



STATE OF
NEBRASKA
JUDICIAL BRANCH

Administrative Office
of the Courts & Probation

Juvenile Services Division

Fiscal Year 2017-2018

Detailed Analysis



Artwork created by youth on probation

JUVENILE SERVICES DIVISION DETAILED ANALYSIS



STATE OF
NEBRASKA
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of the Courts & Probation

Fiscal Year 2017/2018

The *Juvenile Justice Reform Initiative* continues to focus on supervision and services for youth and families that impact long-term behavior change. This would not be possible without the support and advocacy of the Supreme Court, judiciary, highly skilled probation staff, local stakeholders and national experts. Additionally, the Juvenile Services Division has made great strides over the past year by releasing new juvenile probation specific research reports, as well as the expansion of home-based services throughout Nebraska. Juvenile justice is a priority both locally and nationally, with growing research over the last year specifically focused on juvenile justice systems. The research identifies the tenets of what makes a juvenile justice system thrive, and progress is being made in Nebraska.

A special thank you to those who work with and impact the lives of youth in the juvenile justice system every day.



Sincerely,

Jeanne K. Brandner

Deputy Administrator, Juvenile Services Division

Juvenile Probation Outcomes

The goal of juvenile probation in Nebraska is to prevent juveniles from returning to the juvenile justice system or entering the adult criminal justice system by:

- Engaging juveniles and their families in the court process;
- Eliminating barriers to accessing effective treatment and services; and
- Partnering with educational and community stakeholders.

DETAILED ANALYSIS STRUCTURE

Initial Entry Stages of the Juvenile Justice System:

Intake	Offense	Investigation/Assessment	Disposition
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Total Youth Served within the Juvenile Justice System:

Total Active Population	Case Management / Graduated Response	Home-based Services	Out-of-Home Placement	Discharge / Recidivism
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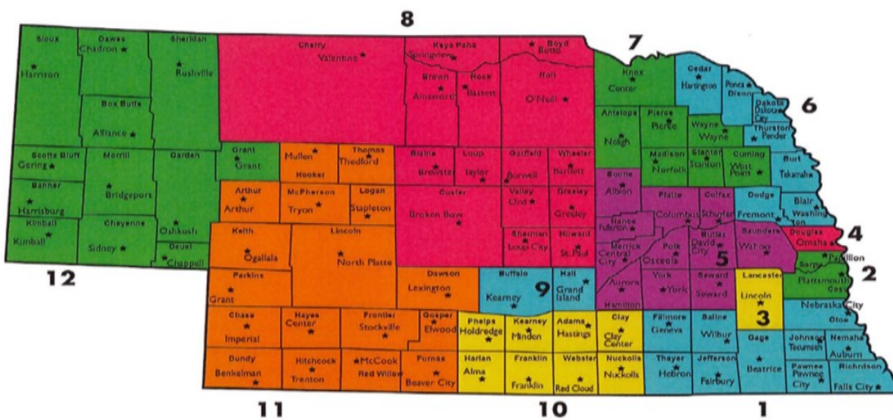
Juvenile Services Division Detailed Analysis

Fiscal Year 2017/2018

"We, the leaders in community corrections, juvenile and restorative justice, are unified in our dedication to delivering a system of seamless services which are founded on evidence-based practices and valued by Nebraska's communities, victims, offenders and courts. We create constructive change through rehabilitation, collaboration, and partnership in order to enhance safe communities.

- Nebraska State Probation Mission

Map of Nebraska Probation Districts



Artwork created by youth on probation

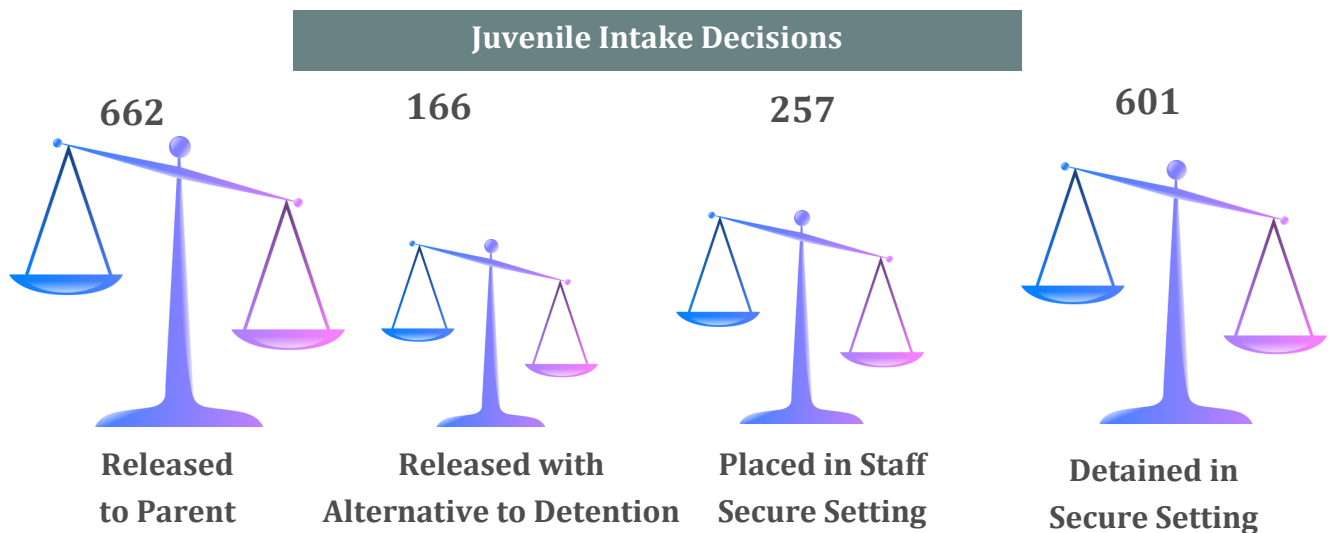
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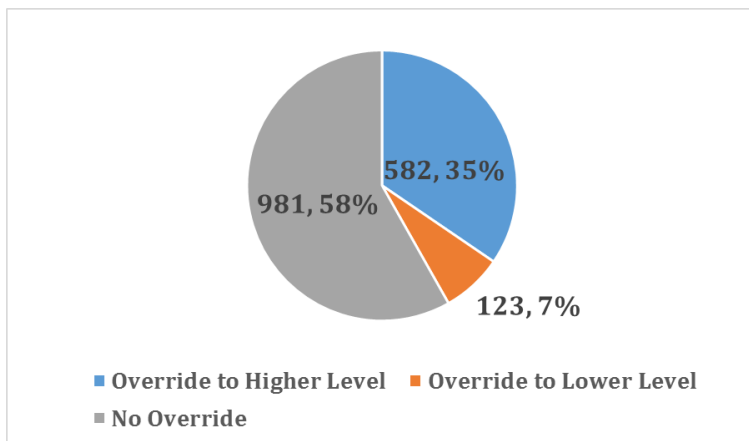
Initial Entry Stages of the Juvenile Justice System

Juvenile Intakes

Nebraska state statutes § 43-250 & 43-260 authorize Probation to manage the juvenile intake function. Public safety and accountability are the primary goal of the juvenile intake process. This is accomplished through a standardized risk assessment tool that is administered when law enforcement contacts Probation for the purpose of determining an intake decision. The detention screening instrument examines the youth's risk of reoffending or failing to appear for a subsequent court hearing. Juvenile intake is designed to identify and offer appropriate services which are the least intrusive and least restrictive to the juvenile and family, and to balance the juvenile's best interest and safety of the community. In fiscal year 2017-2018, 1,686 separate intakes were completed by a probation officer with the following outcomes:



Juvenile Intake Tool Override Decisions



Overrides occur when there are special circumstances that a probation officer considers to authorize a higher or lower intervention than recommended by the intake tool. Overrides are to ensure community safety while utilizing the least restrictive options available and must be approved by a supervisor.

Juvenile Justice Reform: Positive Progress

JDAI Site Expansion Continues to Lancaster County

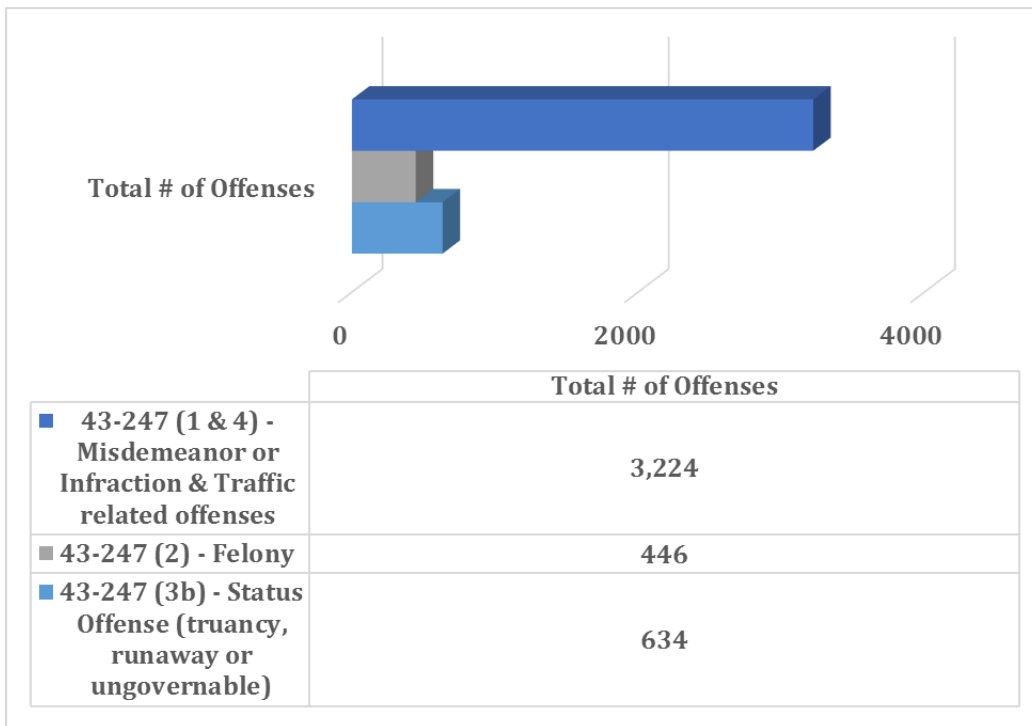
In February of 2018, Lancaster County, Nebraska began implementation to become a Juvenile Detention Alternative Initiative (JDAI) site. Lancaster County or District 3J Probation has worked to decrease the number of youth that are detained through the joint efforts of the Robert F. Kennedy (RFK) National Resource Center for Juvenile Justice Evaluation and JDAI System Assessment.

Initial Entry Stages of the Juvenile Justice System

Offenses

The Administrative Office of Probation is responsible for youth who are subject to supervision by a probation officer and have been adjudicated under one or more of the following subdivisions of Nebraska Revised Statute § 43-247 (1), (2), (3b) and (4). Each subdivision refers to the type of act that brought the youth before the court, and the chart below identifies the percentage of youth who were adjudicated under each category. Youth may be adjudicated for multiple offenses which are represented in the data below. The majority of youth placed on probation are adjudicated under subdivision (1) for offenses which would be considered a misdemeanor or infraction.

Offenses Resulting in Being Placed on Probation



Of the 634 status offenses in fiscal year 2017-2018, 85% were for habitual truancy.

Juvenile Justice Reform: Positive Progress

Youth In Need of Supervision and Support (YINSS) Pilot will move statewide

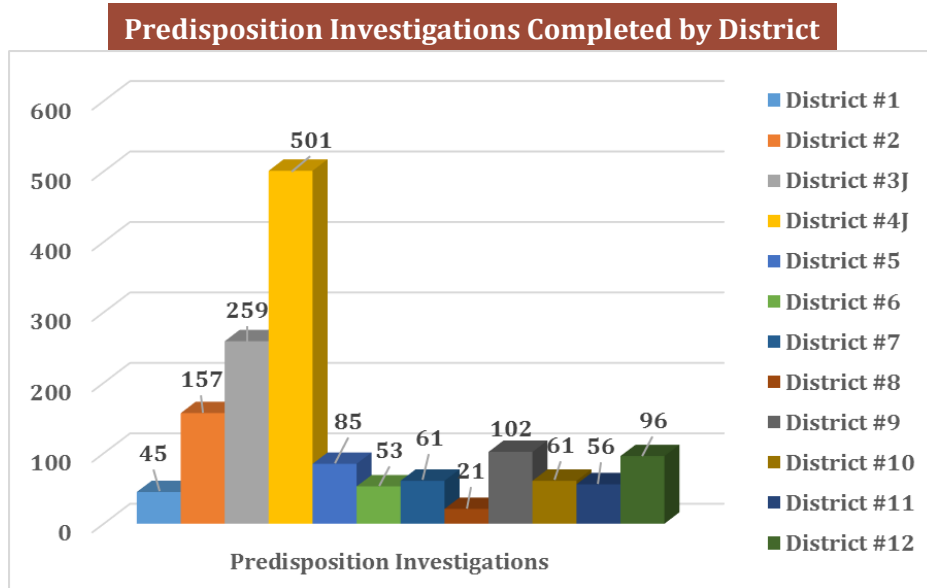
Although the number of youth on probation for status related acts has decreased since last fiscal year, the percentage of those youth on probation for habitual truancy have increased. Over the next fiscal year efforts will begin to expand the YINSS pilot statewide.

Initial Entry Stages of the Juvenile Justice System

Youth Investigations and Assessed Risk Level

Investigations

Probation utilizes a validated risk assessment, as well as screening instruments and evaluations, to assist in the completion of a comprehensive predisposition investigation. The investigation assists the court in identifying probation conditions that can target the youth's risk and needs, as well as the services that will be most effective in reducing the juvenile's risk for continued delinquent behaviors.



Juvenile Justice Reform: Positive Progress

Youth Level of Service/Case Management Inventory (YLS/CMI) Study Published

In a report published in October 2017, Dr. Richard Wiener and his team from the University of Nebraska Law-Psychology Program “found strong evidence for the validity of the instrument as Nebraska Probation currently uses the tool with juveniles in the system.”

Assessing Risk Level

Probation staff utilize the Youth Level of Service/Case Management Inventory (YLS/CMI) validated risk assessment to analyze a youth's propensity to continue unlawful behaviors. The YLS/CMI considers eight domains, these include: prior and current offenses/dispositions; family circumstances/parenting; education/employment; peer relations; substance abuse; leisure/recreation; personality/behavior; and attitudes/orientation.



36%

Percentage of youth placed on probation that were assessed as very high, high or high-moderate risk using the YLS/CMI.

In Fiscal Year 2016-2017

64%

Percentage of youth placed on probation that were assessed as moderate-low or low risk using the YLS/CMI.



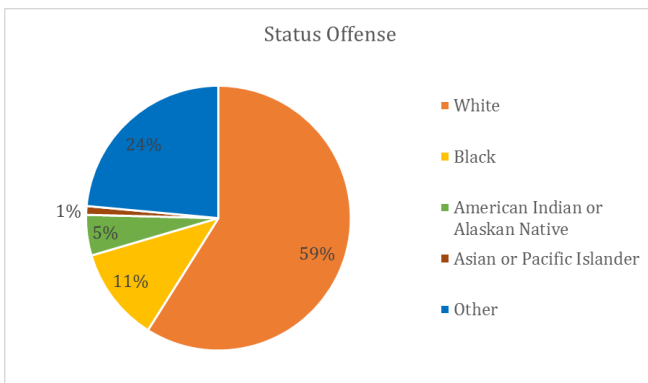
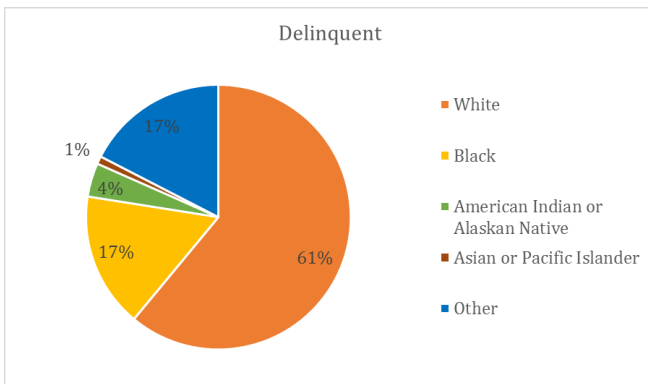
Initial Entry Stages of the Juvenile Justice System

Disposition Population and Demographics for 2017-2018

The demographic information below reflects youth placed on probation for delinquent and status related acts. There were 2,676 youth placed on probation during fiscal year 2017-2018. A status youth comes before the court for non-delinquent behaviors such as habitual truancy and running away from home or other behaviors a parent is not able to control. Beginning July 1, 2017, youth who are ten years and under at the time a traffic, infraction, status, misdemeanor or felony act is committed are no longer eligible for juvenile court jurisdiction.

Youth Placed on Probation by Age			
Age of Youth	Delinquent	Status	Total
12 & Under	73	17	90
13	107	31	138
14	257	63	320
15	410	112	522
16	500	154	654
17	598	167	765
18	166	21	187
Total	2,111	565	2,676

Probationers by Race



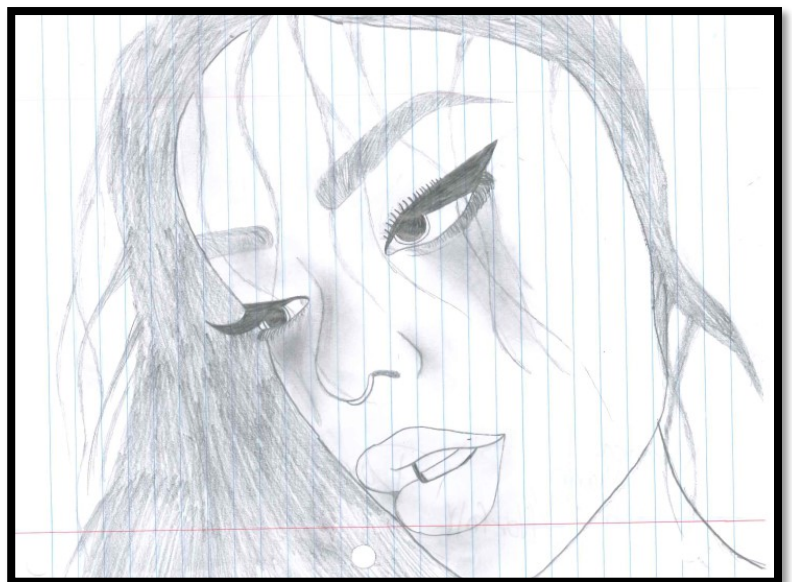
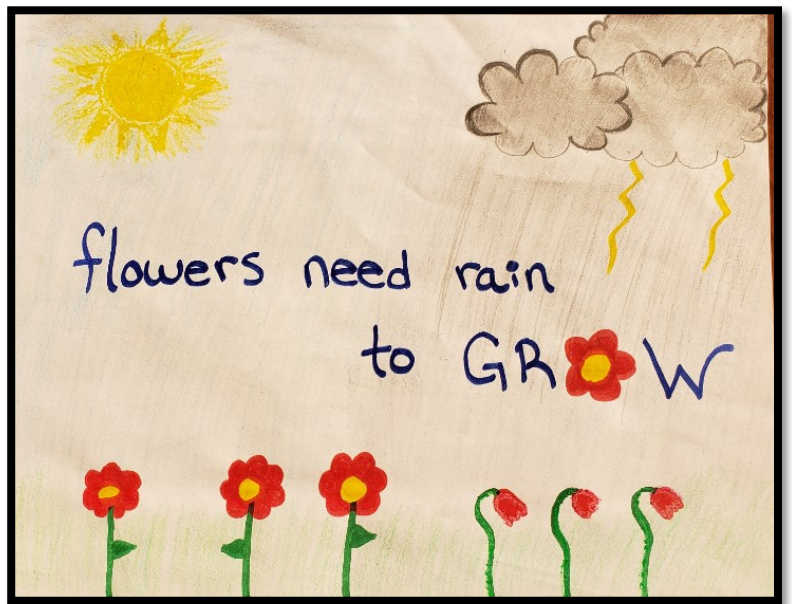
Probationer by Gender



Probationers by Ethnicity	Delinquent	Status
Hispanic Origin	541	164
Not of Hispanic Origin	1,570	401
Total	2,111	565

Fiscal Year 2017/2018

Total Youth Served within the Juvenile Justice System



Artwork created by youth on probation

Total Youth Served within the Juvenile Justice System

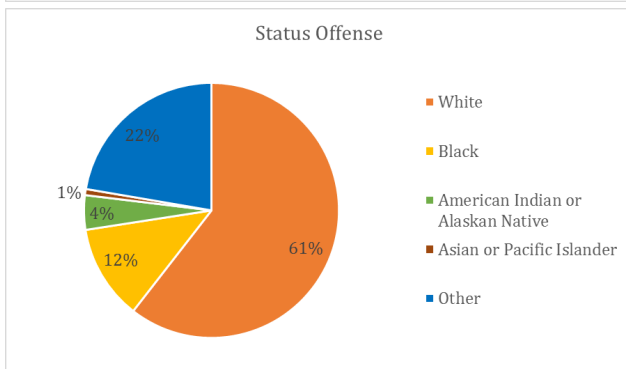
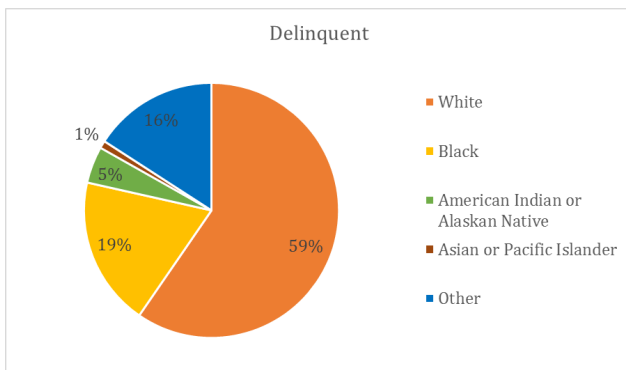
Total Active Population Demographics

In this section of the report, all data will represent the total population of youth served on probation which includes youth already on probation with continued supervision into 2018. There were 5,043 youth served during fiscal year 2017-2018.

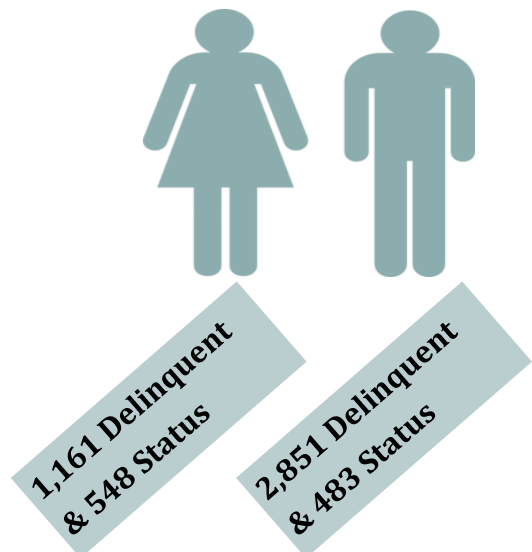
Below is demographic data by age of the population of youth served by probation separated by delinquent and status related offenses. As previously noted, a status youth comes before the court for non-delinquent behaviors such as habitual truancy and running away behaviors.

Total Youth Served by Age			
Age of Youth	Delinquent	Status	Total
12 & Under	132	40	172
13	238	66	304
14	467	129	596
15	728	223	951
16	993	263	1,256
17	1,003	256	1,259
18	451	54	505
Total	4,012	1,031	5,043

Total Youth Served by Race



Total Youth Served by Gender



Ethnicity	Delinquent	Status
Hispanic Origin	918	295
Not of Hispanic Origin	3,094	736
Total	4,012	1,031

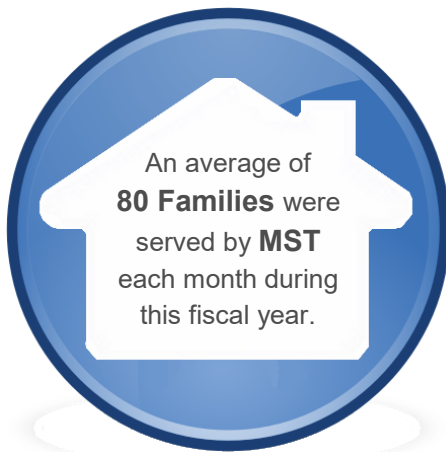
Total Youth Served within the Juvenile Justice System

Case Management

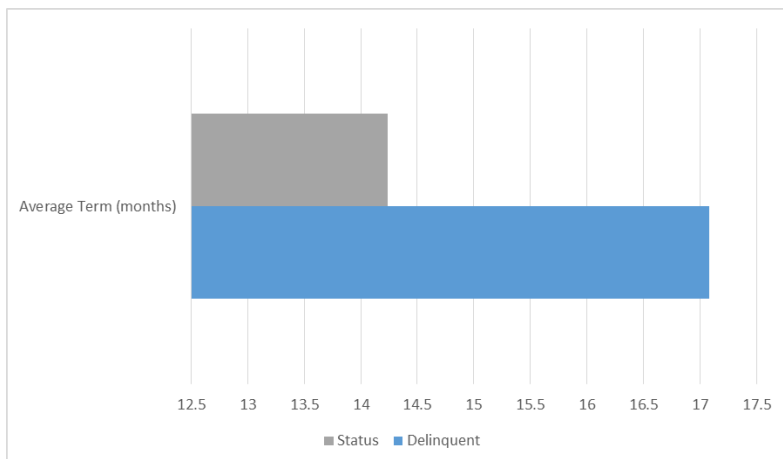
Youth in the juvenile justice system receive individualized supervision and services which are core to effective case management. Probation officers that supervise youth are highly skilled and provide many interventions including cognitive restructuring groups, motivational interviewing and field visits. Therefore, dosage and service duration are key, focusing on the *right service*, at the *right time*, for the *right youth* is imperative to creating individualized case plans for youth on probation.

Juvenile Justice Home-Based Initiative

The expansion of Home-based services in Nebraska kicked-off April of 2017. Since that time, two evidence informed services have been expanded. These services are Multisystemic Therapy, or MST and the Boys Town Ecological In-Home Family Therapy or EIHF.



Length of Time on Probation Discharged Fiscal Year 2017-2018



Juvenile Justice Reform: Positive Progress

Specialized Training Event

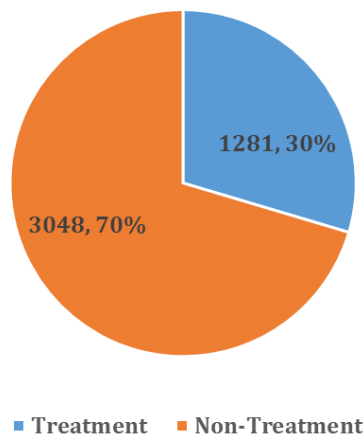
In September of 2017, the Center for Sex Offender Management’s (CSOM) expert trainer, Dr. Kurt Bumby conducted a two-day training focused on assessing and supervising youth who sexually harm. Probation officers and managers were in attendance. The training detailed the current evidence and best-practice strategies for case management.

Total Youth Served within the Juvenile Justice System

Case Management—Financial Assistance

Probation staff work with registered service providers statewide to ensure youth have access to quality behavioral health and non-clinical supportive services. When appropriate, financial assistance is available to ensure youth can access services. With targeted services, supervision outcomes can improve and youth’s risk of recidivism is reduced. Treatment services may include: substance use treatment (out-patient or residential), counseling, medication management and mental health treatment. Non-treatment services may include: educational tutoring, electronic monitoring, tracker, shelter care, foster care and transportation.

Service Type per Youth Receiving Financial Assistance



Juvenile Justice Reform: Positive Progress

Enhanced Training for Youth Evaluations

Statewide training was conducted for probation staff focused on types of evaluations, licensure requirements, and clinical recommendations. Additionally, evaluation guides and hands-on evaluation reviews were trained to enhance officer skill.

In Fiscal Year 2017-2018

- ◆ Of the youth served by probation 1,256 accessed financial assistance for treatment services, an increase of 242 youth as compared to last fiscal year.
- ◆ Of the youth served by probation 3,048 accessed financial assistance for non-treatment services, a decrease of 372 youth as compared to last fiscal year.

Service provision for youth that were funded by alternative streams is not represented (i.e. Medicaid, Private Insurance, etc.). Youth may appear in both treatment and non-treatment counts/detention is not included.

Average Annual Cost of Probation per Youth		Overall Average per Youth	Monthly Average per Youth
	In-Home/Community-Based Services	\$ 3,938.87	\$ 328.24
	Out-of-Home Services	\$ 20,497.96	\$ 1,708.16

*The average daily cost for supervising a youth is \$20.99 for fiscal year 2017-2018 (includes personnel and operating expenses). Services funded by Probation are tracked through vouchers. **Approximately 40% of youth did not receive funding for services while on probation.**

Total Youth Served within the Juvenile Justice System

Graduated Response

Research continues to build evidence supporting the creation of age appropriate graduated responses for youth in the juvenile justice system. Due to this, Nebraska Revised statute § 43-286.01 was enhanced in 2017 to support the creation of a standardized matrix for youth incentives and sanctions. This is essential as we know working with youth to change behavior can take time and have multiple differing responses. If youth are unable to change behavior and continue to violate the court order an alleged probation violation can be submitted to the court.

Motion to Revoke Probation: per youth court case

District/Violation Type	Law	Technical
1	41	12
2	28	52
3J	96	175
4J	84	331
5	71	14
6	66	60
7	81	89
8	10	3
9	93	22
10	79	30
11	96	22
12	61	18
Total	806	828

Juvenile Justice Reform: Positive Progress Graduated Response Matrix

After the passage of LB8 in 2016, the Administrative Office of Probation created a new Graduated Response Matrix. In 2017, the Matrix was provided to stakeholders across Nebraska for feedback. Since that time The Juvenile Services Division reviewed feedback and created policy. Now the Matrix is in the programming phase. Once complete, staff will be trained. The new *Matrix* is focused on approaches that work best with youth and prioritizes incentives or “the carrot and not the stick” which is a tenet of evidence-based practices.



TECHNICAL OR LAW VIOLATION

Q. What is a technical violation? Law violation?

A technical violation is when a youth violates a court condition or a part of their probation terms. For example, a youth has a positive drug or alcohol test, misses scheduled treatment, or is truant from school.

A law violation means that the youth obtained a new delinquent offense while on probation (i.e. shoplifting, theft, assault, etc.).

Total Youth Served within the Juvenile Justice System

Out-of-Home Placement Demographics

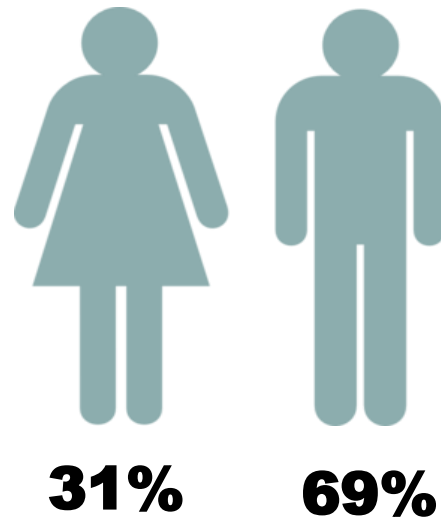
The Juvenile Justice Reform Initiative prioritizes the reduction of youth in out-of-home placements. Efforts continue to enhance and expand access to home-based services which will reduce the number of youth in placements. With this priority, there are still times when an out-of-home placement is needed to provide for community safety and treatment services. These out-of-home placements include congregate care (treatment and non-treatment), foster care, detention alternatives, detention, runaway, youth residential treatment centers and jail. In fiscal year 2017-2018, 2,094 total youth were served in an out-of-home placement for one day or more.

Age at Out-of-Home Admission

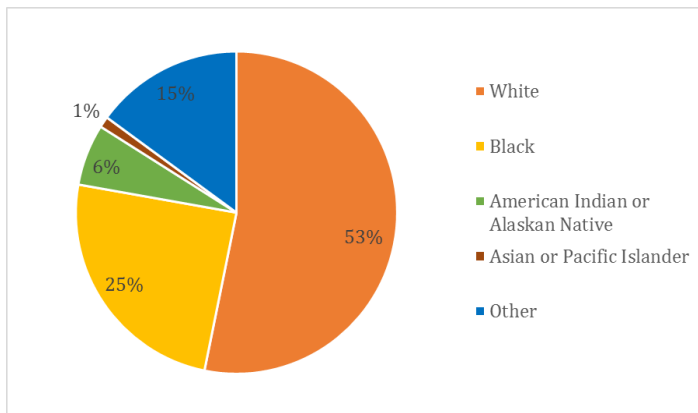
Placed on Probation by Age	
Age of Youth	Total
12 & Under	63
13	101
14	265
15	401
16	530
17	526
18	208
Total	2,094

Out-of-Home Placement by Ethnicity	Total
Hispanic Origin	450
Not of Hispanic Origin	1,644
Total	2,094

Out-of-Home Placement by Gender



Out-of-Home Placement by Race



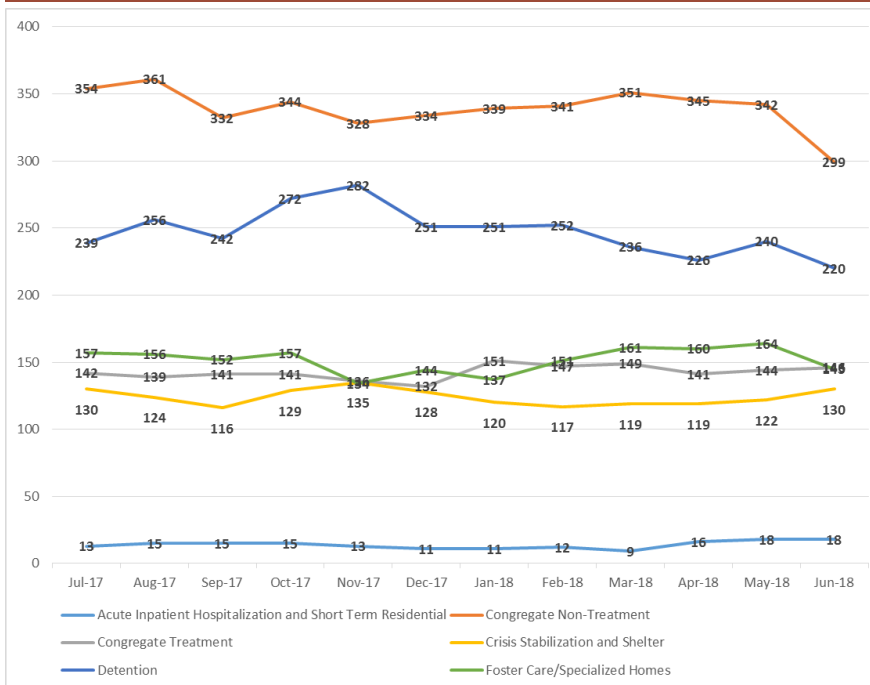
In fiscal year 2017-2018, of youth placed out-of-home, 235 youth or 11% were placed out of the state of Nebraska.

Total Youth Served within the Juvenile Justice System

Out-of-Home Placement

When a youth is placed out-of-home for one day or more, the probation officer works immediately with the placement staff, youth and family to develop a plan for the youth to transition back to their home and local community. This is especially important when a youth is placed out-of-state for services. Additionally, each out-of-home service has an identified “average length of time” detailed in the *Juvenile Services Guide*. This “average length of time” identifies the average period of time a youth requires to reach the service outcomes with the overarching goal of reducing risk and need.

Total Number of Youth in Out-of-Home Placement per Month

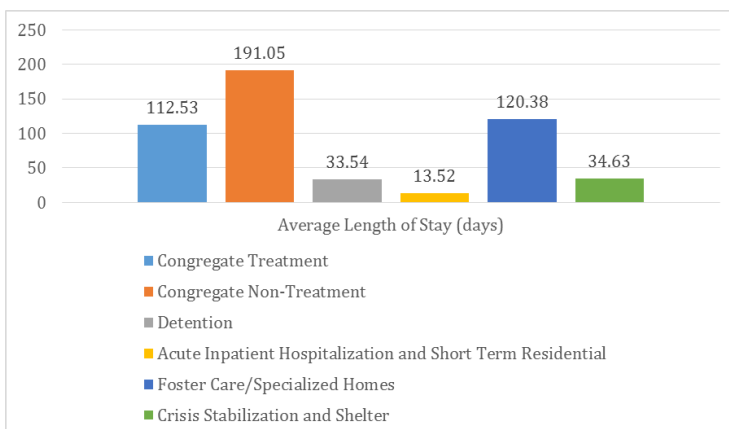


Congregate: Treatment includes: psychiatric residential treatment facilities, and treatment group homes; **Non-Treatment** includes: group homes (A, B and developmental disability), maternity group homes (parenting and non-parenting), and independent living

Foster Care: Developmental disability, extended family home, professional foster care, emergency foster care, foster care, relative/kinship and respite

Detention: secure and staff secure

Average Length of Time in Out-of-Home Placement



Juvenile Justice Reform: Positive Progress

Service Recommendation Matrix

At the end of the pilot, positive results were received which supported statewide implementation of the Service Recommendation Matrix. These included increased confidence when making a recommendation to the court, the matrix was easy to use, and utilization changed the way recommendations were approached. The statewide training is complete. The next step is monitoring use of the matrix in all recommendations for youth.

24% of youth are detained for 5 days or less.

Total Youth Served within the Juvenile Justice System

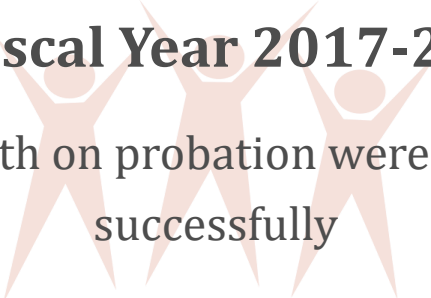
Discharge from Probation

When a youth is placed on probation, it is key that a skilled probation officer work closely with the youth to ensure all court ordered probation conditions are successfully completed. This should result in a reduction of the youth's risk and a change in those behaviors that brought the youth before the court. Once a youth has completed his or her probation conditions, a judge releases the youth from probation supervision. A youth may be discharged from probation successfully or unsuccessfully or probation may be revoked. A basic measure of success for juvenile probation is the number of youth that successfully complete probation.

In fiscal year 2017-2018, 3,803 juvenile court cases were discharged from probation (147 youth were released for an "other" discharge option. Examples include district override or transfer adjudication).

In Fiscal Year 2017-2018

74% of youth on probation were discharged successfully



District/Discharge Type	Successful Discharges	Unsuccessful/Revoked Discharges
1	90	51
2	173	46
3J	410	139
4J	615	240
5	250	67
6	188	40
7	161	56
8	37	9
9	287	87
10	99	64
11	257	84
12	140	66
Total	2,707	949

In fiscal year 2017-2018, 5% of the youth discharged were 19 years old.

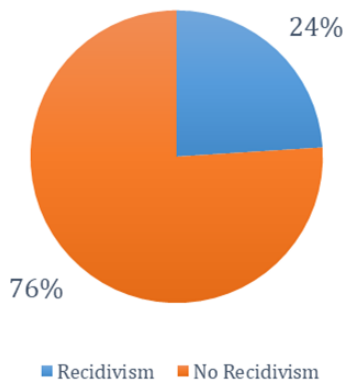
Total Youth Served within the Juvenile Justice System

Recidivism

The measure of recidivism is nationally supported as a way to measure impact of the juvenile justice system. Over the past few years since implementing the Juvenile Justice Reform Initiative, the Administrative Office of Probation has been dedicated to measuring recidivism for youth who are placed on probation supervision.

Additionally, the Supreme Court created a standard definition for recidivism for youth which is documented below. It is essential to note that there is not a national standard definition for recidivism and the focus shall be measured by using a consistent definition over time.

**Recidivism Rates for Youth Successfully Discharged from Probation
7/1/2016 through 6/30/2017**



Juvenile Justice Reform: Positive Progress

Juvenile Probation Recidivism Report Released: February 22, 2018

The study completed by a University of Nebraska-Lincoln research team under the direction of Law and Psychology professor Dr. Richard Wiener, shows an average recidivism rate of 25.9% for probation youth using the Nebraska Supreme Court's definition of recidivism. Data was gathered from probation and court records for juveniles who were discharged from probation between January 1, 2010, and December 31, 2015. The report shows a significant decline and leveling out from 2010. The full report is available on the Supreme Court website.

Nebraska Supreme Court Recidivism Definition

For the purpose of accurately assessing post-program recidivism across justice programs, Nebraska State Probation and Nebraska Problem-Solving Courts shall utilize the following uniform definitions of recidivism for all adults and juveniles within their respective programs.

(A) Adults:

As applied to adults, recidivism shall mean a final conviction of a Class I or II misdemeanor, a Class IV felony or above, or a Class W misdemeanor based on a violation of state law or an ordinance of any city or village enacted in conformance with state law, within 3 years of being successfully released.

(B) Juveniles:

(1) As applied to juveniles, recidivism shall mean that within 1 year of being successfully released from a probation or problem-solving court program the juvenile has:

(a) an adjudication pursuant to Neb. Rev. Stat. § 43-247(1) or (2).

(b) for a juvenile 14 years or older, a final conviction for a Class W misdemeanor based on a violation of state traffic laws or ordinances of any city or village enacted in conformance with state law; or

(c) a prosecution and final conviction as an adult for any crimes set forth in subsection **(A)** above.

(2) For juveniles that age out of the juvenile system within 1 year of program exit and who did not recidivate post-program as juveniles, the adult definition of post-program recidivism, including any drug-related or alcohol-related conviction, shall apply.



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of the Courts & Probation

Contact Us

**Administrative Office of
the Courts and
Probation**

**Juvenile Services
Division**

521 S 14th Street
5th Floor
Lincoln, NE 68508

(402)471-4816



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