JUVENILE DIVERSION IN NEBRASKA

CY 2024 Annual Report to the Governor and Legislature

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COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

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Executive Summary

Eighty-eight counties reported having some type of juvenile pre-trial diversion services available to youth in their community during calendar year 2024. Of those 88 programs, 69 counties reported referral data to the Nebraska Crime Commission by January 30, 2024.

In calendar year 2024, 3,572 youth were referred to a diversion program in Nebraska with 90% (3,229) enrolling after referral. Of the youth discharged from a diversion program during CY2024, 82% of the youth were discharged as successful.

While comprising only 8% of the population, Black youth account for 28% total citations. Additionally, unlike other groups, they are underrepresented in referrals (17%) to diversion programs compared to their arrests. Eighteen-year-olds were most successful in diversion. At forty one percent, Native American youth were discharged from diversion unsuccessfully at the highest rate.

The most common reasons for referral to a diversion program in CY2024 were assault, minor in possession of alcohol, shoplifting, truancy, and traffic offenses. Criminal offenses constituted the largest proportion of the total offenses, and within the status offense category, issues related to alcohol possession and truancy were particularly prevalent among youth. Most youth involved in diversion programs are charged with a misdemeanor.

An analysis based on risk ratios revealed the existence of disparities across racial and, to a lesser extent, ethnic groups at key decision points in the juvenile justice system. These disparities particularly affect Black and Native American youth. Black and Native American youth are arrested at rates two to five times higher than white youth, and they are also less likely to be referred to diversion.

A comprehensive three-year evaluation of the diversion program demonstrates that successful program completion produces substantial and sustained reductions in youth recidivism across both offense and conviction outcomes. Results based on statistical models show that youth who successfully completed the diversion program showed an 11.3 percentage point reduction in reoffending rates and 13.5 percentage point reduction in conviction rates compared to the control group which includes youth who did not participate or had an unsuccessful discharge from the program. These rates translate to relative risk reductions of 18.4% for offenses and 24.1% for convictions, meaning approximately one in nine youth avoid reoffending and one in seven avoid conviction within three years. Importantly, the protective effects remain durable over time, with about 90% of the original impact persisting through the full follow-up period, indicating genuine behavioral change rather than delayed recidivism.

Additionally, results show that diversion programs contribute to substantial cost savings by reducing youth recidivism over a three-year period. Among 1,625 participants, successful program completion was associated with roughly 182 fewer re-offenses and 217 fewer convictions. At an estimated $1,000 per court case, this translates into nearly $400,000 in avoided justice system costs—$182,100 from reduced offense processing and $217,100 from reduced conviction processing.

Successful diversion not only lowers the likelihood of recidivism but also delays its occurrence. Results based on survival modeling confirm that these protective effects are not explained by demographics or baseline risk, but reflect real program benefits. In practice, this means fewer youth reenter the justice system at any given time, easing court caseloads while supporting long-term stability. Because these benefits extend well beyond the intervention period, investing in strategies that help youth successfully complete diversion is likely to yield lasting returns.

Introduction

The Director of Juvenile Diversion Programs of the Nebraska Commission of Law Enforcement and Criminal Justice (Nebraska Crime Commission) is responsible for generating an annual report on diversion programs in Nebraska pursuant to Nebraska Revised Statute §81-1427 (Reissue 2024). This 2024 diversion report serves to fulfill the statutory requirement.

Introduction to Juvenile Pretrial Diversion Programs

Juvenile pretrial diversion is a voluntary program available to youth referred to a city or county attorney with a law violation or status offense. Generally, diversion is available pre-filing, diverting youth from involvement in the juvenile justice system and into a program offering a continuum of requirements and services. The result of successful completion is non-filing of the diverted case or dismissal, if filed. Pretrial diversion is a positive alternative to the juvenile justice system and can provide more appropriate methods of treating youth charged with an offense, providing better outcomes for youth.

The state of Nebraska has identified four goals of a juvenile pretrial diversion program: 1) to provide eligible juvenile offenders with an alternative program in lieu of adjudication through the juvenile court; 2) to reduce recidivism among diverted juvenile offenders; 3) to reduce the costs and caseload burdens on the juvenile justice system and the criminal justice system; and 4) to promote the collection of restitution to the victim of the juvenile offender's crime.[1]

In Nebraska, a county or city attorney has statutory authority to develop a juvenile diversion program with the concurrence of their governing board.[2] A county or city attorney's decision to utilize a diversion program and refer a youth to diversion is often based on factors generally including: 1) the youth's age, 2) the nature of the offense and the youth's role in the offense, 3) previous offenses, dangerousness or threat posed by the youth, and 4) recommendations of referring agency, victim, and advocates for the youth.[3] Juvenile pretrial diversion programs in Nebraska are required to provide screening services for use in creating an individualized diversion plan that utilize appropriate services for the youth, and include program requirements such as a letter of apology, community service, restitution, educational or informational classes, curfew, and victim youth conferencing.[4]

The Nebraska Screen and Assessment Tool (NSAT) was created for juvenile diversion programs in Nebraska to screen for criminogenic risks and needs and assist in developing an appropriate diversion plan. This tool has been made available to all Nebraska diversion programs to utilize to meet the requirements of NRS 43-260.04(5).

[1] Neb. Rev. Stat. § 43-260.03
[2] Neb. Rev. Stat. § 43-260.02
[3] Neb. Rev. Stat. § 43-260.04
[4] Neb. Rev. Stat. § 43-260.04 -.06

Juvenile Pretrial Diversion Programs in Nebraska

In Nebraska, eighty-eight counties offer a juvenile pretrial diversion program (Figure 1).

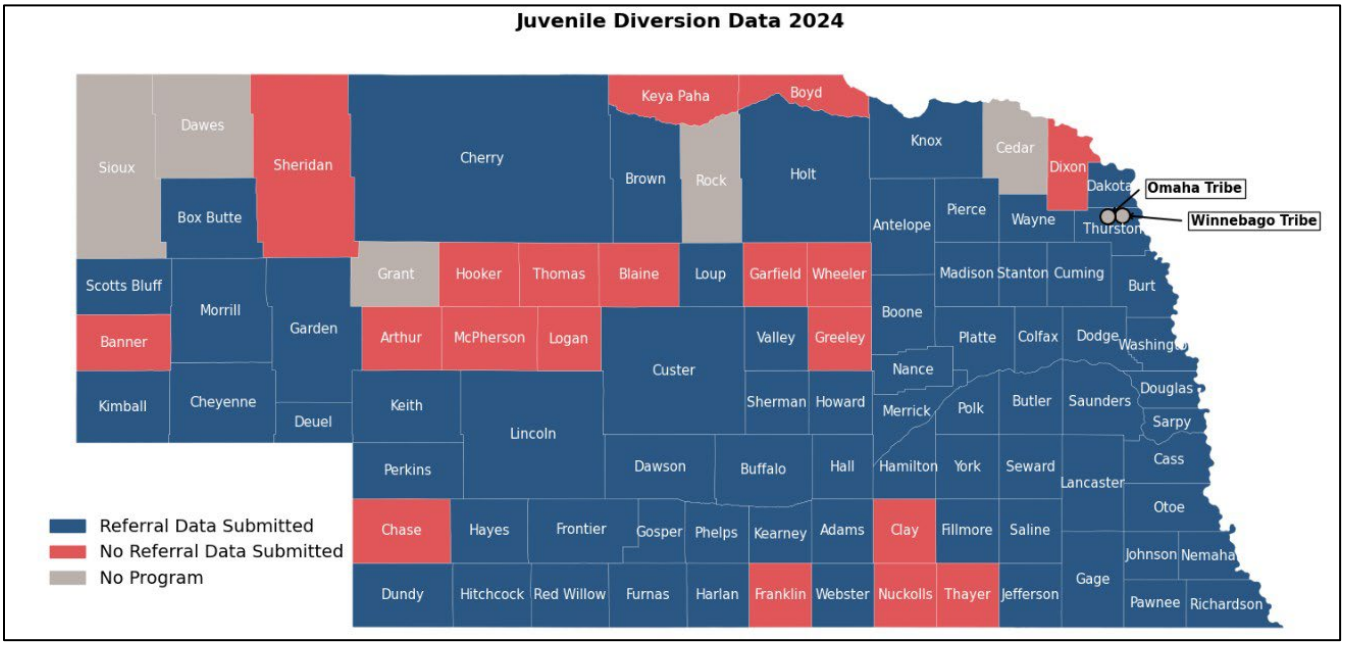


Figure 1

Juvenile Pretrial Diversion Data

Every county or city attorney of a county or city which has a juvenile pretrial diversion program is required to report juvenile diversion data to the Director of Juvenile Diversion Programs annually.[5] The juvenile pretrial diversion data reported in this report is based upon data reported directly to the Nebraska Crime Commission at the user level through the secure Juvenile Diversion Case Management System (JDCMS) on the Nebraska Criminal Justice Information System (NCJIS) as required by 78 NAC 8. As shown in Figure 1 above, sixty-nine counties reported the required 2024 diversion data into JDCMS.[6] Nineteen counties did not report the data,[7] and five counties and two tribes had no active diversion program in calendar year 2024.

[5] Neb. Rev. Stat. § 43-260.07

[6] Douglas County did not report data pursuant to NRS 43-260.07 and 78 NAC 8 but did provide statistics upon request.

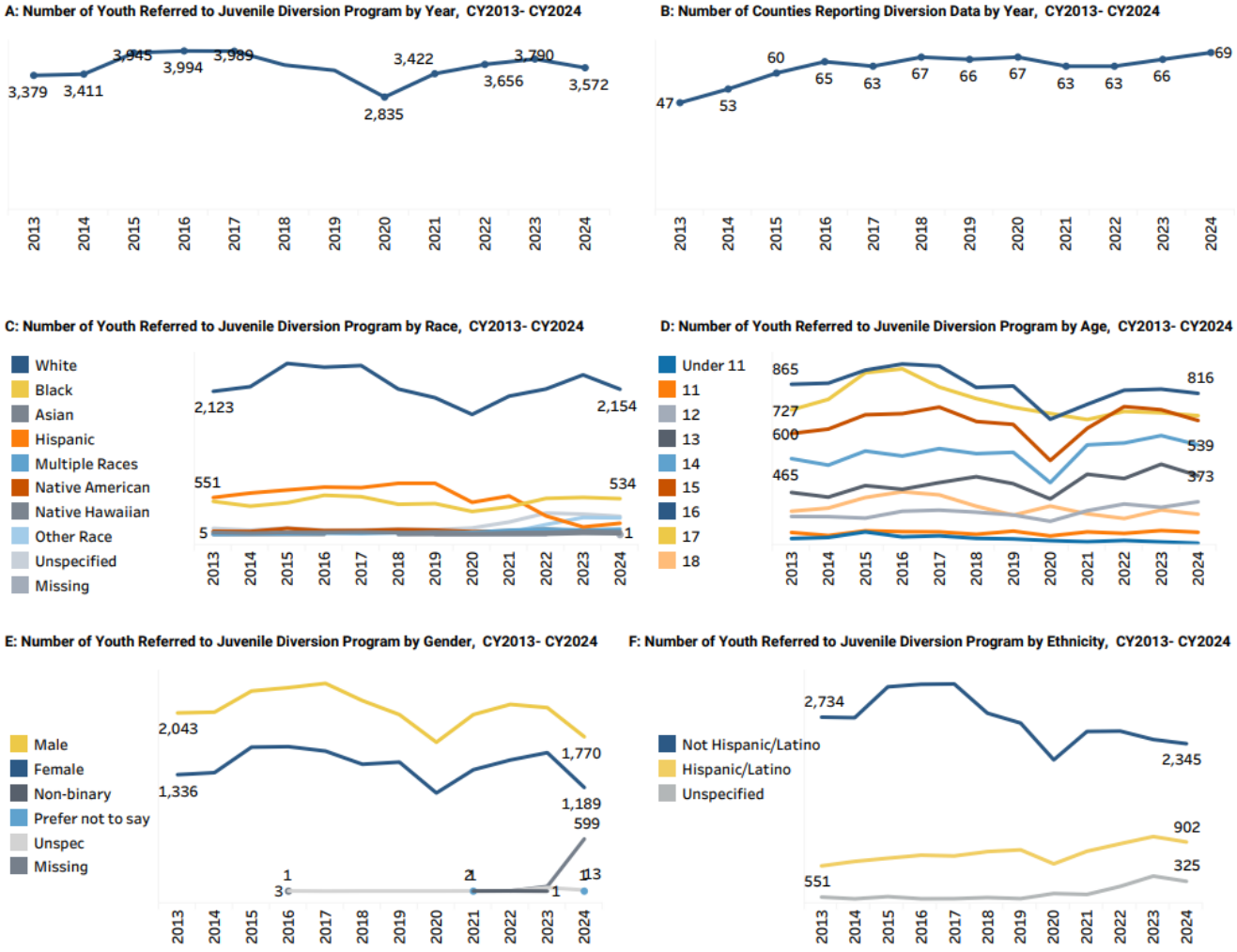
[7] Reflected on the map, these counties include Arthur, Banner, Blaine, Boyd, Chase, Clay, Dixon, Franklin, Garfield, Greeley, Hooker, Keya Paha, Logan, McPherson, Nuckolls, Sheridan, Thayer, Thomas, Wheeler

Referrals to Diversion

Annual Trends

Over an 11-year period from 2013 to 2024, juvenile diversion referrals in Nebraska remained relatively stable, ranging from roughly 2,800 to 4,000 annually. As illustrated in Figure 2, referrals went down during the 2020–2021 pandemic period but rebounded to 3,572 by 2024 (Chart A). Over the period, the state averaged 3,595 referrals per year, with the lowest in 2020 (2,835) and the highest in 2016 (3,994). Similarly, youth participation in county diversion programs remained stable, increasing from 47 counties in 2013 to 69 in 2024 (Chart B). On average, 69.2 counties had youth participating in a diversion program annually. County involvement in diversion programs was the highest in 2024 and the lowest in 2016. With roughly two-thirds of counties maintaining active youth participation in programs throughout most years, the state of Nebraska continues to demonstrate a strong commitment to diversion as an alternative to traditional prosecution. The data shows consistent demographic trends, with white youth comprising the largest proportion of referred cases, followed by Black and Hispanic youth (Chart C). This pattern is consistent with the overall population distribution, as these three groups represent the largest segments. Older teens ages 16-17 dominated referrals with roughly 800-900 cases each annually (Chart D), while males were referred at significantly higher numbers than females (Chart E).

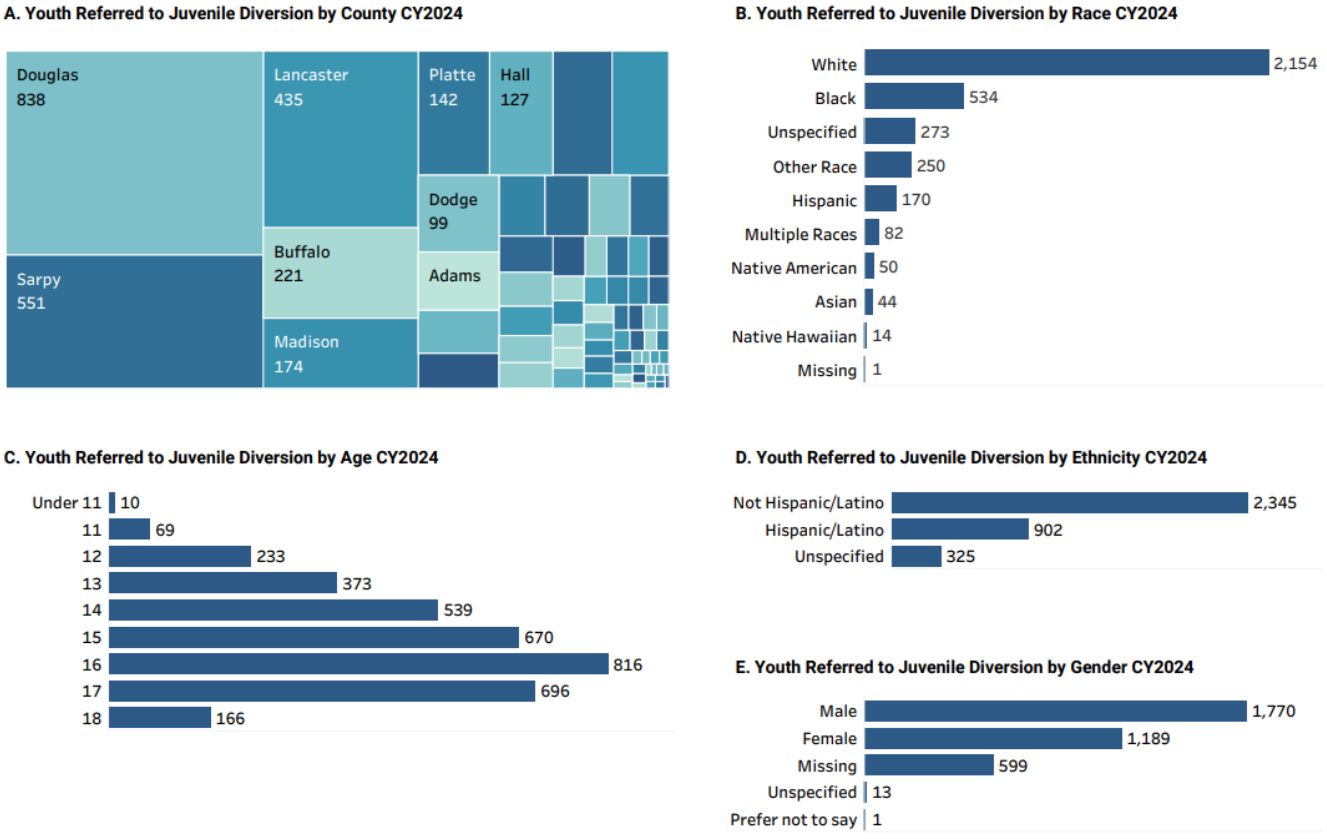
Figure 2: Number of Youth Referred to Juvenile Diversion Program by Year, Race, Age, and Gender, CY2013- CY2024



Referrals in 2024

From January 1, 2024, to December 31, 2024, 3,572 referrals to a juvenile diversion program in Nebraska were reported to the Nebraska Crime Commission.[8] Figure 3 illustrates the distribution of referrals for that year across geographic, demographic, and age categories. Douglas County dominated referrals with 838 cases, followed by Sarpy County (551) and Lancaster County (435), reflecting the concentration of youth populations in these major metropolitan areas (Chart A). With 2,154 cases, white youth comprised most referrals. Their 60% referral rate is the highest statewide, but slightly lower than their 65% share of the overall youth population (Chart B). Black youth are significantly overrepresented, accounting for 15% of referrals (679 youth) despite comprising only 6% of the youth population. While non-Hispanic youth had the highest rate of referrals to juvenile diversion, like Black youth, Hispanic/Latino youth were referred at a higher rate than their youth population proportion (Chart D). The age distribution shows a clear peak among older adolescents, with 16-year-olds accounting for the highest number of referrals, while referrals drop for 18-year-olds and remain minimal for children under 12 (Chart C).[9] Males were referred at higher rates compared to females, though a significant number of records (599) were missing gender information (Chart E).

Figure 3: Distribution of juvenile diversion referrals in 2024 across geographic, race, age, ethnicity and gender categories



[8] Because not all counties are complying with the statutory duty to report, there remains missing data. Data only represents what was reported to the Nebraska Crime Commission. Data includes individuals under 19 years of age.

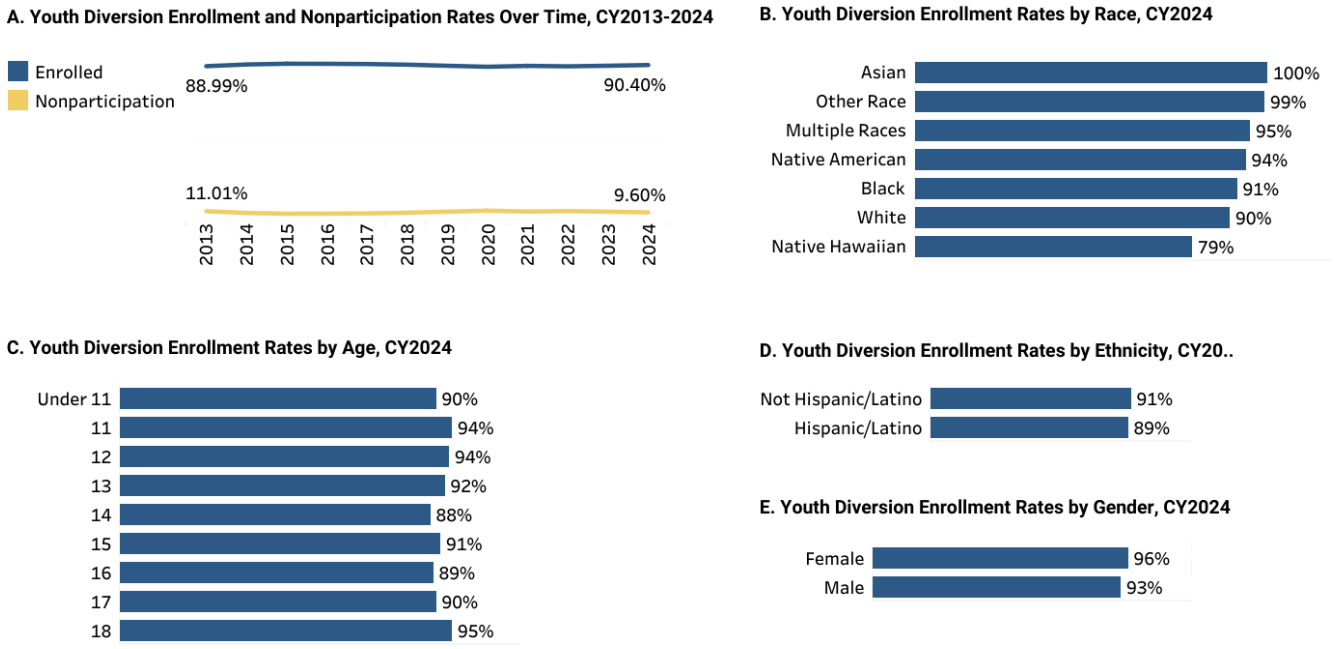
[9] The age range of reported diversion cases for purposes of this report include from 5 years to 18 years of age.

Enrollments after Referral

Between 2013 and 2024, youth diversion program enrollment rates in Nebraska demonstrated consistently high participation levels, with overall enrollment increasing from about 89% in 2013 to 90% in 2024, while nonparticipation rates correspondingly decreased from 11% to about 10%. The reasons youth did not participate include the referring attorney withdrew the referral, the diversion program declined admission after referral, the youth or parent refused to participate, or the youth transferred to another school or homeschool (for truancy diversion).

Statewide, 90% of youth referred to a juvenile diversion program in CY 2024 enrolled (3,229 youth), and about 10% (343 youth) did not participate after referral. The 2024 data shows varied but generally high enrollment rates across different groups, perhaps suggesting that the programs are accessible regardless of youth's demographic characteristics.

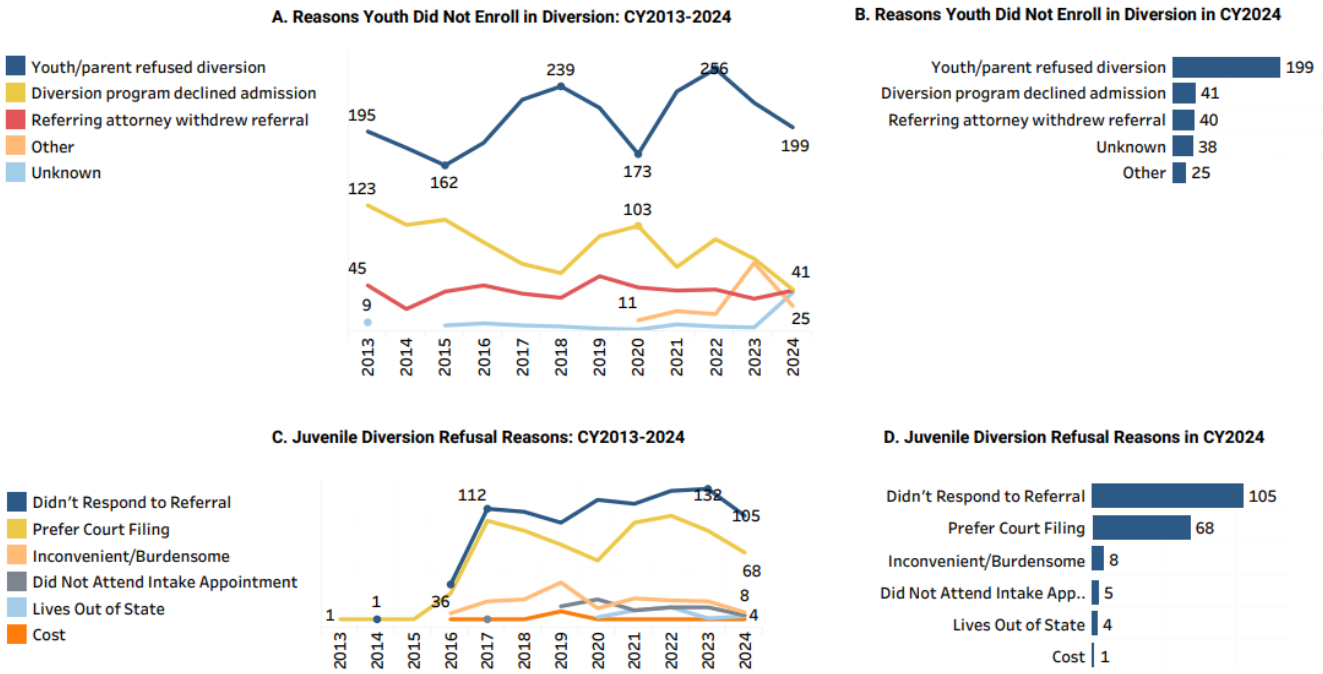
Figure 4: Youth Diversion Program Enrollment Rates: Temporal Trends and Demographic Patterns in Nebraska: CY2013-2024



Reason Youth Did Not Enroll

A total of 343 youth did not enroll in juvenile diversion after referral in 2024. Figure 5 (Charts A and B) display the reasons for non-enrollment in the diversion program over time and in 2024. Between 2013 and 2024, youth/parent refusal consistently emerged as the main reason for non-enrollment in juvenile diversion programs across Nebraska. As the figure shows, parental/youth refusal reached the highest count of 256 cases in 2022 before decreasing to a total of 199 cases in 2024. By contrast, "program admission declines" show a downward trend, suggesting that it is becoming less an issue as an obstacle for enrollment over time. "Attorney referral withdrawals" remained stable and comparatively lower in occurrence. Instances categorized as "Unknown" have declined from a high of 162 in 2015 to just 38 in 2024, perhaps indicating that agencies have improved their documentation practices. Compared to previous years, the "Other" category, which includes youth who did not enroll because they were transferred to other diversion jurisdictions, or had a warning letter, was the least common factor for nonparticipation.

Figure 5: Reasons for Youth Non-Enrollment in Diversion Programs: Trends and Status in CY2024



As youth/parental refusal accounts for the majority of non-enrollment cases, it is worth examining the underlying motivations behind these refusal(s). As Figure 5 (Charts C and D) illustrate, youth/parent not responding to referral consistently accounted for the highest number of refusal reasons, peaking at 134 cases in 2022 and continuing at a high level with 105 cases in 2024. Preference for court filing over diversion was the second most cited reason over time and in 2024. Other reasons such as inconvenience, missing intake appointments, living out of state, and costs represented smaller but persistent barriers.

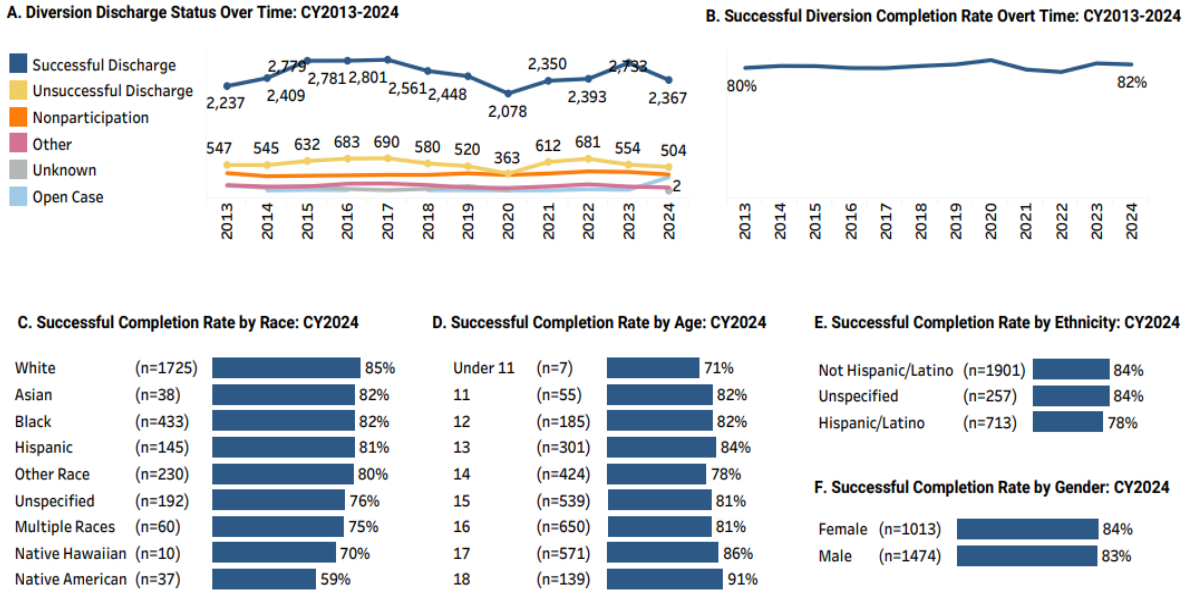
Overall, these data display some promising trends. Obstacles associated with agencies denying clients admission to diversion programs have become less common over time. However, given the persistently high rate of nonresponse to referral, the primary challenge for diversion programs remains engaging youth and families, particularly those who do not respond to outreach or opt for formal court involvement. Perhaps, diversion programs could benefit from focusing more on strengthening their communication and engagement strategies.

Discharges from Diversion

The number of youths who successfully completed diversion remained relatively stable over the 12-year period. As indicated by Figure 6 (Chart A), the effect of Covid-19 on all discharge outcomes, including successful completions, is evident in the dip it caused around 2020. Likewise, successful completion rates held steady around 80-82% over the same period (Chart B).[10] However, disaggregated demographic data on completion rates from 2024 paints a more nuanced picture.

Of the youth referred to diversion from January 1, 2024, to December 31, 2024, a total of 2,871 cases were discharged from a formal juvenile diversion program in Nebraska after enrollment.[11] Statewide, 82% (2,367 youth) of the discharged cases successfully complete the diversion program, and 18% (504 youth) did not successfully complete the diversion program.[12] White (85%), Asian (82%), and Black (82%) youth had the highest completion rates, while Native American youth (59%), and those belonging to either Native Hawaiian and Other Pacific Islander (70%) or multiple races (75%) had significantly lower rates. Successful completion rates also varied by age (Chart D). While 18 and 17-year-olds had the highest (86%) and second highest (86%) completion rates, 14-year-olds and under 11-year-olds had the lowest (78%) and second lowest (71%) rates.[13] As illustrated in (Chart E), Hispanic/Latino youth completed at a lower rate (78%) compared to non-Hispanic youth (84%). Gender differences are minimal, with females (84%) and males (83%) showing comparable completion rates (Chart F).

Figure 6: Program Outcomes and Successful Completion Rates Over Time and by Race, Age, Ethnicity and Gender, CY2013-2024



While the overall diversion success rate remained strong, the 2024 demographic data highlight important disparities. These disparities mainly affected youth from Native American and Native Hawaiian backgrounds, younger participants, and Hispanic/Latino youth who had lower rates of successful completion.

[10] These rates were calculated by dividing the number of youths who successfully completed diversion by the total number of diversion cases, which includes both successful and unsuccessful outcomes.

[11] This number represents discharges either successfully or unsuccessfully; does not include youth who did not participate (343), were still enrolled in the program as of December 31, 2024 (284), left the program for reasons outside their control (64), and those who are missing discharge information (2).

[12] The number of unsuccessful completions include situations such as the youth dropped out of the program, had another law violation while in the program, did not comply with the program requirements, or was moved to a higher-level intervention.

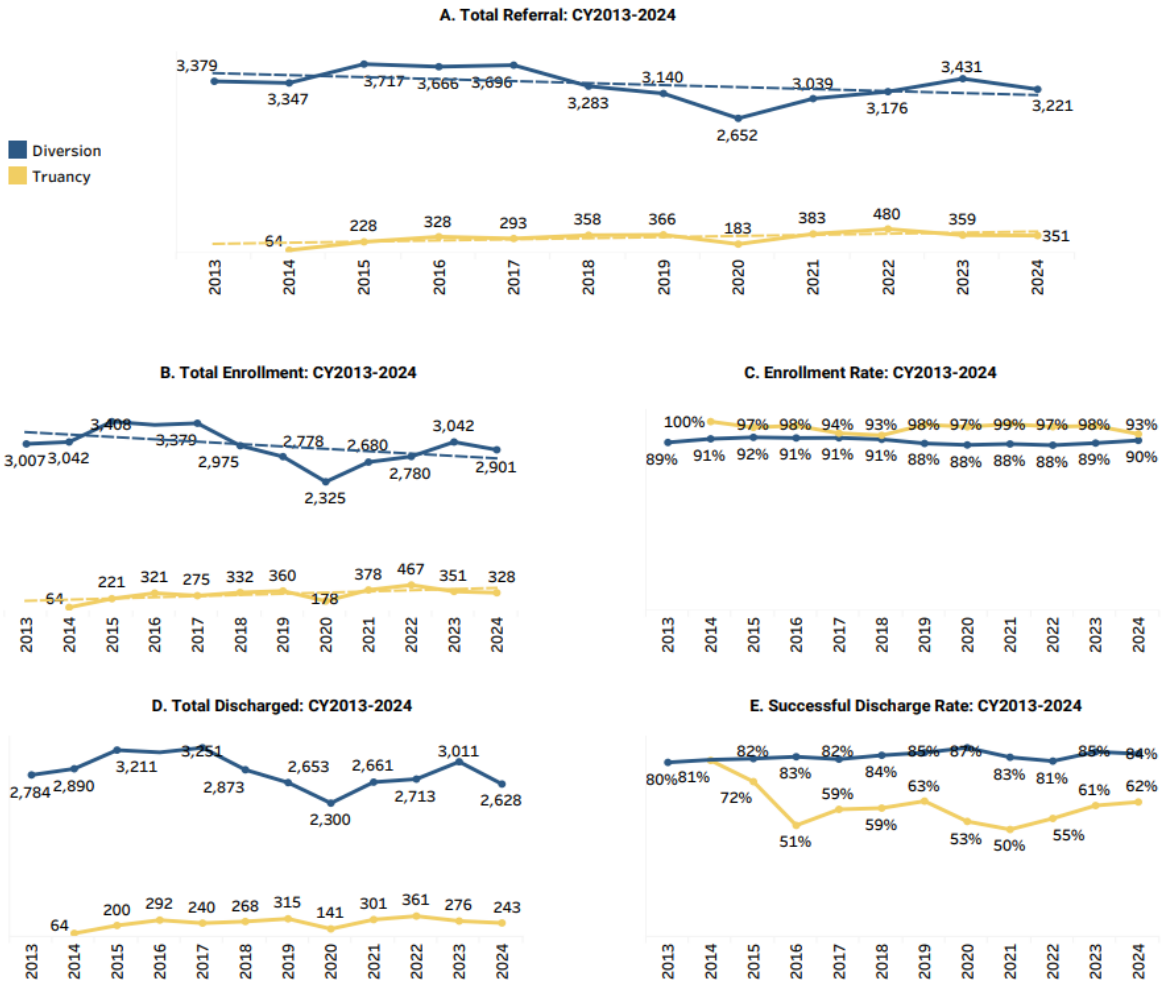
[13] Since the sample size for youth under age 11 is small, any conclusions about their success rate should be interpreted with caution.

Success Rates by Diversion Referral Type

A comparison of diversion and truancy programs reveals divergent trends in how these two major intervention approaches performed in Nebraska from 2013-2024. Truancy diversion programs address excessive absenteeism from school, while other diversion programs deal with other status offenses and law violations.[14]

As Figure 7 (Chart A) illustrates, diversion programs operate on a much larger scale averaging 3,312 referrals annually compared to 308 for truancy. Whereas total referrals for diversion programs declined over the years, those for truancy were relatively stable. Both programs, albeit truancy to a higher degree, exhibited high average annual enrollment rates, perhaps this signals the effectiveness with which program administrators engage referred youth (Chart C). Discharge numbers show patterns similar to referral, trending down for diversion, stable for truancy (Chart D). However, when it comes to successful program completion, diversion programs tend to outperform truancy programs. As shown in Chart E, diversion programs exhibited significantly higher successful discharge rates, consistently reaching 80–84% in recent years, while the rates for truancy programs remained lower, between 50–64%, with 62% in 2024.[15]

Figure 7: Truancy Diversion vs. Other Diversion Cases: CY2013-2024



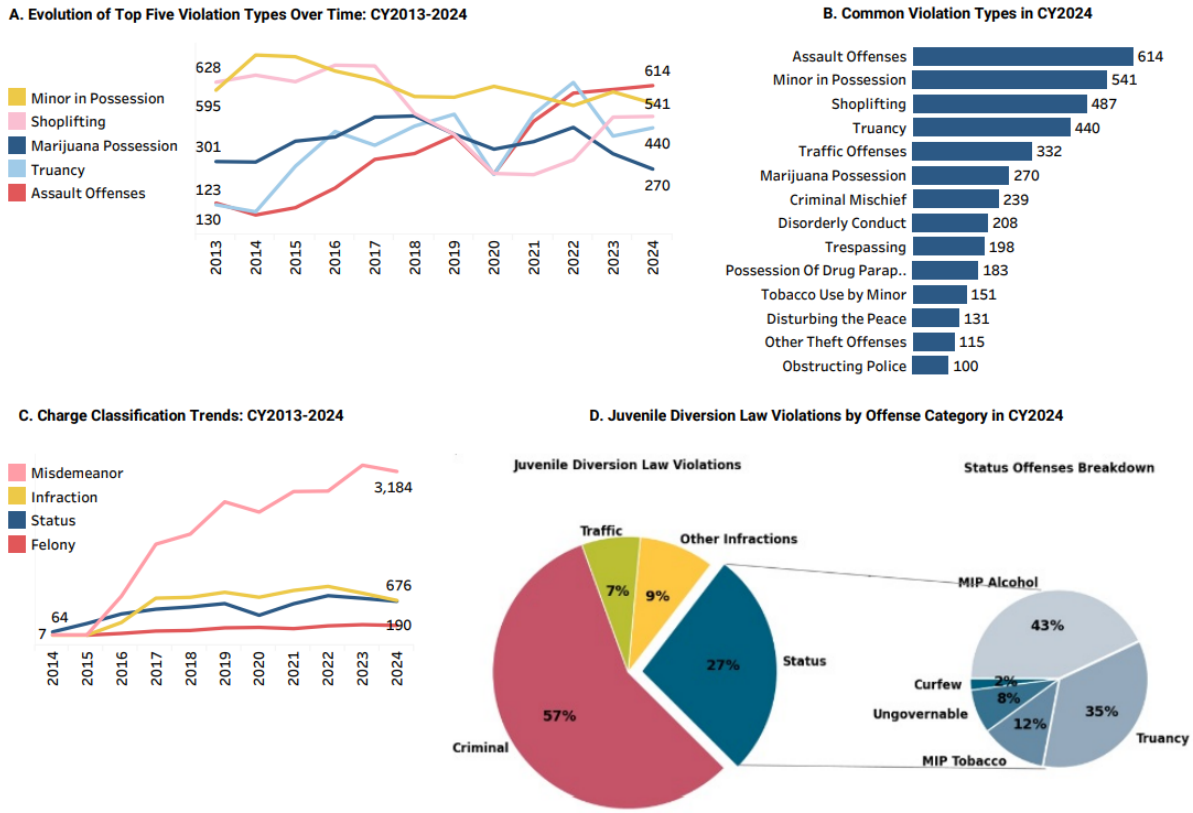
[14] Truancy diversion program data does not include Douglas County truancy diversion. Additionally, truancy program data in the present report reflects only cases assigned for formal diversion and does not include youth served through truancy monitoring or intervention efforts.

[15] Truancy programs might apply stricter criteria for determining success, such as requiring perfect attendance, which could contribute to lower reported success rates over time.

Law Violations

Between 2013 and 2024, Nebraska's juvenile diversion program primarily addressed low-level offenses. As illustrated in Figure 8 (Chart C) misdemeanor charges comprised the vast majority of cases.[16] In 2024, the most common violations included assault offenses, minor in possession of alcohol, and shoplifting (Chart B). [17] The first two offenses were consistently among the top violations over the years (Chart A). While criminal offenses made up 57% of diversion referrals, status offenses, such as truancy and underage alcohol possession, accounted for 27%, with truancy and MIP alcohol comprising the largest shares within this category.

Figure 8: *Law Violations Referred to Diversion CY2013-2024*



The significant presence of alcohol related offenses and truancy among juveniles aligns with past research that emphasize a connection between these behaviors. Studies show that truancy often leads to unsupervised time, which raises the risk of substance abuse. Alcohol consumption, in turn, undermines decision-making, reduces motivation, and contributes to increased absenteeism. Additionally, the long-term effects of truancy have been linked to adverse outcomes such as poor health, low-income employment, and poverty (Baker et al., 2021).[18] Felony charges remained rare. This pattern is to be expected, since diversion programs are primarily used for less severe offenses.

[16] Approximately 40%of charge classification data in Chart C is missing, primarily affecting the period prior to 2017, therefore caution is warranted in interpretating early-year trends.

[17] The sample consists of 4,306 cases with known information on specific law violations and 143 cases where this information is missing. A single youth may have multiple charges. Included within the law violation statistics are status offenses; violations criminalized only because of the age of the offender, including truancy from school, curfew violations, ungovernable, tobacco use and minor in possession. Assault offenses include assault, 3rd degree assault, assault by mutual consent, domestic assault, sexual assault violations, assault officer with bodily fluid, and assault officer/health care professional. Traffic offenses include violations related to permits, licenses, license plates, registration, insurance, speeding, reckless driving, leaving the scene of an accident, school bus stop signal, and violation of traffic signals. Other theft offenses include theft- unlawful taking; theft- receiving stolen property, theft by deception, theft of lost or mislaid item, and theft of services.

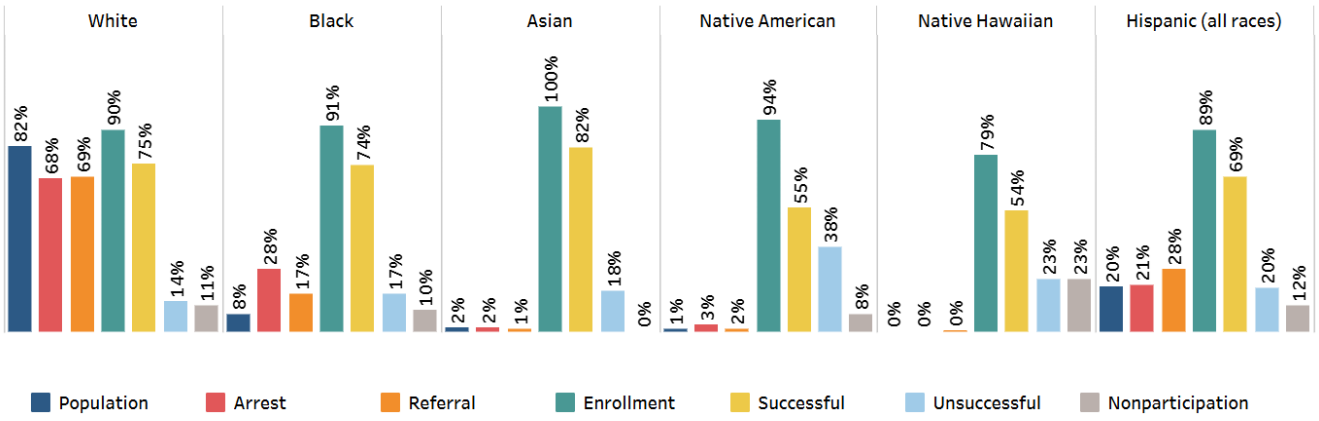
[18] Baker, Myriam L, Jade Nady Sigmon and M. Elaine Nugent.2021."Truancy reduction: Keeping Students in School". Office of the Juvenile Justice and Delinquency Prevention.

Disparities in Diversion

Racial and ethnic disparities (R/ED) means that a minority group's rate of contact at specific points in the juvenile justice system is disproportionately higher than the rate of contact of non-minority youth at the same system point. Figure 9 illustrates juvenile population, arrest, and referral, enrollment, completion, and nonparticipation percentages in the diversion program by race and ethnicity.[19] Data on referral to diversion program is examined in relation to juvenile population and arrest data, with arrest representing the first sequence at which youth encounter the justice system. Enrollment and nonparticipation data are compared to referral data, and data on completion rates are examined in relations to enrollment rates.

The chart reveals significant disparities in arrest, referral, and program participation within each race/ethnicity, especially at it pertains to Black youth. While comprising only 8% of the population, Black youth are disproportionately represented in arrests (28%). Additionally, unlike other groups, they have lower proportion of referral to diversion compared to their arrest percentage, indicating that they may be less likely to be referred to diversion programs. The disparities in referral versus arrest percentages could reflect differences in how cases are handled post-arrest. Diversion offices are provided with referrals based on law enforcement citations screened by county attorneys. Considering the race of the youth at these system points would also be vital to the R/ED discussion.

Figure 9: Diversion Points by Race and Ethnicity

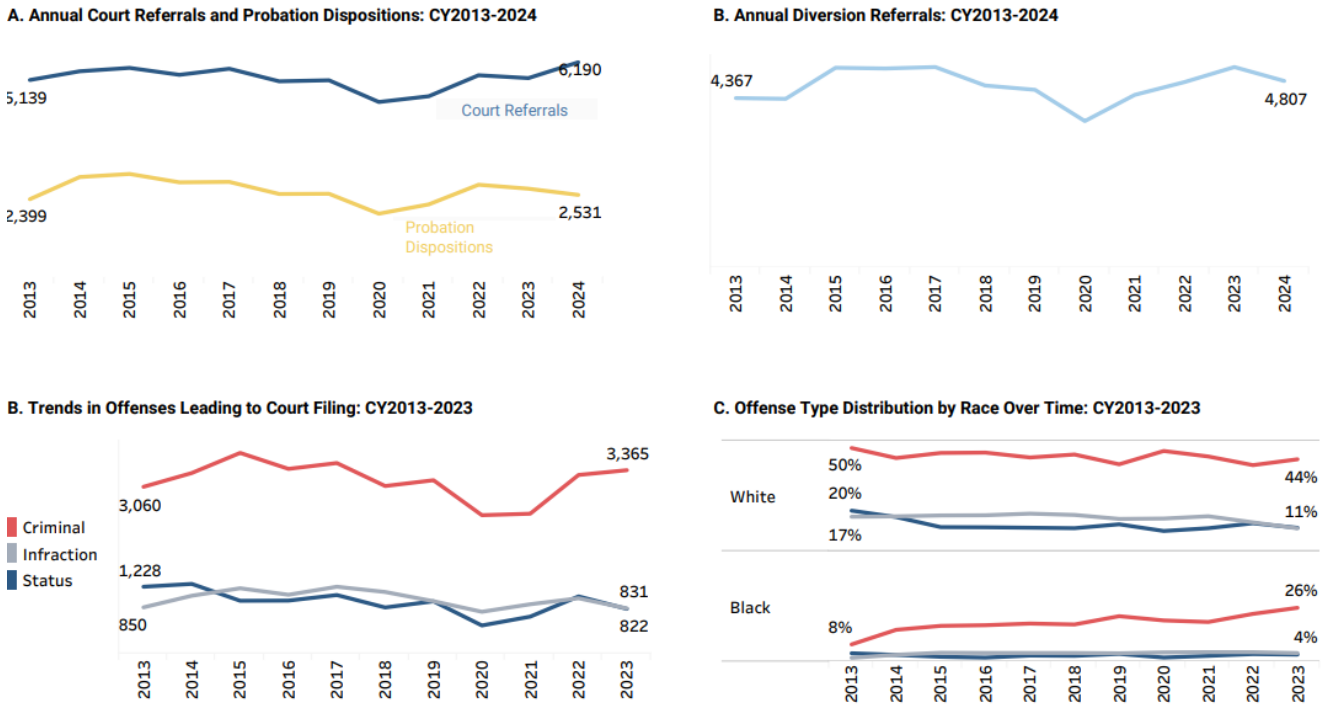


[19] Arrest data is based on National Incident Based Reporting System (NIBRS). Population data derives from the Census Bureau's Population Estimate Program. Population percentages would not add up to 100% because "Multiple Races" category was omitted from the analysis for lack of corresponding arrest data. NIBRS does not have an option for "Multiple Races" category. Rerunning the analysis without arrest data, "Multiple Races" category accounts for 5 %of the total youth population, 2%of referrals, 2%of enrollments, 1%of successful discharge, 5%of unsuccessful discharge and 2 %of nonparticipation.

System Involvement

The intent of diversion programs is to divert youth from becoming involved in the court system. While some cases are not eligible for diversion and require a court filing, many youths are provided with the opportunity to participate in diversion. Figure 10 shows the number of diversion referrals compared to court filings and probation placements between 2013-2024.[20] As indicated by Chart A, the gap between court referrals and probation placements widened over time. In 2024, referrals reached 6,190 compared to 2,531 probation dispositions. This pattern suggests that more cases are being resolved through dismissal, and possibly diversion rather than probation. Meanwhile, diversion referrals, drawn from a separate dataset, have remained relatively flat at 4,000–5,000 annually (Chart B). In other words, diversion referrals have not expanded in proportion to rising court filings. Court filings are mainly driven by criminal offenses, far exceeding infractions and status cases (Chart C). The share of criminal filings among white youth has declined since 2013, while among Black youth filings have more than tripled (Chart D). This shift signals growing disproportionality in how offenses are processed by race, with Black youth increasingly overrepresented in criminal filings relative to white youth.

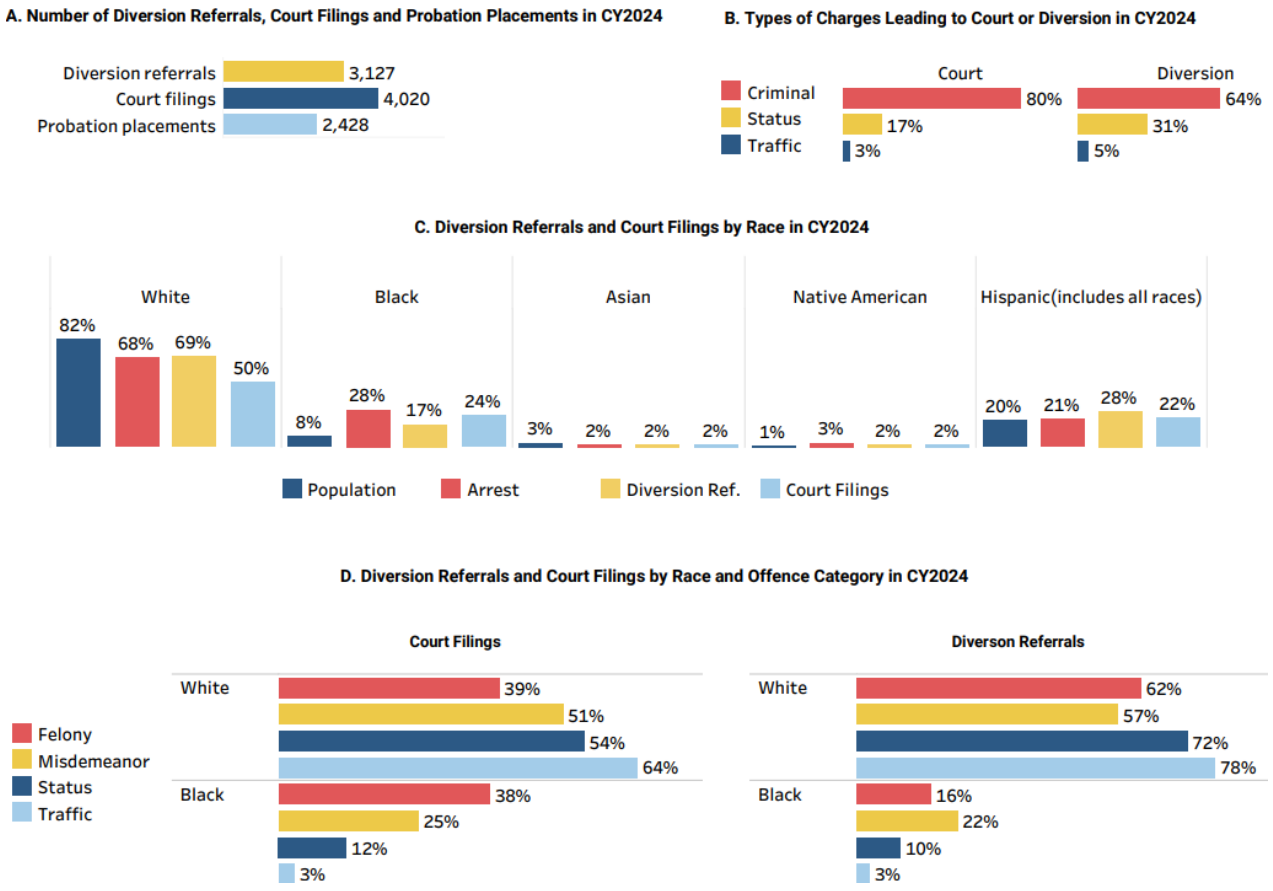
Figure 10: Total Youth Diversion Referrals, Court Filings, and Probation Placements in 2024



[20] While court filings and probation placement data are based on JUSTICE, diversion referral data derives from Juvenile Data Case Management System (JDCM).

As indicated in Figure 11, in CY2024 there were more court filings than diversion referrals, with probation placement totaling 2,428 (Chart A). Court filings and probation data are based on the Nebraska Judicial Branch Juvenile Justice System Statistical Annual Report 2024[21]. The lower number of probation placements suggests that post-filing, courts are using a variety of dispositions, not just probation. Chart B compares the distribution of offense types between diversion programs and court filings in the juvenile justice system. [22] As Chart B shows, the majority of both court cases and diversion referrals stemmed from criminal charges. Despite the prevalence of criminal offenses in both pathways, they are more likely to lead to court filings than to diversion. In contrast, diversion cases included a higher proportion of youth charged with status offenses (31%) compared to court filings (17%), which is not surprising given that diversion typically addresses lower-level offenses. Chart C compares court filings to diversion referrals by race and ethnicity.[23] White youth who make up 82% of the youth population, accounted for only 68% of arrests and 50% of court filings, while Black youth represent 8% of the youth population, but 28% of arrests and 24% of court filings. For Asian and Native American youth, diversion and court referrals are evenly matched (2%), though the latter group is overrepresented in arrests (3%). Hispanic youth are significantly underrepresented in court filings (22%) than diversions referrals (28%). Overall, the most striking differences can be observed between white and Black youth, whereas white youth are underrepresented in arrests, diversion referrals and court filings compared to their share of population, Black youth are significantly overrepresented in all three.

Figure 11: Diversion Referrals and Court Filings by Race and Offense Category in CY2024



[21] Data on court filings and probation placements is based on State of Nebraska Judicial Branch's Juvenile Justice System Statistical Annual Report for calendar year 2024, which can be accessed here https://nebraskajudicial.gov/sites/default/files/publication-report-files/2024-Juvenile-Justice-System-Statistical-Annual-Report.pdf. In the report, filings are recorded for youth aged 11 to 17, while probation data covers ages 11 to 18. To maintain consistency, this analysis focuses on youth aged 11 to under 18. Therefore, diversion referrals, court filings, and probation placements all include youth between the ages of 11 and 17.

[22] As noted in the footnote above, due to the limitations of the court report data, these charts are based on the age range of 11 to 17. To ensure comparability, the diversion data also includes only youth ages 11 to 17, uses known race categories and each youth's most severe charge, and excludes 184 infraction cases.

[23] Since the Nebraska Judicial Branch's Juvenile Justice System Statistical Annual Report combines race and ethnicity in the same column, the court filing data for Hispanics is reported as a percentage of the overall total for that column. To ensure consistency with the court filing data, the chart includes only youth aged 17 and under for the population, arrest, and diversion referral data.

Finally, Chart D compares the proportion of offenses filed in court or referred to diversion, categorized by race.[24] As illustrated in the chart, white youth accounted for 39% of felony court filings, but 62% of felony diversion referrals, indicating that a higher proportion of white youth facing felony charges were diverted from the court system in CY2024. Black youth, on the other hand, represented 38% of felony court filings, but only 16% of felony diversion referrals. This suggests that Black youth facing felony charges are less likely to be diverted compared to their white peers. Similarly, the distribution of status offenses shows a stark contrast, with white youth making up 54% of court filings but 72% of diversion referrals, indicating a significantly higher likelihood of being referred to diversion. In contrast, Black youth represent 12% of court filings and just 10% of diversion referrals, highlighting a major disparity in how these cases are handled between the two racial groups. In all, the data corroborates the findings by the Sentencing Project, which shows that disparities between Black and white youth appear in every major offense category.[25]

To fully understand racial disparities in the juvenile justice system, it is essential to go beyond examining percentages of arrests, diversions, and court filings within each racial/ethnic group. While percentage-based charts illustrate differences within each race, they may obscure the comparative relationships between groups. Following the recommendation by the Office of Juvenile Justice and Delinquency Prevention, this report uses ratios to determine the extent of racial and ethnic disparities. Ratios allow for a direct, clear comparison by showing how much more or less likely one group is to experience an event—such as arrest, diversion, or court referral—relative to another group. By emphasizing the relative disparities between races/ethnicities, this method offers a more precise understanding of over- or under-representation in the justice system.

Figure 12 presents ratios of minority racial and ethnic groups relative to white youth across various justice points.[26] A risk ratio of 1 means that a racial or ethnic group experiences an event, such as arrest, court filling, or diversion referral at the same rate as the reference group, which is white youth in this context. Ratios above 1 suggest that the group is more likely to experience that event compared to the reference group, while ratios below 1 indicate that they are less likely. As illustrated in Chart A, the greatest disparities appear at the arrest stage, where Black and Native American youth are arrested at rates two to five times higher than white youth. By contrast, Asian youth are consistently less likely to be arrested than white youth. The arrest ratios for Hispanic youth were nearly on par with white youth. Compared to arrests, there appears to be less disparity at the court filing stage as the ratios for all groups range from about 1.0 to 1.7 (Chart B). As it pertains to diversion referrals, the disparities mainly affect Black and Native American youth. These two groups were less likely than their white peers to be referred to diversion. By contrast, Hispanic and Asian youth were more likely to experience diversion from further court involvement.

[24] Data on court filings is based on the State of Nebraska Judicial Branch's Juvenile Justice System Statistical Annual Report for the calendar year 2023. When calculating the share of court filings and diversion referrals by race, only cases with known race categories were included, excluding any 'unknown' or 'unspecified' entries."

[25] The Sentencing Project.2022. "Diversion: A Hidden Key to Combating Racial and Ethnic Disparities in Juvenile Justice." https://www.sentencingproject.org/app/uploads/2022/10/Diversion-A-Hidden-Key-to-Combating-Racial-and-Ethnic-Disparities-in-Juvenile-Justice.pdf

[26] To maintain consistency with the court filing data, the population, arrest, and diversion referral data in Tables 9 and 10 are restricted to youth aged 17 and under.

Figure 12: Racial Ethnic disparities in the juvenile justice system

In short, the results indicate the existence of disparities across racial and, to a lesser extent, ethnic groups at key decision points in the juvenile justice system. These disparities particularly affect Black and Native American youth warranting further investigation into the reasons for this difference.

Diversion and Recidivism

This section draws on data from 2,872 youth in the 2021 diversion cohort to examine whether completing diversion successfully reduces the likelihood of recidivism. The analysis compares outcomes for youth who completed the program with those who were unsuccessfully discharged or who did not participate in diversion at all. In addition to examining reoffending outcomes, this section also considers the cost implications for the juvenile justice system. Recidivism data come from juvenile court reports submitted to the Nebraska Crime Commission through the JUSTICE system, while program participation data derives from the Juvenile Diversion Case Management System (JDCMS) and the Douglas County Juvenile Assessment Center.

Tracking recidivism is essential for evaluating the effectiveness of diversion programs. Additionally, recidivism analysis can help with determining the optimal allocation of resources across the juvenile justice system. Yet, challenges remain around how best to define recidivism and select appropriate follow-up periods for measuring reoffending. Prior research highlights these challenges. For instance, Deal et al. (2015) note that states vary widely in their approach: some measure rearrest, while others focus on adjudications after arrest. [27] Roberts and colleagues (2021) recommend measuring both rearrest and conviction, noting that arrests alone can overstate reoffending since not all arrests result in adjudication.[28] They also emphasize the importance of follow-up length. While most recidivism occurs within the first year, longer observation periods capture additional reoffending events that would otherwise go unmeasured.

Consistent with this research, the present analysis employs two measures of recidivism: offense and conviction. The offense measure includes new felony, misdemeanor, or status offense referrals, but excludes infractions and traffic violations. The conviction measure includes cases resulting in a guilty disposition, formal probation, a fine, or waiver to criminal court. Both outcomes are tracked over one- and three-year periods following discharge from diversion. These outcomes are examined using both logistic regression models, which estimate program effects at fixed time points (one and three years after discharge), and survival analysis, which tracks time-to-recidivism across the entire follow-up period and identifies when reoffending is most likely to occur.

Findings from the regression analysis show that completing diversion successfully is linked to significant reductions in both offense and conviction recidivism at one- and three-year intervals. The impact on conviction recidivism develops more gradually but remains consistent over time, pointing to lasting behavioral change rather than short-term crime displacement. A preliminary cost analysis further indicates that diversion is cost-effective: each successful completion translates into measurable savings in court costs.

Findings from the survival analysis show that youth who successfully completed diversion were 19% less likely to reoffend, and their positive outcomes lasted over time. More than half of successful youth remained offense-free throughout the follow-up period, compared to only 37% of those who did not complete the program. For youth who did reoffend, those who did not complete diversion tended to reoffend in about 20 months, while most youth who successfully completed the program never reoffended during the several years we tracked them. Taken together, the results suggest that diversion is not only an effective public safety strategy but also a fiscally sound investment for the juvenile justice system.

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[27] Deal, Teri, Anne Rackow and Andrew Wachter.2015. "Measuring Subsequent Offending in Juvenile Probation." Juvenile Justice, Geography, Policy, Practice and Statistics. https://www.ncjj.org/pdf/JJGPS%20StateScan/JJGPS_Measuring_Subsequent_Offending_in_Juvenile_Probation_2015_6.pdf

[28] Davis, Robert C., Warren A. Reich, Michael Rempel, and Melissa Labriola .2021. 'A Multisite Evaluation of Prosecutor-Led Pretrial Diversion: Effects on Conviction, Incarceration, and Recidivism.' Criminal Justice Policy Review, 32(8), 890-909.

2021 Diversion Participants: Characteristics and Recidivism Patterns

Figure 13 provides a snapshot of the 2021 juvenile diversion cohort (N = 2,872). Nearly three-quarters (73%) completed diversion, 15% were unsuccessfully discharged, and 12% did not participate (Chart A). As Chart B shows, the cohort was mostly male (60%) and white (62%), with ages concentrated at 15–16 (Chart C). Most referrals were for misdemeanors (73%), followed by infractions (12.4%), status offenses (11.1%), and felonies (3.1%). At referral, most youth lived with both or a single parent, and risk scores were largely low.

Figure 13: Profile of the 2021 Juvenile Diversion Cohort

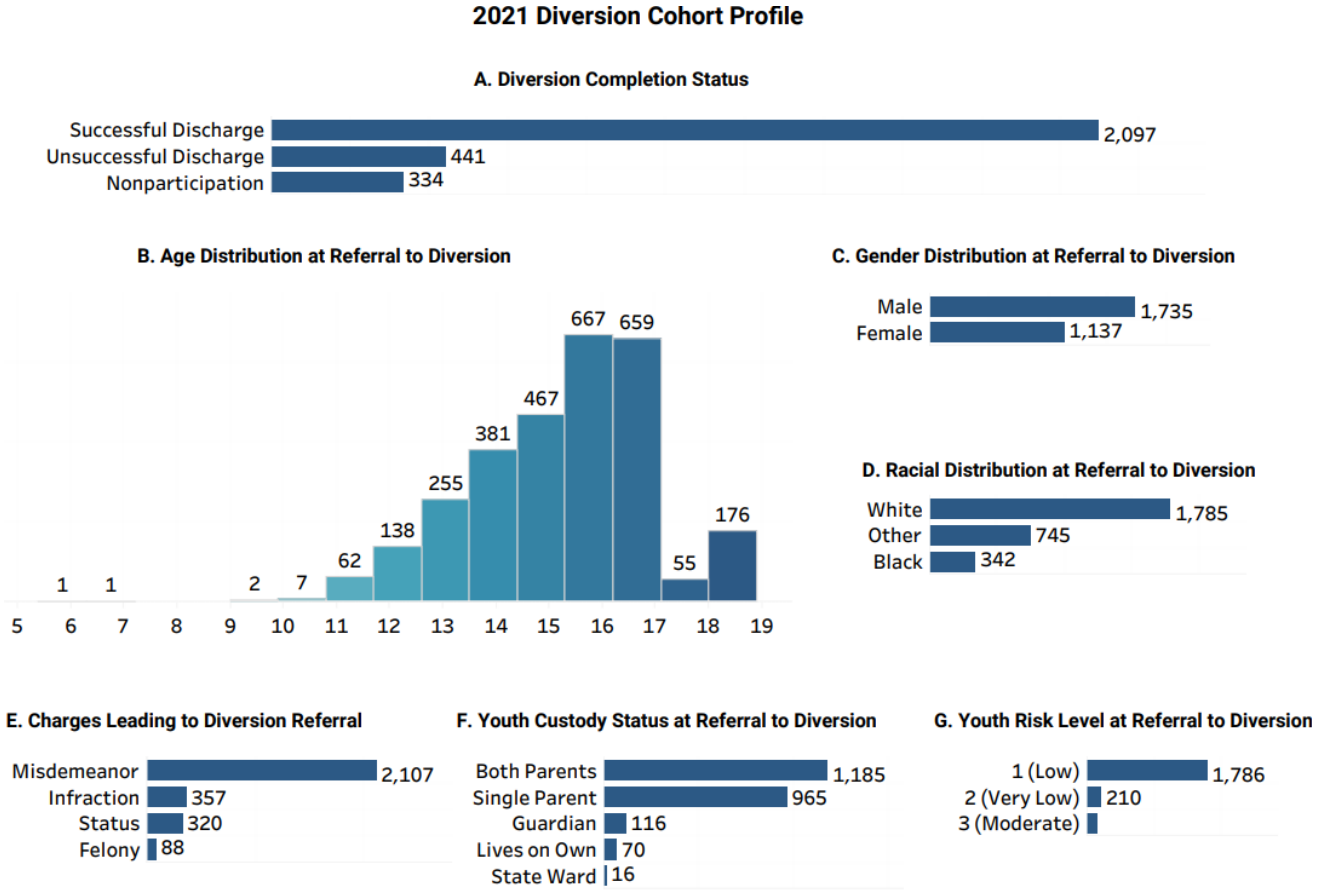
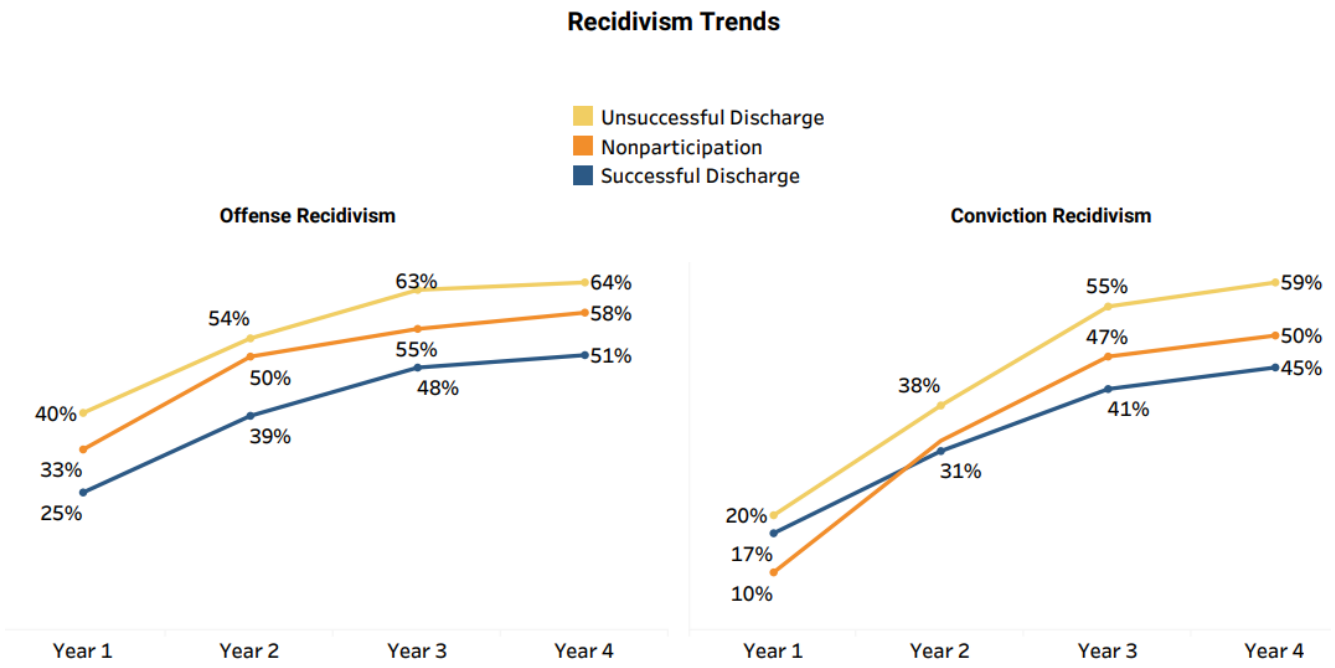


Figure 14 illustrates recidivism trends over the four-calendar year period. It demonstrates clear differences between diversion completion groups for both offense and conviction measures. Youth who successfully completed diversion consistently exhibited the lowest recidivism rates, with offense recidivism increasing gradually from 25% at year one to 51% by year four, and conviction recidivism rising from 17% to 45% over the same period. In contrast, youth who were unsuccessfully discharged showed the highest recidivism rates across all time points, with offense rates climbing from 40% to 64% and conviction rates increasing from 20% to 59% by year four. Youth who did not participate in diversion fell between these groups, with offense recidivism rising from 33% to 58% and conviction recidivism from 10% to 50%. As expected, conviction rates remained consistently lower than offense rates across all groups, since not all new charges result in formal adjudication. The widening gap between successful and unsuccessful participants over time suggests that the protective effects of program completion become more pronounced with extended follow-up.

Figure 14: Juvenile Reoffending Rates by Diversion Program Outcome (2021-2024)



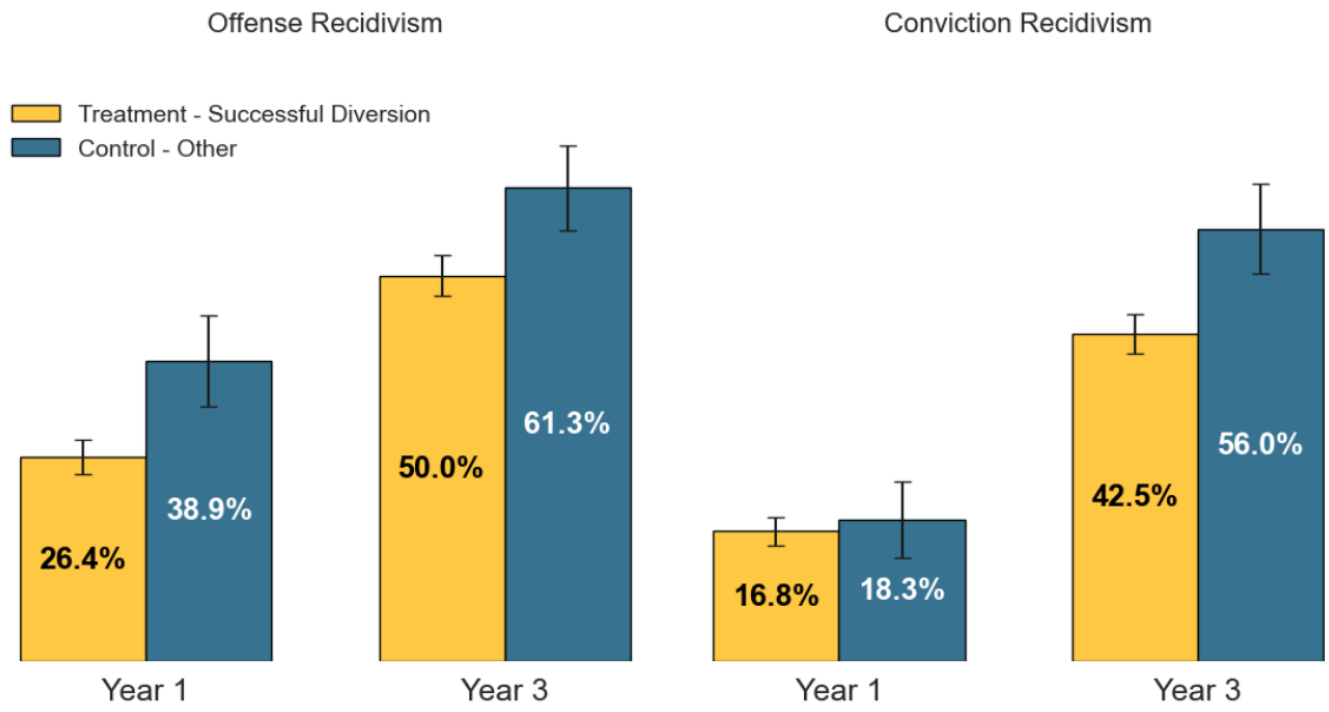
As will be shown, the differences in recidivism rates among these groups, especially between those who successfully completed the diversion program and those who either did not participate in the program or did not successfully complete the program is statistically significant.

Logistic Regression Analysis of Program Effectiveness

To assess the effectiveness of the diversion program, the analysis in this subsection employs logistic regression models with entropy balancing weights to compare recidivism outcomes over three full years between youth who successfully completed diversion (treatment group) and a combined control group consisting of nonparticipants and unsuccessful program completers. The analytical sample used in the model includes 1946 youth from 504 census tracts of which 38 were outside boundaries of the state of Nebraska.[29] To account for potential correlation among individuals within the same census tract which can violate independence assumption, we used cluster-robust standard errors clustered at the census tract level.[30] Entropy balancing was applied to achieve covariate balance between treatment and control groups, creating comparable populations for analysis.[31]

The multivariate logistic regression models examined both offense recidivism and conviction recidivism over a three full year follow-up period. In estimating the effect of completion status, the regression models adjusted for individual characteristics such as age, race, gender, risk level, offense severity, and family structure. Figure 15 presents the predicted probabilities derived from average marginal effects models, showing the estimated recidivism rates for each group while controlling for other covariates.

Figure 15: Predicted Probabilities of Offense and Conviction Recidivism by Treatment Group Over Three Full Years Post-Program



[29] The analytic sample represents a complete case analysis utilizing only observations with complete data on all key variables, accounting for the difference from the total diversion sample of 2872 youth. Missing data patterns were primarily attributed to incomplete risk assessment records, and custody status. Under the assumption that data were missing at random, the complete case approach provides unbiased parameter estimates, though it may reduce statistical efficiency compared to imputation methods. Despite this limitation, the large analytic sample (N=1,946) provides adequate statistical power to detect meaningful associations.

[30] An intracluster correlation (ICC) of 2%was initially estimated in the unweighted mixed-effects model, indicating modest clustering by census tract. However, when entropy balancing weights were incorporated into the mixed-effects framework, the ICC was artificially inflated to 24%due to the interaction between probability weights and variance component estimation. To avoid this methodological complication while still accounting for geographic clustering, standard logistic regression with cluster-robust standard errors was employed, which provides reliable inference without the need to explicitly model random effects.

[31] Entropy balancing successfully balanced all covariates across groups while retaining the full sample. Propensity score matching was not feasible due to inadequate matching. Entropy balancing offers advantages over propensity score matching by achieving exact covariate balance without sample loss. Additionally, obtaining correctly specified propensity score relies on a time-consuming model-dependent tuning process(Hainmueller, Jens.2012. 'Entropy Balancing for Causal Effects: A Multivariate Reweighting Method to Produce Balanced Samples in Observational Studies'. Political Analysis,Vol 20.No 1).

Offense Recidivism

The three-year analysis shows that successful program completion is associated with durable reductions in recidivism. By the end of the third year, the predicted probability of reoffending for youth in the control group (unsuccessful discharge and nonparticipation) was 61.3% compared to 50.0% in the treatment group (successful completion), producing an absolute risk reduction of 11.3 percentage points. Multivariate modeling confirms this effect, with an average marginal treatment impact of -11.2 percentage points (95% CI: -17.0 to -5.4, $p < 0.001$), translating to an 18.4% relative risk reduction.[32] Put differently, out of 100 youth, about 61 would be expected to reoffend without the program, while only about 50 would be expected to reoffend with successful diversion. Applied to the study population, this translates to roughly 182 fewer recidivism events over three years.[33]

Just as importantly, these benefits persist over time. While the effect size diminishes slightly between year one and year three (from -12.5 to -11.2 percentage points), about 90% of the original impact remains, suggesting that diversion generates genuine behavioral change rather than simply delaying reoffending. Both treatment and control groups show similar long-term risk accumulation, meaning the program does not merely postpone recidivism but reduces it outright.

Conviction Recidivism

The average marginal effects models revealed consistent patterns for conviction recidivism, though at lower overall probabilities. At year 1, youth who successfully completed diversion had a predicted conviction recidivism rate of 16.8%, compared to 18.3% among controls. By year 3, these rates rose to 42.5% and 56.0%, respectively, demonstrating a 13.5 percentage point absolute reduction in conviction risk for successful diversion participants. This widening gap suggests that the protective effects of diversion accumulate over time through mechanisms not fully captured in the present analysis. As the chart shows, both treatment and control groups show rising long-term conviction risk, but at different levels, which means that successful completion of diversion reduces rather than merely postpones conviction recidivism.

Based on multivariate models, successful completion of diversion reduced the absolute risk of new conviction by 13.4 percentage points (Coeff: -13.4, 95% CI: -19.3 to -7.4, $p < 0.001$)[34]. In practical terms, this translates to an estimated 217 youth prevented from receiving new convictions over the three-year period.[35]

An evaluation of a juvenile diversion program demonstrates substantial cost savings through reduced recidivism across both offense and conviction outcomes over a three-year period. Offense recidivism analysis reveals that successful program completion among the 1,625 treated youth generated about 182 fewer recidivism events. Conviction recidivism analysis shows even stronger benefits, with successful completion among the same number of treated youth preventing about 217 youth from receiving new convictions over three years. Using a conservative estimate of $1,000 per court case, the realized cost savings total $399,000 comprising $182,100 in avoided offense processing costs and $217,100 in avoided conviction processing costs.

Beyond the primary treatment effects, the multivariate logistic regression models reveal several demographic factors that independently influence recidivism outcomes. As illustrated in Figure 16, gender emerges as the most robust predictor, with males showing 6-8 percentage points higher offense recidivism and 6-12 percentage points higher conviction recidivism rates. Age demonstrates a

[32] RRR = (61.3% - 50 %) / 61.3% = 18.4%

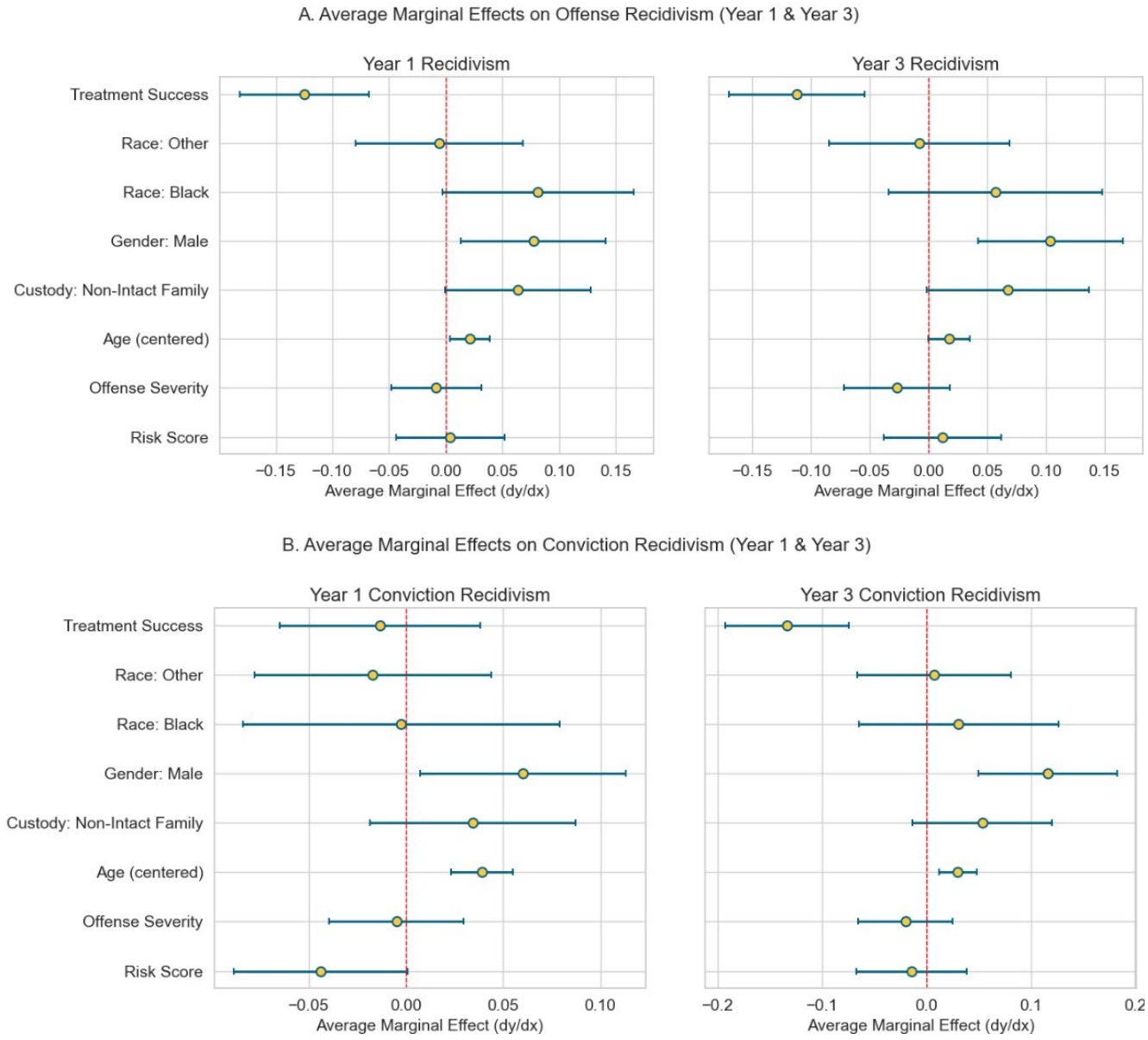
[33] Offense model total realized benefit over three years = treatment group sample (1,625) × average marginal coefficient (-0.1123606) = -182.58597

[34] Successful completion of diversion reduced the relative risk of a new conviction by 24.1% (%RRR = (56.0% - 42.5%) / 56.0% = 24.2%

[35] Conviction model total realized benefit over three years = treatment group sample (1,625) × average marginal coefficient (0.1336) = 217

counterintuitive positive relationship with recidivism, particularly for convictions where each additional year increases recidivism probability by 3-4 percentage points. Family structure and risk assessment scores show weak and, in the case of the latter, inconsistent associations with outcomes. Race effects remain negligible across models, and offense severity demonstrates minimal impact on future recidivism. These patterns suggest that while diversion programming produces substantial benefits across diverse populations, certain demographic subgroups, particularly males and older adolescents, may benefit from enhanced interventions to maximize the program's protective effects.

Figure 16: Average Marginal Effects on Offense and Conviction Recidivism by Treatment Groups and Other Covariates.



Overall, the predicted probabilities from the average marginal effects models demonstrate that successful completion of diversion programming provides sustained reductions in both offense and conviction recidivism over the three-year observation period, with substantial treatment effects persisting even as baseline recidivism risk increases over time. Even with modest attenuation in effect, successful program

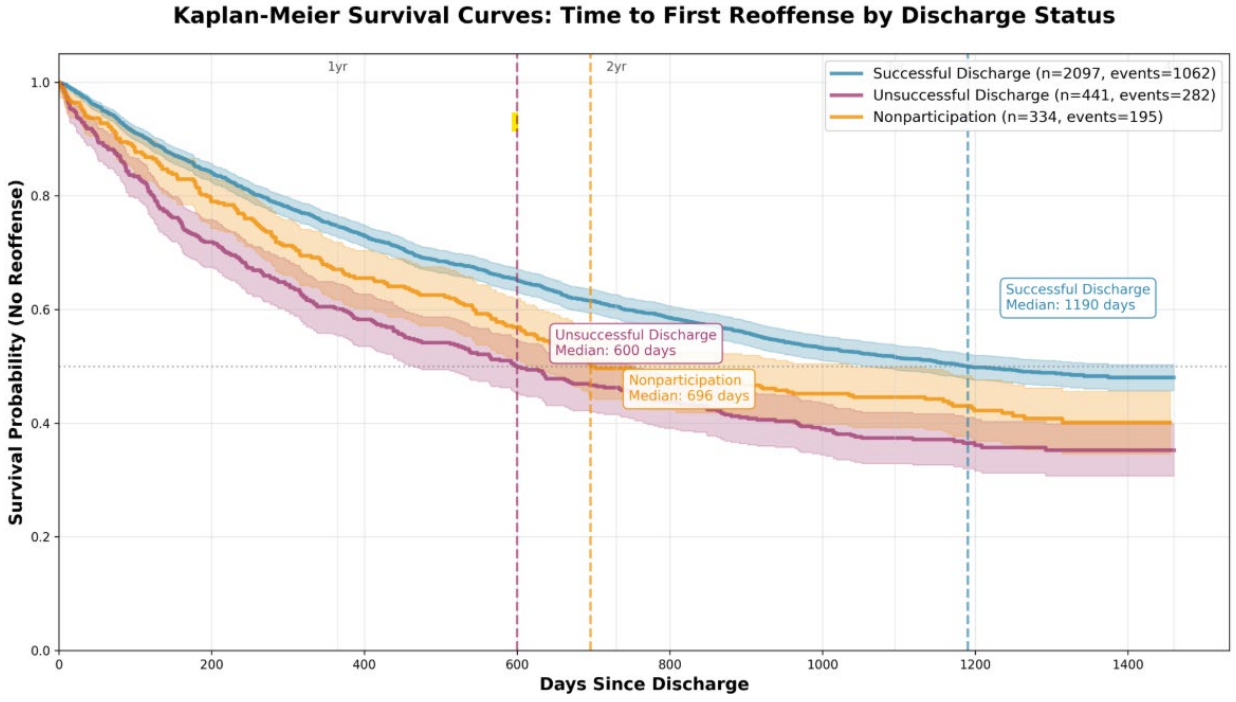
completion continues to produce substantial public safety gains years after program completion and, based on a simple illustrative calculation, may yield meaningful cost savings. These findings demonstrate diversion as a durable, system-level investment that not only reduces immediate court involvement but also generates longer-term reductions in reoffending.

Timing of Reoffending: Survival and Cox Regression Analysis

In the preceding section, the analysis used logistic regression models to examine the overall likelihood of recidivism. While useful, these models treat reoffense as a binary outcome without considering the important dimension of time. This section of the report uses survival analysis to address not only whether reoffense occurs, but how quickly it occurs, thereby providing a more nuanced understanding of recidivism patterns. Additionally, it quantifies the relative risk of reoffending while accounting for multiple covariates simultaneously. From a practical standpoint, the temporal perspective provides insight into both the effectiveness of interventions and their impact on the justice system.

Figure 17 presents survival curves for 2,872 youth, grouped by discharge status: successful discharge (2,097 youth), unsuccessful discharge (441), and nonparticipation (334). The curves show the proportion of youth remaining offense-free over time. As shown in the chart, the steepest decline in survival probability occurred within the first two years post-discharge across all groups, which means this a critical risk period requiring follow-up support. Nonetheless, youth who successfully completed the program had the lowest reoffense rate (50.6%) and longest median time to reoffense (1,190 days, approximately 3.3 years), compared to those who did not successfully complete the program (63.9% reoffense rate, 600-day median) or did not participate at all (58.4% reoffense rate, 696-day median). Furthermore, youth with successful discharge maintained higher offense-free survival probabilities throughout the entire follow-up period, with 74.6% remaining offense-free at one year compared to 60.1% for unsuccessful discharge and 67.1% for nonparticipation groups. Interestingly, the nonparticipation category falls between successful and unsuccessful discharge groups which suggests that lack of exposure to diversion program may provide some protective benefit than unsuccessful completion.

Figure 17: Time to First Reoffense by Program Discharge Status: Kaplan-Meier Analysis.

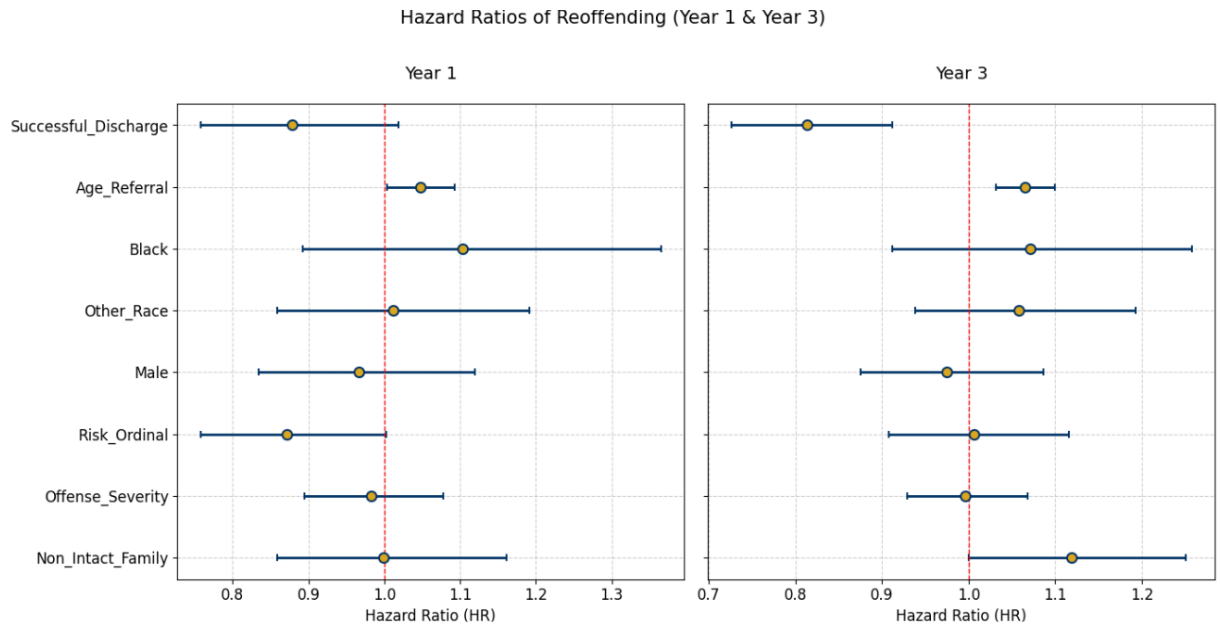


Pairwise log-rank tests confirm that these differences are statistically significant. Those who successfully completed the program differ from those with unsuccessful discharge (test statistic = 41.011, p < 0.001) and nonparticipants (test statistic = 9.283, p = 0.002), and those with unsuccessful discharge differ from nonparticipants (test statistic = 3.986, p = 0.046).

In addition to the Kaplan-Meier survival estimates, the report uses Cox proportional hazards models to estimate the relative risk of reoffending. Unlike survival curves, which provide descriptive survival probabilities for different groups, the hazard model allows for adjustment of individual-level characteristics such as age, race, gender, risk score, offense severity, and family structure. As such this statistical technique, provides a more precise understanding of which factors independently influence the timing of reoffense, offering complementary evidence to the survival curves.

Figure 18 presents side-by-side plots of hazard ratios for Year 1 and Year 3 post-discharge. These plots illustrate how program completion and other covariates are associated with the risk of reoffending over time.[36] Successful program discharge demonstrates a consistent protective effect against reoffending, with the protective benefit growing over time. In the 1-year model, youth who successfully completed their program had a 12% lower hazard of reoffending (HR=0.879, p=0.087), while by the 3-year follow-up period, this effect increased to a 19% reduction in reoffending risk (HR=0.814, p<0.001). This suggests that successful program completion not only provides immediate benefits but also has enduring positive effects on youth behavior. Age at referral and coming from a non-intact family were modest risk factors, while race, gender, offense severity, and risk score were not statistically significant predictors in the models.

Figure 18: Factors Affecting the Risk of Reoffense: Cox Proportional Hazard Model



In all, the analysis provides evidence that successful diversion reduces recidivism not only in frequency but also in timing. The hazard model confirms that the protective effects observed in the survival curves are not simply due to differences in participant demographics or baseline risk factors, but rather represent genuine program benefits. In practical terms, these results mean that successful completion of diversion would lead to fewer youth reentering the justice system at any given time, thereby decreasing immediate case load pressures on courts, while supporting longer-term stability for youth. Since the protective effects of successful program participation extend well beyond the intervention period, agencies might consider investing in comprehensive completion support.

[36] Cox proportional hazards assumptions were met (global test p = 0.58), confirming consistent hazard ratios across the follow-up period.

Nebraska Screen and Assessment Tool (NSAT)

This section evaluates the validity of the Nebraska Screen and Assessment Tool (NSAT) in predicting recidivism. Developed in collaboration between the Nebraska Crime Commission and the University of Nebraska's Nebraska Center for Justice Research, the NSAT standardizes assessments of youth referred to juvenile diversion programs in Nebraska. The NSAT data are housed within the Nebraska Criminal Justice Information System (NCJIS), a secure online platform used for administering and storing assessment records. As a comprehensive risk and needs assessment system, NSAT features a brief risk screener, an optional hybrid screener that can expand to assess additional need domains as needed, and a full risk and needs assessment. The tool was validated using data from Nebraska's diversion programs alongside a nationally representative sample to identify the most relevant questions and weighting for Nebraska youth. Following its initial statewide implementation, the NSAT has been undergoing validation and refinement to enhance its predictive accuracy over time.[37]

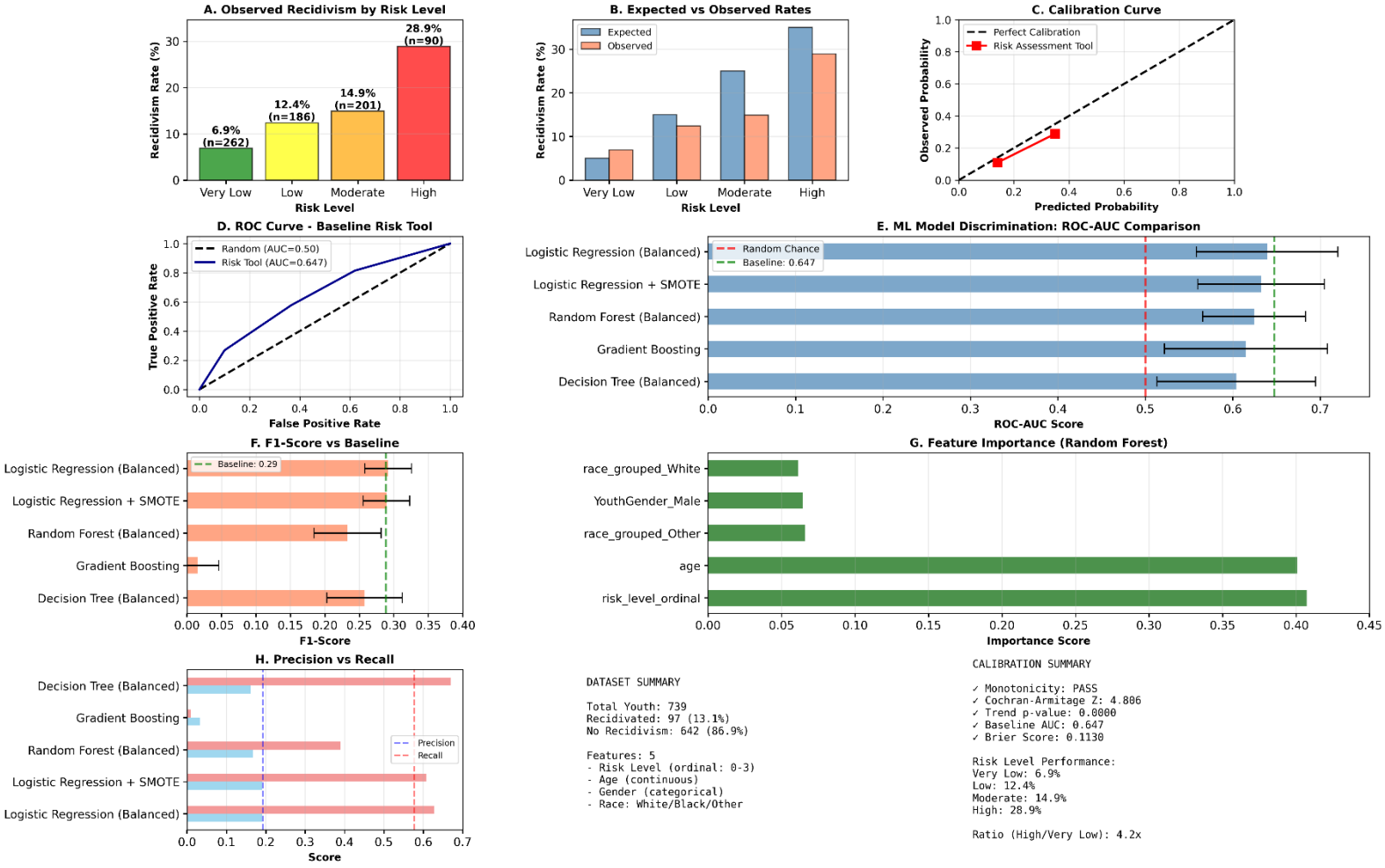
In CY 2024, 46 counties reported assessment/screener data. The data includes 1391 NSAT screeners and/or assessments of which 1306 were completed that same year. There were 1271 completed screeners and 635 completed assessments.

To examine how well risk scores predict one year recidivism, intake screening data from 2023 was matched with juvenile court records from 2024. Recidivism is measured in terms of new offense, including felony, misdemeanor, or status offense referrals, but excludes infractions and traffic violations. The resulting analytic sample includes 739 juveniles who completed assessment/screener in 2023. The sample covers youth ages 11-18, with most participants in the 15-17 age range. Gender distribution is relatively balanced in the sample with 55.8% male and 44.2% female. The racial composition is imbalanced with white youth representing 72.3%, followed by other racial groups 14.8%, which includes a grouping of Native American, Asian and Other youth categories, and Black youth 13%.

The overall recidivism rate in the sample is 13.1%, that is, of the 739 youth 97 had new offense in 2024. The distribution of risk classifications ranges from Very Low, Low, Moderate, and High. Based on intake assessments, 35.5% of the youth (n=262) were rated as Very Low risk, 25.2% (n=186) as Low risk, 27.2% (n=201) as Moderate risk, and 12.2% (n=90) as High risk for reoffending. Risk calculation refers to the risk of the youth of further justice system involvement with one year of being assessed. Caution should be taken when considering risk level as "high" does not mean a youth is more likely to reoffend. Rather, when compared to other youth in the system, they have a higher likelihood to reoffend.

[37]Note that risk scores used in the empirical analyses of recidivism in the preceding section are based on the Youth Screening Level (YSL) tool rather than the NSAT. NSAT data were not available for 2021, as implementation of the NSAT began in 2022.

Figure 19: Predictive Validity Analysis of the Nebraska Screen and Assessment Tool (NSAT)



The NSAT demonstrates adequate calibration and predictive validity for identifying juvenile recidivism risk.[38] Figure 19 presents a series of plots summarizing the tool's performance. As shown in Chart A, recidivism rates increase consistently across risk levels with Very Low (6.9%), Low (12.4%), Moderate (14.9%), and High (28.9%), indicating a clear monotonic trend. This ordered relationship was confirmed by the Cochran-Armitage trend test ($Z = 4.806$, $p < 0.001$), supporting the use of the continuous risk score rather than categorical groupings in predictive models.

The NSAT achieved an AUC-ROC of 0.647, indicating fair to good discrimination ability between youth who did and did not recidivate (Chart D). Although the tool overpredicts recidivism at higher risk score levels (Charts B, C), with a Brier Score of 0.113, the tool's probabilistic predictions fall within moderate calibration accuracy range. Machine learning models trained on NSAT risk scores combined with demographic factors (age, gender, race) yielded minimal improvement over the baseline tool (best ML model AUC=0.639, F1=0.292 vs. baseline F1=0.289), suggesting the current NSAT instrument captures the essential predictive information (Charts E, F). Feature importance analysis indicates that while the ordinal risk level score (40.7%) and age (40.1%) were the dominant predictors, demographic factors including race and gender contributed modestly to prediction accuracy (Chart G). The fact that race and gender show

[38] Not shown here, the tool also provides well-calibrated and reasonably discriminative predictions of one conviction recidivism. For example, based on 739 youth assessed with the NSAT in 2023, one-year conviction recidivism was 6.5%(n=48). Recidivism rates increased monotonically across risk levels—Very Low (3.8%), Low (6.5%), Moderate (8.5%), and High (10.0%), featuring a significant trend confirmed by the Cochran-Armitage test ($Z=2.36$, $p=0.018$). Model calibration was excellent (Brier Score = 0.077) but discrimination modest (AUC = 0.603).

minimal predictive value (each contributing roughly 6% to model predictions) is encouraging from an equity perspective, suggesting that the tool's risk classification is primarily driven by criminogenic factors rather than demographic characteristics. The most salient finding is the substantial risk gradient: youth classified as high risk exhibited recidivism rates more than four times higher than very low risk youth. These results warrant the continued use of NSAT as a valid screening tool for intake decision-making.

Limitations within the 2024 Data

Data entry errors with dates of birth, referral dates, and discharge dates cause cases to be excluded from the timeframe being reported at an unknown rate. Other issues discovered were duplicate youth, conflicting discharge reasons, no activity or data reported beyond the referral date, missing charges, and blank discharge reasons. When enrollment and/or discharge data is missing, we are unable to determine if the youth enrolled or completed the program successfully. Race and ethnicity were reported together as one field in some data sources but not the others. Lack of arrest data for multiple races categories precluded a comprehensive analysis of racial disparities. Incomplete risk score data is an ongoing concern that limits the ability to fully assess program outcomes.