



STATE OF
NEBRASKA
JUDICIAL BRANCH

Administrative Office
of the Courts & Probation

Juvenile Services Division

Fiscal Year 2016-2017

Detailed Analysis



Artwork created by youth on probation

JUVENILE SERVICES DIVISION DETAILED ANALYSIS



STATE OF
NEBRASKA
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of the Courts & Probation

Fiscal Year 2016/2017

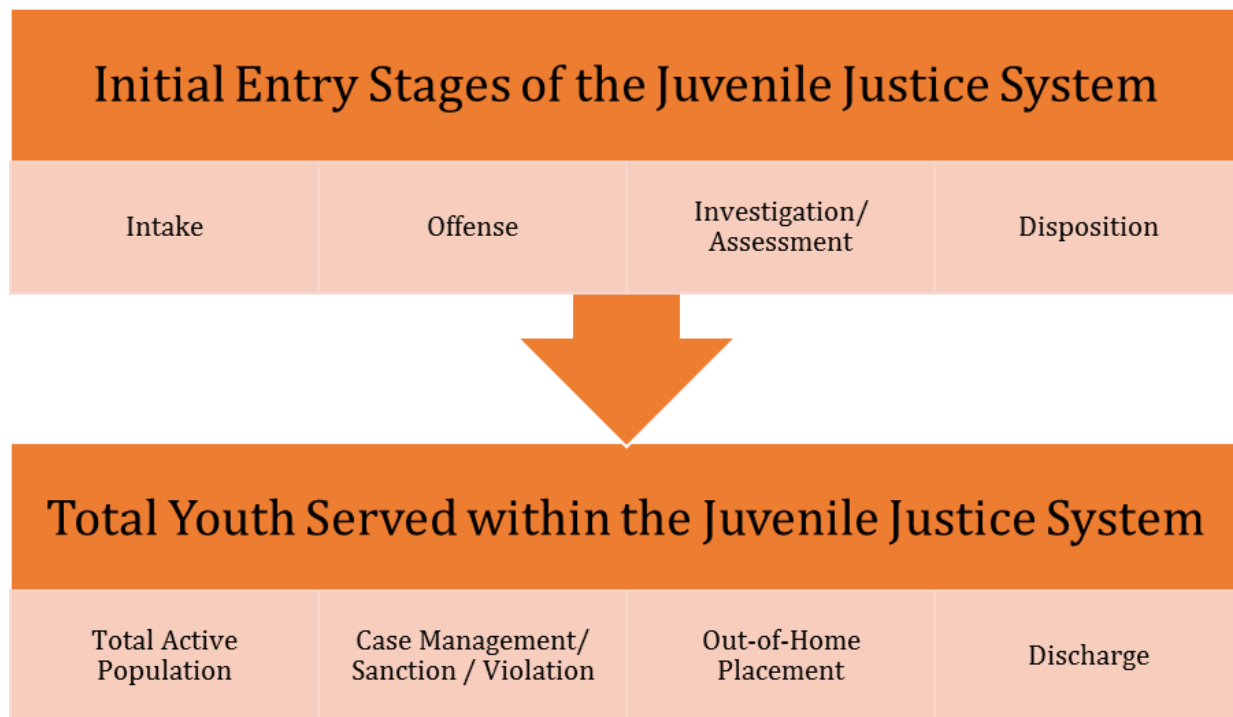
The launch of the Juvenile Justice Reform initiative by the Administrative Office of Probation, Juvenile Services Division enhanced supervision and services for youth and families in Nebraska. The legislature set the foundation for reform through legislation passed in 2013. The priorities for reform focused on preventing the need to make youth state wards in order to access necessary rehabilitative services, keeping youth in their communities, and reducing the utilization of out-of-home placements. This is the second *Detailed Analysis* released which provides data representing current progress, as well as identifies next steps. The implementation of this Initiative will ensure long-term reform efforts for youth and families in the Nebraska juvenile justice system.

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



Juvenile Services Division Detailed Analysis

Fiscal Year 2016/2017

"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

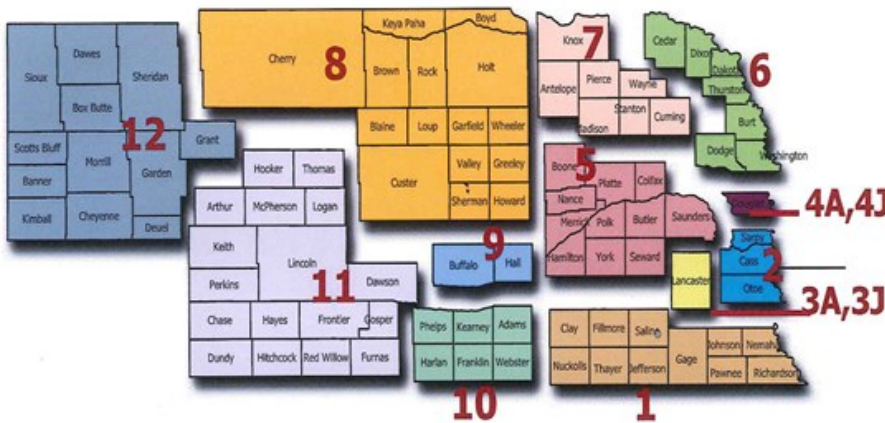
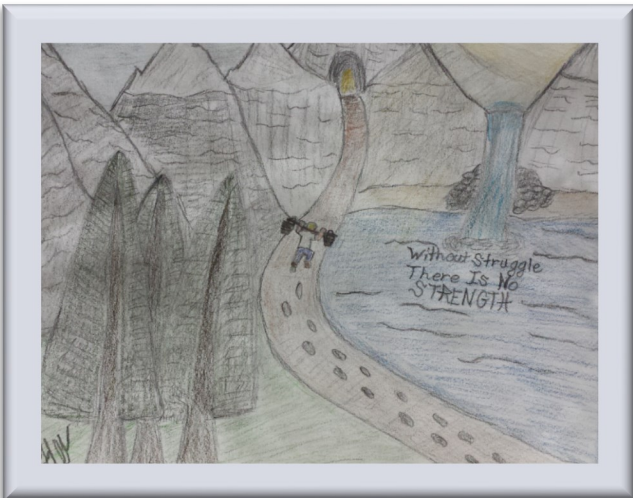


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Artwork created by youth on probation

Fiscal Year 2016/2017

Initial Entry Stages of the Juvenile Justice System

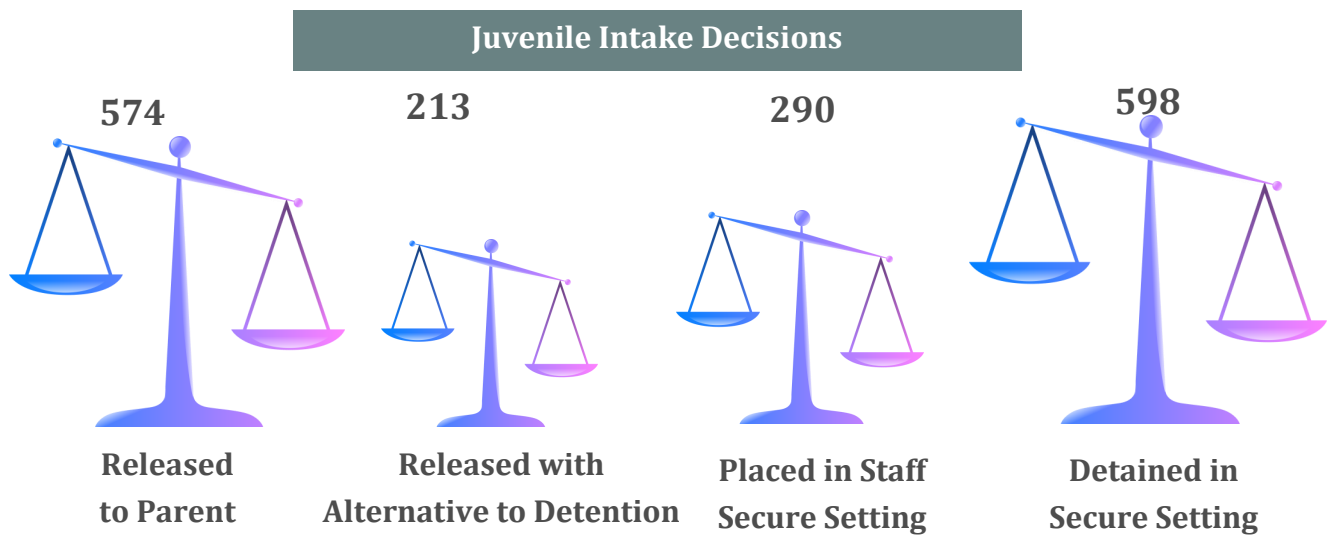
NEBRASKA PROBATION VISION

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

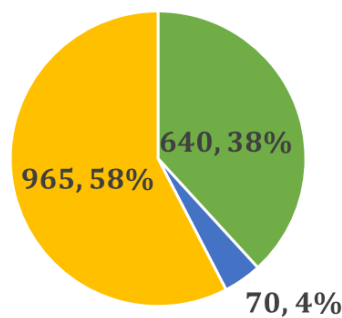
Initial Entry Stages of the Juvenile Justice System

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 restrictive to the juvenile and family, and to balance the juvenile's best interest and safety of the community. In fiscal year 2016-2017, 1,675 separate intakes were completed by a probation officer with the following outcomes:



Juvenile Intake Tool Override Decisions



- Override to Higher Level
- Override to Lower Level
- No Override

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

Juvenile Justice Reform: Positive Progress

As compared to data published in the previous 2015/2016 fiscal year analysis overrides have decreased 6%. Although more progress is necessary, this denotes positive movement showing increased reliance on the tool findings.

JDAI Site Expansion

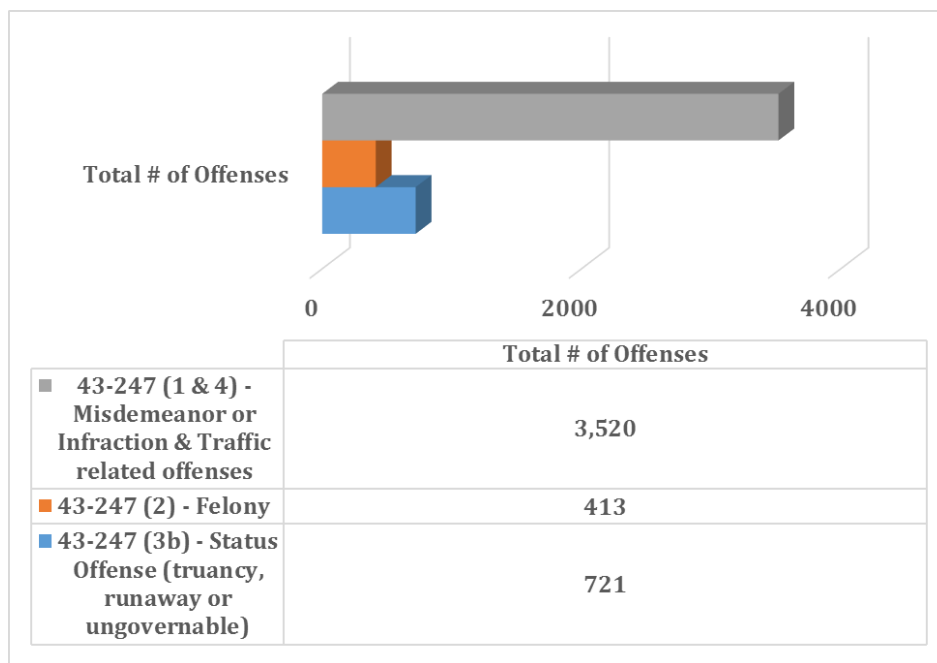
In November of 2016, Otoe County, Nebraska became a Juvenile Detention Alternative Initiative (JDAI) site. This expansion marks the first rural site in Nebraska to begin implementation of JDAI.

Initial Entry Stages of the Juvenile Justice System

Offenses

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

Offenses Resulting in Being Placed on Probation



Of the 721 status offenses in fiscal year 2016-2017, 71% were for habitual truancy.

Juvenile Justice Reform: Positive Progress

Youth In Need of Supervision and Support (YINSS) Pilot shows promising results

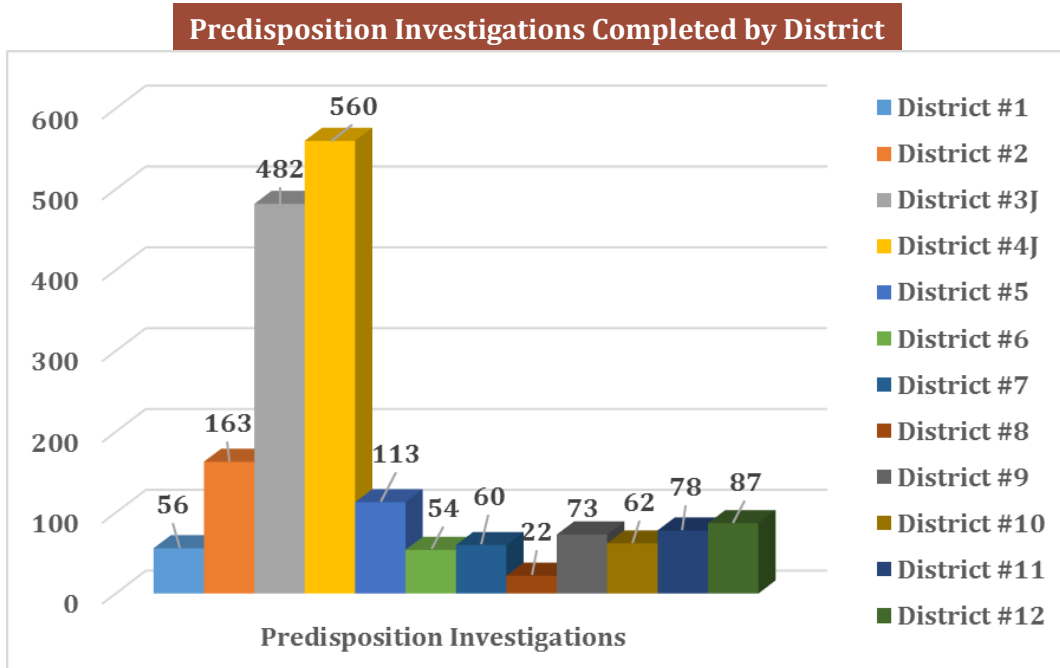
Pilot launched in Lancaster County in February 2016 focused on improving outcomes for youth with a status offense in the juvenile justice system. Since launch, school engagement increased, a new assessment tool shows assessed risk levels are decreasing, and out-of-home placement decreased over 20% from prior to implementation. Next steps include plans to move YINSS statewide.

Initial Entry Stages of the Juvenile Justice System

Youth Investigations and Assessed Risk Level

Investigations

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




Juvenile Justice Reform: Positive Progress

With the support of the Juvenile Services Committee, a subcommittee of the Nebraska Children's Commission, validation of the YLS/CMI study began in July of 2016.

Assessing Risk Level


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

In Fiscal Year 2016-2017



37%

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



63%

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

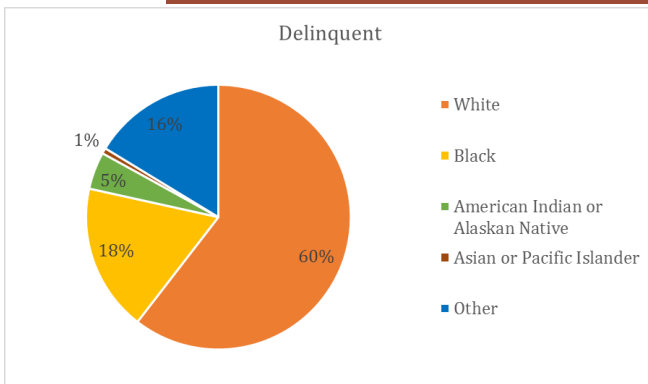
Initial Entry Stages of the Juvenile Justice System

Disposition Population and Demographics

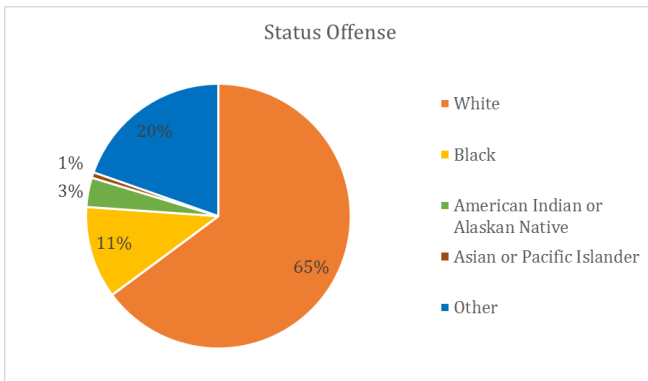
The demographic information below reflects youth placed on probation for delinquent and status related acts. There were 2,782 youth placed on probation during fiscal year 2016-2017. A status youth comes before the court for non-delinquent behaviors such as habitual truancy and running away from home or other behaviors a parent is not able to control. Beginning July 1, 2017, youth who are ten years and under at the time a traffic, infraction, status, misdemeanor or felony act is committed are no longer eligible for juvenile court jurisdiction. Youth entering the juvenile justice system for a status offense decreased by 249 youth when compared to last fiscal year's report.

Youth Placed on Probation by Age			
Age of Youth	Delinquent	Status	Total
12 & Under	46	14	60
13	130	33	163
14	212	74	286
15	440	109	549
16	540	149	689
17	640	193	833
18	188	14	202
Total	2,196	586	2,782

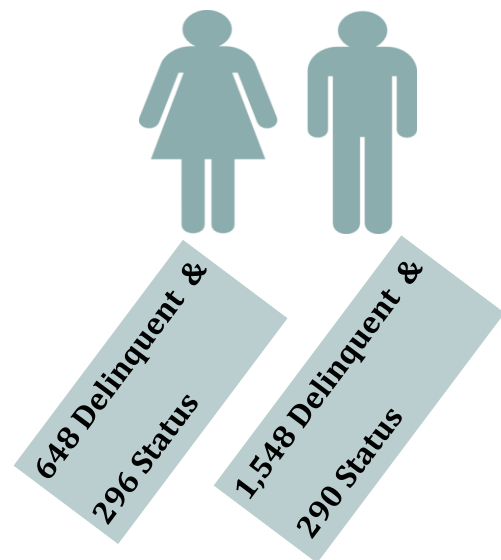
Probationers by Race



Status Offense



Probationer by Gender



Probationers by Ethnicity	Delinquent	Status
Hispanic Origin	503	160
Not of Hispanic Origin	1,693	426
Total	2,196	586

Fiscal Year 2016/2017

Total Youth Served within the Juvenile Justice System



Artwork created by youth on probation

Total Youth Served within the Juvenile Justice System

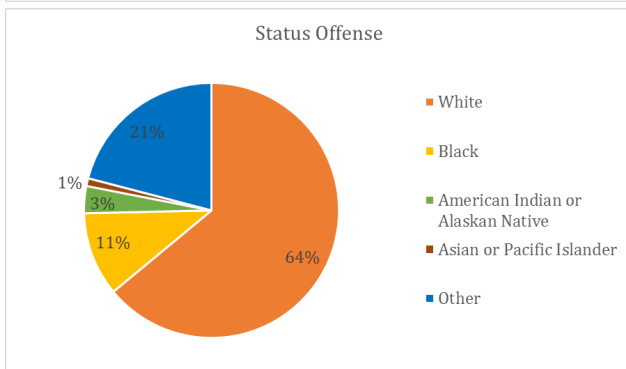
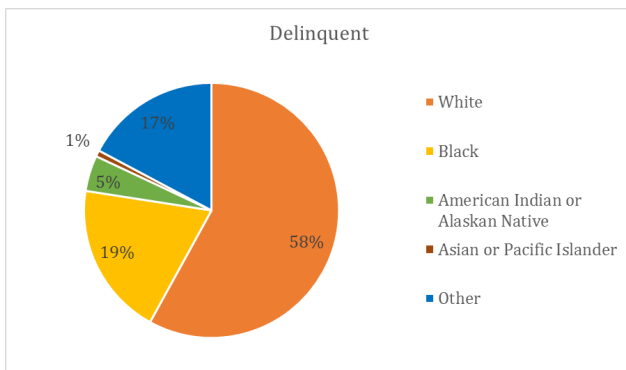
Total Active Population Demographics

In this section of the report, all data will represent the total population of youth served on probation which includes youth already on probation with continued supervision into 2017. There were 5,299 youth served during fiscal year 2016-2017.

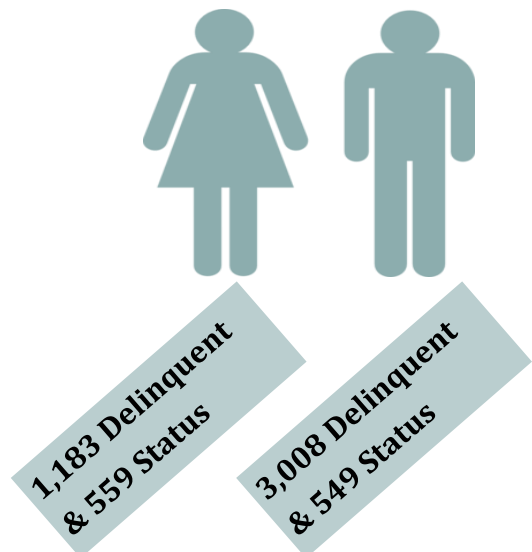
Below is demographic data by age of the population of youth served by probation separated by delinquent and status related offenses. As previously noted, a status youth comes before the court for non-delinquent behaviors such as habitual truancy and running away behaviors.

Total Youth Served by Age			
Age of Youth	Delinquent	Status	Total
12 & Under	140	53	193
13	247	61	308
14	463	148	611
15	753	186	939
16	1,029	298	1,327
17	1,053	290	1,343
18	506	72	578
Total	4,735	912	5,299

Total Youth Served by Race



Total Youth Served by Gender



Ethnicity	Delinquent	Status
Hispanic Origin	921	292
Not of Hispanic Origin	3,270	816
Total	4,191	1,108

Total Youth Served within the Juvenile Justice System

Case Management

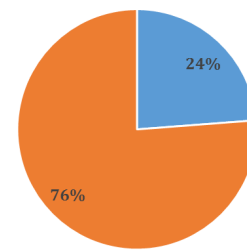
The juvenile justice system supports youth who may require financial assistance to receive services necessary for rehabilitation. Therefore, dosage and service duration are key, focusing on the *right service*, at the *right time*, for the *right youth* is imperative to creating individualized case plans for youth on probation. 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.

In Fiscal Year 2016-2017

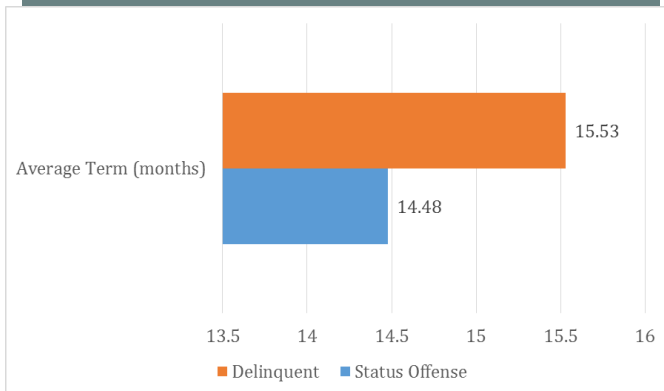
- ◆ Of the youth served by probation 1,038 accessed financial assistance for treatment services.
- ◆ Of the youth served by probation 3,325 accessed financial assistance for non-treatment services.

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

Service Type per Youth who Received Financial Assistance



Length of Time on Probation Discharged Fiscal Year 2016-2017



Juvenile Justice Reform: Positive Progress

Service Definitions

In June of 2017 a comprehensive interactive webpage for Service Definitions was finalized to create clear definitions and guidelines for providers, probation staff and stakeholders.

Average Cost of Probation per Youth

	Overall Average per Youth	Monthly Average per Youth
In-Home Services	\$ 3,939.72	\$ 328.31
Out-of-Home Services	\$ 22,602.31	\$ 1,883.53

Juvenile Justice Reform: Positive Progress

Home-Based Initiative

In May 2017, the Juvenile Justice Home-Based Initiative launched expanding Multisystemic Therapy (MST) and Boys Town's, Ecological In-Home Family Treatment (EIHFT) which expanded in-home service access across the state.

*The average daily cost for supervising a youth is \$17.36 for fiscal year 2016-2017 (includes personnel, operating expenses and county expenses). Services funded by Probation are tracked through vouchers. Approximately, 40% of youth did not receive funding for services while on probation.

Total Youth Served within the Juvenile Justice System

Sanctions and Violations

While a violation of probation can be filed as a motion to revoke probation in the court case, the probation officer and other vital team members often work together to evaluate options that present the best possible outcome for the youth involved. This may involve an officer utilizing an administrative sanction which directly addresses the violation and allows the youth to adjust their behavior and not have to return to court.

Nebraska Revised Statute § 43-286.01 defines an “administrative sanction” as additional *probation requirements imposed to hold a youth accountable for technical violations of probation conditions*. Examples of administrative sanctions include increasing substance use testing, curfew restrictions and enhanced supervision.

TECHNICAL OR LAW VIOLATION



Q. What is a technical violation? Law violation?

A technical violation is when a youth violates a court condition or a part of their probation terms. For example, a youth misses their drug testing, 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 charge while on probation (i.e. shoplifting, theft, assault, etc.).

Violations (Motion to Revoke Filed) by District for Juvenile Probationers

District/Violation Type	Law	Technical
1	28	14
2	35	70
3J	114	202
4J	42	370
5	99	16
6	94	47
7	57	94
8	8	2
9	97	35
10	84	30
11	95	26
12	46	19
Total	799	925

Juvenile Justice Reform: Positive Progress

Began creation of a Graduated Response Grid

In November 2016 with the introduction of Legislative Bill 8, the Administrative Office of Probation began drafting and requesting feedback on the creation of a sanction and incentive grid focused on adolescent developmental responses, which will be implemented in early 2018.

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 2016-2017, 2,185 total youth were served in an out-of-home placement for one day or more.

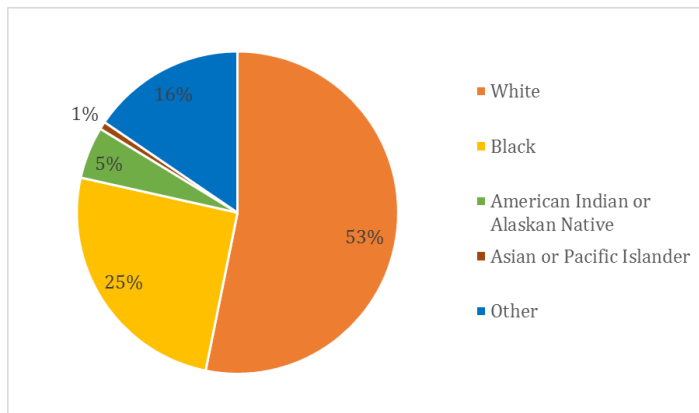
These youth are represented as follows:

Age at Out-of-Home Admission

Placed on Probation by Age	
Age of Youth	Total
12 & Under	71
13	157
14	252
15	394
16	569
17	536
18	207
Total	2,185

Out-of-Home Placement by Ethnicity	Total
Hispanic Origin	434
Not of Hispanic Origin	1,751
Total	2,185

Out-of-Home Placement by Race



Out-of-Home Placement by Gender



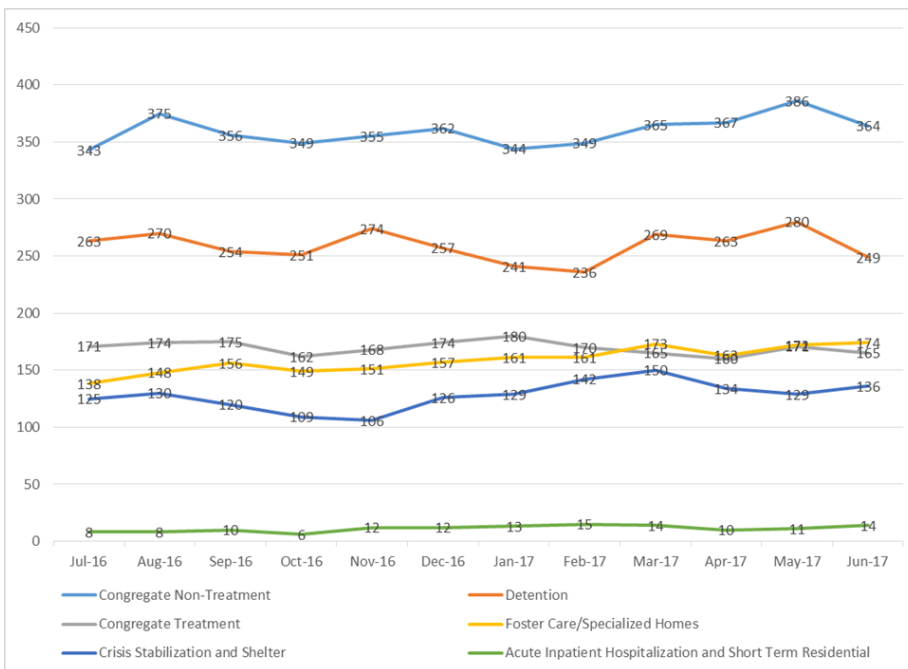
In fiscal year 2016-2017, of youth placed out-of-home, 202 youth or 9% were placed out of the state of Nebraska.

Total Youth Served within the Juvenile Justice System

Out-of-Home Placement

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

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

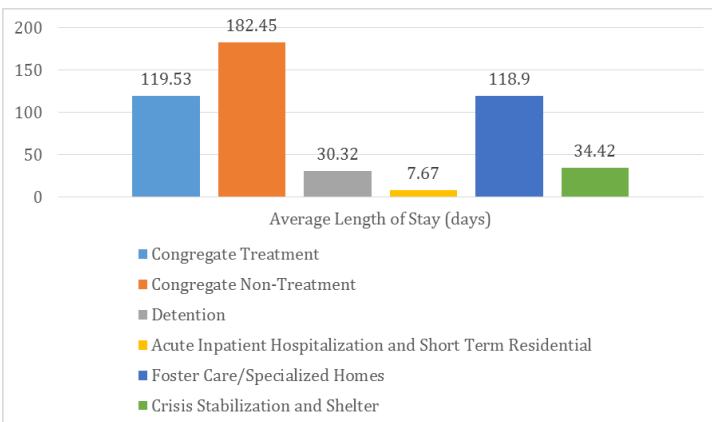


Congregate: Treatment includes: psychiatric residential treatment facilities, and treatment group homes; **Non-Treatment** includes: group homes (A,B and developmental disability), maternity group homes (parenting and non-parenting), and independent living

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

Detention: secure and staff secure

Average Length of Time in Out-of-Home Placement



Juvenile Justice Reform: Positive Progress

Service Recommendation Matrix

In April of 2017, the Service Recommendation Matrix was piloted in two Districts. Supported by national research, the tool assists an officer when making a recommendation to the court ensuring targeted service utilization with a focus on risk. Outcomes are being evaluated with a goal to reduce out-of-home placement utilization and statewide implementation.

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

Total Youth Served within the Juvenile Justice System

Discharge from Probation

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

In fiscal year 2016-2017, 3,941 juvenile court cases were discharged from probation (138 youth were released for an "other" discharge option. Examples include district override or transfer adjudication).

In Fiscal Year 2016-2017
70% of youth on probation were
discharged successfully

District/Discharge Type	Successful Discharges	Unsuccessful/Revoked Discharges
1	117	86
2	173	44
3J	435	207
4J	549	241
5	234	53
6	158	64
7	143	37
8	51	14
9	316	87
10	75	72
11	277	84
12	210	76
Total	2,738	1,065

In fiscal year 2016-2017, 7% of the youth discharged were 19 years old.



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