



Dave Heineman
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)
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NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

January 25, 2013

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, January 25, 2013 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 11, 2013 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 9:32 AM by Acting Chairman John Freudenberg. The following members were **in attendance**: Acting Chair John Freudenberg, Candice Batton, Jeff Davis, Joe Hewgley, Larry Koranda, Fred Ruiz, David Sankey, Michelle Schindler, Todd Schmaderer, Mike Swain, Derek Vaughn and William White. **Members excused**: Joe Kelly, Bob Houston, Don Overman, Rita Sanders, and Brenda Smith. **Staff present**: Michael Behm, Merry Wills, Bruce Ayers, David Stolz, Derek Jones, Bill Muldoon, Jeanette Greer, Chris Harris, Linda Krutz, Cindy Gans, Mike Overton, Mary Thomason, Lisa Stamm and Ann Bauers. **Others Present**: Jodi Gittins, Nebraska Attorney General's Office.

II. APPROVAL OF MINUTES

Motion

A motion was made by Sankey and seconded by White to approve the minutes of the Police Standards Advisory Council meetings of August 15, 2012, October 17, 2012 and November 28, 2012; Crime Victim's Reparation meeting of October 19, 2012; Jail Standards Board meeting of October 12, 2012; Crime Commission meeting of October 19, 2012; Nebraska Coalition for Juvenile Justice Meeting of December 7, 2012; Office of Violence Prevention November 15, 2012; and the Task Force on Human Trafficking Meetings of October 26, 2012, and November 14, 2012. The motion passed unanimously by acclamation.

III. EXECUTIVE DIRECTOR'S REPORT

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

- First I'd like to welcome Larry Koranda, Cedar County Sheriff, who is the PSAC Chair for 2013 to the commission

- I'd like to recognize the following staff members for their years of service the State of Nebraska: Linda Krutz, 35 years, Division Chief Community Corrections; Deb Caha, 25 year, IT Analyst; Dan Evans, 25 years, Jail Standards Examiner; and LaVonna Evans, 25 years, Statistical Clerk. I appreciate their years of service to the State of Nebraska and the Crime Commission.
- Revisions to N.A.C., Title 79, Chapter 9, "Revocation of Law Enforcement Officer Certification: was signed by the Governor on December 26, 2012.
- The newly formed Task Force on Human Trafficking recommended approval of a statutory mandated report, outlining a training curriculum and was submitted to the Legislature, prior to the due date of December 1, 2012.

IV. OLD BUSINESS

A. Operating Instruction #43 – Step Down Process

SEE ATTACHMENT #1 - LAVENDER

Stamm indicated that at the August CC meeting during the discussion on task force sustainability, members had raised the issue of possible step down process. At the October meeting the step down process for JAG was discussed and it was voted on to have Stamm prepare the step down process as an Operating Instruction to be discussed at today's meeting.

Stamm stated that she received feedback from Joe Kelly and suggestions from Dr. Batton. These suggestions were added into the draft.

Other states have used the step down process with a considerate manner of handling reductions in funding that the state anticipates and give grantees time and opportunity to develop alternatives to long term JAG funding.

Stamm indicated that Mike Overton and she attended an Executive Session on Evidence-Based Policy Executive Session in DC the week of Jan 7th. This Executive Session was put on by NCJA National Criminal Justice Association. Stamm stated that during this session it was brought to their attention that in a OMB (Office of Management and Budget) has indicated that agencies should demonstrate the use of evidence throughout their FY 2014 budget submissions including but not limited to new evaluation studies, new cost effectiveness studies, and infusing evidence into grant making decisions, including the use of evidence in formula grants, tiered evidence based grants and pay for success. Pay for success consists of the Federal government paying for results after they are achieved. This pay for success, if you will, would give incentives to states that fund true evidence based programs.

Lisa Stamm summarized the proposed Operating Instruction #43 – Step Down Process. The JAG funds are traditionally given to the Drug Task Forces. Stamm indicated JAG funds could be used for 6 other purpose areas. Stamm stated that public notice was given in the Journal Star, as well as emails to all current recipients. The question was raised as to how

this would affect current grantees. Stamm replied that everyone would start fresh and on an equal basis. The step-down process would occur over the next 5 years. Vaughn asked if the money had been appropriated for the next year, and Stamm replied that it had not. She further stated that the Feds are moving to evidence based practices and agencies are expected to show how they will use evidence based practices starting in 2014. Stamm stated that the formula based funding would be cut by 50% and only states that are funding true evidence based programs would have increased funding.

Vaughn asked if it was a Federal mandate to go to evidence based practices or if it was more of a suggestion. Stamm replied that it was not mandated at this point in time, but the Feds are strongly suggesting it due to decreased funds available. There was a brief discussion regarding how the step down process is used in other states. Stamm also explained that there would also be a waiver available and gave a summary on how it would work.

There was a lengthy discussion on the sustainability of existing programs if this step down process is adopted. Stamm stated that whether the step down process is approved or not, funding is going to keep being cut and people will be forced to step down because of lack of funds. Ruiz asked if funding for a program had reached the 25% level, would the program stay at that level from then on. Stamm replied it would. Ruiz then asked if anyone would lose funding after year 5. Stamm replied it would depend totally on the monies available, or other mitigating factors that would affect the decision of the grant review committee. The discussion continued regarding the step down process and how it affects current programs and new programs in the future and whether this should be only considered as seed money as opposed to continuing to fund programs for years.

Behm stated that if evidence based practices are introduced at the time of the grant application, then if existing programs are not meeting those requirements, then it would make the decisions easier. The discussion continued about the availability of future funds and if there was some way to help programs find additional funding and help cushion the fiscal impact of depleted funding.

Motion

A motion was made by Schmaderer and seconded by Sankey to not approve proposed Operating Instruction #43 – Step Down Process: Voting in favor of the motion: Davis (have interest), Hewgley (have interest), Koranda, Sankey (have interest), Schmaderer (have interest), and Swain (have interest). Voting against the motion: Batton, Ruiz, Schindler and White. Abstaining: Vaughn (have interest) (Motion carried)

For the record, those that stated (have interest) would be a potential applicant in the future.

Behm stated that he would like to have volunteers to meet to discuss what evidence based practices are before the next applications would go out.

B. Operating Instruction #10 – Changes to Grant Review Committee

SEE ATTACHMENT #2 - TAN

Behm presented the proposed changes to Operating Instruction #10 – Changes to the Grant Review Committee. Freudenberg stated that he thought having someone leave the room during a discussion would violate the Open Meeting Act. Behm suggested striking “Leaving the room during the discussion”, and simply start with “Abstaining from any discussion”. There was a lengthy discussion what is meant by who could or could not answer questions.

Motion

A motion was made by Davis and seconded by White to approve Operating Instruction #10 – Changes to Grant Review Committee with the amendment of crossing out “leaving the room during the discussion at the Grant Review and”.

The discussion continued and Behm suggested this motion be tabled until the next meeting and Freudenberg asked if Davis and White would withdraw their motion. They agreed to withdraw the motion.

Motion

A motion was made by White and seconded by Koranda to table the motion until the next meeting. Motion passed by acclimation.

C. Approval to Rescind OI #50-10 – Nebraska Law Enforcement Training Center

SEE HANDOUT

Koranda gave an update to why Operating Instruction #50-10 should be rescinded. He stated it’s because it duplicates what is already in state statutes. Muldoon have a quick overview of Operating Instruction #50-10.

Motion

A motion was made by White and seconded by Vaughn to rescind Operating Instruction #50-10 – Nebraska Law Enforcement Training Center. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn, and White. (Motion carried)

V. NEW BUSINESS

A. Final Revocation Decision – James H. Costello – LR-072-09

SEE HANDOUT

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

James H. Costello did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by White and seconded by Vaughn to revoke James H. Costello's Law Enforcement Certification, Case #LR-072-09 per the Attorney General's recommendation. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Schindler, Schmaderer, Swain, Vaughn, and White. Abstaining: Sankey (Motion carried).

B. Crime Commission Appropriations FY 2012-2013

SEE HANDOUT

Freudenberg stated that the handout was simply for informative purposes related to the budget for FY 2012-2013.

C. Nebraska Law Enforcement Training Center

1. Instructor Certifications

The Crime Commission next considered one request for **Professional Certification**, six requests for **Professional Recertification**, and one request for **General Recertification**. Police Standards Advisory Council's recommendations were reported by Larry Koranda.

Motion

A motion was made by Ruiz and seconded by Batton to grant the following instructor certifications per Police Standards Advisory Council's recommendations: Professional Recertification to James F. Davis, Nebraska Law Enforcement Training Center; Martin Denton, Nebraska State Patrol; Greg Goltz, Nebraska State Patrol; Anthony Gutierrez, Omaha Police Department, Christon MacTaggart, Nebraska State Patrol and Alan Theobald, Nebraska State Patrol; Professional Certification to Thad U. Trospen, Omaha Police Department; and General Re-Certification to Ross Lyon, Nebraska State Patrol. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn, and White. (Motion carried).

2. 2012 Nebraska Law Enforcement Training Center Academy Inspection

Koranda gave a summary of the inspection report for 2012 Nebraska Law Enforcement Training Center Academy and asked the board to approve the re-certification of the Academy.

Motion

A motion was made by Vaughn and seconded by Sankey to approve the 2012 Nebraska Law Enforcement Training Center Academy Inspection Report. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn, and White. (Motion carried).

D. Approval of Operating Instruction #42 – Discrimination Complaints

SEE ATTACHMENT #3 - GOLD

Stamm gave a summary of Operating Instruction #42 – Discrimination Complaints. She explained that this was needed to comply with Federal Regulations.

Motion

A motion was made by White and seconded by Vaughn to approve Operating Instruction #42 – Discrimination Complaints. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn, and White. (Motion carried).

E. Approval of Office of Violence Prevention Grants

SEE ATTACHMENT #4 - BLUE

Harris gave a brief summary of the grants reviewed by the Office of Violence Prevention Committee and asked for approval of the recommendations.

Motion

A motion was made by Vaughn and seconded by Batton to approve the Office of Violence Prevention Grants. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz (Abstain 12-VP-5000), Sankey, Schindler, Schmaderer (Abstain 12-VP-5100 and 12-VP-5004), Swain, Vaughn (Abstain 12-VP-5003 and 12-VP-5700), and White (Abstain 12-VP-5000). (Motion carried).

F. Approval of 2012 FJ-BX-0018 John R. Justice Applications/Recommendations in the amount of \$49,012

SEE HANDOUT

Stamm gave a brief update and summary on John R. Justice Applications/Recommendations in the amount of \$49,012.

Motion

A motion was made by Vaughn and seconded by Sankey to approve the recommendations for the John R. Justice Grants in the amount of \$49,012. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn (Abstain 12-LR-1158, 12-LR-1173, 12-LR-1181, 12-LR-1155, 12-LR-1175, 12-LR-1171, 12-LR-1176, 12-LR-1157, 12-LR-1160, 12-LR-1161, 12-LR-1172, 12-LR-1168, 12-LR-1182, and 12-LR-1159), and White. (Motion carried).

G. Approval of Juvenile Accountability Block Grant program for 2013 JABG Grant Review

SEE ATTACHMENT #5 - GREEN

Gans gave a brief overview of the Juvenile Accountability Block Grant program for 2013 JABG Grant Review.

Motion

A motion was made by Vaughn and seconded by White to approve the Juvenile Accountability Block Grant program for 2013 JABG Grant Review. Voting in favor of the motion: Batton, Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn, and White. (Motion carried).

H. Approval of up to \$27,075 in JABG state allocated funds for the JDCMS Statewide Initiative

SEE ATTACHMENT #6 – YELLOW

I. Approval of up to \$27,075 in JABG state allocated funds for the JDAI Statewide Initiative

SEE ATTACHMENT #6 – YELLOW

Gans gave a summary of the funds available for the JDCMS and JDAI Statewide Initiative. It was decided to vote on item H and item I together, rather than separately. There was a brief discussion.

Motion

A motion was made by Vaughn and seconded by Ruiz to approve \$27,075 in JABG state allocated funds for the JDCMS and the JDAI Statewide Initiative. Voting in favor of the motion: Davis, Hewgley, Koranda, Ruiz, Sankey, Schindler, Schmaderer, Swain, Vaughn, and White. Abstaining: Batton (Motion carried).

VI. OTHER BUSINESS

There was no other business.

VII. PUBLIC COMMENT

There was no public comment

VIII. ADJOURNMENT

The next scheduled meeting of the Commission will be:

**Friday, May 3, 2013
9:30 AM
Nebraska State Office Building
Lower Level Conference Room A
Lincoln, Nebraska.**

There being no further business, the meeting adjourned at 11:20 AM.

Respectfully Submitted,



Ann Bauers
Administrative Assistant

Attachment #1

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

OPERATING INSTRUCTION
NUMBER 43

January 25, 2013

STEP-DOWN FUNDING POLICY FOR JUSTICE ASSISTANCE GRANTS (JAG)

PURPOSE: To prescribe a step-down funding policy for Justice Assistance Grants (JAG)

1. **SCOPE:** Applicable to members of the Crime Commission Grant Review Committee, Crime Commission members and staff
2. **GENERAL:** The Crime Commission utilizes federal JAG dollars for state and local initiatives that will improve or enhance the seven federally prescribed purpose areas:
 - A. **Law Enforcement programs**
 - B. **Prosecution and Court programs**
 - C. **Prevention and Education programs**
 - D. **Drug Treatment and Enforcement programs**
 - E. **Corrections and Community Corrections programs**
 - F. **Planning, Evaluation, and Technology Improvement programs**
 - G. **Crime Victim and Witness Programs (other than compensation)**

Community support and commitment for these programs are needed. The Bureau of Justice Assistance (BJA) strongly encourages state and local planners to fund programs that are evidence-based and have been proven effective. It is critical that JAG dollars are spent on programs with proven effectiveness. The following step-down process is proposed as a model that describes "best case scenarios" re: step-down funding. Continued funding for a program over several years is desired in order to support the development of new programs and to encourage the development of increasingly sustainable models. However, continued funding should not be presumed to occur at the levels described below as it may not be available at all or only at a reduced level for a variety of reasons including, but not limited to, funding availability, competitiveness of proposals, changes in JAG priorities, federal requirements, best practices, etc.

3. **FUNDING STEP-DOWN PROCESS:** The funding step-down process is as follows:

Level 1: To provide sufficient time for a new program to become stable, a project may be funded at the same level of funding for not more than two years, providing there are

sufficient funds available, proper management of the grant and other JAG specific factors.

Level 2: Continuation projects requesting funding for a third year will be funded at 75% of the awarded amount in Level 1, providing there are sufficient funds available, proper management of the grant, and other JAG specific factors.

Level 3: Continuation projects requesting funding for a fourth year will be funded at 50% of the awarded amount in Level 1, providing there are sufficient funds available, proper management of the grant and other JAG specific factors.

Level 4: Continuation projects requesting funding for a fifth year, will be funded at 25% of the awarded amount in Level 1, providing there are sufficient funds available, proper management of the grant and other JAG specific factors.

4. **MITIGATING FACTORS:** Programs can still be denied based upon grant management, overall effectiveness of the program, and other factors as deemed by Staff, Grant Review Members and the Crime Commission. Other JAG specific factors would consist of priorities set forth by the Bureau of Justice Assistance. Funding at any time is not guaranteed.
5. **Waiver of Step-Down Policy:** Circumstances may arise which validate the funding of a program at the same or greater amount than the step-down policy allows. A waiver may only be granted in unusual situations that can be clearly justified. In such cases, the Committees may grant a waiver to the step-down policy.

Michael E. Behm
Executive Director

Attachment #2

Addition to OI #10 -016 Conflict of Interest- 016.01A

CONFLICT OF INTEREST: Members of the Crime Commission shall recuse themselves from participating in any review of grants pursuant to Sections 07 or 08 and appeal hearings pursuant to Section 015 that directly involve their agency, institution or personnel. This includes the following measures to be taken regarding a particular grant application at the Grant Review and Crime Commission: Leaving the room during discussion at the Grant Review and abstaining from any discussion at the Crime Commission, unless the Chair requests clarification. Members will also abstain from voting when appropriate.

016.01A: Any member of the grant review committee or the Crime Commission may raise the issue of a conflict of interest.

016.01B: Grant Review Committee members will serve three year terms and cannot serve another term until two years have elapsed. Committee members who have never served on the Grant Review Committee shall serve a three year term.

Attachment #3

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

OPERATING INSTRUCTION
NUMBER 42

January 25, 2013

PROCEDURES FOR RESPONDING TO DISCRIMINATION COMPLAINTS

PURPOSE: To establish written procedures for the Nebraska Commission on Law Enforcement and Criminal Justice (NCC) employees to follow when they receive a complaint alleging:

- A. Employment discrimination from an employee or applicant of a sub-recipient organization of the NCC; or
- B. Discrimination in services from clients, customers, program participants, or consumers of a sub-recipient organization of the NCC.

1. **SCOPE:** Applicable to all Commission members and staff members.
2. **POLICY:** All employees and beneficiaries of the Nebraska Crime Commission's sub-recipients shall be treated equally regardless of race, color, national origin, sex, religion, and disability. The Nebraska Crime Commission will ensure that sub-recipients comply with all applicable civil rights laws, including the following:
 - A. Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C; see *also* Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (June 18, 2002);
 - B. The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
 - C. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
 - D. Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;

- E. Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;
 - F. The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the implementing regulations at 28 C.F.R. Part 42, Subpart I; and
 - G. The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. Part 38).
3. **COMPLAINT PROCEDURES:** A person who believes they have been harassed or been subject to discriminatory treatment within the NCC or by a DOJ-funded sub-recipient because of race, color, national origin, sex, age, religion, or disability, or have been retaliated against for engaging in protected activity, should follow the below procedures.

A. Filing a Complaint

The Grants Division Chief is responsible for coordinating the series of actions described in these procedures and will act as the *Complaint Coordinator for all DOJ-funded sub-recipient complaints*. The current Complaint Coordinator is the Grants Division Chief, 402-471-2194. **All Nebraska Crime Commission employee complaints** should be directed to the Personnel Officer, 402-471-2194. Generally, formal complaints should be filed with the Complaint Coordinator or Personnel Officer within 90 calendar days of the alleged act of discrimination. The complaint may be filed in a letter, in an email, in person, or over the phone. In anticipation of filing a complaint, an individual may find it beneficial to contact the Complaint Coordinator to obtain policy clarification, advice, or assistance.

B. Referral of Complaint

If an employee of the NCC other than the Complaint Coordinator receives a discrimination complaint from a client, customer, program participant, applicant, DOJ-funded sub-recipient, or consumer, they must submit the complaint to the Complaint Coordinator within 10 business days of receiving the complaint.

Furthermore, the NCC will provide the client, customer, program participant, applicant, DOJ-funded sub-recipient, or consumer with a written notice acknowledging receipt of the complaint and explaining that the complaint will be resolved within 45 calendar days of receipt of the complaint.

C. External Agencies

While the NCC encourages individuals to file any employment or services discrimination complaint with the NCC, the agency's policies and procedures are not intended to impair or limit the rights of anyone to seek a remedy available under state or federal law. As an alternative or in addition to filing a complaint with the NCC, an individual may wish to file a complaint with an external agency for investigation, such as the U.S. Equal Employment Opportunity Commission (EEOC) or the appropriate state or local fair employment practices agency or human rights commission. For instance, if a complaint alleges violation of a federal civil rights law that is enforced by the Office for Civil Rights (OCR), Office of Justice Programs, DOJ, the Nebraska Crime Commission acknowledgment letter will inform the complainant that they may file a complaint directly with the OCR at the following address:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 7th Street, NW
Washington, DC 20531

If appropriate, the Complaint Coordinator or Personnel Officer also may elect to refer a complaint to an external agency for investigation and resolution. The NCC will notify the external agency in writing of any referral within 90 calendar days of receipt of the complaint.

D. Complaint Evaluation, Investigation, and Resolution Process

EVALUATION OF THE COMPLAINT

The NCC evaluates each complaint that it receives to determine whether it can investigate the complaint. The NCC makes this determination with respect to each allegation in the complaint. The Nebraska Crime Commission must also determine whether the complaint is filed in time.

The Nebraska Crime Commission will dismiss the complaint if the following is determined:

1. The complaint was not filed timely;
2. The complaint is unclear or incomplete and the complaint does not provide the information that the Nebraska Crime Commission requests within 20 calendar days of the request; or
3. The allegations raised by the complaint have been resolved.

The complaint will be forwarded to an external agency if the following is determined:

1. A complaint is filed against the member of the agency or the Nebraska Crime Commission's Executive Director;
2. A complaint cannot be resolved within 60 calendar days of recipient; or
3. The recipient remains unwilling to negotiate an agreement.

OPENING THE COMPLAINT FOR INVESTIGATION

If the Nebraska Crime Commission determines that it will investigate the complaint, it will issue letters of notification to the complainant and the recipient. Opening a complaint for investigation in no way implies that the Nebraska Crime Commission has made a determination with regard to the merits of the complaint. During the investigation, the Nebraska Crime Commission is a neutral fact-finder. The Nebraska Crime Commission will collect and analyze relevant evidence from the complainant, the recipient, and other sources as appropriate. The NCC will address the allegations raised in the complaint.

INVESTIGATION OF THE COMPLAINT

The NCC may use a variety of fact-finding techniques in its investigation of a complaint. These techniques may include reviewing documentary evidence submitted by both parties; conducting interviews with the complainant, recipient's personnel, and other witnesses; and conducting site visits. At the conclusion of its investigation, the NCC will determine with regard to each allegation whether:

1. There is insufficient evidence to support a conclusion that the recipient failed to comply with the law; or
2. The evidence supports a conclusion that the recipient failed to comply with the law.

The NCC's determination will be explained in a letter of findings sent to the complainant and recipient. Letters of findings contain fact-specific investigative findings and dispositions of individual cases. Letters of findings are not formal statements of OCR policy and they should not be relied upon, cited, or construed as such.

RESOLUTION IF THE COMPLAINT AFTER A DETERMINATION OF NONCOMPLIANCE

If the NCC determines that a recipient failed to comply with one of the civil rights laws that the OCR enforces, the NCC will contact the recipient and will attempt to secure the recipient's willingness to negotiate a voluntary resolution agreement. If the recipient agrees to resolve the complaint, the recipient will negotiate and sign a written resolution agreement that describes the specific remedial actions that the recipient will undertake to address the area(s) of noncompliance identified by the NCC. The terms of the resolution agreement, if fully performed, will remedy the identified violation (s) in compliance with applicable civil rights laws. The NCC will monitor the recipient's implementation of the terms if the resolution has been implemented consistent with the terms of the agreement and that the area(s) of noncompliance identified were resolved consistent with applicable civil rights laws.

If the recipient refuses to negotiate a voluntary resolution agreement or does not immediately indicate its willingness to negotiate, the NCC will inform the recipient that it has 30 calendar days to indicate its willingness to engage in negotiations to voluntarily resolve identified areas of noncompliance, or the NCC will forward the case to an external agency.

REQUEST FOR RECONSIDERATION OR APPEAL OF NCC'S DETERMINATIONS

The NCC affords an opportunity to the complainant to submit a request for reconsideration or an appeal of NCC determinations that are not in the complainant's favor. If the complainant disagrees with the NCC's decision to dismiss or administratively close a complaint for any reason, s/he may send a written request for reconsideration to the Complaint Coordinator within 60 calendar days of the date of the NCC's dismissal or administrative closure letter. If the complainant disagrees with the NCC decision finding insufficient evidence to support the compliant allegation(s) after investigation, they may send a written

appeal to the Complaint Coordinator within 60 calendar days of the date of the NCC's letter of finding(s). Requests for reconsideration and appeals should be sent to:

Nebraska Crime Commission
P.O. Box 94946
Lincoln, NE 68509-4946

This review process provides an opportunity for complainants to bring information to the NCC's attention that may change the NCC's decision. For both requests for reconsideration and appeals, the complainant must explain why they believe the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this would change the NCC's determination in this case. Failure to do so may result in the denial of the request for reconsideration or appeal. The review process will not be a de novo review (the NCC will not review the matter as if no previous decision had been rendered) of the NCC's decision.

E. Policy Dissemination

The NCC Non-Discrimination Policy will be made available to all employees, clients, customers, program participants, applicants, DOJ-funded sub-recipients, and consumers. This Policy will be included with information materials given to all new employees, posted in common areas of the agency's building, and available on the NCC website. In addition, all sub-recipients of the NCC must acknowledge reviewing the policy by initialing a special condition before receipt of their award.

5. **TRAINING:** The NCC will provide training for agency employees on the Non-Discrimination Policy on a yearly basis. The training will include an overview of compliant policies and procedures, including an employee's responsibility to refer discrimination complaints from clients, customers, program participants, applicants, DOJ-funded sub-recipients, and consumers to the Complaint Coordinator.

Michael E. Behm
Executive Director

Attachment #4

2012 Office of Violence Prevention Grant

Number	Agency (Program Title)	City	2012 Amount Requested	Amount Recommended Staff Review	Amount Recommended Board
12-VP-5000	Central District Health Department - Hall County Gang Prevention and Early Intervention	Grand Island - Hall County	\$ 69,000.00	\$ 30,000.00	\$ 30,000.00
12-VP-5001	Urban League of Nebraska - Urban Youth Empowerment Series:	Omaha - Douglas County	\$ 89,456.00	\$ 68,000.00	\$ 68,000.00
12-VP-5002	Goodwill Industries, Inc. - REAL Responsibility, Employment, Attitude, Lifestyle	Omaha - Douglas County	\$ 215,967.00	\$ 0	\$ 0
12-VP-5003	Douglas County - Violent Crime Unit & Faith Based Component	Omaha - Douglas County	\$ 193,400.00	\$ 70,000.00	\$ 70,000.00
12-VP-5004	City of Omaha - Omaha Gang Violence Prevention Strategy Phase 3	Omaha - Douglas County	\$ 384,680.00	\$ 118,583.00	\$ 118,583.00
12-VP-5005	Banister's Leadership Academy - Friday Night L.I.F.E.	Omaha - Douglas County	\$ 30,000.00	\$ 27,000.00	\$ 27,000.00
12-VP-5100	The City of Omaha Police Department- Gang Prevention and Enforcement	Omaha - Douglas County	\$ 69,482.00	\$ 0	\$ 0
12-VP-5200	Lancaster County Lincoln Police-Gun/Gang Violence TaskForce	Lincoln - Lancaster County	\$ 69,517.00	\$ 0	\$ 0
12-VP-5300	Urban League of Nebraska - Urban Youth Empowerment Series: Youthful Offender Re-entry Program	Omaha - Douglas County	\$ 20,000.00	\$ 0	\$ 0
12-VP-5400	Banister's Leadership Academy - N. Omaha Youth Adv. Leadership Board Teen Empow.	Omaha - Douglas County	\$ 20,000.00	\$ 16,100.00	\$ 16,100.00
12-VP-5500	Hastings Public Schools- Senior high Violence Prevention	Hastings - Adams	\$ 12,548.00	\$ 0	\$ 0
12-VP-5600	South Omaha Victory Boxing- Training youth to compete in life	Omaha- Douglas County	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00
10/12-VP-5700	Douglas County - Victim Witness Advocate and Investigator	Omaha - Douglas County	\$ 36,417.00	\$ 36,417.00	\$ 36,417.00

TOTALS
 Available \$ 1,227,467.00 \$ 383,100.00 \$ 383,100.00
 Remaining \$ 383,100.00 \$ 383,100.00 \$ 383,100.00
 \$ (844,367.00) \$ - \$ -

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Central District Health Department

Grant #: 12-VP-5000

Title: Hall County Gang Prevention and Early Intervention

Amount Requested: \$69,000

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/Reasons for Denial:
\$30,000	<p>Due to limited funds the Crime Commission will only fund one year for the 2012 grant and will be responsible for Evaluations. The project is recommended for reduced funding with the following contingencies:</p> <ol style="list-style-type: none">1. Letters of support2. Offset Administration cost as match dollar amount3. Revised Budget

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. The application aims to utilize evidence based programming to address the problem in the community.
2. With limited resources in the proposed location of project the application address the need to expand efforts to deter gang violence in the community
3. The application seeks to encompass families in the solution
4. Great Collaboration of the community stakeholders to address solution

Areas for improvement:

1. Lacked letters of support
2. Application lacked clarification of target population. Stated targeting middle school children as well as youth 12-24
3. Application did not address sustainability of program.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Urban League of Nebraska

Grant #: 12-VP-5001

Title: Youthful Offender Re-entry Program

Amount Requested: \$89,456

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/Reasons for Denial:
\$68,000	<p data-bbox="477 617 1403 772">Due to limited funding the Crime Commission will only fund one year for the 2012 grant and will be responsible for Evaluations. The project is recommended for reduced funding with the following contingencies:</p> <p data-bbox="477 810 1117 842">Funds are not recommended for fringe benefits</p> <p data-bbox="477 879 748 911">1. Revised Budget</p>

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 Collaboration of the community stakeholders to address solution
2. The application aims to utilize evidence based programming to address the solution in the community.
3. Referral from Juvenile Assessment Center, Juvenile Probation and Omaha Public Schools demonstrates a connection with documented delinquency behaviors.
4. Numerous agencies identified through letters of support.
5. Match contributions are a sign of commitment to project

Areas for improvement:

1. Application did not address sustainability of program
2. Application would benefit from statistical documentation of link between homicide rates and target service population of high & middle school students.
3. 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.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Goodwill Industries, Inc.

Grant #: 12-VP-5002

Title: REAL Responsibility, Employment, Attitude, Lifestyle

Amount Requested: \$215,967

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/Reasons for Denial:
0	<p>Application is recommended for denial based on Operating Instruction #10:</p> <p>1. 007.02C Completeness, clarity, continuity and consistency of the written application 007.02F: Cost effectiveness of the proposed project. 007.02G Amount of funds available</p>

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. Good concept for a program that targets high risk youth.
2. Problem is clearly stated and validated with relevant data.
3. Collaboration/ w key stakeholders for target approach to solution
4. Established and well known organization

Areas for improvement:

1. Application did not include any letters of support from key stakeholders to show support of program
2. Duplication of services that currently exist in area
3. Mileage is excessive
4. Sustainability of program not addressed in application

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Douglas County

Grant #: 12-VP-5003

Title: Violent Crime Unit & Faith Based Component

Amount Requested: \$193,400

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/Reasons for Denial:
70000	60,000 to County Attorney 10,000 to Salem for computers, projector and transportation Funding is not recommended for Admin Asst. Crime commission will be responsible for Evaluations Crime Commission will only fund one year for the 2012 grant due to limited funding 1. Revised Budget

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. Collaboration with faith based component
2. Use of an evidenced based program
3. Goals and performance indicators are appropriate and clear.
4. Clear connection between problem and program activities.

Areas for improvement:

1. Sustainability of program not addressed in application
2. Grant application lacked detail to illustrate program activities.
3. Application did not clearly tie in faith based component to working of violent crime unit

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: City of Omaha

Grant #: 12-VP-5004

Title: Omaha Gang Violence Prevention Strategy Phase 3

Amount Requested: \$384,680

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/Reasons for Denial:
\$ 118,583.00	<p>Due to limited funding the Crime Commission will only fund one year for the 2012 grant and will be responsible for Evaluations. The project is recommended for reduced funding with the following contingencies:</p> <p>Letters of support Please see budget sheet for recommended funding</p>

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. Large Collaboration of Services
2. Good explanation of problem statistical data to justify proposal activities.
3. Proposal incorporates evidence based approaches and models.
4. Direct connection between problem description and activities of proposal.

Areas for improvement:

1. Although the application came in as a collaborative effort there were several services that seem to overlap and duplicate services.
2. Application would benefit from integrating and utilizing resources of current funded projects to accomplish measurable outcomes in perspective to the identified objectives.
3. Application did not address sustainability of programs
Application would be enhanced by more detailed information justifying costs related to personnel

Program	Activity	Recommend
OPD	South Omaha Gang Specialist	\$34,741

*For this program I would think it would be beneficial if Southeast and Southwest precincts collaborate with the gang unit to determine Job Announcement posting and duties assigned to specialist. Grant Funds are not recommended for fringe benefits.

CHD	AAYLDE	\$14,916
Empowerment Network	360 Coordinator	\$0

*The Crime Commission will fund one year of funding at a time due to the availability of funds. This being a second year request we do not recommend funding this project under this year's grant

ENCAP	Community Bridge Coordinator	\$0
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*This position detail duplicates services currently being funded within the collaboration. The responsibilities listed resemble, responsibilities of gang specialist, and prevention intervention specialist

Family First	A Call to Action Re-Entry Program	\$20,000
Heartland Family Services	Victim Empathy Program	\$0

*This program looked to expand program, application would be strengthened with measurable results and successes from previous efforts of program.

Hope Center for kids	Village Basketball	\$17,726
IOCC	Prevention Intervention Specialist	\$31,200
OHA	INCYTE	\$0

*This position duplicates services currently being funded within the collaboration. The responsibilities listed resemble, responsibilities of gang specialist, and prevention intervention specialist

Police Research and Policy	Evaluation	\$0
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*The Crime Commission will be responsible for evaluation of all programs

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Banister's Leadership Academy

Grant #: 12-VP-5005

Title: Friday Night L.I.F.E.

Amount Requested: \$30,000

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/Reasons for Denial:
\$27,000	Revised budget Crime commission will be responsible for Evaluations Crime Commission will only fund one year for the 2012 grant due to limited funding

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. Good Innovative concept
2. Application included a large amount of Letters of Support
3. Clear connection between problem and program activities.
4. Variety of program opportunities for participants is a positive attribute of application.
5. Match contributions are a sign of commitment to project.

Areas for improvement:

1. Vague in details of supplies and marketing strategy
2. Application did not address sustainability
3. Objectives and goals seem low

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: The City of Omaha Police Department

Grant #: 12-VP-5100

Title: Omaha Police Department Gang Prevention and Enforcement Enh.

Amount Requested: \$69,482

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/Reasons for Denial:
\$0	Application is recommended for denial based on Operating Instruction #10: 007.02C Completeness, clarity, continuity and consistency of the written application 007.02F: Cost effectiveness of the proposed project. 007.02G Amount of funds available

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. Problem is clearly stated and validated with relevant data.
2. Clear and accurate budget
3. Good explanation of gun forensic problem to justify proposal activities.

Areas for improvement:

1. Application did not address sustainability of program
2. Application did not draw clear concise depiction of how interpreters would accomplish the goal of building community police relationship
3. More cost efficient resources are available to impact targeted problem of language barriers in the community.
4. Collaboration with Community organizations would strengthen this application. Heartland Family Services offers Sudanese Advocates. Omaha Police Department Gang unit also has requested a Gang Specialist for the South Omaha area
5. A concise explanation of Interpreter's activities would enhance application.
6. Application could be strengthened with Letters of Support

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Lancaster County

Grant #: 12-VP-5200

Title: Gun/Gang Violence Task Force-Lincoln

Amount Requested: \$69,517

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/Reasons for Denial:
\$0	<p>Application is recommended for denial based on Operating Instruction #10:</p> <p>007.02C Completeness, clarity, continuity and consistency of the written application</p> <p>007.02F: Cost effectiveness of the proposed project.</p> <p>007.02G Amount of funds available</p>

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. The application aims to utilize evidence based programming to address the solution in the community.
2. Match contributions are a sign of commitment to project
3. Application included letters of support

Areas for improvement:

1. Application did not address sustainability of program
2. Application would be enhanced with justification of trainings in respect to Gang Violence and how the trainings would impact gang violence
3. Application would be enhanced with explanation of Projects the task force plans to implement with relevance and effectiveness to the impact on gang violence.
4. Collaboration with Community organizations would strengthen this application.
5. Application lacked how project would effectively impact Gun and Gang Violence with a taskforce. Taskforce seemed to be more of an Drug taskforce.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Urban League of Nebraska

Grant #: 12-VP-5300

Title: Urban Youth Empowerment Series: Youthful Offender Re-entry

Amount Requested: \$20,000

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/Reasons for Denial:
\$0	Application is recommended for denial based on Operating Instruction #10: 007.02C Completeness, clarity, continuity and consistency of the written application 007.02G Amount of funds available

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. Problem is clearly stated and validated with relevant data.
2. Collaboration/ w key stakeholders for target approach to solution

Areas for improvement:

1. Application did not address sustainability of program
2. Application would benefit from statistical documentation of link between homicide rates and target service population of high & middle school students.
3. 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.
4. Applications budget information was not clear as the total amount requested and total amounts for project drastically differed.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Banister's Leadership Academy

Grant #: 12-VP-5400

Title: North Omaha Youth Advocacy Leadership Board Teen.

Amount Requested: \$20,000

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/Reasons for Denial:
\$16,100	Revised Budget

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. Good Innovative concept
2. Application included a large amount of Letters of Support
3. Clear connection between problem and program activities.
4. Variety of program opportunities for participants is a positive attribute of application.
5. Match contributions are a sign of commitment to project.
6. Goals and performance indicators are appropriate and clear.
7. Clear connection between problem and program activities.

Areas for improvement:

1. Sustainability of program not addressed in application
2. Vague in details of supplies and marketing strategy

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Hastings Public Schools

Grant #: 12-VP-5500

Title: Hastings Senior High Violence Prevention

Amount Requested: \$12,548

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/Reasons for Denial:
\$0	Application is recommended for denial based on Operating Instruction #10: 007.02C Completeness, clarity, continuity and consistency of the written application 007.02F: Cost effectiveness of the proposed project. 007.02G Amount of funds available

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. Large Collaboration of Services
2. Proactive approach to prevent gang violence
3. Need for services in the geographical location

Areas for improvement:

1. Application did not address sustainability
2. Application did not tie in how the program aims to impact gang violence community wide.
3. Application would be enhanced with Prevention and intervention approach to problem.
4. Recent data would also strengthen application to show justification of cost.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Victory Boxing

Grant #: 12-VP-5600

Title: Training Youth to Compete in Life

Amount Requested: \$17,000

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/Reasons for Denial:
\$17,000	None

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. Good Innovative concept
2. Clear connection between problem and program activities.
3. Variety of program opportunities for participants is a positive attribute of application.
4. Match contributions are a sign of commitment to project.

Areas for improvement:

1. Vague in details of supplies
2. Application did not address sustainability

SUMMARY COMMENT SHEET

Applicant: Douglas County Attorney

Grant #: 12/10-VP-5700

Title: Victim/Witness Advocate Investigator

Amount Requested: \$36,417

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/Reasons for Denial:
\$36,417	None

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.

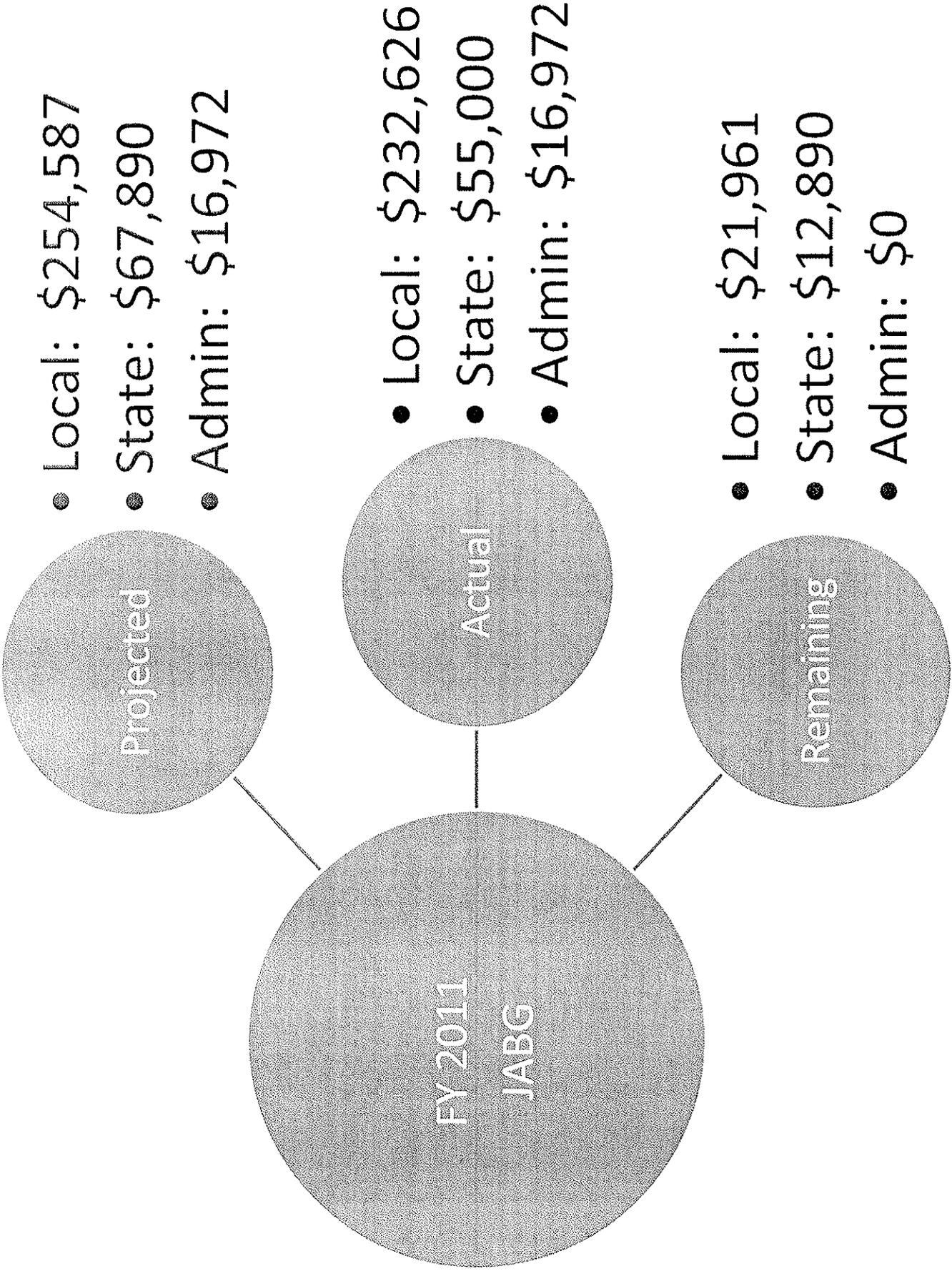
Strengths of the Application:

1. Use of an evidenced based program
2. Goals and performance indicators are appropriate and clear.
3. Clear connection between problem and program activities

Areas for improvement:

1. Sustainability of program not addressed in application
2. Grant application lacked detail to illustrate program activities.

Attachment #5



- Local: \$254,587
- State: \$67,890
- Admin: \$16,972

- Local: \$232,626
- State: \$55,000
- Admin: \$16,972

- Local: \$21,961
- State: \$12,890
- Admin: \$0

Projected

- Local: \$154,730
- State: \$41,261
- Admin: \$10,316

FY 2012
JABG

FY 2011
Carryover

- Local: \$21,961
- State: \$12,890
- Admin: \$0

Total
Projected

- Local: \$176,691
- State: \$54,151
- Admin: \$10,316

Omaha: \$92,631

Lincoln: \$58,571

Sarpy: \$14,989

Remaining Local: \$88,396

Total: \$254,587

Omaha: \$92,631

Lincoln: \$78,703

Sarpy: \$14,369

Horizon Recovery: \$37,907

Hall County: \$9,016

Total: \$232,626

Omaha: \$55,989

Lincoln: \$35,667

Remaining Local: \$63,074 + \$21,961
(FY 2011 Carryover) = \$85,035

Total: \$176,691

Predetermined

FY 2011

(\$254,587)

Actual

Local
Spending

FY 2012

(\$154,730)

Predetermined



Attachment #6

STATEWIDE JABG FUNDS JOINT PROPOSAL

Juvenile Diversion Case Management System

The Nebraska Juvenile Justice Coalition has supported the development of the Juvenile Diversion Case Management System (JDCMS) over the past five years. We are asking the JJC to continue its support of JDCMS by planning to allocate \$27,075 of JABG funds toward the maintenance expenses in FY2013. Actual maintenance costs total \$35,000 (\$5,000 of which is administrative), but we will seek the remaining funding elsewhere. System enhancements (dollar amount varies) will be requested via counties that currently use the system (see attached email.)

Research indicates that pretrial diversion can be an effective alternative to the official processing of juvenile law violations. When operated correctly, pretrial diversion programs hold youth accountable; provide restitution to victims, link youth and families with appropriate services and save tax payer dollars. Investing in appropriate intervention strategies early on can prevent youth from further penetrating the juvenile justice system. Shared data helps programs design the most appropriate intervention for a youth.

In addition, recently, the National Campaign to Reform State Juvenile Justice Systems approached the State about reforms that would improve Nebraska juvenile justice. Many stakeholders identified juvenile diversion as a critical point to examine because of barriers to offering high quality juvenile pretrial diversion programs on a statewide basis. We believe that the National Campaign to Reform State Juvenile Justice Systems will assist in implementing strategies to overcome these barriers, such as equal access, evidence based approaches, etc.

Finally, without this support, maintenance of JDCMS will likely need to be assumed by the Nebraska Crime Commission. For the stated reasons, the Juvenile Justice Institute requests your ongoing financial support.

Juvenile Detention Alternative Initiative (JDAI)

The Nebraska Coalition for Juvenile Justice has supported the expansion of JDAI statewide through the use of JABG funds for a statewide coordinator. In 2012, \$55,000 was appropriated for a 15 month contracted coordinator through the Office of Probation Administration. This year, Probation is requesting \$27,075 of JABG funds to continue support of the statewide coordinator position. The remaining funds for a twelve month contract will be sought elsewhere.

Since the grant began in April, 2012 much progress has been made on a statewide level. Douglas County continues to make progress in reducing their detention population and implement new alternatives. Sarpy County was brought on board as a site in March 2012 and has recently completed their detention utilization study. The state has received significant training and technical assistance including: a multidisciplinary team attending the Houston Inter-site Conference; training by experts on risk assessments instruments at the point of intake; Racial and Ethnic Disparity Training, and individual site technical assistance. In addition, the state has been building partnerships and awareness of the initiative through breakout sessions at NJJA, presentations at various organizations and partnering with Voices for Children on a detention video series.

Nebraska State Probation is currently in the process of piloting a new intake assessment tool based on the training and technical assistance received. The pilot is occurring in Douglas, Sarpy and Lancaster Co. probation offices. Dr. Neeley and Dr. Hobbs are assisting with data analysis. Upon completion of the pilot, revisions, training and implementation of the tool will occur in early 2013.

The Chief Justice named the chairs of the statewide collaborative in October. Senator Bob Krist and AOC director, Janice Walker are now on board working with us to take a contingency of stakeholders to New Jersey for a model site visit and finalize the statewide collaborative membership. This collaborative will be critical to ongoing support of local sites, develop procedures for bringing on new sites, and coordinating reform efforts at the state level.