



Dave Heineman  
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)

Michael E. Behm, Executive Director

301 Centennial Mall South

P.O. Box 94946

Lincoln, Nebraska 68509-4946

Phone (402) 471-2194

FAX (402) 471-2837

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

January 27, 2012

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, January 27, 2012 at 9:30 AM in Lower Level Conference Room A of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published January 13, 2012 in the Lincoln Journal Star.

As amended by LB 898, 2005 Legislature, a copy of the Nebraska Open Meetings Act was available for public review.

**I. CALL TO ORDER**

The meeting was called to order at 9:34 AM by Acting Chairman John Freudenberg. The following members were **in attendance**: Acting Chair John Freudenberg, Candice Batton, Jeff Davis, Joe Kelly, Alex Hayes, Robert Houston (arrived at 9:37), Robert Lausten, Don Overman, Richard Pierce, David Sankey, Mike Swain, Derek Vaughn and William White. **Members excused**: Fred Ruiz, Rita Sanders and Brenda Smith. **Staff present**: Michael Behm, William Muldoon, Michael Overton, Lisa Stamm, Merry Wills, Cindy Gans, Cheryl Stejskal, Linda Krutz, Bruce Ayers, James Wright, David Stolz, and Ann Bauers.

**II. INTRODUCTION OF NEW BOARD MEMBERS**

Mike Behm, Executive Director of the Crime Commission introduced the newest members of the Crime Commission; Sarpy County Sheriff Jeff Davis and North Platte Police Chief Mike Swain. He also welcomed LaVista Chief of Police Robert Lausten as the new chair of the Police Standards Advisory Council.

**III. APPROVAL OF MINUTES**

*Motion*

*A motion was made by Pierce and seconded by Kelly to approve the minutes of the Police Standards Advisory Council meetings of September 21, 2011, October 19, 2011 and November 16, 2011; Jail Standards Board meeting of October 14, 2011; Crime Commission meeting of October 21, 2011; Crime Victims Reparations meeting of October 21, 2011; Office of Violence Prevention meeting of November 17, 2011; and the Nebraska Coalition for Juvenile Justice meeting of December 2, 2011; The motion passed unanimously by acclamation.*

#### **IV. EXECUTIVE DIRECTOR'S REPORT**

Mike Behm presented his Executive Director's report noting the following:

- Cheryl Stejskal is the new Staff Assistant in the Grants Division
- Nebraska Law Enforcement Training Center Instructor Mike Phinney has resigned and moved out of state. His position will be filled as soon as possible
- An Operating Instruction Committee has been established to bring all of the OI's up to date.

#### **V. OLD BUSINESS**

##### **A. RAP/SEADE TASK FORCE**

Chief Steve Sunday from the Wilber Police Department gave an update on the RAP Drug Task Force and clarification on where it stands on combining with SEADE. RAP has rejected the motion to merge with SEADE. He asked if there was anything RAP needed to do to be compliant with what the Crime Commission is asking them to do before the application process begins for grants.

Freudenberg asked Sunday to give some background on what RAP stands for and what counties it represents. Sunday stated that it's the Rural Apprehension Program and covers 10 counties. He gave a brief description of RAP and what it does. Sunday also stated that SEADE is another drug task force that is to the south and east of the 10 counties of RAP.

Freudenberg asked why RAP decided not to join with SEADE and Sunday replied it's because they wanted to stay together as a group and they have enough territory to cover without adding more. Freudenberg asked if what RAP is concerned about is if their rejection of joining with SEADE would have a negative impact on future funding through grants. Sunday stated they wanted clarification from the board on what is expected from RAP to be compliant.

Batton asked what the impetus for the merger was and Sankey gave a brief background and stated it was needed to become a multi-jurisdictional taskforce which it is not currently and to use state investigators more efficiently and meet the requirement of using county and state personnel. Batton asked if this would impact future Federal funding and Sankey answered yes.

There was a brief discussion on what brought about the decision to combine the two and where the groups are financially until the end of the fiscal year. Lisa Stamm stated that if the task force meets the Byrnes requirements, then they can receive Federal funding. Each group would have to have more than one state or local agency involved to qualify.

There was a brief discussion on what amount of money from the Byrne grant would be available. There was also discussion on whether state investigators would still be available from the State Patrol. Sankey stated that there has to be investigators from another agency also involved in order to qualify for any further grant money. Batton asked how RAP would

become qualified to meet the requirements. Sunday stated that he wanted the board to tell him what they needed to do in order to continue to receive the federal grants. Freudenberg clarified the steps needed to qualify for grant money and said that the board didn't have the information to answer Sunday's question. Stamm stated that RAP did qualify for the current fiscal year and outlined how they were in compliance.

Bruce Lang, Beatrice Chief of Police, SEADE representative stated that he understood the Crime Commission mandated that the two task forces merge and that future funding was reliant on that merger. He further stated that they were in compliance and that they used their own investigators and didn't rely on the State Patrol. Lang stated that SEADE was waiting on this meeting to see if this merger was the mandate before they made any further plans.

Davis asked if there was a cost savings in the merger or was it just use of personnel. Sankey answered that future funding is in jeopardy if some changes aren't made to the task forces. He further stated that this proposal was just an idea to help both task forces meet that change. Overman asked if SEADE was compliant and was told they were. He then asked if RAP is compliant, and was told yes, as long as the State Patrol provided the investigators. Sankey stated that the patrol had no intention of not providing the investigators to RAP.

Freudenberg summarized the discussion as both task forces are currently compliant, the State Patrol is not going to stop providing the investigators for RAP, when the groups file for future grants they will be evaluated on the same criteria as in the past, and the proposal that was offered in the past was simply to make it better for both groups, but RAP voted to decline and wanted to remain independent. Sankey then stated that if RAP doesn't have dedicated personnel from more than one agency, then they won't meet federal guidelines, however, the State Patrol is not going to pull out of RAP. Freudenberg asked if the task forces would qualify when they applied if they didn't join and Stamm stated that this was a grey area in the Federal funding mandates.

## **VI. NEW BUSINESS**

Robert Lausten, Police Standards Advisory Council President gave a procedural overview of the revocation process. He informed the Board that the case file contains the following information: the informal complaint, notice to the officer of the informal complaint, the officer's informal answer (if any is filed), the Executive Director's correspondence, and the formal complaint filed.

He stated that each hearing will be handled separately and will require a separate vote.

### **A. Final Revocation Decision – LR-046-06 – Lynn R. Longmore**

Lausten stated that the case before the Board today was uncontested and there is an avadavat showing publishing of the notice to revoke. Lausten reviewed the case with the Board and offered the file into evidence. He then asked for a motion from the Board to either approve or deny revocation of Mr. Longmore's law enforcement certification.

Lynn Longmore did not attend, nor did he send a representative on his behalf.

*Motion*

*A motion was made by White and seconded by Sankey to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of Lynn R. Longmore LR-046-06. Voting in favor of the motion: Batton, Davis, Hayes, Kelly, Houston, Lausten, Overman, Pierce, Sankey, Swain, Vaughn and White. Motion carried unanimously.*

**B. Final Revocation Decision – LR-078-10 – Sean M. Heyenga**

Lausten stated that the case before the Board today was uncontested and there is an avadavat showing publishing of the notice to revoke. Lausten reviewed the case with the Board and offered the file into evidence. He then asked for a motion from the Board to either approve or deny revocation of Mr. Heyenga's law enforcement certification.

Sean Heyenga did not attend, nor did he send a representative on his behalf.

*Motion*

*A motion was made by Overman and seconded by Houston to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of Sean M. Heyenga LR-078-10. Voting in favor of the motion: Batton, Davis, Houston, Kelly, Lausten, Overman, Pierce, Sankey, Swain, and White. Abstain: Hayes and Vaughn. Motion carried*

**C. Final Revocation Decision – LR-060-07 – Larry E. Williams**

Lausten stated that the case before the Board today was uncontested and there is an avadavat showing publishing of the notice to revoke. Lausten reviewed the case with the Board and offered the file into evidence. He then asked for a motion from the Board to either approve or deny revocation of Mr. Williams' law enforcement certification.

Larry Williams did not attend, nor did he send a representative on his behalf.

*Motion*

*A motion was made by Hayes and seconded by Vaughn to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of Larry E. Williams LR-060-07. Voting in favor of the motion: Batton, Davis, Hayes, Houston, Kelly, Lausten, Overman, Pierce, Sankey, Swain, Vaughn and White. Motion carried unanimously.*

**D. Nebraska Law Enforcement Training Center**

**1. Instructor Certifications**

The Crime Commission next considered *five* requests for **Professional Certification**, *one* request for **Professional Recertification**, and *one* request for **Legal Certification**. Police Standards Advisory Council's recommendations were reported by Robert Lausten.

*Motion*

*A motion was made by White and seconded by Vaughn to grant the following instructor certifications per Police Standards Advisory Council's recommendations: Professional Certification to Duane R. Collins, Nebraska Law Enforcement Training Center; Kayla D. Farrell, Nebraska State Patrol; Michael D. Jahnke, Nebraska State Patrol; William M. Keeling, Nebraska State Patrol; William R. Ziemer, Lancaster County Sheriff's Office for Nebraska Law Enforcement Training Center; Legal Certification to Sarah J. Millsap, Nebraska State Patrol and Professional Recertification to James B. Stover, Nebraska State Patrol. Voting in favor of the motion: Batton, Davis, Kelly, Hayes, Houston, Lausten, Overman, Pierce, Sankey, Swain, Vaughn and White. Motion carried unanimously.*

**D. CVR Committee – two vacancies**

Freudenberg stated that with the departure of Scot Ford and Bill Brueggemann from the Crime Commission board, there were now two vacancies available and would like volunteers to serve. Jeff Davis and Joe Kelly volunteered.

Behm stated that he had some commemorative clocks to give to Scot Ford and Bill Brueggemann for their years of service on the board which he will personally deliver.

**F. Office of Violence Prevention – Grant Summary**

**SEE ATTACHMENT #1**

James Wright, Director of the Office of Violence Prevention summarized the grants which were approved by the advisory board. Approval of Grant 11-VP-5000 in the amount of \$83,400 for the Urban League of Nebraska; Approval of Grant 11-VP-5002 in the amount of \$200,116 for the City of Omaha; and denial of Grant 11-VP-5001 for Douglas County

*Motion*

*A motion was made by Vaughn and seconded by Swain to Approve Grant 11-VP-5000 in the amount of \$83,400 for the Urban League of Nebraska; Approve Grant 11-VP-5002 in the amount of \$200,116 for the City of Omaha; and deny Grant 11-VP-5001 for Douglas County. Voting in favor of the motion: Batton, Davis, Kelly, Houston, Overman, Pierce, Sankey, Swain Vaughn and White. Abstaining from the Motion: Hayes and Lausten. Motion Carried*

**G. Revision Recommendation to Operating Instruction #1**

**SEE ATTACHMENT #2**

Behm presented his recommendation for changing Operating Instruction #1. He proposed changing Paragraph 4, subsection ii, take out "A newly appointed" and replace with "**The**"

Paragraph 6, take out the sentence "Each staff member in Lincoln and Grand Island shall receive a notebook with copies of existing R&R's , OI's, and SM's" and replace with "**Rule and Regulations and Operating Instructions shall be posted to the Crime Commission portal and website. Staff Memorandums shall be posted to the Crime Commission portal.**"

Take out "the Administrative Secretaries will distribute copies and an updated index to staff members." Replace with "**notice will be sent via e-mail to all staff members.**"

Paragraph 7 add the sentence "**Each Operating Instruction and Staff Memorandum will be created using a standardized format and signed by the Executive Director**"

*Motion*

*A motion was made by Hayes and seconded by Houston to revise Operating Instruction #1 as presented by Behm. Voting in favor of the motion: Batton, Davis, Hayes, Kelly, Houston, Lausten, Overman, Pierce, Sankey, Swain Vaughn and White. Motion carried unanimously.*

**H. Revision Recommendation to Operation Instruction #7**

**SEE ATTACHMENT #3**

Behm stated that this is just cleaning up language and making it consistent without changing any of the Operating Instructions. All the changes are noted in red on Attachment #3 which is the gold copy.

*Motion*

*A motion was made by Vaughn and seconded by Overman to revise Operating Instruction #7 as presented by Behm. Voting in favor of the motion: Batton, Davis, Hayes, Kelly, Houston, Lausten, Overman, Pierce, Sankey, Swain, Vaughn and White. Motion carried unanimously.*

**I. Appeal of JRJ Grant #11-LR-1139 for Daniel Packard**

**SEE ATTACHMENT #4**

Lisa Stamm summarized the reasons for the denial of JRJ Grant #11-LR-1139. Daniel Packard presented his arguments for why he felt it should not be denied. There was a brief discussion regarding the denial and why the money couldn't be divided except according to stated guidelines.

*Motion*

*A motion was made by White and seconded by Lausten to recommend denial of the Appeal of JRJ Grant #11-LR-1139. Voting in favor of the motion: Batton, Davis, Hayes, Houston, Lausten, Overman, Pierce, Sankey, Swain, Vaughn and White. Abstaining from the Motion: Kelly. Motion carried.*

**J. Approval of 2011 RJ-BX-0042 John R. Justice Applications/Recommendations in the amount of \$96,919**

**SEE ATTACHMENT #5**

Lisa Stamm gave a summary of the JRJ grant applications and the division of the remaining monies. Freudenberg stated that most people got \$2000, but some got more. Stamm said it was based on debt to income ratio and they couldn't award less than \$2000. Because the defense attorney's had fewer applicants, they could award it differently and it had to be awarded to public defenders.

*Motion*

*A motion was made by Lausten and seconded by Kelly to approve 2011 RJ-BX-0042 John R. Justice Applications/Recommendations in the amount of \$96,919. Voting in favor of the motion: Batton, Davis, Kelly, Houston, Lausten, Overman, Pierce, Sankey, Swain and White. Abstaining from the motion: Hayes and Vaughn. Motion carried.*

**K. Update on JAG Strategic Planning**

Stamm gave an update on the JAG Strategic Planning meetings and will continue to give updates in the upcoming months. There were no questions or comments

**L. Approval to allow the JAG Strategic Planning Advisory Committee to act as the Governing Board for the FY 2012 JAG Applications**

Stamm presented a summary of the reasons behind asking for the JAG Strategic Planning Advisory Committee to act as the Governing Board.

*Motion*

*A motion was made by Overman and seconded by White to approve allowing the JAG Strategic Planning Advisory Committee to act as the Governing Board for the FY 2012 JAG Applications. Voting in favor of the motion: Batton, Davis, Hayes, Houston, Lausten, Overman, Pierce, Swain, Vaughn and White. Abstaining from the Motion: Kelly and Sankey. Motion carried.*

**M. Update of Juvenile Justice Funds**

Cindy Gans gave an update on the Juvenile Justice Funds. There were no questions or discussion among the board.

**N. Approval of \$55,000 in 2011 JB-FX-0016 Juvenile Accountability Block Grant Funds to support the JDAI State-wide Coordinator**

SEE ATTACHMENT #6

Gans summarized the request for \$55,000 to support the JDAI State-wide Coordinator. There were no questions or discussion among the board.

*Motion*

*A motion was made by Vaughn and seconded by Lausten to approve \$55,000 in 2011 JB-FX-0016 Juvenile Accountability Block Grant Funds to support the JDAI State-wide Coordinator. Voting in favor of the motion: Batton, Davis, Hayes, Kelly, Lausten, Overman, Pierce, Sankey, Swain, Vaughn, and White. Abstaining from the Motion: Houston. Motion carried.*

**O. Approval of FY 2011 remaining local pass-through 2011 JB-FX-0016 Juvenile Accountability Block Grant funds in the amount of \$88,395**

Gans gave a brief summary of the remaining local pass-through 2011 JB-FX-0016 Juvenile Accountability block Grant funds in the amount of \$88,395. Freudenberg asked if the board voted for it to go to the local levels, then who would get the money. Gans replied that any local county entity could apply for it.

Freudenberg then asked if the board voted for it to go the State what would happen to the monies. Gans stated the board would have to seek a waiver from the Federal Government for it to be effective. There was a brief discussion the merits of both options.

### *Motion*

*A motion was made by Davis and seconded by Kelly to approve the FY 2011 remaining local pass-through 2011 JB-FX-0016 Juvenile Accountability Block Grant funds in the amount of \$88,395 to go to local entities. Voting in favor of the motion: Davis, Hayes, Kelly, Houston, Lausten, Overman, Pierce, Sankey, Swain, Vaughn and White. Abstaining from the Motion: Batton. Motion carried.*

**P. Approval of FY 2012 Juvenile Accountability Block Grant State allocated grant funds Process**

Gans gave a brief summary of the FY 2012 Juvenile Accountability Block Grant State allocated grant funds process.

Freudenberg asked if the board had the option to move 20% to the local side for FY 2012. Gans answered in the affirmative. There was a brief discussion on the disbursement of the funds in previous years. The options for this year are to move the funds, leave them where they are, or table it for later discussion.

### *Motion*

*A motion was made by Vaughn and seconded by Sankey to table the motion on Approval of FY 2012 Juvenile Accountability Block Grant State allocated grant fund Process. Voting in favor of the motion: Batton, Davis, Hayes, Kelly, Houston, Lausten, Overman Pierce, Sankey, Swain, Vaughn, and White. Motion carried unanimously.*

**Q. Approval to support the VAWA Grant Review process be changed to reflect Operating Instruction #10**

**SEE ATTACHMENT #7**

Merry Wills gave a summary of the VAWA Grant Review process and why it should be changed to reflect Operating Instruction #10. She stated that the Crime Commission Board had approved the change to Operating Instruction #10 at the October 21, 2011 meeting. Wills stated that change will impact the VAWA Grant Review Process.

Wills gave a brief history explaining that when VAWA was received, the Governor appointed the Crime Commission as the designated agency who then developed the VAWA Advisory Group. That body has been the second level of Grant Review for many years. Wills stated that the Advisory Group is not specified by the Governor, nor is there a statutory requirement for it to do the grant reviews. Now that the OI has changed, the process will be Wills to do a technical review, then the application will go to the Staff Review, from there it would go to the Crime Commission sub-committee Grant Review, then it before the full board for final approval.

There were no questions or comments.

*Motion*

*A motion was made by Vaughn and seconded by Overman to approve the VAWA Grant Review process be changed to reflect Operating Instruction #10. . Voting in favor of the motion: Batton, Davis, Hayes, Kelly, Houston, Lausten, Overman, Pierce, Sankey, Swain, Vaughn, and White. Motion carried unanimously.*

**VII. OTHER BUSINESS**

There was no other business.

**VIII. PUBLIC COMMENT**

There were no members of the public present who wished to address the Board at this time.

**IX. ADJOURNMENT**

The next scheduled meeting of the Commission will be **Friday, May 4, 2012 at 9:30 AM in the Nebraska State Office Building, Lower Level Conference Room A, Lincoln, Nebraska.**

There being no further business, the meeting adjourned at 11:12 AM.

Respectfully Submitted,



Ann Bauers  
Administrative Assistant

# **Attachment #1**

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

**Applicant:** Urban League of Nebraska

**Grant #:** 11-VP-5000

**Title:** Urban Youth Empowerment Series

**Amount Requested:** \$83,400

*The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.*

Amount Recommended	Contingencies for Award:
\$83,400	<ol style="list-style-type: none"><li>1. Provide to the Office of Violence Prevention (OVP), name and contact information of evaluator.</li><li>2. Contact OVP to review items listed as match to clarify obligations. For example the refurbished computer, cellular phone, and training.</li><li>3. Contact OVP to review performance indicators.</li></ol>

*The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.*

**Strengths of the Application:**

1. Variety of program opportunities for participants is a positive attribute of application.
2. Match contributions are a sign of commitment to project.
3. Referral from Juvenile Assessment Center, Juvenile Probation and Omaha Public Schools demonstrates a connection with documented delinquency behaviors.
4. Proposal utilizes evidence based model programs.
5. Urban League's sustained work in the community providing services.
6. Executive director's intimate knowledge of law enforcement and juvenile delinquency issues.
7. Individualized client plans based on Ansel Casey Life Skills Assessment.
8. Numerous agencies indentified through letters of support.

**Areas for improvement:**

1. Job description could benefit from more detailed information of activities and responsibilities for each position and their specific impact on goals/project.
2. Enhance application by providing more detailed information regarding the credentials of who will be conducting evaluation would enhance application.
3. Application would be enhanced by providing more detailed description in the budget narrative of how certain supplies are utilized in specific activities. This will help justify cost or provide credence to match amount. One good example was included in proposal: The description of how the copier was utilized to generate outreach materials.
4. Description of several items listed as match needs clarification. Such as match cost listed with training. What type of training? How will it impact implementation of proposal?

5. All match items need to be documentable and auditable. (i.e., \$125 for miscellaneous).
6. Application would benefit from statistical documentation of link between homicide rates and target service population of high & middle school students.
7. Application lacks data illustrating connection between immediate or long term interventions related to items listed in problem description.
8. Application would be enhanced by including data illustrating impact and past success of program. This information could be available from previous evaluator and collaborative partners.
9. Performance indicators should reflect outcomes from program participation.
10. Application would be strengthened by objectives that were tied to factors listed in problem description.
11. Application would be enhanced by data illustrating programs previous results
12. Letters of support seem to be boiler plates. Letters of support would have more credibility if they defined their role in the project or specifically articulated how they interact with this project.

**Nebraska Commission on Law Enforcement and Criminal Justice**

**SUMMARY COMMENT SHEET**

**Applicant:** Douglas County

**Grant #:** 11-VP-5001

**Title:** Violent Crime Prosecution Unit

**Amount Requested:** \$114,188

*The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.*

<b>Amount Recommended</b>	<b>Reasons for Denial:</b>
\$0	<p><b>Upon review this grant has been recommended for denial of funding for the following reasons based on the criteria outlined in Crime Commission Operating Instructions #10 and #11:</b></p> <p><b>O.I. # 10 – 007.02F: Cost effectiveness of the proposed project.</b></p> <ul style="list-style-type: none"> <li>• <b>Indicator: Large amount of funding for a short time period – Request was for \$114,188.00 for six months.</b></li> <li>• <b>Indicator: Data presented in problem description does not reflect a significant statistical increase of violent crime, despite the narrative assertion</b></li> <li>• <b>Indicator: cost for consultant - The staff review participants determined that the rate for the evaluator was not reasonable and consistent with that paid for similar services in the market place. – Total cost for evaluator \$9,188.</b></li> </ul> <p><b>O.I. #10 – 007.02H: If previously funded, the performance and ability of the applicant to manage a grant program, including timely submission of required reports to the Crime Commission</b></p> <ul style="list-style-type: none"> <li>• <b>Indicator: Project funded by another grant to cover same time period as request. Shortfall without explanation raises a concern about the applicant’s ability to manage grant funds.</b></li> </ul> <p><b>O.I. #10 – 007.02G: Amount of funds available.</b></p> <ul style="list-style-type: none"> <li>• <b>Indicator: Total request for funds exceeded amount of funds available by 117,704.00.</b></li> </ul>

*The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.*

**Strengths of the Application:**

1. Documented evidence based model approach
2. Goals and performance indicators are appropriate and clear.
3. Clear connection between problem and program activities.

***Areas for improvement:***

1. Large amount of funding for a short period of time reflects negatively on cost effectiveness of the program.
2. The project identified in the application is funded by another grant for the same time period as this request. The fact that this application is made to cover a pending short fall raises questions about grant management. The application would have been enhanced by addressing this issue.
3. The fact that a majority of funding for this proposal is temporary draws into question the sustainability of this effort.
4. Application would be enhanced if it described how it derived the cost for the evaluator if the contractor has not been selected.
5. Correction is needed to budget sheet for consultant.
6. Hiring of evaluator should be added to timeline.
7. The cost of evaluator should be prorated to be in portion with the period OVP covers in relationship to the total project period.
8. Contact information for evaluator should be provided to OVP if grant is awarded.
9. A stronger justification for funding request as the data presented on a longitudinal line does not reflect a significant statistical increase, despite the narrative assertion.
10. The application would be enhanced by a providing an explanation, supported by data, as to why the funding needs of this program is not an allocation of resource issue for Douglas County.
11. Letters of support would have more credibility if they defined their role in the project or specifically articulated how they interact with this project.
12. Since the application notes a collaborative relationship with Omaha 360, a letter of support from this organization would add credence and enhance application.
13. Prevention activities listed as outcomes in the objectives/performance indicators would enhance application.

**Nebraska Commission on Law Enforcement and Criminal Justice**

**SUMMARY COMMENT SHEET**

**Applicant:** City of Omaha

**Grant #:** 11-VP-5002

**Title:** Omaha 360

**Amount Requested:** \$270,116

*The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.*

<b>Amount Recommended</b>	<b>Contingencies for Award/Reasons for Denial:</b>
\$200,116	<ol style="list-style-type: none"> <li>1. Provide to the Office of Violence Prevention (OVP) a revised budget summary, budget sheets &amp; narrative that reflects the following specific items:                             <ul style="list-style-type: none"> <li>• Two years of funding for OPD gang specialist: Year 1 - \$59,025, Year 2 - \$61,091.</li> <li>• One year of funding for Omaha 360 violence prevention coordinator: Year 1 - \$65,000.</li> <li>• Two years of funding for evaluator contract: Year 1 - \$7,500, Year 2 - \$7,500.</li> <li>• Provide to the Office of Violence Prevention (OVP) a budget narrative that reflects the specific details of expected outlay for benefits reflecting amounts that cover only the employer's share.</li> </ul> </li> <li>2. Contact OVP to discuss evaluator contract.</li> <li>3. Provide to OVP a formal job description for Omaha 360 coordinator and the OPD gang specialist.</li> <li>4. Provide to OVP copy of contract with Omaha 360.</li> <li>5. Provide to OVP a timeline of activities for the OPD gang specialist.</li> <li>6. Contact OVP to review items listed as match to clarify obligations.</li> <li>7. Contact OVP to review performance indicators.</li> <li>8. Coordination with the Douglas County Comprehensive Juvenile Services Plan should be added to activities and timeline.</li> <li>9. Language regarding the development of measurable goals and accountabilities should be added to activities and timeline</li> <li>10. Provide OVP with copies of Memorandum of Understanding from agencies participating on advisory board or supporting Omaha 360 collaborative activities.</li> </ol>

*The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.*

***Strengths of the Application:***

1. Great documentation of sources for statistics.
2. Good explanation of problem statistical data to justify proposal activities.
3. Proposal incorporates evidence based approaches and models.
4. Inclusion of Police Research and Policy Group is a positive component of application.
5. Proposal efforts seem to lay the ground work for long term measurement, planning, activities, and goals. Lending credence to sustainable impact of the proposal.
6. Direct connection between problem description and activities of proposal.

***Areas for improvement:***

1. Application would be enhanced by more detailed information justifying costs related to personnel benefits.
2. Correction is needed on the Coordinator Budget sheet.
3. While a match is not a requirement of the grant, the application would be enhanced by more details regarding the support that would be given to the project by Omaha 360 and the City of Omaha beyond the \$2,000 for a computer and software.
4. The staff review participants determined that the rate for the evaluator was not reasonable and consistent with that paid for similar services in the market place.
5. Application does not clearly articulate why OPD gang specialist duties of referral cannot be accomplished through general police activities or other entities engaged in outreach efforts.
6. A concise explanation of Gang Specialist's activities would enhance application.
7. The number of annual community outreach and engagement activities in Objective #2 seems extremely low.
8. Objective #4 is not actively strategic and seems low.
9. Application would be enhanced by more objectives and performance indicators for the OPD Gang Specialist.
10. The application would be enhanced by more letters of support.

**2011 Office of Violence Prevention (OVP)**  
**Available to award \$350,000.00**  
**Over in requests \$117,704.00**

\*

<i>Number</i>	<i>Agency—City</i>	<i>Amount Requested</i>	<i>Amount Recomm Staff Rvw.</i>	<i>Amount Recomm Grant Rvw.</i>	
11-VP-5000	Urban League - Omaha (\$31,900)	\$ 83,400.00	\$83,400.00	\$83,400.00	
11-VP-5001	Douglas County Attorney's Office (45,900)	\$ 114,188.00	\$0.00	\$0.00	
11-VP-5002	City of Omaha (151,000)	\$ 270,116.00	\$266,600.00	\$200,116.00	
11-VP-5003					
11-VP-5004					
11-VP-5005					
11-VP-5006					
11-VP-5007					
11-VP-5008					
11-VP-5009					

TOTALS	\$ 467,704.00	\$350,000.00	\$283,516.00	\$	
Available	\$ 350,000.00				
Remaining	\$ (117,704.00)	\$ -	\$ 66,484.00		

# **Attachment #2**

# NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

OPERATING INSTRUCTION  
NUMBER 1

July 28, 1995  
January 27, 2012

## WRITTEN DIRECTIVES

**PURPOSE:** To authorize the publication of written directives.

1. **SCOPE:** Applicable to Commission members and agency staff.
2. **GENERAL:** Successful management results when direction is provided in writing and made easily accessible to all personnel for clear understanding. This instruction formally authorizes the publication of written directives and prescribes procedures.
3. **AUTHORIZED PUBLICATIONS:**
  - A. **Rule and Regulation (R&R)**
    - i. Used when the purpose is to implement, interpret, or make specific a law administered by the Commission which affects agencies external to the Commission.
    - ii. The Governor's Policy Research and Energy Office is to be notified in advance of the intent to draft a new rule and regulation or to propose substantive changes to existing rules and regulations.
    - iii. Requires a public hearing, approval by the Commission, Governor, Attorney General, Secretary of State and filing with the Revisor of Regulations. Distribution will be made to Commission members, agency staff, and others as appropriate.
  - B. **Operating Instruction (OI)**
    - i. Used when the purpose is to prescribe a significant policy or procedure directives upon the agency staff, sub-grantees, other agencies or the public.
    - ii. Does not require a public hearing. Requires Commission approval with distribution to the Commission, agency staff, and others as appropriate.

**C. Staff Memorandum (SM)**

- i. Used when the purpose is to prescribe an administrative policy or procedure governing the agency staff. Requires Executive Director approval with distribution to the agency staff.
- ii. The Training Center may develop internal policies and procedures to prescribe internal procedures and to implement Commission directives. Requires Training Center Director and Executive Director approval with distribution to the Training Center staff.

**4. AUTHENTICATION:**

- i. Directives will be signed by the Executive Director except Training Center internal policies and procedures which will be signed by the Training Center Director.

**The**

- ii. ~~A newly appointed~~ Executive Director shall review all existing Staff Memorandums and Operating Instructions and may propose any changes he/she considers necessary.

- 5. INITIATION:** The Executive Director shall appoint a standing committee of staff members, at least one of whom shall be a Training Center employee. This committee (known as the SMOI Committee) shall meet periodically to review and update the agency's staff memorandums and operating instructions. Revisions to existing SM's or OI's or the development of new ones shall be coordinated by the SMOI Committee with affected staff members and the Executive Director.

Revisions to existing R&R's or the development of new R&R's shall be drafted by appropriate agency staff as designated by the Executive Director.

- 6. DISTRIBUTION:** All written directives, including Training Center internal policies and procedures, shall be maintained by the Administrative Secretaries in Lincoln and Grand Island. ~~Each staff member in Lincoln and Grand Island shall receive a notebook with copies of existing R&R's, OI's, and SM's.~~ Rules and Regulations and Operating Instructions shall be posted to the Crime Commission portal and website. Staff Memorandums shall be posted to the Crime Commission portal. In addition, staff in Grand Island shall each receive copies of Training Center internal policies and procedures.

When revisions are made to existing written directives or new directives are developed, ~~the Administrative Secretaries will distribute copies and an updated index to staff members.~~ notice will be sent via e-mail to all staff members

~~Commission members and members of the Police Standards Advisory Council shall receive notebooks with copies of existing R&R's and OI's. The Administrative Secretary in Lincoln will provide each member with revisions to R&R's and OI's as they are developed.~~

7. **FORMAT:** R&R's are required to follow a designated format provided by the Revisor of Regulations, Secretary of State Office. R&R's shall be filed with the Attorney General, Governor, and Secretary of State, Revisor of Regulations. Each Operating Instruction and Staff Memorandum will be created using a standardized format and signed by the Executive Director

~~Allen Curtis~~  
**Michael E. Behm**  
Executive Director

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Distribution: Commission members and agency staff.

Reseinds: OI#1 dated January 30, 1981.

Revises: dated July 28, 1995.

# **Attachment #3**

# NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

## OPERATING INSTRUCTION NUMBER 7

~~February 9, 1996~~  
January 27, 2012

### CODE OF ETHICS

**PURPOSE:** To establish a Code of Ethics

1. **SCOPE:** Applicable to all Commission members and staff members. **The term staff member as used in this OI includes Commission members, unless otherwise noted.** Nothing contained herein shall be considered to take precedence over any formal code of ethics that a staff member may be obligated to follow by virtue of his or her professional employment.
2. **POLICY:** It is Commission policy that all staff members be guided by the highest standards of conduct both on and off the job. Circumstances which might arouse suspicion of unethical practices or tend to embarrass the staff member, the Commission, or State or conflict with the Rules and Regulations of the Nebraska Department of Administrative Services, Personnel Division must be avoided.
3. **STANDARDS:**
  - a. ~~No staff member shall~~ **Staff members shall not** use or attempt to use ~~his/her~~ **their** official position to secure unwarranted privileges or exemptions for ~~himself/herself~~ **themselves** or others.
  - b. ~~No staff member shall~~ **Staff members shall not** disclose confidential information gained in the course of official duties to any unauthorized person or use such information to further ~~his/her~~ **their** personal interests.
  - c. ~~No staff member shall~~ **Staff members shall not** accept employment or engage in any business or professional activity which will require ~~him/her~~ **them** to disclose confidential information which ~~he/she has~~ **they have** gained by reason of ~~his/her~~ **their** official position or authority.
  - d. Staff members shall conduct themselves so as not to give the impression that any person can improperly influence them or receive improper favors in the performance of their official duties. The above shall not in any way prohibit political donations or political activity allowed under federal or state statutes.

- e. ~~A staff member~~ Staff members shall not have any interest in or engage in any business, transaction or professional activity which is in substantial conflict with the proper discharge of his/her their duties.
- f. ~~A staff member~~ Staff members shall not solicit for private gain or engage in any business transaction or professional activity while acting in the capacity of the Commission.
- g. ~~A staff member~~ Staff members shall not engage in any transaction as representative or agent of the state with any business entity in which he/she they or another staff member has have a financial interest that might reasonably tend to conflict with the proper discharge of his/her their official duties.
- h. ~~A staff member~~ Staff members shall abstain from making personal investments in enterprises which he/she they has have reason to believe may be directly involved in decisions to be made by him/her them or which will otherwise create substantial conflict between his/her their duty in the public interest and his/her their private interest.
- I. ~~No staff member~~ Staff members shall not enter into any private business transaction with any person or entity that has a matter pending or to be pending upon which the staff member will be called upon to render a decision or pass judgment. If any staff member is already engaged in the business transaction at the time that a matter arises, he/she shall be disqualified from rendering any decision or passing any judgment upon the same.
- j. A staff member having recommended to the Commission either the making of a contract or a course of action of which the making of a contract is an express or implied part shall at no time thereafter have an interest in such contract.
- k. Other employment shall not be accepted by any staff member which will impair or influence his/her independence of judgment in the exercise of his/her official duties.
- l. Staff members shall not accept gifts of value or loans from any persons doing business with the State which are intended to, or which may appear to, influence the official relationship between the donor and the recipient.

- m. Those staff members who are required by the provisions of Nebraska Revised Statutes and Commission Rules and Regulations shall annually and as otherwise directed file an appropriate Statement of Financial Interests with the Nebraska Accountability and Disclosure Commission.
  - n. Staff members are prohibited from participation in political activities during office hours or while otherwise engaged in the performance of official duties as employees of this state. Staff members whose salaries are paid with federal funds are subject to the provisions of federal statutes. No staff member shall be dismissed or disciplined for failure or refusal to pay or promise to pay any assessment, subscription, or contribution to any political organization. Political activities not prohibited by law, such as the holding of strictly local non-partisan offices, are authorized except in instances where such activities may interfere with performance of state duties or may be incompatible with a staff member's assignments. **This section shall not be applicable to Commission members unless otherwise required by statute.**
4. **VIOLATIONS:** In addition to any penalty contained in any provision of law, any such staff member who shall knowingly or intentionally violate any of the provisions of this code may be suspended or removed from office or employment in the manner provided by law and/or disciplined as per the provisions outlined in Staff Memorandum #40-4.

ALLEN L. CURTIS  
Michael E. Behm  
Executive Director

# **Attachment #4**



Dave Heineman  
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

STATE OF NEBRASKA  
*(Nebraska Crime Commission)*  
Michael E. Behm, Executive Director  
301 Centennial Mall South  
P.O. Box 94946

Lincoln, Nebraska 68509-4946  
Phone (402) 471-2194  
FAX (402) 471-2837

**Response To Appeal Of Denied Application #11- LR-1139**  
**Daniel Packard**  
**Crime Commission Meeting – January 27, 2012**

**Notice of Denial**

The John R. Justice Ad Hoc Committee met on December 19, 2011 to review John R. Justice applications. Letters to applicants whose applications were recommended for denial were mailed certified on December 19, 2011. Applicants wishing to appeal the John R. Justice Ad Hoc Committee's recommendation for denial were to submit a letter of appeal to the Crime Commission by 5:00 p.m. on January 5, 2012.

**Receipt of Appeal**

The original letter of appeal was received in the Crime Commission office before 5:00 p.m. on January 5, 2011.

**Basis of an Appeal**

The December 19, 2011 letter informing the applicant of the denial stated the basis of the appeal shall be limited to one or more of the following reasons:

1. The appealed decision was biased, arbitrary or prejudiced against the applicant;
2. The appealed decision was reached without following the procedures outlined in Operating Instruction #10;
3. The appealed decision was reached without following the guidelines of the specific grant program.

The December 19, 2011 letter also informed the applicant that a written appeal must state the basis of the appeal and be based on one or more of the three reasons stated above.

**Applicant's Appeal**

In a letter dated January 5, 2012 from Mr. Daniel Packard, Deputy Lancaster County Attorney, the applicant's decision to appeal was based on the assertion that the decision was arbitrary, in reference to Operating Instruction # 10 Section 015.3A.



Dave Heineman  
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

STATE OF NEBRASKA  
(Nebraska Crime Commission)  
Michael E. Behm, Executive Director  
301 Centennial Mall South  
P.O. Box 94946  
Lincoln, Nebraska 68509-4946  
Phone (402) 471-2194  
FAX (402) 471-2837

Mr. Packard indicates that the decision was arbitrary because he had no information about how the recommendation was arrived at, nor does he have any attempted comparison of his application, job status, or qualifications with other applicants. He goes on to indicate that he has no facts to support his appeal based upon the arbitrary decision being made.

Mr. Packard's appeal letter is provided as an attachment to this appeal letter.

**In Response to the Appeal**

Mr. Packard indicates that his application was denied and he is appealing based upon the assumption that the decision was arbitrary. This decision was not based on judgment but was based upon federally mandated rules and guidelines.

The appealed application was denied based upon the following in accordance with Operating Instruction #10 Section 007.02B: Adherence to federal and/or state requirements and guidelines; and Section 007.02G Amount of funds available.

There were a total of 35 John R. Justice applications received from various Prosecutors from across Nebraska. Of these 35 applicants, 19 were previously funded; 15 were new applications and the appellant, who had been previously denied. Due to limited funds, the John R. Justice Ad Hoc Review Committee recommended to deny the appellant's application based upon the following:

1. Per the federal mandate from Bureau of Justice Assistance, all previously funded applicants must have a priority status. Therefore, all previously funded applicants were recommended for award. The appellant was not a previously funded applicant.
2. Per federal mandate from Bureau of Justice Assistance, recommendations for award must represent a fair geographic distribution. The appellant resides in Lancaster County. A fair amount of previously funded applicants were from Lancaster County as well.
3. Per federal mandate from Bureau of Justice Assistance, the applicant's income to debt ratio must be taken into consideration. The appellant's income to debt ratio was on the low side at 45%, in comparison with the rest of the applicants.
4. Of the five new applicants that were recommended for award, the decision was based on geographic location of applicant and income to debt ratio.

Mr. Packard indicates in his appeal letter that he had no information about how the recommendation was arrived at, nor does he have any attempt to compare his application, job status, or qualifications with other applicants, therefore having no facts to support his appeal based on the arbitrary decision having been made.



Dave Heineman  
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)  
Michael E. Behm, Executive Director  
301 Centennial Mall South  
P.O. Box 94946  
Lincoln, Nebraska 68509-4946  
Phone (402) 471-2194  
FAX (402) 471-2837

STATE OF NEBRASKA

A Public notice of the Crime Commission John R. Justice review was posted in the Lincoln Journal Star on December 9, 2011. The public notice indicated the date, time and location of the December 9, 2011 John R. Justice review. In addition, the public notice indicated that the items of business for this meeting included the John R. Justice Review and recommendations of funds.

Thus, Mr. Packard and or any other public entity could have observed the review in attempt to compare applications and qualifications of other applicants.

Mr. Packard goes on to indicate that the appeal letter had no information about how the recommendation was arrived at. Although specific information of the denial was not included in the letter from the Crime Commission dated December 19, 2011 the following was included, "*applicant who wishes to appeal will be given an opportunity to present a statement regarding his or her application and subsequent denial. Members of the Crime Commission staff shall present the reasons provided by the John R. Justice Review Team at this time, for denial of the application.*" In addition, the letter indicates, "*If you have any questions, please contact Lisa Stamm at (402) 471-3687.*" Ms. Stamm never received any form of correspondence or inquiry from Mr. Packard in regards to his denied application, except for his letter of appeal.

### Recommendation

In Mr. Packard's appeal, the appellant failed to provide information related to the three criteria necessary for an appeal, as listed below:

1. The appealed decision was biased, arbitrary or prejudiced against the applicant;
2. The appealed decision was reached without following the procedures outlined in Operating Instruction #10;
3. The appealed decision was reached without following the guidelines of the specific grant program.

RECEIVED

JAN 05 2012

NEBRASKA CRIME COMMISSION

January 5, 2012

Michael Behm  
Executive Director  
Nebraska Commission on Law Enforcement and Criminal Justice  
301 Centennial Mall South  
PO Box 94946  
Lincoln, Nebraska 68509-4946

**RE: Written Appeal of Denial of John R. Justice Grant**

Dear Mr. Behm:

By letter dated December 19, 2011, the JRJ Review team concluded and will recommend that my JRJ grant application (grant #11-LR-1139) be denied. With this letter I am appealing this recommendation. My appeal is based on 015.03A: the decision was arbitrary.

With that said, I have no information about how the recommendation was arrived at, nor have I attempted to compare my application, job status, or qualifications with other applicants, so I have no facts to support my appeal based on an arbitrary decision having been made. What I can tell you is this. I am certainly grateful for the opportunity to apply, and in no way do I feel entitled to a grant. I have worked diligently in the prosecutor's office for ten years now building positive relationships with law enforcement and the public, and I am committed to this work regardless of your decision. I have two young kids, a mortgage, substantial undergraduate and law school debt, and a spouse with substantial education debt. The enabling legislation for the John R. Justice grant program states that the purpose of the program is "to encourage *qualified* individuals to enter *and continue* employment as prosecutors and public defenders." Moreover, in awarding grants priority should be given "to borrowers who have the least ability to repay their loans." While I may have a higher salary than new attorney's in prosecutor and public defender offices, I would like to think that it is a product of my commitment and promotion within the office, which makes a concerted effort to retain attorneys rather than lose them to higher paying jobs. After deductions for health insurance, pension, flex-daycare, charitable contributions, and college savings plan, my monthly take-home is about \$2800. I have extended my student loan debt out as far as I can (25 years) to lower my monthly student loan payment to \$350 so that I can pay for other living expenses. In sum, a JRJ grant encourages me to continue employment as a prosecutor. It is in this spirit that I am appealing the recommendation of grant denial. Thank you for your consideration.

Sincerely,



Daniel Packard,  
Deputy Lancaster County Attorney

# **Attachment #5**

# JRJ 2011 Listing \$48,459.50

Grant #	Public Def.	County Atty/Pros.	County	Salary	Debt	Income/Debt Ratio	Previously Funded	Military Service	Eligibility Criteria Met	Rec. Amount JRJ Review Team	Rec. Amount CC
11-LR-1122		x	Lancaster	\$43,000.00	\$12,587.96	29%			x	Denied	
11-LR-1142		x	Douglas	\$66,187.80	\$20,987.00	32%			x	Denied	
11-LR-1135		x	Scotts Bluff	\$73,339.08	\$24,411.24	33%			x	Denied	
11-LR-1129		x	Otoe	\$53,530.44	\$18,199.25	34%			x	Denied	
11-LR-1131		x	Pottawattamie	\$51,000.00	\$20,284.82	40%	x		x	2000	
11-LR-1139		x	Lancaster	\$77,570.00	\$35,226.00	45%			x	Denied	
11-LR-1100		x	Lancaster	\$71,000.00	\$35,380.00	50%	x	x	x	2000	
11-LR-1114		x	Lancaster	\$56,500.00	\$36,962.46	65%	x	x	x	2000	
11-LR-1138		x	Seward	\$57,570.00	\$39,793.90	69%	x		x	2000	
11-LR-1121		x	Buffalo	\$56,049.60	\$39,720.00	71%			x	Denied	
11-LR-1124		x	Lancaster	\$59,176.63	\$44,722.60	76%			x	2000	
11-LR-1108		x	Hall	\$50,568.81	\$40,221.00	80%	x		x	2000	
11-LR-1118		x	Sarpy	\$51,943.56	\$41,904.00	81%	x		x	2000	
11-LR-1102		x	Douglas	\$66,000.00	\$53,522.00	81%	x		x	2000	
11-LR-1109		x	Douglas	\$62,000.00	\$53,147.00	86%	x		x	2000	
11-LR-1147		x	Douglas	\$45,000.00	\$38,727.13	86%			x	Denied	
11-LR-1136		x	Douglas	\$63,000.00	\$57,655.15	92%			x	Denied	
11-LR-1137		x	Lancaster	\$56,000.00	\$51,415.92	92%			x	Denied	
11-LR-1127		x	Saunders	\$73,051.12	\$70,742.98	97%			x	2000	
11-LR-1120		x	Douglas	\$70,000.00	\$69,017.00	99%	x		x	2000	
11-LR-1105		x	Johnson	\$33,639.60	\$35,869.00	107%	x		x	2000	
11-LR-1148		x	Scotts Bluff	\$50,778.00	\$54,261.79	107%			x	2000	
11-LR-1126		x	Douglas	\$61,513.92	\$69,488.00	113%			x	Denied	
11-LR-1130		x	Douglas	\$42,000.00	\$48,753.00	116%			x	Denied	
11-LR-1106		x	Johnson	\$39,576.00	\$47,473.00	120%	x		x	2000	
11-LR-1113		x	Buffalo	\$55,687.20	\$71,092.25	128%			x	2000	
11-LR-1125		x	Lancaster	\$56,560.00	\$75,609.49	134%	x		x	2000	
11-LR-1119		x	Douglas	\$60,000.00	\$80,469.00	134%	x		x	2000	
11-LR-1149		x	Sarpy	\$56,013.36	\$76,546.67	137%	x		x	2000	
11-LR-1104		x	Douglas	\$62,582.56	\$95,035.00	152%	x		x	2000	
11-LR-1133		x	Hall	\$52,722.85	\$85,077.41	161%	x		x	2059.5	
11-LR-1116		x	Cheyenne	\$66,347.00	\$137,725.00	208%	x		x	2100	
11-LR-1144		x	Lancaster	\$45,000.00	\$101,170.94	225%	x		x	2100	
11-LR-1146		x	Douglas	\$45,000.00	\$129,243.27	287%			x	2100	
11-LR-1111		x	Adams	\$42,600.00	\$203,798.68	478%	x		x	2100	
										48459.5	

## JRJ 2011 Listing \$48,459.50

<u>Grant #</u>	<u>Public Def.</u>	<u>County Atty/Pros.</u>	<u>County</u>	<u>Salary</u>	<u>Debt</u>	<u>Income/Debt Ratio</u>	<u>Previously Funded</u>	<u>Military Service</u>	<u>Eligibility Criteria Met</u>	<u>Rec. Amount JRJ Review Team</u>	<u>Rec. Amount CC</u>
11-LR-1117	x		Douglas	\$60,000.00	\$8,604.92	14%			x	2000	
11-LR-1128	x		Douglas	\$72,000.00	\$18,506.00	26%			x	2000	
11-LR-1132	x		Lancaster	\$77,625.00	\$23,884.81	31%			x	2000	
11-LR-1103	x		Douglas	\$47,000.00	\$15,606.00	33%			x	2000	
11-LR-1143	x		Douglas	\$46,000.00	\$22,556.00	49%			x	2000	
11-LR-1141	x		Douglas	\$49,500.00	\$41,526.00	84%	x		x	2749.5	
11-LR-1140	x		Douglas	\$49,000.00	\$55,756.22	114%	x		x	3415	
11-LR-1134	x		Lancaster	\$65,730.00	\$86,532.17	132%	x		x	3415	
11-LR-1110	x		Douglas	\$47,000.00	\$62,232.00	132%	x		x	3415	
11-LR-1123	x		Hall	\$55,202.94	\$79,236.99	144%	x		x	3415	
11-LR-1112	x		Douglas	\$46,000.00	\$68,010.00	148%	x		x	3450	
11-LR-1115	x		Douglas	\$54,000.00	\$128,307.14	238%	x		x	4650	
11-LR-1107	x		Richardson	\$38,235.96	\$99,363.00	260%	x		x	4650	
11-LR-1101	x		Douglas	\$49,500.00	\$142,967.00	289%	x		x	4650	
11-LR-1145	x		Douglas	\$48,000.00	\$140,997.00	294%	x		x	4650	
										<b>48459.5</b>	

# **Attachment #6**

**Bauers, Ann**

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**From:** Gans, Cindy  
**Sent:** Thursday, January 05, 2012 4:12 PM  
**To:** Bauers, Ann  
**Subject:** RE: Attachments  
**Attachments:** JDAI Statewide Information.pdf; JDAI Impacts.pdf; JDAI Statewide Letters of Support.pdf

Anne,

I will only be using an attachment for the Agenda Item that is a motion to pass \$55,000 for a JDAI Statewide Coordinator. The order must be as follows:

1. JDAI Statewide Information
2. JDAI Impacts
3. JDAI Statewide Letters of Support

Please contact me with additional questions.

Thank you.

Cindy

**From:** Bauers, Ann  
**Sent:** Thursday, January 05, 2012 4:02 PM  
**To:** Gans, Cindy  
**Subject:** Attachments

What did you and Lisa decide on the attachments?

Thanks

*Ann Bauers*

Administrative Assistant  
Nebraska Crime Commission  
PO Box 94946  
Lincoln NE 68509  
402-471-2195  
FAX 402-471-2837

## **Juvenile Detention Alternatives Initiative**

The Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) has effectively: lowered detention populations, enhanced public safety, saved tax payer money, reduced the overrepresentation of minority youth, and introduced other overall juvenile justice system improvements in more than 130 jurisdictions across the United States. JDAI sites pursue eight interrelated core strategies to accomplish these objectives:

1. Collaboration between major juvenile justice agencies, governmental entities, and community organizations.
2. Use of accurate data to diagnose the system's problems and identify real solutions.
3. Objective admissions criteria and instruments to replace subjective decisions that inappropriately place children in custody.
4. Alternatives to detention to increase the options available for arrested youth.
5. Case processing reforms to speed up the flow of cases so that youth don't languish in detention.
6. Reducing the use of secure confinement for special cases like technical probation violations.
7. Deliberate commitment to reducing racial disparities by eliminating biases and ensuring a level playing field.
8. Improving conditions of confinement through routine inspections.

## **Supporting Statewide Expansion**

Currently, Douglas County is Nebraska's only JDAI site (launched in 2011). There is considerable support among justice system players for statewide expansion of JDAI (see attached letters of support from: Nebraska's State Advisory Group, the Judiciary Committee of the Nebraska Legislature, Nebraska Probation Administration, Nebraska's DMC Committee, the Department of Health and Human Services, the Nebraska State Bar Association, and the Nebraska Minority Justice Committee).

Over the past year, several efforts were undertaken to educate stakeholders about JDAI. In addition to publications in numerous newspapers and journals, the Casey Foundation made presentations at the May NJJA Conference, hosted a "JDAI 101" presentation in August to counties interested in learning more about JDAI, presented at the October Nebraska Judges Annual Conference, and will be presenting in December to the Nebraska Association of County Officials.

Before additional JDAI sites can be brought on, Nebraska needs to have the necessary infrastructure in place to support statewide expansion.<sup>1</sup> For example, a plan needs to be in place, which:

- Defines what "state-level" replication means for Nebraska;
- Determines what the relationship will be between the statewide and local initiatives;

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<sup>1</sup> The publication "Foundation of JDAI State Level Replication: Technical Assistance Guide" lays out the work necessary to establishing state level replication infrastructure.

- Determines how the statewide effort will promote and support on-boarding and existing JDAI sites (coordinating stakeholder training, assessing readiness, guiding jurisdictions through the initial steps of becoming a JDAI site, allocating resources, etc.);
- Determines how data collection, training, and technical assistance efforts will be coordinated across sites;
- Determines how JDAI will collaborate with existing initiatives (community planning efforts, DMC Committees, etc.);
- Determines how state-level policy issues will be coordinated/approached; and
- Determines outcome data parameters to assess impact, and establishes data reporting and accountability plans.

We are here today to request the Coalition for Juvenile Justice's formal support of JDAI. First, we request the SAG's philosophical support of JDAI – that JDAI is viewed as a primary strategy for achieving objectives in the State's Three Year Plan, and that to the extent possible statewide expansion of JDAI can be coordinated with the Crime Commission's juvenile justice system community planning efforts, data improvement projects, and existing DMC Committees.

Second, we ask for the SAG's support in accessing resources for statewide expansion. Twenty-five percent of JABG dollars are allocated for statewide initiatives. Allocating State JABG funds for statewide expansion of JDAI will help to ensure that the entire state can benefit from a reduced reliance on secure detention, improved efficiency through case processing reforms, development of effective and sustainable alternatives to detention, improved conditions of confinement, and reduced racial and ethnic disparities. JDAI is an appropriate use of the State Allocation of JABG because its impact will be both statewide and system-wide (e.g., law enforcement, probation, Office of Juvenile Services, the Courts, etc.) and will improve collaboration and data-driven strategies by juvenile justice system stakeholders.

Funding is requested to hire a JDAI State-Wide Coordinator. In addition to addressing the initial planning components outlined above, a draft scope of work for this position is enclosed (based on statewide coordinator positions in other states) along with a draft budget. The draft budget also shows some upfront costs (desk, computer, etc. for the Coordinator), as well a modest budget to assist the state and sites with any data/IT capacity issues.

The Casey Foundation has encouraged the statewide initiative/coordinator to be housed within Nebraska Probation Administration (because it is a statewide entity, has a strong history of evidenced based practices, and because this model has been effective in other JDAI jurisdictions). Conversations have also been had with the UNO Juvenile Justice Institute and the Nebraska Association of County Officials. Whichever entity ultimately agrees to undertake this role, funding will need to be in place to support the position. Moreover, recognizing that JDAI is a collaborative initiative, representing numerous stakeholders, a statewide Steering Committee would be established to provide leadership to the statewide initiative, provide oversight for the statewide coordinator, and ensure that all system stakeholders and areas of the state play an active role in overseeing statewide expansion of JDAI.

**Nebraska State JDAI Statewide Coordinator**  
**Draft Statement of Work**

- a. Provide technical assistance to each of the participating JDAI sites as needed to assist the site in developing, implementing, monitoring, and revising JDAI work plans.
- b. Identify and request specific areas for technical assistance from Annie E. Casey Foundation (AECF) based on local site and stakeholder needs and work plans.
- c. Work with AECF JDAI advisors and participating sites to establish outcome data parameters including, but not limited to: availability, accessibility, reliability, and use of data to plan, manage, and evaluate local and statewide efforts.
- d. Write semi-annual and annual (final) progress reports, as required by the Nebraska Crime Commission AECF. Progress reports shall include copies of any press releases and media coverage.
- e. Develop agendas, coordinate, and facilitate any intra-site meetings or statewide conferences.
- f. Coordinate strategy for statewide discussion of policy and/or legislation in support of JDAI principles and practice.
- g. Coordinate analysis and planning for JDAI enhancement and site expansion. Provide technical assistance to on-boarding jurisdictions, including but not limited to Lancaster, Madison, Sarpy and Scotts Bluff Counties.
- h. Communicate regularly and meet periodically with the JDAI Statewide Steering Committee (to be established).
- i. Facilitate discussion and strategy for travel to JDAI Model sites, and JDAI National and State Conferences for Nebraska JDAI sites and local/state-level stakeholders.
- j. Attend and participate in JDAI/AECF trainings, as required by AECF.
- K. Assist with data collection and analysis regarding JDAI Sites.
- l. Develop JDAI Coordinator's strategic technical assistance/consultation work plan to help JDAI sites reach JDAI goals and recognizes individual site's developmental stage.
- m. Provide JDAI education to stakeholders and communities through publications, presentations, a statewide JDAI website, etc.

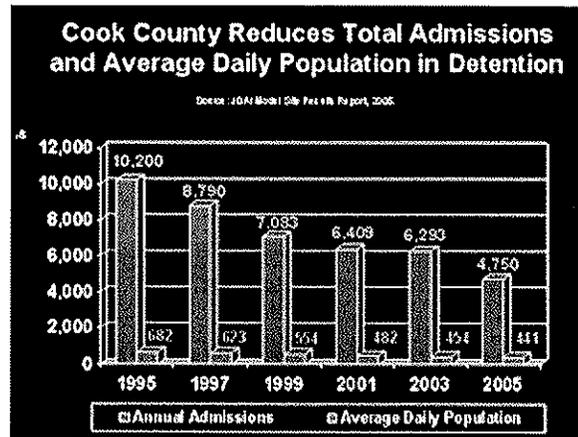
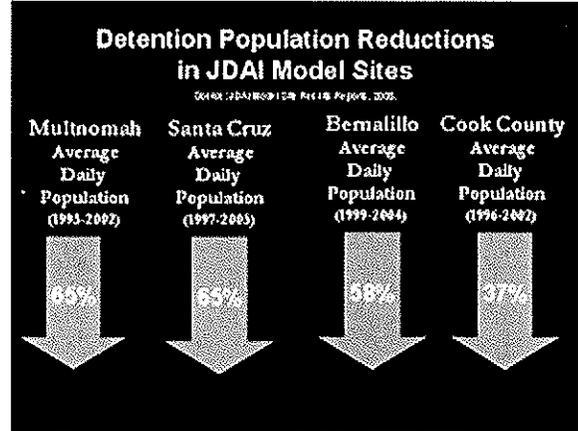
## Proposed Budget

Year One Cost of JDAI State Wide Coordinator				
		Request	Match	Total
<b>Wages</b>				
	Wages	\$55,000	\$0	\$55,000
	FICA	\$3,100	\$0	\$3,110
	Retirement	\$4,120	\$0	\$4,120
	Insurance	\$21,430	\$0	\$21,430
	<b>Wages Total</b>	<b>\$83,660</b>	<b>\$0</b>	<b>\$83,660</b>
<b>Supplies &amp; Operating</b>				
	Building Space Lease	\$0	\$3,000	\$3,000
	Supplies	\$4,000	\$0	\$4,000
	Cell Phone service charge	\$750	\$0	\$750
	<b>Supplies and Operating Total</b>	<b>\$4,750</b>	<b>\$3,000</b>	<b>\$7,750</b>
<b>Travel</b>				
	Training Expenses	\$0	\$10,000	\$10,000
	Mileage	\$3,590	\$0	\$3,590
	<b>Travel Total</b>	<b>\$3,590</b>	<b>\$10,000</b>	<b>\$13,590</b>
<b>Other Expenses</b>				
	Data and IT Capacity for Sites	\$8,000	\$0	\$8,000
	<b>Other Expenses Total</b>	<b>\$8,000</b>	<b>\$0</b>	<b>\$8,000</b>
<b>TOTAL</b>				
		<b>\$100,000</b>	<b>\$13,000</b>	<b>\$113,000</b>

## Attachment A: Results from the Juvenile Detention Alternatives Initiative

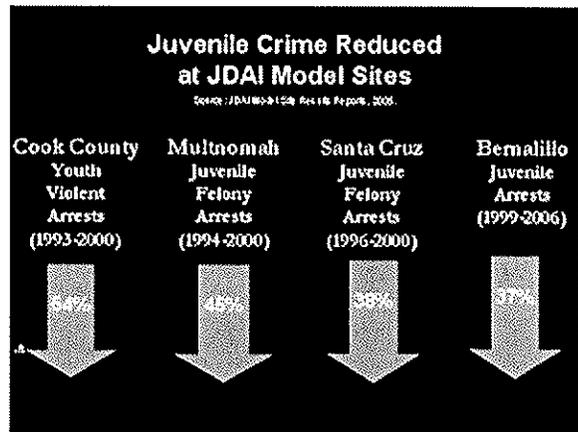
### Detention Populations Lowered

- Bernalillo County, New Mexico, reduced their average daily detention population by 58 percent between 1999 and 2004.
- In two years, Essex, New Jersey lowered its average daily population from 243 to 138 per day (43 percent).
- Ada County, Idaho; Pierce County, Washington; and Ventura County, California lowered detention populations by at least one-third.
- Cook County, Illinois reduced its average daily population in locked detention from 682 to 441 (1995 to 2005).
- Multnomah County, Oregon, lowered the daily detention population by 65 percent.
- Average daily population in the Santa Cruz County, California juvenile hall dropped by 65 percent between 1997 (46.7) and 2005 (15.9)
- After only two years as a JDAI site, New Jersey's five participating jurisdictions had 178 (35 percent) less youth in detention and admitted 1,269 (20 percent) less youth to detention in 2005 than they did in 2003.



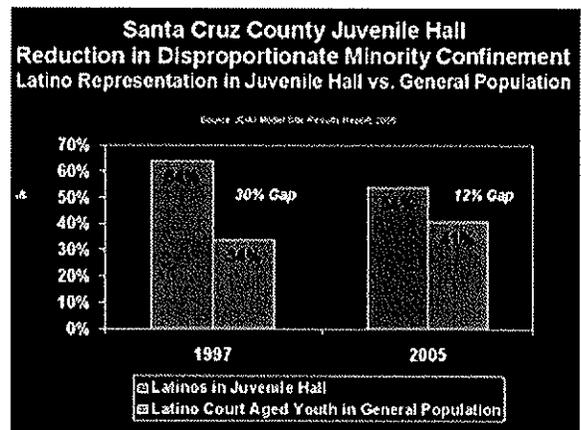
### Juvenile Crime is Down Substantially in JDAI Sites

- In Cook County the youth violent arrest rate fell 54 percent between 1993 and 2000.
- In Santa Cruz County juvenile felony arrests decreased 47 percent -- from 30 youth per 1000 in 1997 to 16 youth per 1000 in 2004.
- In Multnomah County juvenile felony arrests fell by 45 percent between 1994 and 2000.
- In Bernalillo County, the newest JDAI model site, the number of youth booked on a felony charge fell from 4,726 in 1999 to 3,892 in 2005.



## Racial Disparities Have Been Reduced

- Santa Clara, California initiated objective screening decisions and after one year 276 fewer youth of color were referred to juvenile hall and 162 fewer youth of color were detained.
- Santa Cruz County opened a neighborhood evening center for high risk Latino youth and reduced its average minority population in juvenile hall from 64 percent to 47 percent.
- Multnomah County also reduced the disproportionate confinement of minority youth by sharply lowering the proportion of minorities in detention from 70 youth (73 percent) before JDAI to 16 youth (50 percent) in 2003.
- In 1999, Bernalillo County booked 2,840 (72 percent) ethnic minorities but in 2005, only 2,426 (62 percent) minorities were booked by the county.
- In Clayton County, Georgia, public school referrals of African American youth to the juvenile court were reduced by 46 percent.



## JDAI's Influence

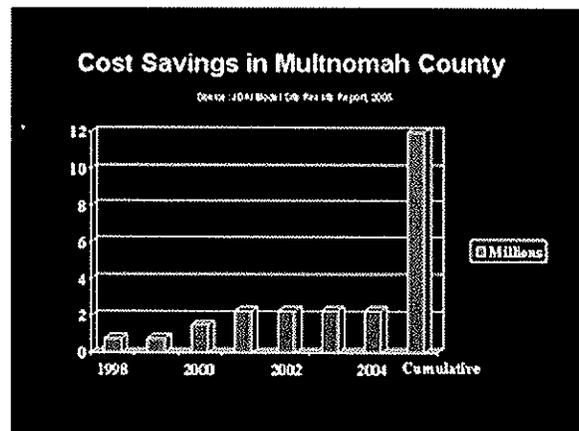
Influence can be measured by the growing awareness and public support for detention reform in general and strategies, policies and programs in particular.

- The New Mexico children's code was substantially re-written in 2003 to include revised objective criteria for detention admissions, expedited court processing and other JDAI-related policies and practices.
- Also in New Mexico, the success of JDAI in Bernalillo County led to implementation of JDAI statewide.
- In Santa Clara County, law enforcement agencies developed new objective detention reform criteria to guide police officers on whether to bring arrested youth for detention screening or cite and release them.
- Participating counties in Illinois have stopped detaining status offenders as a result of JDAI policy and program changes.
- In Multnomah County, a model memorandum of understanding between the police, probation and community agencies fundamentally alters how the police deal with runaways or status offenders consistent with its overall detention reform policy.
- In Maryland, laws were passed that require the promulgation of new detention standards.
- The 2003 report to Congress by the Coalition for Juvenile Justice was devoted to detention reform.
- Three JDAI model sites were selected to participate in the Robert Wood Johnson Foundation's *Reclaiming Futures* initiative, which seeks to increase the prevention and treatment services available to drug-involved youth in the juvenile justice system.

## JDAI's Leverage of Fiscal Resources

JDAI sites have substantially reduced their detention budgets and redeployed resources into more productive, cost-effective uses. Locked detention typically costs \$100 to \$300 per night per youth—far more than even the most ambitious detention alternatives.

- Pierce County, Washington closed a 50 bed unit of its detention center and redeployed approximately \$800,000 in operating costs to support new community-based alternative programs for youth who previously would have been detained.
- Bernalillo County, closed a wing of beds in the local juvenile detention center, reinvesting the money (\$200,000) in detention alternatives.
- Funded through private and public insurance, Bernalillo County, established a new out-patient mental health clinic on-site at the juvenile detention center for delinquent youth.
- In Santa Cruz County, which had been operating its juvenile hall at approximately 45 percent above capacity, new construction costs were avoided and local government was able to divert resources to facility improvements and a new health clinic. More than \$7 million in detention expenses have been redeployed to community alternatives since 1998.
- Multnomah County redeployed more than \$12 million. By reducing its reliance on detention, Multnomah was able to mothball three 16-bed detention units and divert roughly \$2 million a year to other needed services.
- In Georgia, the Department of Juvenile Justice invested more than three-quarters of a million dollars in new, community-based alternatives-to-detention programs. It also redeployed 12 staff members to serve as "detention expeditors."
- The proposed construction of a costly new detention facility was avoided in Cook County saving \$24 million dollars.



JDAI sites are securing federal, state and local funding streams to enhance services for youth involved in the juvenile system:

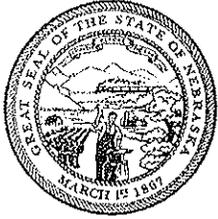
- Cook County local government provides more than \$5 million dollars annually to support an entire continuum of community-based programs and staff salaries that provide alternatives to secure care.
- Three California JDAI counties were awarded almost \$3 million in foundation grants to upgrade their mental health services for troubled youth.
- State advisory groups (the state-level policy committees required by law to administer federal juvenile justice funds) in seven states have redeployed more than \$5 million to support detention reforms since 2001.

**A sample of the federal dollars awarded by State Advisory Groups in support of detention reform:**

New Jersey, 2004	\$397,000
New Mexico, 2003-2004	\$1.25 million
Tennessee, 2006	\$225,000
Virginia, 2005	\$450,000
Washington, 2005-2006	\$370,000
Illinois 2001-2005	\$2.5 million
Maryland 2002-2005	\$325,000

*Source: Coalition for Juvenile Justice*

- In Maryland, the Governor's Office of Crime Control and Prevention awarded approximately one-quarter million dollars in grants to support various detention reform strategies. In 2005, this same office allocated \$125,000 in federal funds to support detention reform assessments related to reducing racial disparities in the state's four largest counties.
- In Illinois, the Governor's Juvenile Justice Commission has allocated more than \$2 million in federal block grant funds to support statewide detention reform efforts.



Dave Heineman  
Governor

## STATE OF NEBRASKA

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

*(Nebraska Crime Commission)*

Michael E. Behm, Executive Director

301 Centennial Mall South

P.O. Box 94946

Lincoln, Nebraska 68509-4946

Phone (402) 471-2194

FAX (402) 471-2837

September 23, 2010

Annie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, Maryland 21202

Dear Ms. Mumford:

The Nebraska Coalition for Juvenile Justice, Nebraska's State Advisory Group (SAG), is writing to convey our strong interest in putting the face of the Midwest on the Annie E Casey Foundation list of JDAI sites for Douglas County and the great state of Nebraska. As you can see from the enclosed SAG Membership List, we are a diverse group of caring and compassionate juvenile justice leaders from across the state.

For our members who were unfamiliar with JDAI, we invested time to educate ourselves. At our quarterly meetings since June 2009, we have discussed "JDAI" and the possibility of becoming a site. In October 2009, three members of our SAG traveled to the Burns Institute training, along with our JJ Specialist, DMC Coordinator, and a member of a local DMC Committee. It was at this conference that we had an in-depth conversation about JDAI with Judge Steve Teske, who served as a catalyst for Nebraska's decision to reach out to the Casey Foundation to express our interest in JDAI, the most natural starting point being Douglas County.

Our members have been exposed to JDAI through the Pathways series and other materials available through the JDAI help desk. Many of our members have participated in your engagement meetings in Douglas County, and three will be attending the JDAI national conference this October.

Our SAG is deeply concerned with the current overreliance on secure detention (as documented by a recent study of the Douglas County Youth Center). We recognize the need for alternatives to detention for low-risk youth, for case progression reform, and other strategies to reduce admissions and length of stay in our detention centers. We are ready to play a role in redeploying current resources to fund alternatives to detention. We are encouraged by the relationships you are building in Douglas County and very willingly commit the SAG's support in extending JDAI into a statewide initiative.

Cordially,  


Linda Benjamin, Chairman  
Nebraska Coalition for Juvenile Justice

# Nebraska State Legislature

SENATOR BRAD ASHFORD

District 20  
7926 Shirley Street  
Omaha, Nebraska 68124  
(402) 255-0037

Legislative Address:  
State Capitol  
PO Box 94604  
Lincoln, Nebraska 68509-4604  
(402) 471-2622  
bashford@leg.ne.gov



## COMMITTEES

Chairperson - Judiciary  
Education  
Committee on Committees

Date September 27, 2010

Annie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, MD 21202

Dear Gail Mumford:

As Chair of the Judiciary Committee of the Nebraska Legislature, I am very proud of the dedication of the Committee members to juvenile justice reform. The Nebraska Legislature places a high priority on the protection of children and families. A juvenile justice system that rehabilitates delinquent youth in their communities is essential to maintaining public safety and improving opportunities for our youth to develop into healthy, productive adults. Members of the Judiciary Committee are familiar with the work of the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative and we enthusiastically support making Nebraska a JDAI state. We are excited to see how JDAI can assist Douglas County, and other Nebraska communities, to develop alternatives to secure detention and address disproportionate minority contact.

Much work has been done already with the creation of the Douglas County Juvenile Justice Coordinating Council in 2008 and the passage of Legislative Bill 800 in 2010 to address the needs of at-risk youth. However, the Judiciary Committee is supportive of further efforts to reduce detention populations and to develop collaboration between all juvenile justice entities to make the system work fairly and efficiently. The success of the Juvenile Detention Alternatives Initiative has shown that community-based alternatives to detention can reduce recidivism and promote public safety. The Judiciary Committee is optimistic that collaboration between the Annie E. Casey Foundation and Douglas County will yield better outcomes for our youth that can be replicated in communities across the state.

Sincerely,

A handwritten signature in black ink that reads "Brad Ashford".

Senator Brad Ashford  
District 20  
Judiciary Committee Chair



September 24, 2010

Amie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, MD 21202

Dear Gail Mumford:

The Department of Health and Human Services, Division of Children and Family Services (CFS), provides programs and services for child abuse and neglect children, status offenders and delinquent juveniles who have been placed in the care, custody and control of our agency. The Department's philosophy is that detention is an intervention of last resort and is to be utilized only when all other means of gaining a juvenile's compliance and ensuring safety of the youth and the community have failed. We are required by statute to provide the least restrictive and most appropriate setting for juveniles while adequately protecting them and the community. A range of community-based programs and treatment services are currently provided to these juveniles to prevent and minimize the need for detention which also includes decreasing the length of stay.

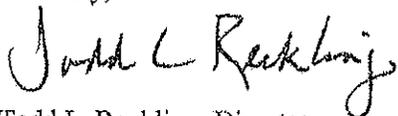
Realizing the importance of minimizing the use of detention for juveniles, we are writing in support of Douglas County and the State of Nebraska's efforts to become a Juvenile Detention Alternative Initiative site. As detailed in your materials, the advantages of implementing the JDAI process provide many benefits in terms of lower detention populations, enhanced public safety, reduced racial disparities, and other overall justice system improvements. As one of the stakeholders that stands to benefit from improved outcomes for youth and economically by reducing the number of secure detention admissions and the length of stay for those held in detention, we are eager to engage in a data-driven and collaborative process that will help us identify solutions to Nebraska's overreliance on the use of secure detention and to extend the successful strategies developed in Douglas County to the rest of the state.

A statewide representative from Children and Family Services will be participating in your national conference in Kansas City in October, and several additional representatives from CFS have and will continue to participate "on the ground" with your efforts in Douglas County and others as may be necessary for a statewide approach. Furthermore, we are happy to make our secure care and detention data and any other data

points of interest available to the initiative (for both Douglas County and the rest of the state).

Thank you for engaging CFS as a collaborative partner in this important work. We look forward to working with you towards a successful partnership and initiative.

Sincerely,

A handwritten signature in black ink that reads "Todd L. Reckling". The signature is written in a cursive style with a large, prominent "T" and "R".

Todd L. Reckling, Director  
Division of Children and Family Services  
Department of Health and Human Services

cc: Kerry T. Winterer, CEO, Nebraska Department of Health and Human Services

# SUPREME COURT OF NEBRASKA

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## ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Janice K. Walker  
*State Court Administrator*

Ellen Fabian Brokofsky  
*State Probation Administrator*

September 20, 2010

Annie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, MD 21202

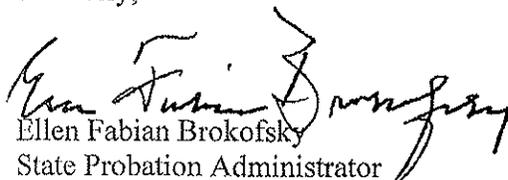
Dear Ms. Mumford:

On behalf of the Nebraska Office of Probation Administration I am writing to offer our support and commitment to both Douglas County and a larger statewide Juvenile Detention Alternative Initiative. As you know, Probation is statutorily responsible for juvenile intake for all counties in Nebraska. We are a very willing partner in the Casey Foundation's efforts to reduce overreliance on detention and feel that becoming a JDAI site will help us further demonstrate one of the core principles of Probation—that community-based alternatives to detention can reduce recidivism and promote public safety.

The Office of Probation Administration has recently been granted authority, in the Legislature's passing of LB800, to utilize graduated sanctions as an alternative to detention for technical violations of probation. We have recently created a new Detention Risk Assessment instrument by researching Annie E. Casey Foundation's best practice model site in Santa Cruz, CA, and we are now capturing data that will allow us to determine the types of alternatives to detention that would be most appropriate for each jurisdiction. The guidance and support of the Annie E. Casey Foundation could not be coming at a more opportune time.

Representatives from Probation Administration will be attending Nebraska's delegation to your National Conference and we look forward to the information and relationships that opportunity will afford. As your engagement efforts continue, please let us know how Probation can be of any assistance.

Sincerely,

  
Ellen Fabian Brokofsky  
State Probation Administrator

EFB/lkz

# Nebraska State Bar Association

*"Helping lawyers help people"*



September 21, 2010

Annie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, MD 21202

Dear Gail Mumford:

On behalf of the Nebraska State Bar Association I am writing to encourage the Annie E Casey Foundation's commitment to Douglas County (and the state of Nebraska) as a Juvenile Detention Alternative Initiative (JDAI) site.

The Nebraska State Bar Association has played a unique role over the past 5 years in promoting juvenile justice reform. Most recently, the Nebraska State Bar Association spearheaded efforts for a legislative appropriation to study the quality of juvenile defense services afforded to Nebraska youth in delinquency and status offenses cases. Among other things, the study, conducted by the National Juvenile Defender Center, indicated several areas which we believe impact case progression and detention numbers including: an alarming number of youth who waive their right to counsel, a lack of legal representation at the detention hearing, a lack of training for defense counsel about pre-adjudication efforts to prevent the unnecessary detention of youth, and the high number of youth tied in adult court.

Although perhaps an untraditional partner, the Nebraska State Bar Association is happy to assist with and provide leadership in addressing improvements in the practice of juvenile law.

Sincerely,

Jane Schoenike  
Executive Director

## Nebraska Minority Justice Committee

The Nebraska State Bar Association  
635 South 14<sup>th</sup> Street  
P.O. Box 81809  
Lincoln, Nebraska 68501-1809  
(402) 475-7091  
(800) 927-0117  
FAX (402) 475-7098

### Chairs:

Linda R. Crump, Esq.  
Equity, Access & Diversity Programs  
University of Nebraska-Lincoln  
Lincoln, NE 68588-0437  
(402) 472-3147  
FAX (402) 472-9440  
[Lcrump1@unl.edu](mailto:Lcrump1@unl.edu)

Hon. John M. Gerrard  
Nebraska Supreme Court  
2219 State Capitol  
P.O. Box 98910  
Lincoln, NE 68509-8910  
(402) 471-3736  
[John.Gerrard@nebraska.gov](mailto:John.Gerrard@nebraska.gov)

### Committee:

Daphne Aronson  
Hon. Edna R. Atkins  
Valorie Bendixen  
Judy Beutler  
Riko E. Bishop  
Ellen Brokofsky  
Dean Marianne Culhane  
Hon. Vernon C. Daniels  
Judi Galashkibos  
Becky Gould  
John P. Grant  
Anne Hobbs  
Hon. John F. Irwin  
Dennis R. Keefe  
Don Kleine  
Catherine M. Mahern  
Monica Miles-Steffens  
Andrea Miller  
Carlos Monzon  
Liz Neeley  
Dean Susan Poser  
James E. Rembolt  
Kimberly Taylor Riley  
Tom Riley  
Harold L. Rock  
Mohammed Sadden  
Lt. Col David Sankey  
Susan Sapp  
Jane Schoenike  
Anna W. Shavers  
Shawntal Smith  
Lazaro Spindola  
Jose J. Soto  
Hon. Robert R. Steinke  
David R. Stickman  
Hon. Ross Stoffer  
Alan Tomkins  
Terrance O. Waite  
Janice Walker  
Thomas Warren  
Linda L. Willard  
Sherman Willis  
Mark J. Young

September 27, 2010

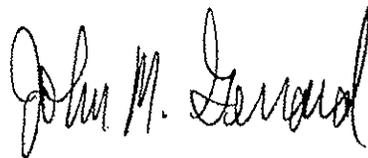
Annie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, MD 21202

Dear Gail Mumford:

The Nebraska Minority Justice Committee is a joint effort of the Nebraska Supreme Court and the Nebraska State Bar Association, appointed by the Supreme Court in May of 2003 in response to a Task Force's two-year investigation of racial and ethnic fairness in the courts. The mission of the Committee is to: 1) promote diversity in the legal profession and court workforces; 2) ensure equal access to the justice system; and 3) address racial disparities in the criminal justice system. Our data-driven approach has been successful in promoting policy reform in support of equity, access, and diversity in the criminal justice system for nearly a decade.

We are writing in support of Douglas County and the State of Nebraska's efforts to become Juvenile Detention Alternative Initiative sites. Addressing the overrepresentation of minority youth in the juvenile justice system is of extreme importance. While many improvements have recently been made to Nebraska's juvenile justice system, the overrepresentation of minority youth remains a disturbing reality. We are delighted by the JDAI model's success in addressing these issues nationally, and offer our Committee's commitment and support in extending your work across the state of Nebraska. Please let us know how our data, political will, statewide network, and experience can be used to further your efforts in Douglas County and beyond.

Sincerely,



Hon. John Gerrard  
Nebraska Minority Justice Committee



Linda Crump  
Nebraska Minority Justice Committee



Dave Heineman  
Governor

## STATE OF NEBRASKA

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

*(Nebraska Crime Commission)*

Michael E. Behm, Executive Director  
301 Centennial Mall South  
P.O. Box 94946  
Lincoln, Nebraska 68509-4946  
Phone (402) 471-2194  
FAX (402) 471-2837

September 24, 2010

Annie E. Casey Foundation  
Juvenile Detention Alternatives Initiative  
Attn: Gail Mumford  
701 St. Paul Street  
Baltimore, MD 21202

Dear Gail Mumford:

On behalf of Nebraska's DMC Committee, we are writing to commit our interest and support for both Douglas County and a larger statewide Juvenile Detention Alternative Initiative.

In its current role, Nebraska's DMC Committee collects Relative Rate Index (RRI) data for 14 counties across the state. Working toward and establishing a JDAI site is a specific strategy listed in the State of Nebraska's approved Three Year Comprehensive Juvenile Justice Plan. The fact that Douglas County accounts for 44% of the state's youth population makes Douglas County the ideal county to begin Nebraska's alternative's to detention and additional juvenile justice reforms. Youth of color in Douglas County are almost three times more likely to be arrested and twice as likely to be placed in detention as Caucasian youth.

In July 2010, our state received technical assistance from the Office of Juvenile Justice Delinquency and Prevention (OJJDP), which has been extremely helpful in providing guidance for both Douglas County and the State of Nebraska in our efforts to address the overrepresentation of minority youth in the juvenile justice system.

We are enthusiastic about the opportunity to partner our efforts with the expertise and guidance of the Casey Foundation's Juvenile Detention Alternative Initiative and hope that our data, resources, and statewide network can be an effective tool for implementing JDAI strategies statewide.

Sincerely,

Doug Kramer,  
Statewide DMC Coordinator

Tiffany Mullison  
Juvenile Justice Specialist

# **Attachment #7**

Nebraska Crime Commission

Grant Procedures: Operating Instructions #10.007

007 GRANT REVIEW COMMITTEE: After the staff review, grant applications shall be reviewed and funding recommendations will be made by the appropriate grant review committee unless otherwise specified by the Governor or statute. Procedures for establishing the grant review committee are found in Operation Instruction Number 2