

**Minutes of the Joint Meeting of the
Juvenile Services Committee and the
Nebraska Coalition for Juvenile Justice**

February 22, 2018
9:00am – 1:00 pm

CEDARS Northbridge, 1533 N 27th St, Lincoln, NE 68503

1. Call to Order

Kim Hawekotte and Nicole Brundo, Co-Chairs of the Juvenile Services Committee (JSC), along with Cassy Blakely and Elaine Menzel, Chair and Vice Chair of the Nebraska Coalition for Juvenile Justice (NCJJ), called the meeting to order at 9:07 a.m.

2. Roll Call

Juvenile Services Committee

Committee Members Present (10)

| | | |
|--------------------------------|---------------------|----------------------|
| Jim Bennett (arrived at 10:27) | Nick Juliano | Vicky Thompson Smith |
| Nicole Brundo | Cynthia Kennedy | Matthew Lewis* |
| Tamara Gavin | Mark LaBouchardiere | |
| Kim Hawekotte | Kari Rumbaugh | |

Committee Members Absent (5)

| | | |
|---------------------|-----------------|--------------------|
| Michele Borg | Tom McBride | Dr. Richard Wiener |
| Judge Larry Gendler | Dan Scarborough | |

Committee Resource Members Present (3)

| | | |
|-----------------|-------------------------------|-------------|
| Nicole Berggren | Lisa Neeman (arrived at 9:30) | Julie Smith |
|-----------------|-------------------------------|-------------|

Committee Resource Members Absent (2)

| | |
|---------------------------|-------------|
| Sen. Patty Pansing Brooks | Rico Zavala |
|---------------------------|-------------|

A quorum was established for the Juvenile Services Committee

*Matthew Lewis served as a temporary proxy designated by Deb VanDyke-Ries

Nebraska Coalition for Juvenile Justice

Coalition Members Present (10)

| | | |
|---------------|---------------------|--------------------|
| Mark Benne | Kim Hawekotte | Justin Myers |
| Cassy Blakely | Denise Kracl | Michelle Schindler |
| Jim Blue | Mark LaBouchardiere | |
| Neleigh Boyer | Elaine Menzel | |

Coalition Members Absent (9)

| | | |
|------------------|------------------|-----------------|
| Roma Amundson | Brain Halstead | Dan Scarborough |
| Darrell Fisher | Brett Matthies | Kevin Spencer |
| Tiffany Gressley | Amanda Speichert | Corben Waldron |

Coalition Ex-Officio Members Present (1)

Judge Randin Roland

Coalition Ex-Officio Members Absent (2)

| | |
|-----------------|----------------------|
| Jeanne Brandner | Judge Vernon Daniels |
|-----------------|----------------------|

A quorum was established for the Nebraska Coalition for Juvenile Justice.

Guests in Attendance (15):

| | |
|---------------------------|------------------------------------|
| Brad Alexander..... | Douglas County Youth Center |
| Bethany Connor Allen..... | Nebraska Children's Commission |
| Hazel Delgado..... | Nebraska Court Improvement Project |
| Dan Evans..... | Nebraska Crime Commission |
| Mike Fargen..... | Nebraska Crime Commission |

Amanda Felton.....Nebraska Children’s Commission
 Amy Hoffman.....Nebraska Crime Commission
 Denny Macomber.....Nebraska Crime Commission
 Monica Miles-Steffens.....Administrative Office of Probation, Juvenile Services Division
 Kristy Nguyen.....Nebraska Crime Commission
 Scout Richters.....ACLU Nebraska
 Julie Rogers.....Office of the Inspector General of Nebraska Child Welfare
 Trevor Spiegel.....DHHS, Division of Children and Family Services, Office of Juvenile Services
 Tami Steensma.....Sarpy County Juvenile Justice Center
 Rondy Woodard.....Douglas County Youth Center

a. *Notice of Publication*

JSC Co-Chair Hawekotte, indicated that the notice of publication for this meeting was posted on the Nebraska Children’s Commission and Nebraska Public Meetings Calendar websites in accordance with the Nebraska Open Meetings Act.

b. *Announcement of the placement of Open Meeting Act information*

A copy of the Open Meetings Act was available for public inspection and was located on the sign-in table near the front of the meeting room

3. Approval of Agenda

A motion was made by Kari Rumbaugh from the JSC and Elaine Menzel from the NCJJ to approve the [agenda](#) as presented. The motion was seconded by Nick Juliano from the JSC and Michele Schindler from the NCJJ. There was no further discussion. Roll call vote as follows:

Juvenile Services Committee

FOR (9):

| | | |
|---------------|---------------------|----------------------|
| Nicole Brundo | Nick Juliano | Kari Rumbaugh |
| Tamara Gavin | Cynthia Kennedy | Vicky Thompson Smith |
| Kim Hawekotte | Mark LaBouchardiere | Matthew Lewis |

AGAINST (0):

ABSTAINED (0):

ABSENT (6):

| | |
|---------------------|--------------------|
| Jim Bennett | Tom McBride |
| Michele Borg | Dan Scarborough |
| Judge Larry Gendler | Dr. Richard Wiener |

MOTION CARRIED for the Juvenile Services Committee

Nebraska Coalition for Juvenile Justice

FOR (10):

| | | |
|---------------|---------------------|--------------------|
| Mark Benne | Kim Hawekotte | Justin Myers |
| Cassy Blakely | Denise Kracl | Michelle Schindler |
| Jim Blue | Mark LaBouchardiere | |
| Neleigh Boyer | Elaine Menzel | |

AGAINST (0):

ABSTAINED (0):

ABSENT (9):

| | | |
|------------------|------------------|-----------------|
| Roma Amundson | Brain Halstead | Dan Scarborough |
| Darrell Fisher | Brett Matthies | Kevin Spencer |
| Tiffany Gressley | Amanda Speichert | Corben Waldron |

MOTION CARRIED for the Nebraska Coalition for Juvenile Justice

4. Approval of the Minutes of the October 11, 2017 joint JSC and NCJJ Meeting

It was moved by Cynthia Kennedy from the JSC and Elaine Menzel from the NCJJ to approve the [October 11, 2017 joint JSC and NCJJ meeting minutes](#). The motion was seconded by Vicki Thompson Smith of the JSC and Mark Benne of the NCJJ. No further discussion ensued. Roll call vote as follows:

Juvenile Services Committee

FOR (9):

Nicole Brundo
Tamara Gavin
Kim Hawekotte

Nick Juliano
Cynthia Kennedy
Mark LaBouchardiere

Kari Rumbaugh
Vicky Thompson Smith
Matthew Lewis

AGAINST (0):

ABSTAINED (0):

ABSENT (6):

Jim Bennett
Michele Borg
Judge Larry Gendler

Tom McBride
Dan Scarborough
Dr. Richard Wiener

MOTION CARRIED for the Juvenile Services Committee

Nebraska Coalition for Juvenile Justice

FOR (10):

Mark Benne
Cassy Blakely
Jim Blue
Neleigh Boyer

Kim Hawekotte
Denise Kracl
Mark LaBouchardiere
Elaine Menzel

Justin Myers
Michelle Schindler

AGAINST (0):

ABSTAINED (0):

ABSENT (9):

Roma Amundson
Darrell Fisher
Tiffany Gressley

Brain Halstead
Brett Matthies
Amanda Speichert

Dan Scarborough
Kevin Spencer
Corben Waldron

MOTION CARRIED for the Nebraska Coalition for Juvenile Justice

5. Co-Chair's Report

Co-Chair Hawekotte noted the recent reorganization of the JSC with the recent term expirations. She also noted [LB732](#), which would move up the report deadline for the JSC from December 1st to September 1st. Chair Blakely of the NCJJ reminded members of the pending LB670 which would alter the membership structure of the Coalition if passed. Blakely also encouraged members to participate in any subgroups that may be of interest to them.

6. Legislative Update

The Chairpersons directed members to the [handout](#) listing the relevant juvenile justice bills in their packet. Members discussed several of the bills and their implications. One bill of note was [LB158](#), which was on the agenda for floor debate that day, and was why several of the guest presenters for the afternoon's roundtable were unable to attend the meeting.

7. Disproportionate Minority Contact Update

Monica Miles-Steffens was invited forward to provide an update on the efforts to address Disproportionate Minority Contact (DMC). Miles-Steffens discussed the recent event that brought in Lisa Hutchinson, a consultant from the Office of Juvenile Justice and Delinquency Prevention. A number of stakeholders were present at the event and the day was spent reviewing the previous work and examining what data was currently available. Through the course of

discussion at the event three main areas of focus were identified: data, policy and infrastructure, and training. A report of the day's discussion and strategic planning would be provided to the JSC and NCJJ for review once completed.

She continued by noting that the Juvenile Detention Alternatives Initiative (JDAI) Committee would take on responsibility to continue the momentum behind the issue of DMC. The long term vision is to determine an existing group or create a new group that could spearhead the efforts. The groups discussed at length how to facilitate coordination among the various child welfare and juvenile justice organizations. One major point that was brought up was how each agency or organization had reliable data internally, but did not translate well when comparing with another entity's data.

8. Discussion of JSC Priority Workgroups

The Co-Chairs Brundo and Hawekotte reported that the survey that had been sent out to members indicated that the identified goal for the year was the reduction of out-of-home placements. [The three workgroups that were identified](#) to aid in this goal were Transition Services, Youth and Family Engagement, and High Utilizers of Services. The Transition Services workgroup would look at the process and services for youth transitioning from one placement to another, whether it be from one out-of-home placement to another or a return to their homes. The Youth and Family Engagement workgroup would work on ways to pull in the voice and engagement of both the system involved youth and their families to encourage knowledgeable and prepared support systems for the youth. The last group would focus on the High Utilizers of Services. This workgroup would work to identify the gaps in services and ways to increase efficiency around the youth with high needs. All members of the Juvenile Services Committee were asked to sign up for one of the workgroups. Members of the Coalition and guests were also encouraged to join the workgroups.

9. Roundtable Discussion of LB870

A roundtable discussion regarding LB870 was held at the Coalition of Juvenile Justice and Juvenile Services Committee joint meeting on February 22, 2018. The main goal of the roundtable discussions was to determine areas of agreement and areas of concern regarding LB870. Present at the roundtable discussion included the following:

Representation from the Lancaster County Detention Facility, Douglas County Detention Facility, Sarpy County Staff Secure Detention Facility, NE Nebraska Detention Facility, YRTC-K, YRTC-G, HHS/OJS Administrator, the Inspector General of Nebraska Child Welfare, the Jail Standards division of the Nebraska Crime Commission, and American Civil Liberties Union (ACLU) Nebraska.

After brief explanations of their facilities and roles with Nebraska Youth, individuals were asked to discuss their thoughts on [LB870](#). All of the parties agreed that the use of room confinement is an important issue impacting Nebraska youth and should be a strategy used as a last resort for either the safety of the youth or others in the facility.

With regard to the provisions of LB870, one main issue that was continually raised was the maximum time frame of three hours for room confinement of youth. Mark LaBouchardiere, Facilities Director with the Department of Health and Human Services (DHHS), gave an example of youth who may have complicated and potentially violent histories with other youth that existed prior to their time in the facility. In these cases, three hours often is not enough time for them to appropriately set aside attitudes of aggression. He went on to discuss how even at a national level, organizations such as ACLU and Council of Juvenile Correctional Administrators (CJCA) don't support a three hour time limit, but rather recommend multiple levels of review and approval for extended youth stays in room confinement. Other States have implemented these types of multiple levels of review which have been successful in reducing the use and length of time of room confinement.

Denny Macomber, Chief of the Jail Standards Division of the Crime Commission, remarked that there were already regulations in place that outlined the time and approval restrictions of placing youth in room confinement. He directed members and guests to [Title 83, Chapter 13](#) of the Crime Commission's rules and regulations. Not only did these regulations outline procedures and timelines, but also covered many of the room conditions outlined in the bill. It was noted that the Jail Standards Division had recently been granted approval to revise their regulations and that they would be examined for necessary updates. Discussions were held around whether legislation was needed or if the requirements found in LB870 should be done through regulations. It was discussed that it is easier and more efficient to change regulations rather than statutes.

Discussion continued on regarding the larger systemic issues and concerns that were impacting these facilities. Guest presenters highlighted that the length of stay in their detention facilities were steadily increasing, and thus, so was the

likelihood of the use of room confinement due to the behaviors of the youth. Many of the youth in their care had needs greater than what could be offered at the facilities, but due to a lack of available placements that focused on mental and behavioral health treatments, they continued to be housed in detention. Since each of these facilities are considered “no reject/no eject”, it is important that these facilities have the ability to appropriately deal with their populations. As they stated, “we can’t tie their hands when they are taking the youth no other facility will take”.

In addition to a shortage of placements along a continuum of care, complications arose around data uniformity across organizations. Facilities and organizations may have data accurate to their individual facility definitions and procedure, but that data may not translate when compared with another entity’s. There must be created a standardized data collection mechanism which includes uniform definitions.

After lengthy discussion the group agreed that key themes and next steps from the conversation are the following:

1. Education and refinement of the rules and regulations from Nebraska Jail Standards with the Nebraska Crime Commission surrounding room confinement in juvenile facilities. This would include working with the Crime Commission this summer in revising the current rules and regulations to include the important provisions of LB870.
2. The creation of uniform definitions and data collection mechanisms so that all facilities are collecting the needed data. The data experts from the Juvenile Services Committee (Dr. Bass, Dr. Wiener, Dr. Hobbs, and Mike Fargen) would be instrumental in creating the needed data measures.
3. The need to address the larger systemic issue of the lack of appropriate services throughout the State to meet the current needs of these youth. This would include conducting an interim study the summer of 2018 to examine the availability of mental and behavioral health services available for youth in the juvenile justice system. The newly established workgroup of the Juvenile Service Committee would be integral to this process since they will be looking at the high utilization population within the system and could help identify the gaps in services that needed to be addressed. Each of the facilities have agreed to serve on this workgroup.
4. A synopsis of the roundtable discussions along with recommendations should be shared with the Senators involved in LB870. This would include everyone’s appreciation for the Senators’ involvement on these important issues and their willingness to collaborate with each of us to come to workable solutions.

10. Public Comment

Members of the public were invited to offer comment. No comments were given.

11. NCJJ Subcommittee Updates

Written updates on the work of the [Community Planning Subcommittee](#) and the [Diversion Subcommittee](#) were provided to members. The Grant Review Subcommittee would have additional information to present at the next meeting.

12. New Business

There was no new business.

13. Upcoming Meeting Planning

Members were encouraged to contact the Chairpersons with any potential items for discussion at the next meeting.

14. Future Meeting Dates

Members were reminded of the future meeting dates which were:

- April 10, 2018 from 9:00 a.m. – 1:00 p.m.
- July 12, 2018 from 9:00 a.m. – 1:00 p.m.
- October 16, 2018 from 9:00 a.m. – 1:00 p.m.

25. Adjourn

The meeting adjourned at 12:07 p.m.