



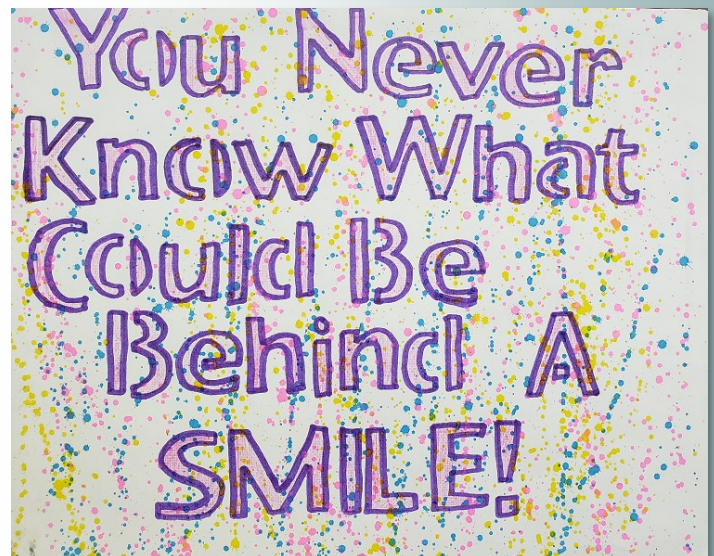
STATE OF
NEBRASKA
JUDICIAL BRANCH

Administrative Office
of the Courts & Probation

Juvenile Services Division

Fiscal Year 2019

Detailed Analysis



Artwork created by youth on probation

JUVENILE SERVICES DIVISION

DETAILED ANALYSIS



STATE OF
NEBRASKA
JUDICIAL BRANCH
Administrative Office
of the Courts & Probation

Fiscal Year 2019

It is an exciting time in juvenile justice! Many national experts have recently published materials that synthesize research and translate the application of essential components for probation success. While Nebraska continues our Juvenile Justice Reform Initiative, our focus includes a renewed emphasis on relationships with youth and families; enhanced skill building; cognitive programming and rehabilitative services; taking advantage of opportunities for graduated response to minor behaviors; and embracing our provider partners and community organizations. As we propel forward, it is important to consider new research that points toward improved success for youth under supervision. Critical next steps must include system collaboration to enhance Nebraska’s efforts to divert low risk youth and those who don’t pose a serious community safety risk from court involvement. This reduction of youth who come to the attention of the court would provide an opportunity to reduce the caseload size for juvenile probation officers. These smaller caseloads would allow officers time to build strong relationship and more effectively target high risk behaviors for youth under their supervision. I look forward to another year as national leaders continuing in our efforts of transforming juvenile justice practices.



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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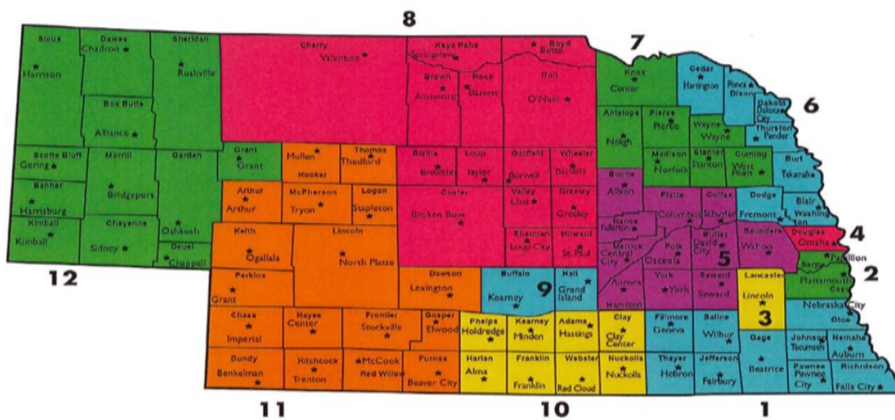
Juvenile Services Division Detailed Analysis

Fiscal Year 2019

"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



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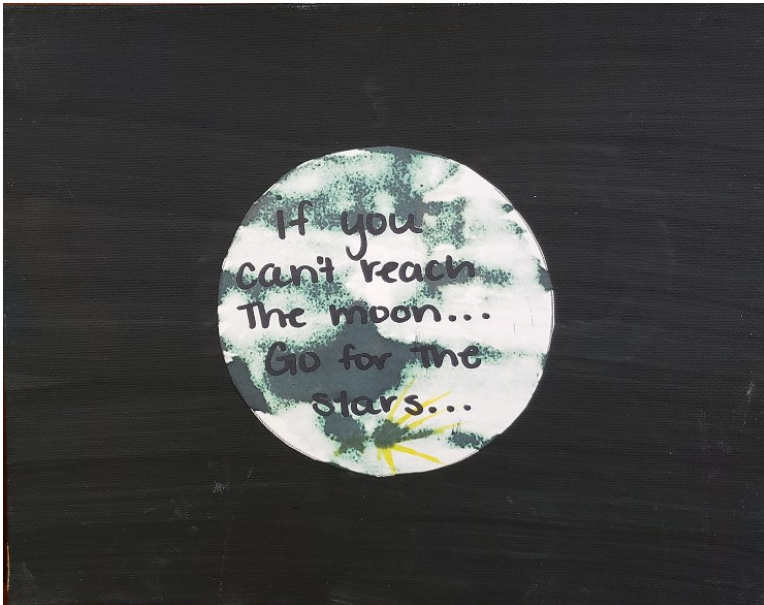
5	Intake
6	Offenses
7	Investigations and Assessments
9	Disposition
11	Total Active Population
12	Case Management
14	Graduated Response
15	Out-of-Home Placement
18	Discharge and Recidivism

Fiscal Year 2019

Initial Entry Stages of the Juvenile Justice System

NEBRASKA PROBATION VISION

Be a nationally recognized leader in the field of justice
committed to excellence and safe communities.

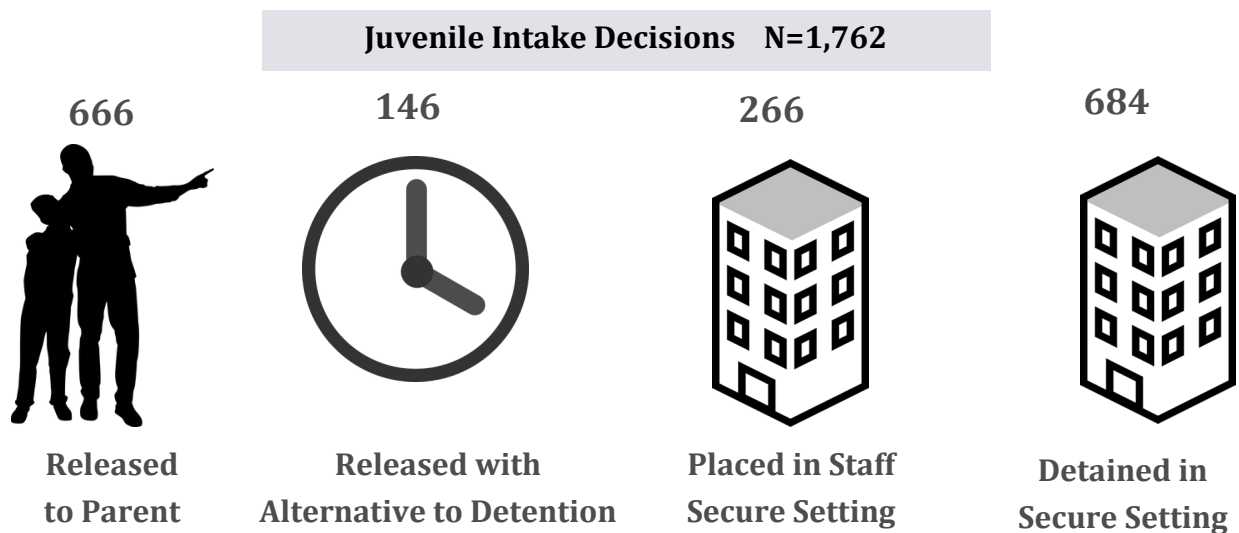


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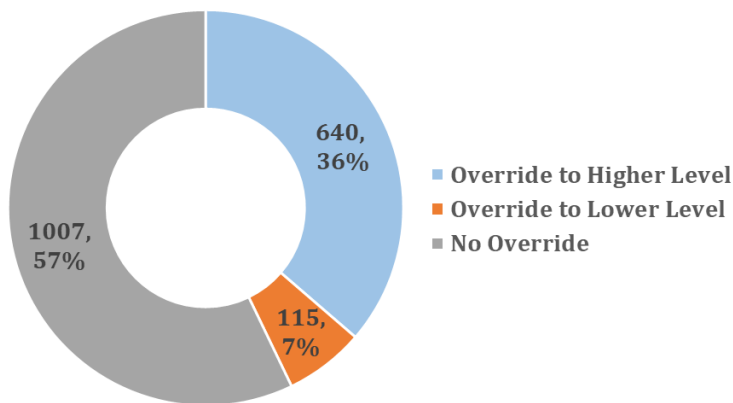
Initial Entry Stages of the Juvenile Justice System

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 for the youth and their family, and to balance the youth's best interest and safety of the community.



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 utilized to ensure community safety while utilizing the least restrictive options available and must be approved by a supervisor.

Juvenile Justice Reform: Positive Progress

Reception Center Pilot in Lancaster County

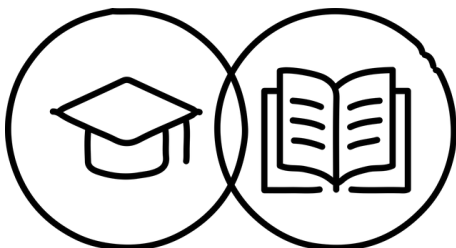
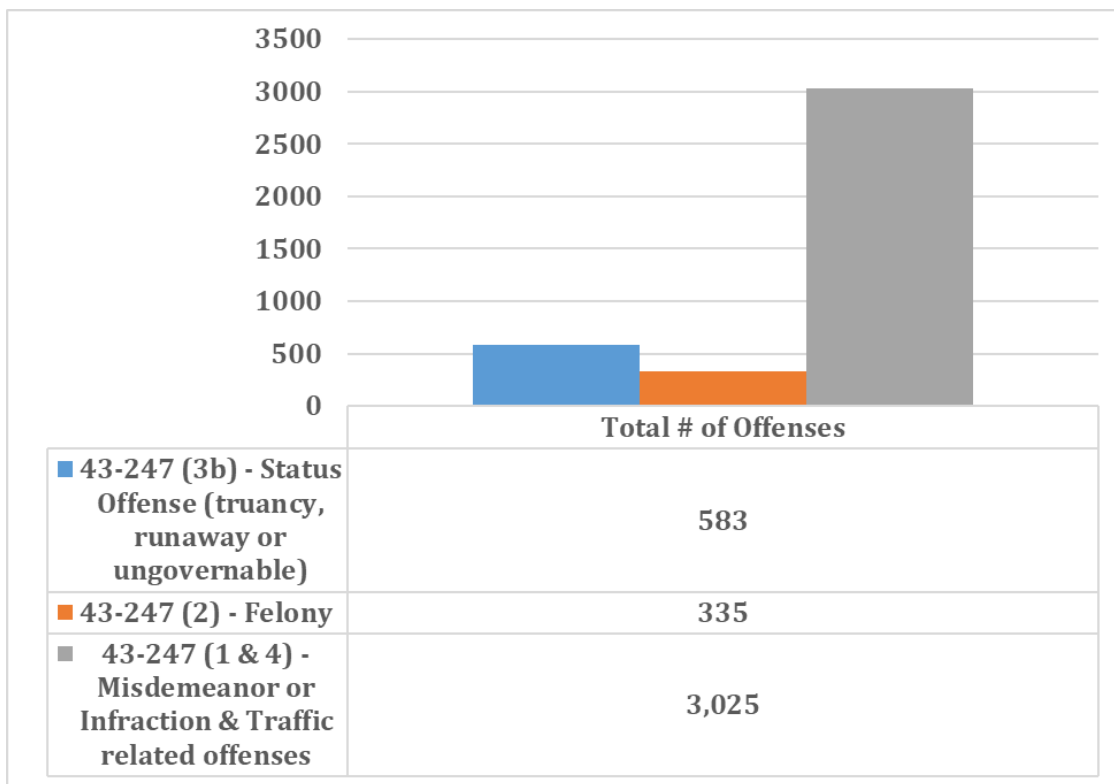
As supported by the Annie E. Casey Foundation, a Reception Center was piloted in Lancaster County. The Reception Center is a program that provides a short term, safe and neutral area for law enforcement, probation officers, youth, families, and other necessary stakeholders to assess the need for detention, detention alternatives or other community-based services through an intake. Currently, the pilot has allowed for over 40 youth to receive an intake interview at the reception center and in a safe and neutral environment.

Initial Entry Stages of the Juvenile Justice System

Offenses

The Administrative Office of the Courts and 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 N=3,943



Of the 583 status offenses in fiscal year 2019, 93% were for habitual truancy.

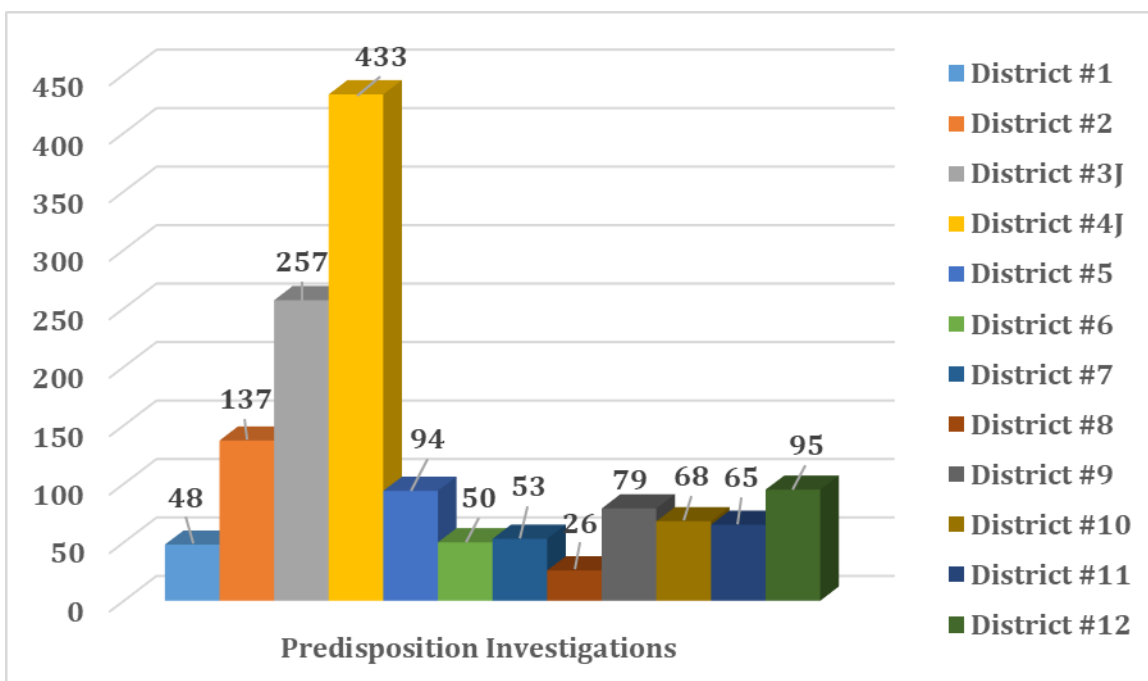
Initial Entry Stages of the Juvenile Justice System

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.

Predisposition Investigations Completed by District N=1,405



Juvenile Justice Reform: Positive Progress

Streamlining the Predisposition Investigation (PDI)

One essential role of a probation officer is to complete a comprehensive investigation including dispositional recommendations. The PDI has recently been streamlined to focus on strengths, risk to recidivate, needs and responsivity, and also clarifies the recommendations to ensure delivery of a more succinct and focused report. This was accomplished by reviewing multiple PDI reports from other jurisdictions and receiving feedback from Nebraska judiciary. The final report format has been approved and will be trained statewide.

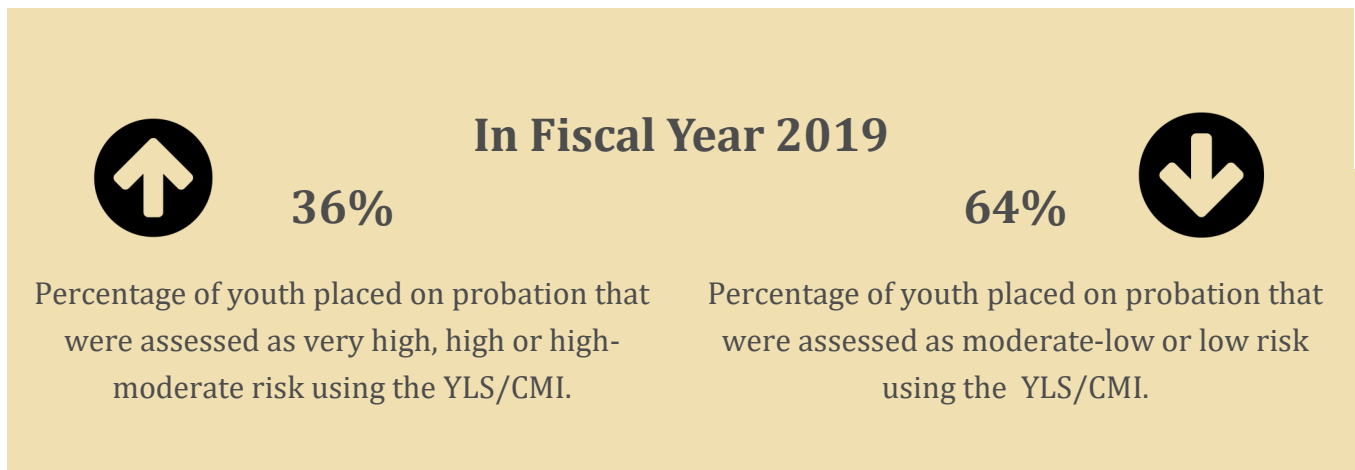


Initial Entry Stages of the Juvenile Justice System

Youth Investigations and Assessed Risk Level

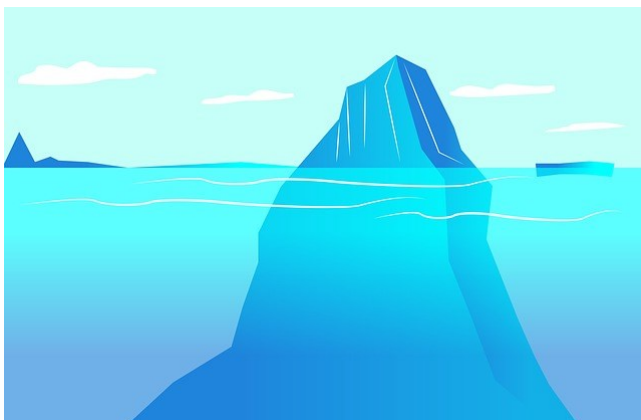
Assessing Risk Level

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 criminogenic needs; these include: prior and current offenses/dispositions; family circumstances/parenting; education/employment; peer relations; substance abuse; leisure/recreation; personality/behavior; and attitudes/orientation.



The Big 4 Criminogenic Needs and the Driver

Although there are eight criminogenic needs that the YLS/CMI identifies, research has shown that four of these impact behavior change and risk reduction more significantly. They are referred to as the "BIG 4." The BIG 4 includes family circumstances/parenting, peer relations, personality/behavior and attitudes/orientation. Finding the single most influential need or "Driver" is essential to risk reduction as not all criminogenic needs influence behavior equally. To enhance skills, all investigation and specialized probation officers were trained on how to identify the "Driver" over the past fiscal year and to use the Case Plans or Success Plans targeted for each individual youth. Over the next fiscal year data will be gathered which will focus on the driver and skill-training to enhance behavior change.



The Iceberg = Driver
Although some things are apparent above the surface, what's lurking below is larger and more significant.

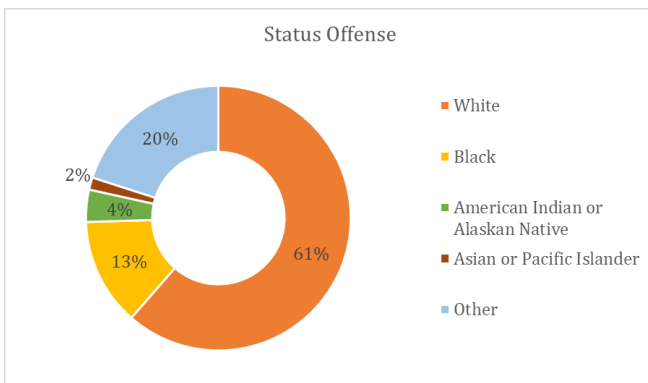
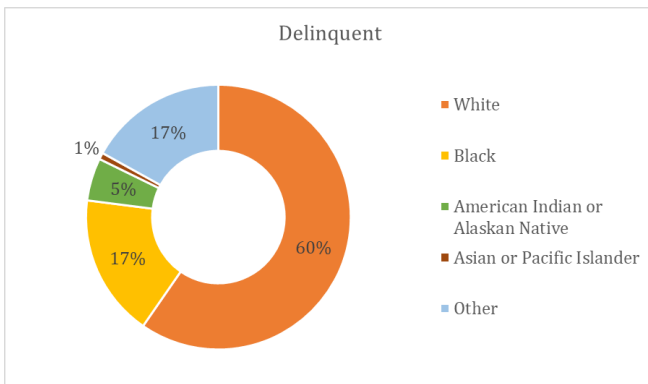
Initial Entry Stages of the Juvenile Justice System

Disposition Population and Demographics for Fiscal Year 2019

The demographic information below reflects youth placed on probation for delinquent and status related acts. There were 2,397 youth placed on probation during fiscal year 2019. A status youth comes before the court for non-delinquent behaviors such as habitual truancy, 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
11	2	2	4
12	44	13	58
13	117	21	138
14	225	68	293
15	393	93	486
16	453	151	604
17	495	169	664
18	134	17	151
Total	1,863	534	2,397

Probationers by Race



Probationer by Male/Female



1,352 Delinquent & 300 Status
 511 Delinquent & 234 Status

Probationers by Ethnicity	Delinquent	Status
Hispanic Origin	476	141
Not of Hispanic Origin	1,387	393
Total	1,863	534

Fiscal Year 2019

Total Youth Served within the Juvenile Justice System



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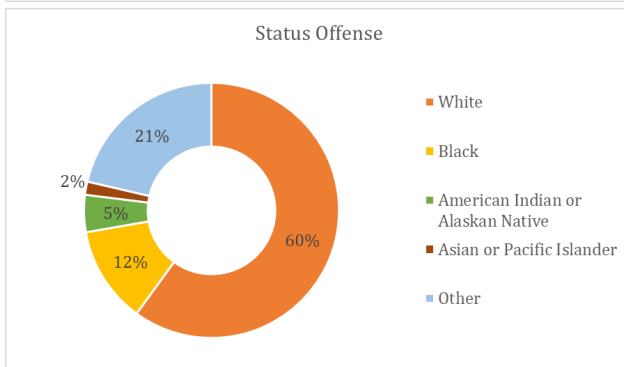
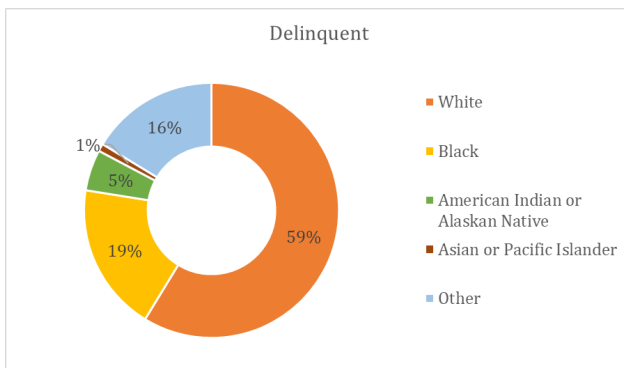
Total Youth Served within the Juvenile Justice System

Total Active Population Demographics

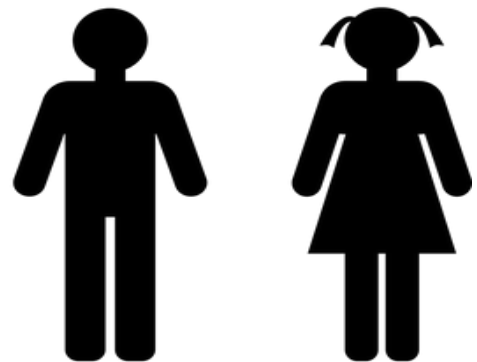
In this section of the report, all data will represent the total population of youth served on probation which includes youth already on probation from the previous year. There were 4,623 youth served during fiscal year 2019. Below is demographic data for the population of youth served by probation separated 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
11	15	5	20
12	79	26	105
13	241	58	299
14	410	110	520
15	669	182	851
16	859	277	1,136
17	947	237	1,184
18	448	60	508
Total	3,668	955	4,623

Total Youth Served by Race



Total Youth Served by Male/Female



2,636 Delinquent
&
510 Status

1,032 Delinquent
&
445 Status

Ethnicity	Delinquent	Status
Hispanic Origin	905	262
Not of Hispanic Origin	2,763	693
Total	3,668	955

Total Youth Served within the Juvenile Justice System

Case Management

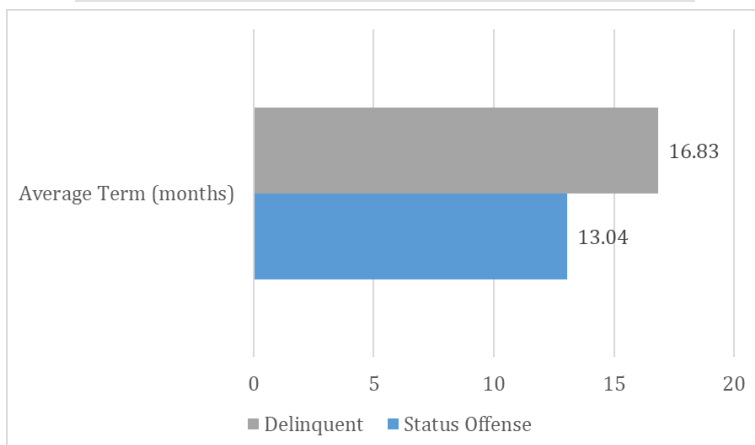
Youth in the juvenile justice system receive individualized supervision and services which are core to effective case management. Probation officers that supervise youth are highly skilled and provide many interventions including cognitive restructuring groups, motivational interviewing and field visits. 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 Multi-systemic Therapy (MST) and the Boys Town Ecological In-Home Family Treatment (EIHFT). In this fiscal year, the number of families served and services accessed increased when EIHFT was replicated in Judicial District 12, which includes Scotts Bluff County.



Length of Time on Probation Discharged Fiscal Year 2019



Juvenile Justice Reform: Positive Progress

Nebraska Aggression Replacement Training (NE-ART)

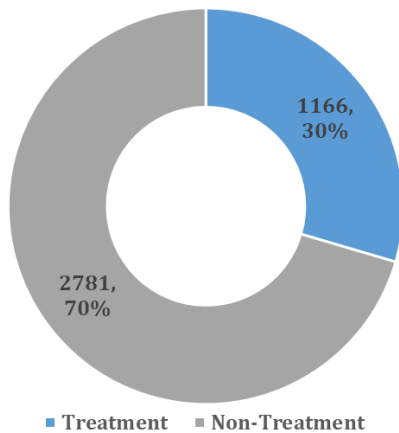
In April of 2019, two international facilitators trained the PEACE-ART curriculum—a cognitive restructuring group—to Specialized Probation Officers and Youth Rehabilitation and Treatment Center (YRTC) staff. The training focuses on three components: Social Skills, Anger/Self Control Chain, and Moral Reasoning/Empathy and are taught through repetition, incentivizing and skill practice. This curriculum is the only of its kind that has been researched specifically on adolescents and has shown a 33% reduction in recidivism when facilitated with fidelity.

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. Financial assistance is available to ensure youth can access services. With targeted services, supervision outcomes can improve the 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 Oral Fluid Testing for Substance Use Pilot

Traditional methods of substance use testing, although an essential tool for behavior change, has challenges specific to youth. Therefore, an “oral fluid” pilot was utilized to ensure it was more youth-centered and less intrusive, resulting in an assessment for possible statewide expansion.

In Fiscal Year 2019

- ◆ Of the youth served by probation, 1,166 accessed financial assistance for treatment services.
- ◆ Of the youth served by probation, 2,781 accessed financial assistance for non-treatment services.

Service provision for youth 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	\$ 4,154.93	\$ 346.24
Out-of-Home Services	\$ 21,312.60	\$ 1,776.05

*For fiscal year 2019, the average daily cost for supervising a youth was \$24.43 (includes personnel and operating expenses). Services funded by Probation are tracked through vouchers.

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 their 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	35	23
2	31	33
3J	55	166
4J	117	290
5	31	11
6	53	48
7	82	69
8	8	10
9	105	19
10	50	15
11	81	26
12	55	21
Total	703	731

TECHNICAL OR LAW VIOLATION

Q. What is the difference between a technical violation and a 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.).

Juvenile Justice Reform: Positive Progress

Robert F. Kennedy (RFK) Resource Center for Juvenile Justice Technical Assistance

In March 2019, after completion of the Probation System Review in Lancaster County, intensive technical assistance began to assist in the implementation of five prioritized recommendations. The reform effort priorities are:

1. Family engagement
2. Positive youth development
3. Probation order reform
4. Detention utilization
5. Case closure processes

The five items above have workgroups which will lead implementation of the recommendations, as well as to create a workgroup purpose statement, identify desired outcomes and create supporting data to show progress. Additionally, the technical assistance includes national expert support focused on implementation science, data capacity, trauma (screening and provider access) and probation order reform.



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 2019, 1,980 total youth were served in an out-of-home placement for one day or more.

Age at Out-of-Home Admission

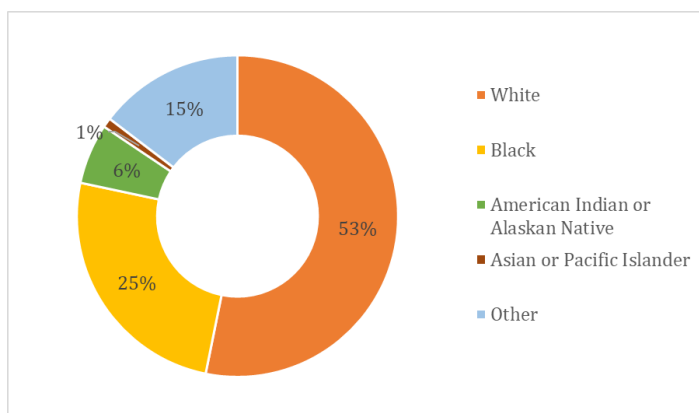
Placed on Probation by Age	
Age of Youth	Total
11	8
12	42
13	135
14	238
15	393
16	483
17	477
18	204
Total	1,980

Out-of-Home Placement by Ethnicity	Total
Hispanic Origin	436
Not of Hispanic Origin	1,544
Total	1,980

Out-of-Home Placement by Male/Female



Out-of-Home Placement by Race

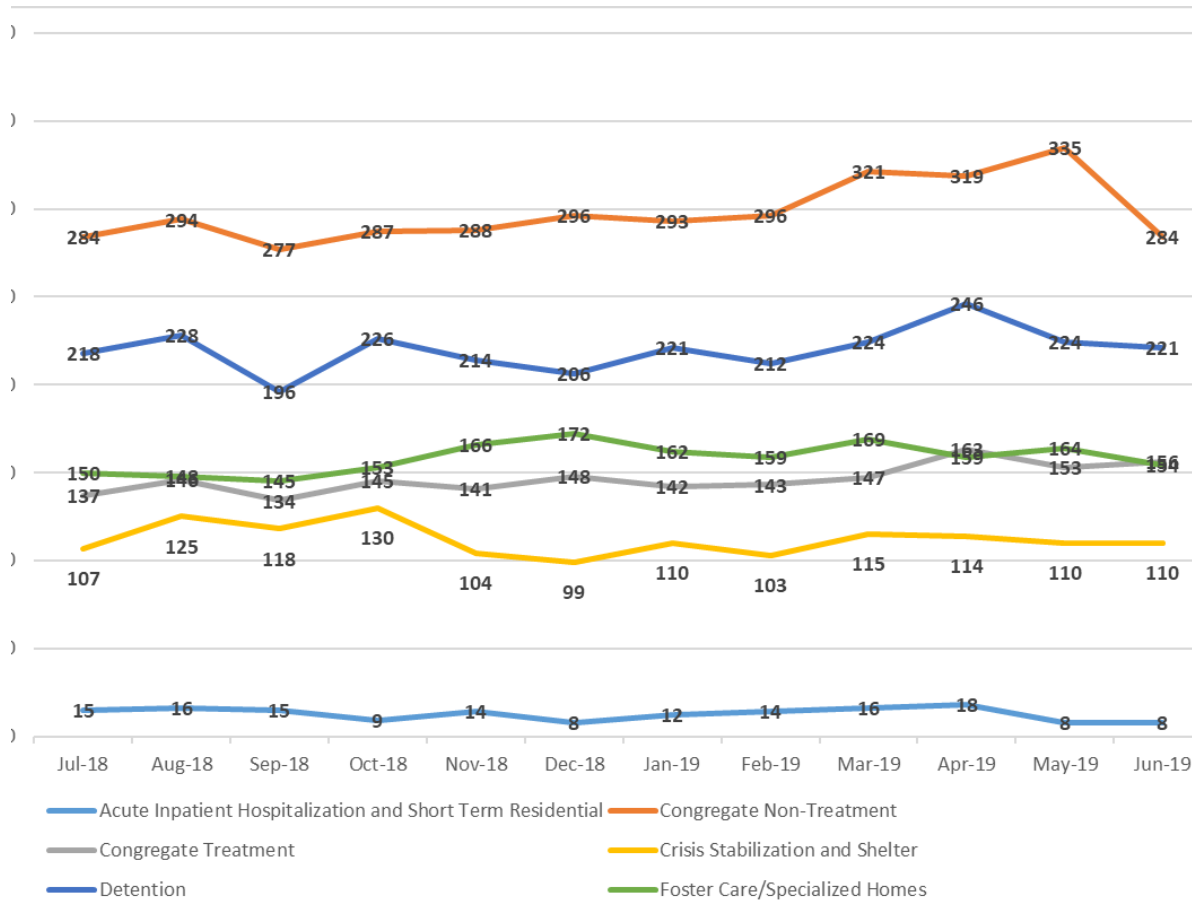


Total Youth Served within the Juvenile Justice System

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.

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

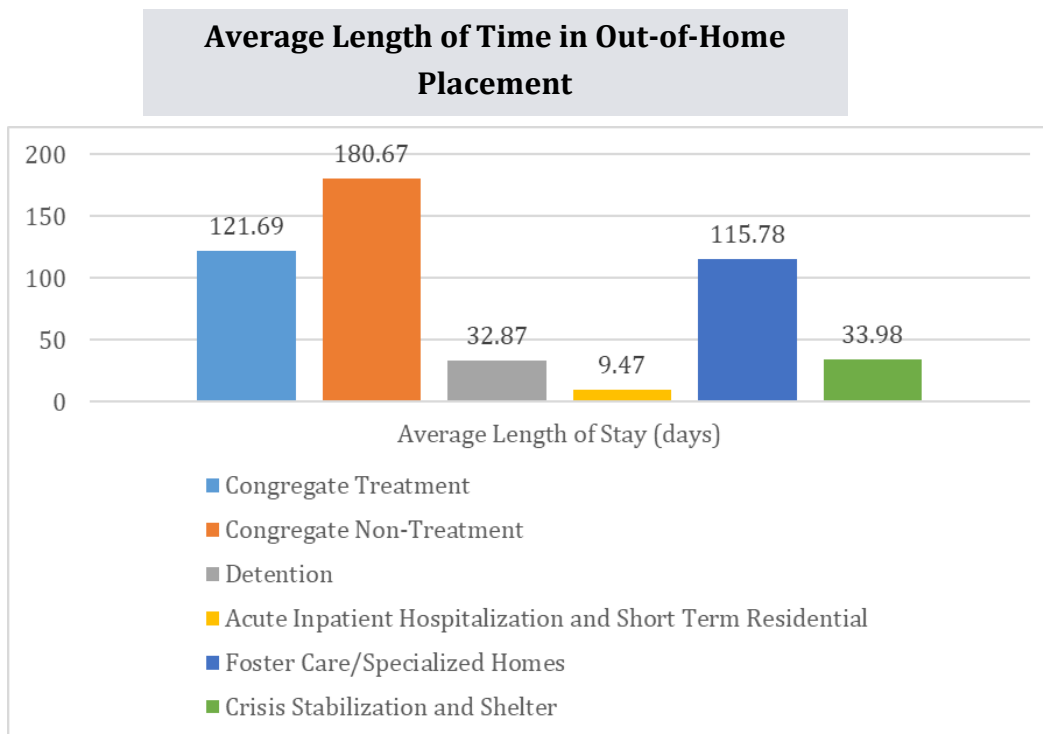
Detention: secure and staff secure

In fiscal year 2019, of youth placed out-of-home, 179 youth or 9% were placed in treatment or non-treatment congregated care 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, each service has an identified “average length of time” detailed in the *Juvenile Services Guide*. This “average length of time” reflects the optimal time the service has shown evidence to achieve the service outcomes with the overarching goal of behavior change and risk reduction. Additionally, research demonstrates that short-term placements such as detention should focus on immediate community safety risks and have shown to increase risk if utilized for low risk youth and for long periods of time.



Juvenile Justice Reform: Positive Progress

Youth and Families in Need Receive Support

When a youth is placed out of their family home, it is essential the youth has personal items for that transition. Families are not always able to provide luggage for youth and their belongings end up being brought to the placement in a trash bag. The Juvenile Division began providing duffel bags for youth to carry items they need at the placement and to support families who are not able to provide luggage for their youth.

20%

of youth are detained
for 5 days or less.



Total Youth Served within the Juvenile Justice System

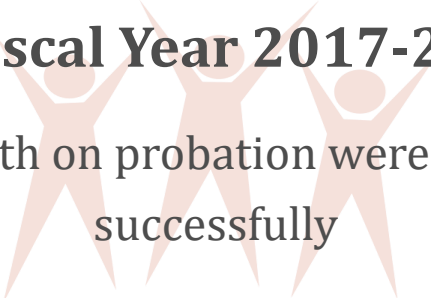
Discharge from Probation

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 2019, 3,372 juvenile court cases were discharged from probation (153 youth were released for an "other" discharge option). Examples include district override or adjudication transfer.

In Fiscal Year 2017-2018

73% of youth on probation were discharged successfully



District/Discharge Type	Successful Discharges	Unsuccessful/Revoked Discharges
1	104	56
2	220	44
3J	228	96
4J	491	223
5	217	46
6	164	45
7	152	48
8	49	6
9	257	82
10	81	46
11	238	103
12	163	60
Total	2,364	855

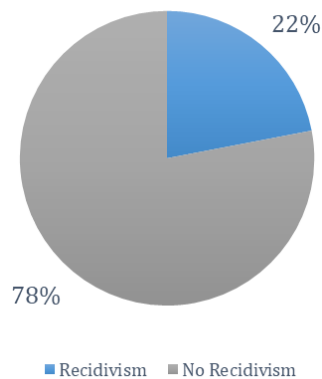
In fiscal year 2019, 4% of the youth discharged reached the age of majority.

Total Youth Served within the Juvenile Justice System

Recidivism

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 the Courts and Probation has been measuring recidivism for youth who are placed on probation. Additionally, the Supreme Court created a standard definition for recidivism which is documented below. It is essential to note that there is not a national standard definition for recidivism, however experts suggest using a consistent definition over time to determine impact.

Recidivism Rates for Youth Successfully Discharged from Probation



Recidivism for youth successfully discharged from probation reduced by 2% as compared to last fiscal year.

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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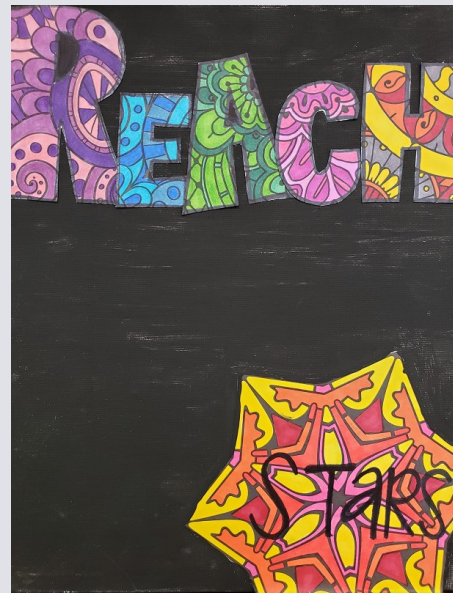
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