

# Joint Legislative Workgroup Update

Co-chairs – Chris Rodgers and Christine Henningsen

We had a conference call on September 21<sup>st</sup> with 20 people on the call.

## Goals of the Workgroup

- Monitor and identify gaps in legislation related to juvenile justice
- Promote legislative reform in line with best practices related to juvenile justice
- Promote compliance with the four core strategies of the OJJDP

## Strategies/Tasks

- Track Bills and report on content
- Inform Stakeholders of data and research
- Provide data and policy research to assist senators
- Provide input and resources to support legislation
- Coordinate legislative testimony

## Products

- Bill Tracker
- Legislative Testimony
- Data and policy reports and briefs

## Time Frame

- Group expected to continue as long as the NCJJ or Juvenile Services Committee remain active

## *Updates on legislation, rules we have been following*

LR 216 – Interim Study to examine our current sealing and confidentiality statutes (43-2,108 et al)

1. No hearing scheduled for this interim study
2. A survey has been created for county attorneys to be filled out at their meeting October 10-13 to see what policies/practices are in place and solicit feedback on how the statute could be improved.
3. Discussion on ways to gather data to see how efficient/effective our sealing statute is operating (ie law enforcement, diversion, court administrators, JUSTICE)
4. Research is being done into sealing practices nationwide
5. Looking into soliciting feedback from Connected Youth Initiative for first hand information on how our sealing practices are affecting Nebraska youth.
6. Examine the need for further education on what our sealing statutes require

## Supreme Court Rules

Article 14. 6-1470 & 6-1706. Practice Guidelines for attorneys in juvenile court- was adopted by the Supreme Court on September 27, 2017.

Article 1. 6-104. Case Progression Standards Time for disposition in juvenile cases- was adopted by the Supreme Court on September 20, 2017.

Comment Period is open until November 1, 2017 for Neb. Ct. R. ch. 1, art. 5, Appendix A (Judicial Branch Education Standards)

### Graduated Response Matrix

The matrix continues to be distributed to stakeholders for comment and Jeanne is following up on the possibility of viewing the accompanying guidebook for feedback.

### *Identify gaps in legislation related to juvenile justice*

1. We have been following the implementation of the minimum age for juvenile justice jurisdiction and how it is affecting youth under the age of 11 who come in contact with law enforcement.
  - a. The hope is that we can gather and share information and collect input from jurisdictions to help this transition be successful. We do have the updated policies from the Omaha Police Department in regards to this law.
  - b. Christine reached out to the County Attorneys Association to see if the list-serv could be utilized for county attorneys to share information as questions arise with this law.
  - c. Neleigh Boyer is following up with DHHS, to see if we can get information on the number of youth under 11 who are being delivered to DHHS by law enforcement, resulting 3(a) petitions filed, and discussed getting information from probation on number of children under 11 who are mistakenly being delivered to detention intake.
    - i. We can work with the Commission staff to make a formal request.
    - ii. Also possible guidance on best practices on language filing 3(a) cases in regards to these cases
2. Office of Inspector General Report
  - a. Possibly looking into the need for increased staff or data at OIG to look into issues described in the report that they did not have the resources to further investigate
  - b. Room Confinement report will be released this year, discussed having a specific call to discuss the data and recommendations contained in that report.

### Prioritizing areas of focus

Requesting guidance from the larger group and other legislative issues from other subcommittees on priority issues and reexamination of the workgroup purpose and the NCJJ and Juvenile Services Committee purpose.

### Areas we have focused on:

Access to counsel; Community-based aid; status petitions & 3(c) filings; JDAI priorities; redefining "staff secure"; sealing/expungement; graduated response; youth under 11.