



Juvenile Justice Reform Initiative: Fostering Youth Success

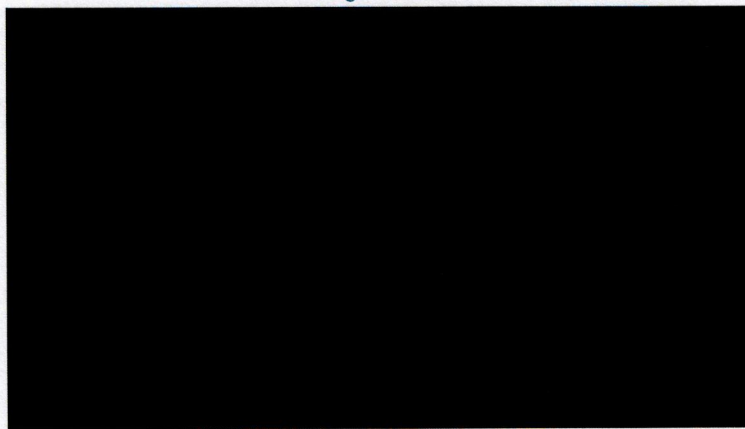
Administrative Office of Probation
Juvenile Services Division

Objectives

- Examine current national research focused on transformation of juvenile justice and probation systems
- Illustrate the Juvenile Justice Reform Initiative in Nebraska, including statewide and local research efforts
- Examine new legislative changes in Nebraska which foster youth success



VICE on HBO-Raised in the System



National Juvenile Justice and Probation System Research

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“There is a fundamental reason why many jurisdictions have struggled to reduce recidivism rates – an insufficient focus on what should be the core mission of the juvenile justice system: protecting public safety. Nationwide, a disproportionate amount of law enforcement, probation, court and correctional staff time and resources are spent on youth who do not pose a public safety risk.”

“Transforming Juvenile Justice Systems to Improve Public Safety and Youth Outcomes”

By Josh Weber, Michael Umpierre and Shay Bilchik



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Transforming Juvenile Justice: Six Strategies

1. Decriminalize status offenses and automatically divert all youth who commit certain offenses and are screened as low risk from court involvement
2. Develop professional standards and supports to cultivate a dedicated cadre of juvenile court judges and attorneys
3. Tie conditions of supervision directly to youth's delinquent offenses and eliminate the practice of filing technical violations of probation and parole
4. Redefine the primary function of community supervision as promoting positive youth behavior change
5. Focus case planning and service delivery on strengthening youth's connections to positive adults, peers, and community supports
6. Use data and predictive analytics to guide system decisions and hold supervision agencies, courts, and service providers accountable for improved youth outcomes



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“The knowledge provided by recent research on adolescent brain development and behavior demands a fundamental rethinking of juvenile probation practice.”

“Transforming Juvenile Probation – A Vision for Getting it Right”

By The Annie E. Casey Foundation



Rethinking Juvenile Probation

- Two Pillars
 - Reduce probation caseloads by diverting a greater share of cases from juvenile court
 - Refashioning probation into a more strategic and effective intervention for the much smaller population of youth who will remain on supervision caseloads



Rethinking Juvenile Probation

PROBATION TRANSFORMATION Limiting System Involvement

Goals

DIVERSION Divert at least 60% of cases including ALL youth with low-level offenses and lower-risk levels.

PROBATION Use probation only as a purposeful intervention to support growth, behavior change and long-term success for youth with serious and repeat offenses.

Methods

- Community-Led Diversion
- No Formal Processing
- Refer to Services, Do Not Order
 - No Probation Lite
 - No Court Consequences
- Expectations and Goals, Not Court Conditions
 - Positive Relationship Building
 - Family-Engaged Case Planning
 - Improve Decision Making and Build Skills
 - Incentives and Opportunities

Outcomes

- † Youth Diverted
- † Family Engagement
- † Community Resources
- † Positive Adult Relationships
- † Youth Remaining in Communities
- † Community Safety
- † Racial and Ethnic Equity



Nebraska Juvenile Justice Reform Initiative

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Local and State Research

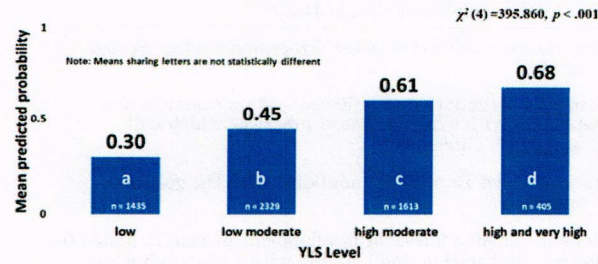
Validated the Youth Level of Service/Case Management Inventory in Nebraska

- Results show the instrument is a valid predictor completing probation successfully or risk of returning to probation
- Consistent for all populations evaluated including:
 - Boys and girls
 - White, Black and Hispanic youth
- The YLS/CMI will do a better job of assessing risk than will the experts unaided by a standardized risk measure.

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PROBABILITY OF FAILURE

MEAN PROBABILITY OF FAILURE AT EACH YLS LEVEL FOR MALES AND FEMALES
(N = 5782)



r for continuous measure = **.29**

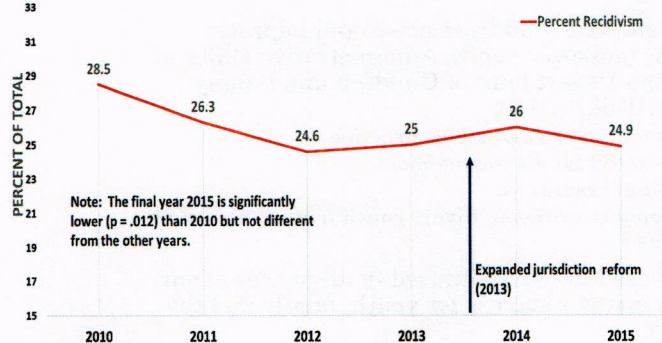
Recidivism in Juvenile Probation

- Based on Nebraska Supreme Court Definition of Recidivism
- 25.9% Recidivism Rate for Probation Youth Successfully Discharged 2010 through 2015
- YLS/CMI successfully predicts recidivism defined by the Nebraska Supreme Court
- Youth who leave probation are lower in risk than when they entered probation
- Recidivism decreased from 2010 to 2015



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Yearly Rate of Recidivism from 2010 to 2015 (Initial Probation) among Successfully Discharged Youth



Probation System Review in Lancaster County

- Conducted by the Robert F. Kennedy (RFK) Resource Center for Juvenile Justice, John A. Tuell and Kari L. Harp
- Review is focused on the publication titled "*Probation System Review Guidebook, 2nd edition*"
- Review results in recommendation to enhance system practices and performance consistent with evidence-based practices which will improve family and youth outcomes
- Lancaster County received 15 recommendations, with the goal of statewide implementation
- Recommendations included: adolescent development principles added to policy and training, collaboration and training with key stakeholders, family engagement, staff feedback, data and individualization of probation conditions (reduce standard conditions)



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Current Probation Reform Initiatives

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Launch of Statewide Collaborative Crossover Youth Practice Model

- In order to effectively address needs and improve outcomes for crossover youth, Administrative Office of Probation and Department of Children and Family Services are dedicated to:
 - **Improvement of cross-systems practice**
 - **Strength-based family engagement**
 - **Alignment of resources**
 - **Seeking opportunities to divert youth from dual-system involvement**
- Evidence-based practices infused in all phases of our daily work enables success for youth, family and the community.



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Probation Officer Recommendation Matrix

- Development supported by national research including Council of State Governments Justice Center (CSG), Center for Justice Reform (CJJR) - Georgetown University and RFK
- Goal is to guide the use of probation officer support, community-based and out-of-home services based on the youth's risk and need
- Successfully piloted in two probation districts, next steps currently implementing statewide in summer of 2018



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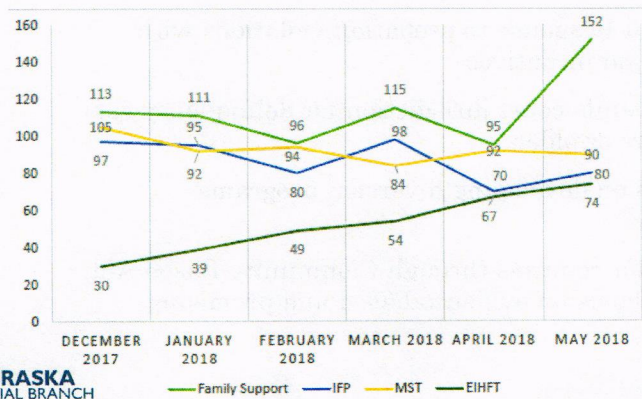
Graduated Response Matrix

- Informed by national research from the Annie E. Casey Foundation and National Juvenile Defender Center
- Behavior change is largely based on the relationship the probation officer builds with youth and family.
- Graduated response is an effective tool that can assist a probation officer in rewarding success and addressing behavior transgressions when they have built a relationship with the youth and families
- Identifies incentives and sanctions based on the YLS/CMI and risk/need
- Next steps – matrix and guide are in final stages of approval and will be programmed and implemented statewide



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Juvenile Justice Home-based Service Initiative



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New Legislation in Nebraska Fostering Youth Success

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Last Five Years in Review

- Youth no long become state wards to access services
- Juvenile Court original jurisdiction expanded
- Home-based services are exhausted before placement
- Least restrictive alternatives continue to expand



Last Five Years in Review

- Graduated Response to probation violations with emphasis on incentives
- Age of juvenile court jurisdiction for delinquency set at 11 years or older
- Emphasis on developing diversion programs statewide
- Funding for counties through Community Based Aid, with emphasis on evidence-based and promising practices



2018: Nebraska Rev. Stat. 43-251.01

Current Detention Statute

- A juvenile shall not be detained in secure detention or placed at a youth rehabilitation and treatment center unless detention or placement of such juvenile is a matter of immediate and urgent necessity for:
- the protection of such juvenile;
- or the person or property of another;
- or if it appears that such juvenile is likely to flee the jurisdiction of the court;



LB670 (LB1112) Effective July 1, 2019

On and after July 1, 2019:

- (i) A juvenile shall not be detained unless the physical safety of persons in the community would be seriously threatened or detention is necessary to secure the presence of the juvenile at the next hearing, as evidenced by a demonstrable record of willful failure to appear at a scheduled court hearing within the last twelve months;
- (ii) A child twelve years of age or younger shall not be placed in detention under any circumstances; and
- (iii) A juvenile shall not be placed into detention:
 - (A) To allow a parent or guardian to avoid his or her legal responsibility;
 - (B) To punish, treat, or rehabilitate such juvenile;
 - (C) To permit more convenient administrative access to such juvenile;
 - (D) To facilitate further interrogation or investigation; or
 - (E) Due to a lack of more appropriate facilities;

Juvenile Justice Reform Initiative: My Child

"We live in a world in which we need to share responsibility. It's easy to say "It's not my child, not my community, not my world, not my problem." Then there are those who see the need and respond. I consider those people my heroes."

- Fred Rogers

Questions?

Resources

- *“Transforming Juvenile Probation – A Vision for Getting it Right”* by The Annie E. Casey Foundation
 - <http://www.aecf.org/m/resourcedoc/aecf-transformingjuvenileprobation-2018.pdf>
- *“Transforming Juvenile Justice Systems to Improve Public Safety and Youth Outcomes”* by Josh Weber, Michael Umpierre and Shay Bilchik
 - <https://csgjusticecenter.org/wp-content/uploads/2018/06/Transforming-Juvenile-Justice-Systems.pdf>
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