

**I.**

**“Cover Page”**

**a. Butler County Juvenile Services Comprehensive Plan**

**b. Plan Years: 2006-2007-2008**

**c. Plan completed by:**

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**d. Chair of the County’s Juvenile Services/Community Team:**

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## **II. Community Team Section:**

a. The Butler County Juvenile Services /Community “Team” includes relevant stakeholders in the community, many of whom have recently participated in a systems analysis of the juvenile justice system in Butler County, with an eye towards identifying gaps and needs. The “Team” also includes several individuals who serve on Butler County’s 1184 Team, which has been meeting monthly for the past decade to address issues of child abuse/neglect/delinquency and treatment resources. The “Team” also includes several individuals who are members and/or Board Members of the Butler County Community Coalition, a non-profit organization which has been meeting monthly for the past six years and has been dedicated to implementing prevention strategies on behalf of Butler County youth. Interdisciplinary networking between “team members” occurs formally on at least a monthly basis incidental to 1184 Team meetings and Community Coalition Board Meetings, and informally on a daily/weekly basis as team members interact with one another in their jobs. Juvenile Services Funds/Programs have been discussed regularly by “Team members” in these interdisciplinary contexts since 2002, when Butler County’s first Juvenile Services Plan was developed.

b. “Team Members” include:

Carl K. Hart, Jr.; Butler County Attorney; 1184 Team Chairperson; Butler County Community Coalition Board Member/Secretary; 451 N. 5th Street, David City, NE 68632; (402) 367-7470; bcde1209n4th@hotmail.com

Mark Hecker; Butler County Sheriff; 1184 Team Member; Butler County Community Coalition Board Member; 451 N. 5th Street, David City, NE 68632; (402) 367-7400; bcso925@hotmail.com

Patti Lee; Butler County Probation Officer; 1184 Team Member; Butler County Community Coalition Member; 451 N. 5th Street, David City, NE 68632; (402) 367-7466;

Stephen M. Sunday; David City Chief of Police; 1184 Team Member; Butler County Community Coalition Board Member; 475 3rd Street, David City, NE 68632; (402) 367-3133; chiefsundaydcpd@hotmail.com

Carla Crook; Nebraska Department of Health and Human Services Supervisor; 1184 Team Member; Butler County Community Coalition Member; P.O. Box 103, Rising City, NE 68658; (402) 367-6021; carla.crook@hhss.ne.gov

Brenda Siffring; David City Jr. and Sr. High School Guidance Counselor; 1184 Team Member; Butler County Community Coalition Member; 2740 Rd I, Ulysses, NE 68669; (402) 367-3187; bsiffrin@esu7.org

Tom Jahde; David City Jr. High School Principal; 1184 Team Member; Butler County Community Coalition Member; P.O. Box 125, Bellwood, NE 68624; (402) 367-3187; tjahde@esu7.org

Bill Lentz; David City High School Principal; 1184 Team Member; Butler County Community Coalition Member; David City High School, 750 D Street, David City, NE 68632; (402) 367-3187; blentz@esu7.org

Jim Bathen; David City Elementary School Principal; 1184 Team Member; David City Elementary School, 826 E Street, David City, NE 68632; (402) 367-3779; jbathen@esu7.org

Trisha Pinneo; David City Elementary School Counselor; 1184 Team Member; David City Elementary School, 826 E Street, David City, NE 68632; (402) 367-3779; tpinneo@esu7.org

Sharon Bender; Rising City School Guidance Counselor; 1184 Team Member; Rising City Public School, 400 E Spruce, Box 160, Rising City, NE 68658; (402) 542-2216.

Dave McMahon; Aquinas High School Principal; Member of the Butler County Community Coalition; Aquinas High School 3420 MN Rd, David City, NE 68632; (402) 367-3175; dave-mcmahon@aquinasdc.org

Gerry Reinsch; East Butler High School Principal; Member of the Butler County Community Coalition; East Butler School, Box 36, Brainard, NE 68626; (402) 545-208; greinsc@esu7.org

Shirley Petersen; Counselor at Catholic Charities in Columbus; 1184 Team

Member; Member of the Butler County Community Coalition; 1324 A Street, David City, NE 68632; (402) 563-3833; shirleyp@ccomaha.org

Claudia Davis; Counselor at Blue Valley Mental Health Center; 1184 Team Member; 367 E, David City, NE 68632; (402) 367-4216;

Pat Lostroh; Victim Assistance/Genesis House; Member of the Butler County Community Coalition; 475 3rd Street, David City, NE 68632; (402) 367-3133;

### **III. Community Planning Tool: See Appendix A, attached hereto.**

### **IV. Identified Priority Areas:**

#### **1. Gap in resources available to the young offenders 8-12 years of age.**

A trend across Nebraska is that the age of juvenile offenders is decreasing, causing systematic issues for the justice officials who lack resources for this age group. Often these younger delinquents may not even be processed through the juvenile justice court system because of a perceived lack of resources available for this age group. The 2003 Nebraska Risk and Protective Factor Survey was administered to Butler County's 6th, 8th, 10th and 12th graders at all four Butler County Schools (see Attachment #1). Results indicate that Butler County 6th graders are engaging in high risk behaviors during their short lifetime: 33.33 % have consumed alcohol, 14.55 % have smoked cigarettes, and 16.36 % have used inhalants and 6% have attacked to harm another. It is believed that a pre-teen good decision making curriculum (with a parent component) would benefit this younger age group. This pre-teen program would exist in addition to the existing good decision making program for teenagers. Unused Juvenile Services Funds from years 2003, 2004 and 2005, along with funds received from the Crime Commission could be used to fund these age appropriate programs.

#### **2. Affordability of Mental Health/Substance abuse evaluations and interventions for those needing such evaluations and interventions.**

The 2003 Nebraska Risk and Protective Factor Survey (i.e. attachment #1) revealed that: 6% of the County's 8th graders have engaged in binge drinking, 24 % of the County's 10th graders have engaged in binge drinking and 43 % of the

County's 12th graders have engaged in binge drinking. With mental health and substance abuse issues being so prevalent in Butler County, it would benefit the community to have a funding source available to those youth who cannot afford evaluations and interventions, particularly those ordered by the Court. Unused Juvenile Services funds from years 2003, 2004 and 2005, along with funds received from the Crime Commission could be used to fund such evaluations and interventions.

**3. Limited resources available to the Court for pre-adjudication**

**supervision.** Those youth (i.e. both pre- and post-adjudication) who are left home alone after school, on weekends, during holidays and during the summer because of parental work schedules and/or poor family management, could benefit from electronic monitoring devices. The 2003 Nebraska Risk and Protective Factor Survey (see attachment #1) revealed that approximately 30% of the County's 6th, 8th, 10th and 12th graders report Poor Family Management, placing them at higher risk for substance abuse and other problem behaviors. Juvenile Services funds to be secured from the Crime Commission could be used to fund such electronic monitoring.

**4. Unsupervised time after school for many youth (especially those on probation) places them at higher risk for offending.**

Though approximately 80% of Butler County's 6th, 8th, 10th and 12 graders report the existence of opportunities for positive participation and pro-social involvement, approximately half of all youth report a low commitment to school (Attachment #1). A probation-related after school study hall and/or community service program could provide a purposeful, structured, alternative activity for many youth on probation. Juvenile Services funds to be secured from the Crime Commission could be used to fund such an after school study hall/community service program.

**5. Youth need opportunities and support within the community to become stakeholders.**

According to the 2003 Risk and Protective Factor Survey (i.e. attachment #1) the percentage of Butler County youth reporting positive interpersonal relations with their peers declines steadily between the 6th and 12 grades (i.e. from 85% of 6th graders declining to 64 % of 12th graders). Moreover, Butler County youth reporting a belief in the moral order declines steadily between 6th and 12th grades (i.e. from 70% of 6th graders declining to 39% of 12th graders). It thus continues to be important that the County

support: the Butler County Youth Council in their efforts to address issues relevant to the County's youth; the Genesis House's recreational program for children victimized by domestic violence; and school lock-in events for junior high students as organized by high school students. Unused Juvenile Services Funds from years 2003, 2004 and 2005, along with funds received from the Crime Commission could be used to fund these existing programs.

**6. Environmental and Individual Prevention Strategies need implementation throughout Butler County.** Continued cooperation between County Officials and the Butler County Community Coalition in the implementation of prevention programs: FAST (Families and Schools Together), All Stars and CMCA (Communities Mobilizing for Change on Alcohol) (see attachment #2: Butler County Community Coalition Fact Sheet). These research-based strategies address some of the risk and protective factors in the 2003 Nebraska Risk and Protective Factor Survey (attachment #1). Results for the 2005 Nebraska Risk and Protective Factor Survey will be available for Community analysis hopefully in February of 2006. Community analysis in the months and years to come may indicate a need to discontinue, adopt and/or modify these prevention strategies in the future.

## V. Strategies:

**1. Gap in resources available to the young offenders 8-12 years of age.** This priority area will be addressed by a good decision making program designed specifically for offenders 8-12 years of age. The program would be in addition to an existing program for teens. The probation office and/or the county attorney will contact within 30 days area mental health service providers about designing and implementing this program. It is envisioned that six to 12 juveniles at a time would receive approximately seven hours of instruction, with at least one of the hours involving a parental component. The mental health service provider would charge \$100 an hour for the seven hours of instruction, totaling \$700. It is anticipated that because Meadows Behavioral, Inc. presently is implementing a good decision-making program for Butler County Teens, that they will be able to, without undue delay, undertake a similar program for pre-teens. Because pre-teens are not presenting themselves to the court system at the same rate as teenagers, the pre-teen program would not likely be meeting as frequently. There would appear to be no reason, however, why such a pre-teen program could not be offered once every 4-6 months. It is expected that Pre-teens participating in the program will be instilled with a greater sense of self-

control and obligation to conduct themselves according to law and parental expectations. It is expected that Parents participating in the program will develop strategies for appropriately dealing with the behaviors of their pre-teens.

**2. Affordability of Mental Health/Substance abuse evaluations and interventions for those needing such evaluations and interventions.** This priority area will be addressed by using County Juvenile Services Funds to pay for probation officer recommended and/or court ordered evaluations and interventions for those youth who would otherwise not be able to afford such services from area mental health service providers. The probation officer will assist in identifying those youth who can not pay for evaluations/interventions without assistance from the county juvenile services funds. The probation officer will make a referral to the appropriate mental health service providers in the area as needed, with an eye towards convenience, economy (i.e. approximately \$100-\$150 per evaluation) and quality. There is no reason that such referrals cannot be made immediately. It is expected that youth receiving such evaluations will be assisted in identifying rehabilitation/intervention strategies incidental to dispositions before the juvenile court. It can be expected that some intervention strategies as recommended by the evaluations might also be paid for using juvenile services funds when appropriate.

**3. Limited resources available to the Court for pre-adjudication supervision.** This priority area will be addressed by using County Juvenile Services Funds to rent electronic monitoring equipment and to provide compensation for services. The probation officer will arrange for the rental of the equipment and will provide monitoring services. Electronic monitoring is ready to be implemented on an as needed basis at the present time. It is expected that juveniles who are electronically monitored will likely remain in the home/community, rather than require detention at the Madison Detention Facility during pre-adjudication periods.

**4. Unsupervised time after school for many youth, especially those on probation.** This priority area will be addressed by using County Juvenile Services Funds to fund a probation related after school study hall/community service program. The probation officer and/or a contracted individual will implement the program and be compensated at an hourly rate. Juvenile Services Funds would also be used to pay for refreshments incidental to work/study activities. There is no reason why such a program cannot be

undertaken immediately and continue on a regular basis, with youth meeting either weekly or bi-weekly as arranged. It is expected that juveniles who are ordered to complete community service work could receive credit for such work by participating in the supervised study. It is expected that such a program would result in some measure of accountability for those youth committing delinquent acts, as well as hopefully improve school performance.

**5. Youth need opportunities and support within the community to become stakeholders.** This priority area will be addressed by funding the continuation of several existing juvenile services programs:

The adult facilitator for the Butler County Youth Council, Amy Greenwood-Field, will be compensated for her services of working with the Butler County Youth Council at a rate of \$10 per hour. She has been providing anywhere between 100 and 150 hours of service per year. The Butler County Youth Council contains members from all four County High Schools, and provides youth representation on several community boards and committees throughout the county. It is expected that the adult facilitator will continue to serve in the same capacity and that the participating youth will become stakeholders in the Butler County community, bringing their vigor and creative energies to bear on community concerns and issues. Amy Greenwood-Field is presently implementing this program.

The Genesis House's recreational swimming program for youth victimized by domestic violence will be undertaken each summer at an approximate cost of \$600. Genesis House administrator Pat Lostroh will implement the program by enrolling approximately a dozen Butler County children in the summer swimming program at the David City Pool, providing months of active recreation for children coping with the stress of domestic violence. It is expected that those youth participating in the recreational swimming program will develop a greater sense of social involvement in the community and will define themselves in terms of their competencies, rather than in terms of their victimization.

Junior high school lock-in events as arranged by senior high school students has been undertaken throughout the years, using Juvenile Services Funds. These events have been organized by high school students under the direction of a school teacher, and frequently have involved activities and discussion groups regarding abstinence from risky behaviors. Food and refreshments are

frequently funded using juvenile services funds. It is expected that the participating youth form stronger interpersonal relationships and a greater attachment to their school community. These events can be expected to occur approximately once or twice a year at any of the four county schools. The County Attorney as program administrator for the County will regularly contact the schools regarding the availability of such funds.

**6. Environmental and Individual Prevention Strategies need implementation throughout Butler County.** This priority will be addressed by the County's continued cooperation with the Butler County Community Coalition's implementation of research based strategies: Families and Schools Together, the All Stars Program, and Communities Mobilizing for Change on Alcohol. These programs are presently funded by SICA funds disbursed by the Nebraska Department of Health and Human Services. These funds, however, will run out after July 2007. Some of the SICA projects which are deemed effective may need future funding via Juvenile Services Funds. An annual review of these programs and the County's Juvenile Services Plan could be very important to sustaining the Community Coalition's prevention programming when SICA funds run out in July 2007. It is expected that County Officials, such as the County Attorney and County Sheriff, may undertake leadership roles in efforts to mobilize the Butler County Community for change on alcohol by implementing policies and practices that strictly enforce Nebraska laws relating to drugs, tobacco, alcohol and minors; and by educating the public regarding the need to reduce risk factors as indicated in the Nebraska Risk and Protective Factor Survey (attachment #1). The Sheriff and County Attorney expect to adhere to a County-wide Policy for Peace Officer Investigations of Alcohol/Drug violations, involving minors offending in Butler County as adopted in May of 2005. The Sheriff and the County Attorney expect they will be pro-active in their efforts to deny access of alcohol to minors. These efforts may include but may not be limited to: arranging for alcohol retailer training to County retailers, arranging for compliance checks of alcohol retailers, providing for a law enforcement presence at community festivals where alcohol is distributed, and encouraging community parade organizers to use parade policies which prohibit alcohol use and/or possession on parade routes. In addition, the Sheriff and County Attorney expect to undertake general efforts to change the perception reported by Butler County youth that Butler County norms and laws favor their use of alcohol (see attachment #1).



# **“APPENDIX A”**

# Community Planning Decision Point Analysis

Data Points	Total Population (*2000)	Juvenile Population (**2004)
Total Population	8,767	2013
Male	4,472	552
Female	4,295	561
White	8,625	1106
Black/African American	9	3
Asian	11	2
Hawaiian/Pacific Islander	5	Not reported
American Indian	11	2
Hispanic	145	14
Juveniles Arrested		14
Juveniles Detained		1
Juveniles Prosecuted		20
Juveniles Placed in Diversion		No formal diversion
Number of Juveniles Adjudicated		16
Number of Juveniles placed on Probation		31
YRTC-Kearney commitments		1
YRTC-Geneva commitments		0

## Sources:

\*2000 U.S. Census Data

\*\*2003 OJJDP website 2004 DMC Federal Reports (Ages 10-17)

## System Decision Point: Arrest/Citation: Police/Law Enforcement

**Decision:** *Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested*

### Formal Determining Factors

- Sufficient factual basis to believe offense committed
- Underlying support for a particular

### Informal Determining Factors

- Degree to which parent pushes the issue
- Is the case victim driven?
- Law enforcement is documenting

offense

most cases

- No school resource officers in schools, but schools feel they have a very quick response from law enforcement to the schools

**Decision: *Whether to cite or arrest juvenile for juvenile or adult offense***

**Formal Determining Factors**

- Seriousness of offense
- Age

**Informal Determining Factors**

- Law enforcement is citing and letting County Attorney decide appropriate Charges

**Decision: *Whether to take juvenile into custody or to cite and release***  
*(NRS § 43-248(1), (2); § 43-250(1), (2), (3))*

**Formal Determining Factors**

- As stated in statute

**Informal Determining Factors**

- Immediate risk to juvenile
- Immediate/short term risk to public
- Seriousness of perceived offense
- Extent to which parent or other responsible adult available to take responsibility for juvenile
- Cite and release is the most common practice because there are limited subsequent custodial placement options

**Comments:**

According to statistics from the Crime Commission, Butler County had 14 juvenile arrests in 2004. The number of younger offenders (i.e. 8-12 years old) is perceived to be on the rise in this community. However, many of offenders (i.e. 13-17 years old) are committing offenses in other counties and then being transferred post-adjudication for probation supervision. Justice officials in this area feel that law enforcement is proactive and aggressive which is causing for fewer contacts in Butler County which is accounting for the out of county citations. Another factor to be considered is that David City, the largest town in Butler County, does not have a city curfew. This issue has been addressed by city officials, but the need for a curfew has not been justified at this time.

## **System Decision Point: Initial Detention: State of Nebraska Probation**

**Decision:** *Whether juvenile should be detained or released*

### **Formal Determining Factors**

- Risk assessment outcome
- Accessibility of placement options: parent's/guardians, emergency shelter, staff secure facility, secure detention facility

### **Informal Determining Factors**

- Judge is called when detention is being considered by probation
- Probation is more proactive in detention considerations due to a probation officer presenting this option to law enforcement
- Probation is seeing younger juveniles come through with limited options
- Using Madison detention center for secure detention
- Probation officer believes detention screening instrument scores too low which makes it difficult to have the justification for detention

### **Comments:**

According to statistics from the Crime Commission, the Judge adjudicated 16 juveniles in Butler County in 2004. After discussions with those involved with post-adjudication juveniles (probation and HHS), one of the major problems in this system point is the Judge's inconsistency of ordering PDI's on co-defendant cases which is putting the persons involved with writing the reports in a predicament of writing partial reports and giving appropriate recommendations.

## System Decision Point: Charge Juvenile: County Attorney

### Decision: *Whether to prosecute juvenile*

#### Formal Determining Factors

- Likelihood of successful
- Factors under NRS § 43-276

#### Informal Determining Factors

- No formal diversion program
- County Attorney reports some minor offenses have reports submitted and they will decline to file due to age
- Very low status offense caseload-belief is because of proactive law enforcement which prevents juveniles from acting out

### Decision: *Whether youth should be prosecuted as juvenile or adult*

#### Formal Determining Factors

- Seriousness of offense

#### Informal Determining Factors

- County Attorney knows what Judge is inclined to do in court so decision to file is with that knowledge
- If the County Attorney files adult than intentions are to keep adult

### Decision: *Offense for which juvenile should be charged*

#### Formal Determining Factors

- As outlined in statute

#### Informal Determining Factors

- County Attorney will decide on charges based on offense reports

### Comments:

According to statistics from the Crime Commission, 20 juveniles were prosecuted for juvenile related charges. The number of juvenile filings has decreased over the past few years, especially charges related to alcohol i.e. MIP, MIC. The SICA coalition in this area has adopted the mobilization for change programming which has the community is a more pro-active stance then in the past regarding issues of alcohol use by minors. All Stars is also being utilized in the public and parochial schools in the county.

## **System Decision Point: Pre-adjudication detention: Juvenile Court Judge**

**Decision:** *Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication*

### **Formal Determining Factors**

- Whether there is an "immediate and urgent necessity for the protection of such juvenile"
- Whether there is an "immediate and urgent necessity for the protection of . . .the person or property of
- Whether the juvenile is likely to flee the jurisdiction of the court

### **Informal Determining Factors**

- Judge does not like to keep juveniles detained so will release to parent/guardian at detention hearing

### **Comments:**

When the Judge is releasing the juvenile at detention hearing, the judge is not even using a service component such as placement with HHS. If there are subsequent problems at the time of first hearing or adjudication then further action will be taken at that time.

## **System Decision Point: Probable Cause Hearing: Juvenile Court Judge**

**Decision:** *Whether State can show that probable cause exists that juvenile is within the jurisdiction of the court*

### **Formal Determining Factors**

- As outlined in statute

### **Informal Determining Factors**

- No factors reported

### **Comments:**

No comments for this section

## System Decision Point: Competency Evaluation: Juvenile Court Judge

**Decision:** *Whether juvenile is competent to participate in the proceedings*

**Formal Determining Factors**

- As outlined in statute

**Informal Determining Factors**

- Judge uses for only 3 (c) cases

**Decision:** *Whether juvenile is "responsible" for his/her acts*

**Formal Determining Factors**

- "Complete evaluation of the juvenile including any authorized area of inquiry requested by the court."
- Opinion of physician, surgeon, psychiatrist, community mental health program, psychologist

**Informal Determining Factors**

- No factors reported

**Comments:**

No comments for this section

## System Decision Point: Adjudication: Juvenile Court Judge

**Decision:** *Whether the juvenile is, beyond a reasonable doubt, "a person described by § 43-247"*

**Formal Determining Factors**

- Legal sufficiency of evidence presented during adjudication hearing
- Whether juvenile admits the allegations of the petition (or, "pleads to the charges")
- Residency
- Age

**Informal Determining Factors**

- No factors reported

**Decision:** *Whether to order probation to conduct a pre-disposition investigation (statutory authority unclear--see also: § 29-2261 (2))*

**Formal Determining Factors**

- As outlined in statute

**Informal Determining Factors**

- Probation estimates that only about 40% of cases get PDI's ordered

**Decision:** *Whether to order OJS evaluation*

**Formal Determining Factors**

- NRS § 29-2204 (3): "Prior to making a disposition which commits the juvenile to the Office of Juvenile Services, the court shall order the juvenile to be evaluated by the office if the juvenile has not had an evaluation within the past twelve months.

**Informal Determining Factors**

- Judge usually waits for a revocation hearing to order an OJS evaluation

**Decision:** *Whether to order a PDI and an OJS Evaluation*

**Formal Determining Factors**

**Informal Determining Factors**

- The reasons that the Judge will order an OJS evaluation initially is if there are family/law enforcement concerns

**Problem:** Judge is inconsistent when ordering PDI's. When there are multiple defendants in a case, he will order a PDI on one juvenile but not on the other.

**Solution:** Since this is the Judge's discretion and statute is not clear in regards to the court authority to order a PDI, it is difficult to devise a solution for this problem.

**Comments:**

According to statistics from the Crime Commission, the Judge adjudicated 16 juveniles in Butler County in 2004. After discussions with those involved with post-adjudication juveniles (probation and HHS), one of the major problems in this system point is the Judge's inconsistency of ordering PDI's on co-defendant cases which is putting the persons involved with writing the reports in a predicament of writing partial reports and giving appropriate recommendations.

**System Decision Point: Disposition: Juvenile Court Judge**

**Decision: *Whether to place juvenile on probation***

**Formal Determining Factors**

- As outlined in statute

**Informal Determining Factors**

- The number of juvenile court adjudications was very low, thus the number of juveniles placed on probation was also very low; caseload maybe rising
- Judge will usually try probation first
- In few cases he will do a informal diversion to the court

**Decision: *Whether to commit juvenile to the Office of Juvenile***

**Formal Determining Factors**

- Whether juvenile is at least twelve years of age

**Informal Determining Factors**

- Judge will place with OJS only if services are needed for the family and/or for community protection

**Decision: *Whether to place juvenile on probation and commit juvenile to HHS or OJS***

**Formal Determining Factors**

- As outlined in statute
- No apparent authority for delinquent in the legal custody of parents/guardian

**Informal Determining Factors**

- Judge will do dual supervision cases for additional services and support
- Good working relationship between probation and HHS

**Comments:**

According to statistics from probation, 31 juveniles were placed on probation in 2004. Due to personnel changes in Butler County in probation, the number of cases being placed on probation since 2004 has been on the rise. Probation believes there was some mistrust of their agency for disposition of cases because there was a lack of supervision previous to 2005. There seems to be a more pro-active stance by probation at this time which is causing an increase of juveniles with dispositions of probation.

**System Decision Point: Administrative Sanctions: Probation**

**Decision:** *Whether to impose administrative sanctions on a probationer*

**Formal Determining Factors**

- Probation officers has reasonable cause to believe that probationer has committed or is about to commit a substance abuse violation or a non criminal violation
- Substance abuse violation refers to a positive test for drug or alcohol use, failure to report for such a test or failure to comply with substance abuse evaluations or treatment

**Informal Determining Factors**

- Probation does very few administration juvenile sanctions

**Comments:**

No comments for this section

**System Decision Point: Motion To Revoke Probation: County Attorney**

**Decision:** *Whether to file a motion to revoke probation*

**Formal Determining Factors**

- As outlined in statute

**Informal Determining Factors**

- Probation is requesting motion to revoke at citation time

**Comments:**

No comments for this section

## **System Decision Point: Modification/Revocation of Probation: Juvenile Court Judge**

**Decision:** *Whether to modify or revoke probation*

### **Formal Determining Factors**

- As outlined in statute

### **Informal Determining Factors**

- Judge is unwilling to modify a probation order without having a hearing
- If a motion to revoke is filed and adjudicated-an initial direct probation case will have a update PDI conducted, if had a PDI then an OJS evaluation will be ordered
- Judge does not use ISP as a continued sanction because of location and lack of aggressive officer

### **Comments:**

No comments for this section

## **System Decision Point: Setting Aside Adjudication: Juvenile Court Judge**

**Decision:** *Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment*

### **Formal Determining Factors**

- Juvenile's post-adjudication behavior and response to treatment and rehabilitation programs
- Whether setting aside adjudication will depreciate seriousness of juvenile's conduct or promote disrespect for the law
- Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based

### **Informal Determining Factors**

- Judge does determinate time on probation
- On unsatisfactory discharges, the Judge usually requires a hearing (probation does not request many unsatisfactory discharges)

**Decision:** *Whether juvenile should be discharged from custody and supervision of OJS*

### **Formal Determining Factors**

- Presumably same as those for probation

### **Informal Determining Factors**

- Judge is willing to do a review hearing on OJS cases as out of respect to

juvenile and worker

**Comments:**

Because of the self reported good relationship between probation and HHS/OJS if there is a continued supervision going from probation to HHS/OJS, the resources used for a juvenile and family are not duplicated because the effective communication between agencies.

## **Summary/Recommendations:**

Juvenile Justice officials in Butler County met on December 19, 2005 to discuss the community planning tool for the next three year juvenile comprehensive plan. In attendance at this meeting were justice officials with law enforcement, County Attorney, probation, HHS/OJS, mental health, and schools. Butler County has had some changes in personnel which has directed effected how effective juvenile justice is working in this area. As a result of the discussion, the following recommendations are priority areas for consideration for the next three year juvenile comprehensive plan:

- 1) A trend across the State of Nebraska is that the age of juvenile offender is decreasing. The young offender (8-12 years old) is causing systematic issues for the justice officials because there is gap in resources available to this age range. Since Butler County is using its LB 640 monies for assistance with the decision making course offered through Mental Health providers, a pre-teen curriculum would be beneficial for that age group. This also needs to include a parent component.
- 2) Butler County has issues with mental health evaluations being ordered and then subsequent problems with payment. With mental health and substance abuse issues still on the rise, it would benefit the community to have a funding source available to those who could not afford those type of evaluations as ordered by the court.
- 3) Due to limited resources available to the court for pre-adjudication supervision, the plans for probation to provide electronic monitoring should continue to be a priority for Butler County.
- 4) Probation is planning on starting an after school supervised study hall/community service program which will allow juveniles to receive extra assistance with school related problems. In addition, these juveniles will be supervised after school which is often the time of day where there is a greater risk for possible delinquent acts to occur.
- 5) Butler County does not have a formal diversion program, however, it could benefit justice officials to develop a peer based consequence such as Teen Court for those offenders who are committing those minor offenses, but are not being filed on by the County Attorney.