



Nebraska Children's Commission
521 South 14th Street
Lincoln, NE 68508

November 28, 2016

Patrick O'Donnell, Clerk of the Legislature
State Capitol, Room 2018
PO Box 94604
Lincoln, NE 68509-4604

Dear Mr. O'Donnell:

The Nebraska Children's Commission is pleased to advance the attached Juvenile Services Committee report to the Judiciary Committee, as outlined by Neb. Rev. Stat. §43-4203(1)(b). This report contains recommendations related to the courts and legal systems, data collection and sharing efforts, evaluations and assessments, coordination efforts, and the Youth Rehabilitation and Treatment Centers (YRTCs). The Nebraska Children's Commission reviewed and accepted this report at the November 15, 2016 meeting.

Respectfully,

Beth Baxter
Nebraska Children's Commission Chair

Nicole Brundo
Juvenile Services Committee Co-Chair

Kim Hawekotte
Juvenile Services Committee Co-Chair

Enclosure:
Juvenile Services (OJS) Committee Report (2016)

11/15/2016



Juvenile Services Committee 2016 Annual Report

Recommendations to the Nebraska
Children's Commission and the
Judiciary Committee of the Legislature

Submitted Pursuant to Neb. Rev. Stat. §43-4202

The Juvenile Services Committee was created by [LB821\(2012\)](#), updated by [LB746\(2016\)](#), and codified at [Neb. Rev. Stat. §43-4203](#) to examine the structure and responsibilities of the Office of Juvenile Services and make recommendations related to the Youth Rehabilitation and Treatment Centers (YRTC's) and the juvenile justice system of care. Nicole Brundo (Douglas County Attorney's Office) and Kim Hawekotte (Foster Care Review Office) currently chair the Committee.

In 2016, the Committee initially focused on the Legislative Session to contribute analysis and information related to the juvenile justice related bills to the Legislature. The Committee's many stakeholders gave their perspectives related to the legislation, resulting in a richer discussion about the reform of juvenile justice in Nebraska.

Following the Legislative session, the Committee turned its attention to its 2013 Strategic Plan for Juvenile Justice and, with the assistance of a facilitator, devised a work plan to update its recommendations and create its 2016 annual report. The Juvenile Services Committee and its workgroups have been working consistently and plan to continue in 2017.

This report includes updates and recommendations from four workgroups (Courts and Legal System; Evaluation and Assessment; Data Mapping and Analysis; and System Coordination), along with the Committee's recommendations and updates related to the Youth Rehabilitation and Treatment Centers (YRTC's) and out-of-home placements in the juvenile justice system.

MISSION AND GOAL

- 1. Mission:** Design a comprehensive, accountable, culturally competent, continuum of care in the juvenile justice system that meets the needs of families and youth while maintaining public safety.
- 2. Goal:** To work collaboratively with the executive, legislative, judicial, and county branches of government, the Nebraska Children's Commission ("Commission"), and other key stakeholders to establish and support the development of the Ideal Juvenile justice System that will prevent children and youth from entering or becoming more deeply involved in the juvenile justice system.

RECOMMENDATIONS AND PRIORITIES

1. Change statutory language to require that all youth have legal counsel and appropriate adequate funding for that requirement. Funding for youth legal counsel would be maintained at the county level.
2. Continue to encourage counties to offer diversion pre-filing.
3. Perform a pilot study providing legal counsel to all youth within a rural area to examine the impact on resources.
4. Gather information and explore the potential of establishing separate juvenile courts in all counties.
5. Monitor the sealing of juvenile court records to determine if additional legislation is necessary to ensure that juvenile records are appropriately sealed.

Courts and Legal System Workgroup **(Christine Henningsen, Chair)**

This workgroup was created by the Juvenile Services Committee to examine past recommendations related to the court and legal process for youth involved in the juvenile process. This group met twice in 2016 and will continue to work.

The group reviewed the previous court and legal system related recommendations of the Committee, and determined that additional information is needed to monitor recent statutory changes. First, the group found that due to significant changes in the court of origination for juvenile offenses, trend data was necessary to continue the discussion before recommendations for further statutory information was determined. Similarly, the group will monitor practices related to the sealing and expungement of court records to determine if additional recommendations will be needed in the future.

The group will focus on promoting youth access to counsel and researching the utility of separate juvenile courts in all counties.

The Courts and Legal System Workgroup Update is available <https://goo.gl/h6x3rU>.

Data Mapping and Analysis Taskforce **(Katherine Bass and Mike Fargen, Co-chairs)**

The group's scope is to support the Committee's recommendations through mapping and analyzing data related to the YRTC's population, including demographics, placement history, and treatment needs.

The Taskforce began by investigating the proximity of out-of-state Probation placements and placements to the YRTCs. The goal of this analysis is to inform stakeholders of the distance between a youth's placement and their residence.

The majority of the Taskforce's work involved accessing and organizing data into a usable format that will provide meaningful information. Following significant amounts of work, the DMA Taskforce created a preliminary presentation with information about the potential uses of the collected data for the Juvenile Services Committee. The DMA presentation is available for review at <https://goo.gl/FQgi9K>.

Following the creation of workgroups in 2016, the DMA Taskforce collaborated with the Evaluation and Assessment Workgroup to create recommendations related to the uses of data in evaluation and assessment. The group has since met to discuss the direction and momentum of the Taskforce and will continue working to support the Juvenile Services Committee.

For more information about the Data Mapping and Analysis Taskforce, please visit the Nebraska Children's Commission website at www.childrens.nebraska.gov.

RECOMMENDATIONS AND PRIORITIES

1. Continue identifying the needs of the juvenile justice population and the resources available to them throughout the state.
2. Use data to inform a pilot project in which existing facilities are used in a regional multi-level system of care.
3. Continue accessing and analyzing data, including related to the number of placements prior to and after placement at a YRTC, dually adjudicated youth, and youth lifetime consumption of resources.
4. Examine, specifically, the lifetime consumption of resources of youth who are placed in YRTCs to determine patterns and needs that lead to YRTC Commitment.
5. Examine current and best practices to establish a standardized and comprehensive data entry procedure.

RECOMMENDATIONS AND PRIORITIES

1. The Juvenile Services Committee should adopt an education action plan for judges, other legal professionals, and other significant stakeholders to communicate the value and importance of assessment, evaluation, and research to bring about successful youth and family outcomes. The Workgroup will collaborate with the Court Improvement Project to achieve this recommendation.
2. The Juvenile Services Committee should adopt the University of Nebraska White Paper (Lincoln and Omaha – Wiener, Hobbs, and Spohn) as a system wide categorization of Evidence Based Practices to provide a working definition of what does and does not constitute EBP programming in Nebraska.
3. The Juvenile Services Committee should perform a statewide study of existing assessment techniques that state and private agencies use with youth across the state of Nebraska.
4. A unified and shared database should be created for agencies that assess, serve, and treat youth across the state. This database should allow for enhanced case management, as well as predication of needs across the state and individualized data outcomes for research.

Evaluation and Assessment Workgroup (Dr. Richard Wiener, Chair)

This workgroup was convened to review and create recommendations surrounding the evaluation of programs and the assessment of youth. The group consisted of a wide range of researchers and research consumers who applied the highest standards of evaluation, assessment, and research in the social sciences to the understanding of existing needs of youth in Nebraska.

In addition to the recommendations for action, the group also agreed on three key principles. First, the group endorsed the [Child and Adolescent Service System Program Principles](#) for their value as an overarching framework for evaluation and assessment. The group then reviewed early intervention efforts across multiple state and private agencies and endorsed the current emphasis on actions that prevent initial contact with the juvenile justice system. These efforts promote youth adjustment and positive health programs through early assessment, intervention, and diversion. Finally, the group strongly endorses the principle that all systems should measure, track, and evaluate both recidivism and/or initial contact with the juvenile justice system.

The Evaluation and Assessment Workgroup's full report is available <https://goo.gl/qcYMtV>.

Services Coordination Workgroup

(Cassy Blakely and Vicki Thompson, Co-Chairs)

This workgroup was created by the Juvenile Services Committee to examine recommendations related to the coordination of services for youth involved in the juvenile justice system.

The group focused on identifying areas for collaboration within the juvenile justice system. Several opportunities were identified and first steps have been taken to connect agencies and organizations. The Juvenile Services Committee has connected with the Nebraska Juvenile Justice Coalition (NCJJ) to establish joint workgroups and hold future joint meetings to prevent duplicative work and enhance collaboration. This group has additionally spearheaded efforts to bring stakeholders representing Education and System of Care to the Committee. It is clear that juvenile justice involved youth are a priority to many agencies and organizations across the state, and the recommendations of this group support collaboration to maximize resources and improve outcomes for these youth.

This group additionally built on lessons learned from communities using the Community Impact model to make recommendations that ensure youth are served by an adequate workforce across the state. This process includes buy-in and input from the community, licensing entities, and public and private stakeholders.

The full report of the Service Coordination Workgroup is available at <https://goo.gl/g8XVm1>.

RECOMMENDATIONS AND PRIORITIES

1. Encourage the use of telehealth to increase access to services across the state.
2. Consider incentivizing professionals and service providers practicing in rural areas to acquire necessary training, certification, approval, and/or utilize certain payer sources to serve youth with involvement or at-risk of involvement in the juvenile justice system with increased payment, mileage, or other financial incentives.
3. Promote a collaboration between the NCJJ, the Crime Commission, and the Juvenile Services Committee to capture more accurately the current efforts toward and barriers preventing the braiding of funds.
4. Request a representative of the Division of Behavioral Health to join the Juvenile Services Committee.
5. Review the data related to service gaps and outcomes gathered as part of the System of Care initiative to assess its ability to address the treatment and non-treatment needs of youth involved in the Nebraska Juvenile Justice System.

YRTC RELATED RECOMMENDATIONS

1. The Committee will continue to look at the current system utilizing the YRTC.
2. At this time, the Committee supports that the YRTCs remain open and serve their current high-risk population.
3. An evaluation and assessment process should be performed on the YRTCs to measure outcomes in order to confirm and enhance the progress of the existing efforts.
4. The Committee will continue to research alternative systems that promote a continuum of care, encompassing YRTCs as a part of the system of care.

YRTC and Out-of-Home Placement Recommendations

The Committee has been charged with creating recommendations related to the Youth Rehabilitation and Treatment Centers (YRTCs) in Nebraska. The Committee's previous recommendations include transitioning Nebraska's juvenile justice system to a regional model where youth are served in the least restrictive environment as close to the communities as possible. The YRTCs have undergone substantial changes since the release of the Committee's 2013 recommendations. These changes have significantly affected the number and risk-level of youth at the YRTCs. The Committee has focused on determining the role of the YRTCs in the juvenile justice system of care.

The Committee spent 2016 attempting to gather information, including detailed data related to youth at the YRTCs and engaging in significant discussion. Youth voice also played a significant role in these discussions. Many youth had extremely positive and beneficial experiences at the YRTCs, and credited the dedication of staff and the structured nature of the facilities. Youth did share that although the YRTCs gave them the skills to improve themselves, they struggled when returning to families and peer groups. These experiences clearly show that although the YRTCs play an important role in the juvenile justice continuum of care, they must exist within a wide array of services that support improved outcomes for children and families.

The juvenile justice continuum of care exists at many levels, from diversion through detention. It is the challenge of any juvenile justice system to ensure that it has the necessary resources and services, and that youth are connected to the

services they need, without being over or under served. Nebraska has undergone significant change, and has spent the past four years assessing and evaluating a system in flux. The Committee acknowledges that it would be unwise to remove the YRTC's from the continuum of care without additional, in depth evaluation and assessment of outcomes for youth served by the YRTC's. Recognizing that YRTC's are only one part of the continuum of care, it is necessary to identify and fill services gaps to achieve positive outcomes for youth involved in the juvenile justice system. The Committee will continue to monitor the role of the YRTC's, further explore the feasibility of regional based services, work to ensure that assessments and needs drive the placement of youth, and examine the types of staffing needed in the YRTC's.

More information about the Juvenile Services Committee is available on the Nebraska Children's Commission Website at www.childrens.nebraska.gov.