

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE



Three – Year Comprehensive Juvenile Justice and Delinquency Prevention Plan 2012 – 2014

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ABSTRACT

The Nebraska Commission on Law Enforcement and Criminal Justice will focus on program areas: Alternative to Detention (02), Strategic Community Action Planning (35), Diversion (11), School Programs (27), Substance Abuse (32), Gangs (12), Juvenile Justice System Improvement (19), and Disproportionate Minority Contact (10). The progress of sub-grantees will be measured by the State of Nebraska by requiring sub-grantees to submit quarterly program reports that provide updated data of the outcomes and measurements. The Nebraska Commission on Law Enforcement and Criminal Justice will utilize its Title II Formula grant funds to improve the juvenile justice system in the State of Nebraska by awarding programs funding that falls under the focus program areas. The award will fund a Juvenile Justice Specialist, a part-time Compliance Monitor, a part-time DMC Coordinator, prevention, intervention, and alternatives to detention programs. Programs in Nebraska will target at-risk youth by demonstrating that their program is data-driven and evidence based to reduce the at-risk youth population. A staff review is conducted with at least three staff members from the Crime Commission among other representatives if needed. Then a Grant Review is facilitated by a group of six people on the Nebraska State Advisory Group which represents the entire Nebraska State Advisory Group. All suggestions are taken to the Nebraska Crime Commission Board Meeting where funding recommendations are finalized. Programs are to be monitored every three years. Any changes in personnel, scope, budget or timeframe are submitted to the Grant Administrators and approved individually.

INTRODUCTION

The Nebraska Crime Commission and Nebraska Coalition for Juvenile Justice (NCJJ) have prepared the following report in conjunction with the Juvenile Justice Institute (JJI) at the University of Nebraska at Omaha (UNO). The Crime Commission and NCJJ contracted with JJI to facilitate a sub-committee of the NCJJ for the purposes of developing Three Year Plan priorities for 2012-2014. The following report provides a discussion of the process used in developing the priorities, supporting data, and final priority recommendations as approved by the NCJJ on December 2, 2011. The format of this report is provided as required by the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Three Year requirements at the request of the Nebraska Crime Commission.

PROCESS

NCJJ Sub-Committee

The Nebraska Coalition for Juvenile Justice (NCJJ) held their regularly scheduled quarterly meeting on September 9, 2011. During this meeting, the NCJJ formed a sub-committee to begin development of the State Three Year Plan due in March 2012 and voted to contract with the Juvenile Justice Institute to facilitate the Three Year Planning process. Staff from JJI facilitated a preliminary discussion with the full Coalition during that meeting, focusing on the various program areas allowed by OJJDP and soliciting feedback on perceived pressing issues statewide.

The Three Year Plan sub-committee convened on September 26, October 21 and November 21. During the first meeting, the facilitator led the group through a juvenile justice system's analysis discussion focusing on the specific decision points of the Nebraska Juvenile Justice System. The goal was to identify any changes to system processes (formal or informal), discrepancies and/or inefficiencies, and potential solutions. The Juvenile Justice Institute uses the same system analysis format when working with local communities on comprehensive planning and locally identified issues were used to help inform this statewide discussion.

The next meeting discussion focused on pressing issues facing Nebraska youth and families as identified in the comprehensive community plans submitted to the Nebraska Crime Commission by counties. The Community Planning Coordinator at JJI provided the group with the most common priorities identified in the local plans and the facilitator provided additional requested information about these priorities. The goal was to identify issues where NCJJ funding could have the most impact and as well as fit with federal funding program areas. While some areas are a pressing need for youth and families, the group identified other resources that were already serving those needs. With limited funding, it is necessary to focus efforts to maximize resources.

The final meeting focused specifically on Disproportionate Minority Contact (DMC). The Juvenile Justice Institute conducted the DMC Statewide Assessment. Dr. Anne Hobbs presented preliminary issues identified in the assessment and asked targeted questions of the group to help inform the rest of the assessment. The assessment will specifically inform the DMC portion of the Three Year Plan as well as inform and support other identified priorities by the group.

System Involved Youth Survey

An effort was made to ensure that system involved youth had a voice in informing the Three Year Plan process. The Chair of the NCJJ Youth Committee along with staff from the Crime Commission developed a ten-question survey monkey survey that was sent to youth in secure settings (Detention Centers and YRTC's). Nearly 175 youth completed the survey describing their experiences in the system as well as providing suggestions for improvement. Their feedback is woven into the recommendations of this report.

Nebraska Community Planning Process

Nebraska State Statute requires counties wanting to access Juvenile Services and/or Juvenile Services County Aid funding to develop a comprehensive community plan. Through a partnership between the Crime Commission and the Juvenile Justice Institute a community planning framework has been developed and a staff person at JJI (through Title II funding) has been dedicated to provide intensive technical assistance to communities in developing these plans. Counties successfully completing plans also meet the federal funding eligibility guidelines for Title II, Title V and JABG funds.

Communities are required to develop a comprehensive community team or identify an existing team that will appropriately meet the needs of a planning committee. The JJI Community Planning Coordinator comes to an initial team meeting to provide an orientation presentation to the team. This presentation describes the philosophy of Collective Impact as it relates to community planning and outlines the steps to complete the plan. At the next meeting the Community Planning Coordinator facilitates a Juvenile Justice Systems Analysis discussion, helping the community identify formal and informal factors influencing how youth move through the system. The community then conducts a Community Capacity Inventory to identify all of the programs serving youth in the community and measures what assets and risk factors those programs are addressing. The Community Planning Coordinator compiles basic data along with the CCI survey results into a report that is presented to the community team. A discussion is then facilitated to assist the team in developing priorities and strategies. These priorities and strategies must focus on organizational development as well as meeting pressing issues in the community. The plan is then written and submitted to the Crime Commission for approval. In the second and third year communities are required to meet on a regular basis and work on implementing the strategies they have identified. Information generated in these plans is a significant resource in assisting in developing the state Three Year Plan priorities and strategies.

NEBRASKA'S THREE YEAR PLAN COMPONENTS

1. Structure and Function of the Juvenile Justice System

A. Structure

The intent of the Nebraska juvenile justice system is to provide individualized accountability and treatment for juveniles in a manner consistent with public safety. It is the goal of the Crime Commission, through this plan, to promote a holistic approach to working with youth and their families beginning with prevention, early intervention, and community based services for youth in the system and community based aftercare.

The juvenile justice system in Nebraska is a divided system with both the state and local governments providing services to youth. The following is a synopsis of the major components in the Nebraska Juvenile Justice System:

Law Enforcement: There are three levels of law enforcement coverage in the State of Nebraska: Police Departments, County Sheriff's Departments and Nebraska State Patrol. In 2011, the Nebraska Crime Commission reported 3,765 full time sworn officers across 225 agencies. Budget crisis across all levels of government have significantly impacted law enforcement since the last three year planning period, resulting in unfilled positions or delay in filling positions.

Local police chiefs and officers are hired by the city and are trained at the Law Enforcement Training Center in Grand Island NE with the exception of Lincoln and Omaha Police Departments who operate their own training academies. Sheriffs are elected every four years and are employed by the County Boards or Commissioners. Sheriffs and their staff are also trained at the Law Enforcement Training Center. The Nebraska State Patrol operates through six troop areas statewide and co-locates their training academy at the Law Enforcement Training Center.

All law enforcement officers encounter juveniles in a variety of situations including investigations of abuse/neglect, emergency mental health placements, street contact and arrest. Officers also have contact with out of state runaways and transportation of juveniles. Nebraska has four recognized Native American Tribes, three of which reside on federally designated reservations and operate under their own law enforcement.

Diversion: Youth arrested for first time misdemeanor offenses may have the opportunity to participate in a juvenile diversion program. Per state statute, the County Attorney has the discretion to authorize and operate a diversion program. Forty nine (49) of Nebraska's ninety-three (93) counties currently offer some type of diversion opportunity to youth. Statute does not provide the mandatory components of diversion statewide, therefore programs structure varies by county. The Crime Commission continues to support many diversion programs through grant funding and is mandated by state statute to collect formal data on all diversion programs statewide. JABG funds have been utilized to contract with UNO/JJI to create a web-based case management and reporting system that is housed on the Nebraska Criminal Justice Information System (NCJIS). This system allows programs who need it to do case management through the system, run reports and submit data to the Crime Commission. It also allows for larger programs with their own case management systems to upload required data. In addition to the web-based system, funds are also being used to provide a yearlong juvenile diversion training series created by UNO/JJI. This series has focused on capacity in implementing evidence based strategies within programs, such as standardized assessment and screening tools; motivational interviewing; creating public value; grant writing; program evaluation and program development.

Probation: The Nebraska Probation Administration is housed within the State Judicial Branch. The Administrative Office houses a Juvenile Justice Program Specialist within the Community Based Supervision and Programs Division. This person is responsible for coordinating policy and procedures, implementation of evidence based practices and programs and ongoing quality assurance. Local offices operate through 12 district offices which align with the 12 Judicial Districts. Lincoln and Omaha have separate juvenile specific offices and officers as part of their district. In all other districts, officers may have adults and juveniles on their caseloads.

By statute, probation is responsible for intake assessment, that point in which a youth has been arrested by law enforcement and a decision is needed to determine whether the youth should go to secure detention, an alternative placement or can be released pending court. In the past two years, probation has created and implemented a new standardized intake assessment that was modeled after Santa Cruz, CA Juvenile Detention Alternative Initiative (JDAI) site.

After adjudication, a judge can order probation to conduct a pre-disposition investigation. (PDI) Probation utilizes the NE Youth Screen, the Youth Level of Service/Case Management Inventory (YLS/CMI) and a variety of specific evidence based assessments as necessary to develop the report to the court. Officers are trained to use motivational interviewing during their PDI and supervision work to ensure the best possible outcome for the youth.

If a youth is placed on probation by the court for supervision, the youth is classified to a specific level of supervision based on the recommendations from the PDI and a case plan is developed with the officer. The case plan outlines probation conditions as well as programs and/or services the youth will be connected with while on probation. Probation officers run a variety of evidence based cognitive groups such as MRT, EQUIP, and Why Try. Officers also make referrals for treatment and other needed services. Statute allows probation to implement graduated sanctions as part of supervision in lieu of automatic violation. Youth are discharged from probation when they have successfully completed their case plan or have to be revoked by the court.

Detention: There are four secure juvenile detention centers in Nebraska, located in Omaha, Lincoln, Madison and Scottsbluff totaling 238 beds. The facility in Scottsbluff is the only co-located facility in the state and Madison is the only privately run facility. Over the past several years, nearly all non-county based staff secure facilities have closed. Two remaining staff secure facilities are co-located with the secure facilities in Madison and Lincoln. The other remaining facility is a standalone facility operated by Sarpy County (Papillion). Nebraska has state Jail Standards outlined in statute that governs the conditions of confinement within juvenile detention centers and jails. The Jail Standards division is housed within the Nebraska Crime Commission and works closely with the Compliance Monitor in the oversight of facility policy, procedures and compliance.

Courts: Nebraska's court system includes Supreme Court, Court of Appeals, Workers Compensation Court, County, District and Separate Juvenile Courts. The three separate juvenile courts have a total of eleven judges serving the three largest counties of Douglas, Lancaster and Sarpy. Fifty eight county judges and fifty six District judges serve the remaining 90 counties through 12 judicial districts. These districts range in size from one to nine counties. In rural areas, judges travel great distances for court once a week to once a month. District Court hears felony, domestic relation and civil cases over \$52,000. County Courts hear misdemeanor cases, including traffic, regulations, and municipal ordinance violations, preliminary hearing in felony cases, civil cases involving less than \$52,000, small claims involving less than \$3,500, probate, guardianship, conservatorship, adoption, eminent domain, and function as juvenile court except in Douglas, Lancaster and Sarpy County.

Judges are appointed utilizing a merit system by a judicial nominating commission. Recommendations by the commission are forwarded to the Governor for final selection. However, if the Governor elects not to make an appointment within 60 days after receiving the list of nominees from the judicial nominating commission, the Chief Justice of the Supreme Court makes the appointment from the list of nominees. A judge must run for retention in office in the first general election that occurs more than 3 years after his or her appointment, and every 6 years thereafter.

Special programs under the Administrative Office of the Court include Problem Solving Courts Mediation, Judicial Branch Education and Interpreter Services. Problem solving courts in Nebraska include adult drug court, juvenile drug court, family drug court and young adult court.

County Attorneys: Nebraska's 93 counties are all serviced by a county attorney. Not all counties employ full time county attorney's; many may serve one or more counties. State statute outlines population guidelines for employment of county attorneys. They are elected at the general election every four years with no term limits. The county attorney prosecutes cases on behalf of the state, makes all filing determinations, and has the discretion to administer diversion programs.

Department of Health and Human Services/Division of Children and Family Services: The Department of Health and Human Services is an extensive agency providing a wide variety of children, family, adult and behavioral health services. The Division of Children and Family Services is specifically responsible for child welfare and juvenile services. Within the Division, the Office of Juvenile Services (OJS) provides community-based services and programs designed to work with youth who have committed a delinquent or criminal act and their families. There are a range of contracted residential and non-residential services and programs used to meet the custody and treatment needs of youth. The OJS also oversees the administration of the Youth Rehabilitation and Treatment Centers. Youth between 12 and 19 years that have been adjudicated as a juvenile offender and committed to the Office of Juvenile Services' custody may be placed in a Youth Rehabilitation and Treatment Center. Delinquent juveniles may also be housed at the YRTCs as parole safe keepers pending a revocation of parole hearing. The mission of the YRTCs is to provide individualized supervision, care, accountability, and treatment in a manner consistent with public safety to those youth in its care. There are two youth rehabilitation of treatment facilities in Nebraska. The facility for females is located in Geneva and the facility for males is located in Kearney.

Nebraska Correctional Youth Facility: As provided by State Statute 83-905, the Nebraska Department of Correctional Services (NDCS) has oversight and control of the Nebraska Correctional Youth Facility (NCYF). NCYF is a physically secure facility designed to provide confinement, education, and treatment for youthful offenders (males, age 20 and under) who have been committed to the Nebraska Department of Correctional Services. All male offenders sentenced by District Courts of the State of Nebraska are received at the Diagnostic and Evaluation Center (DEC) in Lincoln. After completion of assessment at DEC youthful offenders are immediately transferred to NCYF. In addition to the Special Purpose High School courses, GED, and college classes, NCYF offers programs in the following areas: Vocational Training, Landscaping/Horticulture and Food Service, Religion, Recreation, Life Skills, Victim Impact, and Dog Handling. NCYF is accredited by the American Correctional Association.

B. System Flow

The following system point evaluation was developed by the Juvenile Justice Institute (JJI) at the University of Nebraska-Omaha, and has been utilized as a planning tool with counties in developing their comprehensive juvenile services plan. Additionally, it was used with the Executive Committee of the Nebraska Coalition for Juvenile Justice in helping determine gaps and needs for the Three Year Plan. The tool outlines the twelve (12) decision points as defined by statute, as well as the formal determining factors each entity must consider when making decisions about a youth. The informal factors vary from county to county, but most common factors are listed.

The form below the *System Point Evaluation*, Figure 2-1, illustrates the Nebraska Juvenile Justice system.

<p>SYSTEM POINT: ARREST/ CITATION PARTY RESPONSIBLE: Police/Law Enforcement STATUTE REFERENCE: NRS §§ 43-247 (1), (2), (4)</p>	
<p><i>Decision: Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested.</i></p>	
<p>Formal Determining Factors</p> <ul style="list-style-type: none"> a. Sufficient factual basis to believe offense was committed. b. Underlying support for a particular offense. 	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> a. Officer’s inclination/ patience. b. Degree to which parent or service provider pushes the issue. c. Youth’s prior incidences with law enforcement. d. Youth and/or youth’s families perceived status in the community.
<p><i>Decision: Whether to cite or arrest juvenile for juvenile or adult offense.</i></p>	
<p>Formal Determining Factors</p> <ul style="list-style-type: none"> a. Seriousness of Offense b. Is there a warrant? 	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> a. Degree to which juvenile cooperates with officer. b. Victim’s desire. c. Is the youth already in the HHS or juvenile system?
<p><i>Decision: Whether to take juvenile into custody or to cite and release (NRS § 43-248 (1), (2); § 43-250 (1), (2), (3))</i></p>	
<p>Formal Determining Factors</p>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> a. Immediate risk to juvenile. b. Immediate/short term risk to public. c. Seriousness of perceived offense. d. Extent to which parent or other responsible adult available to take responsibility for juvenile. e. Is there a warrant? f. Availability of pre-adjudication detention options?

SYSTEM POINT: INITIAL DETENTION	
PARTY RESPONSIBLE: State of Nebraska Probation	
STATUTE REFERENCE: NRS § 43-250(3), § 43-260, § 43-260.01	
<i>Decision: Whether juvenile should be detained or released.</i>	
Formal Determining Factors a. Risk assessment outcome b. Accessibility of placement options: <ul style="list-style-type: none"> i. Parents/Guardians ii. Emergency Shelter iii. Staff Secure Facility iv. Secure Detention Facility 	Informal Determining Factors

SYSTEM POINT: CHARGE JUVENILE	
PARTY RESPONSIBLE: County Attorney	
STATUTE REFERENCE: NRS § 43-274(1), § 43-275, § 43-276	
<i>Decision: Whether to prosecute juvenile.</i>	
Formal Determining Factors a. Likelihood of successful prosecution b. Factors under NRS § 43-276: <ul style="list-style-type: none"> i. Type of treatment to which juvenile would be most amenable. ii. Evidence that offense was violent, aggressive, or premeditated. iii. Motivation for commission of offense. iv. Age of juvenile and co-offenders. v. Previous offense history, especially patterns of prior violence or antisocial behavior. vi. Juvenile’s sophistication and maturity. vii. Juvenile’s prior contacts with law enforcement and the courts. viii. Whether there are facilities particularly available to the juvenile court for the treatment and rehabilitation of the juvenile. ix. Whether best interests of juvenile and public safety dictate supervision extending beyond his or her minority. x. Victim’s inclination to participate in mediation. xi. “Such other matters as the county attorney deems relevant to his or her decision.” 	Informal Determining Factors
<i>Decision: Whether youth should be prosecuted as juvenile or adult.</i>	
Formal Determining Factors a. Seriousness of offense	Informal Determining Factors
<i>Decision: Offense for which juvenile should be charged.</i>	

Formal Determining Factors	Informal Determining Factors
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<p>SYSTEM POINT: PRE-ADJUDICATION DETENTION</p> <p>PARTY RESPONSIBLE: Juvenile Court Judge</p> <p>STATUTE REFERENCE: NRS § 43-253(2)</p>

Decision: Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication.

<p>Formal Determining Factors</p> <ul style="list-style-type: none"> a. Whether there is an “immediate and urgent necessity for the protection of such juvenile” b. Whether there is an “immediate and urgent necessity for the protection of...the person or property of another” c. Whether juvenile is likely to flee the jurisdiction of the court 	<p>Informal Determining Factors</p>
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<p>SYSTEM POINT: PROBABLE CAUSE HEARING</p> <p>PARTY RESPONSIBLE: Juvenile Court Judge</p> <p>STATUTE REFERENCE: NRS § 43-256</p>
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Decision: Whether the state can show probable cause exists that a juvenile is within the jurisdiction of the court.

Formal Determining Factors	Informal Determining Factors
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<p>SYSTEM POINT: COMPETENCY EVALUATION</p> <p>PARTY RESPONSIBLE: Juvenile Court Judge</p> <p>STATUTE REFERENCE: NRS § 43-258(1(b))</p>

Decision: Whether juvenile is competent to participate in the proceedings.

Formal Determining Factors	Informal Determining Factors
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Decision: Whether juvenile is “responsible” for his/her acts NRS § 43-258(1(c) and (2))

<p>Formal Determining Factors</p> <ul style="list-style-type: none"> a. Physician, Surgeon, Psychiatrist, Community Health Program, Psychologist b. “Complete evaluation of the juvenile including any authorized area of inquiry requested by the court.” (NRS § 43-258(2)) 	<p>Informal Determining Factors</p>
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SYSTEM POINT: ADJUDICATION
 PARTY RESPONSIBLE: Juvenile Court Judge
 STATUTE REFERENCE: NRS § 43-279 (2) and (3)

Decision: Whether the juvenile is, beyond a reasonable doubt, “a person described by section 43-247.”

<p>Formal Determining Factors</p> <ul style="list-style-type: none"> a. Legal sufficiency of evidence presented during adjudication hearing b. Whether juvenile admits the allegations of the petition (or, “pleads to the charges”) 	<p>Informal Determining Factors</p>
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Decision: Whether to order probation to conduct a pre-disposition investigation (statutory authority unclear)

<p>Formal Determining Factors</p>	<p>Informal Determining Factors</p>
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Decision: Whether to order an OJS evaluation NRS § 43-281

<p>Formal Determining Factors</p>	<p>Informal Determining Factors</p>
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*See also: NRS § 29-2204(3): Except when a term of life is required by law, whenever the defendant was under eighteen years of age at the time he or she committed the crime for which he or she was convicted, the court may, in its discretion, instead of imposing the penalty provided for the crime, make such disposition of the defendant as the court deems proper under the Nebraska Juvenile Code. Prior to making a disposition which commits the juvenile to the Office of Juvenile Services, the court shall order the juvenile to be evaluated by the office if the juvenile has not had an evaluation within the past twelve (12) months.

Decision: Whether to order a PDI or OJS Evaluation

<p>Formal Determining Factors</p> <ul style="list-style-type: none"> a. Presumably supplement each other b. Uncertainty about whether probation or commitment to OJS is in the juvenile’s best interest 	<p>Informal Determining Factors</p>
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SYSTEM POINT: DISPOSITION
 PARTY RESPONSIBLE: Juvenile Court Judge
 STATUTE REFERENCE: NRS § 43-286 (1)

Decision: Whether to place juvenile on probation NRS § 43-286(1)(a)(i)	
Formal Determining Factors	Informal Determining Factors
Decision: Whether to commit such juvenile to the Office of Juvenile Services NRS § 43-286(1)(b)	
Formal Determining Factors	Informal Determining Factors
Decision: Whether to place juvenile on probation and commit juvenile to HHS or OJS	
Formal Determining Factors a. No apparent authority for delinquent in the legal custody of parents/guardian.	Informal Determining Factors a. Gives probation responsibility of supervision, but opens access to HHS/OJS funds for treatment or rehabilitation
See Also, State v. David C., 6 Neb. App. 198, 572 N.W.2d 392 (1997): [9] It is clear that the court intended to commit David to the YRTC without actually revoking his probation. We can find no statutory basis for this procedure. Section 43-286 provides for the possible dispositions that a court may make, including continuing [*214] the disposition portion of the hearing and (1) placing the juvenile on probation subject to the supervision of a probation officer; (2) permitting the juvenile to remain in his or her [***31] own home, subject to the supervision of the probation officer; (3) placing the juvenile in a suitable home or institution or with the Department; or (4) committing him or her to OJS. Section 43-286 provides no authority for a court to place a juvenile on probation under the care of OJS. Section 43-286(4)(e) provides that if the court finds that the juvenile violated the terms of his or her probation, the court may modify the terms and conditions of the probation order, extend the period of probation, or enter "any order of disposition that could have been made at the time the original order of probation was entered" The court could not have originally entered an order providing for probation with commitment to YRTC, and it necessarily follows that the court could not enter such an order upon finding that the juvenile had violated the terms of his or her probation. The attempt to continue probation while committing David to an YRTC would also require a reversal of the order of April 30.	

SYSTEM POINT: ADMINISTRATIVE SANCTIONS	
PARTY RESPONSIBLE: Probation	
STATUTE REFERENCE: NRS § 29-2266	
Decision: Whether to impose administrative sanctions on a probationer	
Formal Determining Factors (NRS § 29-2266 (2)) a. Probation officers has reasonable cause to believe that probationer has committed or is about to commit a substance abuse violation or a non-criminal violation b. Substance abuse violation refers to a positive test for drug or alcohol use, failure to report for such a test, or failure to comply with substance abuse evaluations or treatment c. Non-criminal violation means:	Informal Determining Factors

<ul style="list-style-type: none"> i. Moving traffic violations; ii. Failing to report to his or her probation officer; iii. Leaving the jurisdiction of the court or leaving the state without the permission of the court or his or her probation officer; iv. Failing to work regularly or attend training school; v. Failing to notify his or her probation officers of change of address or employment; vi. Frequenting places where controlled substances are illegally sold, used, distributed, or administered; vii. Failing to perform community service as directed; viii. Failing to pay fines, courts costs, restitution, or any fees imposed pursuant to section 29-2262.06. 	
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SYSTEM POINT: MOTION TO REVOKE PROBATION	
PARTY RESPONSIBLE: County Attorney	
STATUTE REFERENCE: NRS § 43-286(4)(b)(i)	
Formal Determining Factors	Informal Determining Factors

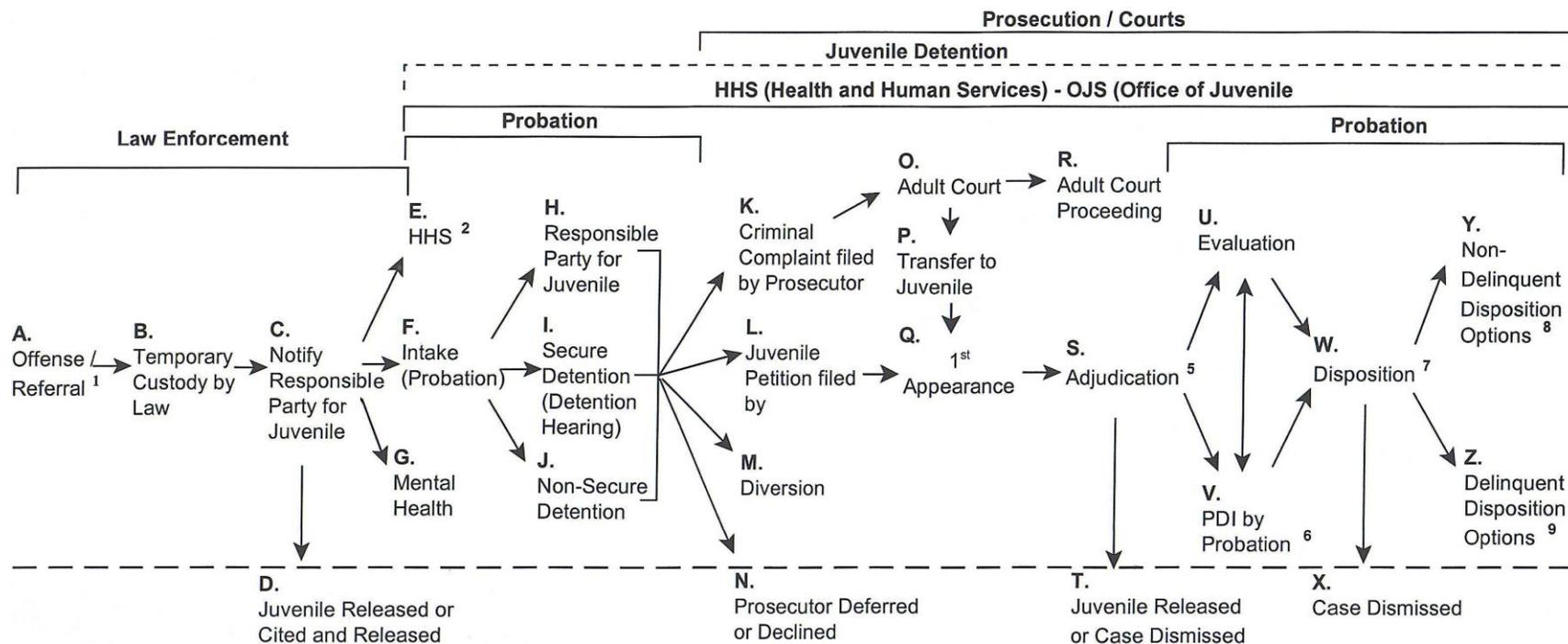
SYSTEM POINT: MODIFICATION/REVOCAION OF PROBATION	
PARTY RESPONSIBLE: Juvenile Court Judge	
STATUTE REFERENCE: NRS § 43-286(4)(b)(v)	
Formal Determining Factors	Informal Determining Factors

SYSTEM POINT: SETTING ASIDE ADJUDICATION	
PARTY RESPONSIBLE: Juvenile Court Judge	
STATUTE REFERENCE: NRS § 43-2,104	
<i>Decision: Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment</i> NRS § 43-2,102	
Formal Determining Factors (43-2,103) <ul style="list-style-type: none"> a. Juvenile’s post-adjudication behavior and response to treatment and rehabilitation programs b. Whether setting aside adjudication will depreciate seriousness of juvenile’s conduct or promote disrespect for law c. Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based. 	Informal Determining Factors
<i>Decision: Whether juvenile should be discharged from the custody and supervision of OJS</i>	

<p>Formal Determining Factors</p> <p>a. Presumably same as those for probation under NRS § 43-2,103</p>	<p>Informal Determining Factors</p>
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See Also, *In re Interest Tamantha S.*, 267 Neb. 78; 672 N.W.2d 24 (2003): it is clear under the language of § 43-408 that the committing court maintains jurisdiction over a juvenile committed to OJS, conducts review hearings every 6 months, and is to receive written notification of the placement and treatment status of juveniles committed to OJS at least every 6 months. See § 43-408(2) and (3). Thus, although the statute speaks of committed [**28] juveniles' being "discharged from [OJS]," § 43-408(2), the statute does not explicitly say that OJS discharges the juveniles, and, on the contrary, the Legislature has explicitly mandated that the committing court "continues to maintain jurisdiction" over a juvenile [***9] committed to OJS. *Id.* Therefore, while OJS may make an initial determination with regard to the advisability of the discharge of a juvenile committed to OJS, the committing court, as a result of its statutorily imposed continuing jurisdiction, must approve the discharge of the juvenile.

Figure 2-1. Nebraska Juvenile Justice System



¹ Offense - Misdemeanor (NRSC 43, Section 247(1)), Offense- Felony (NRSC 43, Section 247(2)), Offense- Traffic (NRSC 43, Section 247 (4)). Civil- Neglect, Abused or Dependent (NRSC 43, Section 247 (3a)), Civil- Ungovernable or Truant (NRSC 43, Section 247 (3b)), Civil- Mentally Ill and Dangerous (NRSC 43, Section 247(3c))

² Authority if juvenile is mentally ill and dangerous.

³ Authority if juvenile is endangered by surrounding or if mentally ill and dangerous.

⁴ The juvenile is advised of his/her rights, allegations and possible penalties.

⁵ Judgement if the allegation in the petition is true (founded) or false (unfounded).

⁶ Predisposition investigation

⁷ Disposition is a decision by a judge

⁸ Home, suitable institution, mental health treatment, out of home placement, custody of OJS, or mediation.

C. Service Network

There are various stakeholders within Nebraska's Juvenile Justice System. Local county governments and state government share responsibilities for youth in the system. Both entities utilize contracts with service providers to provide programs and services necessary for youth and their families. There are also many community-based organizations that provide prevention related programming for all youth, including at-risk and youth in the system. These community-based organizations vary by community but include agencies such as Lutheran Family Services, Girl/Boy Scouts, Boys and Girls Clubs, Big Brothers/Big Sisters, and TeamMates.

The Health and Human Service System - Department of Behavioral Health Services provides mental health services statewide, often serving youth and families in the system. They also administer a State Incentive Cooperative Agreement (SICA) grant that provides significant federal dollars for substance abuse prevention strategies to communities statewide.

The Department of Education is a stakeholder in the juvenile justice system. Many schools employ school resource officers, provide substance abuse prevention curriculum, house after school programs, and are significantly impacted by truancy issues. State statute requires schools to provide alternative education, but there is no state funding for alternative schools. The Department of Education has approved twenty-six (26) interim program schools that are predominantly located within juvenile residential and detention facilities. Youth attending interim program schools maintain school registration within their home district. There are five (5) special purpose schools across the state, located in youth treatment centers and youth correctional facilities. Special purpose schools are accredited; therefore, youth may graduate from these schools. The Department of Education is working toward a standard definition of truancy for all school districts as well as a student roster information system. Both efforts will be very beneficial in juvenile justice efforts.

The Department of Labor receives federal funding for work force development and job training programs that have a positive impact for youth in the system when they are able to access these programs. Work Force Development is currently developing a tract for youth who are leaving the juvenile justice system.

The Nebraska Crime Commission also receives funding from the Legislature for two state grant programs to enhance juvenile justice programming. One program, Juvenile Services, is a competitive grant program focused on prevention efforts such as mentoring, after school programs and truancy initiatives. The second program, County Aid, is similar to a formula grant program in which each county receives an allocation of funding upon the completion of a comprehensive local juvenile services plan.

2. Analysis of Juvenile Crime Problems and Juvenile Justice Needs

A. Analysis of Juvenile Crime Problems

Nebraska is currently focusing our rehabilitation programs toward gender-specific services. The Youth Rehabilitation Treatment Center (YRTC) in Kearney houses males and the YRTC in Geneva houses females. Their programming is strictly geared toward the gender they serve. Between Omaha and Lincoln, we fund approximately 5 gender-specific programs that are geared toward prevention and intervention. Nebraska continues to plan on funding these 5 gender-specific programs but do not anticipate an increase with the reduction of funds. Additionally, Nebraska funds several culturally specific programs geared toward prevention, intervention and integration throughout the state of Nebraska.

Nebraska currently is putting forth efforts to expand services and programs for juveniles in rural Nebraska. A new program in northeastern rural Nebraska was funded through Title II and geared toward intervention and prevention. A new program in central rural Nebraska was funded for intervention and prevention activities. With other juvenile grant sources in Nebraska, we funded a program in northwestern and south central Nebraska. These programs focused on prevention and intervention efforts. Nebraska continues to increase efforts in addressing rural areas. Nebraska funds programs in all areas of the state proportionally to their population. With funding decreases, Nebraska will make this a priority, but future funding cuts will be made to all programs.

Nebraska is currently addressing mental health services primarily with Juvenile Detention Alternative Initiative (JDAI) collaboration with the Crossover Youth Practicum Model. Title II funds the Douglas and Sarpy County JDAI Coordinator. JABG funds the Nebraska Statewide JDAI Coordinator. Nebraska has just begun these efforts so we continue and plan to promote JDAI and the crossover youth model.

The Nebraska Crime Commission has a three step grant review process in selecting the appropriate recipients of Title II funds. A staff review is conducted with at least three staff members from the Crime Commission among other representatives if needed. Then a Grant Review is facilitated by a group of six people on the Nebraska State Advisory Group which represents the entire Nebraska State Advisory Group. All suggestions are taken to the Nebraska Crime Commission Board Meeting where funding recommendations are finalized. At this point, the successful recipients return any contingencies that were suggested by the grant review process. After all subgrantees contingencies are met, they sign an award document and special conditions. This information is sent back to the Crime Commission and the funding process and project begins. Any new program is to be monitored within the first year of receiving grant funds. Existing programs are to be monitored every three years. Any changes in personnel, scope, budget or timeframe are submitted to the Juvenile Grant Administrator (JJ Specialist) and approved individually.

Population

According to the 2010 Census, 1,826,341 people lived in the State of Nebraska showing a steady increase over the past four decades. However, this table also shows a steady decline of rural population. The urban population is concentrated in the three largest eastern counties of Douglas, Sarpy and Lancaster. This population shift puts a significant strain on access to services in rural areas.

Table 1.0 Nebraska Population			
Year	Rural *	Urban *	Total
1980	799,868	769,957	1,569,825
1990	751,172	827,213	1,578,385
2000	768,760	942,503	1,711,263
2010	754,973	1,071,368	1,826,341

Source: Nebraska Department of Economic Development Fact Sheet, 2011

Table 2.0 Nebraska Juvenile Population by Race					
Year	White	Black	American Indian	Asian	Total
2000	192,314	12,079	2,999	2,957	210,349
2001	190,472	12,330	3,054	3,022	208,878
2002	188,811	12,615	3,111	3,107	207,644
2003	186,210	12,835	3,086	3,207	205,338
2004	183,404	13,078	3,137	3,353	202,972
2005	181,296	13,189	3,074	3,442	201,001
2006	178,765	13,329	3,097	3,538	198,729
2007	176,420	13,412	3,031	3,734	196,597
2008	173,164	13,549	3,028	3,895	193,636
2009	171,513	13,700	2,986	4,016	192,215
2010	175,481	14,439	4,106	4,359	198,385

Source: http://ojjdp.gov/ojstatbb/ezapop/asp/profile_selection.asp

**Table 2.1
Nebraska Juvenile Population by Sex**

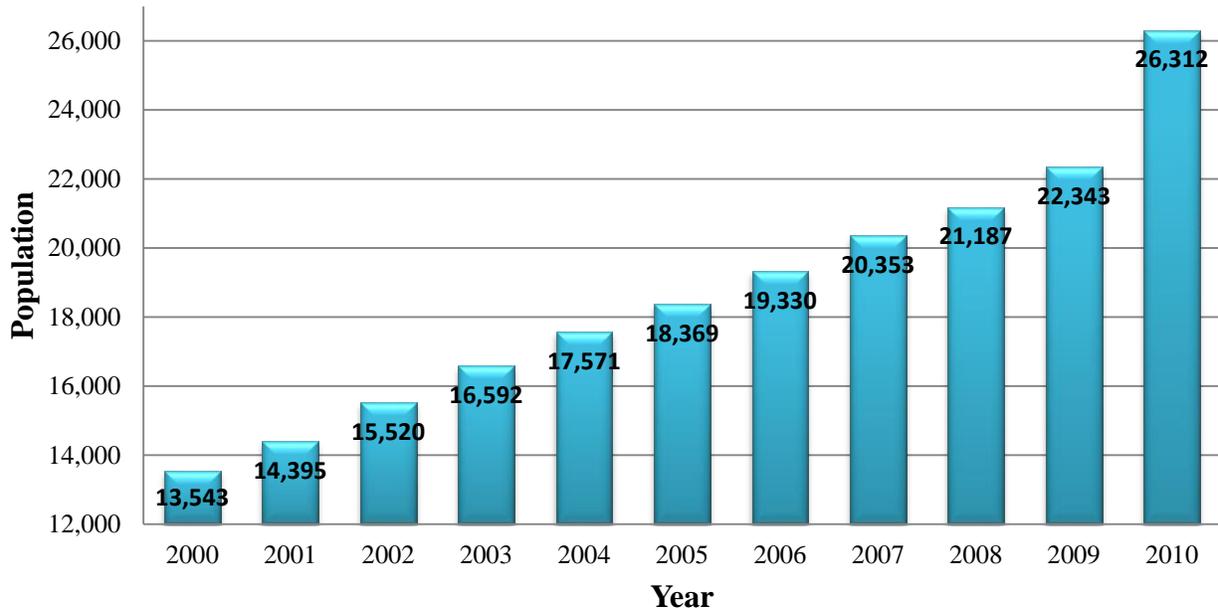
Year	Male	Female	Total
2000	108,008	102,341	210,349
2001	107,172	101,706	208,878
2002	106,491	101,153	207,644
2003	105,358	99,980	205,338
2004	104,147	98,825	202,972
2005	103,095	97,906	201,001
2006	101,986	96,743	198,729
2007	100,698	95,899	196,597
2008	99,026	94,610	193,636
2009	98,274	93,941	192,215
2010	101,631	96,754	198,385

**Table 2.2
Nebraska Juvenile Population by
Ethnicity**

Year	Non Hispanic	Hispanic	Total
2000	196,806	13,543	210,349
2001	194,483	14,395	208,878
2002	192,124	15,520	207,644
2003	188,746	16,592	205,338
2004	185,401	17,571	202,972
2005	182,632	18,369	201,001
2006	179,399	19,330	198,729
2007	176,244	20,353	196,597
2008	172,449	21,187	193,636
2009	169,872	22,343	192,215
2010	172,073	26,312	198,385

Source: http://ojjdp.gov/ojstatbb/ezapop/asp/profile_selection.asp

**Figure 2.2
Nebraska Juvenile Hispanic Population**



**Table 2.3 Nebraska vs. National
Arrest Rates**

Juveniles 10 – 17

	Arrests	Arrest Rate*	National Arrest Rate**
2000	18,504	8,797	6,932
2001	16,748	8,018	6,628
2002	16,629	8,008	6,653
2003	15,071	7,340	6,511
2004	14,682	7,324	6,434
2005	15,147	7,536	6,333
2006	15,879	7,990	6,540
2007	15,812	8,043	6,455
2008	15,468	7,988	6,330
2009	14,872	7,737	5,804

Arrest Data from Nebraska Commission on Law Enforcement and Criminal Justice Website:

http://www.ncc.state.ne.us/statistics/data_search/arrest/arrest_crosstab.phtml

*Arrest rates describe the number of arrests reported per 100,000 persons within the population. Arrest rates account for fluctuations in population.

**National Center for Juvenile Justice (February 2012). Juvenile Arrest Rates by Offense, Sex, and Race
http://www.ojjdp.gov/ojstatbb/crime/excel/JAR_2009.xls

Figure 2.3
Nebraska vs. National Juvenile Arrest Rate

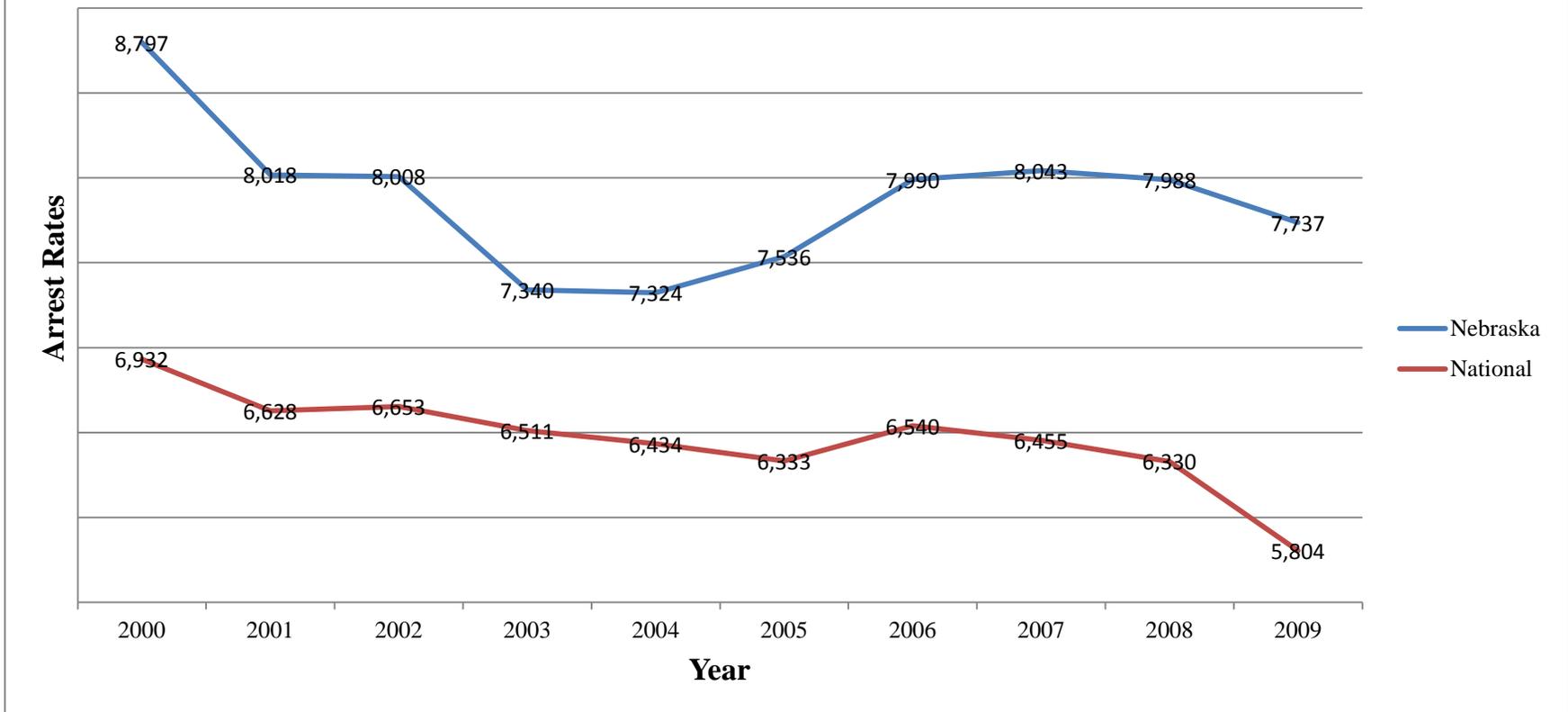
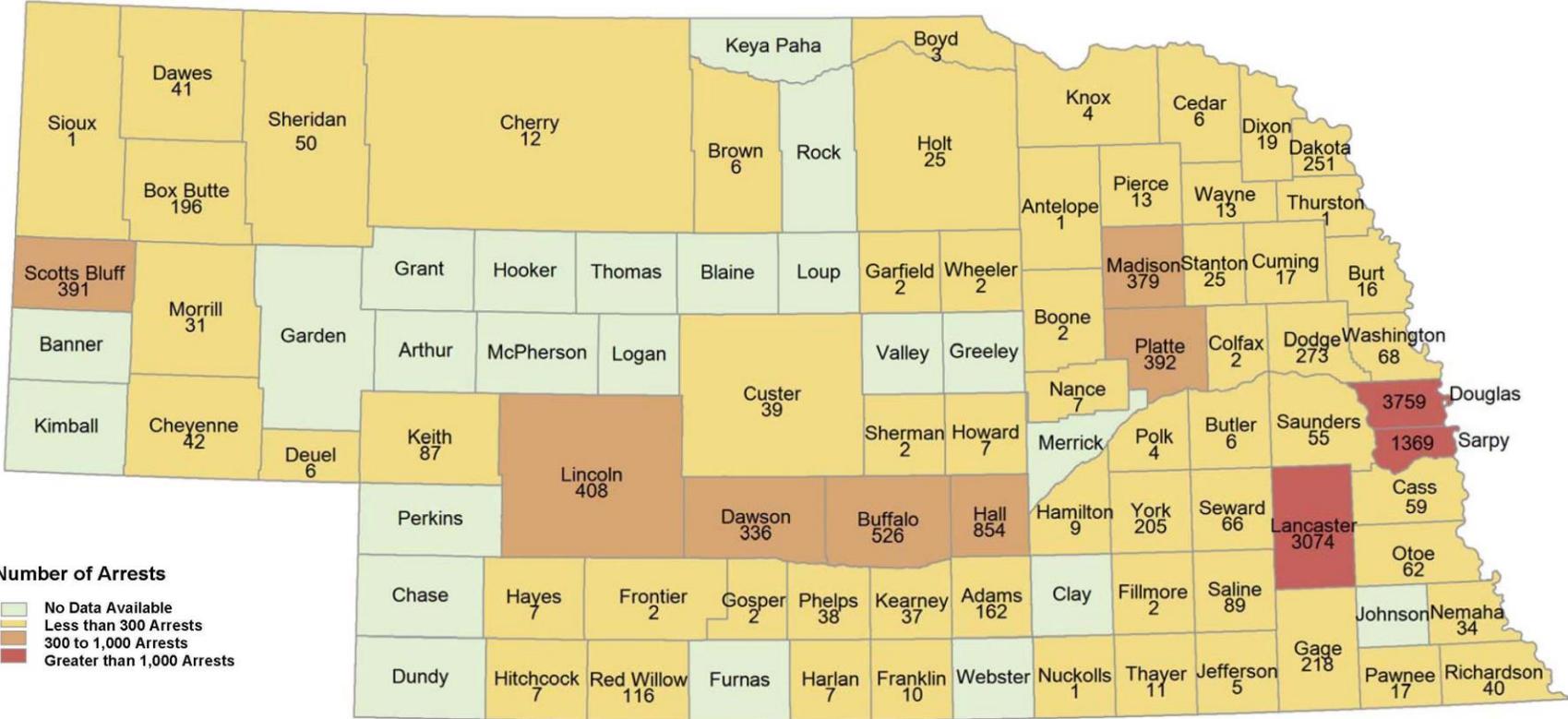


Figure 2.4

2010 Nebraska Arrests by County



**Table 2.5 Nebraska vs. National
Arrest Rates by Sex**

	Juvenile Male			Juvenile Female		
	Arrests	Arrest Rate*	USA Arrest Rate**	Arrests	Arrest Rate*	USA Arrest Rate**
2000	12,997	12,033	9,774	5,597	5,469	3,933
2001	11,560	10,786	9,263	5,188	5,101	3,852
2002	11,343	10,652	9,213	5,286	5,226	3,959
2003	10,372	9,345	9,013	4,699	4,700	3,879
2004	9,951	9,555	8,796	4,731	4,787	3,951
2005	10,205	9,899	8,718	4,942	5,048	3,825
2006	10,886	10,674	9,072	4,993	5,161	3,879
2007	10,822	10,747	8,888	4,990	5,203	3,899
2008	10,357	10,459	8,663	5,111	5,402	3,879
2009	9,858	10,031	7,885	5,014	5,337	3,619

Arrest Data from Nebraska Commission on Law Enforcement and Criminal Justice Website:

http://www.ncc.state.ne.us/statistics/data_search/arrest/arrest_crosstab.phtml

*Arrest rates describe the number of arrests reported per 100,000 persons within the population. Arrest rates account for fluctuations in population.

**National Center for Juvenile Justice (February 2012). Juvenile Arrest Rates by Offense, Sex, and Race

http://www.ojjdp.gov/ojstatbb/crime/excel/JAR_2009.xls

Figure 2.5
Nebraska vs. National Arrest Rates by Sex

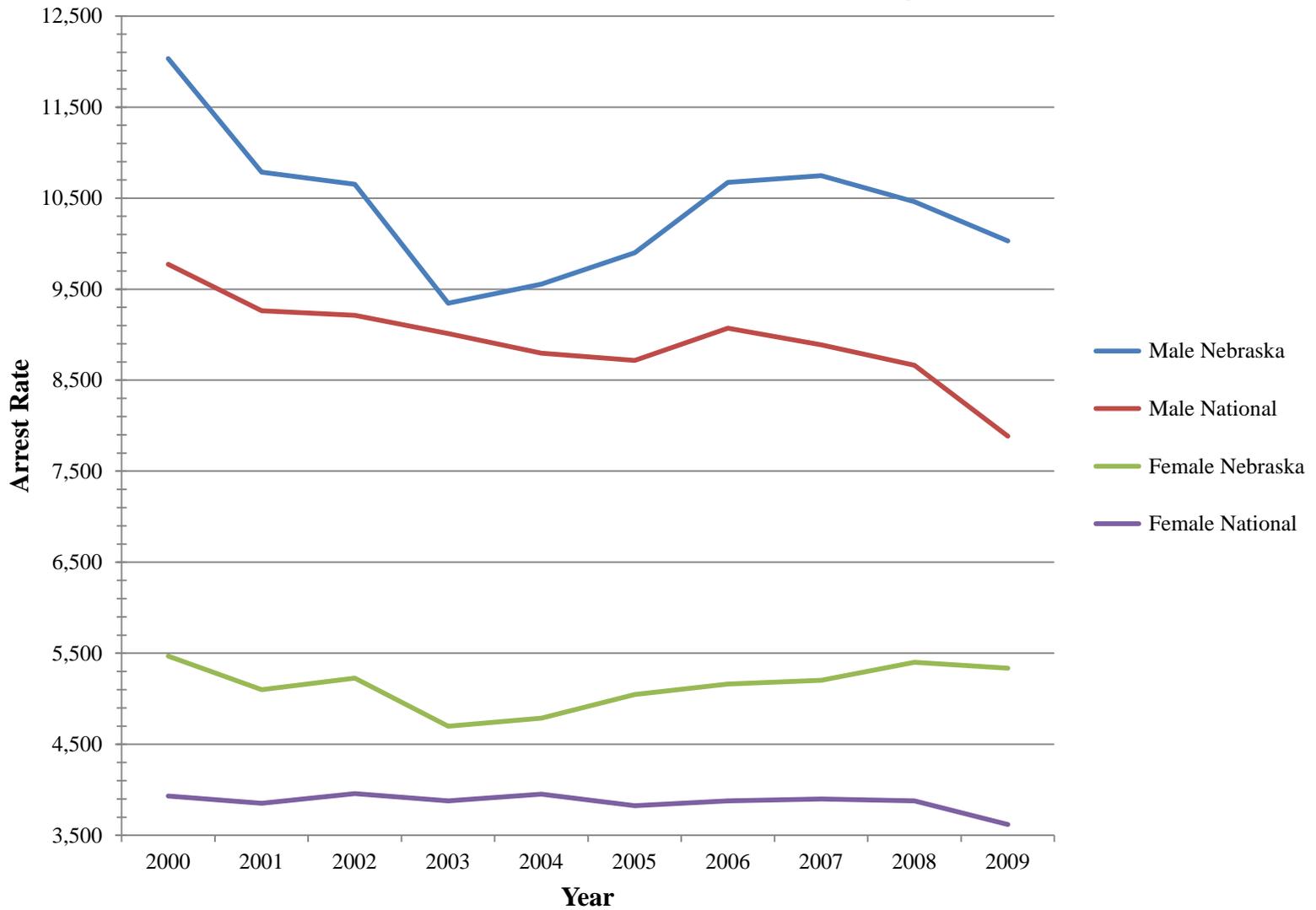


Table 2.6 Nebraska vs. National Juvenile Arrest Rates by Race and Ethnicity

	White			Black			Native American			Asian/Pacific Islander			Hispanic		
	Arrests	Arrest Rate*	USA Arrest Rate**	Arrests	Arrest Rate*	USA Arrest Rate**	Arrests	Arrest Rate*	USA Arrest Rate**	Arrests	Arrest Rate*	USA Arrest Rate**	Arrests	Arrest Rate*	USA Arrest Rate**
2000	15,495	7,366	6,431	2,934	24,290	11,218	422	14,071	6,203	93	3,145	2,586	626	4,622	NA
2001	13,841	7,267	6,076	2,698	21,882	11,105	490	16,045	5,582	93	3,077	2,380	134	931	NA
2002	13,835	7,327	6,124	2,490	19,738	10,802	478	15,365	5,994	49	1,577	2,625	1,191	7,674	NA
2003	12,377	6,647	5,905	2,372	18,481	10,929	453	14,679	5,873	90	2,806	2,478	1,173	7,070	NA
2004	12,098	6,596	5,797	2,288	17,495	10,982	424	13,793	5,647	59	1,760	2,245	1,430	8,138	NA
2005	12,224	6,743	5,544	2,628	19,926	11,527	392	12,752	5,892	58	1,685	1,991	1,450	7,894	NA
2006	12,769	7,143	5,738	2,853	21,404	11,858	395	12,754	5,740	54	1,526	2,142	1,705	8,820	NA
2007	12,836	7,278	5,624	2,746	20,474	11,897	339	11,184	5,808	53	1,419	2,145	1,786	8,775	NA
2008	12,366	7,141	5,487	2,830	20,887	11,834	398	13,144	5,371	48	1,232	2,115	2,092	9,874	NA
2009	11,838	6,902	4,968	2,891	20,022	11,157	308	10,315	5,336	71	1,768	1,947	1,864	8,343	NA

Arrest Data from Nebraska Commission on Law Enforcement and Criminal Justice Website:

http://www.ncc.state.ne.us/statistics/data_search/arrest/arrest_crosstab.phtml

*Arrest rates describe the number of arrests reported per 100,000 persons within the population. Arrest rates account for fluctuations in population.

**National Center for Juvenile Justice (February 2012). Juvenile Arrest Rates by Offense, Sex, and Race

http://www.ojjdp.gov/ojstatbb/crime/excel/JAR_2009.xl

Figure 2.61
Nebraska vs. National Arrest Rates by Race

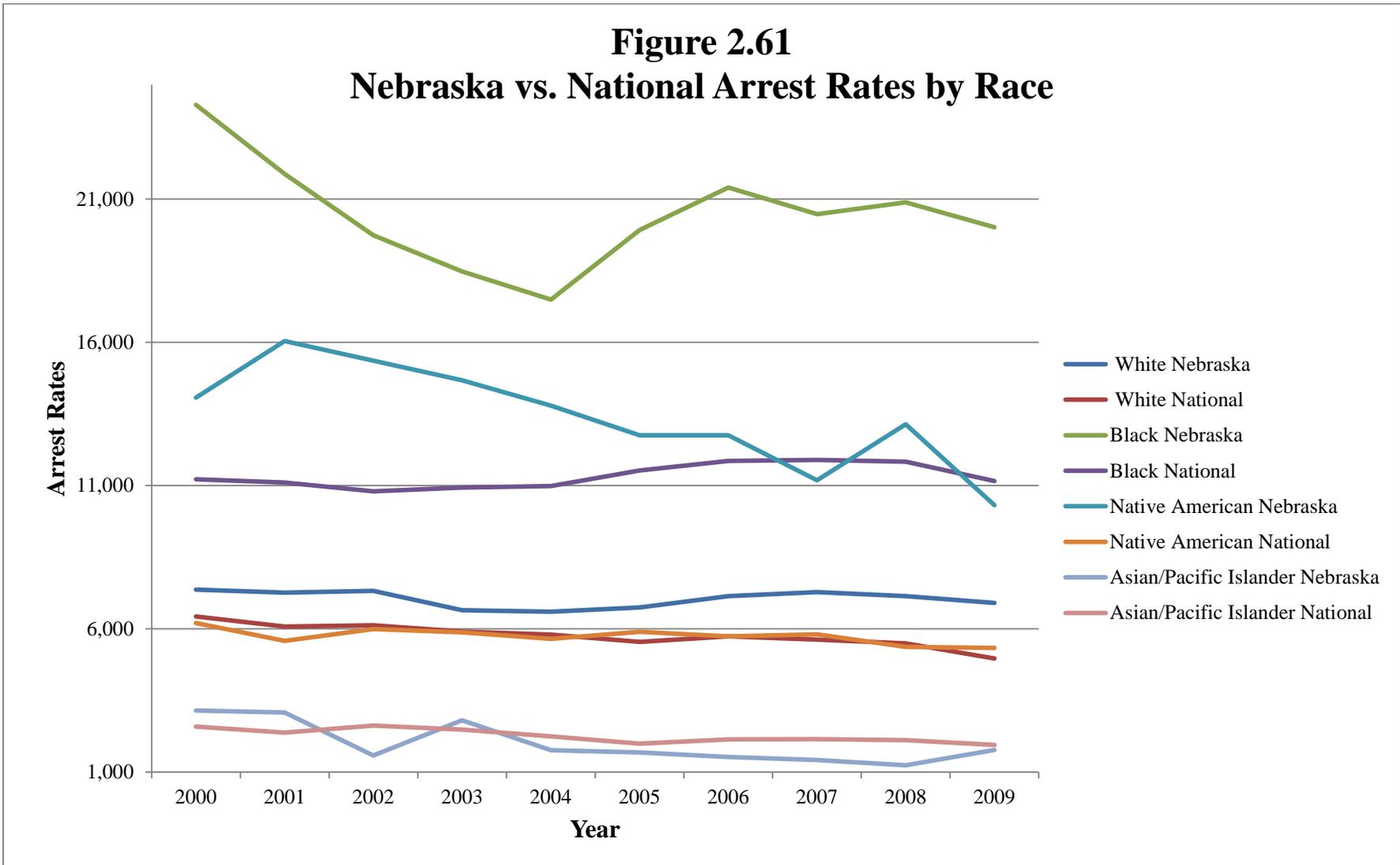
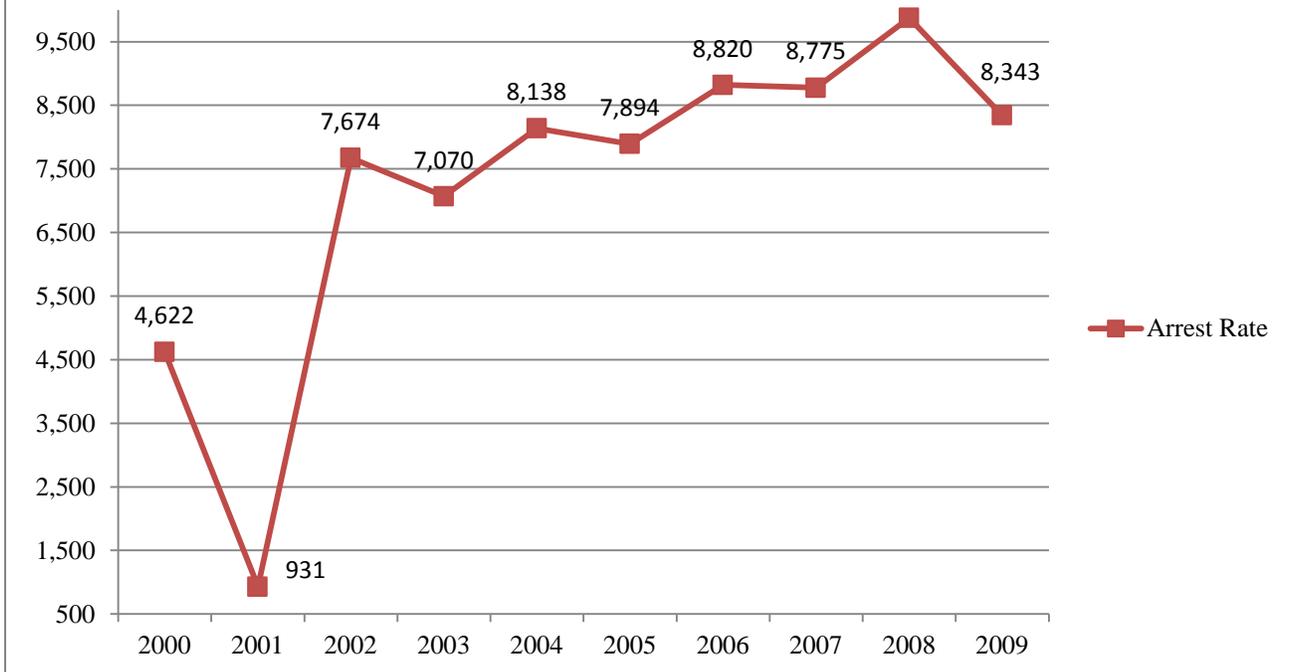
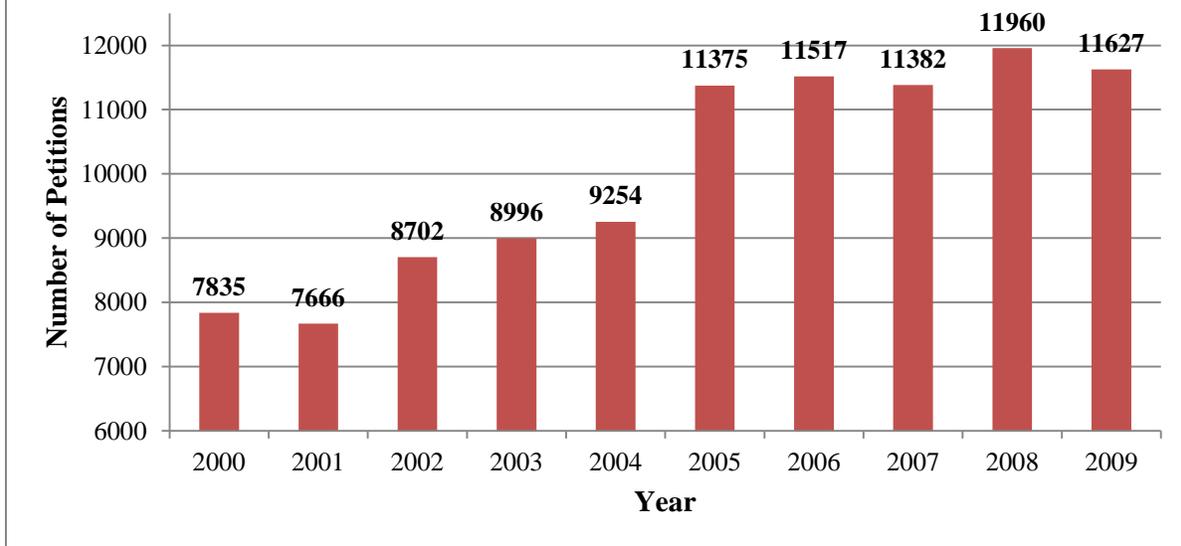


Figure 2.62
Nebraska Hispanic Arrest Rate



**Data collection begins an accurate reflection in 2002*

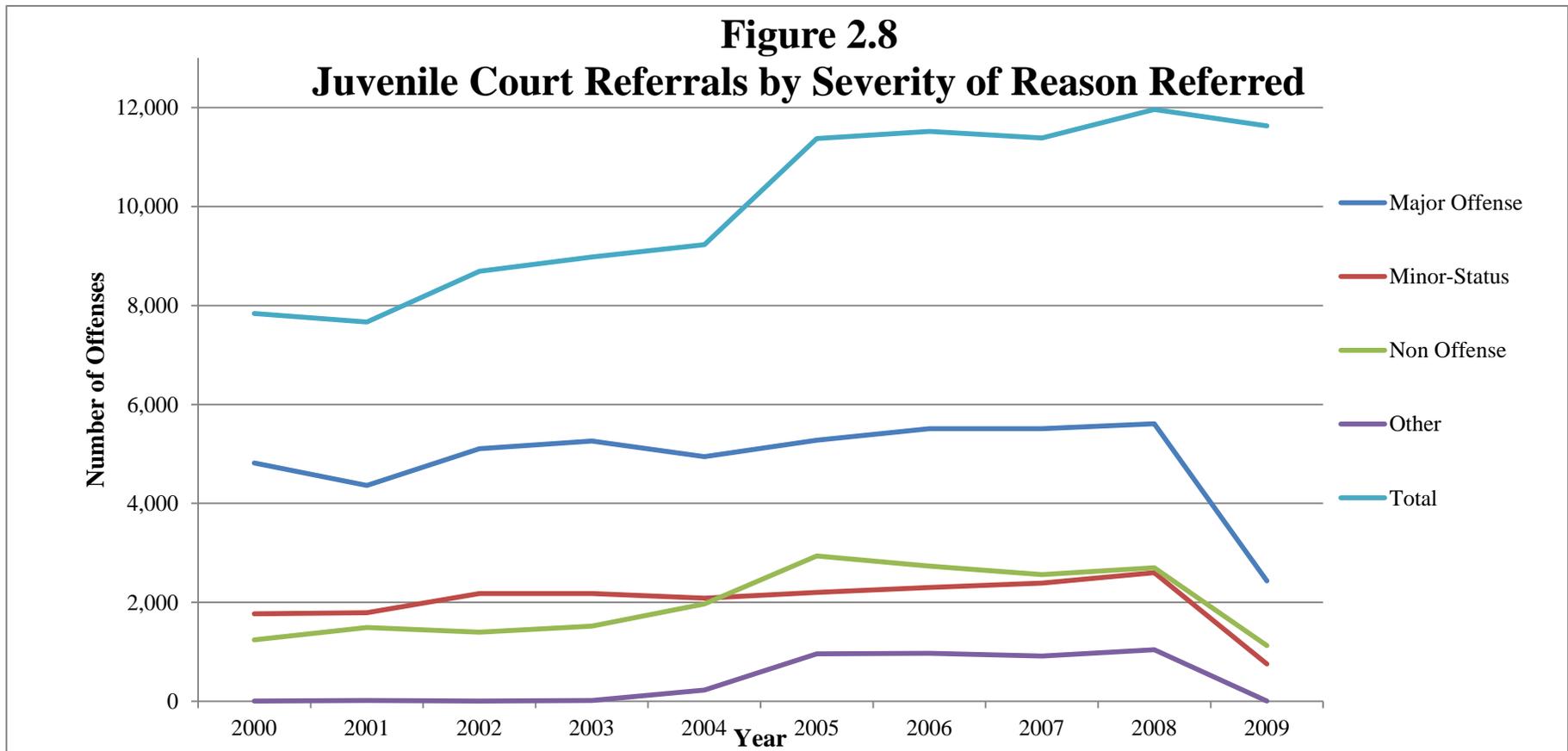
Figure 2.7
Juvenile Court Petitions



Source: Nebraska Crime Commission, http://www.ncc.state.ne.us/statistics/data_search/jcr/jcrosstab.phtml

Table 2.8 Juvenile Court Referrals by Severity of Reason Referred

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Major Offense	4,362	4,073	4,771	4,899	4,596	4,695	5,033	4,918	5,068	1,359
Minor-Status	1,646	1,678	2,043	2,037	1,951	2,021	2,091	2,205	2,388	512
Non Offense	494	612	528	579	745	932	836	757	789	373
Other	3	13	11	19	235	913	888	846	934	5,677
Total	6,505	6,376	7,353	7,534	7,527	8,561	8,848	8,726	9,179	7,921



Source: Crime Commission, http://www.ncc.state.ne.us/statistics/data_search/jcr/jcrquery.phtml

Table 2.90 Juvenile Probation by Sex

Juveniles Placed On Probation	2003	2004	2005	2006	2007	2008	2009	2010	2011
Males	2,495	2,234	2,275	1,069	1,082	2,285	2,141	1,926	1,977
Females	1,156	1,074	1,057	2,273	2,363	1,044	1,032	979	1,099
TOTAL*	3,651	3,308	3,332	3,342	3,445	3,329	3,173	2,905	3,076

Table 2.91 Juvenile Probation by Race/Ethnicity

Juveniles Placed on Probation by Race/Ethnicity	2003	2004	2005	2006	2007	2008	2009	2010	2011
Native American	113	98	100	75	79	98	67	71	82
Asian	39	20	23	31	21	26	27	29	31
Black	454	403	388	477	503	446	485	448	462
Hispanic	434	469	466	535	559	613	563	586	673
White	2,611	2,318	2,355	2,204	2,278	2,136	2,017	1,745	1,807
Unknown	NA	NA	NA	20	5	10	14	26	21
TOTAL*	3651	3308	3332	3,342	3,445	3329	3173	2,905	3,076

* Total numbers include age ranges 7 – 22

Table 2.92 Juvenile Probation by Age

Juveniles Placed on Probation by Age	2003	2004	2005	2006	2007	2008	2009	2010	2011
19 years	1	1	3	1	2	2	0	1	2
18 years	226	210	252	235	293	254	246	249	246
17 Years	900	785	880	847	869	906	867	804	882
16 Years	822	777	761	831	860	811	765	736	798
15 Years	712	666	628	652	682	640	646	497	532
14 Years	446	412	414	395	420	371	365	330	342
13 Years	267	232	251	249	192	209	182	186	174
12 Years	102	96	95	88	79	88	69	67	67
11 Years	44	31	26	27	24	30	20	28	17
10 Years	18	19	14	9	15	13	7	2	9
9 Years	6	4	3	3	5	2	3	2	4
8 Years	3	1	1	1	1	0	1	1	1
Unknown	10	6	4	4	3	3	2	2	2
TOTAL	3,557	3,240	3,332	3,342	3,445	3,329	3,173	2,905	3,076

Table 2.93 Probation Top 10 Juvenile Offenses*

Year	2003	2004	2005	2006	2007	2008	2009	2010*	2011
Liquor Violations (includes MIP)	761	636	646	662	747	782	687	560	511
Property Crimes	630	588	622	663	656	709	657	697	678
Other (includes truancy, uncontrollable & endangerment to self and others)	610	432	437	NA	NA	NA	NA	NA	NA
Larceny	450	400	331	309	325	360	416	387	355
Assault	438	402	410	458	481	434	445	423	378
Dangerous Drugs	340	320	316	280	330	344	331	394	424
Traffic Offenses (excludes DUI)	270	304	338	310	276	281	249	129	75
Public Peace (includes disturbing the peace & curfew violations)	268	282	311	331	431	397	356	270	212
DUI	140	140	121	109	111	104	61	63	58
Damaged Property	124	110	100	110	112	117	109	NA	NA
Burglary	NA	NA	NA	128	129	106	87	93	84

*Data from Office of Probation Administration. In 2010, Probation implemented a new case management system, NPACS, in which offense codes were converted from NCIC code to state statute. Therefore, some of these categories are not comparable due to problems in conversion.

Table 3.0 Nebraska Juvenile Court Dispositions

Disposition	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Totals
<i>Waived to Major Court</i>	4	1	3	7	0	3	6	7	4	7	42
<i>Dismissed-Unsubstantiated</i>	1532	1360	1428	1440	1275	1383	1861	1606	1725	1989	15599
<i>Dismissed-Warned</i>	253	401	546	619	512	769	745	839	1009	1043	6736
<i>Held Open without further action</i>	11	11	9	7	12	3	3	6	2	3	67
<i>Formal Probation</i>	3439	2841	3574	3623	3471	3561	3385	3582	3554	3370	34400
<i>Referred to Other Agency or Individual</i>	354	451	460	661	894	1538	1520	1498	1897	1840	11113
<i>Runaway Returned</i>	5	10	7	7	5	2	1	2	2	5	46
<i>Fine or Restitution</i>	105	113	154	170	152	223	248	195	205	138	1703
<i>Transferred-YRTC</i>	329	245	287	293	301	309	366	415	359	349	3253
<i>Transferred-Public Agency</i>	1091	1243	1205	1018	1320	1792	1589	1431	1138	1102	12929
<i>Transfer-Private Agency</i>	8	17	26	15	19	19	12	14	15	12	157
<i>Transfer-Individual</i>	13	11	14	28	19	18	17	10	16	18	164
<i>Other/Unknown</i>	691	962	989	1108	1274	1755	1764	1777	2034	1751	14105
Totals	7835	7666	8702	8996	9254	11375	11517	11382	11960	11627	100314

Source: Nebraska Crime Commission, http://www.ncc.state.ne.us/statistics/data_search/jcr/jcrosstab.phtml

Table 4.1 YRTC GENEVA (female facility) DATA

Fiscal Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Average Daily Population	92	98	93	95	90	90	75	71	73	75
Average Length of Stay	214	244	284	275	305	275	225	219	231	229
Total Admissions	159	151	118	132	123	132	127	153	114	143

Table 4.2 YRTC KEARNEY (male facility) DATA

Fiscal Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Average Daily Population	223	249	230	192	187	189	192	170	169	151
Average Length of Stay	147	153	170	162	180	209	211	172	167	160
Total Admissions	790	740	604	502	467	419	401	466	489	449

Source: Department of Health and Human Services, http://dhhs.ne.gov/children_family_services/Pages/jus_reports.aspx

Table 5.0 Juveniles Held in Secure Juvenile Detention Facilities by Total Number of Admissions

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Douglas County Youth Center	2,163	1,814	1,601	1,475	1,535	1,591	1847	1688	1512	1322
Lancaster County Youth Center	1*	452	732	748	723	820	867	895	942	898
West Nebraska Juvenile Services Scottsbluff County	188	202	205	198	221	143	**	**	**	**
Northeast Nebraska Juvenile Services Madison County	370	299	312	187	232	323	744	587	538	497
TOTAL	2,722	2,767	2,850	2,608	2,711	2,877	3,458	3,170	2,992	2,717

Source: Nebraska Crime Commission Statistical Analysis Center

*Lancaster County Youth Center opened February 2002

**Scottsbluff did not submit data during these years

The following table illustrates the number of juvenile intakes completed by probation districts statewide. Probation officers conduct a detention-screening tool to determine whether youth should be detained or released. In most areas the youth is either detained in secure detention, placed in staff secure (where available), or released to a parent or responsible adult. Probation has been tracking data on youth who could have been released on another form of alternative to detention (i.e. electronic monitoring, tracking, etc.) to document the need for alternatives.

Juvenile Intake by Probation District August 2010 - September 2011

District	Juvenile Intake For	# of Probationers
1	New Law Violation	59
	Warrant	1
1 Total		59
12 Total		62
2	New Law Violation	144
	Warrant	62
2 Total		192
3A	Warrant	1
3A Total		1
3J	New Law Violation	113
	Warrant	98
3J Total		200
4A	New Law Violation	2
	Warrant	1
4A Total		3
4J	New Law Violation	499
	Warrant	525
4J Total		956
5	New Law Violation	72
	Warrant	6
5 Total		78
6	New Law Violation	48
	Warrant	14
6 Total		59
7	New Law Violation	57
	Warrant	3
7 Total		60
8	New Law Violation	9
	Warrant	1
8 Total		10
9	New Law Violation	59
9 Total		59
10	New Law Violation	15
	Warrant	2
10 Total		17
11	New Law Violation	7
	Warrant	1
11 Total		8
12	New Law Violation	38
	Warrant	30
Grand Total		1727

The following table shows the average YLS/CMI scores by domain for probation youth. Monitoring and analyzing the highest domain scores assists probation and the system as a whole in determining where to focus service delivery.

Average YLS Domain Scores: Most Recent Score as of 10/18/2011 for Active Juveniles

District	Ao Score	Ee Score	Fcp Score	Lr Score	Pb Score	Pco Score	Pr Score	Sa Score	Total Score
District 1	1.1	2.4	2.4	1.6	2.2	0.7	2.5	1.4	14.4
District 2	1.4	2.2	2.2	2.1	2.2	0.4	2.8	1.5	14.7
District 3J	1.1	2.5	2.0	1.4	2.4	0.7	2.3	1.6	14.2
District 4J	1.2	2.3	1.9	1.5	2.0	0.6	2.2	1.5	13.1
District 5	1.5	2.4	2.8	1.6	2.4	0.9	2.4	1.0	15.0
District 6	1.0	2.1	2.4	1.7	2.0	0.7	2.4	1.4	13.8
District 7	0.9	2.5	2.6	1.6	2.2	0.6	2.1	0.8	13.4
District 8	0.9	1.7	2.1	1.7	2.1	0.2	2.4	0.8	11.9
District 9	1.0	2.4	1.7	1.8	2.1	0.6	2.2	1.3	13.0
District 10	1.1	2.0	2.2	1.7	2.2	0.3	2.4	1.5	13.5
District 11	1.2	2.2	1.6	1.5	2.0	1.5	2.2	1.5	13.7
District 12	0.6	1.4	1.7	1.4	1.2	1.1	2.5	1.2	11.1

YLS DOMAINS:

Ao= Attitude & Orientation

EE = Education & Employment

FCP = family circumstances and parenting

LR = Leisure & recreation

PB = Personality & behavior

PCO = criminal history

PR = peer relations

Sa = substance abuse

In January of 2009, Nebraska State Probation and the Office of Juvenile Services entered into a pilot project to address the dual supervision of youth in Douglas County. Dual supervision is an issue statewide, as youth are committed to HHS/OJS to be able to access payment for services, but are also placed on probation for the purposes of supervision. The pilot project shifted resources for payment of services to probation with the goal of reducing dual supervision as well as more appropriately classifies youth for the least restrictive level of care. As of June 30 2011, the project had generated the following outcomes:

- Significant reduction in dual supervision cases:
 - At the end of June 2011, 67 cases were dually supervised representing a 72% reduction from 2007 levels and 53% reduction from 2009 levels.
- Creation of Juvenile Fee for Service Voucher Program:
 - Probation developed a complete spectrum of rehabilitative services, in-home and out-of-home encompassing 22 different agencies and over 100 individual providers.
- Juvenile served:
 - 635 juveniles were able to access services while under probation supervision rather than become a state ward. 83% were served while remaining in their home.
- Benefits to the Juvenile Justice System:
 - Evidence based practice shows that serving a juvenile in the least restrictive, least intrusive manner results in better overall outcomes such as:
 - Reduced barriers to accessing services for juveniles
 - Options to serve more juveniles without the need of deeper end, more costly services
 - One agency involvement in cases with intense coordinated case management and supervision
 - Responsible use of state resources
- Continued Juvenile Justice System Needs
 - Statewide access to services at the probation stage
 - Consistent funding for a complete spectrum of services. Limiting services limits the number of juveniles who can access probation supervision.

**Data provided by Amy Latshaw, Juvenile Justice Program Specialist, Administrative Office of Probation.*

Additional Supporting Data

Alternatives to Detention

As indicated above, Nebraska has four secure juvenile detention centers and three staff secure facilities. Two of the detention and staff secure facilities are located in Douglas, Lancaster and Sarpy County. One detention center and staff secure is located in Northeast Nebraska and the remaining detention center is located on the far western edge of the state in Scottsbluff. Less than ten years ago, Nebraska had an additional eight community based staff secure facilities, but a variety of policy and budget related factors has forced the closure of those facilities, leaving a significant gap of alternatives to detention statewide.

In statewide focus groups conducted by Voices for Children, justice stakeholders expressed serious concern over their lack of alternatives. Judges expressed concern about no detention alternatives and maintaining OJJDP compliance while law enforcement discussed the burden of having to transport youth long distances for detention and return to court.

Detention overcrowding and DMC issues were prevalent in the Douglas County Detention Center. In 2010, Douglas County became an official Annie E. Casey Juvenile Detention Alternative Site to attempt to address these issues. In the last year, Douglas County has experienced the following successes that have a significant impact on system effectiveness and efficiency as well as improved outcomes for youth:

- Collaboration among juvenile justice stakeholders has improved;
- Utilization of the HOME (electronic monitoring) program at intake;
- Utilization of the Sarpy County staff secure facility- this is a new collaboration;
- Collaboratively problem solving the status offender issue and detention. The County contracted with Youthlinks (staff secure) for several months in 2011 to place these youth, including runaways;
- Beginning the process of validating the Risk Assessment Instrument used by Probation. Probation has been open and transparent about the recommended changes to address subjectivity in the tool and areas that may be “over-scoring” youth for secure detention;
- Correction of data collection process issues, in order to capture certain data required by the Initiative and what is considered “best practice;”
- Engaged the Burns Institute regarding community engagement around the topic of DMC;
- The Alternatives to Detention Subcommittee is doing a capacity/inventory of available alternatives within the community and using data from Probation to determine what alternatives are needed.

**Data provided by Kim Thomas, Douglas County JDAI Site Coordinator*

Diversions

Nebraska’s forty-nine diversion programs provide a significant early intervention to deter youth from further penetration into the system. Statewide data is now available through a web based case management system developed in partnership between the Crime Commission, UNO/JJI and UNO/IS&T.

The Statewide Juvenile Diversion Case Management System has a very high percentage of missing data, inhibiting a thorough examination of this point in the system. We were unable to determine whether minority youth were *offered* diversion at a different rate than White youth because data is not collected (statewide) on the number of youth that were eligible for diversion. Available data did indicate that more than 90% of youth referred to diversion participated at least *minimally* in diversion, by setting up the first appointment.

The most common offenses referred to diversion included alcohol-related violations, shoplifting and minor theft. Only half of youth referred to diversion were successful, which indicates that many were pushed back into the court system. White youth were significantly overrepresented in successful outcomes, while Native American youth were significantly underrepresented.

Characteristics of the Population

Prior to conducting our analysis, we examined each of the variables above for accuracy, missing values, and ensured we met the assumptions for multivariate analysis. Unfortunately, missing data made it impossible to analyze how certain factors such as gender, prior referral to diversion and prior law contacts influenced enrollment or participation in diversion.

A total of 5,390 youth were referred to a diversion program in Nebraska between July 1, 2010 and June 30, 2011. The ages of youth referred to diversion ranged from 7 to 23 years old, with 55% between the 15-17 years of age (Table 1). Individuals over the age of 19 do not appear to be errors; rather, it appears that some counties are utilizing the case management system for older individuals (often college age youth) participating in diversion.¹² The mean age of youth referred to diversion was 15.7 years old.

Table 1: Youth Referred to Juvenile Diversion Age Referred to Diversion

	Number of youth	Percent of Youth Referred in 2010-2011
9 or younger	13	.2%
10	43	.8%
11	95	1.8%
12	162	3.0%
13	320	5.9%
14	524	9.7%
15	822	15.3%
16	1,054	19.6%
17	1,083	20.1%
18	446	8.3%
19	156	2.9%
20 or older	100	.1%
Missing data	572	10.6%
Total	5,390	100.0%

Race

White youth were referred to diversion at a higher rate than any other group, accounting for 62.8% of referrals statewide. Native American youth had the lowest rate of referrals, accounting for less than 1% (Table 2). The diversity of youth referred to diversion fluctuated by county, with Buffalo and Sarpy County accounting for the highest percent of White youth referred (Figure 1). Dakota, Douglas, Platte and Scottsbluff Counties reflected the greatest percent of diversity in referrals. Hispanic youth accounted for more than 35% of the youth referred to diversion programs in Dakota, Platte and Scotts Bluff Counties.

Table 2: Race, Ethnicity of Youth Referred to Diversion in Nebraska Youth Referred

	Number	Percent
Asian	34	0.6%
Black	724	13.4%
Hispanic	796	14.8%
Indian	28	0.5%
White	3,373	62.6%
Missing Data	435	7.9%
Total	5,390	100%

Table 3: Percent of Referrals by Race and County

	Black	Hispanic	Indian	White	Total Cases
Buffalo	0.5%	13.7%	0.5%	84.8%	211
Dakota	2.5%	47.5%	5.0%	42.5%	40
Douglas	37.8%	16.3%	0.4%	43.7%	1,238
Hall	2.8%	8.7%	0.4%	56.7%	668
Lancaster	17.9%	6.6%	0.3%	73.3%	877
Madison	1.3%	23.4%	2.0%	73.2%	299
Platte	0.0%	39.9%	0.0%	60.1%	153
Sarpy	9.4%	0.2%	0.2%	90.0%	649
Scotts Bluff	0.0%	35.4%	2.5%	60.8%	79

Availability of Diversion

Thirty-four of Nebraska’s 49 counties that have diversion reported referring at least one youth in FY2011. The four largest counties (Douglas, Lancaster, Sarpy and Hall Counties) accounted for the majority (63.7%) of statewide referrals to diversion.

Youth were generally referred to juvenile diversion by the local prosecuting attorney. Of the 5,390 cases referred, 48% were from a county attorney and 12.5% were referred from the city attorney. Law enforcement, school and other sources accounted for less than half a percent of referrals (Table 4). Missing data was a substantial issue with this data set. Thirty-eight point nine percent of the cases were missing data on referral source, precluding us from using this variable in our analysis.

Table 4: Source of Referral

Referral Name	Number of Cases	Percent of Cases
County Attorney	2,588	48.0%
City Attorney	674	12.5%
Other (school, law enforcement)	30	0.6%
Missing Data	2,098	38.9%
Total	5,390	100.0%

Referral to Juvenile Diversion

When a case is referred to a prosecutor, it may be dismissed for lack of evidence, filed in court, or referred to juvenile diversion. Some counties only allow youth one opportunity to divert a law violation. Other counties allow youth to divert more than one law violation. These programs also allow youth to do diversion more than one time. An informal survey of diversion programs revealed that roughly 80% of programs in Nebraska allow a youth to complete diversion more than once, but this depends on a number of factors (type of offense, age of the juvenile, time between violations, etc.).

Table 5: Population of Youth Referred to Diversion vs. Stopped by Police White

	White	Black	Asian	Indian	Hispanic
Juvenile Stopped by Police	62.6%	21.1%	0.03%	2.3%	13.6%
Population Referred to Diversion	62.8%	13.4%	.6%	0.5%	14.8%
Standardized Residual	.02	-12.3	25.5	-8.6	2.3
	--	Under	Over	Under	Over

Success in Diversion

Youth who are successful in diversion are able to avoid the juvenile or criminal justice system. Using a simple crosstab comparison, we started by examining the reasons cases get sent back to the prosecuting attorney. In 22.9% of the cases the diversion program did not provide details as to why a case was returned. In 2.0% of the cases, the system requested the case be returned (prosecutor learned of new violations or the program determined the youth was ineligible). In 22.0% of cases, the youth or family did not follow through on appointments or diversion requirements. A mere 53% of cases sent to diversion had a “successful completion.” This completion rate is likely due to factors outside individual diversion programs.

White youth were statistically more likely to be successful in diversion than minority youth. Native American youth were statistically less likely to be successful in diversion (Table 8).

Table 6: Population of Youth Referred vs. Youth Successful in Diversion by Race

	White	Black	Asian	Indian	Hispanic
Juveniles Referred to Diversion	62.6%	13.4%	0.6%	0.5%	14.8%
Population Successful in Diversion	70.1%	14.1%	0.7%	0.2%	14.9%
Standardized Residual	4.9	0.9	0.8	-2.0	0.1
	Over	---	---	Under	---

To further explore the racial differences in successful outcomes, we employed binary logistic regression (0= not successful, 1= successful) to determine factors that influence success. For White youth, characteristics of the community were the only factors that significantly predicted whether the youth was successful in diversion. Community factors included size of the community (p<.001); percent non-White (p<.001); percent within the community who speak a language other than English (p<.001), and percent below poverty (p<.001) For Black, Asian, Native American and Hispanic youth, none of the variables in this model predicted whether the youth would be successful in diversion (age, level of offense, or community characteristics).

Substance Abuse

In reviewing the comprehensive community plans, over thirty-four counties identified substance abuse (alcohol and drug) as an issue they were facing. There was a broad range of issues within this topic, ranging from the need for enhanced prevention and education, intervention for MIP and DUI, to the need for more community based treatment services. Alcohol use and underage drinking is a significant cultural issue particularly in rural communities. Breaking down this cultural norm proves to be difficult in many areas.

The Nebraska 2007 Youth Risk Behavior Survey Results

In the spring of 2007, 65 schools with 9-12 grade students were randomly selected from all Nebraska public schools with students in these grades. Fifty two percent of these schools agreed to participate in the YRBS, with 68% of the students participating, resulting in an overall response rate of 36%. Due to the low response rates, these results are representative of only those students who completed the questionnaire and not of students statewide. Students completed a self-administered, anonymous, 96-item questionnaire. Survey procedures were designed to protect the privacy of students by allowing for anonymous and voluntary participation. Local parental permission procedures were followed before survey administration.

Some of the highlights from 1,201 students who took this survey include:

- 33% of them rode with a driver who had been drinking alcohol in the last 30 days.
- 17% drove a motor vehicle after drinking alcohol in the last 30 days.
- 15% used marijuana in the last 30 days.
- 72% drank alcohol during their lifetime.
- 41% drank alcohol in the last 30 days.
- 28% had five or more drinks in a row in the last 30 days.

There is an extensive network of education and prevention coalitions statewide facilitated through the behavioral health regions. Many of the counties utilize state County Aid funds to enhance these efforts locally. Diversion programs work to provide early intervention for youth charged with MIP or misdemeanor drug offenses. Access to treatment is often paid for through Kids Connect, private insurance or by becoming a state ward.

Truancy

Truancy has continued to grow as an emerging issue statewide, spurring recent changes to state statute and anticipated further changes in the coming 2012 session as recommended by the statutorily required Truancy Task Force (Neb. Rev. Stat. Section 79-527.01). Truancy impacts the juvenile justice system as youth come into contact with law enforcement, referrals to the county attorney for filing on excessive absences and/or diversion, and ultimately to the court for action.

Per statute schools are required to report a student to the county attorney who has missed 20 days within the school year (excused or unexcused). Many communities across the state have begun proactive programs within the school to address excessive absenteeism prior to this point. The most successful programs are joint efforts between schools, services providers and the county attorney's office. Research shows that failure in school is a significant risk factor in future delinquency. As shown above, Education and Employment is one of the highest scoring domains on the YLS/CMI as administered by NE State Probation.

Many believe the changes in statute and successful interventions in some communities have led to the decrease in absenteeism shown in the Department of Education numbers below.

Statewide Summary for 2009-2010

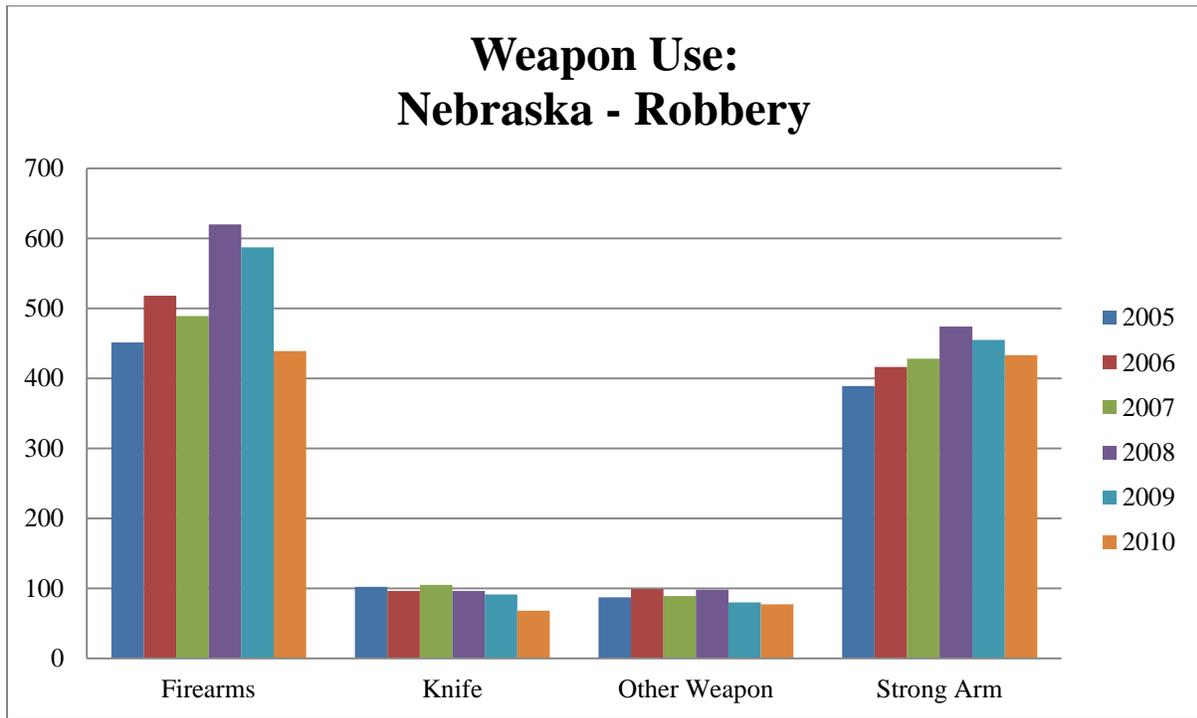
	Student Count	% of Membership
Membership	283,397	
Students with more than 10 days total absences	82,278	29.03%
Students with more than 15 days total absences	40,643	14.34%
Students with more than 20 days total absences	21,980	7.76%

Statewide Summary for 2010-2011

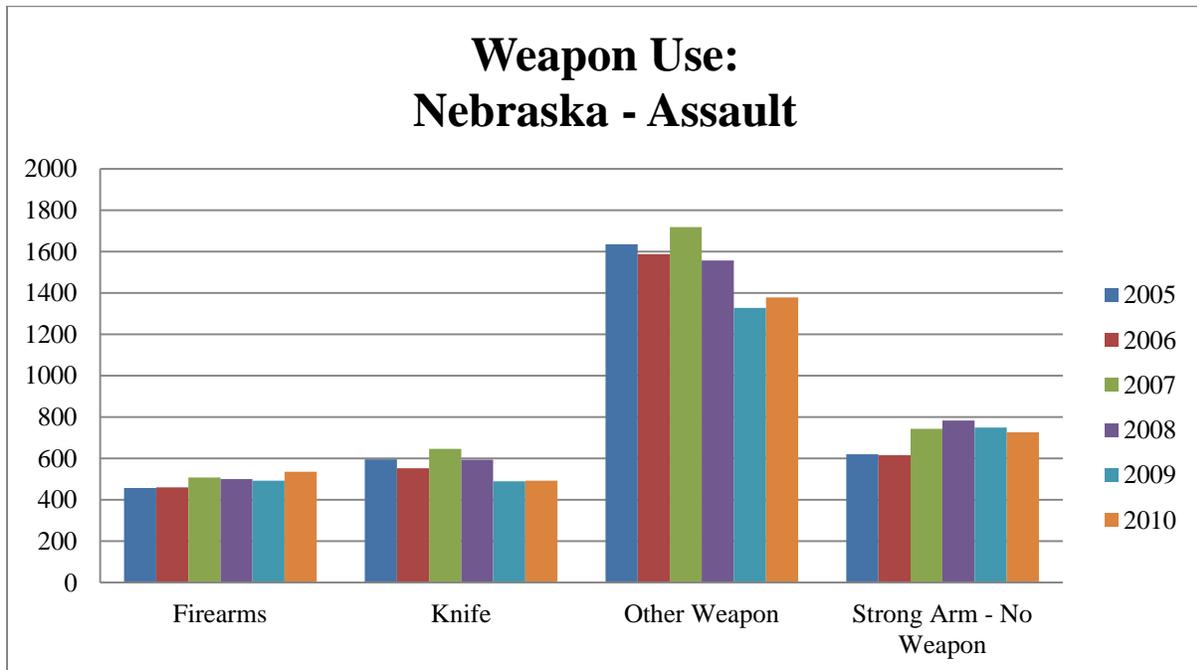
	Student Count	% of Membership
Membership	283,837	
Students with more than 10 days total absences	74,836	26.18%
Students with more than 15 days total absences	35,121	12.29%
Students with more than 20 days total absences	18,100	6.33%

The data also shows for 2010-11 that students in 9th-12th grades have the highest percentage of absenteeism at all three benchmarks. Native American and African American youth have the highest percentage of absenteeism at all three benchmarks, and girls have a slightly higher percentage than boys.

Gangs/youth Violence

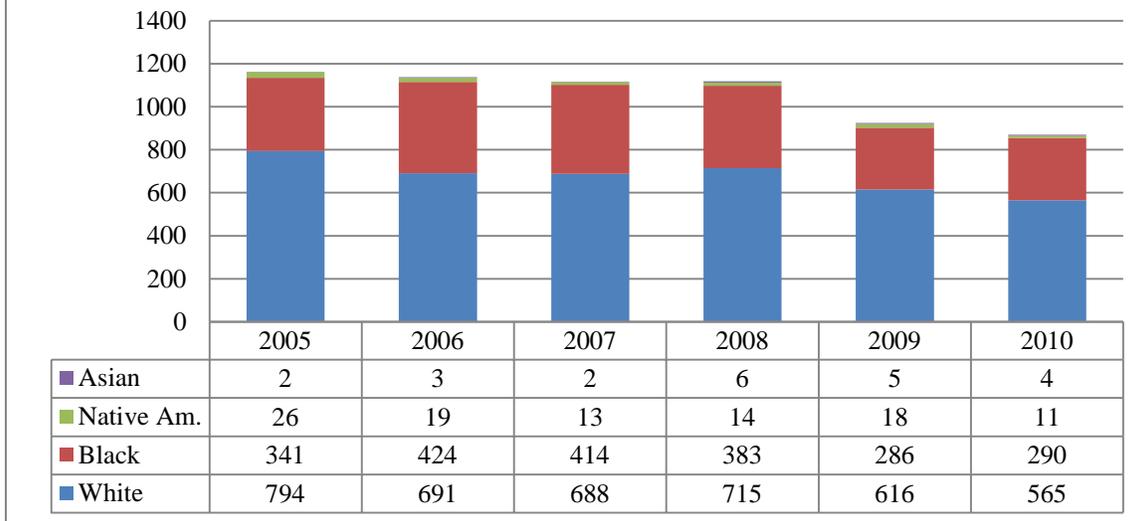


UCR Data from Nebraska Crime Commission



UCR Data from Nebraska Crime Commission

Nebraska Arrest for Weapons Violation*



UCR Data from Nebraska Crime Commission

*Data reflects only cases where the weapons charges were the most serious offense. Data does not include incidents where weapons violations may have occurred as part of a more serious offense.

- **Between 2007 and 2010, 53% of all homicide deaths due to firearms in Nebraska were African American victims according to data from the Nebraska Department of Health and Human Services.**
- **Between 2007 and 2010, victims between the ages of 15 -24 accounted for 37% of all homicide deaths due to firearms in Nebraska according to data from the Nebraska Department of Health and Human Services.**
- **Between 2007 and 2010, victims between the ages of 25 -34 accounted for 27% of all homicide deaths due to firearms in Nebraska according to data from the Nebraska Department of Health and Human Services.**

On a longitudinal scale rates of weapons use in robberies and assaults has been consistent of six year period from 2005 – 2010. Homicides with Firearms has trend in the same consistent pattern.

According to a 2011 report from the National Gang Intelligence Center, the number of estimated gang members in Nebraska in 2010 was between 1,000 – 4,999 (1). Data from the Omaha Police Department during the same time period, Nebraska’s largest city, reflects 3, 246 (2) gang members. A Nebraska Office of Violence Prevention survey of law enforcement in the 93 counties of Nebraska reveals a perception of gang growth and recruitment within their communities.

GANG ACTIVITY	REPORTING QUARTER	2010 VS 2009		YEAR-TO-DATE		
	OCT - DEC 2010	OCT - DEC 2009	PERCENT CHANGE	YTD 2010	YTD 2009	PERCENT CHANGE
SUSPECTED GANG MEMBERS***	3,246	3,038	+7%	3,246	3,038	+7%
NEW GANG MEMBERS	31	26	+19%	31	26	n.c.
GANG MEMBERS DELETED	0	0	n.c.	0	0	n.c.
SUSPECTED NUMBER OF GANGS	80	31	+158%	80	31	+158%

(1) Data From 2011 National Gang Threat Assessment (NGTA): <http://www.fbi.gov/stats-services/publications/2011-national-gang-threat-assessment/2011-national-gang-threat-assessment-emerging-trends>

(2) Data from Omaha Police Department 2010 Fourth quarter Report: http://www.opd.ci.omaha.ne.us/images/stories/reports/quarterly/4th%20Qtr%2010%20RPT_.pdf

Youth Survey

The chair of the NCJJ youth committee and Crime Commission staff developed a ten question survey that was given to system involved youth, both in secure and non-secure settings. Nearly 175 youth responded to the survey, providing valuable insight into their experiences with the system. The following questions were asked:

1. Are you currently involved in the juvenile court system?
2. Did you feel like you had enough information about the court system to understand what was happening to you?
3. What programs were you involved with? (a listing was provided and youth could check all that applied. Choices ranged from diversion, detention, counseling, and other programs)
4. Was there someone who really helped you through the court process?
5. What motivates or motivated you to complete your programs or court requirements?
6. What would have prevented you from getting involved in the juvenile court system? (youth had choices such as after school program, job, positive friends, role models, etc.)
7. If you could change or improve one thing about the juvenile justice system, what would it be?
8. Identify your race and/or ethnicity.
9. Thinking about your past and present experience with the police, would you say that you were treated the same as other races?
10. Thinking about your past and present experience with the juvenile court system, would you say that you were treated the same as other races?

Introduction:

In an effort to gain input from consumers, current and former, of juvenile justice services in Nebraska, a ten-question survey utilizing SurveyMonkey.com was administered. A sample of convenience gathered by sharing the survey link with agencies and individual direct staff that interact with this population allowed for a sample of youth from multiple locations and ages. Paper and pen surveys were also administered at multiple juvenile justice facilities. Crime Commission staff entered paper surveys into the website. Utilizing analysis provided by the survey website, the following summary was compiled. Respondent feedback was condensed on some questions to reduce redundancy. Participant responses were included as given without correcting grammar or spelling. Conclusions are those of the compiler of this report and do not represent the opinion of any specific participant, the Crime Commission or Nebraska Coalition for Juvenile Justice.

Question Results and Conclusions:

Question 1: Are you currently involved in the juvenile court system?

Answer Options	Response Percent	Response Count
Yes	87.4%	153
No, but I was before	10.3%	18
No, I never have been	2.3%	4
<i>answered question</i>		175
<i>skipped question</i>		0

Question 2: Did you feel like you had enough information about the court system to understand what was happening to you?

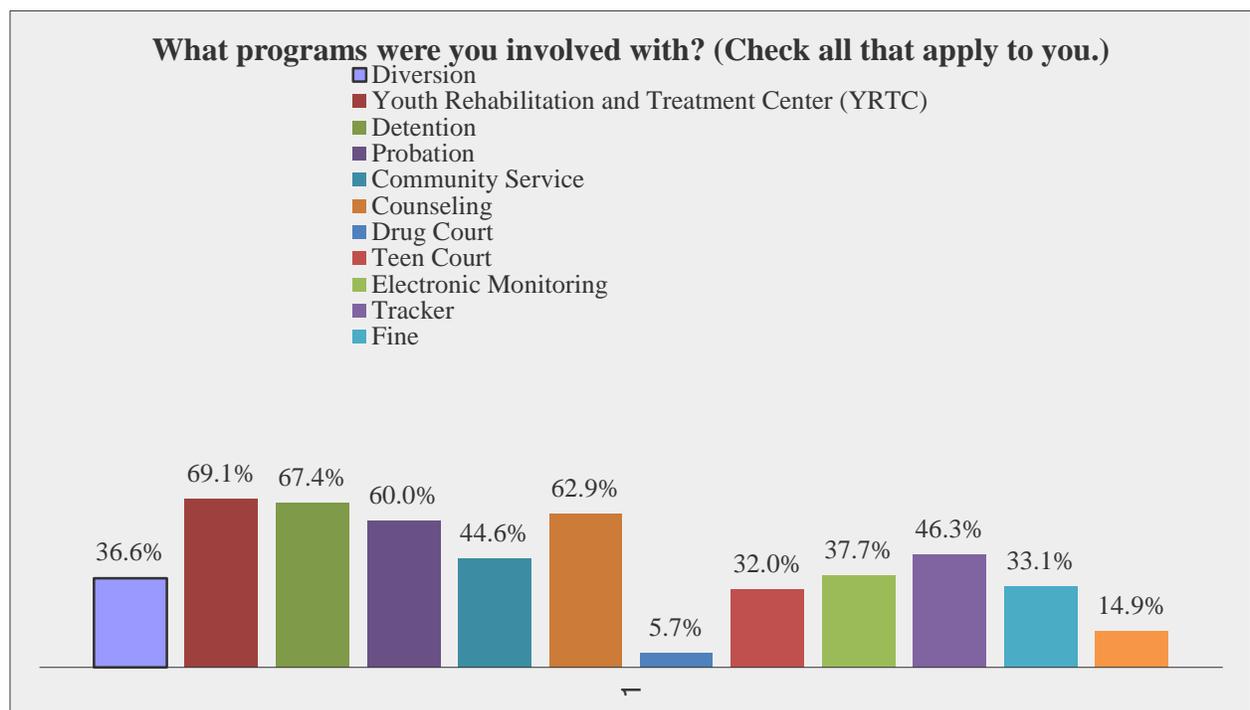
Conclusions:

Many youth reported receiving information; however, confusion and feelings of powerlessness appeared common. Ensuring information is provided in a developmentally appropriate manner by someone the youth feels comfortable asking questions may relieve some misunderstandings and fear.

Question 3: What programs were you involved with? (Check all that apply to you.)

Answer Options	Response Percent	Response Count
Diversion	36.6%	64
Youth Rehabilitation and Treatment Center (YRTC)	69.1%	121
Detention	67.4%	118
Probation	60.0%	105
Community Service	44.6%	78
Counseling	62.9%	110
Drug Court	5.7%	10
Teen Court	32.0%	56
Electronic Monitoring	37.7%	66

Tracker	46.3%	81
Fine	33.1%	58
Other (please specify)		
<ul style="list-style-type: none"> • None / Not Involved(3) • Adult Court • Group Home/Foster Home (10). • Parole (4) • State ward before I got here • Parole, after being released the first time from YRTC. • Rehab/Day Treatment/Drug Testing (3) • House arrest (2) • Warrant-felony • Therapy • Restitution • IFP 	14.9%	26
answered question		175
skipped question		0



Conclusions:

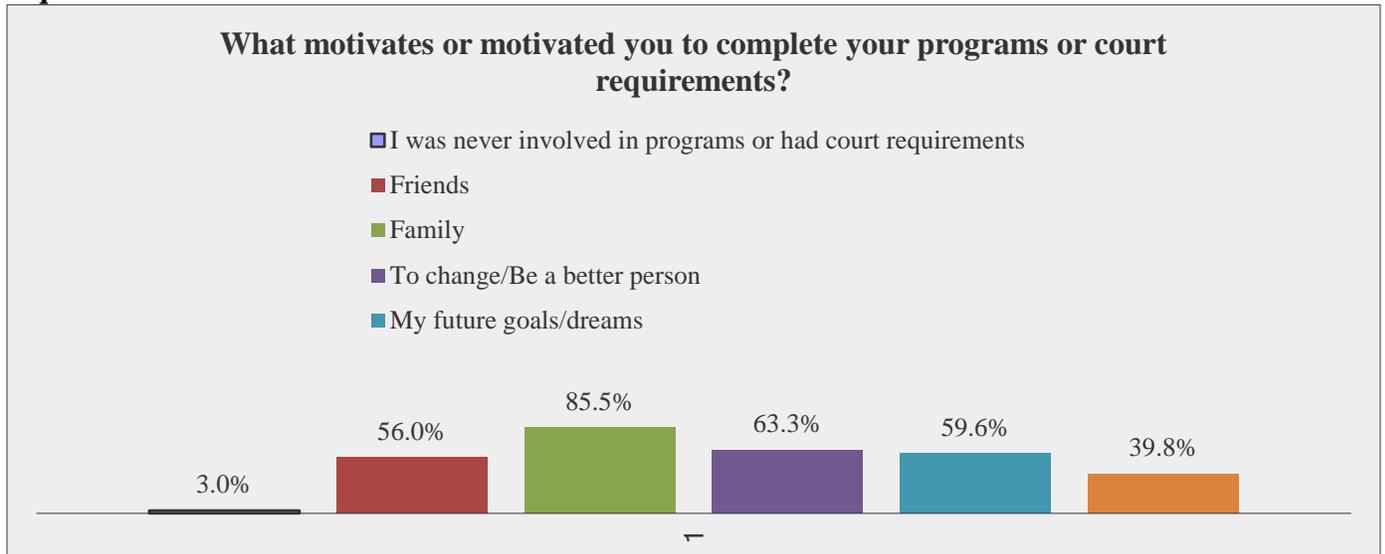
YRTC placement, detention, probation or/and counseling were experienced by more than 60% of youth making them the most used services. Less than 40% of youth surveyed received diversion, specialized court settings (drug and teen court), electronic monitoring and/or fines. Group homes and foster care were the most common additional “service” received. It is interesting that youth view this as a service rather than a placement. It should also be noted that these numbers may not be representative due to sampling procedures.

Question 4: Was there someone who really helped you through the court process?

Conclusions:

Positive, supportive and involved family and direct service staff had significant impacts on youth by making them feel heard, providing them information and giving them hope. Help understanding the process, feeling supported and encouragement were the most likely to be cited as helpful. Only two participants stated not wanting a support person.

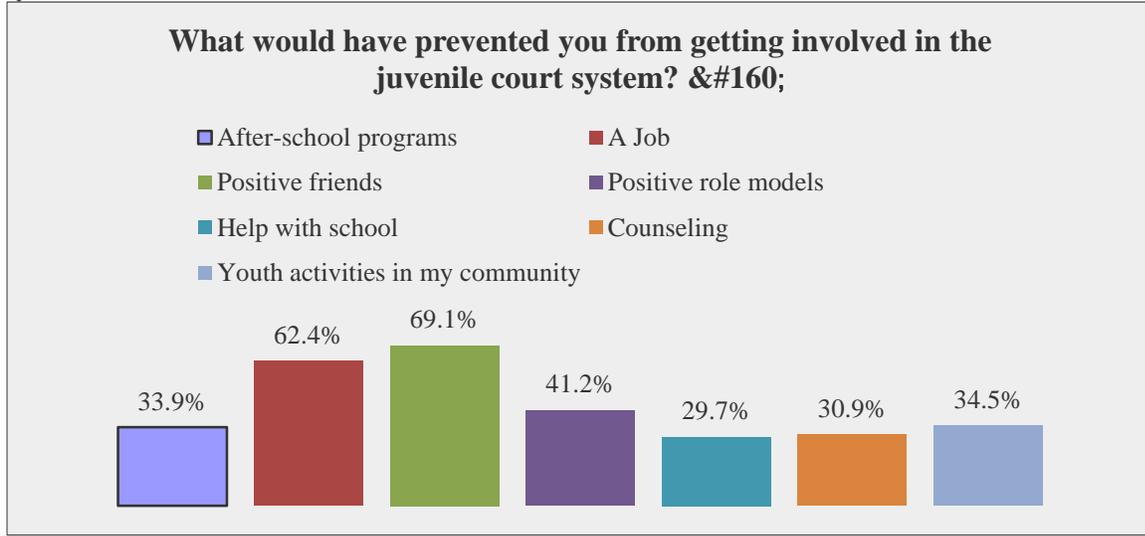
Question 5: What motivates or motivated you to complete your programs or court requirements?



Conclusions:

Positive family and peers are powerful motivators. Nearly two-thirds of youth have a desire to change. Assisting youth to develop and find supports for pursuing goals may prove helpful in reducing recidivism.

Question 6: What would have prevented you from getting involved in the juvenile court system?



Conclusions:

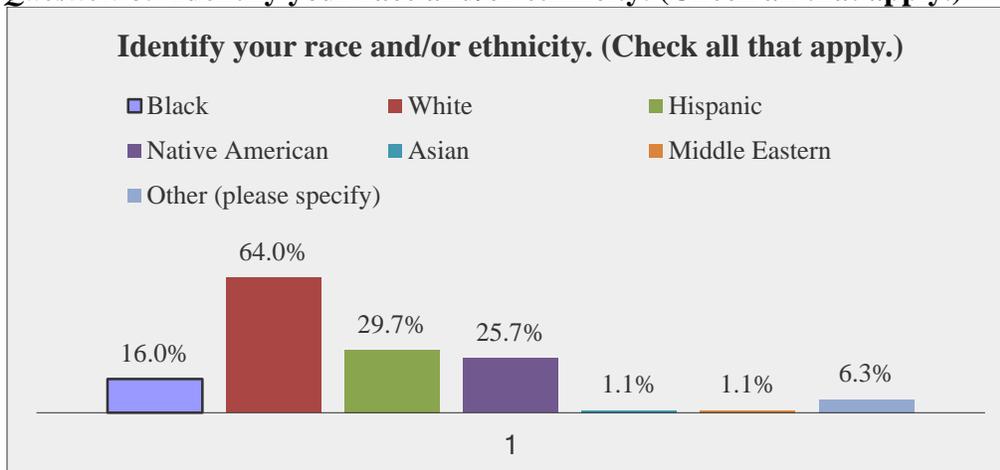
Youth recognize the impact of peer groups on their behavior. Employment is a concern for nearly two-thirds of youth surveyed. Alternatives to negative behavior and peer/family influences seem to present the most desired preventative measures.

Question 7: If you could change or improve one thing about the juvenile justice system, what would it be? (Please explain.)

Conclusions:

Feelings of being harshly treated are common, particularly being placed in detention/YRTC’s too quickly. Nearly 20% of youth surveyed responded that nothing could be done. The need for clarity about the juvenile court process and opportunities to feel heard resurfaced as concerns.

Question 8: Identify your race and/or ethnicity. (Check all that apply.)



Question 9: Thinking about your past and present experience with the police, would you say that you were treated the same as other races?

Answer Options	Response Percent	Response Count
Yes	58.3%	102
No	39.4%	69
I was never involved with the police.	2.3%	4
		72
<i>answered question</i>		175
<i>skipped question</i>		0

Conclusions:

Nearly forty percent of participants reported feeling treated unfairly by police due to their race or ethnicity. Considering that approximately, the same number of participants are of an ethnic minority, one could assume that most of these youth feel as though they were treated unfairly.

Question 10: Thinking about your past and present experience with the juvenile court system (judges, probation, diversion, attorneys, trackers, etc.), would you say that you were treated the same as other races?

Conclusions:

Nearly 75% of respondents felt they were treated equally. With the exception of one participant, most who expressed feelings of unfair treatment described less harsh treatment of Caucasians.

Overarching Themes:

A few items rose to the top on multiple questions. These included:

1. The desire for a consistent, supportive person to help guide and care about the youth,
2. A need to be heard,
3. Wanting choices and “second chances”,
4. Feelings of powerlessness; and
5. Concerns over unfair treatment.

B. List of States Priority Juvenile Justice Needs/Problem Statements

The following problem statements were derived from focused planning sessions with NCJJ members, data collection and analysis, community comprehensive plans and youth survey feedback. The full NCJJ approved the development of the three-year plan around these issues at the December 2, 2011 quarterly meeting. The intent of the plan is to be comprehensive with regard to the various funding sources received from the federal and state level. Due to the various funding sources we work with, the following juvenile justice needs were set forth by the NCJJ as Nebraska has prioritized problems. The needs will be addressed simultaneously; thus, the priorities are not ranked.

1. Problem Statement: Nebraska has geographic and resource gaps along with system inefficiencies that result in inconsistent detention practices.
Plan: Douglas County was approved as an Annie E. Casey JDAI site in 2010. In late 2011, Sarpy County was added as a site and the NCJJ approved the use of JABG statewide funds to support a statewide JDAI coordinator as the first step in statewide expansion of the JDAI initiative. The JDAI model is an evidence based data driven initiative that is proven to work nationwide. Funding sources will be used to support local and state JDAI activities.
2. Problem Statement: Disorganization within communities results in reactive youth and family policy and practice.
Plan: State and Federal guidelines require communities to engage in planning efforts. A substantial planning model based on Collective Impact, Developmental Assets and Research based risk factors has been developed in conjunction with the UNO/JJI. Funding sources will be used to support a structured community planning model, technical assistance and training.
3. Problem Statement: There is not equal access to juvenile diversion programming within the State of Nebraska.
Plan: Juvenile Diversion is a critical point in the system to divert youth from further penetrating the system. Statute also requires the Crime Commission to collect standardized data on diversion programs statewide. Funding sources will be used for continuation, creation, expansion and enhancement of diversion programs as well as support training, evaluation, and technical assistance.
4. Problem Statement: Low school engagement and high levels of absenteeism is a high predictor of juvenile delinquency negatively affecting Nebraska schools and juvenile justice system.
Plan: There are many truancy efforts across Nebraska, therefore, the NCJJ has identified the need to engage in appropriate collaborations and receive further education on truancy issues statewide. Funding sources will be used to support creation, expansion, enhancement, and evaluation of evidence based truancy initiatives. Support will also be provided for training and technical assistance on truancy issues statewide where appropriate.
5. Problem Statement: Communities are experiencing a wide range of substance use issues across the State of Nebraska, particularly in rural areas.
Plan: NCJJ has identified that there are a variety of existing resources regarding substance abuse within Nebraska and funding must be approached in a targeted and appropriate manner. Efforts will be made by NCJJ to become more informed about substance abuse resources and evidence based practices in place statewide. When appropriate, funding sources will be utilized to support creation, expansion and enhancement of substance abuse prevention programs.
6. Problem Statement: Specific communities in Nebraska are experiencing an increase in gang and gun violence.
Plan: NCJJ will collaborate with the Office of Violence Prevention, also housed within the Nebraska Crime Commission to further explore the issues causing violence and implement targeted evidence based approaches to assist communities in reducing gang and gun violence.

7. Problem Statement: Nebraska experiences barriers to information sharing and data collection.
Plan: Funds will be utilized to support initiatives and projects to improve information and data sharing, such as support of NCJIS, JDAI, and other efforts as identified.
8. Problem Statement: Minority youth in Nebraska are overrepresented in the juvenile justice system.
Plan: Continue progress in addressing DMC.

3. Plan for Compliance with the First Three Core Requirements of the JJDP Act and States Compliance Monitoring Plan

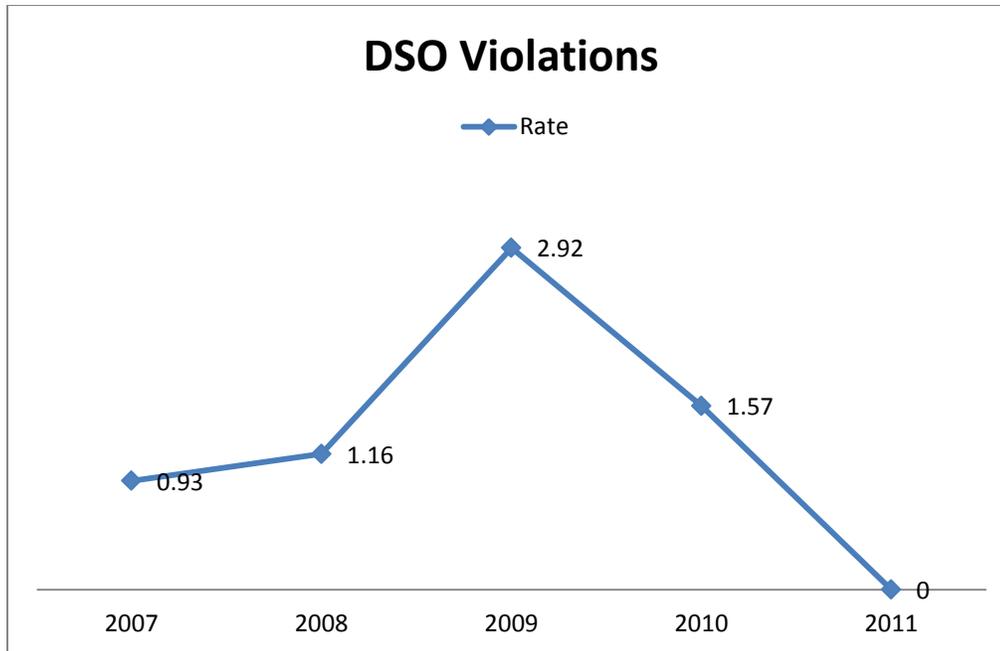
A. Plan for Deinstitutionalization of Status Offenders

Nebraska is in full compliance with the Deinstitutionalization of Status Offenders (DSO) protection requirement. Nebraska is active in the achievement of this goal with the adaptation of the DSO protection requirement into state statute in the 1980's. NE S.S. 43-250 VI states:

(vi) A status offender or nonoffender taken into temporary custody shall not be held in a secure area of a jail or other facility intended or used for the detention of adults. Until January 1, 2013, a status offender accused of violating a valid court order may be securely detained in a juvenile detention facility longer than twenty-four hours if he or she is afforded a detention hearing before a court within twenty-four hours, excluding nonjudicial days, and if, prior to a dispositional commitment to secure placement, a public agency, other than a court or law enforcement agency, is afforded an opportunity to review the juvenile's behavior and possible alternatives to secure placement and has submitted a written report to the court; and

The goal of the state is to maintain full compliance status. The plan to maintain this status includes ongoing training by the juvenile compliance monitor. The compliance monitor will continue to provide on-sight training during site visits and training at the law enforcement academy for new sheriffs and jail personnel. The compliance monitor is also working on the training agenda for the jail standards and LECC training. The compliance monitor will be available for training as identified or requested. It is through this type of training and on-site visits that the compliance monitor has developed productive working relationships with facilities across the state. Law enforcement and detention facilities can call or email prior to accepting a youth to ensure compliance is maintained.

Maintaining compliance in rural areas continues to take diligence on the part of those counties and facilities. Many communities do not have access to short term hold over facilities for youth and must drive long distances to access juvenile detention centers. With the rising cost of detention facilities most if not all of these use detention as an absolute last resort with status offenders. Most Status offenders sit in the office these facilities until a guardian is able to recover the status offender.



Typically the state has very few violations of the DSO core protection because the core protection is integrated into state statute §43.250 VI. The isolated cases where a violation has occurred normally were in a Juvenile detention center where a status offender was held longer than the 24 hour time period. Jails and lock ups rarely if ever violate this rule as intake (Probation) is the only entity other than a judge that can authorize a detention for a juvenile. Probation utilizes a statewide risk assessment tool that prohibits along with state statute the detention of a status offender. DSO violations decreased from 2.92 in 2009 to 0 in 2011. This decrease was due to the Federal audit from OJJDP where the state was provided technical assistance that was able to matriculate to other facilities to provide better education on the detention of status offenders. Currently the SAG is working with JDAI to revise the statewide detention screening tool. They will ensure that the state actively maintains the protection of status offenders from institutionalization.

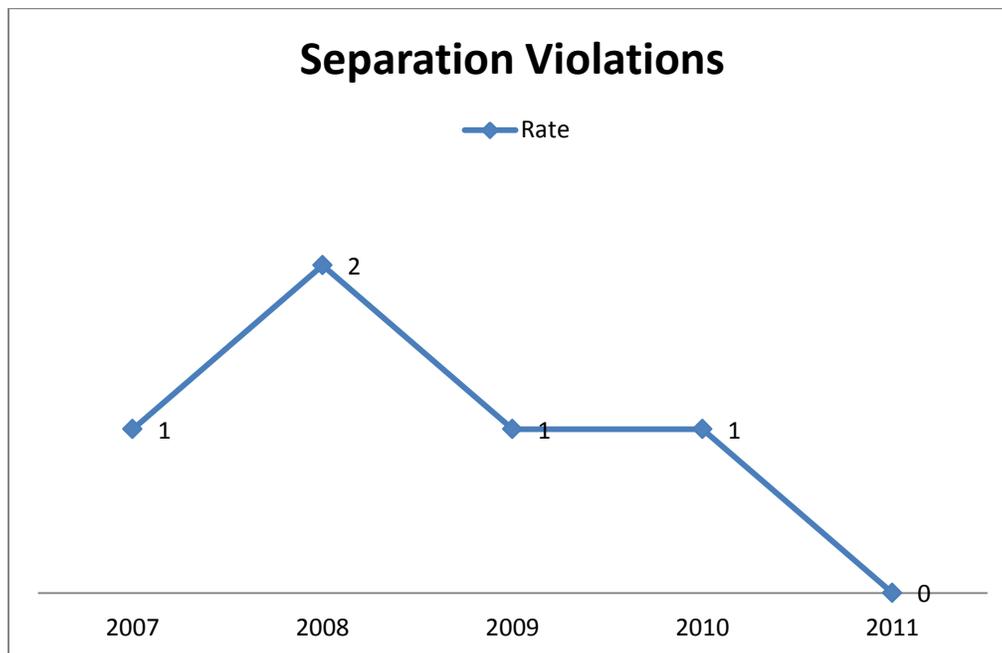
B. Plan for Separation of Juveniles from Adult Offenders

Nebraska is in full compliance with the Separation of Juveniles from adult offenders' protection requirement. Nebraska strives to fulfill this protection requirement by the implementation of Separation of Juvenile's also integrated in state statute. 43-250 III states:

(iii) Whenever a juvenile is held in a secure area of any jail or other facility intended or used for the detention of adults, there shall be no verbal, visual, or physical contact between the juvenile and any incarcerated adult and there shall be adequate staff to supervise and monitor the juvenile's activities at all times. This subdivision shall not apply to a juvenile charged with a felony as an adult in county or

district court if he or she is sixteen years of age or older;

To maintain a level of full compliance, the compliance monitor will continue ongoing site visits and training to ensure this requirement is continuously met. In addition, the Compliance monitor verifies that secure facilities are not participating in any “Scared Straight” programs.



In Nebraska, any separation violation is a violation of State Statute §43.250 (1)(c). If a separation violation occurs typically it is when a juvenile is transferred from criminal court to juvenile court who was convicted of a misdemeanor. In most facilities the separation protection is a practice in their internal jail policies. Most Jails and lock ups do not accept anyone under the age of 18 regardless if they are charged with adult felonies or not. Even with the JJDP act not inclusive of those juveniles who are transferred to Adult court under a felony, Nebraska has taken the additional precautions with state statute to separate all juveniles under the age of 16 with adult felony charges. The state has averaged around 1 violation from 2007 to 2011. This trend is typically an incidental occurrence. To ensure future incidents of noncompliance do not occur, Nebraska will monitor data, conduct on-site inspections and conduct training and education for facility staff regarding the core requirements of the JJDP Act. The SAG is currently working with JDAI on pressing issues. Nebraska currently has 1 approved collocated facility:

Scottsbluff County Detention Center
Ron Johns, Director
P.O. Box 130
2522 7th Street
Gering, NE 69341
(308) 436-2204

Please see attached Policies on Collocated facilities:

4.5.1 COLLOCATED FACILITIES

Statement of Purpose:

To ensure Nebraska's compliance with the federal Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 with regards to criteria set forth in 28 CFR §31.303(e)(3)(i)(C)(1)-(4).

Policy:

It is the policy of the Nebraska Commission on Law Enforcement and Criminal Justice (NCC) that any collocated facility, detaining or confining both juveniles and adults, meet all federal standards as set forth in the JJDP Act as amended, Pub. L, No. 93-415 (1974). To further ensure compliance the NCC, acting as the designated state agency, will offer technical assistance, provide compliance monitoring and conduct inspections as authorized under Nebraska Revised Statute § 83 4,124-4,134.

Definition: Collocated facilities are facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds as defined by 28 CFR §31.303(e)(3)(i)(A).

Procedures:

- A. Juvenile facilities collocated with adult facilities will be classified for the purpose of compliance monitoring utilizing federal definitions set forth in 28 CFR Part 31.
- B. The Nebraska Crime Commission will determine through an on-site review whether a collocated facility qualifies as a separate juvenile detention facility based on the facility fully meeting the four criteria outlined in 28 CFR §31.303(e)(3)(i)(C)(1)-(4) which states:
Each of the following four criteria must be met in order to ensure the requisite separateness of a juvenile detention facility that is collocated with an adult jail or lockup:
 - *Separation between juveniles and adults such that there could be no sustained sight or sound contact between juveniles and incarcerated adults in the facility. Separation can be achieved architecturally or through time-phasing of common use nonresidential areas; and*
 - *Separate juvenile and adult program areas, including recreation, education, vocation, counseling, dining, sleeping, and general living activities. There must be an independent and comprehensive operational plan for the juvenile detention facility which provides for a full range of separate program services. No program activities may be shared by juveniles and incarcerated adults. Time-phasing of common use nonresidential areas is permissible to conduct program activities. Equipment and other resources may be used by both populations subject to security concerns; and*
 - *Separate staff for the juvenile and adult populations, including management, security, and direct care staff. Staff providing specialized services (medical care, food service, laundry, maintenance, and engineering, etc.) who are not normally in contact with detainees, or whose infrequent contacts occur under conditions of separation of juveniles and adults, can serve both populations (subject to State standards or licensing requirements). The day-to-day management, security, and direct care functions of the*

juvenile detention center must be vested in a totally separate staff, dedicated solely to the juveniles population within the collocated facilities; and

- *In States that have established standards or licensing requirements for juveniles detention facilities, the juvenile facility must meet standards (on the same basis as a free-standing juveniles detention center) and be licensed as appropriate. If there are no State standards or licensing requirements, OJJDP encourages State to establish administrative requirements that authorize the State to review the facility's physical plant, staffing patterns, and programs in order to approve the collocated facility based on prevailing national juvenile detention standards.*

- C. Annually, all collocated facilities housing juveniles will be monitored to determine compliance with the four criteria stated in 28 CFR §31.303(e)(3)(i)(C)(1)-(4).
- D. Collocated facilities shall have written policies and procedures governing institutional practices use to establish sight and sound separation of the juvenile and adult populations.
- E. Individuals who work with both juveniles and adult inmates will be trained and certified on the needs of juveniles in accordance with Nebraska Revised Statute § 83 4,124-4,134. This training includes, but is not limited to juvenile rights and responsibilities; behavior management; adolescent growth and development; suicide risks and prevention; cultural diversity, and supervision of juveniles.

Please see attached Policies on Collocated facilities:

Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 19

C. Plan for Removal of Juveniles from Adult Jails and Lockups

Nebraska continues to comply with Jail Removal according to the last compliance monitoring report. The issues stated in the DSO section of this plan also apply to Jail Removal and as stated above.

The State of Nebraska utilizes the six (6) hour hold in MSA's that do not have local juvenile detention centers. This is monitored through the NCJIS system and monitoring of facilities. Nebraska S.S. 43-250 I states:

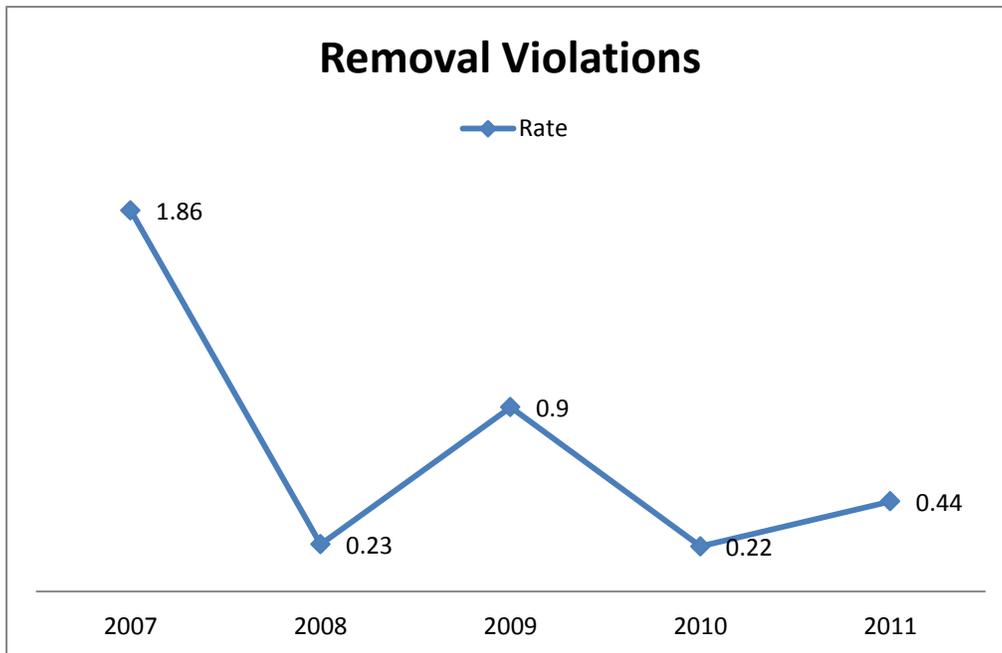
(i) When a juvenile described in subdivision (1) or (2) of section 43-247, except for a status offender, is taken into temporary custody within a metropolitan statistical area and where no juvenile detention facility is reasonably available, the juvenile may be delivered, for temporary custody not to exceed six hours, to a secure area of a jail or other facility intended or used for the detention of adults solely for the purposes of identifying the juvenile and ascertaining his or her health and well-being and for safekeeping while awaiting transport to an appropriate juvenile placement or release to a responsible party;

The state also utilizes the Rural exception in the 84 remaining counties. Even though it is available, many areas use the exception only when necessary for the benefit of the youth. Again, one method of monitoring this is through our NCJIS system. Nebraska S.S. 43-250 II states:

(ii) When a juvenile described in subdivision (1) or (2) of section 43-247, except for a status offender, is taken into temporary custody outside of a metropolitan statistical area and where no juvenile detention facility is reasonably available, the juvenile may be delivered, for temporary custody not to exceed twenty-four hours excluding nonjudicial days and while awaiting an initial court appearance, to a secure area of a jail or other facility intended or used for the detention of adults solely for the purposes of identifying the juvenile and ascertaining his or her health and well-being and for safekeeping while awaiting transport to an appropriate juvenile placement or release to a responsible party;

Finally, the State of Nebraska utilizes the Transfer/waiver exception. This typically occurs in more rural areas. Nebraska S.S. 43-250 V states:

(v) If, within the time limits specified in subdivision (1)(c)(i) or (1)(c)(ii) of this section, a felony charge is filed against the juvenile as an adult in county or district court, he or she may be securely held in a jail or other facility intended or used for the detention of adults beyond the specified time limits;



Violations that occur under jail removal are incidental and not a regular pattern. The violations are typically discovered by the Compliance Monitor while completing checks of the NCJIS data which is the state's real-time jail information system. No changes in state law or policy are required to remedy these infractions of jail removal in this report. It is the practice of the Nebraska Crime Commission to provide quality training to all criminal justice personnel on the core requirements of the JJDP Act and the proper handling of juveniles. In addition to being available for daily technical assistance the Compliance Monitor also offers on-site assistance when requested. Removal violations decreased from 1.86 in 2007 to 0.44 in 2011. This drastic decrease can be credited to the increased training education and increased alternatives for placement. The SAG is currently working with JDAI on alternatives to detention so many of these issues can be avoided.

D. Plan for Compliance Monitoring for the First Three Core Requirements of the JJDP Act

The Nebraska Crime Commission employs a full time Compliance Monitor who is solely responsible for the monitoring system. The plan for compliance monitoring over the next year(s) includes training and updating the monitoring universe and classification of the facilities as needed.

The Compliance Monitor will continue to inspect facilities by conducting on site visits and exceed the required 10% of visitation required. The Compliance Monitor will establish a schedule for the year and map out visits to various geographic locations. The Compliance Monitor will collect the necessary data to complete the annual compliance report and determine violations. The State of Nebraska has an system, Nebraska Criminal Justice Information System(NCJIS), that allows the Compliance Monitor to look up bookings in all adult jails, lock up's, and juvenile detention centers across the state. This immediate access to data is a great benefit for the Compliance Monitor.

The final task for the Compliance Monitor is to further develop training. The compliance monitor will distribute a resource guide on site visits. The monitor will conduct training as requested by sites as well as set up training where it is needed. The monitor will work to get on the schedule for training at the Nebraska Law Enforcement Academy Training Center for new sheriffs and jail personnel, along with the annual Jail Standards and Law Enforcement and County Attorneys conferences. The Compliance Monitor reports to the State Advisory Group on the status of compliance on a quarterly basis.

The State of Nebraska has all compliance monitoring procedures, records, etc. on file and available for review. Title II funds continue to be utilized to support all resources necessary to employ a full time compliance monitor at the Crime Commission, and the state will notify OJJDP if circumstances arise that may jeopardize compliance in any way.

(1) Policy and Procedures

Compliance Monitoring Plan

Policy:

Nebraska will maintain a comprehensive compliance monitoring manual which will serve as a written plan for providing an adequate system for monitoring all secure and non-secure facilities that may hold juveniles pursuant to public authority to ensure compliance with core requirements of the JJDP Act. Nebraska's compliance monitoring manual is also referred to as the Compliance Monitoring Plan.

Procedures:

- A. Annually, the Compliance Monitor and the Juvenile Justice Specialist will be responsible to review the written Compliance Monitoring Plan to ensure policies and procedure are aligned with federal guidelines and any updates and revision are completed.
- B. Any policy updates or revisions to the Compliance Monitoring Plan will require the written approval of the Executive Director or their designee.
- C. Should any changes be made which negatively affect Nebraska Crime Commission's authority to conduct compliance monitoring activities the Office of Juvenile Justice and Delinquency Prevention will be immediately notified.
- D. For the purposes of monitoring for the JJDP Act any differences in State and Federal definitions are so noted within the plan with the understanding that Federal definitions must be adhered to.
- E. The Compliance Monitor will be responsible for the following activities contained in the manual/plan:
 - Monitoring timetable as outlined in 4.1;
 - Annual identification of barriers and strategies as outlined in 4.2;
 - Identification of violations as outline in 4.3;
 - Identification of Nebraska' monitoring universe as outlined in 4.4;
 - Classification of the Monitoring Universe as outlined in 4.5;
 - On-site inspection of facilities as outlined in 4.6; and Documenting verification of data according to 4.7 and 4.8;

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 11

(2) Authority to Monitor

The federal JJDP Act of 2002 requires that states provide an adequate system of monitoring jails, detention facilities, correctional facilities and non-secure programs to ensure compliance with the Act's three primary requirements governing the secure confinement of juveniles as well as the annual reporting of the results of compliance monitoring to the United States Justice Department's Office of Juvenile Justice and Delinquency and Prevention (OJJDP).

In Nebraska the compliance monitoring requirement has been met through the efforts of the Commission on Law Enforcement and Criminal Justice (Crime Commission); a code agency under the executive branch of state government.

Documents provided in Appendix B are evidence of Nebraska's authority to conduct compliance monitoring. These are:

- Nebraska Statute § 81-1416, §81-1423, §81-1425, and §81-1426 outlining the powers and duties of the Nebraska Commission on Law Enforcement and Criminal Justice governing State Administrative Departments.
- Nebraska Legislator’s Guide - Agency 78, pages 1–4.
- Juvenile code § 43-254.02 related to juveniles in custody.
- Governor’s Executive Orders No. 91-08 dated 7/18/1991 and No. 88-6 dated 7/20/1988.
- Nebraska Jail Standards revised 7/19/1994 and Juvenile Detention Facility Standards effective 8/8/1993.
- Nebraska Attorney General’s legal opinion relating to juvenile justice and delinquency prevention dated 7/22/1988 regarding “Safekeeping” and evaluation of juveniles under (3)(a) and (3)(b) of Nebraska Revised Statute § 43-247 at the Youth Development Centers and in adult lockup facilities.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 10

(3) Timetable of the Compliance Monitoring Task

Statement of Purpose:

Nebraska is required to have a state monitoring plan that includes a detailed description and timetable for the following compliance monitoring tasks: identification of the monitoring universe; classification of the monitoring universe; inspection of facilities; and data collection and data verification.¹

Policy:

Nebraska’s Compliance Monitoring Plan will outline a detailed description and timetable of compliance monitoring tasks which will include but are not limited to the identification and classification of the monitoring universe; inspection of facilities; data collection and verification; report writing; and provision of training and technical assistance.

Procedures:

- A. Annually, the timetable will be updated with the input of the Juvenile Justice Specialist. This will be completed during the fourth quarter of each calendar year (October – December).
- B. Monitoring universe records which include dates of inspections and target dates for future inspections; classifications; and responses to self-surveys will be utilized to assist in the identification of those facilities needing to be prioritized for on-site inspections during the next calendar year.

¹ 28 C.F.R. § 31.303(f)(1)

- C. The timetable will be reviewed for thoroughness of tasks, appropriateness of time lines and benchmarks, responsible parties and accuracy of processes.
- D. Quarterly, the Compliance Monitor will report to the State Advisory Group any updates to the timetable and activities conducted.

TIMETABLE OF THE COMPLIANCE MONITORING TASKS

Task	Time Period*	Process	Responsible Party	Benchmark
Identification	3rd quarter (Jan. – Mar.)	Review rosters of active licensed agencies listed as Child Caring Agencies, Substance Abuse Treatment Centers, Mental Health Center, and Intermediate Care Facilities for the Mentally Retarded. Obtained most current rosters from Nebraska Division of Public Health, Licensure Unit.	Compliance Monitor	Current and up-to-date universe of all active facilities, secure and non-secure, that may hold juveniles pursuant to public authority by June 30.
	4th quarter (April – June)	Review Nebraska Criminal Justice Directory published April/May for active law enforcement and correctional facilities.		
Classification	Ongoing	Disseminate and compile results from self-survey of facilities followed by on-site visit.	Compliance Monitor	100% of facilities within the Universe are classified by type, public or private, secure or non-secure, and residential or non-residential by June 30.
Inspection	Ongoing	Conduct on-site inspections and determine compliance with DSO, separation and jail removal. Prioritize facilities for inspection based on federal requirements, survey responses and dates of last inspection.	Compliance Monitor	100% of facilities are inspected within 3 years by conducting one-third of inspections per year (July – June) by June 30.
Data Collection	Daily	Criminal justice agencies enter information into a statewide database referred to as Nebraska Criminal Justice Information System (NCJIS). This system contains information on every individual detained in a juvenile detention center and adult jail or lockup.	Nebraska Crime Commission’s Statistical Analysis Center and facilities holding juveniles under court jurisdiction.	Real time access to records and 100% of records complete and accurate.

	Monthly	Facilities submit records of data on all admissions and releases which includes demographics and charges through email or mail.	Youth Rehabilitation & Treatment Centers (Geneva & Kearney) and the Boys Town Police Department	100% of records complete and accurate.
Data Verification	Ongoing	Data records are reviewed for charges, date and time of admission and discharge, age, etc. Data verified through on-site inspections. Questions regarding data reviewed through NCJIS or records are verified through email and phone contacts.	Compliance Monitor	10% or less of all adjudicated status offenders held securely because of violating a valid court order (VCO) from July 1 – June 30. Zero status offenders held securely from July 1 – June 30.
Reporting	Quarterly	Compliance monitoring activities are reported to the State Advisory Group.	Compliance Monitor	Members of the State Advisory Group are knowledgeable on JJDP Act Compliance and can serve as a resource to the Compliance Monitor.
	2 nd quarter (Oct. – Dec.)	Complete the on-line annual OJJDP Compliance Monitoring Report.	Compliance Monitor and Juvenile Justice (JJ) Specialist	100% compliance with JJDP Act. Annual report completed by December 31.
Training & Technical Assistance	Ongoing	Training and technical assistance on JJDP Act compliance is made available to judiciary, facility, and agency staff.	Compliance Monitor, JJ Specialist and Jail Standards Division.	A minimum of four T&TA provided annually.
Barriers & Strategies	2 nd quarter (Oct. – Dec.)	Barriers and strategies are presented for discuss to the State Advisory Group for recommendations and approval.	Compliance Monitor	Action plan to address barriers developed by November 15.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 13

(4) Compliance Violation Procedures

Statement of Purpose:

Nebraska is required by OJJDP to have a state monitoring plan that includes a description of the procedures established for receiving, investigating, and reporting complaints of JJDP Act violations of DSO, jail removal, and separation requirements. The description should include both legislative and administrative procedures and sanctions.²

Policy:

All violations of DSO, jail removal, and separation will be accepted by the Nebraska Crime Commission for further investigation and action taken, as necessary and appropriate. The Nebraska Crime Commission will respond to issues of violations with effective strength based strategies which foster and promote compliance with the JJDP Act through education, cooperation, and partnerships.

Procedure:

- A. The Compliance Monitor will serve as the primary contact for receiving, investigating, and reporting alleged compliance violations throughout the state.
- B. When a violation is reported, the Compliance Monitor will contact the facility involved to confirm the violation and circumstances of the violation.
- C. If it is determined that a violation exists the Compliance Monitor will provide the facility with a written notification of the violation, and the facility will be given the opportunity to respond within a given time frame.
- D. In addition to written notifications to facilities any judge whose direct actions result in a violation may also receive notification and be given an opportunity to respond.
- E. All notifications of violations will be accompanied by an opportunity for education and technical assistance regarding the JJDP Act and/or corrective plans of action.
- F. Facilities refusing to provide documentation responding to violation allegations will have those allegations reported as violations.
- G. The Compliance Monitor will report violations to the Nebraska Coalition for Juvenile Justice and the Nebraska Crime Commission; at their regularly scheduled meetings.

² 28 C.F.R. § 31.303(f)(1)(iii)

- H. All documentation and correspondence regarding violations will be maintained on record at the Nebraska Crime Commission and included in the facility file.
- I. Compliance monitoring record keeping will include data collection on all violations to determine patterns of practice that exist and violate the JJDP Act.
- J. Annually, all violations will be reported to the OJJDP and included in the Nebraska Coalition for Juvenile Justice's report to the Governor and Legislature of Nebraska.

Sanctions on facilities with a pattern of violations will be considered on case by case bases and may include but not be limited to strategies involving increased levels of compliance monitoring, participation at stakeholder meetings, mandatory training, funding restrictions, and jail standards inspections.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 15

(5) Barriers and Strategies

Barrier:

The continued use of violations of Valid Court Orders (VCO) to securely hold juvenile offenders in detention centers and jails.

Strategies:

1. Inform judges and facility staff when VCO violations occur.
2. Partner with facility administrators to educate judicial staff regarding JJDP Act core requirements and Nebraska's phasing out of VCO as of July 1, 2013.
3. Participate in Nebraska's Juvenile Detention Alternatives Initiative.

Barrier:

The lack of public awareness among the general population (i.e., youth, parents, educators) regarding the JJDP Act's core requirements of deinstitutionalization of status offenders, sight and sound separation, removal of juveniles from adult jails and adult lock-ups.

Strategies:

1. Educate OJJDP representatives of Nebraska's increased need for public awareness, and to encourage on a federal level the development of materials and resources states could utilize which promote an awareness of the JJDP Act.
2. Investigate public awareness strategies utilized by other states.

3. Develop age appropriate educational resources for use with youth, parents and educators regarding the JJDP Act. These materials will be available for distribution by agencies and programs serving youth and families.
4. Develop a public awareness long range plan for Nebraska's compliance monitoring program.

Barrier:

High rate of staff turnover experienced in the compliance monitor position. Over the last six years, this position has turned over four times causing significant amounts of time and costs to be dedicated to screening, hiring and training of new workers. This high turnover has also resulted in gaps to Nebraska's monitoring activities.

Strategies:

1. Develop all necessary components for a well-defined compliance monitoring program. These include policies and procedures, monitoring tools, recordkeeping systems and planning mechanisms.
2. Review position description (i.e., position requirements, essential duties).

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 14

(6) Terms and Definitions

The following terms and definitions are utilized for the monitoring of Nebraska's compliance with the federal JJDP Act: For the purposes of monitoring the JJDP Act any differences in State and Federal definition are so noted with the understanding that Federal definition will be adhered to.

Accused: An allegation has been made by either law enforcement or a prosecutor that an individual has committed a crime.

Adjudication: A juvenile court decision finding that the allegation(s) listed in a petition regarding a juvenile's delinquency, status offense or dependency, neglect or abuse are true or false.

Adult: Any person eighteen (18) years of age or older.

Adult Correctional Institution: Any facility designed or used for the secure confinement of convicted adult offenders sentenced to serve one year or more.

Adult Facility: Any institution that primarily houses individuals eighteen (18) years of age and older.

Age or Majority: Nineteen (19) years of age in accordance with Nebraska Revised Statute (43-245)

Adult Jail: A locked facility, administered by state, county, or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violation criminal law, pending trial. Also considered as adult jails are those facilities used to hold convicted adult criminal offenders sentenced for less than 1 year (28 CFR 31.304(m)).

Adult lockup: Similar to an adult jail except that an adult lockup is generally a municipal or police facility of a temporary nature that does not hold persons after they have been formally charged. (OJJDP Guidance Manual dated January 2007).

Arraignment: The initial court appearance in adult criminal court where an individual accused of committing a crime is advised of the charges listed in the criminal complaint, possible penalties and his or her rights.

Civil-type Juvenile Offender: A civil-type juvenile offender is a juvenile who has been charged with or adjudicated for an offense that is civil in nature. Examples include noncriminal traffic violations and noncriminal fish and game violations (OJJDP Guidance Manual dated January 2007).

Collocated Facilities: Collocated facilities are facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds. Defined by 28 CFR §31.303(e)(3)(i)(A).

Contact (sight and sound): Any physical or sustained sight and sound contact between juvenile offenders in a secure custody status and incarcerated adults, including adult inmate trustees. Sight contact is defined as clear visual contact between incarcerated adults and juveniles within close proximity to each other. Sound contact is defined as direct oral communication between incarcerated adults and juvenile offenders (28 CFR 31.3039d)).

Correctional Institution: Any facility operated by the Nebraska Department of Correctional Services that is designed or used for the secure confinement of individuals following sentencing or disposition of a court of jurisdiction.

Court holding facility: A secure, nonresidential facility, that is not an adult jail or lock-up, that is used to temporarily detain persons immediately before or after court proceedings (OJJDP Guidance Manual dated January 2007).

Criminal Complaint: A document filed by the prosecutor in an adult criminal court alleging the individual named has committed a crime.

Criminal Offender: An individual charged or convicted of an illegal act.

Delayed egress device: A device that precludes the use of exits for a predetermined period of time (OJJDP Guidance Manual dated January 2007).

Delinquency: Acts or conduct in violation of criminal law.

Delinquent: A juvenile who has committed an act that, if committed by an adult, would be a crime.

Dependent Child: A juvenile over whom the juvenile court has assumed jurisdiction because the care provided by the parent(s), guardian(s) is not proper or sufficient.

Detention Facility: Any facility designed or used for temporary, secure confinement of individuals accused of or convicted of committing a crime with a sentence of less than one year.

Detention Hearing: A court hearing that must be held within twenty-four (24) hours of a juvenile's confinement, excluding judicial days, determine the need and/or appropriateness of continue detention.

Disposition: A decision made by a juvenile court that directs the action(s) to be taken to correct a juvenile's delinquent behavior or is in the best interest of a dependent, neglected, or abused child.

Emancipated Adult: A person under the age of eighteen (18) years who has been completely or partially emancipated by the court and is therefore allowed to live wholly or partially independent from his or her parent(s), guardian(s), or custodian(s), enter into legal contracts and exercise other rights ordered by the court.

Federal Ward: A juvenile who is in the custody of the federal government. Such juveniles would include undocumented immigrant youth and those youth in the custody of the Bureau of Indian Affairs.

First Appearance: The initial juvenile court hearing where a juvenile is advised of the allegation(s) listed in the petition, possible consequences and his or her rights.

Jail: A locked facility administered by state, county, or local law enforcement or correctional agencies, the purpose of which is to detain adults pending the filing of a charge of violation criminal law, pending trial on a criminal charge or convicted of violating a criminal law as defined by 42 U.S.C. 5603. Section 103 (22), Formula Grant Regulation 31-304, Nebraska Revised Statute 47-117 and 47-207. Jails are primarily used for pre-trial detention or serving a sentence of less than one (1) year.

Juvenile: Any person under the age of eighteen (18) years as defined by Nebraska Statute 43-245(4). Juvenile court may exercise continuing jurisdiction until the nineteenth (19th) birthday.

Juvenile Correctional Institution: Any facility designed or used for the secure confinement of juvenile offenders as dispositional placement by a court to jurisdiction.

Juvenile Court: A separate juvenile court or county court sitting as a juvenile court in accordance with Nebraska Revised Statute 43-246, 43-247, and 43-2, 111 to 43-2, 127

Juvenile Detention Facility: Any facility designed or used specifically for the secure confinement of juvenile offenders in accordance with Nebraska Revised Statute 83-4,125.

Lawful Custody: The exercise of care, supervision, and control over a juvenile offender or non-offender pursuant to the provisions of the law or of a judicial order or decree (28 CFR 31.304(j)).

Lockup: Generally, a municipal or police facility of a temporary nature designed or used for the short-term confinement of adult offenders as defined by Formula Grant Regulation 31.304. Lockups are primarily used for short-term, pre-trial detention.

Minor: Any person under the age or 21 years of age as defined by Nebraska Revised Statute 53-103(23). The term minor is in reference the legal drinking age of alcohol.

Non-offender: A juvenile who is homeless, destitute, or without proper support through no fault of his or her parent, guardian, or custodian; who is abandoned by his or her parent, guardian, or custodian; who lacks proper parental care by reason of the fault or habits of his or her parent, guardian, custodian; whose parent, guardian, or custodian neglects or refuses to provide proper or necessary subsistence, education or other care necessary for the health, morals, or well-being of such juvenile; whose parent, guardian, or custodian is unable to provide or neglects or refuses to provide special care made necessary by the mental condition of the juvenile; or who is in the situation or engages in a occupation dangerous to life or limb or injurious to the health or morals of the juvenile as defined by Nebraska Revised Statute 43-247(3)(a). Examples include a dependent, abused, or neglected child or material witness.

Non-secure Custody: A juvenile may be in law enforcement custody and therefore, not sure to leave or depart from the presence of a law enforcement officer or at liberty to leave the premises of a law enforcement facility, but not in a secure detention or confinement status. Refer to OJJDP Guidance Manual dated January 2007 for criteria.

Non-secure Facility: Any public or private residential program which does not include construction fixtures designed to physically restrict the movements and activities of persons in custody.

Petition: A document filed by the prosecutor in juvenile court alleging that a juvenile is a delinquent, status offender or delinquent, neglected, or abused child asking the court to assume jurisdiction over the juvenile in accordance with Nebraska Revised Statutes 43-274(1), 43-275 and 43-276.

Preliminary Hearing: A criminal court hearing held only in felony cases where the prosecutor must show the there is sufficient evidence to proceed to trial in a higher court (district court).

Prison: Any facility operated by the Nebraska Department of Correctional Services that is designed or used for the secure confinement of individuals following sentencing or disposition by a court of jurisdiction.

Related Complex of Buildings: A related complex of buildings is two or more buildings that share physical features such as walls and fences, or services beyond mechanical services (e.g. heating, air conditioning, water and sewer); or the specialized services such as medical care, food service, laundry, maintenance, engineering services, etc.

Residential: pertains to facilities having the capacity to hold securely individuals overnight.

Secure Custody: As used to define a detention or correctional facility, this term includes residential facilities that include construction features designed to physically restrict the

movements and activities of person in custody, such as locked rooms and buildings, fences, or other physical structures (28 CFR 32.31.304(b)).

Sentence: A sanction imposed by a criminal court upon an individual convicted of committing a crime, usually in the form of a fine, incarceration, probation or a combination of those.

Staff Secure Facility: A staff secure facility is as a residential facility which does not include construction features designed to physically restrict the movements and activities of juveniles who are in custody therein; which may establish reasonable rules restricting entrance to and egress from the facility; and in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision.

Status Offender: *This is an area where Federal and State definitions differ. For the purpose of monitoring Nebraska's compliance under the JJDP Act the Federal definition of a status offense takes precedence. As noted below, Nebraska's minor in possession (MIP) of alcohol offense is considered delinquent. However, in regards to compliance monitoring any minor detained or jailed on a MIP, in Nebraska, will be a considered a violation of the JJDP Act's deinstitutionalization of status offenders.*

Status Offender - Federal: A juvenile offender who has been charged with or adjudicated for conduct which would not, under the law of jurisdiction in which the offense was committed, be a crime if committed by an adult (28 CFR 31.304(h)). The following are examples of status offenses taken from the OJJDP Guidance Manual dated January 2007:

- Truancy.
- Violations of curfew.
- Runaway.
- Underage possession and/or consumption of tobacco products.
- Underage alcohol offenses. These offenses are considered status offenses, even though state or local laws may consider them delinquent offense.

Status Offender - Nebraska: Revised Statute 43-245(17) defines a status offender as a juvenile who has been charged with or adjudicated for conduct which would not be a crime if committed by an adult, including, but not limited to, juveniles charged under subdivision (3)(b) of section 43-247 and sections 53-180.01 and 53-180.02.

Nebraska Revised Statute 43-247(3)(b) gives the juvenile court in each county jurisdiction of any juvenile who, by reason of being wayward or habitually disobedient, is uncontrolled by his or her parent, guardian, or custodian; who departs himself or herself so as to injure or endanger seriously the morals of health of himself, herself, or others; or who is habitually truant from home or school.

Nebraska Statute defines a minor in possession of alcohol as a delinquent offense.

Nebraska Statute 53-180.02 states no minor may sell, dispense, consume, or have in his

or her possession or physical control any alcoholic liquor. Under Nebraska Statute 53-180.05 any person older than eighteen years of age and under the age of twenty-one years violating section 53-180.02 is guilty of a Class III misdemeanor. Any person eighteen years of age or younger violating section 53-180.02 is guilty of a misdemeanor as provided in section 53-181 and shall be punished as provided in such section.

Trial: An adult criminal court hearing finding that an individual is guilty or innocent of a charge(s) listed in a criminal court.

Valid Court Order (VCO): Court order given by a juvenile court judge to juvenile who was brought before the court and made subject to the order, and who received, before the issuance of the order, the full due process rights guaranteed to such juvenile by the Constitution of the United States (42 U.S.C. 5603 Section 103(16)).

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 5

(7) Identification of the Monitoring Universe

Statement of Purpose:

Identification of the monitoring universe. This refers to the identification of all facilities in the state which might hold juveniles under court jurisdiction. Every facility which has this potential, regardless of the purpose for housing juveniles, comes under the purview of the monitoring requirements. This also includes those facilities owned or operated by public and private agencies.³

Policy:

The Nebraska Crime Commission will maintain a current and accurate listing of all secure and non-secure facilities, operating across the state, which house juveniles. All criminal justice agencies including law enforcement and correctional facilities are annually published in a directory by the Nebraska Crime Commission. Under Nebraska State Statute § 71-1902 any private or public group home or child caring agency must be licensed to operate. This license is granted through the Department of Health and Human Services after successfully meeting a set of standards. In addition, State Statutes § 71-401 – 71-465 require all health care facilities which include substance abuse treatment centers, mental health centers, and intermediate care facilities for developmentally disabled to maintain an active license to provide services. Nebraska Department of Health and Human Services' Public Health Licensure Unit is charged with maintaining the records and rosters on all such agencies holding active licenses.

³ OJJDP Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002, January 2007, pg. 35.

Procedures:

- A. The Compliance Monitor will be responsible to record all identified facilities on a master list referred to as the Monitoring Universe.
- B. Annually (Jan. – Mar.), the Compliance Monitor will be responsible for identifying those facilities appropriate for the Monitoring Universe from the lists of agencies with active licenses from the Nebraska Department of Health and Human Services, Public Health, Licensure Unit.
- C. Annually, the Compliance Monitor will review the newly published (May) Nebraska Criminal Justice Directory to identify all active law enforcement and correctional agencies for inclusion in the Monitoring Universe.
- D. Any newly identified facility will be provided a self-survey and/or an on-site visit to determine appropriateness for JJDP Act compliance monitoring.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 17

(8) Classification of the Monitoring Universe

Statement of Purpose:

Classification of the monitoring universe. This is the classification of all facilities in the state to determine which ones should be considered as a secure detention or correctional facility, adult correctional institution, jail, lockup, or other type of secure or non-secure facility. Classification also includes determining whether a facility is public or private, residential or non-residential, and whether the population is juvenile only, adult only, or juvenile and adult.⁴

Policy:

All facilities identified within Nebraska’s monitoring universe will be classified according to federal standards for the purpose of accurately determining compliance with the JJDP Act.

Procedures:

- A. The Compliance Monitor will be responsible for classifying each facility within Nebraska’s monitoring universe into the following four categories:
 - 1. Public or Private;
 - 2. Juvenile facility; adult facility; collocated facility;
 - 3. Residential or non-residential; and
 - 4. Secure or Non-Secure.

⁴ OJJDP Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002, January 2007, pg. 35.

- B. Classification will be determined through on-site visits or by surveying facilities and then conducting a follow-up on-site visit for verification.
- C. Facilities that do not respond to a self-survey will be contacted or an on-site visit will be performed. Note, facilities that have not responded to a request for a self-survey or those that have not received on-site inspections will be considered for priority on-site visits.
- D. Facility classification will be documented and recorded on the monitoring universe listing and on appropriate facility records maintained by the Compliance Monitor.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 21

(9) Inspection of Facilities

Statement of Purpose:

Inspection of facilities. Inspection of facilities is necessary to ensure an accurate assessment of each facility’s classification and record keeping. All facilities classified as secure detention or correctional facilities, jails, lockups, and other facilities must have periodic, onsite inspections to determine compliance with the core protections. The inspection must include:

- 1. A review of the physical accommodations to determine whether it is a secure or non-secure facility or whether adequate sight and sound separation between juvenile and adult offenders exists and
- 2. A review of the record keeping system to determine whether sufficient data are maintained to determine compliance with DSO, jail removal, and separation.⁵

Policy:

- A. Throughout the calendar year, the Compliance Monitor will inspect facilities to ensure an accurate assessment of each facility's classification and record keeping. The inspection will include:
 - 1. A review of the physical accommodations to determine:
 - a. Secure/Non-secure classification
 - b. Juvenile, adult, or collocated classification
 - c. Private or public classification; and
 - d. Sight and sound separated compliance (if applicable).
 - e. Rural Exception (if applicable)
 - 2. A review of the record keeping system to determine whether sufficient data are maintained to determine compliance with the DSO, jail removal, and separation core requirements.

⁵ 28 C.F.R. § 31.303(f)(1)(i)(C)

3. A report on each facility's compliance or noncompliance will be made available as a record of findings of the inspection.
- B. The Compliance Monitor will perform site inspections according to the following:
1. All facilities new to the JJDP Act compliance universe will receive a site inspection.
 2. All collocated facilities will receive a site inspection each year.
 3. Annually, at least 10% of all adult jails and lockups will receive a site inspection each year; the entire adult jail and lockup universe will receive a site visit within three years.
 4. Annually, at least 10% of all residential treatment facilities will receive a site inspection each year; the entire residential treatment facility universe will receive a site visit within three years.

Procedures:

- A. The Compliance Monitor will contact facility administrators to schedule a date and time for a site inspection.
- B. The Compliance Monitor will perform the following tasks at each facility inspection:
1. Review the physical accommodations and complete the following forms:
 - a. Sight and Sound Separation Checklist (if applicable)
 - b. Rural Exception Check List
 2. Obtain a facility layout.
 3. Obtain a copy of the facility's policies and procedures.
 4. The Compliance Monitor will determine how each facility maintains its records on juveniles and will provide training and technical assistance when needed.
 5. To determine accuracy of the records, the Compliance Monitor will compare the information submitted by the facility with the original data source maintained by the facility records.
 6. The Compliance Monitor will make its Compliance Monitoring On-Site Summary Results available to the facility as a record of findings of the inspection.
- C. The Compliance Monitor will address issues of facilities' non-cooperation with site inspection requests with the Jail Standards Division.
- D. The Compliance Monitor will maintain site-inspection records in the facility file and will document activity on the Compliance Monitoring Universe Master List.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 21

(10) Data Collection

Statement of Purpose:

Data collection. Data collection and reporting are required to determine whether facilities in the state are in compliance with the applicable requirements of DSO, jail removal, and separation. The length of the reporting period should be 12 months.⁶

Policy:

To ensure compliance with the JJDP Act of 2002 and in accordance with Nebraska Jail Standards and Juvenile Detention Facility Standards all adult jails, lockups, and juvenile detention facilities will be required to submit admission and release data to the Nebraska Crime Commission.

The Nebraska Crime Commission's Statistical Analysis Center will maintain a web-based statewide information sharing system referred to as Nebraska Criminal Justice Information System (NCJIS). Daily, this system will pull information from the databases of criminal justice agencies throughout the state of Nebraska. Information in NCJIS will be maintained for an indefinite period of time. Facilities will be required to enter inmate information during each individual's booking process including charges and date and time of admission and discharge. Any secure facility which may hold juveniles pursuant to public authority and not using NCJIS will be required to submit paper records on a monthly basis to the Nebraska Crime Commission.

Procedures:

- A. The Compliance Monitor will be responsible for collecting relevant information on a 12 month reporting period based on a fiscal year, July 1 through June 30.
- B. The Compliance Monitor will be certified to access information through NCJIS by the Nebraska Crime Commission, Information Services Chief.
- C. Routinely, the Compliance Monitor will collect admission and release records from the NCJIS system.
- D. Monthly, the Compliance Monitor will collect admission and release information on paper records either through email or mail from those facilities not using NCJIS (i.e., Youth Rehabilitation and Treatment Centers in Kearny and Geneva, Boys Town Police Department).
- E. All paper records of admissions and releases not retrievable through NCJIS will be considered confidential and maintained by the Compliance Monitor for a period not to exceed seven years from booking dates.

⁶28 C.F.R. § 31.303(f)(1)(i)(D)

Data Verification– Valid Court Order (VCO) Monitoring Process

Statement of Purpose:

Data verification. If the data is self-reported by the facility or is collected and reported by an agency other than the state agency receiving federal grant funds, the plan must describe a statistically valid procedure used to verify the reported data.⁷

The state must have a system in place to verify whether court orders used to hold adjudicated status offenders in juvenile detention centers comply with the Valid Court Order exception requirements. At a minimum, the state must randomly verify 10 percent of all adjudicated status offenders held securely because of violating a valid court order.⁸

Policy:

The Nebraska Crime Commission will verify data collected for the purpose of state compliance with JJDP Act requirements of DSO, jail removal, and separation. This policy works in conjunction with the Data Collection policy and procedures.

Procedures:

- A. Monthly, the Compliance Monitor will be responsible to review Nebraska Criminal Justice Information System (NCJIS) and paper records submitted for completeness of information including facility type, booking dates and times, and charges.
- B. The Compliance Monitor will contact the facility regarding any information which appears incomplete or questionable.
- C. Any corrections to data will be noted by the facility and/or Compliance Monitor.
- D. Verification of booking information will be conducted during on-site compliance monitoring.
- E. The Compliance Monitor will verify a random sample of at least 10% of all adjudicated status offenders held securely because of violating a valid court order (VCO). In these cases, facility records will be reviewed for documentation which ensures that prior to secure detention the following conditions were met:
 - 1) A Probation Officer was promptly notified.
 - 2) A juvenile detention screening was conducted within 24 hours.
 - 3) Within 48 hours a juvenile detention screening was submitted to the court.

⁷28 C.F.R. § 31.303(f)(1)(i)(D)

⁸ OJJDP Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002, January 2007, pg 24.

4) Within 48 hours the court conducted a hearing to determine whether there was reasonable cause to believe the juvenile violated the order and the appropriate placement of the of juvenile pending disposition of the alleged violation.

F. VCO compliance violations will be dealt with according to the Compliance Violation Procedures.

G. Applicable Nebraska Statutes regarding use of VCOs are:

§ 43-250 A juvenile taken into custody pursuant to a legal warrant of arrest shall be delivered to a probation officer to determine the need for detention of the juvenile.

§43-253 No juvenile who has been taken into temporary custody shall be detained in a secure detention facility for longer than 24 hours, excluding non-judicial days, unless such juvenile has appeared personally before a court of competent jurisdiction.

§ 43-260 requires all probation officers to utilize a standardized juvenile detention screening instrument. This screening instrument is used as an assessment tool statewide by probation officers in order to determine if detention of the juvenile is necessary and, if so, whether secure or non-secure detention is indicated. Probation officers trained to administer the juvenile detention screening instrument shall act as juvenile intake probation officers. The intake officer has 24 hours excluding non-judicial days to notify the court of the detention decision.

§ 43-255 outlines whenever a juvenile is detained the juvenile shall be released unconditionally within 48 hours after the detention, excluding non-judicial days, unless within such period of time a petition has been filed alleging that such juvenile has violated an order of the juvenile court, a petition has been filed pursuant to section 43-274 or a criminal complaint has been filed in a court of competent jurisdiction.

Please see Compliance Monitoring Plan / Policy and Procedure Manual for the Juvenile Justice and Delinquency Prevention Act of 2002 in Nebraska: Pg. 23-24

4. Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement

The Part-time DMC coordinator will collect data from the 9 contact points of the current 14 jurisdictions being reported. This data will be input into the DMC web database reporting system. After the reports are generated they will be assimilated to the local jurisdictions and analyzed for trends to validate any reduction in DMC numbers.

Activity	Position Responsible	Time Frame	Projected Outcome
<ul style="list-style-type: none"> Identify and collect DMC data counties in Nebraska. Submit data to the OJJDP annually. 	DMC Coordinator	Outreach to data holders in July; collect data August - September; submit report to OJJDP in October; release information to stakeholders in November.	Nebraska will maintain compliance with the JJDP Act requirement; counties will be able to access RRI information.
Review data to determine which counties have DMC.	DMC Coordinator	October	Local communities will become more educated and involved in addressing DMC.
Provide technical assistance and education: <ol style="list-style-type: none"> provide information on DMC and the DMC reduction model Prepare and implement DMC awareness training for DMC counties 	DMC Coordinator The Juvenile Justice Specialist may also refer individuals or communities to the DMC Coordinator.	On-going – the Coordinator may offer technical assistance via email, phone, written, or face to face communication.	Local DMC committees will use data to drive decisions.
Serve on the Grant Review Team - read and critique juvenile justice applications.	DMC Coordinator	Participate in review of six juvenile funding streams in February, March and May.	Provide expertise in DMC and ensure applicants are using data to drive programming requests.
Coordinate efforts with Juvenile Justice Specialist.	DMC Coordinator	Ongoing	Collaboration and efficiency in work plan and strategy.
Maintain contact with local DMC Committees Follow up on assistance to other counties	DMC Coordinator	Ongoing	Local communities will become more educated and involved in addressing DMC.
Attend Statewide DMC Subcommittee meetings; attend NCJJ meetings when feasible.	DMC Coordinator	Attend meetings in March, June, September, and December	Increase knowledge of NCJJ members and stakeholders.
Participate in educational opportunities sponsored by the OJJDP.	DMC Coordinator	Quarterly DMC conference calls, annual conference typically in October	Maintain compliance and increase knowledge.

Phase I Identification

1. Updated DMC Identification Spreadsheets:

Nebraska is currently submitting data for 14 counties including Douglas, Lancaster, Sarpy, Thurston, Cherry, Colfax, Dakota, Dawes, Dawson, Hall, Madison, Platte, Saunders and Scottsbluff counties.

County	Juvenile Population	Percent of State Population
Douglas	56,435	28%
Lancaster	26,823	14%
Sarpy	19,108	10%
Cherry	597	< 1%
Colfax	1,195	<1%
Dakota	2,754	1%
Dawes	811	< 1%
Dawson	3,030	2%
Hall	6,766	3%
Madison	3,819	2%
Platte	3,801	2%
Saunders	2,513	1%
Scottsbluff	3,883	2%
Thurston	1,006	<1%

These counties were identified due to significant increases in minority population, particularly Hispanics due to an increase in industries which target Hispanics (Colfax, Madison, Dawson, Hall, Platte), interest in addressing DMC issues (Sarpy), and identifying DMC as a priority in their county comprehensive juvenile plan (Lancaster, Douglas). However due to the complexity of data collection with these 14 counties we will only continue to collect data for counties who have at least 1% or more of Nebraska’s Juvenile population from 10-17 years of age. Although Saunders County meets the 1% threshold the diversity of the county does not allow for an adequate analyst of DMC thus we will no longer track DMC data in Saunders County. Although we will no longer track counties that do not meet the 1% or greater of the state’s population we will continue to provide training and support to counties regarding DMC issues.

County	Juvenile Population (10-17)	Percent of State Population (10-17)
Douglas	56,435	28%
Lancaster	26,823	14%
Sarpy	19,108	10%
Dakota	2,754	1%
Dawson	3,030	2%
Hall	6,766	3%
Madison	3,819	2%
Platte	3,801	2%
Scottsbluff	3,883	2%

Relative Rate Index 2010

	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
1. Population at risk (age 10 through 17)	146,290	110,231	13,321	16,948	3,324	1	2,210	255	36,059
2. Juvenile Arrests	14,237	8,574	3,147	2,194	51	0	260	11	5,663
3. Refer to Juvenile Court	4,072	2,329	762	818	34	2	103	24	1,743
4. Cases Diverted	3,896	2,304	761	708	39	4	62	18	1,592
5. Cases Involving Secure Detention	1,953	735	845	279	16	0	65	13	1,218
6. Cases Petitioned (Charge Filed)	5,492	2,796	1,410	1,098	37	1	119	31	2,696
7. Cases Resulting in Delinquent Findings	3,366	1,827	529	679	19	0	91	221	1,539
8. Cases resulting in Probation Placement	2,024	1,007	413	490	23	0	49	42	1,017
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	429	158	109	116	2	2	29	13	271
10. Cases Transferred to Adult Court	578	322	158	84	3	0	11	0	256
Meets 1% rule for group to be assessed?		Yes	Yes	Yes	Yes	No	Yes	No	

Contact/Decision Points	Reference Group Rate of Occurrence	Minority Rate of Occurrence	Relative Rate Index
1. Population at Risk			
2. Arrest	77.78	157.05	2.02
3. Referral	27.16	30.78	1.13
4. Diversion	98.93	91.34	0.92
5. Detention	31.56	69.88	2.21
6. Petitioned	120.05	154.68	1.29
7. Delinquent	65.34	57.08	0.87
8. Probation	55.12	66.08	1.20
9. Confinement	8.65	17.61	2.04
10. Transferred	11.52	9.50	0.82

Relative Rate Index 2009

	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
1. Population at risk (age 10 through 17)	146,034	110,231	13,321	16,948	3,324	1	2,210	255	36,059
2. Juvenile Arrests	12,906	8,249	2,787	1,559	99	7	204	1	4,657
3. Refer to Juvenile Court	5,165	3,069	991	929	58	0	105	13	2,096
4. Cases Diverted	4,266	2,660	857	511	63	6	70	99	1,606
5. Cases Involving Secure Detention	2,965	1,364	1,124	380	27	1	68	1	1,601
6. Cases Petitioned (Charge Filed)	3,959	2,338	605	887	34	0	83	12	1,621
7. Cases Resulting in Delinquent Findings	2,189	1,232	353	441	21	0	43	99	957
8. Cases resulting in Probation Placement	2,430	1,306	511	518	27	0	46	22	1,124
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	333	137	95	69	10	0	20	2	196
10. Cases Transferred to Adult Court	777	407	250	97	7	0	10	6	370
Meets 1% rule for group to be assessed?		Yes	Yes	Yes	Yes	No	Yes	No	

Contact/Decision Points	Reference Group Rate of Occurrence	Minority Rate of Occurrence	Relative Rate Index
1. Population at Risk			
2. Arrest	74.83	130.07	1.74
3. Referral	37.20	45.01	1.21
4. Diversion	86.67	76.62	0.88
5. Detention	44.44	76.38	1.72
6. Petitioned	76.18	77.34	1.02
7. Delinquent	52.69	59.04	1.12
8. Probation	106.01	117.45	1.11
9. Confinement	11.12	20.48	1.84
10. Transferred	17.41	22.83	1.31

In an effort to in depth, Nebraska is focusing on the following three counties:

1. Douglas
2. Lancaster
3. Sarpy

These three counties have 102,366 of Nebraska's 198,385 total youth population 10-17, which is nearly 52% percent of the 10-17 year old youth in Nebraska. Nearly 77% of the youth in Nebraska are classified as white age 10-17; 23% are classified as Non-white. The Hispanic population has grown in rapid bursts since the late 1990's due to meat packing plant industries.

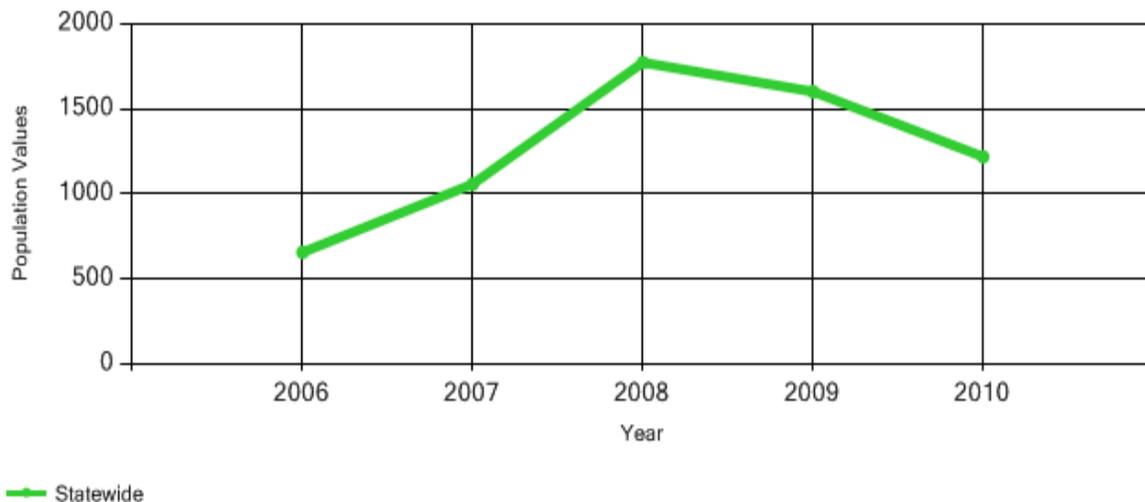
Douglas, Lancaster, and Sarpy counties have 4 years of data (2006-2010) in which to make comparisons. Of the nine (9) contact points for the state, the most disconcerting RRI's for 2010 are in these three (3) areas:

1. **Secure Detention** – in 2010, minority youth were over two times more likely (RRI of 2.21) to be placed in secure detention. In 2009, the RRI was 1.72; Even though fewer minorities were placed in secure detention with the decrease in the minority population the disparity still rose.

Statewide

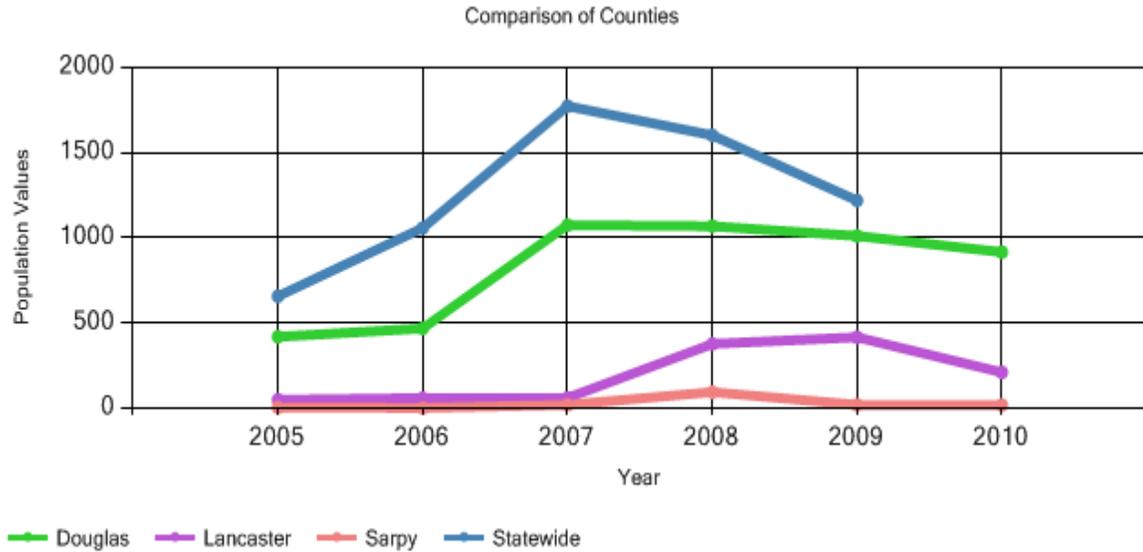
Time Trend Report

Comparison of Counties



Douglas, Lancaster, & Sarpy County

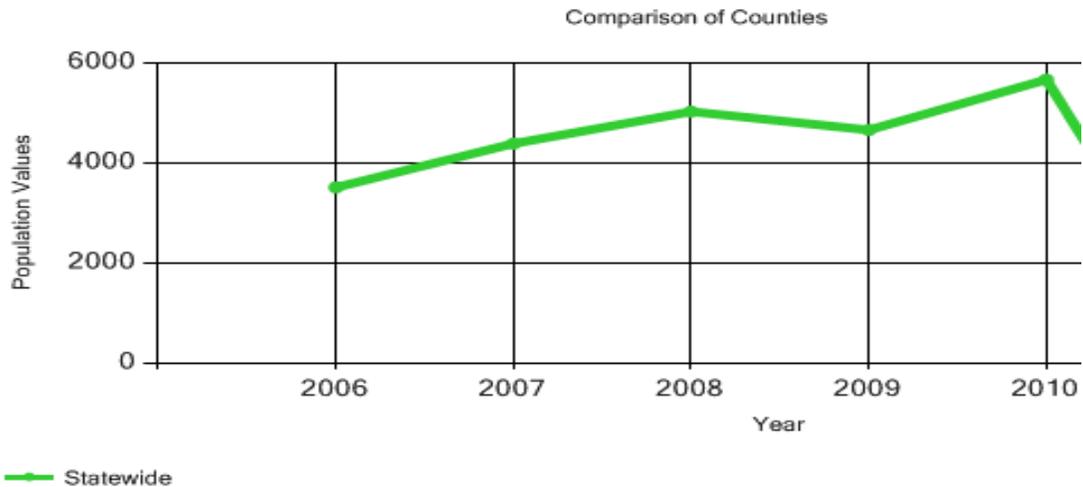
Time Trend Report



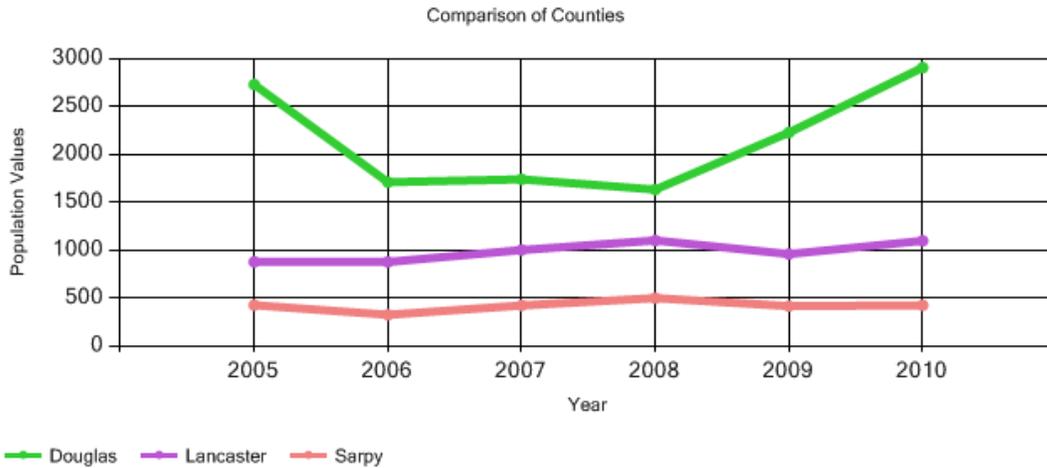
2. **Juvenile Arrests** – minority youth are about two times more likely to be placed under juvenile arrest than their Caucasian peers. The RRI for 2010 rose slightly (1.72 in 2009 to 2.02 in 2010);

Statewide

Time Trend Report

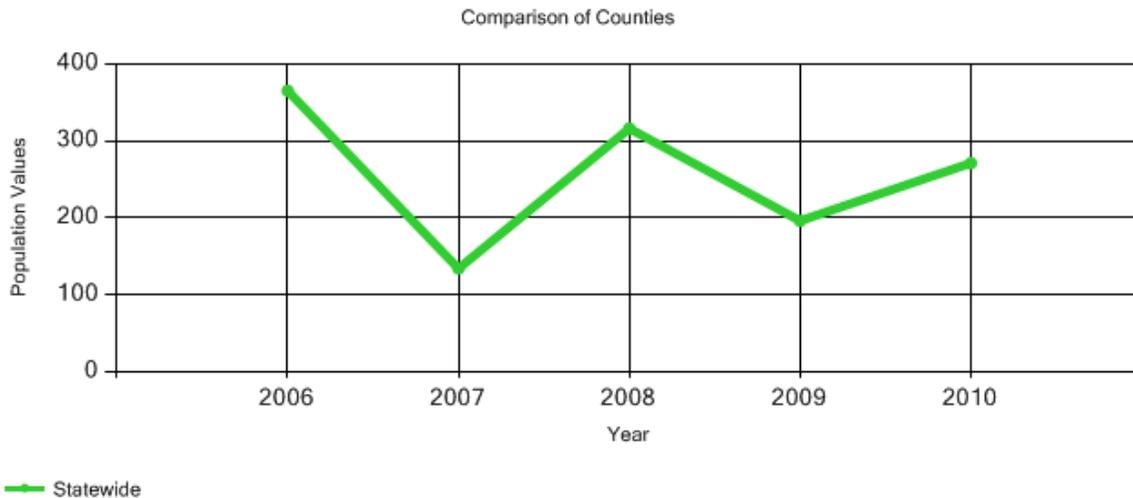


Douglas, Lancaster & Sarpy County Time Trend Report



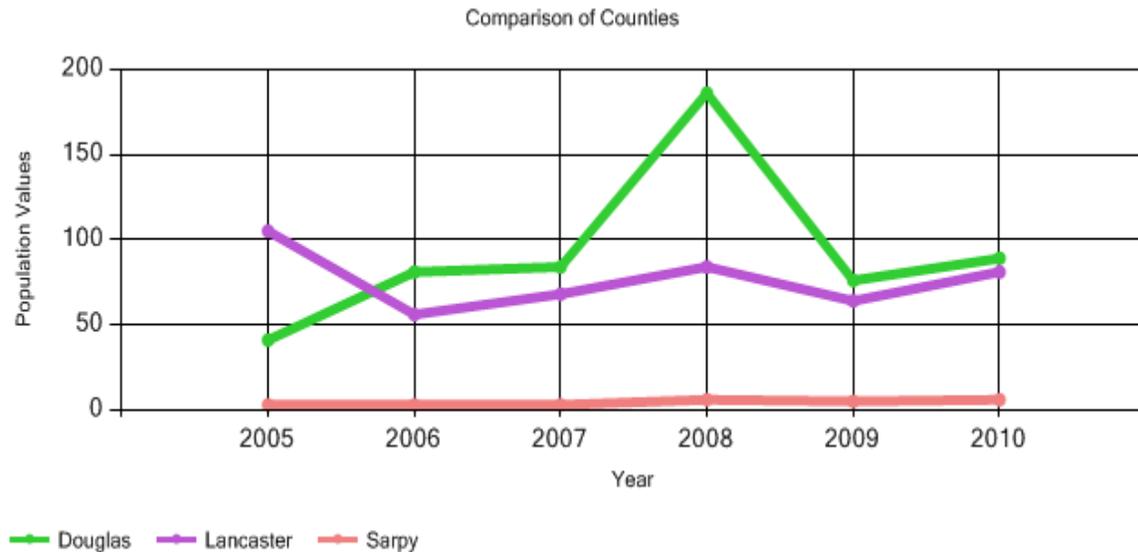
3. **Cases Resulting in Confinement in Secure Juvenile Correctional Facilities** – minority youth are two times more likely to be placed at in the state’s correctional rehabilitation centers than that of the majority white youth. In 2010, the RRI was 2.04, up from the 1.84 from the 2009 year.

Statewide Time Trend Report



Douglas, Lancaster, & Sarpy County

Time Trend Report



The most dramatic shifts in the Time Trend Reports for 2010 appear to be in the increase of arrest in Douglas County 2010. Conversely, Douglas County decreased the number of placements to the correctional rehabilitation center since 2008 significantly to the 2010 year. Lancaster County dramatically decreased secure detentions from 2008 to 2009 however it returned to almost the same level as 2008 in 2010. The time trend reports for Sarpy County appear to be fairly level.

2. *DMC Data Discussions:*

Nebraska has made significant strides in compiling data to assess DMC in local jurisdictions as evidenced by the 14 county matrix submitted. Much of this progress can be contributed to several factors; one is the DMC Subcommittee and Local DMC Committees. Committees are active in Douglas, Lancaster, Platte and Dawson County. Sarpy county is continuing to take steps to engage stakeholders and educate them about DMC; these counties are looking at existing, active groups to draw on DMC members for the future.

Another factor is the barriers for obtaining data continue to decrease. One reason is that the number of places where data is requested has decreased, thus simplifying the data collection. The DMC Coordinator contacts several agencies in addition to the diversion staff in fourteen counties; the data was not available from a single entity. At this time, counties are familiar with the process and the importance of providing data. Ten of the 14 counties have provided this information since 2006 and their increased familiarity has expedited the process. Also the Juvenile Diversion Case Management System is currently being used by 40+ agencies (47 counties have access to it.) These are all that run a diversion program on behalf of the local county or city attorney. This newest version of JDCMS has been in place since January 2010- but there was a version prior to this as well. The reporting features have been greatly enhanced and agencies can extract their relevant data and report on it in a matter of seconds. As an example, when the Nebraska DMC Coordinator made a data request, it took a matter of seconds to access the de-identified statistical data sought for reporting purposes. Two of the three largest counties are in the process of migrating their data into JDCMS. Douglas County data has been mapped and submitted and is in the process of testing to ensure data integrity. Lancaster County started this process this 1st quarter. We anticipate that both Douglas and

Lancaster County will come online during the 3rd Quarter of this project, with Sarpy coming online during the final quarter.

In addition, the JUSTICE web-based system allows for online access to most of the Nebraska State Trial Court's case information. It allows you to easily and quickly search through over 4 million case records so that you can find out most anything you would need to know in regards to case processing. Douglas County (the Largest Jurisdiction in the state) has started the process of migrating on to the JUSTICE system and should be complete by the end of March 2012.

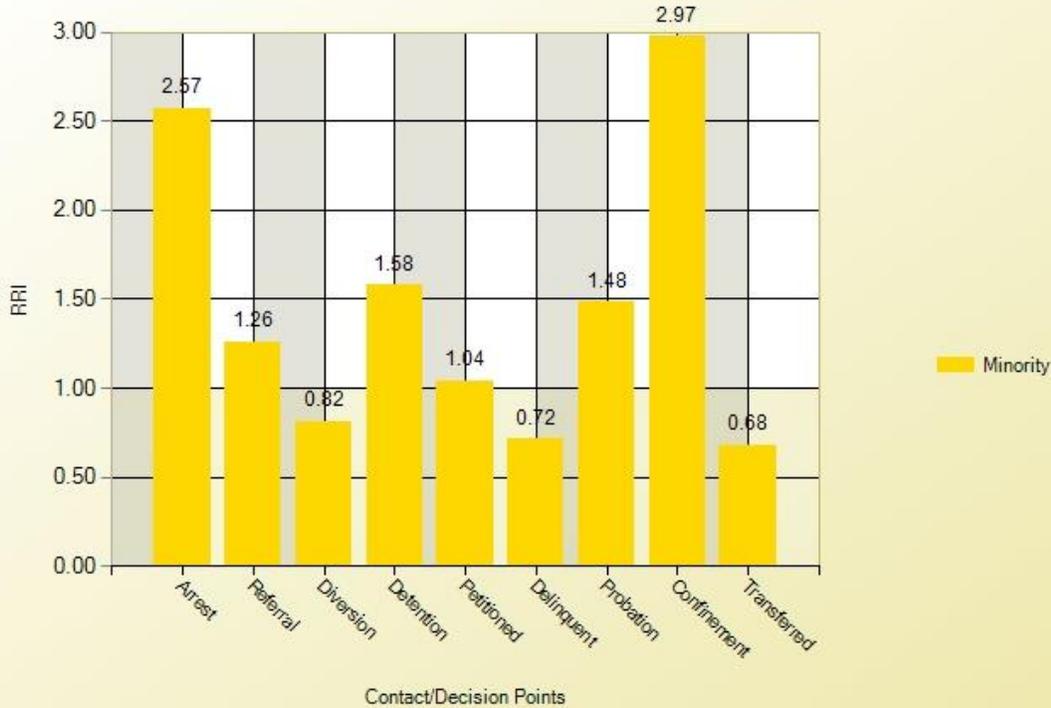
In 2008, the DMC Coordinator reported data on 14 counties, up from 13 counties in 2007; and up from 10 counties in 2006. Of the 14 counties, the DMC Coordinator collects RRI data for every available contact point. However out of all of the 14 counties there only are still 4 DMC local committees. Ideally, we would like to track data from all 93 counties in Nebraska. However looking on the effectiveness of how we utilize data we will reduce the amount of counties we track in order to effectively allocate sources the in the most efficient manner. We will continue to look into various methods which would allow us to track DMC data on a statewide basis.

DMC Web-based Data Entry System-RRI Minority Report Douglas County 2010

Selected Race: All Minorities

Contact/Decision Points	Reference Group Rate of Occurrence	Minority Rate of Occurrence	Relative Rate Index
1. Population at Risk			
2. Arrest	61.95	159.27	2.57
3. Referral	52.35	65.96	1.26
4. Diversion	50.52	41.19	0.82
5. Detention	30.20	47.71	1.58
6. Petitioned	85.32	88.89	1.04
7. Delinquent	31.48	22.58	0.72
8. Probation	77.72	115.32	1.48
9. Confinement	7.77	23.12	2.97
10. Transferred	16.97	11.55	0.68

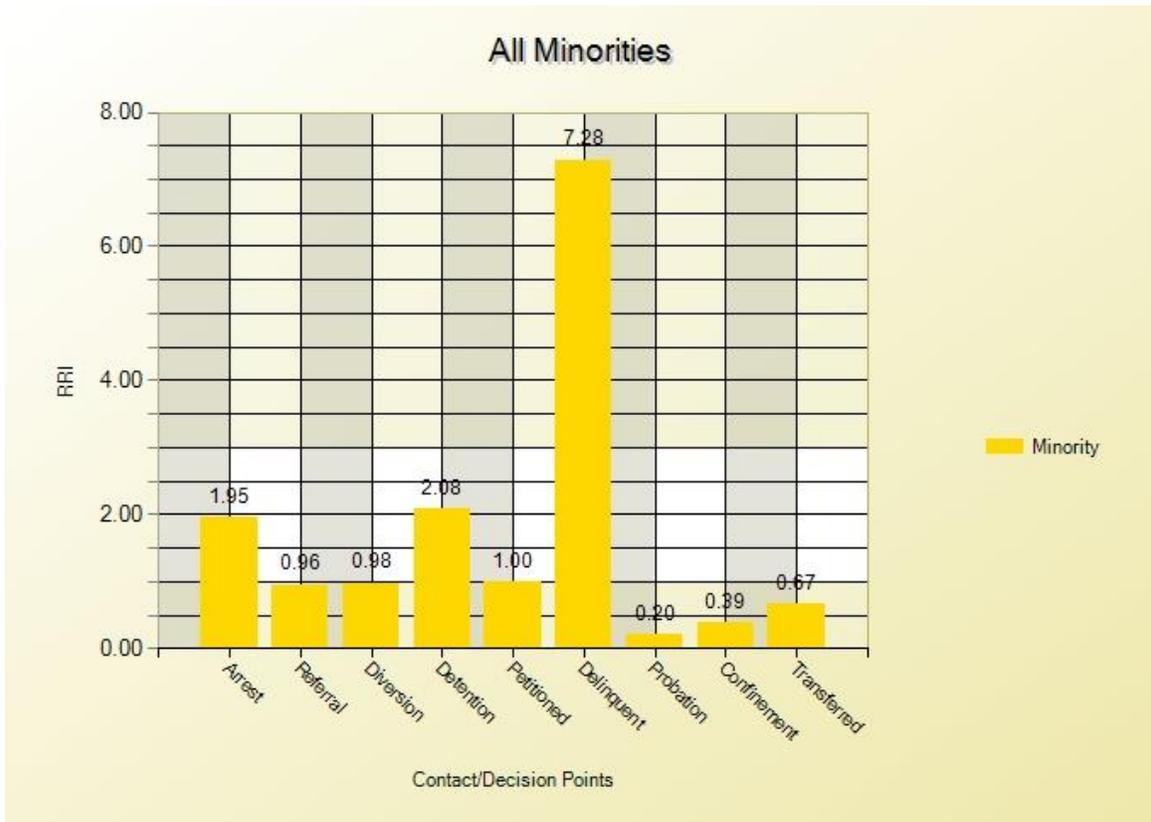
All Minorities



DMC Web-based Data Entry System-RRI Minority Report Lancaster County 2010

Selected Race: All Minorities

Contact/Decision Points	Reference Group Rate of Occurrence	Minority Rate of Occurrence	Relative Rate Index
1. Population at Risk			
2. Arrest	104.27	203.22	1.95
3. Referral	12.85	12.28	0.96
4. Diversion	172.47	168.89	0.98
5. Detention	74.56	154.81	2.08
6. Petitioned	100.00	100.00	1.00
7. Delinquent	26.13	190.37	7.28
8. Probation	288.00	57.98	0.20
9. Confinement	81.33	31.52	0.39
10. Transferred	17.77	11.85	0.67

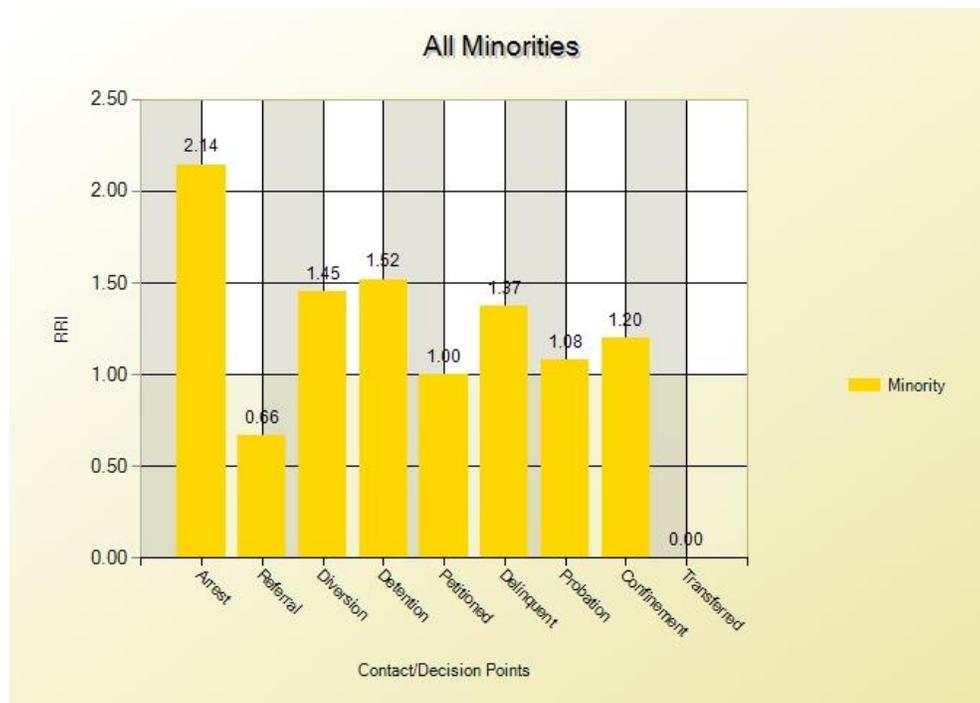


DMC Web-based Data Entry System-RRI Minority Report Sarpy County 2010

Selected Race: All Minorities

Contact/Decision Points	Reference Group Rate of Occurrence	Minority Rate of Occurrence	Relative Rate Index
1. Population at Risk			
2. Arrest	70.02	150.05	2.14
3. Referral	35.68	23.71	0.66
4. Diversion	99.04	143.56	1.45
5. Detention	11.08	16.83	1.52
6. Petitioned	100.00	100.00	1.00
7. Delinquent	91.57	125.74	1.37
8. Probation	37.89	40.94	1.08
9. Confinement	3.95	4.72	1.20
10. Transferred	0.96	0.00	**

**Insufficient cases for analysis



Douglas and Lancaster counties have active DMC committees within each of their counties; the committees have been in operation for a several years. Sarpy County has a Juvenile Justice Committee that meets quarterly to discuss youth services and programming within the county.

In February 2011 the State of Nebraska was officially launched as an Juvenile Detention Alternative Initiative state by the Annie E. Casey foundation. Douglas County was the initial county that has signed as the first jurisdiction in the initiative. Sarpy County has become the second jurisdiction to engage and join the initiative as of March 2012. It is anticipated that Scotts Bluff County will become the next jurisdiction to engage in the initiative.

In 2011, Douglas County was awarded a grant from the Burns Institute to host community engagement events around DMC. The purpose of the technical assistance was to develop a long-term plan for community partner engagement for addressing racial disparities. In October 2011, the Burns Institute visited Douglas County to discuss community engagement with the DMC Committee and the larger JDAI Collaborative

Douglas and Lancaster counties continue to have monthly DMC Committee meetings. The 2009-2011 Douglas County Juvenile Services Comprehensive Plan identified the over-representation of minority youth within the juvenile justice system as a priority. This update, for inclusion in the revised plan, renews the call to action to continue to evaluate if the current legal system operates from the creed, “equal justice under the law.”

Douglas County: has established the following recommendations that relate to DMC issues:
Recommendation # 1 Establish and address verification processes to be completed by youth and their families prior to each court proceeding. Proper notice of court hearings and maintaining accurate records of

parties associated with juvenile court cases continues to be a problem. The proliferation of cell phone usage, by families and youth, is associated with continually changing phone numbers and lack of phone service.

Impact:

1. Over the past thirty-six months, the Committee has created and implemented the use of a *Verification of Addresses and Telephone Number Form*. This information is verified at all subsequent hearings except status checks and pretrial.
2. Parents are required to complete an *Intake Form* at the initial appearance.

2008-2010 Recommendations:

1. Determine the gaps/needs within the County in collecting data at the different points throughout the juvenile justice process.
2. Develop an awareness campaign to increase youth and parents awareness of the consequences of missing court. Increasing awareness will reduce the number of bench warrants issued due to lack of appropriate notice of court hearings. Youth of color continue to have higher rates of failure to appear (FTA) for court proceedings.

Recommendation #2 Streamline the Juvenile intake process at Douglas County Youth Center (DCYC)

Impact:

1. A probation officer is available in person or on-call 24 hours per day, seven days per week to complete the intake process.
2. Omaha Police Department has added requiring all police officers to contact the Intake probation officer for authorization to detain youth offenders on all arrests in which the police officer requests detention, including all active warrants and, when necessary, missing juveniles to their standard operating procedure.
3. There has been a significant decrease in the number of youth confined at the DCYC over the past twelve months based on data obtained from DCYC.

Recommendation #3 Address communication barriers with Non-English speaking youth and their families

Impact:

1. The Juvenile Court Delinquent Handbook has been translated into Spanish and two Sudanese languages.
2. “The “Go to Court, Make it Right” cards are in English and Spanish.

2008-2010 Recommendations:

The Committee has exhausted its’ ability to improve the translation of court documents and tickets into Spanish or Sudanese. The committee will remove, “Communication barriers with Non-English speaking youth and their families as a strategy for DMC.”

Recommendation #4 Systematically collect data on all youth in the Douglas County Juvenile System. Comprehensive and systematic data are currently not available on youth processed through the Douglas County juvenile justice system.

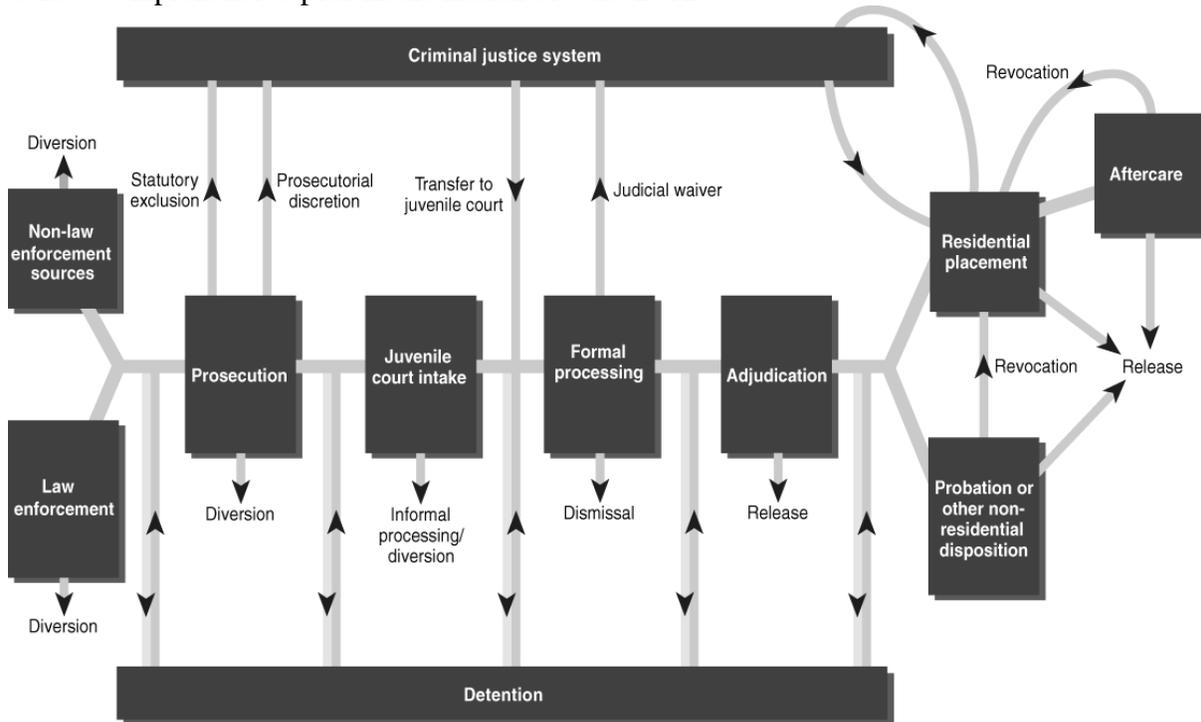
Douglas County Conclusions:

1. African American youth were arrested over 3 and a half times the rate of Caucasian youth.

2. African American youth were almost 2 times as likely to be detained.
3. African American youth were .82 times referred to diversion compared to the rate of Caucasian youth, which is less than half as often as Caucasian youth.

After over 8 years of collecting DMC data for Douglas County, Arrest and Detention continue to be the most serious contact points of overrepresentation of minorities (especially African Americans) in Douglas County. (Attached below is a diagram of the Douglas County Juvenile Justice System. They are continually working to improve and make adjustments which will decrease DMC throughout all contact points). With the collaboration of the Annie Casey Foundation and the Burns Institute; DMC issues are continuously being addressed and possible solutions to particular problems are being formulated.

Douglas County receives several grants from the Crime Commission which include; JABG, Title V, Title II, Juvenile Services, County Aid and County Aid Enhancement. Title V funds have supported the *Talented Tenth* program, which exclusively serves African American males at the diversion contact point. In addition, Title V was granted to Douglas County to expand the bilingual and cultural capacity of the Juvenile assessment center (JAC). This program allotted for the JAC to be able to provide programs and advocates targeted at the growing Sudanese and Hispanic youth. Title II funds have supported the expansion of the Juvenile Alternatives to Detention initiative and work with the Burns Institute. Douglas county also will provide a new comprehensive plan in the month of June 2012.



Lancaster County: The DMC Committee is a group of community based and juvenile justice professionals who review data concerning the number of minority youth in the juvenile justice system. This committee identifies and reduces gaps in prevention and intervention services for underserved and underrepresented youth through data collection and case management, promoting and supporting culturally relevant, evidence based programming. Meetings are held each month at the Lincoln Police Department.

General Purpose Statement: To reduce the over-representation of minority youth in the juvenile justice system at every level of the system.

Measurable Objectives:

1. Identify and reduce gaps in prevention and intervention services for underserved and underrepresented youth.
2. Promote awareness.
3. Promote and support relevant evidence based programming.
4. To decrease the funding barriers for treatment.

Key Projects:

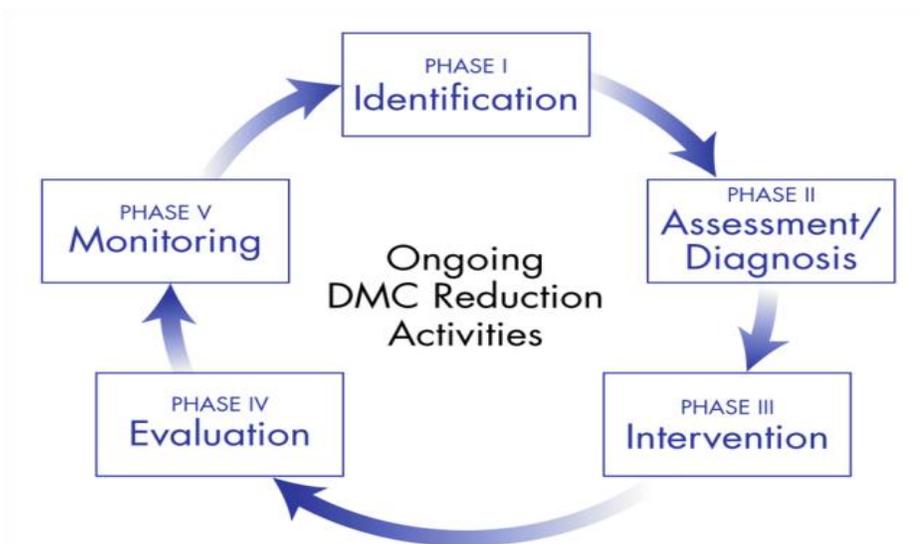
- Latino Information Fair
- English-Spanish booklet of community programs
- Juvenile Justice Brochure translated to Spanish and Vietnamese
- Juvenile Justice flowchart translated to Spanish
- Minority rate data collection and annual report

Lancaster County receives grants from the Crime Commission for JABG, Title II, Juvenile Services, County Aid and County Aid Enhancement. Title II funds support the *Talented Tenth* program at two sites, one targeting African American males; the second targeting Hispanic males.

Sarpy County: does not have a DMC Committee at this time. They currently address issues through the work of their Juvenile Justice Planning committee. They are also a newly assigned JDAI site which will establish a DMC Committee.

Sarpy County receives grants from the Crime Commission for Title II, Juvenile Services, County Aid and County Aid Enhancement. None of these funds specifically target DMC initiatives however they target all of the youth in the community

Phase II Assessment and Diagnosis



The Nebraska Crime Commission has contracted with University of Nebraska Omaha's Juvenile Justice Institute to complete a statewide assessment of DMC in the state of Nebraska. The assessment was funded by Grant #10-DA-0601 awarded by the Nebraska Crime Commission through Department of Justice's Office of Juvenile Justice and Delinquency Prevention, Juvenile Accountability Block Grant. The DMC Assessment has been attached.

1. Arrest data:

This data is collected at the Nebraska Crime Commission. One staff person is dedicated to collecting the Uniform Crime Report (UCR) data for all 93 counties which is cumbersome at times. As the DMC coordinator started working with communities and presenting data, many communities would say their arrest or detention numbers were not correct. There seems to be discrepancies between what local agencies report and what they, in turn, report to the Crime Commission. This is an issue that we plan to continue working with the Crime Commission staff to determine the cause(s). Most of the reports sent to the Crime Commission from county courts are not finalized or sent to them until mid year or later. Problems with inconsistent reporting of race by law enforcement are common. The citations have a blank for race; many times race is not filled in. In addition, there is no place to identify ethnicity.

2. Juvenile Petition data:

Recently the courts have been working to update how race is reported. In many places, the courts continue to utilize data from the citation which is a problem if no information was indicated on the citation or it is incorrect. In previous years, it was determined that no training was provided on how to fill out the form which reported race information to the court's computer system which in turn generates data reports. Further training and education is recommended to insure accurate information is being placed into the computer systems.

3. Transfer/Waiver:

Nebraska is one of the few states where youth may have charges filed in adult court and then can be transferred to juvenile court. Historically problems collecting data from the county level has been a barrier. Counties can and have taken as long as six months to report information and have changed information several times. This has not changed within the past three years. Continued efforts to work with county attorneys and court staff will be a priority.

4. Other:

- a. It was determined various agencies still use different race/ethnicity categories. Criminal/Juvenile justice agencies do not consistently use the Census categories.
- b. The DMC coordinator accesses various databases and contacts to gather the information. There is no central information system that connects all the agencies and their data. There have been some slight improvements and presently fewer databases are needed to retrieve the information.

Previously, to address these issues, a staff person from the Minority Justice Task Force from the Supreme Court was added to the DMC subcommittee. This brought continuity to other state level efforts aimed at a variety of issues that will also assist in impacting DMC at the juvenile level statewide. Initiatives to standardize race categories and gather better race data that will help address the issues listed above. Efforts will continue to work together on updating and formalizing improved data entry and collection capabilities. Through positive working relationships with probation, DHHS for YRTC data, and the Crime Commission for diversion data, accessing those data points is simplified, but still fragmented.

Phase III Intervention

C. Progress Made from 2009-2011:

The DMC subcommittee had four (4) primary activities for 2009-2011: training, intensive technical assistance, funding, and data collection.

1. Training:

The DMC subcommittee developed the *Rites of Passage- Passport to Cultural Competency* curriculum and training. Statewide trainings were conducted in 2010. Nebraska's State Advisory Group and DMC Training and Planning Session was held in Omaha, Nebraska on July 21, 2010. Training was requested to support Disproportionate Minority Contact (DMC) efforts in Nebraska. The request was to both more deeply familiarize DMC members with the concepts around DMC and to provide a template for strategic planning to ensure movement in DMC.

In the local jurisdiction of Douglas Lancaster and Sarpy county several trainings have been held to determine the readiness of such efforts as the Burns Institute and Annie E. Casey Foundation to determine the readiness of such jurisdictions on the drive toward undertaking DMC issues. The trainings assisted Douglas and Sarpy counties in becoming JDAI sites.

May 6-8, 2009 the first DMC/NJJA (Nebraska Juvenile Justice Association) Conference was held in Grand Island, Nebraska. The conference titled: *Nebraska's Youth: Respecting Differences...Creating Positive Change* was an opportunity for law enforcement, probation officers, diversion and truancy workers, judges, child welfare workers, and additional juvenile justice workers to learn about DMC issues. Presenters included national and state experts, including the State Representative, Andrea Coleman.

2. Intensive Technical Assistance:

Over the past year, the DMC coordinator has been active in assisting and attending DMC Subcommittee meetings and DMC Local Committee meetings in Douglas, Lancaster, and Dawson counties. These committees have continued to include DMC as a priority in their local comprehensive juvenile services plan. Lancaster County has a subcommittee looking at local DMC initiatives. They began by looking at each point in the system and the data collected by the previous and current DMC coordinators. They have been able to implement a minimal cost solution to a problem with juvenile warrants and addressing the issue of minimal minority staffing in youth serving agencies. They also continue to expand and enhance their diversion and graduated sanctions programs, which has impacted DMC in some areas. They continue to meet and provide monthly trainings for their members.

3. Funding:

Funding has been focused on programs in DMC counties.

Based on evaluation data, most counties were finding that a large percentage of youth not signing up for diversion were minority youth. They set out to determine what the barriers were for these youth and work to get them into diversion. This program has become a stable component of the county's diversion program and they have assumed full funding of the program. Other areas of the state plan, particularly diversion and alternatives to detention, while not solely focused on DMC have an impact on DMC in communities. As data collection improves, particularly for diversion, enhanced documentation of how these programs have had an impact is expected. The Coalition will continue to support funding for these programs. In the previous 3 year plan Diversion was a priority. The state has significantly impacted this contact point with the help of funding Diversion programs in all of the DMC counties.

In 2010, the Nebraska Coalition for Juvenile Justice, through the recommendation of the DMC subcommittee, decided to utilize Title V funds to focus on DMC initiatives. Three counties (Dawes, Buffalo,

and Lancaster) were funded for programs and services to impact DMC issues. In 2009, Douglas and Dawson Counties received Title V funds. In 2010, Douglas, Lancaster and Platte Counties received Title V funds. Sarpy, Douglas, and Lancaster receive JABG funds and Title II grants.

4. Data collection:

Previously, data was collected on all of the fourteen (14) identified counties with the most significant minority population and provide data to counties who request technical assistance. However several of the county's population size would not justify the amount of volume needed to properly assess any DMC issues. Thus, it was decided that the number of counties collecting DMC data will be reduced. It was determined to be ineffective to seek DMC data on smaller counties when the county is not diverse with very small contact point numbers. The DMC planning and efforts in local communities are driven by the data we collect in the matrix. The matrix will also be implemented in the county planning efforts through the Crime Commission, not only to assess DMC but to help counties at each decision point in the system. The data issues we have encountered were described above. Nebraska will also look for additional tools, such as checklists, to utilize when reviewing grants for funding. DMC questions or issues will always be addressed or discussed as to how this program or grant request will assist all in ensuring equal and fair treatment for every youth in the juvenile justice system, regardless of race and ethnicity. The DMC committee will also make it a goal to create a model data collection system that will give credibility to all facets of the justice system to be able to address some of the previous barriers discussed.

DMC Reduction Plan for FY 2012-2015

1. Data Collection and Information System Improvement

The DMC coordinator, DMC Subcommittee, and JJ Specialist will work to rectify data collection issues occurring across the state. As a recommendation in the state DMC assessment, and discussed above, the capturing of DMC data at different points of the system will be a major priority in the state. We will develop a model data collection system that all facets of the juvenile justice system can feel confident in the validity of the data. The following activities will be the foundation of improving data collection starting 2012:

- Establishing a statewide understanding of the common definitions used to describe contact points in the Juvenile justice system.
- Encourage individual communities to formulate separate DMC committees and establish their own common definitions in respect to what will be established statewide.
- Encourage individual communities to identify the best data collection system and how to best utilize it
- Identify particular gaps in the data collection system and un-captured data and encourage the remedies to such shortcomings
- Identifying all entities from which data is collected and the specific issues related to data collection. Prioritizing and addressing data issues that can be easily fixed first followed by those that will take more collaboration (DMC Coordinator, JJ Specialist, DMC Subcommittee – on-going).
- Supporting efforts put forth by the Minority Justice Committee in standardizing race/ethnicity data collection through the courts (DMC Coordinator and DMC Subcommittee member, who serves on the Minority Justice Committee).
- Posting the DMC matrix data on the Crime Commission and Juvenile Justice Institute websites
- Hosting a statewide DMC Conference or retreat annually

2. Education

It is necessary to continue to educate stakeholders and the community about DMC issues. Education initiatives will continue from the previous plan by arranging training opportunities at every point in the system: law enforcement training center, County Attorney's Association meetings, Judges meetings, initial and ongoing probation officer training, Drug Courts, Juvenile Detention, Jails, Office of Juvenile Services/YRTC facilities. Other education/training initiatives include highlighting successful programs/interventions in statewide newsletters, on the Crime Commission website, etc. One particular component that is lacking in the state is the collaboration or engagement of more community members and stakeholders. The following activities will be the foundation of improving education starting 2012:

- Scheduling presentations at the different system point locations listed above. DMC brochure will be completed to provide initial awareness of DMC issues (DMC Coordinator).
- Scheduling local training upon request (DMC Coordinator).
- Developing articles to include in various newsletters statewide (DMC Coordinator and subcommittee).
- Developing a DMC section on the Crime Commission website (DMC Coordinator and subcommittee, JJ Specialist).
- Presenting at statewide conferences upon request (DMC Coordinator, subcommittee, JJ Specialist).
- Continuing all education and training efforts listed above.
- Present DMC issues and opportunities to impact DMC at local community events and sites
- Conducting stakeholder meetings and attending local DMC Committee meetings in the communities where DMC data is collected (DMC Coordinator, JJ Specialist).
- Forwarding information to DMC committee members for distribution to their full membership. Information such as Annie E Casey articles, Burns Institute publications, JDAI helpdesk info, etc. (JJ Specialist).

3. Local/State Initiatives

Technical assistance to communities wanting to impact DMC issues at the local level will continue to be provided. To further engage communities– the DMC Coordinator and JJ Specialist will be pro-active in contacting counties. Both the DMC Coordinator and JJ Specialist will offer to conduct presentations about DMC, local issues, help develop DMC subcommittee's, and work to identify local programs/policies/services, which will impact the area of disproportionately. Title V funds are designated for local DMC initiatives. DMC is also a priority area of funding for local initiatives in Title II and Juvenile Services applications. DMC data is also required in JABG applications. Programs or agencies wishing to apply for Crime Commission funding have asked for information and additional explanations or information concerning DMC during the application process.

The collaboration with the Burns Institute has started some facilitation of some key DMC issues that will further move toward solutions in key DMC issues. Currently the work group has been formulated to looking into a small portion of the detention population that is failing to appear in court with no major law violations. JDAI is currently in expansion. They are in the stage of creating a statewide JDAI coordinator. JDAI has already started several subcommittees focused on Data, Alternatives to detention, Admissions and DMC. This work group has already started key work in assessing how effectiveness of the state YLS screening

instrument. The work group has set a retreat to revamp the current Screening tool to be more effective and assurance of the absence of implicit bias.

Currently the JJ Specialist and DMC Coordinator have attended and will be attending counties identified as DMC Counties. They attend DMC Committee meetings as well as present educational/training information to county board members, law enforcement officials, and diversion or after-school program administrators. The DMC Coordinator attends a local DMC committee at least monthly.

Materials provided to individuals/families or the judicial systems have been translated into several languages, including Spanish, Vietnamese, Sudanese, and Arabic.

Platte County has utilized Title II and Title V funding to expand their juvenile diversion programming to assist Hispanic youth. They have retained a bi-lingual diversion worker to assist with their diversion curriculum and communicate with the parents/guardians of their juveniles. They have also utilized their County Aid grant dollars to contract several interpreters to assist in translation with the growing Hispanic population.

Phase IV Evaluation

There is not a formal DMC evaluation plan at this time. With the completion of the DMC state assessment key recommendations have been noted.

The DMC coordinator plans on working with the JJ specialist in the development of grants that are received. The goal is to include more accountability in the grants that are awarded so we can effectively evaluate the programs that are impacting DMC issues.

Efforts will continue with Douglas County, more specifically with their detention assessment and efforts for alternatives to detention placement; the Juvenile Assessment Center and youth being referred to alternative programming such as diversion, afterschool programs, etc.

All grants that are received from the Crime commission are monitored however the process can be greatly enhanced to account for the successes and shortcoming of the programs we use to assist in the reduction of DMC

- The DMC coordinator and DMC subcommittee will continue to monitor and support efforts going on in Douglas, Lancaster and Sarpy counties; as well as other counties which request assistance.
- The DMC coordinator meet stakeholders in those counties, begin presenting data and helping develop DMC committee's locally, and assist counties in developing specific strategies. Where applicable, counties will be encouraged to access Title V and Title II funds. Communities receiving technical assistance will be encouraged to be involved in the state subcommittee and will be asked to come provide information to the state subcommittee.

Youth who are in need of a higher level of treatment will be provided with the level of care they need, not what is readily available. Conversely, youth needing a lower level of treatment or programming will be provided with what is best for them. The best method to track success will be the outcomes for each individual youth. Recidivism rates for individuals will be checked within each program in which they are participating. Communication and contact with individual providers will be essential. This will be discussed and built into any evaluation component(s) of our overall assessment to be completed within the next three (3) years.

Phase V Monitoring

The DMC Coordinator and JJ Specialist will use the following strategies with regard to monitoring:

- Continuing to provide technical assistance in counties and monitor local initiatives.

We will continue to work with OJJDP, Burns Institute and JDAI on the best practices available in monitoring DMC and evaluation of policies and programming.

5. Coordination of Child Abuse and Neglect and Delinquency Programs

A. Reducing Probation Officer Caseloads

The Probation Administration in Nebraska is a state function. Probation officers are located locally in districts across the state; the state agency has a set budget for the number of full time officers they are able to hire. Therefore, grant funds could not be used for this purpose. The Crime Commission supports any efforts that can be made to assist officers in reducing caseloads, however, with the limited amount of funds available it is necessary to stay focused on the priorities indicated in the plan.

The Crime Commission may impact the issue of caseload indirectly by supporting juvenile diversion programs and other early intervention and alternative to detention programs. The administrator of Probation is a member of the NCJJ and is committed to implementing standardized screening and assessment. This may impact probation caseloads by ensuring that the right juveniles are entering the right parts of the system.

B. Sharing Public Child Welfare Records with Juvenile Courts

The following information is provided from Nebraska State Statute and policies of the Health and Human Service agency. The state is working on a statewide juvenile information sharing system that will consider this issue. A recent Governor's Task Force on youth in the child welfare system has also made recommendations to look at how to better share data. Both efforts will work closely together to develop the best possible strategies to enhance what already exists in statute and policy.

Pursuant to Nebraska State Statute 43-282, " If a petition alleging a juvenile to be within the jurisdiction of the Nebraska Juvenile Code is filed in a county other than the county where the juvenile is presently living or domiciled, the court, at any time after adjudication and prior to final termination of jurisdiction may transfer the proceedings to the county where the juvenile lives or is domiciled and the court having juvenile court jurisdiction therein shall thereafter have sole charge of such proceedings and full authority to enter any order it could have entered had the adjudication occurred therein. All documents, social histories, and records, or certified copies thereof, on file with the court pertaining to the case shall accompany the transfer."

According to HHS policy 1-007.05, when a juvenile court petition has been filed on behalf of the child or a child is committed to the custody of the Department, information about the child and family may be released to the appropriate court, county attorneys, court- appointed special advocate and guardian ad litem.

C. Establishing Policies and Systems to Incorporate Child Protective Services Records into Juvenile Justice Records

According to HHS policy, in the State of Nebraska, Child Welfare Services, Office of Juvenile Services and the Juvenile Institutions are all combined. All services and programs are one in the same. HHS Policy applies to all services and programs. All child welfare records, child protective services records, and

juvenile justice records are shared internally by HHS personnel. Each HHS Protection and Safety Worker will consult with other HHS personnel to share case history and to determine how to best serve the needs of the youth. All case management information is recorded on the HHS- N-FOCUS Data Information System. All HHS personnel have access to this system.

To address the issue of case plans for those youth funded through Section 472 of the Social Security Act, according to HHS policy 8-001.11, for Child Welfare Adjudications, “At least every six months after the first dispositional hearing, the worker will prepare a written case plan and court report for the court and all other interested parties concerning the family and child using the Department’s designated format. Between dispositional reviews, Department staff will notify the court and all interested parties, including tribal authorities if appropriate, of all significant decisions made regarding the child’s placement.” (Statutory Reference: Neb. Rev. Stat. 43-285)

For children with Juvenile Offender Adjudications, policy states, “In cases of a juvenile adjudicated as a delinquent and placed in the custody of HHS-OJS at a disposition hearing, the following court processes will apply: Court reviews will be held for any juvenile offender committed to HHS-OJS when in an out of home setting, other than a YRTC, every six months or at the request of the juvenile offender.”

HHS Policy 5-004.02 states the following about case planning for child welfare cases and juvenile services cases, “A written case plan will be developed following the assessment of family or child’s needs. Case plan evaluation and revision will then occur at least every six months. A written court report incorporating the elements of the case plan will be submitted to the court...in juvenile services cases, a written case plan will be developed following the assessment for children at home or in out of home care.”

Crossover Youth Practice Model

The Partnership

Casey Family Programs and the Center for Juvenile Justice Reform at the Georgetown University Public Policy Institute (CJJR) have partnered since 2007 to address the unique issues presented by children and youth who are known to both the child welfare and juvenile justice systems. These young people, often referred to as “crossover youth,” move between the child welfare and juvenile justice systems, or are known to both concurrently. A disproportionate number of them are youth of color and girls, and the population as a whole generally requires a more intense array of services and supports than other youth known to each system individually. While the exact number of crossover youth may vary across jurisdictions, research has established that youth who have been maltreated are more likely to engage in delinquent behavior. A recent study by Chapin Hall has also increased our knowledge about one segment of this population, finding that 10% of all youth who leave the juvenile justice system in Illinois enter the foster care system after their release. The work undertaken in this partnership has been designed to better address the issues these youth present and meet their needs.

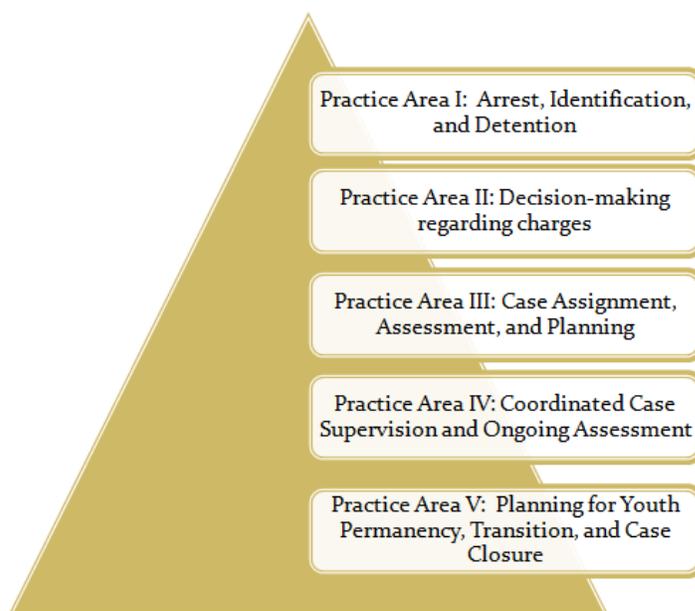
The Practice Model

Based on this cumulative and growing body of knowledge, CJJR has developed a practice model that describes the specific practices that need to be in place within a jurisdiction in order to reduce the number of youth who crossover between the child welfare and juvenile justice systems, the number of youth entering and reentering care, and the length of stay in out of home care. The Practice Model for Crossover Youth will

infuse into this work values and standards; evidence-based practices, policies and procedures; and quality assurance processes. It will provide a template for how states can immediately impact how they serve crossover youth and rapidly impact outcomes.

The practice model creates a nexus between research and the practice learning from the Juvenile Justice & Child Welfare Integration Breakthrough Series Collaborative. It provides a mechanism whereby agencies will strengthen their organizational structure and implement or improve practices that directly affect the outcomes for crossover youth. This will include but is not limited to the following practices: the creation of a process for identifying crossover youth at the point of crossing over, ensuring that workers are exchanging information in a timely manner, including families in all decision-making aspects of the case, ensuring that foster care bias is not occurring at the point of detention or disposition, and maximizing the services utilized by each system to prevent crossover from occurring.

The following depicts the five areas of the practice model that will be implemented in each of the sites:



The goals of the practice model are to:

- 1) Ensure great uniformity in the mission and vision of the child welfare and juvenile justice agencies;
- 2) Develop specific policies and changes in practices related to serving crossover youth;
- 3) Improve cross-systems engagement related to case management functions;
- 4) Increase the use of cross-systems data to track population trends and inform decision-making on all levels of the agencies;
- 5) Conduct cross-systems trainings to improve agency knowledge about other system functions and process; and
- 6) Create a mechanism that provides continuous quality improvement across the two systems.

As the practice model is implemented in each site we anticipate the following outcomes to occur:

- 1) Reduction in the number of youth placed in out-of-home care;
- 2) Reduction in the use of congregate care across the two systems;
- 3) Reduction of the number of youth in foster care who move into institutional placements in the juvenile justice system and youth in care in the juvenile justice system who move into the child welfare system;
- 4) Reduction in the disproportionate representation of children of color, particularly in the crossover population; and
- 5) Reduction in the number of youth becoming dually adjudicated.

Benefits of Institutionalizing a Practice Model

Nationwide, jurisdictions that have implemented a practice model have found this more effective than other change models for several reasons:

- 1) The prescriptive nature of the practice model provides staff with a road map for what practice should look like - case opening to case closure - and reduces ambiguity about the specific directions the agency needs to take;
- 2) Because practice models include predominantly evidence-based practices, the approach removes some of the internal tension about whether or not a new practice will actually work, as evidence suggests that it will;
- 3) A strong practice model embeds values and principles into the practice changes – supporting the culture changes that many leaders desire to make in organizations; and
- 4) A practice model involves staff from all levels of the agency in the planning and execution of the work.

Technical Assistance

Each practice model site will be granted a substantial level of technical assistance. Two consultants will be assigned to work with each site individually. While most of the practice model work will be individualized and tailored to each site, there will be periodic opportunities for telephonic engagement with the sites collectively. In addition, one all-site meeting will be held at Georgetown University that includes three senior leaders from each site. Data collection is also an important component of this work, with each phase of the practice model including the use of data to make policy and practice decisions. Each site will receive technical assistance specifically related to the use of data.

All on-site work conducted by CJJR staff and faculty will be coordinated with the Casey Family Programs Strategic Consultants assigned to that jurisdiction.

The following is a complete listing of the technical assistance to be received by each site:

1.	<i>Two on-site consultant visits (2 days in length)</i>
2.	<i>A minimum of bi-weekly contact with consultants via conference call or webinar</i>
3.	<i>Bi-monthly data subcommittee conference calls or webinar with all practice model sites</i>
4.	<i>Three all site practice model conference calls designed to promote cross-site learning</i>
5.	<i>Two video conferences with the site's consultants</i>
6.	<i>Two all site conference calls or webinars that address practice challenges being faced across multiple sites</i>
7.	<i>Peer-to-peer mentoring across sites based on respective strengths/challenges</i>
8.	<i>Monthly feedback from faculty on the changes in practice and use of data</i>
9.	<i>Routine model implementation assessment (monthly)</i>
10.	<i>Year-end evaluation of the practice model's impact on improving practice and outcomes</i>
11.	<i>Mid-year on site (Georgetown University) meeting of practice model site jurisdictional leaders</i>
12.	<i>Interactive website for all sites to post practice model information and discussions</i>

Douglas County has been invited and is considering participation as a Crossover Youth Practice Model site, which is facilitated by the Center for Juvenile Justice Reform at Georgetown University. A stakeholder presentation was conducted in December, 2011. This initiative strives to reduce the number of youth who crossover between the child welfare and juvenile justice systems, the number of youth entering and reentering care, and the length of stay in out of home care. This initiative will complement the existing JDAI framework in Douglas County.

6. Collecting and Sharing Juvenile Justice Information

A. Description of the state's process for gathering juvenile justice information and data across state agencies

Currently, Nebraska relies on subgrantee's quarterly activity reports to receive program information. All subgrantees submit federal measures along with a narrative report on the status of their program. In addition, subgrantees submit updated data when applying for grants along with a 3-year juvenile justice comprehensive plan.

As part of Nebraska's federal Three-Year Plan, it is a priority to have statewide access to appropriate services, such as, detention, mental health, substance abuse, and violence issues if necessary. Nebraska has a statewide data portal called the Nebraska Criminal Justice Information System (NCJIS). With NCJIS, information regarding juvenile and adult jail arrests, jail and juvenile detention booking records, background

checks, probation information, probation juvenile intake information, protection orders, warrants, and court citations is accessible.

Nebraska's Web-enabled Juvenile Diversion Case Project Management Project(JDCMS) has enhanced data collection, data sharing, accountability and has increased Nebraska's system of juvenile records designed to promote public safety. JDCMS addresses Performance Area #10 by establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems to make better informed decisions. The web-enabled system has enhanced county-level access to youth who have enrolled in juvenile diversion. Although the State currently has a number of counties (40+) entering data in the web-enabled systems, three larger counties were unable to migrate their data into the State System. This system enabled the migration of this data and enhanced the overall data collection system. Data has been gathered at the county level. The system enhanced accountability by increasing the number of county attorneys utilizing the system and accessing data before referring a youth to juvenile diversion.

B. Identify specific barriers the state encounters with the sharing of juvenile information of at-risk youth among state agencies

Our main barrier to NCJIS is participation in NCJIS. The majority of law enforcement agencies utilize NCJIS; some agencies do not enter information on the information system. With NCJIS, a user has to have special permission to use NCJIS and acquire a password. Even if granted admittance to NCJIS, certain areas that do not pertain to may be blocked to prevent access to certain portals.

7. Statement of the Problem/Program Narrative

The following is a narrative of the identified Problem Statements and description of potential programs to be funded. Due to minimal Title II funds, various funding sources (including JABG and state grant funds) will be leveraged to work on the issues. Each discussion below describes the problem, goals, objective, required performance measures, and activities to be conducted with Title II funds.

A. Alternatives to Detention

Standard Program Area: 02

Problem Statement: Nebraska has geographic and resource gaps along with system inefficiencies that result in inconsistent detention practices.

Program Goal: Communities will have the necessary resources through proper screening, assessment, and programs to accurately identify youth who can be served in the community pending court and properly detain those who require a higher level of care.

Program Objectives:

- a. Nebraska will be identified by the Annie E. Casey foundation as a statewide JDAI initiative.
- b. Nebraska will add additional local JDAI communities.
- c. Nebraska will increase the alternatives to detention available to communities.

Activities and Services:

In December 2011, the NCJJ voted to support funds for a statewide JDAI coordinator. This coordinator will most likely be housed at Nebraska State Probation Administration. Ongoing support of this initiative through funding, meetings, and stakeholder participation will assist in moving the state toward meeting their objective of becoming a statewide effort. Title II funds will be used to assist communities in supporting JDAI activities such as staffing, implementation of evidence based screening and assessments, evidence-

based alternatives to detention, and associated training. Sarpy County was invited to participate as a JDAI site in late 2011. Preliminary meetings are being held in the Panhandle to explore the potential for Scottsbluff and/or the greater panhandle to be added as a site in 2012. Madison County and Lancaster County have also attended presentations by the Annie E. Casey Foundation and are aware of the initiative.

Budget: \$63,750

Performance Measures:

OUTPUT MEASURES	Quarter 1	Q 2	Q 3	Q 4	YTD
Number of Program Youth Served. (Report the unduplicated number of youth served each quarter)					
Number of program slots available.					
Average Length of stay in the program.	A. Total # of days between intake and program exit across all program youth exiting the program. B. Number of cases closed. C. Percent (A/B)				
OUTCOME MEASURES					
Number & % of youth who offend or re-offend. (This means the number of program youth who were re-arrested or seen in juvenile court for a new offense)	A. # of program youth with a new offense. B. Number of youth in program C. Percent (A/B)				
Number & % of program youth completing program requirements.	A. # of program youth who exited the program having completed program requirements. B. # of youth who left the program. C. Percent (A/B)				
Number and % of program families satisfied with the program	A. # Satisfied B. # Returning surveys C. Percent (A/B)				
Number and % of youth satisfied with the program	A. # Satisfied B. # Returning surveys C. Percent (A/B)				

B. Strategic Community Action Planning

Standard Program Area 35

Problem Statement: Disorganization within communities results in reactive youth and family policy and practice.

Program Goal: Communities will have engaged community planning teams that facilitate comprehensive community plans to proactively address issues faced by youth and families.

Program Objectives:

- a. Maintain comprehensive community planning framework for communities to follow.
- b. Maintain comprehensive technical assistance and training for communities on community planning.
- c. Increase the number of counties developing a community planning team.
- d. Increase the number of counties completing a comprehensive community plan.

Activities and Services:

Both federal and Nebraska State grant programs require communities to have planning initiatives as part of developing funding requests. Through a partnership between the Nebraska Crime Commission and the Juvenile Justice Institute at the University of Nebraska at Omaha, a comprehensive community planning framework has been developed built upon identifying risks and assets in youth, families and the community. Title II funds have been used to support a community planning coordinator located within the Juvenile Justice Institute. This person provides intensive technical assistance and training to communities on developing strong community teams, assessment of their system and programs, and development of their plan. These plans assist communities in developing priorities and proactive programming for youth and families. They also assist in informing the Crime Commission on statewide funding priorities. To assist communities in remaining eligible for state and federal funding, funds will be used to continue community planning efforts.

Budget: \$63,750

Performance Measures: NA

C. Diversion

Standard Program Area 11

Problem Statement: There is not equal access to juvenile diversion programming within the State of Nebraska.

Program Goal: Communities will provide early intervention to divert youth from further involved in the juvenile justice system through evidence based diversion programming.

Program Objectives:

- a. Maintain existing diversion programs.
- b. Increase data collection and information sharing between diversion programs through web based diversion case management system (JDCMS).
- c. Increase the number of counties that have diversion programs.

Activities and Services:

Nebraska has a strong network of juvenile diversion programs located in 49 of the 93 counties in the state. However, there are still many counties that do not offer diversion programming for various reasons. The point of diversion is a critical opportunity to divert from further penetrating the system. Funds will be utilized to continue to support enhancement or expansion of existing diversion programs and creation of new diversion programs. Funds will also be used to assist diversion programs with training and implementation of evidence based practices.

Statute also requires the Crime Commission to collect standardized data on diversion programs statewide. The creation of the web based juvenile diversion case management system has been a significant improvement in the ability to collect and share diversion information. Funds will be used to continue to support this effort through system maintenance, training and technical assistance.

Budget: \$63,750

Performance Measures:

OUTPUT MEASURES	Quarter 1	Q 2	Q 3	Q 4	YTD
Number of FTE's funded by grant funds. (Do not include match)					
Number of program materials developed. (Include only substantive materials such as: program overviews, client workbooks, lists of local service providers. Do not include forms developed for the program. Count the number of pieces developed not total number produced)					
Number of Program Youth Served. (Report the unduplicated number of youth served in each quarter)					
OUTCOME MEASURES					
Number & % of youth who offend or re-offend. (This means the number of program youth who were re-arrested or seen in juvenile court for a new offense)	A. # of program youth with a new offense. B. Number of youth in program C. Percent (A/B)				
Number & % of program youth completing program requirements.	A. # of program youth who exited the program having completed				

	program requirements. B. # of youth who left the program. C. Percent (A/B)				
Number and % of program families satisfied with the program	A. # Satisfied B. # Returning surveys C. Percent (A/B)				
Number and % of youth satisfied with the program	A. # Satisfied B. # Returning surveys C. Percent (A/B)				

D. School Programs

Standard Program Area 27

Problem Statement: Low school engagement and high levels of absenteeism is a high predictor of juvenile delinquency negatively impacting Nebraska schools and juvenile justice system.

Program Goal: Youth in Nebraska will have a higher level of school engagement and attendance resulting in better academic outcomes and reduced involvement in the juvenile justice system.

Program Objectives:

- a. Increase the implementation and evaluation of evidence based truancy initiatives statewide.
- b. Reduce the number of truancy filings in the juvenile justice system statewide.

Activities and Services:

There are many truancy efforts across Nebraska, therefore, the NCJJ has identified the need to engage in appropriate collaborations and receive further education on truancy issues statewide. Funding sources will be used to support creation, expansion, enhancement, and evaluation of evidence based truancy initiatives. Support may also be provided for training and technical assistance on truancy issues statewide where appropriate.

Budget: \$63,750

Performance Measures:

OUTPUT MEASURES	Reporting Directions	FIRST QTR	SECOND QTR	THIRD QTR	FOURTH QTR	YTD
Number of Program slots available	Number of client service slots available					
Number of Youth Served	Number of youth carried over from the previous reporting period, plus new admissions					

Average length of stay in program	<p>A. Total number of days between intake and program exit across all program youth exiting program</p> <p>B. # of cases closed</p> <p>C. Percent = A/B</p>					
OUTCOME MEASURES						
Number & percentage of program youth who offend or re-offend – short term	<p>A. # of youth with a new offense in the quarter</p> <p>B. # of youth in program</p> <p>C. Percent = A/B</p>					
Number & percentage of program youth who offend or re-offend – long term	<p>A. # of youth with a new offense in 6-12 months</p> <p>B. # of youth in program</p> <p>C. Percent = A/B</p>					
Number & percentage of program youth completing program requirements.	<p>A. # of youth who exited the program having completed requirements.</p> <p>B. # of youth who left the program during reporting period.</p> <p>C. Percent = A/B</p>					
Number and percentage of youth with improved school attendance	<p>A. # of youth with the noted behavioral change</p> <p>B. Total # of youth served during the reporting period.</p> <p>C. Percent = A/B</p>					
Number and percent of program youth suspended from school – short term	<p>A. Number of program youth suspended from school during reporting period</p> <p>B. Number of youth in program</p> <p>C. Percent (A/B)</p>					

Number and percent of program youth suspended from school – long term	A. Number of program youth suspended from school in 6-12 months					
	B. Number of youth in program					
	C. Percent (A/B)					

E. Substance Abuse

Standard Program Area 32

Problem Statement: Communities are experiencing a wide range of substance use issues across the State of Nebraska, particularly in rural areas.

Program Goal: NCJJ stakeholders will be more informed of substance abuse issues to better identify needed collaborations and funding gaps.

Program Objectives:

- a. Increased training and education provided on substance abuse to NCJJ members.
- b. Increased state and local collaborations to address substance abuse issues.

Activities and Services:

When developing the priorities for the Three Year Plan, it was noted that many communities identified substance abuse issues in their local plans. This topic covers such a wide range of issues starting with prevention and education to intensive treatment services. NCJJ planning subcommittee members identified the need to become more educated on existing resources, services and collaborations in order to better target funding. This is an important step to ensure that agencies are not acting in silo's and there are no duplication of efforts. Other state agencies have significant responsibility and resources to address this issue, yet communities still are struggling to address the issues in their community so more needs to be done. Efforts will be made by NCJJ to become more informed about substance abuse resources and evidence based practices in place statewide. When appropriate, funding sources will be utilized to support creation, expansion and enhancement of substance abuse prevention programs.

Budget: \$63,750

Performance Measures: NA

F. Gangs

Standard Program Area 12

Problem Statement: Specific communities in Nebraska are experiencing an increase in gang and gun violence.

Program Goal: Citizens of Nebraska will live in safer communities free of gang and gun violence.

Program Objectives:

- a. Decrease gang involvement in high gang communities in Nebraska.
- b. Increase evidence based gang prevention and intervention programs.
- c. Decrease in gun violence in high crime communities in Nebraska.

Activities and Services:

NCJJ will collaborate with the Office of Violence Prevention, also housed within the Nebraska Crime Commission to further explore the issues causing violence in specific Nebraska communities experiencing a high rate of gang and gun violence. Funds may be used to implement targeted evidence based approaches to assist communities in reducing gang and gun violence, training and technical assistance.

Budget: \$63,750

Performance Measures:

OUTPUT MEASURES	Reporting Directions	FIRST QTR	SECOND QTR	THIRD QTR	FOURTH QTR	YTD
Number of Program Youth Served. (Report the unduplicated number of youth served each quarter)	Number of program youth carried over from the previous reporting period, plus new admissions during the reporting period.					
Number of program slots available.	Number of client service slots available during the reporting period.					
Average length of stay in program	A. Total number of days between intake and program exit across all program youth exiting program B. Number of cases closed C. Average (A/B)					
OUTCOME MEASURES						
Number and percent of youth with a new gang offense	A. # of youth with a new gang offense B. # of youth in program C. Percent = A/B					
Number and percent of youth who offend or reoffend – short term	A. # of youth with a new offense during reporting period B. # of youth in program C. Percent (A/B)					

Number and percent of youth who offend or reoffend – long term	A. # of youth with a new offense in 6-12 months B. # of youth in program C. Percent (A/B)					
Number & percent of youth completing program requirements.	A. # of youth who exited the program having completed requirements. B. # of youth who left the program during reporting period. C. Percent = A/B					

G. Juvenile Justice System Improvement

Standard Program Area 19

Problem Statement: Nebraska is experiencing barriers to information sharing and data collection.

Program Goal: Local and State juvenile justice agencies will experience improved access to information and data improving system functioning and evaluation.

Program Objectives:

- a. Identify gaps and barriers to information sharing and data collection.
- b. Facilitate collaboration and dedicate resources to address gaps and barriers to information sharing and data collection.

Activities and Services:

Nebraska has a wide variety of information sharing systems and sources for data collection. This includes NCJIS, state agency case management systems, juvenile diversion case management system and local agency data. Nevertheless, historically there has been difficulty in systems connecting to each other, coming to agreement on common definitions of measurement, and understanding of what information can be shared. The DMC Assessment confirmed these and other barriers to data collection statewide. Funds will be utilized to support initiatives and projects to improve information and data sharing, such as support of NCJIS, JDAI, and other efforts as identified.

Budget: \$63,750

Performance Measures:

OUTPUT MEASURES	Reporting Directions	FIRST QTR	SECOND QTR	THIRD QTR	FOURTH QTR	YTD
Amount of funds awarded	Amount of \$ awarded					
Number of planning activities conducted	# of planning activities undertaken					
Number and percent of program staff trained	A. Number of program staff who participated in training B. Total number of program staff Percent = A/B					
Number of system improvement initiatives	Number of current initiatives					
Number of program/agency policies or procedures created, amended, or rescinded	Number of program/agency policies or procedures created, amended, or rescinded					
Number of program youth served	Number of program youth carried over from the previous reporting period, plus new admissions					
OUTCOME MEASURES						
Number and percentage of youth completing program requirements	A. Number of program youth who exited the program having completed program requirements B. Total number of youth who were in the program during the reporting period C. Percent = A/B					
Number of recommendations implemented	# of recommendations implemented					
Number of programs modified based on evaluation/research study results	# of programs modified based on evaluation/research study results					

Number and percent of program staff with increased knowledge of program area	A. # of staff trained who report increased knowledge B. # of staff trained C. Percent = A/B					
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H. Disproportionate Minority Contact

Standard Program Area 10

Problem Statement: Minority youth in Nebraska are over represented in the juvenile justice system.

Program Goal: The Nebraska Crime Commission will provide a coordinated response to DMC in the State of Nebraska.

Program Objective: The State of Nebraska will maintain a DMC coordinator.

Activities: Title II funds will continue to be used for the Crime Commission to contract for a DMC coordinator. This person will work with the JJ Specialist and the DMC subcommittee of the Nebraska Coalition for Juvenile Justice to implement the priorities outlined for the DMC three year plan above. This includes data collection, training and education and technical assistance to local communities to develop DMC strategies.

Budget: \$63,750

Performance Measures:

OUTPUT MEASURES	Quarter 1	Q 2	Q 3	Q 4	YTD
Number of hours of non-program personnel training provided.					
Number of program materials developed.					
OUTCOME MEASURES					
Number of State agencies reporting improved data collection systems.					
Number of local agencies reporting improved data collection systems.					
Number and percent of non-program personnel with increased knowledge of program area.					
Percent of contact points reporting reduction in disproportionality at the state level.					

Percent of contact points reporting reduction in disproportionality at the local level.					
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8. Subgrant Award Assurances

A. Subaward Selection

The Crime Commission grant procedures are clearly outlined in Operating Instructions and are available at www.ncc.state.ne.us This is the standard process we use for all state and federal grants awarded through the Crime Commission. Applicants are required to apply every year, continuation funding is not guaranteed. An applicant is awarded continuation funding based on proper grant management and meeting the goals and objectives of the grant program. The JJ Specialist conducts annual program site visits and the Crime Commission contracts with an individual to perform financial monitors of all grant funded programs. The Crime Commission works with programs to ensure success. Subgrantees not meeting goals and objectives will not be granted continuation funding. If at any time a program is mismanaging funds, funds are immediately suspended pending investigation.

Potential applicants are provided the model programs website as part of the application kit. Through the process of working with counties in developing comprehensive juvenile service plans, the utilization of model programs is strongly encouraged.

The Grant Award process for FY2011 has been completed and information in the certified assurances section did not include priority funding to evidence-based programs and activities. We plan on including this language in our upcoming FY2012 certified assurances for Title II and JABG. However, in our FY2011 Title II application the following paragraphs were included (NCJJ = Nebraska Coalition for Juvenile Justice = Nebraska State Advisory Group):

FUNDING PRIORITIES

The Title II formula grant program requires each state to develop a Three Year Statewide Plan that addresses the four core requirements as well as other juvenile issues in the state. As part of Nebraska’s Three Year Statewide Plan for 2009-2011, the NCJJ identified the following areas that will be given priority funding consideration to insure the state remains in full compliance with the Federal JJDP Act as well as address key juvenile issues. These key issues were identified through input from practitioners, past state reports and studies, and the Comprehensive Juvenile Services Plans submitted by Counties across the State. The NCJJ has a strong interest in funding research/evidence based programs, however, new program ideas will be considered.

Due to the limited funds available, the NCJJ develops priorities for all funding streams, which are laid out in the 2009-2011 Three Year Statewide Plan. The NCJJ will give first priority to prevention related programs followed by alternatives to detention and community based programs. Refer to the link <http://www.dsgonline.com/> to see the variety of programs under the headings of prevention, immediate sanctions, intermediate sanctions, residential, and reentry. The NCJJ has a strong interest in funding model, best practice, evidence based or promising practice programs, however, new program ideas will be considered.

B. Geographic Information

The Nebraska Crime Commission is committed to meeting the requirements of funding including the Geographic information required. All applicants are required to list their address on their application, from that we will compile the information needed.

9. SAG Membership

The Nebraska Coalition for Juvenile Justice serves as an advisory committee to the Nebraska Crime Commission. Membership on the committee is established in Nebraska Statute and reflects the requirements of the JJDP Act. Please refer to the following page for a full listing of Nebraska's State Advisory Group Membership. Please reference the **Nebraska SAG Membership** attachment to view the appointment dates of all members on the Nebraska State Advisory Group.

The slot, volunteer working with juveniles, was filled for years and the person had resigned in the last few months. We are currently recruiting for that position.

The Nebraska SAG is not a Supervisory Group, but an Advisory Group.

The following Nebraska SAG members are full-time government employees:

Judge Vernon Daniels
Mike Long
Alex Moreno
Terri Nutzman
Chris Rodgers
Judge Reggie Ryder
Amanda Speichert
Corey Steel
Scott Swisher
Kevin Stukenholtz
Judge Kent Turnbull
Derek Vaughn

NEBRASKA COALITION FOR JUVENILE JUSTICE

CHAIRPERSON

Mark Benne

Director of Juvenile Facility
Madison

VICE CHAIRPERSON

Cassandra Blakely

Youth Member
Lincoln

MEMBERS

Michael Behm

Crime Commission Executive Director
Lincoln

Alex Moreno

Police Chief
Scottsbluff

Amanda Speichert

Public Defender
Grand Island

Brady Brewster

Youth Member
Lincoln

Brett Matthies

Nonprofit District 2
Omaha

Chris Rodgers

County Commissioner
Omaha

Corey Steel

Probation Administration
Lincoln

Dan Scarborough

YRTC
Geneva

Derek Vaughn

Crime Commission
Omaha

Elaine Menzel

Association of County Officials
Lincoln

Jamal Jackson

Youth Member
Bellevue

Janteice Holston

Youth Member
Grand Island

Jennie Cole-Mossman

Youth Counselor
Lincoln

Judge Kent Turnbull

County Judge
North Platte

Judge Reggie Ryder

Additional Member
Lincoln

Judge Vernon Daniels

Juvenile Court Judge
Omaha

Kara Brostrom

Youth Member
Grand Island

Kay Glidden

Mental Health
Kearney

Kevin Stukenholtz

County Sheriff
Wahoo

Mike Long

County Attorney
Madison

Nola Bennett

Nonprofit District 1
Lincoln

Ron Johns

Secure Youth
Gering

Scott Swisher
Department of Education
Lincoln

Symone Sanders
Youth Member
Omaha

Terri Nutzman
Juvenile Services Director
Lincoln

Thomas McBride
Nonprofit District 3
York

Vanessa Sherman
Alternatives to Youth Detention
Nebraska City

10. Formula Grants Program Staff

The Grants Division of the Crime Commission oversees the following programs: Title II Formula Grant, Title V Community Prevention Grant, Juvenile Accountability Block Grant, State Juvenile Services, County Juvenile Services Aid Program, Violence Against Women Act Grant, Victims of Crime Act Grant, John R. Justice, Justice Assistance Grant, Residential Substance Abuse Treatment Grant, VOCA ARRA, JAG ARRA and VAWA ARRA.

The Juvenile Justice Specialist is responsible for managing the grant process for Title II, Title V, JABG, State Juvenile Services and County Aid and Enhancement. This includes developing the RFP, technical assistance, reviewing proposals, facilitating grant review meetings, providing grant management training, and conducting on-site monitoring of subgrantees. The specialist coordinates the activities of the Nebraska Coalition for Juvenile Justice. The specialist applies for all federal funding from OJJDP and submits related reports. In addition, the specialist works with juvenile justice professionals across the state on juvenile justice initiatives, trainings, and systems improvement projects.

The Compliance Monitor/DMC position at the Crime Commission is responsible for 1) Juvenile compliance monitoring to include, but not limited to: monitoring of juvenile and criminal justice agencies across the state to ensure compliance with federal requirements, state law and guidelines relating to the holding of juveniles in secure facilities; conduct training regarding compliance monitoring requirements for various criminal and juvenile justice personnel; daily review of computerized admission/release records; on-site monitoring of secure facilities; preparation of reports. 2) Serve as the staff person responsible for coordinating the State's efforts to address disproportionate minority youth involvement in and contact with the juvenile justice system and to ensure compliance with Section 223(a)(22) of the Juvenile Justice and Delinquency Prevention Act as amended in 2002.

The Juvenile Justice Specialist is responsible for Title V, Title II and JABG. This position applies for and administers Title V, Title II and JABG federal funds. This position administers activities of the SAG by insuring its membership is appropriate according to statute; arranges; attends and presents information at quarterly meetings; establishes meeting agendas; arranges meetings and compiles information with the Executive Committee; prepares reports and information for the SAG; coordinates any travel for members; and arranges, attends and prepares information for meetings of Coalition sub-committees. This position also develops the three year Juvenile Justice State Plan and Governor's annual report. The Juvenile Justice Specialist oversees subgrantees and provides technical assistance as needed.

The following is a breakdown of staff of the formula grants program:

<u>Employee</u>	<u>Title</u>	<u>JJDP Activities</u>		<u>Responsibilities</u>
		<u>% Time</u>	<u>%Salary OJJD</u>	
Michael Behm	Executive Director, FTE	25%	25%	Overall supervision of the agency
Lisa Stamm	Grants Division Chief, FTE	10%	0%	Oversight of Juvenile Grants
Bruce Ayers	Budget Division Chief, FTE	25%	25%	Financial status reports, budget
Cindy Gans	Juvenile Justice Specialist, FTE	100%	100%	Administer Juvenile Grants Programs
Chris Harris	Compliance Monitor, FTE	100%	100%	Monitor compliance for JJDP Act
Mike Overton	Information Services Chief, FTE	15%	0%	Collect, analyze and publish juvenile data
Mary Thomason	Accountant, FTE	25%	25%	Process grant payments
Shawn Roberts	Staff Assistant, FTE	50%	50%	Coordinate meetings, grant files/process
Cheryl Stejskal	Staff Assistant, FTE	20%	0%	Grant correspondence