



STATE OF  
**NEBRASKA**  
JUDICIAL BRANCH

Office of Dispute  
Resolution

# Victim Youth Conferencing Evaluation

**January 2018 - June 2021**

**VYC Enhancement Initiative Final Report**

Prepared for the  
Office of Dispute Resolution  
Administrative Office of the Courts  
and Probation

Nebraska Judicial Branch

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## Executive Summary

**Background:** The Office of Dispute Resolution (ODR) within the Administrative Office of the Courts and Probation (AOCP), Nebraska Judicial Branch, initiated the Juvenile Victim Youth Conferencing (VYC) program to respond to the number of youth negatively impacted by deep immersion into the juvenile justice system. The program pilot was implemented in partnership with the ODR-approved mediation centers in the 3<sup>rd</sup>, 4<sup>th</sup>, and 12<sup>th</sup> judicial districts from March 2015 through July 2016, with an extension through 2017. The pilot showed promising results, including growth from 70 VYC cases in year 1 to 142 VYCs held in year 2, with 93% of VYCs resulting in reparations agreements, 85% of agreements fulfilled by youth, and 97% of participants satisfied or extremely satisfied with the overall VYC process. Finally, initial examination of the data showed promisingly low rates of recidivism, with only 16% of youth recidivating.

In January 2018, VYC expanded statewide—offering VYC through all six regional mediation centers with funding provided by The Sherwood Foundation. Annual reports for the first few years were organized by fiscal year. The present report focuses on overall findings and trends over the course of the three years of the expansion effort, from January 2018 to June 2021.

**Evaluation Purpose:** Following a strategic planning process, the evaluation team and partner organizations identified the VYC theory of change: Victim Youth Conferencing as a restorative justice intervention that ultimately reduces youth involvement in the justice system. Specific long-term measures of change include: 1) reducing recidivism, 2) closing the gap in disproportionate minority contact with courts, 3) increasing safety in communities, and 4) sustaining capacity for VYC statewide.

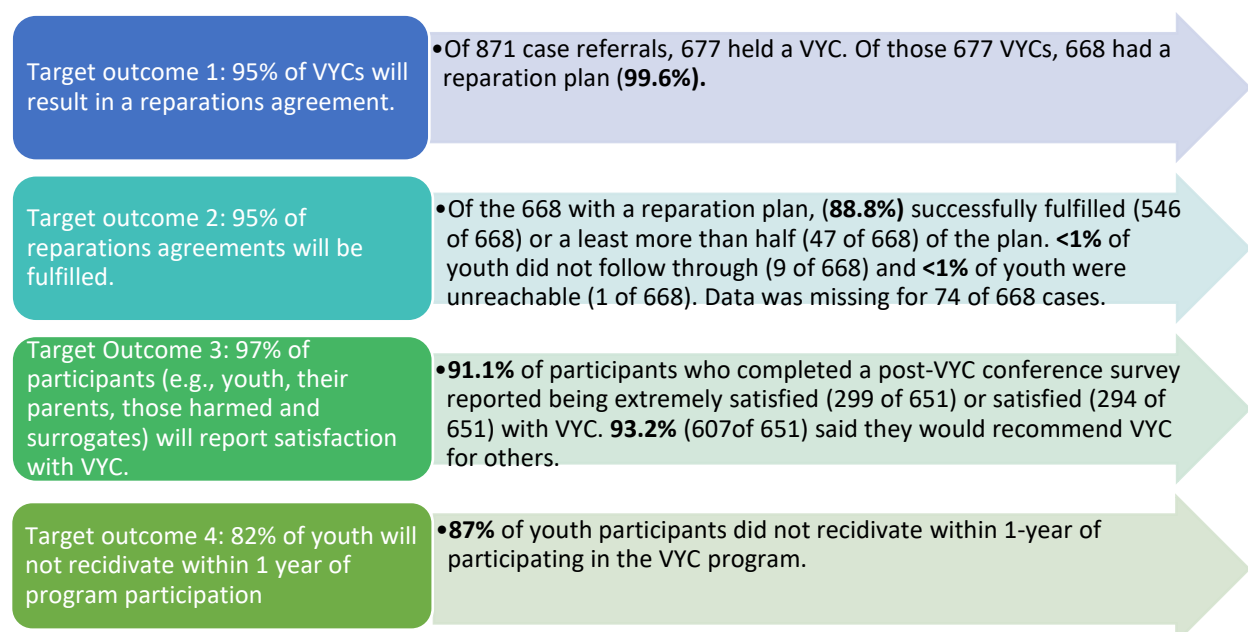
**Methodology:** The evaluation design framework is non-experimental in nature and addresses descriptive, normative, and impact questions. Descriptive questions explore who is served by VYC and under what conditions. Normative, also known as process evaluation, includes questions about what is working or not working and what system changes will lead to improvements as well as sustainability. Impact questions focus on what is different as a result. Qualitative and quantitative analyses examine short-term goals and outcomes during the 3.5 year expansion period.

**Limitations:** In March 2020, a global pandemic shifted the manner in which organizations across the country conducted business. The COVID-19 pandemic added challenges in a variety of ways during the final year and one half of the program (March 2020 to June 2021) by limiting in-person interactions. In response to the COVID-19 pandemic, the centers promptly adjusted the delivery of services to accommodate social distancing by shifting from in-person to video-call options, allowing for more flexibility and less burden on families by meeting them where they are and reducing the barriers to participation (e.g., taking time off work, transportation, childcare). The increased use of technology allowed some centers to better overcome the challenges associated with serving very large service areas, for instance Nebraska Mediation Center, Central Mediation Center, The Resolution Center, and Mediation West.

**Total VYC Cases:** During the expansion effort, the mediation centers received a total of 894 VYC case referrals, of which 23 cases were not first-time referrals. Of the 871 unique youth referred to the program, 677 (77.7%) resulted in an actual VYC conference.

**VYC Participant Outcomes:** Program success was measured against four primary success indicators derived from the program pilot findings: 1) 95% will result in a reparations agreement, 2) 95% of reparations agreements will be fulfilled, and 3) 97% of participants will report satisfaction with the VYC process, and 4) 82% of youth will not recidivate within 1 year of VYC. Results are demonstrated in the graphic below.

**Expansion of Counties Served:** During the 3.5 year expansion period, the number of counties served increased from 9 counties at the start of the expansion effort (January 2018) to 24 counties at the conclusion of the grant. The number of counties served each year varied based on the number and type of offenses committed in the service area. The centers received referrals from 17 counties in 2018, 16 counties in 2019, 14 counties in 2020, and 6 counties during the first half of 2021.



**FIGURE 1. VYC GOAL 1 TARGET OUTCOMES**

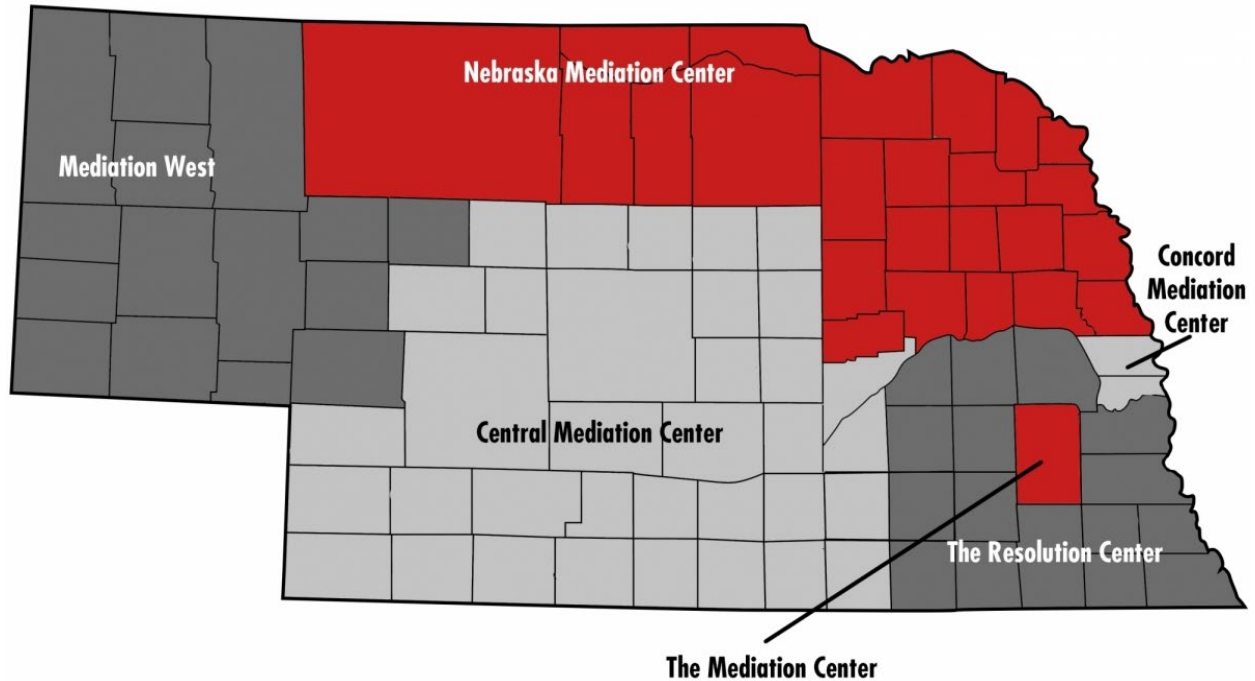
**Stakeholder Interviews:** Recurring themes during the stakeholder interviews centered around the need for more education around restorative justice and VYC and more funding to sustain utilization of the program. Stakeholders are eager to use VYC, but sometimes lack the means to do so.

**Discussion:** Nebraska mediation centers and their partners have stayed on course with the enhancement of VYC and have achieved intended goals statewide. Systems change has begun at all levels of government in a relatively short time. The descriptive data for VYC implementation indicate a number of areas for future evaluation, program development, and broader systems improvements.

## Collaborative Partners

The VYC Enhancement Initiative is a partnership between the Office of Dispute Resolution (ODR) of the Nebraska Judicial Branch and six ODR-approved regional mediation centers.

## Mediation Center Regions\*



### Central Mediation Center

Email: [info@centralmediationcenter.com](mailto:info@centralmediationcenter.com)

OFFICE: Kearney; (308)237-4692 & (800)203-3452

Website: [www.centralmediationcenter.com](http://www.centralmediationcenter.com)

### Concord Mediation Center

Email: [contact@concord-center.com](mailto:contact@concord-center.com)

OFFICE: Omaha; (402)345-1131

Website: [www.concord-center.com](http://www.concord-center.com)

### The Mediation Center

Email: [info@themediationcenter.org](mailto:info@themediationcenter.org)

OFFICE: Lincoln; (402)441-5740

Website: [www.themediationcenter.org](http://www.themediationcenter.org)

### Mediation West

Email: [info@mediationwest.org](mailto:info@mediationwest.org)

OFFICE: Scottsbluff; (308)635-2002 & (800)967-2115

Website: [mediationwest.org](http://mediationwest.org)

### Nebraska Mediation Center

Email: [nmc@nebraskamediationcenter.com](mailto:nmc@nebraskamediationcenter.com)

OFFICE: Fremont; (402)753-9415 & (866)846-5576

Website: [nebraskamediationcenter.com](http://nebraskamediationcenter.com)

### The Resolution Center

Email: [info@theresolutioncenter.org](mailto:info@theresolutioncenter.org)

OFFICE: Beatrice; (402)223-6061 & (800)837-7826

Website: [www.theresolutioncenter.org](http://www.theresolutioncenter.org)

[\\*Note: Each center serves their entire region and travels beyond their office location.](#)

## Overview and Background

The Office of Dispute Resolution (ODR) within the Administrative Office of the Courts and Probation (AOCB) of the Nebraska Judicial Branch, initiated the Juvenile Victim Youth Conferencing (VYC) Pilot to respond to the number of youth negatively impacted by deep immersion into the juvenile justice system.

### VYC Pilot (FY 2015-2016) and Pilot Extension (FY 2016-2017)

In March 2015, The Sherwood Foundation granted ODR partial funding to initiate the VYC Pilot in the 3<sup>rd</sup>, 4<sup>th</sup>, and 12<sup>th</sup> judicial districts. The University of Minnesota's Center for Restorative Justice and Peacemaking developed program protocols and conducted an external evaluation of program outcomes. The pilot showed promising results, including growth from 70 VYC cases in the first year to 142 VYCs held in the second year, with 93% of VYCs resulting in reparations agreements, 85% of agreements fulfilled by youth, and 97% of participants satisfied or extremely satisfied with the overall VYC process. The VYC pilot was extended for another year, through July 2017, and strategic planning was carried out for statewide expansion.

### VYC Enhancement Initiative January 2018 to June 2021

In January 2018, VYC expanded statewide—offering VYC through all six regional mediation centers with a significant portion of funding provided by The Sherwood Foundation. At the start of the Enhancement Initiative, ODR and the mediation centers hired seven restorative justice professionals, including one restorative justice coordinator for each mediation center and one restorative justice program analyst for ODR. Each of the restorative justice staff received training in basic mediation and restorative justice facilitation. The restorative justice coordinators managed VYC program implementation at their respective centers. The ODR's restorative justice program analyst was responsible for the enhancement initiative's internal evaluation. In 2019, ODR's program analyst took over as the lead evaluator.

A total of 188 VYC conferences were held during Year 1, 231 conferences during Year 2, 190 conferences in Year 3, and 68 conferences during the first half of year four. During any given year, County Attorneys (Tier 1) and Court Diversion (Tier 2) together were responsible for 74.6% to 83.7% of all VYC referrals in the calendar year, while 15.9% to 23.6% of referrals were made by courts for adjudicated youth, most who were assigned to probation. The data showed an increase in the use of VYC for youth as a pre-diversion intervention, especially for schools, compared to the findings during the 2015-2017 pilot findings. Of the 871 VYC referred cases, the majority of cases 63.5% (n=553) identified as male and 35.2% (n=307) identified as female, and gender was not reported for 11 youth. The mean age was 15.24 years, with a range from the youngest being 8.96 years old to the oldest being 18.76 years old. The largest demographic of youth identified their race as White (46.8%), while 20.0% identified as Black or African American, 14.8% Hispanic/Latino, 1.4% Asian, <1.0% Native Hawaiian or Pacific Islander, 2.2% American Indian or Alaska Native, 2.2% as mixed race and 4.8% other. Racial and



ethnic data was missing for 7.6% of the cases. The cases included 730 victims, of which 375 were youth, 167 adults, and 89 were cases involving mutual assault, victim data was not reported for 10 cases.

#### Success Indicators for Goal 1 – Expanding the Use of Victim Youth Conferencing Outcomes

The total number of youths, parents/guardians, and those harmed coming together for VYC will increase statewide. Measurable indicators of success should include:

- 95% of VYCs result in a reparations agreement,
- 95% of reparations agreements are fulfilled,
- 97% of youth, their parents, those harmed and surrogates report satisfaction with VYC, and
- 82% of youth will not recidivate within one year of VYC.

#### Success Indicators for Goal 2 – VYC Training and Education Outcomes

Training and education provided to 24 VYC facilitators, 24 surrogates, 6 to 12 highly-skilled facilitators to become regional trainers of VYC, and 24 key stakeholders to serve as potential referral sources. Measurable indicators of success should include:

- 90% of new trainers are confident in their ability to provide restorative justice and VYC training,
- 90% of people trained as facilitators are confident in their ability to conduct VYCs, and
- 20% of people trained as VYC facilitators and surrogates are from communities of color and other under-represented populations.

#### Success Indicators for Goal 3 -- Organizational Capacity Building and Sustainability Outcomes

The third goal of the VYC Enhancement Initiative is to build the capacity of ODR and the six regional mediation centers to advance and sustain VYC as a youth restorative prevention and intervention strategy. Indicators of success should include:

- 85% of VYCs are held within 60 days of referral as an indicator of capacity,
- The number of referrals received either meet or exceed projections, and
- ODR and six regional mediation centers each secure at least one new source of funding for VYC.

## Evaluation Framework<sup>1</sup>

The VYC Enhancement Initiative evaluation plan was developed with the engagement of ODR and mediation center directors following the results of the VYC pilot project in three Nebraska judicial districts and a sustainability planning process to expand statewide. The long-term evaluation plan is based on the VYC theory of change: Victim Youth Conferencing as a primary restorative justice intervention will reduce youth subsequent involvement in the justice system.

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<sup>1</sup> Adapted from Blevins, J. (2019). *Victim Youth Conferencing Evaluation Report: July 2018 - June 2019*. Updated to reflect 2019-2020 process. Retrieved November 1, 2020, at [https://supremecourt.nebraska.gov/sites/default/files/Nebraska\\_VYC\\_Eval\\_Report\\_2018-19\\_Final.pdf](https://supremecourt.nebraska.gov/sites/default/files/Nebraska_VYC_Eval_Report_2018-19_Final.pdf)

Specific long-term measures of change include: 1) reducing recidivism, 2) closing the gap in disproportionate minority contact with courts, 3) increasing safety in communities, and 4) sustaining capacity for VYC statewide. Previous evaluation reports addressed short-term measures from during each respective year, while this evaluation focuses short-term and long-term goals and outcomes during the courses of the full grant period (January 2018 to June 2021).

### **Evaluation Design**

A non-experimental evaluation design is guided by descriptive, normative and impact questions. Still in the early implementation stages of development, this final evaluation of the VYC Enhancement Initiative aims to deepen understanding of VYC impact and those who are benefiting from participation, while surfacing questions and gaps in knowledge for future inquiry.

Qualitative and quantitative evaluation methods, which are aligned with output and outcome measures specified in the VYC Enhancement Initiative Logic Model<sup>2</sup>, are utilized to document the degree to which intended results are achieved. Process evaluation is incorporated in order to determine what is working well to achieve the desired outputs and outcomes, and what may need to be changed. Since the VYC Enhancement Initiative is a systems change model, the expectation is for ODR and mediation centers to be in an ongoing process of implementation, evaluation, reflection, and positive change.

### **Outcome Evaluation**

Descriptive data for the VYC outcome evaluation is tracked through the Caseload Manager data collection system utilized by ODR and mediation centers. Due to the confidential nature of the VYC data, the evaluator receives anonymous data, whereby ODR redacts VYC case data, eliminating uniquely identifying information, and assigns a new ODR-generated unique identification number. Supplemental data for impact measures that are not VYC case-specific are provided directly from the mediation centers to the evaluator.

### **Post VYC Evaluation Surveys for Satisfaction and Procedural Justice**

Post VYC conference surveys with structured questions using a 5-point Likert scale, from strongly agree to strongly disagree, are self-administered at the end of a VYC conference. Surveys also include two open-ended questions for respondents to freely share their perspectives. Surveys are provided to youth and their parents, those harmed, support people, and surrogate attendees (not including facilitators) through either an online survey link or as a hard-copy, whichever is deemed most appropriate by the VYC facilitator for that case. Post-VYC survey questions are designed for the following measures.

- Implementation measures: Questions related to preparedness, professional supportiveness and respect, and youth remorse.
- Satisfaction measures: Questions related to overall satisfaction, responsiveness, greater understanding, feeling heard, and satisfaction with the reparations agreement.

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<sup>2</sup> [https://supremecourt.nebraska.gov/sites/default/files/odr/Nebraska\\_VYC\\_Logic\\_Model\\_2018-2021.pdf](https://supremecourt.nebraska.gov/sites/default/files/odr/Nebraska_VYC_Logic_Model_2018-2021.pdf)

- Procedural justice measure: A question is asked about whether the justice system is perceived to be more responsive to the needs of those harmed and youth based on participation in VYC.

### **Process Evaluation**

ODR and the mediation centers, along with the evaluator, are engaged in process evaluation through regular conference call meetings to discuss program activities, progress made, and areas for improvement.

### **Stakeholder Interviews**

Interviews with key stakeholders can generate reflective feedback and produce ideas for desired system changes. Each mediation center recommended three to five stakeholders to interview. After contacting stakeholders, 17 interviews were conducted with 18 people participating (one interview included two people). Interviews were qualitative in design utilizing an interview guide with 15 open-ended questions. Interviewees were selected through criterion sampling, with the criteria being they have professional expertise related to the mediation centers, juvenile justice system, and VYC implementation. Eight of the stakeholders are urban-based and nine from rural Nebraska. Eleven stakeholders are in positions to provide referrals to mediation centers for VYC, from county attorney's offices, diversion programs and probation offices. Six stakeholders are administrators who don't make direct referrals, but supervise those who do or are involved in the VYC relationship, from county attorney's offices, schools and probation administration (four urban and two rural).

## **Limitations**

The ODR and the mediation centers are dedicated to the success and longevity of the VYC program. The center directors and their staff are committed to providing the program as a service to the youth within their service areas in an effort to reduce youth contact with deeper parts of the justice system. However, the centers did have to overcome some challenges.

Centers continue to grow referral sources as referrals from the courts have slowed in some areas over the course of the program. Centers have increased outreach to school and community partners. As a result some centers extended resources to develop contacts and optimize the referral process. As centers' referral sources expand, so does the program's adaptability to the specific needs of each service area. Centers continue to adjust to meet the needs of stakeholders, and must balance this need with fidelity to the VYCs restorative nature.

The COVID-19 pandemic added challenges in a variety of ways. In response to the pandemic, the centers promptly adjusted the delivery of services from in-person to video-call options, allowing for more flexibility and less burden on families by meeting them where they are and reducing the barriers to participation (e.g., taking time off work, transportation, childcare). The centers now provide various options for participation, such as Zoom, FaceTime, Go-To meetings, or conference calls. Unfortunately, the virtual platforms hinder some of the emotive qualities of a face-to-face encounter. Feedback from mediation center staff and facilitators suggest problems at times with connectivity and network

strength, difficulty reducing individuals' distractions due to lack of control over environment, a tendency for parties to leave their cameras—thereby interfering with the person-to-person quality of the VYC process.

ODR and the centers adopted new training procedures to accommodate the educational demands at each center. In June 2021, 16. individuals were virtually trained in the use of VYC for in-person and/or virtual conferencing.

## VYC Outcomes: January 2018 to June 2021

The mediation centers collaborated with ODR to identify priority outcomes from the VYC Enhancement Initiative. The evaluation plan included short-term, intermediate-term, and long-term outcomes observed over time. The short-term goals were threefold: (1) expand the use of the victim youth conferencing in all six ODR regions, (2) VYC training and education, and (3) program capacity building and sustainability.

### **Goal 1: Expanding the Use of Victim Youth Conferencing in all Six ODR Regions**

Over the course of the 3.5 year grant term, the mediation centers experienced ongoing growth in their service areas. In the long-term, the enhancement initiative set out to reduce the number of court-involved youth by increasing the availability of a community-safe, community-based response to juvenile delinquency. The VYC program set out to reduce the likelihood of a youth reoffending and contribute to the Nebraska Supreme Court's commitment to reduce disproportionate minority contact. The program experienced progress towards this goal in various aspects.

### **Population Served**

At the start of the Expansion Initiative, each regional mediation center identified the counties in their region that would be priority sites for outreach. Each mediation center serves anywhere from one to 36 counties, and therefore provides services across large geographical areas. In order to spearhead the expansion effort, the centers identified some of the more accessible counties within their region as the starting point for outreach:

- Central Mediation (Primary Office: Kearney) – Region 1 – Buffalo, Hastings, Dawson, Merrick, Hall, Red Willow, with outreach to all 36 counties
- Mediation West (Primary Office: Scottsbluff) – Region 2 – Scotts Bluff, Keith, Cheyenne, and Box Butte, with outreach for all 15 counties
- The Mediation Center (Primary Office: Lincoln) – Region 3 – Lancaster
- The Resolution Center (Primary Office: Beatrice) – Region 4 – Gage and York, with outreach to all 16 counties
- Nebraska Mediation Center (Primary Office: Fremont) – Region 5 – Dodge and Madison, with outreach to all 24 counties
- Concord Mediation Center (Primary Office: Omaha) – Region 6 – Douglas and Sarpy

The mediation centers' regional expansion is one of the first measures of successful program expansion, demonstrated by the number of counties served over the years. The centers expected to reach at least 17 counties by the end of 2020 and more than surpassed this goal. Each year, the centers increased the number of counties served, from 9 counties at the start of the expansion effort (January 2018) to 24 counties at the conclusion of the grant. The number of counties served includes any county that made a referral for VYC during the 3.5-year period, regardless of the number of referrals made each year. When examined by year, the centers served referrals from 17 counties in 2018, 16 counties in 2019, 14 counties in 2020, and 6 counties during the first half of 2021. The referral sources described a number of reasons for not making referrals across all three years, with the most common reason being

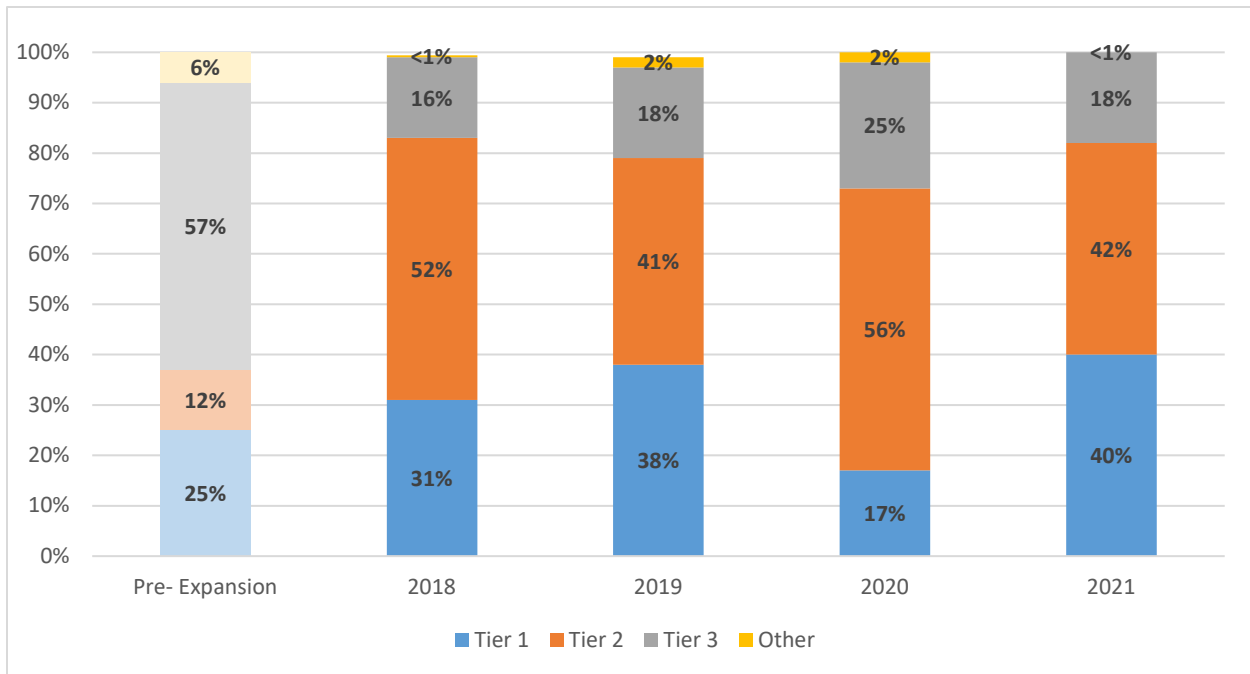
no appropriate cases during the referral time-period. Table 1 lists the counties served and the number of referrals from each region by year.

**Table 1**

*Number of Counties Served per Region (January 2018 - June 2021)*

County by Region and Center	Total Cases Referred			
	2018	2019	2020	2021
<b>Region 1: Central Mediation Center</b>				
Adams	13	13	12	3
Buffalo	22	13	14	4
Hall	2	1	-	-
Lincoln	3	-	-	-
Red Willow	3	-	1	-
Sherman	-	-	1	-
<b>Region 2: Mediation West</b>				
Cheyenne	1	-	1	-
Garden	-	1	-	-
Keith	1	2	-	-
Kimball	1	-	-	-
Scotts Bluff	15	9	10	2
<b>Region 3: The Mediation Center</b>				
Lancaster	131	162	95	57
<b>Region 4: The Resolution Center</b>				
Cass	-	1	-	-
Fillmore	-	1	1	-
Gage	2	10	-	-
Otoe	1	4	-	-
Saunders	7	-	1	-
Seward	-	-	1	-
York	1	-	1	-
<b>Region 5: Nebraska Mediation Center</b>				
Colfax	-	1	-	-
Dodge	28	23	27	3
Madison	-	1	-	-
<b>Region 6: Concord Mediation Center</b>				
Douglas	25	50	8	11
Sarpy	3	2	4	-

The mediation centers received a total of 894 referrals during the 3.5 year period across the six regions of the state. They expected to receive referrals from three distinct points of access in the juvenile justice timeline of referral sources with the VYC process available to youth as early as pre-diversion and as late as post-adjudication. Tier 1 cases include pre-court and pre-diversion cases typically by county attorneys, schools, and other local entities; Tier 2 includes court-diverted cases referred by county attorneys or courts at the pre-adjudicative stage; and Tier 3 cases include post-adjudicated cases referred by court order or by a probation order.



**FIGURE 2. COMPARISONS OF REFERRAL SOURCES: PRE EXPANSION V. EXPANSION YEARS**

Tier 1 cases made up 30.2% of all cases, Tier 2 cases made up 48.5% of cases, and Tier 3 made up 19.6% of cases. Only 1.6% of cases were referred by sources not anticipated by the original 3-tier system, including human services organizations, legal representatives and guardian ad litem, families and individuals. The centers and ODR determined pre-diversion (e.g., schools) and diversion program referrals were high priority referrals sources. To increase these referrals, centers made a concerted effort to establish relationships with county attorneys and schools within their regions. Figure 2 shows the shift from primarily Tier 3 cases to largely Tier 1 and Tier 2 case referrals. During any given year, County Attorneys (Tier 1) and Court Diversion (Tier 2) together were responsible for 74.6% to 83.7% of all VYC referrals in the calendar year, while 15.9% to 23.6% of referrals were made by courts for adjudicated youth, most who were assigned to probation. The data showed an increase in the use of VYC for youth as a pre-diversion intervention, especially for schools, compared to the findings during the 2015-2017 pilot findings. Consequently, the centers were able to reach youth more often at earlier points in the justice process.

Although the centers did not hit their goals for some categories during some years, they often exceeded their goals in other categories, see Table 2. Moreover, several external factors may have influenced the Year 3 and Year 4 totals, including the COVID 19 pandemic. Overall, the centers set out to serve a total of 755 youth. The centers received 894 total referrals, 23 cases were of individuals who had multiple referrals. Ultimately, the centers received 871 first-time referrals, which exceeds the three-year, 755 case referral goal. Central Mediation Center set a goal of 138 cases over three years, and at the end of the 3.5 year period, reported 110 cases, Mediation West reported 42 of 104 cases, The

Mediation Center reported 446 of 285 cases, The Resolution Center reported 31 of 27 cases, Nebraska Mediation Center reported 84 of 26 cases, and finally, Concord Mediation Center reported 180 of 175 cases.

Table 2.  
*Number of Case Referrals in Each Referral Source Category by Region*

Referral Source	Reg. 1 CMC Kearney		Reg. 2 MW Scottsbluff		Reg. 3 TMC Lincoln		Reg. 4 TRC Beatrice		Reg. 5 NMC Fremont		Reg. 6 Concord Omaha	
	Expected	Actual	Expected	Actual	Expected	Actual	Expected	Actual	Expected	Actual	Expected	Actual
Co. Attys/ Pre-court	12	0	4	1	36	75	-	2	-	3	5	0
Court/ Diversion	11	43	6	14	32	30	2	9	6	24	15	15
Court Adjudicated/ Probation	9	0	10	3	12	26	4	0	-	0	15	13
Other	-	0	-	0	-	0	-	0	-	1	-	0
<b>Year 1 Totals</b>	<b>32</b>	<b>43</b>	<b>20</b>	<b>18</b>	<b>80</b>	<b>131</b>	<b>6</b>	<b>11</b>	<b>6</b>	<b>28</b>	<b>35</b>	<b>28</b>
Co. Attys/ Pre-court	15	0	8	0	45	103	-	5	-	3	10	0
Court/ Diversion	16	26	10	9	35	40	3	7	6	17	25	22
Court Adjudicated/ Probation	15	1	16	0	15	18	6	0	2	5	25	30
Other	-	0	-	2	-	1	-	3	-	1	-	0
<b>Year 2 Totals</b>	<b>46</b>	<b>27</b>	<b>34</b>	<b>11</b>	<b>95</b>	<b>162</b>	<b>9</b>	<b>15</b>	<b>8</b>	<b>26</b>	<b>60</b>	<b>52</b>
Co. Attys/ Pre-court	20	0	12	0	60	40	-	1	2	4	20	0
Court/ Diversion	19	30	15	10	35	26	5	3	8	21	30	54
Court Adjudicated/ Probation	21	2	23	0	15	29	7	0	2	0	30	33
Other	-	0	-	1	-	1	-	0	-	2	-	2
<b>Year 3 Totals</b>	<b>60</b>	<b>32</b>	<b>50</b>	<b>11</b>	<b>110</b>	<b>96</b>	<b>12</b>	<b>4</b>	<b>12</b>	<b>27</b>	<b>80</b>	<b>89</b>
Co. Attys/ Pre-court	-	0	-	0	-	32	-	0	-	1	-	0
Court/ Diversion	-	8	-	2	-	16	-	1	-	0	-	7
Court Adjudicated/ Probation	-	0	-	0	-	9	-	0	-	2	-	4
Other	-	0	-	0	-	0	-	0	-	0	-	0
<b>Year 4 Totals</b>	<b>-</b>	<b>8</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>57</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>11</b>
<b>3.5 Year Totals</b>	<b>138</b>	<b>110</b>	<b>104</b>	<b>42</b>	<b>285</b>	<b>446</b>	<b>27</b>	<b>31</b>	<b>26</b>	<b>84</b>	<b>175</b>	<b>180</b>



Of the 677 cases in which a VYC conference was held, 668 of the conferences reported ending with a reparations agreement, although data about reparations plan was missing for 74 youth. The majority (n=593, 88.8%) either successfully fulfilled or partially fulfilled more than half of the reparations plan agreements. Only 9 (<1%) youth were reported as having unsuccessfully fulfilled the conditions of the reparations plan. For one case, the youth was not reachable to determine the final status of the reparations plan.

Of the 871 individual youth served, 553 identified as male (63.5%) and 307 identified as female (35.2%). For 11 youth (1.3%), gender was not reported. The mean age at the time of the referring offense was 15.24 years, with a range from 8.96 to 18.76 years of age. The largest demographic of youth identified as White, non-Hispanic (408, 46.8%), followed by 20.0% (174) Black or African American, 14.8% (129) Latino/Hispanic, 2.2% (19) American Indian or Alaska Native, 1.4% (12) Asian, <1% (2) Native Hawaiian or Pacific Islander. An additional 2.2% (19) of participants identified as mixed race and 4.8% (42) as other, while racial and ethnic data was missing for the remaining 7.6% (66). During the 3.5 year period, the majority of youth referred for participation in a VYC had only one referral offense (813, 93.3%), while 25 youth had 25 (2.9%) youth referral offenses and one (<1%) youth had three referral offenses.

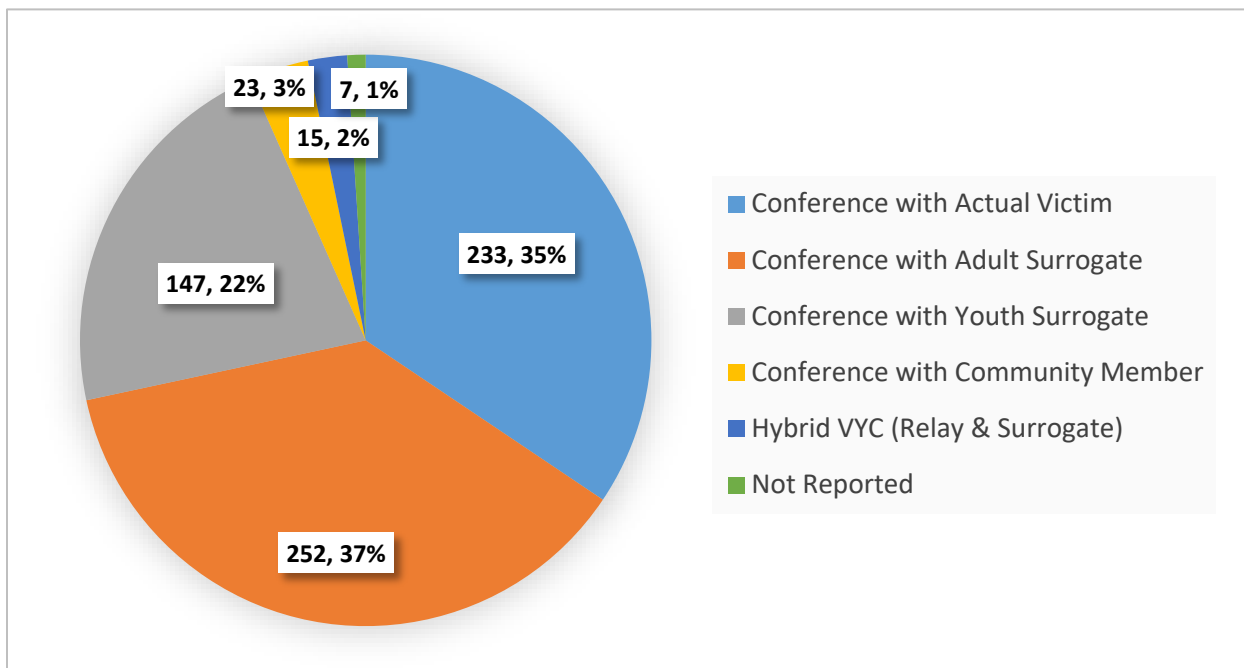


FIGURE 3. TYPES OF VYC CONFERENCES

### Youth Conference Participation

Regardless of the referral source, participation in a VYC conference is completely voluntary for all parties. When a mediation center receives a referral, the assigned facilitator reaches out to the youth who caused harm and the individual who was harmed to determine appropriateness for the process. During initial screenings, a facilitator may determine a case is not a good fit for participation based on the voluntariness of the parties or based on the willingness of the youth who caused harm to be take accountability for the harmed caused. Surrogates shared their perspective in lieu of the actual harmed

party in nearly 60% of VYC conferences held. During the 3.5 year period, 35% of VYCs included the youth meeting directly with the person harmed, which is consistent with the findings. Relay conferencing with a surrogate occurred in only 2% of the cases, see Figure 3. In a relay conference, the harmed individual does not directly meet with the youth who caused harm, but instead relays his or her comments to the facilitator prior to the day of the conference. On the day of the conference, the youth who caused harm meets with a victim surrogate and the facilitator relays to the youth the message expressed by the true harmed victim.

A total of 889 victims were served during the 3.5 year period, see Table 3. The largest proportion of cases included a youth victim. Harmed participants belonged to five general categories: youth under the age 19 (the age of majority in the Nebraska), adults, businesses or organizations, family members, and or school staff. Five of the cases that reported the type of persons harmed included more than one category of persons harmed. One case reported at least one youth and an adult as the persons harmed in the case. Another case indicated at least one youth and business/organization as the parties harmed in the case. Three cases identified at least one adult and business/organization as the parties harmed in the case. Previously, stakeholders indicated referral sources do not always have access to information about those harmed or, in some cases, referral sources choose not to make it available to mediation centers.

**Table 3.**  
*Number of Persons Harmed by Category*

Persons Harmed	Total cases				
	2018	2019	2020	2021	3.5 Year Total
Youths under age 19	97	122	109	47	375
Adults over 19 years	44	52	61	10	167
Businesses or Organizations	34	27	62	12	135
Family Member	8	12	14	2	36
School Staff	2	5	9	1	17
Not Reported	77	74	4	4	159
<b>3.5 Year Totals</b>	<b>262</b>	<b>292</b>	<b>259</b>	<b>76</b>	<b>889</b>

### **Reasons for Youth Not Participating**

Participation in a VYC program is completely voluntary for all parties, including the youth who caused the harm. One hundred ninety four of the referred cases did not result in a VYC conference (see Figure 4). Two cases did not report sufficient data to be included in the analysis. Of the 194 cases without a conference, 34 youth voluntarily declined participation in the VYC process, the centers were unable to reach 41 youth for further participation in the VYC process, and 21 youth were deemed inappropriate for participation. The referral source withdrew the youth in 42 cases prior to reaching the conferencing stage of the process. For 56 youth the reason for not participating in a VYC was not reported

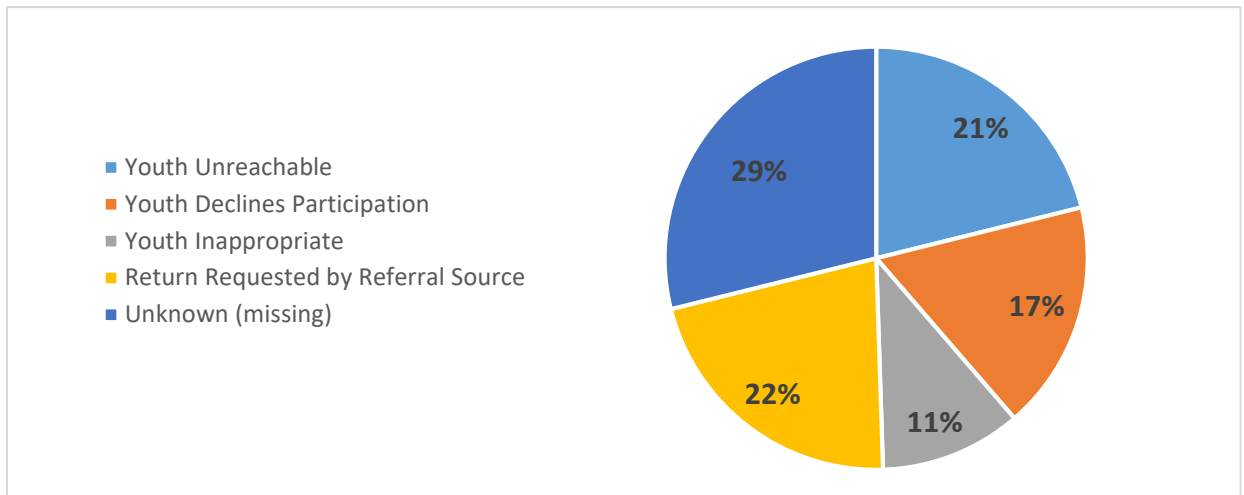


FIGURE 4. NUMBER OF REFERRED YOUTH WHO DID NOT PARTICIPATE IN VYC (N=71)

### Parent Involvement

Parents and/or guardians of referred youth and harmed parties are invited to participate throughout the VYC process. Parents may attend the initial private session between the youth and the facilitator as well as the VYC conference. Reporting on parent involvement was not consistently reported across all areas. Figure 5 illustrates the number of cases for which parent participation was reported. Additionally, if they responded “yes” to parent participation in the VYC, centers reported *how many* parents participated in the conference. For 291 cases, only one parent participated in the conference; two parents participated in the conferences in 30 cases. In five cases, a reported three or four parents were present. Although not reported, this number could be representative of non-traditional families participating. Number of parents of VYC youth participants was not reported for 104 of the cases that resulted in a VYC.

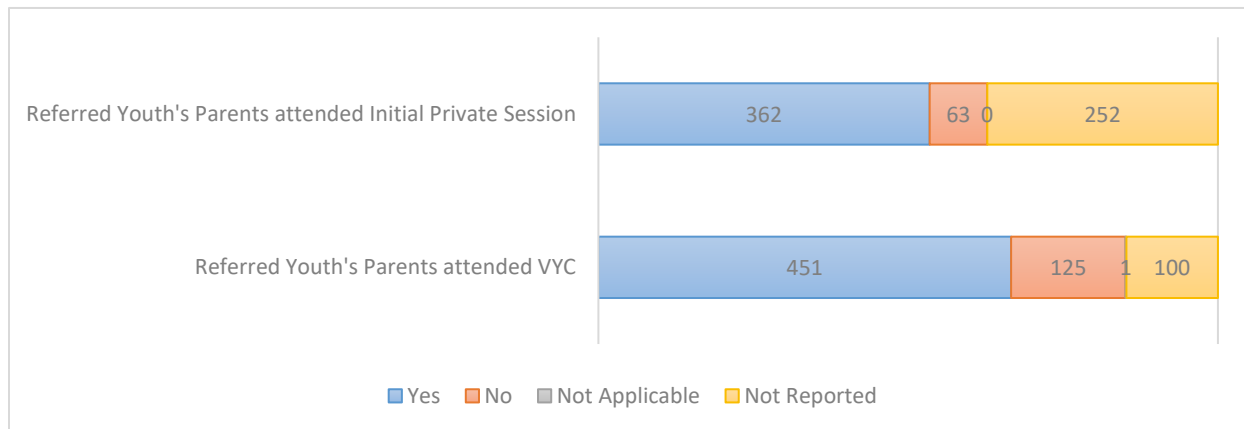
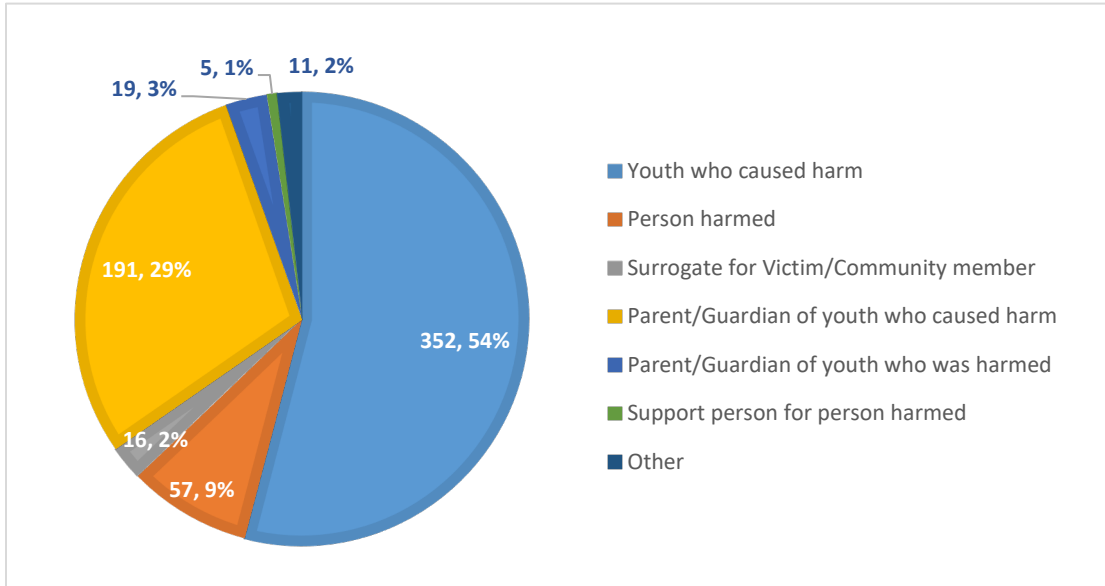


FIGURE 5. NUMBER OF REFERRED YOUTH'S PARENT PARTICIPATION ACROSS TOTAL CASES (N=677)

### Participant Post-VYC Evaluation Survey

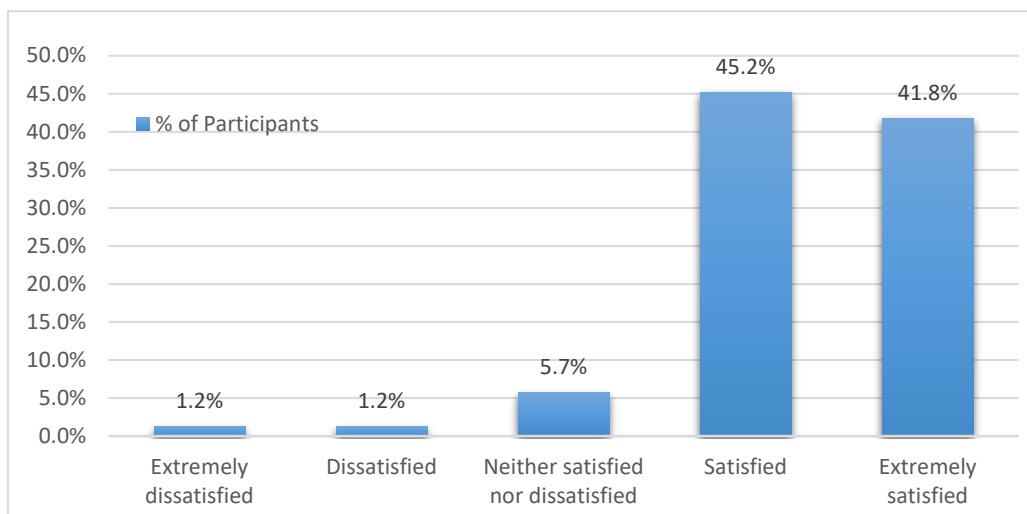
At the conclusion of each conference, all participants are offered an opportunity to participate in a confidential post-conference survey. Surveys are available to all participant types, including the referred youth, the harmed individual, parents/guardians of participants, surrogates, and support



**FIGURE 6. POST-VYC SURVEY RESPONDENTS BY CATEGORY**

persons. Participants may complete the survey in paper form or online through the secure platform provided through Qualtrics Online Survey Software. The post-conference survey is completely voluntary and, as a result, not all participants choose to respond. Only 650 of 2,270 reported participants completed the post-conference survey. Furthermore, respondents are free to leave any items blank, and therefore not all respondents answered every survey question. Figure 6 displays the types of respondents who completed surveys. Ten individuals indicated “Other” as their role in the conference; these individuals include: an interpreter for the mother, a representative of the company harmed, the sister of a youth who caused harm, five support persons for youth who caused harm, and a great grandmother.

The survey includes nine questions that examine participant satisfaction on several dimensions. The first question assesses participants’ overall satisfaction with the conference in which they just



**FIGURE 7. PARTICIPANT OVERALL SATISFACTION WITH VYC CONFERENCE**

participated. Responses ranged from ‘extremely dissatisfied’ to ‘extremely satisfied.’ Figure 7 demonstrates the distribution of responses for overall satisfaction with the conference. Over 90% of VYC participants who completed the post-conference survey indicated they were either ‘satisfied’ or ‘extremely satisfied’ with the conference overall.

Two additional items examine participant satisfaction with the extent to which they were prepared by the facilitators for the conference and their satisfaction with the resulting reparations plan. Again, 90.2% of survey participants were either satisfied or extremely satisfied with the conference preparation and 84.4% of survey participants whose conference resulted in a reparations plan indicated they were satisfied or extremely satisfied with the reparation plan. See Figures 8 and 9 for an illustration of all responses.

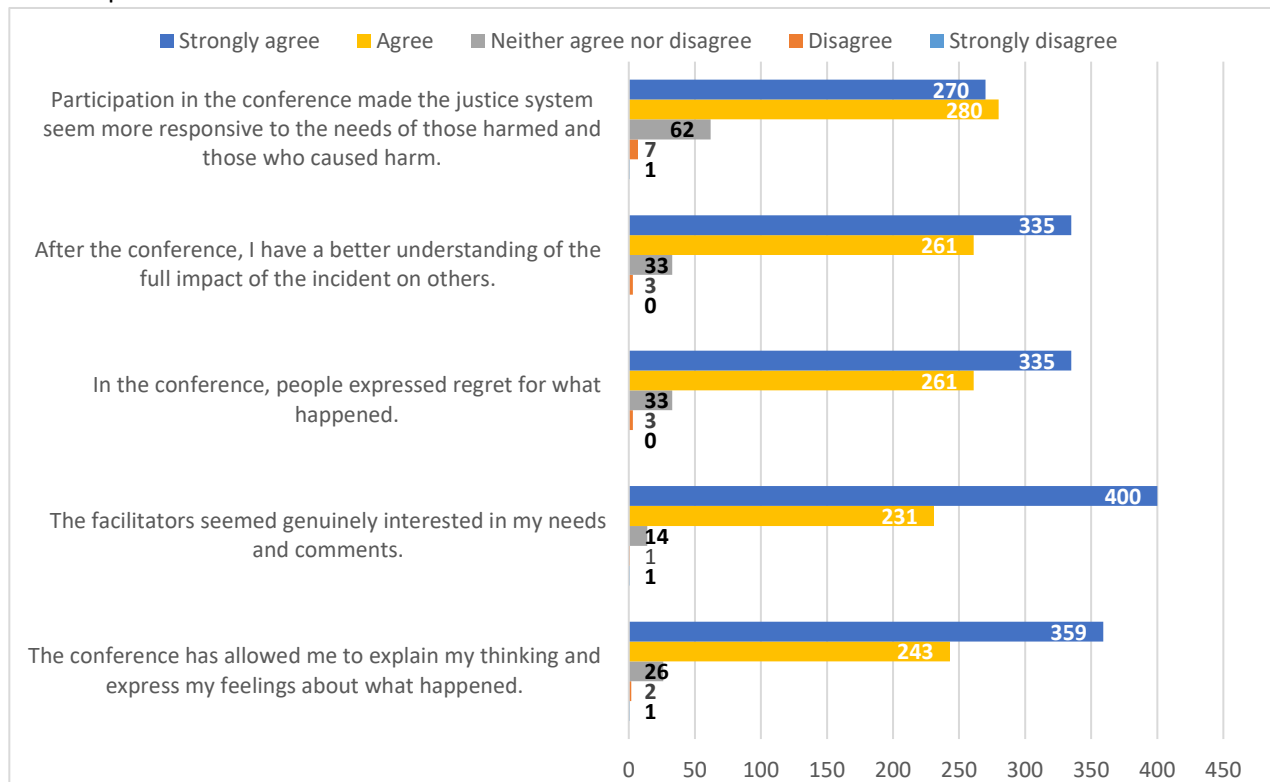


FIGURE 8. POST VYC SURVEY RESPONSES MEASURING PARTICIPANT AGREEMENT (N=651)

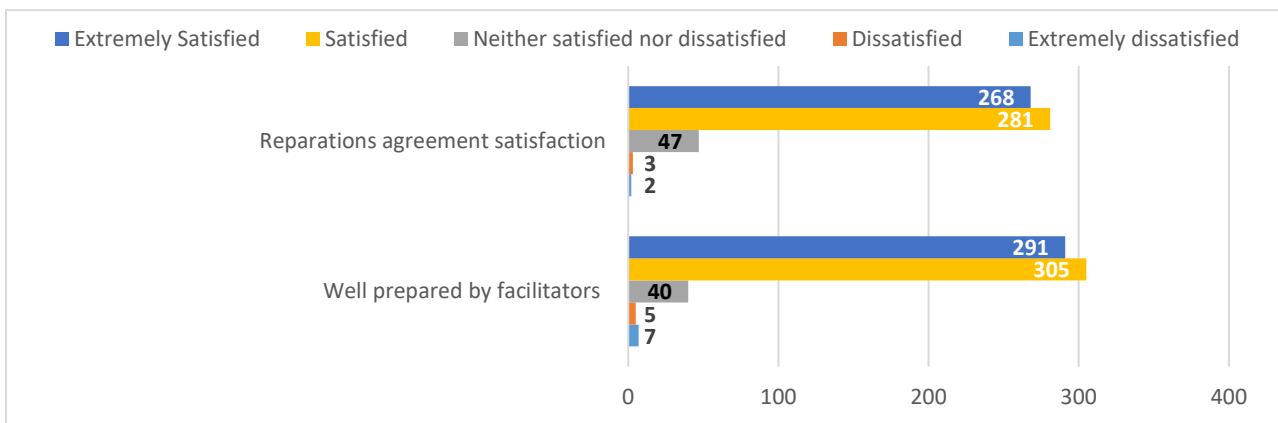


FIGURE 9. POST VYC SURVEY RESPONSES MEASURING PARTICIPANT SATISFACTION (N=651)

## Recidivism

Using the Supreme Court definition for recidivism, an analysis examined youth who participated in a VYC program to see how many recidivated within one year of participating in the program<sup>3</sup>. June 2020 met the one-year threshold to be included in the analysis. Nebraska Supreme Court Rule §1-1001(B) provides “recidivism shall mean that within one year of being successfully released from a probation of problem-solving court program the juvenile has (a) an adjudication pursuant to Neb. Rev. Stat. §43-247(1) or (2).” Given this definition, youth were considered recidivists if, within one year of successfully completing the VYC program, a youth was adjudicated in court for a non-traffic offense. “Success” was coded as 1 and represented any case in which the youth achieved complete or partial fulfillment of reparation plan conditions. “Unsuccessful” was coded as 0.

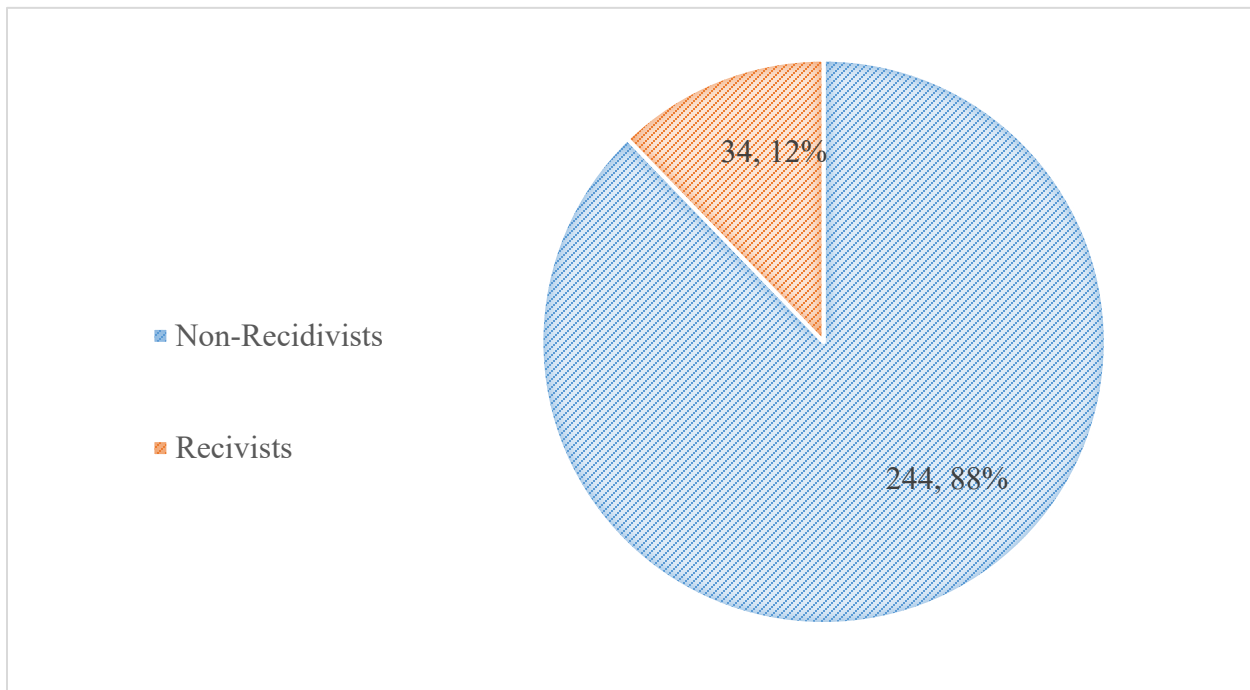


FIGURE 10. NUMBER OF PARTICIPANTS WHO SUCCESSFULLY COMPLETED THE VYC PROGRAM (N=278)

For the dichotomous outcome variable “recidivism,” a 0 represented a youth who was not adjudicated for a new offense within one year of program participation, and a 1 represented a youth who was adjudicated for a new offense within one-year of program participation. As demonstrated in Figure 10, the majority of youth were not adjudicated for a new offense within one-year of successfully completing the program, whereas 34 (12.2%) youth who successfully completed the program had been adjudicated for at least one new offense within 1-year. Table 4 demonstrates the total number of VYC participants between January 2018 to June 2020 and non-participants who recidivated at each of the six regional mediation centers.

<sup>3</sup> See “Recidivism Rates for Victim Youth Conferencing at ODR-Approved Mediation Centers: January 2018 - December 2020” (2021). Retrieved from [https://supremecourt.nebraska.gov/sites/default/files/u7124/Aug\\_2021\\_Recidivism\\_Report\\_for\\_VYC.pdf](https://supremecourt.nebraska.gov/sites/default/files/u7124/Aug_2021_Recidivism_Report_for_VYC.pdf)

**Table 4.***Frequency of Recidivists and Non-Recidivists Occurrence by Mediation Center*

	Participated in VYC		Did not participate in VYC		Total Cases
	Non-Recidivists	Recidivists (% of Participants)	Non-Recidivists	Recidivists (% of Non-Participants)	
The Mediation Center (Lincoln)	132	17 (11.4%)	19	7 (26.9%)	<b>175</b>
Concord Mediation Center (Omaha)	64	1 (1.5%)	20	1 (4.8%)	<b>86</b>
Central Mediation Center (Kearney)	20	5 (20%)	6	2 (25%)	<b>33</b>
Nebraska Mediation Center (Fremont)	23	5 (17.9%)	7	1 (12.5%)	<b>36</b>
Mediation West (Scottsbluff)	2	2 (50%)	10	2 (16.7%)	<b>16</b>
The Resolution Center (Beatrice)	3	1 (25%)	0	2 (100%)	<b>12</b>
<b>Totals</b>	<b>244</b>	<b>31 (11.3%)</b>	<b>62</b>	<b>15 (19.5%)</b>	<b>358</b>

**Goal 2: VYC Training and Education**

To build capacity for VYC, mediation centers and ODR established goals for training VYC facilitators and educating stakeholders statewide. The centers and ODR hosted restorative justice trainings in 2018<sup>4</sup>, 2019<sup>5</sup>, and 2021. Information about the 2018 and 2019 trainings are discussed in previous annual reports. During the 2020 year, ODR and the centers did not host such trainings due to limitations presented by the COVID-19 global pandemic. Alternatively, ODR collaborated with community partners and the mediation centers to develop new restorative justice ethics guidelines and training and approval guidelines. In June 2021, the centers hosted its first virtual restorative justice training. Sixteen new facilitators were trained by three mediation center restorative justice trainers.

Following the final training in June 2021, trainees rated their satisfaction with the overall training a mean score of 5.67 of 7, where 1 is very dissatisfied and 7 is very satisfied. Trainees also rated their satisfaction with the training materials (e.g., training manual, presentations, videos) as 5.67 of 7, where 1 is very dissatisfied and 7 is very satisfied. Trainees rated their agreement with four additional statements regarding training on a scale of 1 to 7, where 1 is strongly disagree and 7 is strongly agree (see Figure 11). On all items, participants rated positively on the 1 to 7 scales.

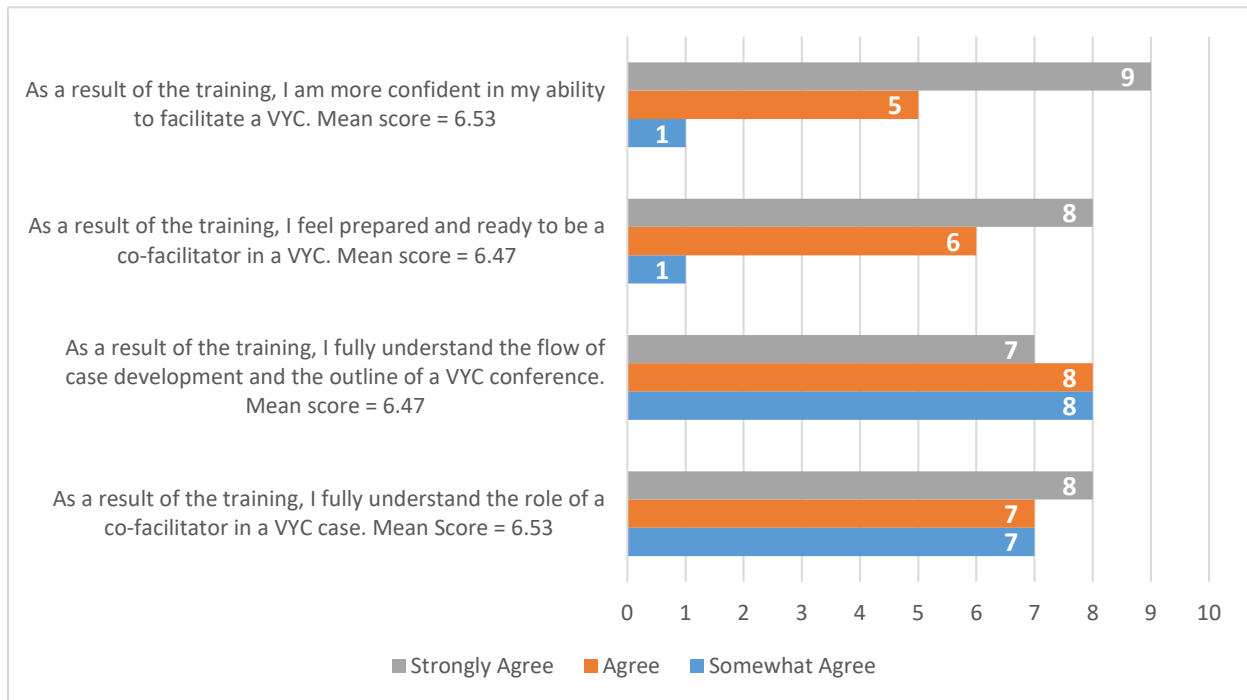
Finally, ODR lead the charge to initiate the development of new restorative justice facilitator ethics of practice<sup>6</sup> and training guidelines and approval policies<sup>7</sup>.

<sup>4</sup> See "Victim Youth Conference Evaluation July 2019 –June 2020 (2020). Retrieved from [https://supremecourt.nebraska.gov/sites/default/files/Nebraska\\_VYC\\_Eval\\_Report\\_2018-19\\_Final.pdf](https://supremecourt.nebraska.gov/sites/default/files/Nebraska_VYC_Eval_Report_2018-19_Final.pdf)

<sup>5</sup> See "Victim Youth Conference Evaluation July 2018 –June 2019" (2019). Retrieved from <https://supremecourt.nebraska.gov/sites/default/files/2019-2020-Juvenile-Victim-Offender-Conferencing.pdf>

<sup>6</sup> See "Nebraska Restorative Justice Facilitator Standards of Practice" (2020). Retrieved from [https://supremecourt.nebraska.gov/sites/default/files/u7124/Nebraska\\_Restorative\\_Justice\\_Standards\\_of\\_Practice\\_Approved\\_2020\\_08\\_26.pdf](https://supremecourt.nebraska.gov/sites/default/files/u7124/Nebraska_Restorative_Justice_Standards_of_Practice_Approved_2020_08_26.pdf)

<sup>7</sup> See "Nebraska Restorative Justice Facilitator Standards of Practice" (2020). Retrieved from [https://supremecourt.nebraska.gov/sites/default/files/u7124/Policy\\_for\\_Approval\\_of\\_RJ\\_Facilitators\\_-\\_APPROVED\\_05\\_24\\_2021.pdf](https://supremecourt.nebraska.gov/sites/default/files/u7124/Policy_for_Approval_of_RJ_Facilitators_-_APPROVED_05_24_2021.pdf)



**FIGURE 11. NEW FACILITATOR TRAINING SURVEY RESPONSES. THIS FIGURE ILLUSTRATES NEW FACILITATOR TRAINING PARTICIPANTS' RESPONSES TO THE POST-TRAINING SURVEY AT VIRTUAL JUNE 2021 TRAINING.**

### Goal 3: Organizational Capacity Building and Sustainability

#### Adaptability

During the 3.5 year expansion initiative, the mediation centers' restorative justice staff persons carried out reflective monthly meetings. Such meetings, led by the ODR RJ program analyst, provided the RJ staff statewide to have ongoing conversations about the needs, wants, and barriers to effectively administering the VYC program. During Year 1 and Year 2, case closure processes and the amount of ongoing follow-up with participants was identified as an area for further inquiry. Initially, a set of case closure evaluation questions were incorporated into the program procedures. At the conclusion of a case, the questions were to be asked of youth had been added to the program implementation protocol and tracked in the Caseload Manager database. Most mediation centers were not utilizing the formal case closure evaluation questions for a variety of reasons identified in interviews.

Mediation centers staff maintained a relationship with the youth during reparations agreement completion and case closure and found the formality of the case closure evaluation protocol to be awkward and not fitting with the youth relationship. Some mediation centers saw youth on a set schedule until the reparations agreement was completed, while others did not. Staff who were more engaged with youth in the process suggested it would be appropriate to ask open-ended questions relating to how they felt about their participation and what they gained from the process. At the same



time, one mediation center expressed comfort with the formal case closure questions and successfully incorporated the protocol into their data collection.

Staff of mediation centers stressed the importance of flexibility in the final youth conversation on a case-by-case basis in line with the VYC relational ethos. It was recommended to remove the formal closure evaluation questions as tracked in the database and replace them with an activity report used by mediation centers to add notes documenting the case closure conversation.

### **Diversified Funding Sources**

To increase likelihood of sustainability following the completion of the enhancement initiative term, mediation centers and ODR sought and secured diversified sources of funding. Data sources at the conclusion of the grant term included government sources of funding (county-level and state-level) and private foundation revenue.

One major source of private financial support that made the three-year VYC Enhancement Initiative possible was provided by The Sherwood Foundation. The Sherwood Foundation funds support capacity building efforts statewide, including the hiring of a Restorative Justice Coordinator at each mediation center.

### **Communications and Marketing**

The strategy to build capacity for the ODR and mediation centers to sustain VYC statewide was comprehensive, including the activities already reported to expand awareness, increase referral sources, secure diverse funding sources, and train skilled facilitators and surrogates. Stakeholder interviews, discussed in the next section, were also conducted to gain insight into priorities for further enhancement and what works best at the community level according to local stakeholders.

## **Stakeholder Interviews**

The ODR and mediation centers conducted interviews during Year 2 at the 18-month mark of the expansion initiative. Feedback from the stakeholders encouraged the mediation centers and ODR to reflect on the service provided and generate new ideas to cultivate future partnerships. The feedback during the formative stage of implementation was ideal to seek and be responsive to feedback from other partners or potential partners

During Year 2, the external evaluator conducted interviews with program stakeholders. Complete findings from the initial stakeholder interviews are reported in the July 2018 – June 2019 VYC Evaluation Report. A new round of stakeholder interviews were conducted at the conclusion of the 3.5 year reporting period. Interviewees were selected using the same process as was used in the initial round of interviews. All interviewees were professional experts related to the mediation centers, to the juvenile justice system, or to VYC implementation. Interviews followed the 2019 semi-structured interview guide with 15 open-ended questions. During the 2019 interviews, 19 interviews were conducted with twenty people participating (one interview included two people). Of those interviewed, six were urban-based and 14 rural. During the final interviews in 2021, 17 interviews were conducted



with 18 people. The mediation centers recommended four additional stakeholders that were not included in the previous round of interviews. Two of the new recommendations declined participation in the interviews. Two of the individuals who participated in the 2019 interviews declined participation in the final interviews. Four of the individuals who participated in the interviews in 2019 did not respond to the invitation to participate in the interviews.

Eleven stakeholders are in positions to provide referrals to mediation centers for VYC, from county attorney's offices, diversion programs and probation offices.

Six stakeholders are administrators who don't make direct referrals, but supervise those who do or are involved in a VYC partnership, from county attorney's offices, schools and probation administration (four urban and two rural). The implementation of VYC across Nebraska is nuanced with great flexibility to adapt to the regional culture and varying interests of public partners. Local programming in pre-diversion, diversion and probation administration are equally varying from county to county, which reinforces the need for mediation centers to be flexible in their partnerships.

**Define success in your area of work**

Stakeholders were asked to describe their role within the VYC referral process and identify for the interviewer what success looks like in their area of juvenile work. In response to this questions, the stakeholders responded consistently with the previous round of interviews. The most common response to this question was prevention, that is, "success" occurs when youth who caused harm are successful in completing their prescribed programs do not return or penetrate deeper into the justice system.

The ability to properly pair youth to relevant programs was an important indicator of success for several stakeholders. One stakeholder expressed this sentiment stating, "[Success is] If I can go home at the end of the night and sleep." Success also appeared to include factors that may not be empirically measured by individual stakeholders, such as improved relationships with family, discontinued use of alcohol and drugs, improvements in school (e.g., attendance, grades). Such un-measured factors also include long-term adjustments such as changed future behavior by the youth who caused harm.

Several rural referral sources indicated growth in program partnerships as an indicator of success in their professional role. This included building relationships with community partners such as

mediation, drug and alcohol programs, etc., and having access to multiple streams of funding to finance participation in such programs.

### How does VYC fit into the multiple services available for youth? Are any services a good or bad fit in conjunction with VYC?

When asked this question, four stakeholders noted that they refer youth to VYC as the first and only intervention rather than assigning them to a multi-service plan. Two stakeholders stated that VYC may be a good fit with any service as part of a plan, so no service was seen as a bad fit.

The majority of stakeholders indicated VYC could be complimentary to many, if not most of the programs they provide. Five stakeholders (two rural and three urban) argued VYC was a great pairing with family-centered services. Youth who belonged to families with other on-going conflict appear to benefit from the individualized service provided by a program such as VYC. Some of the specific programs that stakeholders indicated as good pairings with VYC included: in-home therapy, mental health services, victim empathy class, community service, in-home family services, cognitive behavioral therapy (CBT), and truancy.

### What is the most important thing to get right in VYC implementation?

Both rural and urban stakeholders who make referrals indicated the face-to-face meeting between the youth offender and the harmed party as the most important piece to get right. Although many of the stakeholders indicated no disdain for the use of surrogate victims, several expressed they

"The timing is important. If the process takes too long, they become disengaged and the kids are not...they become almost desensitized. Goal is to shorten the timeline from when they start intervening the service. If too remote, youth move on to other victim or move on to something else. Or victim doesn't want to participate because [he/she is] frustrated it's taking so long."

--Rural Service Provider"

"The primary goal – be restorative, be positive, and provide some level of closure to parties."

--Rural Service Provider

felt it more important to have the real victim present. An examination of the VYC data suggests outcomes for youth who participate in VYC with a surrogate compared to an actual victim is not a predictor of success in the program. This may be an indicator that more in-depth analyses and evaluation is needed. Regardless of the use of a victim surrogate, stakeholders indicated the importance of having a thoughtful discussion during the conference and a well-constructed reparation between the parties.

The most common themes around this question related to the parties themselves. Several stakeholders alluded to the need for the offender and victims to have an opportunity to have their "voices" heard. That is, both the victim and the offender are entitled to express themselves and should walk away from the process feeling they have been heard. This entitlement to expression coincides with the need for the

offender to take accountability and ownership of their actions and the victim’s sense that justice has been served. Ultimately, when the program is administered properly, stakeholders want to see long-term change such as increased empathy for the victim and the youth offender’s greater understanding of the impact of his or her behaviors.

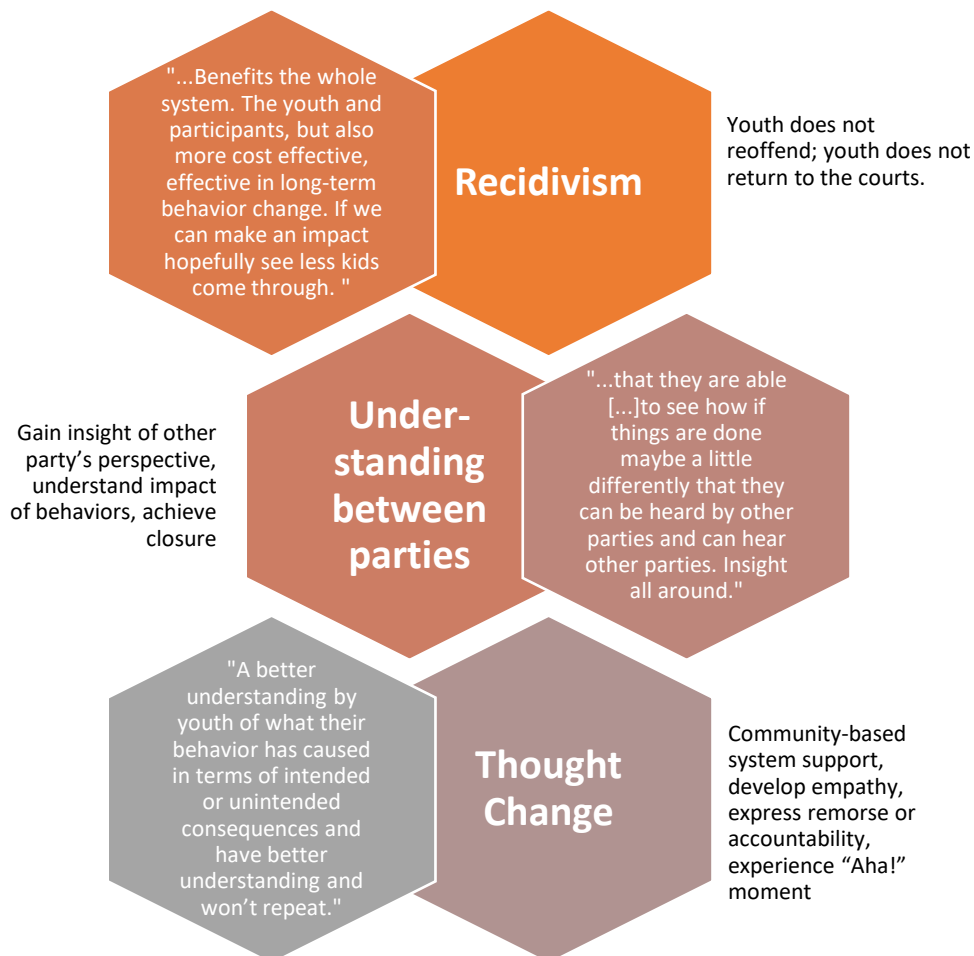
Two stakeholders raised the need for the program to be timely as well. Four rural and one urban stakeholder suggested timing is important to keep the parties engaged. When the process is delayed, the parties, particularly the youth offender, will lose the impact of the process.

**What are the benefits; what would be your dream outcome for VYC? What are the greatest barriers to not being able to get this outcome?**

Three primary themes emerged in response to this question:

**Recidivism.** The most common response to this question was that after participation, the youth would not return to the justice system. One rural stakeholder described saying, “[Success is when] no youth come back and reoffend. Recidivism will be zero.”

**Understanding between parties.** The stakeholders indicated a dream outcome for the VYC is when the parties are able to understand and address the person whom they’ve harmed. One stakeholder relayed, “Ideal is that both parties walk away feeling some level of closure and youth to



*have built some skills along the way and that they are making better choices in future, realize actions have actions. As for the victim, they feel closure when they can and made whole as much as possible. Sometimes equally as important to both.”*

**Thought change.** Another major theme observed in response to this question was whether there exists a meeting of the minds for those who engage in the process. Stakeholders expressed an interest in seeing that the youth who caused harm learned about the impact of their behaviors and has a change of heart, but also that the victim’s mind is changed as well. A number of stakeholders suggested this level of understanding can only be achieved when we are able to change the mindset of the justice community. For instance, one stakeholder indicated her local, rural county attorney’s office was not very supportive of the process and therefore missed many opportunities to make referrals. She provided anecdotes of cases that she believe to be good fits that her local county attorney denied.

### What are the problems to be solved locally as well as system-wide?

Stakeholders identified a need for funding and resources locally and system-wide. Many stakeholders, particularly in the rural communities, expressed a desire to utilize more restorative programs such as VYC but difficulty in securing appropriate funds to do so. Many dynamics go into the justice system, however, lack of access may prevent youth from taking full advantage. For instance, a family may lack transportation necessary to participate in a program like VYC and may consequently decline participation. Many stakeholders expressed frustration when VYC is appropriate but due to limited funds they must be very selective in referring cases.

“That is the bigger issue. In particular on smaller scale, VYC be more visible. People don’t understand ‘victim youth conferencing’. The title is less approachable for people we are trying to get to utilize it. For ex, if we have families that have problems, some families would be more impactful than counseling, because it’s a logistical negotiation than emotional component. I wish it were offered and more on forefront for visibility for folks.”

Another problem identified by stakeholders in rural and urban communities was the need to access programs such as VYC sooner. This issue is two-fold. In most regions the VYC program becomes available only once a youth is in a considerable amount of conflict (e.g., once a citation has been filed or an arrest has been made). Alternatively, some access points result in accessing the program at a time too far removed from the original date of the offense. Stakeholders expressed youth should have more programs like VYC as a preventative measure and eligible youth should be referred at the earliest point after a case is opened. One stakeholder suggested making referrals to VYC as early as when a youth comes in contact with law enforcement, before a citation is filed.

Education is a third problem system-wide and locally. Stakeholders in rural and urban regions described a need for better education about what restorative justice and VYC offer. In many cases, harmed parties choose not to participate in the program due to their lack of understanding of the process. If more harmed parties understood the purpose and benefits of restorative justice, and the negative effects of not participating, stakeholders anticipate an increase in their likelihood to participate in the program.

## What information would make a compelling case for expanding VYC?

Two questions were combined to explore possibilities for future program evaluation: 1) what information would make a compelling case for expanding VYC, and 2) what would you want to ask the target audience (those served) in the future?

**Outcome Comparisons among Interventions.** Now that recidivism data is coming available in Nebraska, a number of stakeholders said it would be helpful to see outcomes for VYC in comparison to

“[I’d like to see] data from what we have been working on and several pieces: reduced recidivism? Helped reduce disproportionality? Anecdotal evidence or info from students who’ve participated in the program.”

other interventions, such as probation and diversion programs. It would make a compelling case for VYC if the data shows its use is more beneficial than others. Also, it would be helpful to see evidence of VYC making a positive difference for youth who did not proceed with VYC versus those that did. Another stakeholder expressed having read that earlier access to interventions were more impactful. Consequently, one stakeholder would like to see information that highlights the best means to access the program at the earliest point. Furthermore, they would be interested in

information about how to streamline the process locally.

**Impact on Participants.** Similar to comparing outcomes, stakeholders said they would be interested in hearing anecdotal examples of success from program participants. This includes testimonials from youth what was most impactful among various interventions for them to make the changes necessary to prevent future system involvement. I’d be interested in hearing what they see working or what should be different,” another shared. Post-VYC surveys were seen as an important tool for gaining the perspective of participants soon after the VYC experience, which is a current practice. Another stakeholder mentioned it would be interesting to know from those harmed, who chose not to participate, what prevented them from opting in.

“If they are able to get the V and O together and follow through with making sure they’re doing whatever they say are doing to make amends. Making sure that they are following through. Need to have consistent follow up to make sure restitution paid.”

**Impact on Relationships.** Repairing relationships was mentioned as a selling point of VYC, and yet has been one of the most neglected factors in program evaluation. A couple stakeholders said a compelling case would be made for VYC if data showed broken relationships were healed as a result. “Success rates, testimonials from victims would be really good. Success—however it’s defined,” a stakeholder stated.

One stakeholder suggested using info-graphics and anecdotes to share positive program outcomes in a more digestible manner. Findings would include outcomes such as satisfaction of target audiences (victims, offenders, and participants), recidivism rates, etc.

## Discussion and Future Directions

The mediation centers and ODR achieved a great deal during the 3.5 year VYC enhancement initiative. The centers and mediation centers set out to achieve three primary short-term goals, which they tracked over the course of the grant period. The outcome indicators for all three goals during the grant period - January 2018 to June 2021 - were fulfilled in most instances, however, the centers still have room for growth beyond the enhancement initiative.

One area for continued growth is in financial sustainability. During the grant term, the centers relied heavily on grant funding to financially support a designated restorative justice staff persons. A designated RJ staff person allowed the centers to reserve specific staffing hours for outreach, case management, and data management. At the conclusion of the grant term, the centers had secured alternate forms of funding designate for restorative justice, however, the funds were intended for case fees as opposed to staffing. The centers and ODR continue to see funding alternatives, however, the funding challenge is one faced by ODR, the mediation centers, *and* collaborative partners. One recommendation to facilitate increased funding is for the centers and ODR to systematically educate community partners about the benefits of RJ. A cost-benefit analysis may offer the persuasive information needed to encourage greater utilization of and investment in such programs.

In 2018 and 2019, ODR worked closely with legislators to pass legislation supporting the use of restorative justice practices. Unfortunately, the legislation did not include financial support. The ODR and mediation centers should capitalize on the solid network of supportive leaders in Nebraska's judicial and legal system to revisit the possibility of political support for financing restorative justice services.

The evaluation during the grant years focused on the short-term and intermediate-term outcomes. The logic model included long-term outcome measures that have yet to be assessed. The long-term evaluation plan is based on the VYC theory of change: Victim Youth Conferencing as a primary restorative justice intervention will reduce youth involvement in the justice system. Exploring how this will be measured is a next step, as well as doing so for the long range goals of closing the gap in disproportionate minority contact with courts and increasing safety in communities. Moving forward the ODR staff will work with the mediation centers to develop an evaluation of the long-term outcomes. Together with the mediation centers, ODR will revisit the evaluation plan to ensure the analysis explores questions of impact and desired long term outcomes. The ODR seeks to engage in analyses beyond descriptive data. To begin the next phase of the evaluation, ODR, mediation centers and collaborative partners will create a list of questions to guide evaluation beyond descriptive statistics.

National and local studies and evaluations provide empirical support for the use of programs such as VYC. The community partners and stakeholders have expressed interest in utilizing similar programs with populations besides youth offenders. As the mediation centers expand services to adults and other populations, the centers should examine opportunities to evaluate other restorative programs.

**Office of Dispute Resolution  
Victim Youth Conferencing Final Evaluation Report**

January 2018 – June 2021

This Victim Youth Conferencing Evaluation Report of the Office of Dispute Resolution (ODR) contains aggregate caseload statistics extracted from the caseload management system used by the ODR and the approved centers. Providing case statistics ensures transparency to the public and complies with statutory requirements (Neb. Rev. Stat. § 25-2908(15)).



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