatment Facility (PRTF) in Lincoln works with teen males who have engaged in sexual offenses and treats substance abuse. PRTF is maintained by the Division on Behavioral Health DHHS.

Below is a system flow map:



(Retrieved from <https://dhhs.ne.gov/SiteAssets/ReimagineWellBeingAssets/Nebraska%20Juvenile%20Justice%20System%20Map.pdf>):

Statistical Summaries of Several Key Decision Points

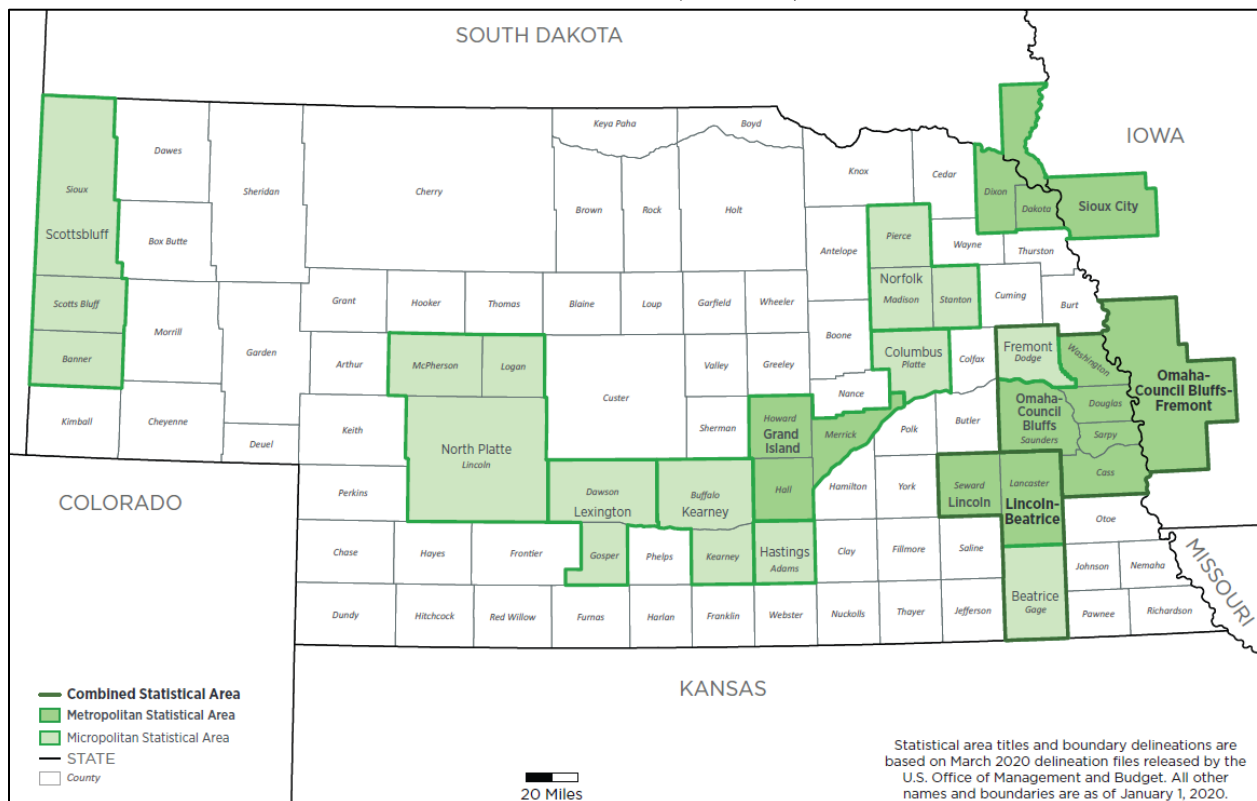
The following is a summary of the three-year statewide crime analysis for 2021-2023, which can be found in its entirety in Attachment C.

Population: The youth population in Nebraska is showing a slight but steady decrease over time. Overall, the majority of youth in Nebraska are Non-Hispanic White (65%), with the next racial/ethnic group at 20% being Hispanic or Latino youth.

Number and percent by race and ethnicity

	2021		2022		2023	
	Number of Youth	%	Number of Youth	%	Number of Youth	%
Non-Hispanic White	322,381	66%	318,320	66%	314,645	65%
Hispanic or Latino	93,616	19%	94,613	20%	96,418	20%
Non-Hispanic Black	29,504	6%	29,425	6%	29,608	6%
Non-Hispanic Two Or More Races	20,383	4%	20,730	4%	21,037	4%
Non-Hispanic Asian	14,201	3%	14,359	3%	14,538	3%
Non-Hispanic Native American	4,920	1%	4,877	1%	4,752	1%
Total	485,005	100%	482,324	100%	480,998	100%

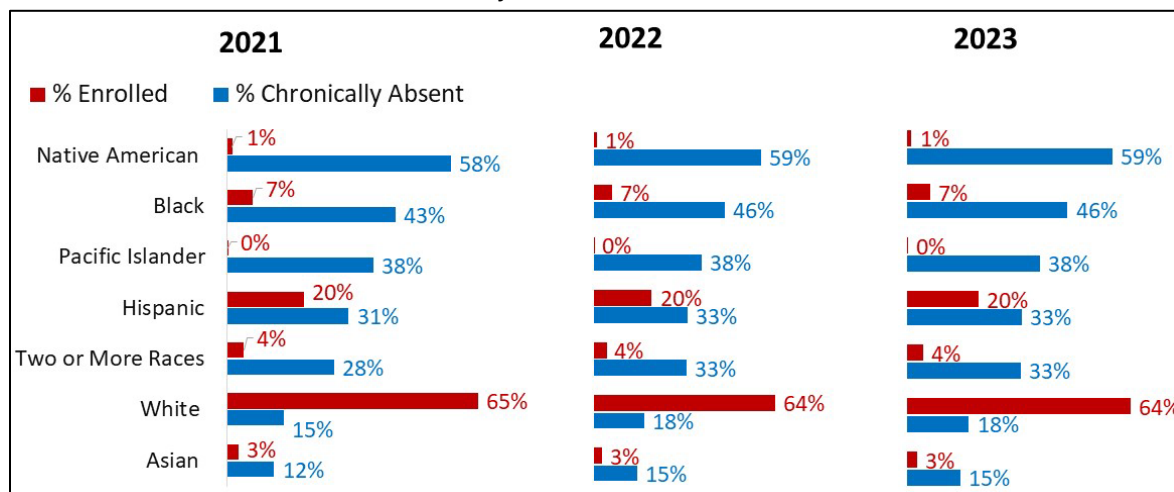
Rural, Micro, and Metropolitan Counties in Nebraska (per OMB)



Nebraska is primarily rural, with only 12 counties designated as metropolitan and 17 counties designated as micropolitan. Two of the metropolitan areas also include counties in Iowa.

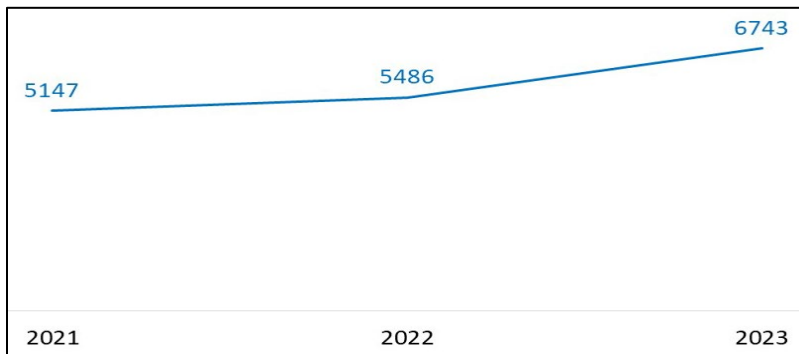
Chronic school absenteeism: While the percent of youth chronically absent across the state decreased from 24% to 22% between 2021-2022 and 2022-2023, racial and ethnic disparities in chronic school absenteeism continue to be an issue in Nebraska. For all three years examined, only White youth showed a lower percent of chronic absenteeism than the percent of enrolled White youth, while other racial/ethnic groups showed a significant disparity.

Percent Enrolled vs. Percent Chronically Absent, 2021-2023

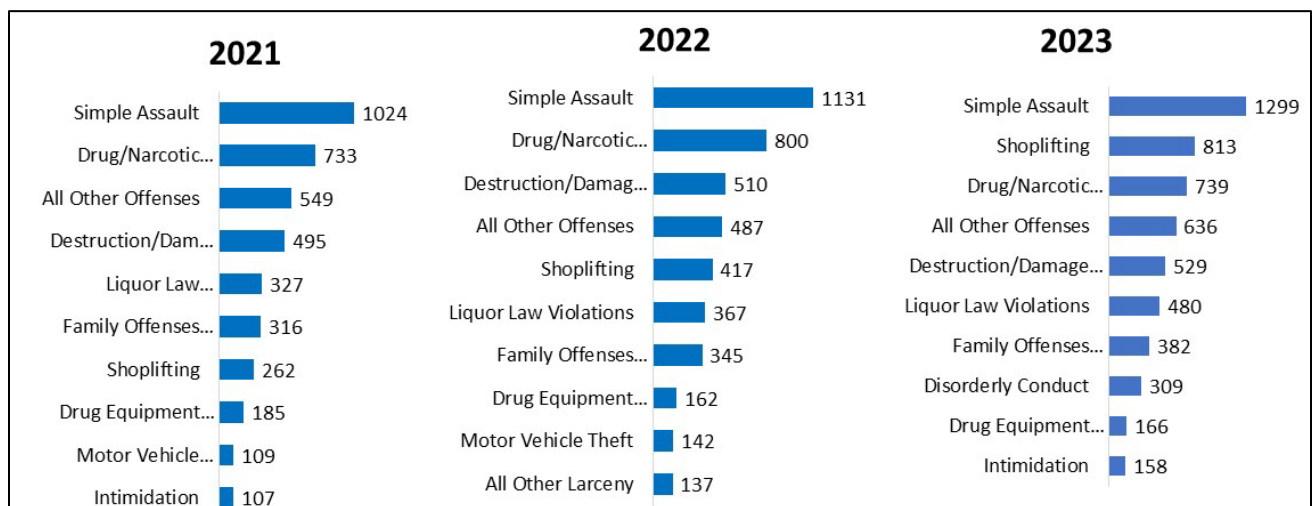


Arrests: There was an overall 31% increase in total arrests for youth in Nebraska. Of these arrests, shoplifting and simple assault are the two most common offenses youth were arrested for in 2023, with shoplifting showing an increase from previous years. Prior to 2023, drug offenses were the second most common offense, which moved to the third most common offense.

Total Number of Arrests, 2021-2023

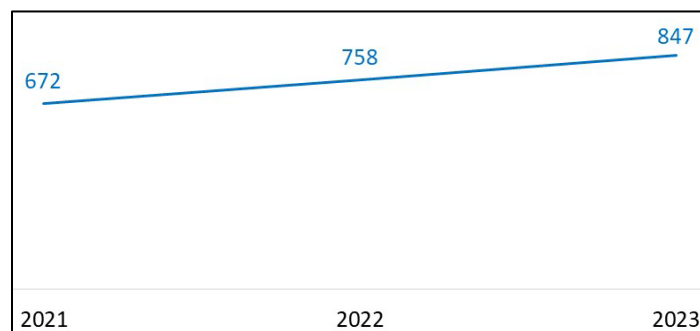


Top 10 Specific Offense Types by Number of Arrest, 2021-2023

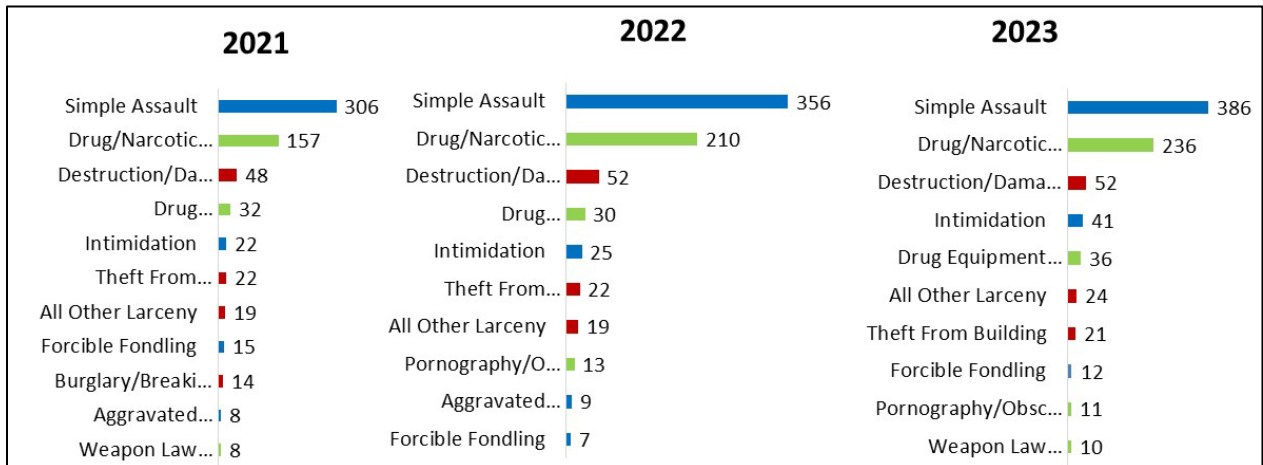


There has also been an increase in arrests made on school grounds, but for these, the most common offense is assault, followed by drug charges.

Number of Arrest on School Grounds, 2021-2023

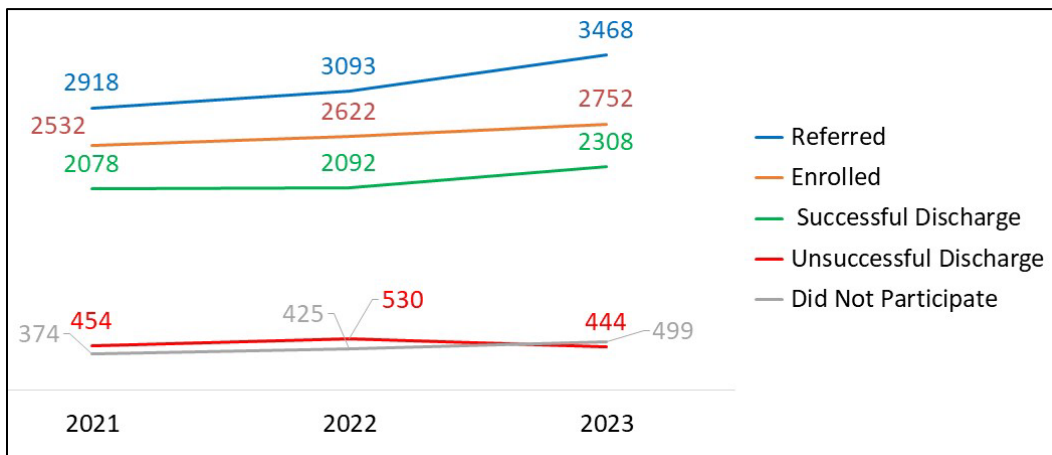


Arrests on School ground by Top 10 Specific Offense Types, 2021-2023

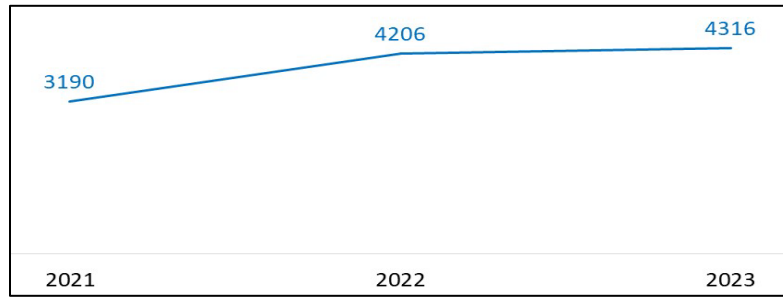


Diversion: Referrals, enrollments, and successful discharges in diversion programs across the state all saw an increase from 2021 to 2023. There is still a concerning number of youth choosing not to participate or being referred back to the county attorney, which is an area that needs further examination.

Diversion Points, 2021 to 2023

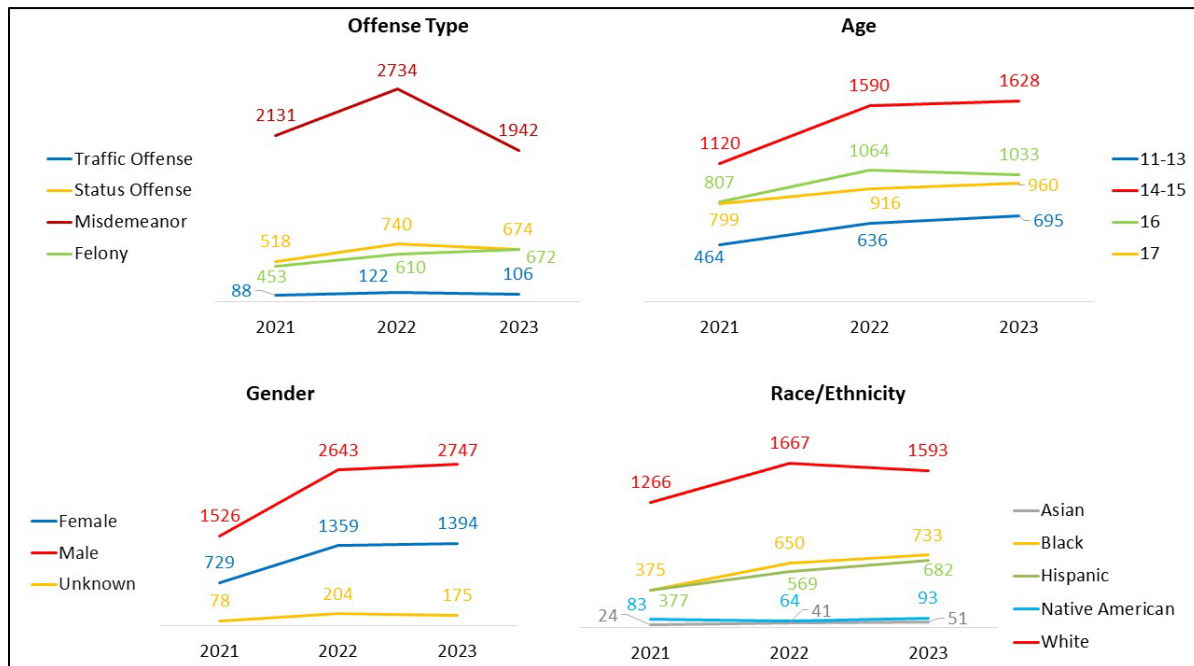


Number of Court Referrals, 2021-2023



Court filings: Nebraska saw an increase of 35% in overall petitions filed in juvenile court from 2021 to 2023. For Black and Hispanic youth there was a significant rise in juvenile petition filings with rates of 96% and 81% respectively. The majority of petitions were for misdemeanor offenses, specifically simple assault.

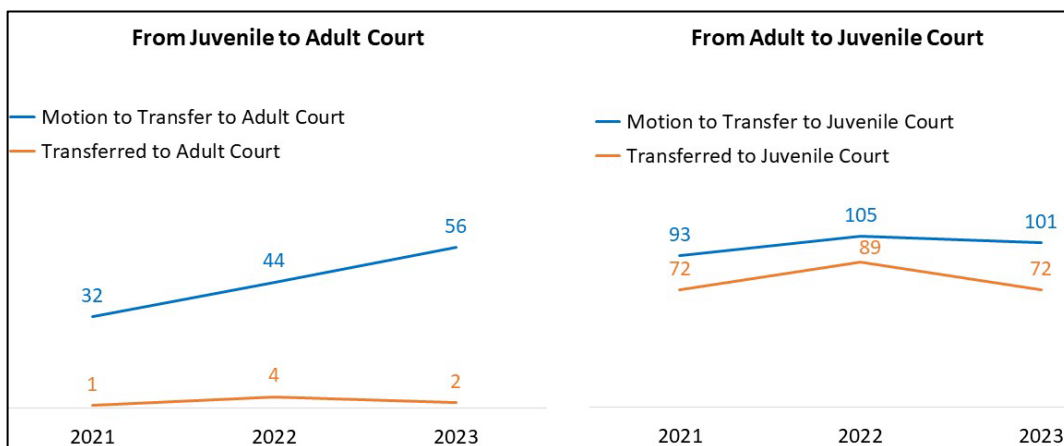
Court filings by offense types, age, gender, and race/ethnicity, 2021-2023.



Over the past three years, misdemeanor offenses account for the majority of court filings even with a decrease in 2023. The 14 to 15-years-old age group remains the age group with the most court filings, but 11 to 13 and 17-years-old age groups have also seen an increase in recent years.

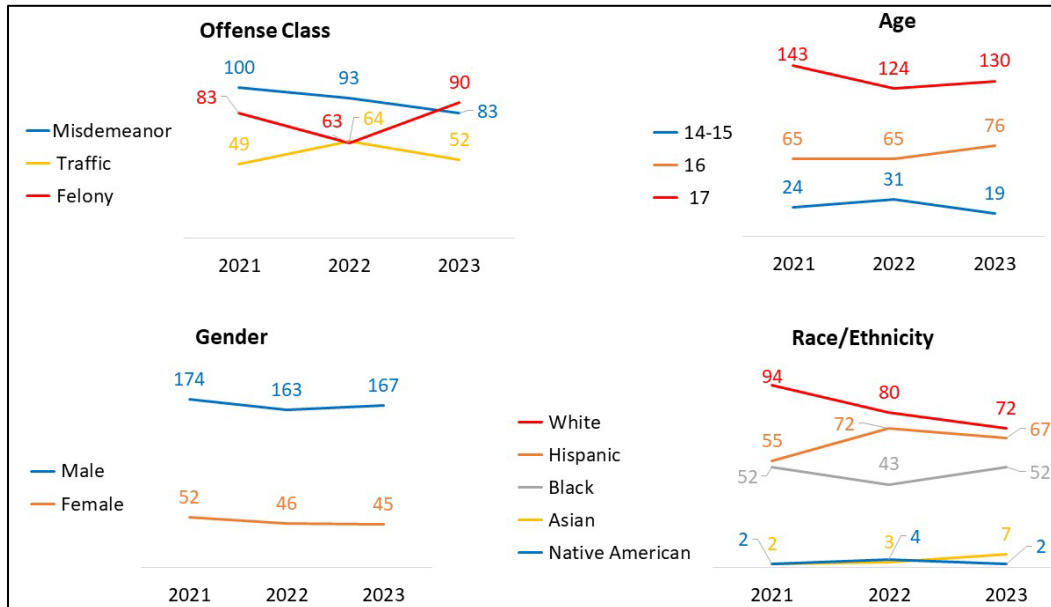
Court transfers: Most youth in Nebraska are processed under the jurisdiction of juvenile courts, but youth can be filed on and tried in adult courts. In Nebraska, cases transferred to adult court (county and district) from juvenile court were rare, despite the number of motions to transfer a case to adult court. The number of cases filed in adult court and transferred back to juvenile court was higher than transfers from juvenile court to adult court. Although there were still more motions filed to transfer juvenile cases to juvenile court that took place than transfers that took place.

Case Transfers, 2021-2023



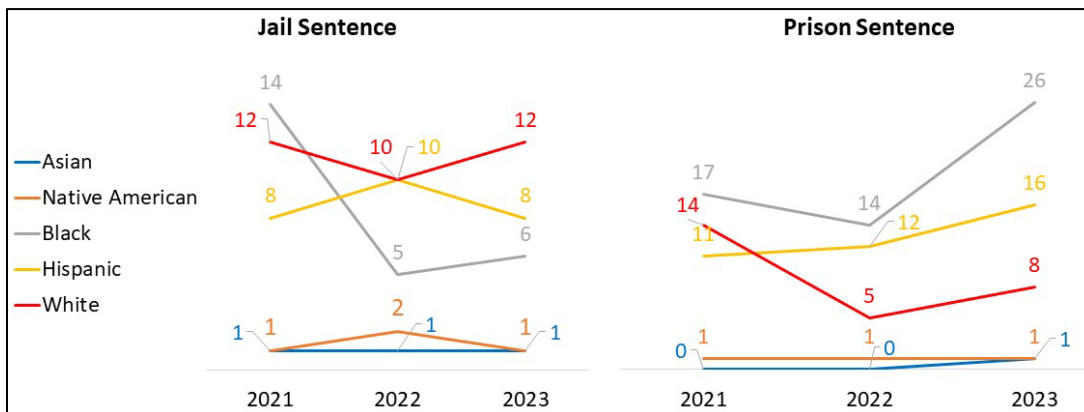
Racial and ethnic disparities are again noticed in the following depiction of juvenile prosecution in adult criminal court, offense type, age, gender, and race/ethnicity, 2021-2023. Black youth comprise only 6% of the population yet comprise 24% of the prosecutions in adult court. Hispanic or Latino youth making up 21% of the population, but account for 32% of the prosecutions in adult courts. Seventeen-year-olds had the most prosecutions in adult court, while 14- and 15-year-olds show a decrease in the past year. There has been a slight increase in youth prosecuted for felony charges in adult court, and while this is currently the offense class with the most prosecutions, there are not that many fewer misdemeanor prosecutions.

Juvenile prosecution in adult court, offense type, age, gender, and race/ethnicity, 2021-2023



Dispositions: When considering sentencing in adult court, the following graph displays jail and prison sentences by race and ethnicity. Data shows a shifting pattern in sentencing, with an increase in prison sentences for Black and Hispanic juveniles, and more variable trends for other groups.

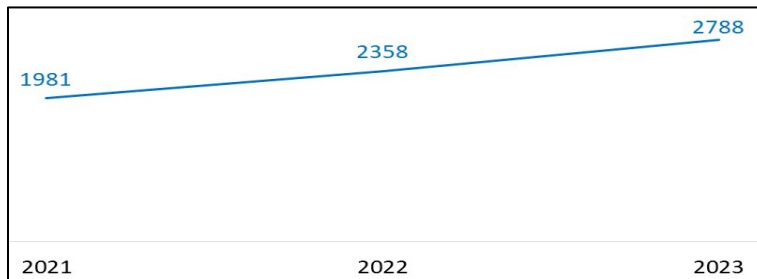
Jail and prison sentences, juveniles prosecuted in adult court, race and ethnicity 2021-2023



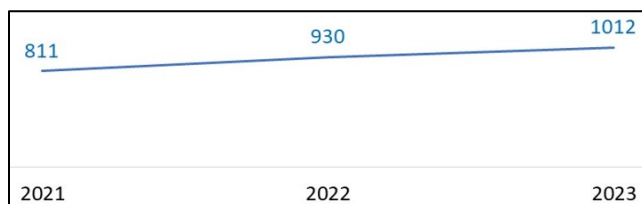
There was a steady increase in juvenile probation dispositions and in detention placements from 2021 to 2023. However, there were 2,788 youth placed on probation

compared to 1,012 youth in secure detention, indicating that probation is still the most utilized sanction for juveniles.

Number of Youth on Probation, 2021-2023

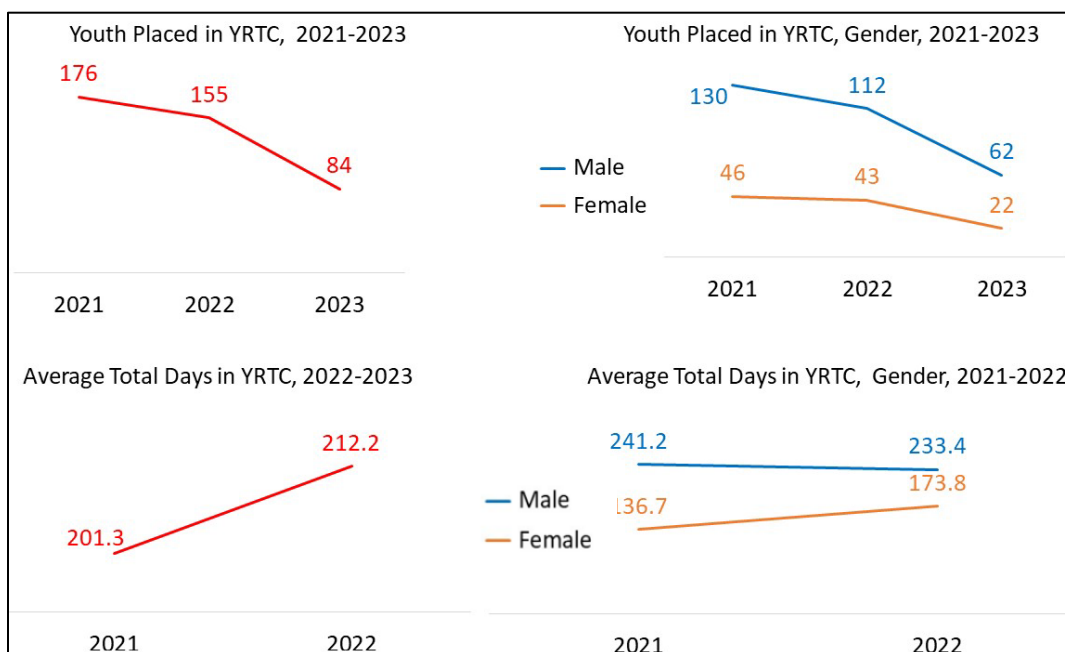


Juvenile Secure Detention Admissions, 2021-2023



Data also showed that while placements at the YRTCs went down, the total length of stay showed a slight increase.

Youth placed in YRTC, by total number, average time spent, and gender, 2021-2023



Project Goals and Objectives

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Priority 1: State Advisory Group (SAG)

Program Goal: The goal of the Nebraska Coalition for Juvenile Justice (NCJJ), the SAG for Nebraska, is to ensure the recommendations to the commission on the awarding of grants align with the priorities in the state plan, and to develop various recommendations for the state's juvenile justice system.

Program Objectives:

1. Members of the SAG will provide insight on juvenile justice issues in Nebraska as well as nationally.
2. Members of the SAG will use combined resources and information to make recommendations on Nebraska's juvenile justice policies, practices, and statutes.

Priority 2: Compliance Monitoring

Program Goal: The goal of Compliance Monitoring is to ensure compliance with the core requirements of Deinstitutionalization of Status Offenders (DSO), Sight and Sound Separation, Jail Removal, and removal of juveniles charged as adults from adult facilities.

Program Objectives:

1. Achieve and maintain compliance with the Deinstitutionalization of Status Offenders.
2. Achieve and maintain compliance with the Sight and Sound Separation requirement.
3. Achieve and maintain compliance with the Jail Removal requirements.

4. Achieve and maintain compliance with the Racial and Ethnic Disparities (R/ED) requirement.

Priority 3: Racial and Ethnic Disparities (R/ED)

Program Goal: The goal of the R/ED core requirement is to address the disproportionate number of youths identifying with a minority group who come into contact with the juvenile justice system by funding programs for youth and families and providing information and education to juvenile justice system stakeholders.

Program Objectives:

1. Identify what data is currently available and where additional data is needed.
 - a. The NCC has access to data at many system points, and others can be found through published annual reports or requested directly from agencies. During the data collection phase for this report limitations were observed that will need to be addressed.
 - b. The NCC will plan to have open and ongoing discussions with those who provide data to streamline the process, make sure everyone is using the same definitions, and establish timelines for reporting. This will involve members of the SAG who work at these system points.
2. Implement programming within the communities to reduce R/ED.
3. Provide education to juvenile justice stakeholders about R/ED.
4. Create a collaborative environment and decrease sub-committee silos and repetitive work.

Priority 4: Juvenile Delinquency Prevention and Positive Youth Development

Program Goal: The goal of Juvenile Delinquency Prevention and Positive Youth Development is to make delinquency prevention and positive youth development

programs, including mental/behavioral health services, more accessible to youth within their communities.

Program Objectives:

1. Determine gaps in delinquency prevention, positive youth development, and mental/behavioral health services in Nebraska and help to fill those gaps.
2. Identify and support existing programs in overcoming current barriers.
3. Provide support to allow youth to participate in delinquency prevention and/or mental/ behavioral health services within their communities with priority going to those that focus on positive youth development.

Project Design and Implementation

Priority 1: The State Advisory Group (SAG)

The Nebraska Coalition for Juvenile Justice (NCJJ), the SAG for Nebraska, will:

1. Review membership to confirm all vacancies are filled on a consistent basis.
 - The Chair of the SAG and the Nebraska Crime Commission will work with the Governor’s Office to fill and evaluate any vacancies, expired appointments, and reach out to minimally participatory members encouraging engagement in SAG activities.
2. Recruit and maintain young adult members appointed before the age of 28. Utilization and collaboration with community stakeholders will assist in this aspect. Exploring a youth subcommittee to be convened during off work hours and days that may be more convenient to those without reimbursement for their time from their employer.
 - Explore avenues to allow for reimbursement of time and costs for the young adults who join the SAG and attend meetings.
3. Meet at a minimum of twice a year.

4. Work with the Juvenile Services Committee (JSC) of the Nebraska Children's Commission and other committees focused on juvenile justice in Nebraska to align efforts.
5. Participate in the creation of a three-year plan.
6. Review the three-year plan annually for changes and updates if warranted.
7. Monitor Nebraska's compliance with the requirements of the JJDP, reporting annually to the Governor and Legislature.
8. The Grant Review Subcommittee will review grant applications and make recommendations.
9. NCJJ members will review the recommendations made by the Grant Review Subcommittee.
10. Submit annual recommendations to the Governor and Legislature.

Priority 2: Compliance Monitoring

1. To ensure compliance with the four core requirements of DSO, Jail Removal, Sight and Sound Separation, and R/ED, Nebraska will:
 2. Work with current jail standards staff at the Nebraska Crime Commission to identify any jurisdictions with potential violations.
 - Review detention data monthly to investigate for JJDP violations.
 3. Monitor court orders for status offenders that are detained.
 4. Inspect secure facilities statewide in person.
 5. Provide training and education to detention center staff, law enforcement, judges, and county attorneys on existing statutes and other alternatives available to them.
 6. Complete required federal reports accurately.

Priority 3: Racial and Ethnic Disparities (R/ED)

To address R/ED among youth in the juvenile justice system, Nebraska will:

1. Identify data readily available at the Nebraska Crime Commission.
 - Create Memorandums of Understanding (MOUs) and other data sharing agreements when needed with other agencies.
2. Collaborate with existing R/ED committees and groups to formulize a central purpose and reduce committee silos.
 - The NCJJ R/ED subcommittee and R/ED Coordinator will foster open lines of communication with other known groups and share current efforts.
3. Gather and analyze data regarding R/ED.
4. Create the Reducing Racial and Ethnic Disparities (R/ED) plan.
5. Provide education and training to juvenile justice stakeholders about R/ED in Nebraska using current data.
 - The SAG will consider training elements to be funded by Title II for various system stakeholders. Discussion has been started on exactly which stakeholders, but nothing has been finalized. These trainings included but are not limited to understanding youth development, cultural and diversity training, and addressing changes in community needs with diverse population.
6. Identify evidence-based, cultural-based, and other science-backed programs and strategies to reduce R/ED to share with communities and stakeholders.
 - The NCC and SAG will explore statewide programming that can be provided through the state to address R/ED, individualized to the specific needs of the community.

Priority 4: Juvenile Delinquency Prevention and Positive Youth Development

A survey of the Nebraska Coalition for Juvenile Justice (NCJJ) members found that prevention is the system point that most members believe needs to be addressed, and

within prevention, mental health was picked as the priority issue. Behavioral health was also the top disposition priority issue selected by the NCJJ members during the survey.

To address this concern, Nebraska will:

1. Support juvenile delinquency prevention, positive youth development, and mental/behavioral health services and programs for youth within their own communities when possible.
2. Work with existing programs to determine current barriers they are facing and attempt to help overcome these barriers.
3. Open discussion with rural program staff to identify what services in their area are still needed and what is available.
4. Prioritize funding for programs that assist delinquent and at-risk youth with positive self-development if mental health services are limited or not warranted.
5. Collaborate with the Department of Health and Human Services Division of Behavioral Health on locating available services and sharing resources across the state.
6. Encourage multiple system points to collaborate and communicate on the needs of the youth to provide comprehensive programming.

Compliance and Monitoring Plan

Plan, Procedure, and timetable covering the 3-year planning cycle:

As a returning state, Nebraska created a new compliance universe and monitoring plan. The timetable for each year to accomplish necessary processes to monitor for compliance with the four core requirements is in the introduction of this narrative. The JJ Specialist will assist the Compliance Monitors to achieve compliance. The Compliance Monitors will review and collect data from secure facilities in the monitoring universe. They have access to records for all facilities reporting to the

Nebraska Criminal Justice System (NCJIS) data platform. The Systems and Research department at the NCC has been involved in conversations regarding data collection, submission, and monitoring to establish what existing systems will work and what changes are needed to make the reports useful. This discussion also covered what permission levels and access to data and reports in the NCJIS need to be granted, and the staff members that will receive this access. The Compliance Monitors will also conduct site inspections and request records from secure facilities that do not report to NCJIS. Official verification will be made for the core JJDPa requirements that are established by State of Nebraska statute and facility policy.

Anticipated Barriers: Anticipated barriers include push back from facilities to gain access and cooperation where the NCC is not already inspecting, access to data and court orders from the office of probation, cooperation with judges to change practices and share court data, and the ability to change state statute to comply with the JJDPa.

Statement of the Problem

Nebraska's juvenile justice issues include racial and ethnic disparities (R/ED), lack of services in rural areas, and status offenses, specifically truancy, being treated as a delinquent act. Compounding these issues, data systems are not currently easily shared or consistently utilized between agencies. To compile the data for this narrative many resources needed to be researched, including resorting to annual reports posted on multiple agency websites. As a result, data being used may not be current or the timeframe of the data may not match.

In recent legislative sessions, statutory change to remove truancy as a status offense was introduced but did not pass. While many communities agreed with this change and started putting programming and services in place using state grant dollars to address truancy, other juvenile justice stakeholders opposed this change to legislation. Communities who have participated in state grant funding for the past several years indicate that truancy is a continuing problem, and even the communities that did not support the legislative proposals worked with the schools and county attorney's office to address truancy concerns. The mindset of including youth with truancy concerns in the juvenile justice system may become a barrier; however, Nebraska has a current state law supporting the DSO which states that status offenders cannot be detained.

Rural communities who have participated in state grant funding for several years often report that they lack services within their communities to properly serve youth, or that the closest services available are too far away to be practical. Even near the metropolitan areas in southeast Nebraska, smaller surrounding counties report available services and providers being 30-60 minutes away. This is especially true of mental health services. A few communities have brought therapists into the schools to help reduce travel time and costs for the families, but the need still overwhelms the availability, and funding to cover the therapists travel and costs is limited. Other services that are lacking in rural areas are alternatives to detention, family support services, and qualified assessment services.

In recent SAG meetings, discussion surrounding R/ED highlighted that there are several committees and working groups focused on R/ED, i.e., Juvenile Detention Alternative Initiative (JDAI) to address R/ED, but they are not communicating with each other. As a result, information is not being shared and efforts may be duplicated. A small working group comprised of R/ED committee members from various agencies was created to discuss current efforts and steps moving forward. After several meetings, it was decided the Title II R/ED Coordinator will collaborate with established groups to address the R/ED progress and work together in minimizing any overlapping efforts but will ensure the SAG R/ED goals are the R/ED Coordinator's main priority.

Additionally, data poses a barrier to properly assess R/ED issues in Nebraska. Law enforcement agencies are required to report arrest data to the NCC. However, not all agencies report, some do not report in a timely manner, and the format of reporting continues to be a barrier. Additionally, depending on the type of law enforcement encounter, data may not be recorded (such as verbal warnings). Courts are currently not required to report race/ethnicity, so the information in this area is also limited.