

**Madison, Stanton &**

**Antelope County**

**Juvenile Services**

**Comprehensive Community Plan**

**January 1<sup>st</sup>, 2013 – December 31<sup>st</sup>, 2015**



MADISON COUNTY  
THREE YEAR COMPREHENSIVE JUVENILE SERVICES PLAN  
2013—2015

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# **Madison, Stanton & Antelope County Juvenile Services Comprehensive Plan 2013 – 2015**

## **Vision**

The vision guiding this comprehensive plan is to reduce juvenile delinquency and to increase overall public safety in Madison, Stanton & Antelope Counties through the collaborative efforts of Juvenile Court, law enforcement agencies, schools, and juvenile support service groups within and around the tri-county area.

## **Mission Statement**

The purpose of the Madison, Stanton & Antelope County Juvenile Services Comprehensive Plan is to support the mission of the tri-county Juvenile Services Programs:

*To assist and encourage children and adolescents who are part of the criminal justice system to become successful, contributing adults. The Madison, Stanton & Antelope County Juvenile Service Programs hold youth accountable by building, sustaining and strengthening their sense of personal responsibility so that they can go on to be productive members of their communities. The Madison, Stanton & Antelope Juvenile Service Programs function as part of a team supporting other agencies and school districts involved in juvenile services throughout the tri-county area.*

## Section III

### Juvenile Justice System Analysis Tool

<b>SYSTEM POINT: ARREST/ CITATION</b> PARTY RESPONSIBLE: Police/Law Enforcement STATUTE REFERENCE: NRS §§ 43-247 (1), (2), (4)	
<b><i>Decision: Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested.</i></b>	
Formal Determining Factors a. Sufficient factual basis to believe offense was committed. b. Underlying support for a particular offense.	Informal Determining Factors a. Law Violation Committed b. Cooperation by Juvenile or witnesses c. Victim’s Interests d. Curfew warnings vs. citations
Notes: Responses from law enforcement agencies in Madison, Stanton & Antelope Counties indicate that a juvenile who has committed a law violation will receive a citation. A copy of the citation and the law enforcement officer’s report will be forwarded to the designated County Attorney’s Office. The citation will most likely not include a date to appear or will otherwise be noted as “to be set.” This allows the county attorney’s office to decide if the case should be forwarded to diversion or if the juvenile should receive an appearance date for either juvenile court or traditional county court. Law violations are treated seriously by law enforcement officers and reports are written. Alcohol offenses are treated seriously if there is probable cause to believe that a minor is in possession or consumption of alcoholic liquor. Status in the community is not considered. Law enforcement will take into consideration the views of the victim but it is not the main determining factor as a law violation may still be reported to the county attorney’s office even if the victim is reluctant to pursue prosecution. There are times when the cooperation of the juvenile is a factor on whether or not the juvenile receives a citation or what type of citation is issued however it will not necessarily excuse a law violation if there is evidence to support it. Curfew cases may be impacted by the circumstances. A juvenile may get warned before receiving a citation.	
<b><i>Decision: Whether to cite or arrest juvenile for juvenile or adult offense.</i></b>	
Formal Determining Factors a. Seriousness of Offense b. Is there a warrant?	Informal Determining Factors a. Seriousness of Offense b. Is there a warrant?
Notes: Law enforcement generally defer to the county attorney’s office as to whether a juvenile is ultimately charged in juvenile court or in “adult” court. If a citation is issued, the citation does not usually give a time and date to appear. The County Attorney’s Office will review each report and make the final decision. As part of the investigation, an officer may discuss the options with the juvenile but this is not binding in the county attorney’s office. There are times that a warrant is sought by law	

enforcement and, in those instances, the juvenile is likely the subject of a serious offense and that will often be filed in traditional “adult” court (i.e. robbery, first degree assault, etc.).

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

<p>Formal Determining Factors under NRS § 43-248 &amp; 250:</p> <ul style="list-style-type: none"> <li>a. Violated law in presence of officer</li> <li>b. Committed a felony</li> <li>c. Protection of the juvenile</li> <li>d. Mental illness or dangerousness</li> <li>e. Runaway</li> <li>f. Locate parents</li> <li>g. Whether juvenile signs citation</li> <li>h. Whether probation officer is needed</li> <li>i. Whether DHHS is needed</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Preference for cite and release</li> <li>b. Committed a serious felony</li> <li>c. Juvenile’s behaviors</li> <li>d. Whether juvenile signs citation</li> <li>e. Whether juvenile is on restricted status</li> <li>f. Family circumstances</li> <li>g. Mental illness or dangerousness</li> <li>h. Whether probation officer is needed</li> <li>i. Whether DHHS is needed</li> </ul>
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Notes:

Law enforcement in Madison, Stanton & Antelope Counties follow Nebraska law when it comes to determining whether to cite and release. The preferred method is to cite and release to the parents after a juvenile has been temporarily detained for purposes of a law violation or status offense (i.e. runaway). Cite and release is the least restrictive method of initially dealing with juveniles. However, possible further detention can occur depending on the circumstances. If runaway or uncontrolled behaviors are reported to the responding officer, the officer will investigate whether the juvenile can be safely returned home. The officer will visit with the juvenile and the parent. If the officer is of the opinion that placing the juvenile back home would be harmful to the juvenile or others in the home, or if there is a concern that the juvenile will flee the area, then the officer will contact the probation office. The probation officer will meet with the officer and juvenile, and the juvenile’s parent. The probation officer will screen the juvenile using an approved detention screening instrument, created for the State of Nebraska Probation, which scores if the youth should be released, placed out of the home, placed in staff secure or secure detention. Another significant factor is whether or not the juvenile is cooperative. If the juvenile refuses to sign a citation promising to appear in court, the officer will provide that information to the probation officer. In addition, the legal status of the juvenile is important. If the juvenile is already on a restricted status (probation, pre-disposition court orders/Conditions of Release, DHHS, or OJS), the juvenile may be detained if it appears that further 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 the juvenile is likely to flee the jurisdiction of the court. Screening completed by the intake Probation Officer includes consideration of whether the juvenile was on electronic monitor at the time of offense; had run away from an authorized placement by DHHS or OJS; or was previously released from the detention center with Conditions of Release issued by the juvenile court. Any of the foregoing situations increases the likelihood a youth will be detained. There have been other situations where family circumstances warranted removal from the family home; inability to locate parents or parental refusal to accept responsibility for their child; safety issues in the home for both juveniles and parent; or runaway behavior having been identified. If the child is a runaway from another state the child will be detained in a staff secure setting and Federal Interstate Compact Rules for Juveniles will apply. The offense itself may warrant detention. For instance, serious felonies will more than likely end up with the juvenile being detained. Lastly, if the juvenile is suffering from an apparent mental illness and is in an acute situation of dangerousness, an officer can take such juvenile first to a local hospital. After medical clearance, the officer will transport to a hospital in Nebraska that accepts adolescent psychiatric patients. Currently only Bryan LGH Hospital in Lincoln and Richard Young Hospital in

Kearney accept such youth.

SYSTEM POINT: CHARGE JUVENILE  
 PARTY RESPONSIBLE: County Attorney  
 STATUTE REFERENCE: NRS § 43-274(1), § 43-275, § 43-276

***Decision: Whether to prosecute juvenile.***

- Formal Determining Factors under NRS § 43-276:
- a. Type of treatment to which juvenile would be most amenable
  - b. Evidence that offense was violent, aggressive, or premeditated
  - c. Motivation for commission of offense
  - d. Age of juvenile and co-offenders
  - e. Previous offense history, especially patterns of prior violence or antisocial behavior
  - f. Juvenile’s sophistication and maturity
  - g. Juvenile’s prior contacts with law enforcement and the courts
  - h. Whether there are facilities particularly available to the juvenile court for the treatment and rehabilitation of the juvenile
  - i. Whether best interests of juvenile and public safety dictate supervision extending beyond his or her minority
  - j. Victim’s inclination to participate in mediation
  - k. “Such other matters as the county attorney deems relevant to his or her decision”

- Informal Determining Factors
- a. Prior History
  - b. Probable Cause
  - c. Seriousness of the Offense
  - d. At-Risk Youth
  - e. Age of the Juvenile
  - f. Distance of the Juvenile’s Residence

Notes:

The Madison, Stanton & Antelope County Attorney’s Offices practice a policy of consistency when making prosecutorial decisions. Reports and citations are sent to the County Attorney’s Office by area law enforcement agencies. The juveniles named in the reports are assessed by the Chief Juvenile Accountability/Services Officer or County Attorney’s staff to determine what type of action needs to be taken. The Chief Juvenile Accountability/Services Officer or County Attorney’s Office researches the past history of each juvenile by checking the county attorney’s card file, NCJIS probation records and diversion records to see if there have been prior incidents or cases in that specific county or other counties. Prior history is the first factor in determining whether to prosecute the juvenile. While a juvenile who has received their first citation for a law violation is routinely referred to the Madison County Juvenile Diversion Program or the Stanton/Antelope County Juvenile Services Program, there also can be exceptions to that referral. If the citation is for a minor offense such as, curfew, littering, or smoking tobacco, those offenses could be charged in juvenile court so that the juvenile will still be eligible in the future for diversion or juvenile services program if needed. In addition, traffic offenses will not be referred to those programs. Felonies such as Burglary, Auto Theft or a Sexual Assault are not eligible for diversion. However, there have been times when the charges or the damage amount has been reduced to a misdemeanor range in order to qualify for diversion in such cases as theft or criminal mischief. Of course, probable cause that the offense occurred is still the most important consideration. If there is no probable cause that the juvenile committed the offense, then our office does not file the matter. There have been occasions when an officer has sent in a report where they believe a crime has been committed but, upon further review, the evidence will not support a conviction. The seriousness of the offense makes it more likely to be prosecuted with felony offenses being the most serious. Offenses against property and person are highly likely to be prosecuted such as Theft, Criminal Mischief and Assaults. However, any violation of the law is still worthy of prosecution if it is supported by probable cause. There are limited circumstances where our office may

decline prosecution if the offense was not only minor but the victim has asked our office to decline prosecution after satisfactory restitution has occurred. Another important consideration is whether the juvenile is already involved in a pending juvenile court matter or is an at-risk youth who needs the structure that can be provided by a juvenile court petition. Juveniles who are already on probation have a standard condition that they are not to violate any laws. In other words, those juveniles are on notice through their probation orders that they are required to obey all laws. So future law violations are highly likely to be prosecuted when a juvenile is already on probation. At-risk youth are juveniles who have committed a law violation but also have severe behaviors that could result in their removal from home. In those cases, the law violation is highly likely to be prosecuted if the goal is to get the at-risk juvenile some needed structure and supervision. The age of the juvenile is another important factor as children of a tender age may not understand juvenile court or its goals if they are prosecuted. There have been occasions where law enforcement will issue a citation to a juvenile as young as eight years old. In those circumstances, it may be of limited value to prosecute a juvenile who would not appreciate the significance of probation. However, County Attorney's have petitioned juveniles of tender age if that juvenile is in need of structure that cannot be provided but for a juvenile court petition. On the upper age factor, juveniles who are sixteen or seventeen years old can be prosecuted either as an adult or as a juvenile. That factor will be explained more in a separate section. One more practical factor is the distance from which the juvenile resides. If a juvenile lives out of state or at a great distance (for example, Scottsbluff), there have been occasions where our office has declined prosecution rather than go through the expense of prosecuting someone where our office would have to rely upon a sheriff service. In 2011, there were 139 participants referred to the Madison County Diversion Program. Stanton and Antelope County began their Juvenile Services Programs in July of 2012. The offenses which generated the highest number of cases handled by Madison County diversion were:

- Minor in Possession/Consumption of Alcohol – 76
- Assault/Disorderly Conduct/Disturbing the Peace – 31
- Theft/Shoplifting – 66
- Criminal Mischief – 15

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

<p>Formal Determining Factors under NRS § 43-261 include the same criteria under NRS § 43-276 as listed in the previous section. In addition, NRS § 43-247 provides when charges can be brought in either court according to their ages or crime.</p> <ol style="list-style-type: none"> <li>a. Misdemeanors (16 or 17 years of age)</li> <li>b. Felonies (any age below 18)</li> <li>c. Traffic Offenses (any age below 18)</li> </ol>	<p>Informal Determining Factors</p> <ol style="list-style-type: none"> <li>a. Type of offense</li> <li>b. Age and maturity</li> <li>c. Living Independently</li> <li>d. Pending matters</li> <li>e. Prior history</li> </ol>
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***Decision: Offense for which juvenile should be charged.***

Normal Determining Factors under NRS § 43-279 include whether there is proof beyond a reasonable doubt the juvenile has committed the offense charged in the juvenile court petition.

Notes:

The Madison, Stanton & Antelope County Attorney’s Offices charge individuals based on evidence. If there is evidence to support a juvenile court finding that the juvenile committed the offense beyond a reasonable doubt, then the juvenile will be charged with the offense that was committed. During the normal process of plea agreement negotiations, there may be compelling reasons to amend the charges to encourage a resolution of the matter that meets the goals sought by the State and the juvenile.

According to the statistics from the Nebraska Crime Commission, Madison County had a total of 384 records for 2011. Some of the offenses that had significant numbers were:

- Larceny-97
- Curfew – 30
- Assault – 41
- Possession of Alcohol – 59
- Drug offenses – 26
- Criminal Mischief – 13

Stanton County had a total of 30 records for 2011 and Antelope County had a total of 1 record for 2010.

<p><b>SYSTEM POINT: PRE-ADJUDICATION DETENTION</b></p> <p>PARTY RESPONSIBLE: Juvenile Court Judge</p> <p>STATUTE REFERENCE: NRS § 43-253(2)</p>	
<p><b><i>Decision: Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication.</i></b></p>	
<p>Options:</p> <ol style="list-style-type: none"> <li>1. Parents/Guardians</li> <li>2. Emergency Shelter</li> <li>3. Staff Secure Facility</li> <li>4. Secure Detention Facility</li> <li>5. Electronic Monitoring</li> <li>6. Tracker Services</li> </ol>	
<p>Formal Determining Factors under NRS § 43-253</p> <ol style="list-style-type: none"> <li>a. Whether there is an “immediate and urgent necessity for the protection of such juvenile”</li> <li>b. Whether there is an “immediate and urgent necessity for the protection of...the person or property of another”</li> <li>c. Whether juvenile is likely to flee the jurisdiction of the court</li> </ol>	<p>Informal Determining Factors</p> <ol style="list-style-type: none"> <li>a. Seriousness of the Offense.</li> <li>b. Protection of the Public.</li> <li>c. Protection of the Juvenile.</li> <li>d. Need for Supervision.</li> <li>e. Flight Risk.</li> <li>f. Trust.</li> </ol>
<p>Notes:</p> <p>Juveniles in detention are brought before the judge within the next juvenile court day and the court must decide whether the juvenile remains in detention. Counsel for the State typically offers to the Court copies of the arrest affidavit from the law enforcement agency and the detention authorization and intake information from the probation office. Counsel for the State usually visits with the parent ahead of time to determine if the parent has concerns for the juvenile and those concerns are relayed to the Court. Based on the seriousness of the offense and the need to protect the public and/or the juvenile, the Court can order that the juvenile (1) remain in detention pending another hearing, (2) be released to the custody of the parent or custodian, or (3) authorize the Department of Health and Human Services to find suitable placement. If the juvenile is released to the parent, the Court can issue Conditions of Release which are temporary court orders that govern the behavior and whereabouts of the juvenile. An electronic monitor can be ordered through the Juvenile Court. The electronic monitor will administered by the designated county Juvenile Accountability/Services Program. The Juvenile Accountability/Services Officer can also perform tracker services where the juvenile can be subject to random visits to verify compliance with the Conditions of Release. If the juvenile remains in detention, the youth is placed in the Northeast Nebraska Juvenile Services detention center in Madison. This detention center has both Secure Detention and Staff Secure Detention. If the Department of Health and Human Services needs to place a youth in an emergency shelter, they may place females in the Norfolk Group</p>	

Home or males in different shelters in Nebraska. Other factors that affect the detention status are the juvenile's need for supervision and risk to flee the jurisdiction. A youth may also have a record of non-compliance with previous orders of the court. During the calendar year of 2011, the Northeast Nebraska Juvenile Detention Center had the following youth go through their facility: Madison County 110 juveniles, Stanton County 4 juveniles and Antelope County had 3 juveniles. Some of those bookings were juveniles that were taken to the detention center after having been released previously. Others were "adults" who are still under the age of 18 and may be serving time on an adult charge.

**SYSTEM POINT: PROBABLE CAUSE HEARING**

PARTY RESPONSIBLE: Juvenile Court Judge

STATUTE REFERENCE: NRS § 43-256

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

Formal Determining Factors under NRS § 43-253 a. Whether Probable Cause Exists	Informal Determining Factors a. Whether Probable Cause Exists
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Notes:  
Whether an actual determination if probable cause exists to charge a juvenile with an offense is dependent upon whether a request for a probable cause hearing has been made. If a juvenile is charged with a felony as an adult, the juvenile is advised that there is a right to a preliminary hearing. At the detention hearing in juvenile court, the Court is typically provided with a copy of an arrest affidavit. In non-detention hearings, there is usually no request for a preliminary hearing. If there is any request made by the juvenile, it is to hold an adjudication hearing where a hearing can be held on the charges.

**SYSTEM POINT: COMPETENCY EVALUATION**

PARTY RESPONSIBLE: Juvenile Court Judge

STATUTE REFERENCE: NRS § 43-258(1(b))

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

Formal Determining Factors under NRS § 43-258 a. Concern for the Competency of the Juvenile	Informal Determining Factors a. Concern for the Competency of the Juvenile
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Notes:  
If anyone involved in the juvenile court proceedings believes that there is a question whether the juvenile understands the proceedings or appreciates the nature of the offense, then a competency evaluation will be ordered. Not only will an evaluation be ordered but the Court will appoint a Guardian ad Litem to the juvenile and direct the Guardian ad Litem to meet with the juvenile and assist the juvenile in understanding the proceedings. Competency evaluations are not that common, but, when ordered, the evaluation can be done locally because there are several qualified psychologists. There have been referrals to psychologists who specialize in doing competency evaluations and adolescent evaluations that have been consulted.

**Decision:** *Whether juvenile is "responsible" for his/her acts* NRS § 43-258(1(c) and (2))

Formal Determining Factors under NRS § 43-	Informal Determining Factors
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258 a. Physician, Surgeon, Psychiatrist, Community Health Program, Psychologist b. Complete evaluation of the juvenile including any authorized area of inquiry requested by court.” (NRS § 43-258(2))	a. Mental Health Professional. b. Evaluation submitted to the Court.
<p>Notes: The experience in the tri-county area is that competency evaluations or evaluations to determine if a juvenile is “responsible” for the acts that led to the offense are not common. During the competency evaluation, the psychologist or psychiatrist will make a determination whether the juvenile knew right from wrong and knew whether the acts were done with an intended result.</p>	

**SYSTEM POINT: ADJUDICATION**  
 PARTY RESPONSIBLE: Juvenile Court Judge  
 STATUTE REFERENCE: NRS § 43-279 (2) and (3)

**Decision: Whether the juvenile is, beyond a reasonable doubt, “a person described by section 43-247.”**

<p>Formal Determining Factors under NRS § 43-279</p> <ul style="list-style-type: none"> <li>a. Legal sufficiency of evidence presented during adjudication hearing</li> <li>b. Whether juvenile admits the allegations of the petition (or, “pleads to the charges”)</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Is Evidence Beyond a Reasonable Doubt?</li> <li>b. Juvenile has the Right to Counsel.</li> <li>c. Rules of Evidence Apply.</li> <li>d. Admissions are Intelligent and Voluntary.</li> </ul>
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Notes:  
 The juvenile courts in Madison, Stanton and Antelope Counties operate under the statutory framework and Nebraska case law. If a juvenile denies the charges in the juvenile court petition, an adjudication hearing is held where the State must present evidence beyond a reasonable doubt. Even though this is not “criminal” court, the State’s evidence is still bound by the rules of evidence. For example, the State cannot just present hearsay evidence unless it falls within one of the permitted exceptions to the hearsay rule. Juveniles have the right to counsel – court appointed if they cannot afford it. There is a general assumption that juveniles cannot afford counsel of their own due to their dependency on their parents. There have been occasions when a parent who has the financial wherewithal to afford counsel has been taxed with some of the costs of court-appointed counsel if they have chosen not to retain counsel for their children. In those cases, a parent has filled out a financial affidavit and the court has made a determination that they need to pay a portion of the court appointed costs. In many cases, the juvenile does admit to the charges instead of going to trial. In those cases, the judge will inquire of the juvenile if their admission is made freely and voluntarily with a full knowledge of the possible dispositions available. The judge will also ask the juvenile if he or she knows that he or she is giving up the right to an adjudication hearing and all the other trial rights. The judge will then ask the juvenile what it is that he or she has done to commit the act alleged in the juvenile court petition. This ensures that the juvenile is making an intelligent plea and that there is an adequate factual basis to support the plea.

**Decision: Whether to order probation to conduct a pre-disposition investigation.**

<p>Formal Determining Factors under NRS § 43-286</p> <ul style="list-style-type: none"> <li>a. Whether to Place Juvenile on Probation</li> <li>b. Whether to Permit the Juvenile to Remain in the family home or other suitable home.</li> <li>c. Whether to Commit to OJS or DHHS.</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Is Additional Information Needed?</li> <li>b. What is the Risk Level?</li> <li>c. What is the Appropriate Supervision Level?</li> <li>d. Whether to Order Restitution.</li> </ul>
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Notes:  
 It is the practice of the juvenile court of the tri-county area to determine the appropriate disposition for a juvenile after adjudication. Sometimes, the court has sufficient information following the adjudication to make a disposition immediately. For instance, if there is little to none prior history of delinquency and the juvenile is otherwise behaving at home and at school, the court will not order a

pre-disposition investigation by the probation office. The dispositions available to the court range from the least restrictive (i.e. probation while residing in the family home) to the most restrictive dispositions (i.e. out-of-home placement in an institution). If the court believes it needs additional information in order to make a decision at disposition, then the juvenile is often ordered to submit to a pre-disposition investigation (PDI) with the probation office. The PDI generally takes 6 to 8 weeks to complete. The court then utilizes the PDI to determine the risk level and supervision level needed for the juvenile. Restitution may be an issue and information will be gathered for the PDI. If the juvenile has committed a felony, it is the general practice to order a PDI. If the juvenile has an extensive prior history, the juvenile is often ordered to submit to a PDI to determine what other options are left for the juvenile court.

**Decision: Whether to order OJS evaluation** NRS § 43-281

Formal Determining Factors under NRS § 43-281 a. Need evaluation before committing to OJS	Informal Determining Factors a. What is the Appropriate Supervision Level? b. What Services are Needed? c. Further Insight into the Juvenile and Family
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Notes:

There are times when the juvenile court needs additional insight into the juvenile and the juvenile’s family in order to make an appropriate disposition. If one of the viable options for the juvenile is a commitment to the Office of Juvenile Services for appropriate placement, then the juvenile court must order an OJS evaluation prior to the commitment. Because the OJS evaluation contains a psychological evaluation as well as assessments for chemical dependency and psychiatric care, it is a valuable tool to gain insight on the juvenile. Because juvenile services are for the most part managed by Magellan Managed Care, juveniles cannot access care without the OJS evaluation. The OJS evaluation coordinator also scores the juvenile for risks and needs and ultimately makes a recommendation to the court for the appropriate supervision level and set of services. OJS evaluations are particularly ordered if the court believes that out-of-home care is in the juvenile’s best interests. Serious offenses like Sexual Assault will almost always trigger an order for an OJS evaluation.

**Decision: Whether to order a PDI or OJS Evaluation**

Formal Determining Factors under NRS § 43-286 a. Presumably supplement each other b. Uncertainty about whether probation or commitment to OJS is in the juvenile’s best interest	Informal Determining Factors a. Nature of the Offense b. Prior History c. Behaviors d. Family Circumstances
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Notes:

It is the practice of the juvenile court to order the PDI before making any order for an OJS evaluation. If the probation officer makes a recommendation in the PDI for an OJS evaluation, the court will likely order an OJS evaluation. There are times when an OJS evaluation is ordered first if the court believes that a juvenile is in an emergency set of circumstances. There are only rare occasions that a PDI and an OJS evaluation are ordered at the same time. That is viewed as a duplication of efforts even though each process has its own distinction. Another reason why the PDI would be ordered first is that many times an OJS evaluation is not needed if the PDI recommends probation. In addition, the OJS

evaluators like to have access to the PDI as a part of their collateral sources. Whether a PDI or OJS evaluation is ordered is often dependent on the nature of the offense, the juvenile’s prior history, the juvenile’s current behaviors and the family’s circumstances.

<b>SYSTEM POINT:</b>	<b>DISPOSITION</b>
PARTY RESPONSIBLE: Juvenile Court Judge	
STATUTE REFERENCE: NRS § 43-286 (1)	

<b>Decision: Whether to place juvenile on probation</b> NRS § 43-286(1)(a)(i)	
Formal Determining Factors under NRS § 43-286 a. Whether Probation is Appropriate.	Informal Determining Factors a. Nature of the Offense b. Prior History c. Behaviors d. Family Circumstances

Notes:  
 Most dispositions in the juvenile court of Madison, Stanton and Antelope Counties end with an order of probation. It is the preferred option because it is the least restrictive rehabilitation plan. However, probation is only ordered if it is appropriate for the juvenile. The court takes the recommendations of the County Attorney’s Office, the juvenile’s counsel and/or guardian ad litem and even the parents into consideration when making a decision on disposition. As stated earlier, the court may need additional information that can be provided by a PDI or an OJS evaluation to determine if probation is appropriate. Whether probation is ordered is often dependent on the nature of the offense, the juvenile’s prior history, the juvenile’s current behaviors and the family’s circumstances. The standard terms of the probation include such orders as restricting the juvenile’s curfew, requiring the juvenile to obey all laws and rules of the family home, requiring attendance at school and compliance with school rules, making apologies and restitution to the victims, and the performance of community service hours. Probation will screen each youth using YLS, if a youth scores over a 16 they will placed on Community Based Intervention. According to the District 7 Probation Office between May 1<sup>st</sup>, 2011 to May 1, 2012 the probation office completed 58 intakes on youth in the 7<sup>th</sup> judicial district. Of those 58 intakes, 32 were Madison County, 2 Stanton County and 4 were Antelope County. During May 1<sup>st</sup>, 2011 to May 1<sup>st</sup>, 2012, District 7 Probation Office supervised the following: Madison County—69 juveniles in 89 cases, Stanton County—15 juveniles in 16 cases and Antelope County—6 juveniles in 7 cases.

<b>Decision: Whether to commit such juvenile to the Office of Juvenile Services</b> NRS § 43-286(1)(b)	
Formal Determining Factors under NRS § 43-286 a. Whether OJS Commitment is Appropriate. b. Whether Out-Of-Home Care is Needed. c. Whether Juvenile Should Go to YRTC.	Informal Determining Factors e. Nature of the Offense f. Prior History g. Behaviors h. Family Circumstances i. Risk and Supervision Level j. Need for Services

Notes:  
 If an OJS evaluation has been ordered prior to disposition, the juvenile court will receive a comprehensive evaluation by one or more mental health professionals. The OJS evaluation will not only consist of a diagnosis and a set of recommendations for care but a risk assessment. The OJS evaluation coordinator will make an ultimate recommendation based on all the factors. Those recommendations may range from probation to OJS commitment. If the recommendation for an OJS

commitment is made, the OJS evaluation will advise what type of supervision level. Those levels can include a least restrictive method such continuation in the family home with the legal custody ordered to OJS to the most restrictive method of placement at one of the two Youth Rehabilitation and Treatment Centers in Nebraska. In between, the Office of Juvenile Services has access to placements such as foster homes, agency-based foster homes, group homes, treatment group homes, enhanced treatment group homes and residential treatment centers. All of these possible dispositions within the Office of Juvenile Services are very dependent on the nature of the offense, the juvenile's prior history, the juvenile's current behaviors, the family's circumstances and the juvenile's need for services. According to the YRTC-Kearney 2011-2012 annual report, there were 16 commitments from Madison County and per the YRTC-Geneva 2011-2012 annual report, there were five committed from Madison County and one from Stanton County.

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

<p>Formal Determining Factors under NRS § 43-286</p> <ul style="list-style-type: none"> <li>a. No apparent authority for delinquent in the legal custody of parents/guardian.</li> <li>b. Gives probation responsibility of supervision, but opens access to HHS/OJS funds for treatment or rehabilitation.</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Need for Structure.</li> <li>b. Need for Supervision.</li> <li>c. Need for Services.</li> </ul>
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**Notes:**

The juvenile court of the tri-county area tries not to commit a juvenile to the Office of Juvenile Services and places them on probation. However, a juvenile may be placed on probation and have their legal custody with the Department of Health and Human Services if the juvenile has been adjudicated under NRS Section 43-247 (3)(b). It can be duplication of services by having a juvenile supervised by both the State Probation Office and DHHS. However, there are times when it is appropriate to place the juvenile under the structure of a probation order but also have access to services that are best provided by the Department of Health and Human Services. The State Probation Office does not have the funding available to it to provide services like the Department of Health and Human Services. In the tri-county area, efforts are made to locate agency help without accessing DHHS. Madison, Stanton and Antelope Counties are in the Region IV mental health district. Region IV has the Professional Partners Program (PPP). PPP has caseworkers that can meet with families on a regular basis and design "wrap-around" services. The Professional Partners Program has a very good working relationship with the probation office and the Juvenile Court.

**SYSTEM POINT: ADMINISTRATIVE SANCTIONS**

PARTY RESPONSIBLE: Probation  
 STATUTE REFERENCE: NRS § 29-2266

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

<p>Formal Determining Factors (NRS § 29-2266 (2))</p> <ul style="list-style-type: none"> <li>a. Probation officers have reasonable cause to believe that probationer has committed or is about to commit a substance abuse violation or a non-criminal violation</li> <li>b. 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</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Whether violation is major or minor</li> <li>b. Whether violation can be handled informally through administrative sanction</li> <li>c. Whether juvenile cooperates in</li> </ul>
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<p>c. Non-criminal violation means:</p> <ul style="list-style-type: none"> <li>i. Moving traffic violations;</li> <li>ii. Failure to report to his or her probation officer;</li> <li>iii. Leaving the jurisdiction of the court or leaving the state without the permission of the court or his or her probation officer;</li> <li>iv. Failure to work regularly or attend training school;</li> <li>v. Failure to notify his or her probation officers of change of address or employment;</li> <li>vi. Frequenting places where controlled substances are illegally sold, used, distributed, or administered;</li> <li>vii. Failure to perform community service as directed;</li> <li>viii. Failure to pay fines, court costs, restitution, or any fees imposed pursuant to section 29-2262.06.</li> </ul>	<p>agreeing to the administrative sanction</p> <ul style="list-style-type: none"> <li>d. Whether parent agrees to assist juvenile in complying with sanction</li> <li>e. Whether an extension of probation is needed to handle violation</li> </ul>
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Notes:

The State Probation Office in Norfolk follows Nebraska law and its own rules and regulations regarding whether to impose an administrative sanction. If the probationer has violated the probation order but the type of violation can be handled informally, then the probation officer has the authority to request that the probationer submit to the administrative sanction. The probationer would sign a standard administrative sanctions form that requires them to agree that they violated their probation and requires them to agree to comply with an additional request of the probation officer. In the case of a substance abuse violation, the probation officer may request that the juvenile submit to a drug and alcohol evaluation and follow the recommendations. That may mean enrolling in a drug and alcohol education course or engaging in substance abuse counseling. The probationer may also be instructed to report more frequently for drug testing. Such a sanction will avoid the necessity of reporting to court for a motion to revoke probation. Future violations may require the filing of a motion to revoke probation. Violations of affirmative duties such as paying restitution or performing community service hours may require the probationer to enter into an agreement to apply for an extension of the probation. That agreement is then sent down to the court for approval. Administrative sanctions have proved useful in handling minor probation violations rather than needing to go to back to court for every issue.

**SYSTEM POINT: MOTION TO REVOKE PROBATION**

PARTY RESPONSIBLE: County Attorney  
 STATUTE REFERENCE: NRS § 43-286(4)(b)(i)

<p>Formal Determining Factors under NRS § 43-286</p> <ul style="list-style-type: none"> <li>a. Probation Office Files Alleged Violation</li> <li>b. Law Enforcement Citation is a Violation</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Nature of the Violation.</li> <li>b. Severity of the Violation.</li> <li>c. Necessity for Accountability.</li> </ul>
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d. Need for Alternative Disposition.

Notes:

The area County Attorney's Office is notified of probation violations generally in one of two ways. The State Probation Office may send an alleged probation violation to the county attorney's office. The document sent by the probation office sets forth the nature of the violation of probation. The other way for the county attorney's office to be notified is if there is a citation and/or report from a law enforcement agency and the internal records show that the juvenile is still on probation. Also, the county attorney's office may be notified of probation violations if contacted by the parent of the juvenile or contacted by the school where the juvenile attends. In any of these circumstances, the County Attorney's Office may file a motion to revoke probation alleging which conditions of probation have been violated. A hearing is set up by the juvenile court and the juvenile has a first hearing similar to the first hearing conducted on the original petition. In other words, the juvenile will be advised of his or her rights, possible consequences and possible pleas. Before filing a motion to revoke probation, the Madison County Attorney's Office may consult with the probation office to determine if the motion should be filed or if there are other alternatives to handling the violation such as administrative sanctions.

**SYSTEM POINT: MODIFICATION/REVOCATION OF PROBATION**

PARTY RESPONSIBLE: Juvenile Court Judge

STATUTE REFERENCE: NRS § 43-286(4)(b)(v)

Formal Determining Factors under NRS § 43-286

- a. Should probation be modified?
- b. Should probation be extended?
- c. Should new disposition be entered?

Informal Determining Factors

- a. Recommendations by probation office.
- b. Recommendations by counsel.
- c. Recommendations by other professionals.

Notes:

Once a juvenile has been found in violation of the probation order, then the juvenile court has a limited amount options. The critical question is whether the juvenile is a good candidate to remain on some form of probation. Often, the juvenile court will order a letter report from the probation office in order to obtain recommendations. In addition, letters of recommendation from professionals (counselors, social workers, school officials) working with the juvenile will be obtained. During the disposition hearing, counsel of record will make recommendations to the court. If the juvenile court is under the belief that the juvenile is still making progress and making amends for the probation violation, then the court is more than likely going to keep the juvenile on some form of probation. That order can include an extension on probation. The probation order can be modified to include an additional condition such as counseling. There are also times where a probation order can be made more restrictive by either tightening the curfew conditions or implementing an order of intensive supervised probation. In the event that probation is revoked by the court, the juvenile court can either terminate the probation unsatisfactorily or institute a new order such as commitment to the Office of Juvenile Services. In that event, an OJS evaluation would be ordered first.

**SYSTEM POINT: SETTING ASIDE ADJUDICATION**

PARTY RESPONSIBLE: Juvenile Court Judge

STATUTE REFERENCE: NRS § 43-2,104

*Decision: Whether juvenile has satisfactorily completed his or her probation and supervision*

***or the treatment program of his or her commitment*** NRS § 43-2,102

<p>Formal Determining Factors under NRS § 43-2,103</p> <ul style="list-style-type: none"> <li>a. Juvenile’s post-adjudication behavior and response to treatment and rehabilitation programs</li> <li>b. Whether setting aside adjudication will depreciate seriousness of juvenile’s conduct or promote disrespect for law</li> <li>c. Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based.</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Whether juvenile requests a set-aside.</li> <li>b. Whether State objects to set-aside.</li> </ul>
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Notes:  
 There is a procedure for a juvenile to have the adjudication set-aside after a successful completion of probation. However, an adjudication is set-aside only if the juvenile requests. There have been only a few requests for setting aside the adjudication. Typically, the juvenile is now older and is seeking to clear the record of a specific finding in the juvenile court. Absent any significant problems with the juvenile or the underlying case, the State typically does not object.

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

<p>Formal Determining Factors</p> <ul style="list-style-type: none"> <li>a. OJS authority under NRS § 43-412</li> <li>b. OJS to file discharge under NRS § 43-289</li> <li>c. Court jurisdiction continues under NRS § 43-295</li> </ul>	<p>Informal Determining Factors</p> <ul style="list-style-type: none"> <li>a. Whether juvenile has achieved goals.</li> <li>b. Whether OJS requests discharge.</li> <li>c. Whether further need for court involvement.</li> </ul>
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Notes:  
 When juveniles are committed to the Office of Juvenile Services, the juvenile is required to complete whatever goals have been designed by the Office of Juvenile Services. The OJS worker will create a case plan of goals and services and will implement recommendations made in the OJS evaluation. A key feature of the rehabilitation plan is a treatment plan in which the juvenile is involved in some type of therapeutic intervention. Typically, OJS will not discharge a juvenile until the juvenile has met the goals of the case plan and the treatment plan. In addition, the juvenile will need to show compliance with the Conditions of Liberty Agreement. If the juvenile has been discharged from an out-of-home placement, the juvenile must demonstrate stability back in the family home or in some home in which permanency will be established. When OJS believes the juvenile is ready for discharge, a letter will be sent to the court requesting discharge and a hearing will be set. If the juvenile has been committed to one of the State’s Youth Rehabilitation and Treatment Centers, then the Office of Juvenile Services can discharge the juvenile from their custody without a court order. However, OJS will often follow the practice of requesting a discharge when the juvenile is deemed to have met all the expectations while on parole from the YRTC. There may be occasions when a request for discharge from OJS is entered but the juvenile may remain under the court’s jurisdiction for a period of time to ensure that the transition back to the family home has been successful or in the event that a guardianship needs to be entered to provide the juvenile with permanency.

## **Section IV**

### **Community Socio-Economics**

#### **Madison County**

Madison County is located in Northeast Nebraska. It is bordered by Stanton, Platte, Boone, Antelope, and Pierce Counties. The main highway that runs north and south in the county is U.S. Highway 81; the main highways running east and west are U.S. Highway 275 in the northern half of the county and Nebraska Highway 32 in the southern half of the county. Nebraska Highways 24, 35, 45, and 121 also cross through Madison County. U.S. Highway 81 is a main thoroughfare crossing north to south through the United States and brings a variety of people from all along the highway through Madison County.

Located within Madison County are the cities/towns of Battle Creek, Madison, Meadow Grove, Newman Grove, Norfolk, and Tilden (partial). The total population of Madison County, in the 2010 U.S. Census was 34,876; with 24,210 of those residents residing within the limits of the city of Norfolk: the 9<sup>th</sup> largest city in the state. The total overall population of Madison County is down from the year 2000, when it was listed as being 35,226. This marks the first time in U.S. Census History that Madison County has suffered from a decrease in county population in more than 100 years.

Many of the major economic pillars are located in or very near to Norfolk, Nebraska. They include Nucor/Vulcraft, Affiliated Foods, Covidien, Wal-Mart, and Faith Regional Health Services. Another of the major economic pillars in Madison County is the Tyson Foods plant located in the county seat, Madison, Nebraska. All of these businesses not only supply residents of Madison and surrounding communities jobs, but also attract prospective employees from across the country and from bordering nations to Madison County.

Located within Madison County are two collegiate/trade schools. They are Northeast Community College and Joseph's College of Beauty. Both are located in Norfolk, Nebraska. Both of these schools bring in young adults from around the Midwest area and students from across the country into Madison County.

Given the number of economic opportunities available in Madison County, and the opportunities for higher learning also presented, a variety of different cultures, outlooks, familial values, and views of government officials are present within this northeast Nebraska county, presenting local law enforcement, county government, and juvenile accountability officers a wide array of individuals to encounter in a myriad of situations.

Madison County is also home to 14 different primary level public schools, three middle schools, and four high schools (including the Alternatives For Success, alternative high school). Madison

County also is home to 10 private schools encompassing both primary and secondary levels of education.

Madison County is also home to the easternmost portion of the Cowboy Trail and to the Yellowbanks State Wildlife Management Area. It is also home to the Off Road Ranch, Divots Devent Center and Riviera Raceway, all of which bring in revenue and visitors from around the area, state, and the Midwest for special events, concerts and more. These specific attractions along with several local events, including the Christian Cross Festival and Big Bang Boom, put on by bars, churches, civic organizations, and other local businesses combine to attract a large number of individuals from the surrounding area to Madison County. These attractions also bring with them their fair share of juveniles and the challenges that accompany them as they attend concerts and other events at these locations.

Also located in Madison County are numerous parks located in each of the towns found within the county, presenting several locations for juveniles to congregate.

In addition to the above mentioned attractions, Madison County also is the home to the Department of Health and Human Services' Norfolk Regional Center, a 120-bed sex offender treatment center.

The population of Madison County, based on 2010 U.S. Census data contains 4,504 persons of Hispanic/Latino decent and 30,372 persons of non-Hispanic/Latino decent. The remaining racial breakdown of the population of Madison County is listed below.

#### MADISON COUNTY POPULATION BY RACE

White	30,752	88.175%
African American	444	1.273%
Asian	167	LESS THAN 1%
American Indian/Alaska Native	401	1.150%
Native Hawaiian/Pacific Islander	16	LESS THAN 1%
Other	2,486	7.128%
Identified by two or more	610	1.750%

2010 U.S. Census Data

17,314 of the population, via the 2010 U.S. Census are listed as male, and 17,562 are listed as female. 8,727 of these individuals are listed as being under the age of 18, while another 2,458 are listed as being between the ages of 20-24. This equates to approximately 25% of the total population of Madison County being under the age of 18. There are 4,399 households in Madison County that are identified as having individuals under the age of 18 residing there. The remainder of the county's age breakdown is listed below.

**MADISON COUNTY POPULATION BY AGE**

Under 18	8,727	25.023%
20-24	2,458	7.048%
25-34	4,276	12.261%
35-49	6,286	18.024%
50-64	6,821	19.558%
65 & Over	5,124	14.692%

2010 U.S. Census Data

Given the large amount of juveniles showcased in the above chart, and the wide variety of opportunities present within the county, it is obvious that Madison County is a growing county and is in need of a multifaceted, multi-agency approach towards working for/with local youths and their families to maintain a safe and positive community environment for everyone coming to Madison County.

**ANTELOPE COUNTY**

Antelope County is located in Northeast Nebraska. It is bordered by Pierce, Madison, Boone, Wheeler, Holt and Knox Counties. U .S. Highway 20 and U.S. Highway 275 are the main thoroughfares that pass through the county. Nebraska Highways 13, 14, 45, and 70 also pass through the county.

Located within Antelope County are the towns of Brunswick, Clearwater, Elgin, Neligh, Oakdale, Orchard, Royal, and Tilden (partial). The largest city in the county is the county seat of Neligh with a total population in the 2010 census of 1,599. The total overall population of Antelope County is 6,685. This overall population is down from the population taken in the 2000 U.S. Census, which was 7,452.

The main economic structure of Antelope County is agriculturally based, and includes farming and small businesses related to the agricultural field.

Antelope County is home to four primary schools, four high schools, and two private schools covering both primary and high school levels.

Ashfall Fossil Beds is located within Antelope County and attracts tourists from the surrounding area of the Midwest and visitors from around the world.

Like many agriculturally based economic counties in the Midwest, Antelope County is composed of a number of small towns surround by farmland. As such, the number of attractions and activities, aside from some small locally based activities from time to time, is less than in more populated areas. The closest economic centers to Antelope County are the towns of

O'Neill, located in Holt County; and Norfolk, located in Madison County. This means that aside from a few small local attractions, that residents, including juveniles, are forced to create their own entertainment or to travel some distance to neighboring towns and counties to pursue other options of entertainment, shopping, and the like.

Based on the 2010 U.S. Census, Antelope County has a total population of 178 individuals of Hispanic/Latino descent, and 6,507 people of non-Hispanic/Latino descent.

**ANTELOPE COUNTY BY RACE**

White	6,517	97.487%
African American	19	LESS THAN 1%
Asian	20	LESS THAN 1%
American Indian and Alaska Native	11	LESS THAN 1%
Native Hawaiian and Pacific Islander	0	0%
Other	77	1.152%
Identified by two or more	41	LESS THAN 1%

2010 U.S. Census Data

Antelope County is composed of 3,329 males and 3,356 females. 1,574 people in the county are under the age of 18, with only 260 others being between the ages of 20-24. Given these numbers, approximately 23.5% of the population of Antelope County is under the age of 18, and therefore considered to be juveniles in the state of Nebraska. There are 757 household in Antelope County with individuals under the age of 18 residing in them. The remainder of the county's age break down is listed in the chart below.

**ANTELOPE COUNTY POPULATION BY AGE**

UNDER 18	1,574	23.545%
20-24	260	3.889%
25-34	628	9.394%
35-49	1,130	16.904%
50-64	1,563	23.381%
65 & Over	1,404	21.002%

2010 U.S. Census Data

Given the above information, including the large number of juveniles in Antelope County in comparison to young adults, it appears that there is little to attract young adults to Antelope County. This in turn lends itself to the struggles faced by the large juvenile population within the county as they attempt to find meaningful, safe, and legal opportunities to fill their spare time. Given this information, it is obvious that it is imperative to identify and promote the activities that are found in and around Antelope County to assist these juveniles and their families in maintaining a safe and healthy environment for the juveniles.

## **STANTON COUNTY**

Stanton County is located in Northeast Nebraska. It is bordered by Cuming, Colfax, Platte, Madison, and Wayne Counties. The main thoroughfare that runs through Stanton County is U.S Highway 275, which runs from east to west in the northern end of the county, and Nebraska Highway 35 which crosses over the northwestern corner of the county. Nebraska Highways 15, 24, 32, and 57 also cross through Stanton County.

Stanton, the county seat, is the larger of the two towns located in Stanton County, with the other being Pilger. The total population of Stanton County, based on the 2010 U.S. Census, is 6,129. This is down from the total population of the county in the 2000 U.S. Census, which was 6,455.

The main economic structure of Stanton County is agriculturally based, including farming and small businesses related to the agricultural field.

Stanton County is home to two primary schools, one middle school, one high school, and one private school that encompasses the primary grade levels.

Located within Stanton County is the Wood Duck State Wildlife Management Area and Maskenthine Lake Recreation Area. Both of these areas attract people from the surrounding area who enjoy taking part in a variety of outdoor and water activities including camping, fishing, boating, hiking, and bike trails.

Much like most other agriculturally centered counties in the Midwest, Stanton County is composed of a few small towns, in this case two, and is surrounded by large amounts of open farmland and other wildlife areas. Given this make up, the overall amount of attractions and activities found in the county is severely limited. The closest economic centers to Stanton County are Norfolk, located in Madison County; Wayne, located in Wayne County; and West Point, located in Cuming County.

Based on the 2010 U.S. Census, Stanton County has a total population of 6,129 people. Of these people 281 of them are of Hispanic/Latino decent, and 5,848 people of non-Hispanic/Latino decent. Further breakdowns of Stanton County by race are listed in the chart on the following page.

**STANTON COUNTY BY RACE**

White	5,814	94.860%
African American	41	LESS THAN 1%
Asian	6	LESS THAN 1%
American Indian or Alaska Native	25	LESS THAN 1%
Native Hawaiian or Pacific Islander	0	0%
Other	173	2.823%
Identified by two or more	70	1.142%

2010 U.S. Census Data

The U.S. Census data for 2010 lists that there are 3,031 males living within Stanton County, and 3,098 females. 1,684 of these individuals are under the age of 18. 271 individuals are between the ages of 20-24. The percentage of the population that are under the age of 18 is almost 27.5%. There are 835 household in Stanton County that have juveniles under the age of 18 living in them. The remainder of the county's age divisions are listed in the chart below.

**STANTON COUNTY BY AGE**

Under 18	1,684	27.456%
20-24	271	4.421%
25-34	754	12.302%
35-49	1,171	19.106%
50-64	1,255	20.476%
65 & over	865	14.113%

2010 U.S. Census Data

As noted above, there is a large percentage of the population of Stanton County that is under the age of 18 and therefore under the potential oversight of the Juvenile Accountability Office. Given the close proximity of Stanton County to Norfolk, Nebraska and all of the opportunities that are presented within that town, it is likely that the numbers of juveniles residing in Stanton County will not change drastically, as different families take up residence within Stanton County. Much like other rural agriculturally based counties, however, there is, in general, an overall lacking of options when it comes to positive, safe, and productive opportunities within

the county for juveniles to partake in. Those options that do exist are mostly small in size and limited in the amount of outreach and advertising that they can do to attract new youth to them. As such, it is vital for the wellbeing of the youth located within Stanton County that the opportunities within the county and surrounding areas are promoted to the youth in the area. This is to assist the families, youth, and support services individuals working with youth in the county maintain a positive, safe, and law-abiding environment for all.

## **Section V**

### **Identified Priority Areas & Corresponding Strategies**

## Madison, Stanton & Antelope County's Prioritized Needs

### Priority One (Issued Based)

To decrease the rate of substance abuse of the youth in Madison County, Antelope County, and Stanton County

Due to the unacceptable numbers of youth in the tri-county area who use and abuse illegal drugs and alcohol, it will be a priority to take all possible steps to lower the rates of substance abuse among this population. This goal will be met by taking a multi-pronged approach with cooperation among the Madison, Stanton & Antelope County Court system and various agencies in the area.

Decreasing the rate of substance abuse can include efforts to educate the youth to the dangers of substance abuse. Madison County Juvenile Accountability Officers currently present the Alternatives Youth Diversion Education Program to youth who have been placed on diversion, along with youth on Juvenile Services Program in Stanton & Antelope County. The Alternatives Program could possibly be expanded to reach out to youth that are not currently on diversion as a preventative and proactive step.

There are currently many youth on probation for various drug and alcohol offenses that may benefit from the information contained in the Alternatives. These youth could be referred to the program by their probation officers. There are other youth that the area schools may come into contact with that school personnel recognize as being at risk for using and abusing illegal drugs and alcohol. The area judges could even use the Alternatives program as part of the sentencing phase. Counselors in Professional Partners that counsel at-risk youth would also be free to refer some of their clients to the program. As long as there are grant funds to support the Alternatives program, the community should rightfully receive maximum benefit.

It is the goal of the tri-county area to utilize other educational venues including schools, substance abuse counselors, wrap-around services, professionals, and other related services to further educate youth about the dangers of substance abuse. These venues could also assist in getting youth that are already engaged in substance abuse to the best possible resources for their issues.

It would also be beneficial to youth that are susceptible to substance abuse to become involved in other meaningful, positive activities. Madison, Stanton & Antelope Counties would work with area churches, civic organizations, and youth groups to identify opportunities for the juveniles to become involved in their community. The Community Team will work to identify contact persons which enable the Juvenile Accountability/Services Officers, parents, and juveniles to more easily gain access to positive opportunities within the community.

The Community Team will work with local police and sheriff's departments to identify troubled areas of the community and individuals who are currently abusing substances or are prone to do so. It is important to have a unified approach among area law enforcement agencies involved with the youth within the counties of Madison, Stanton and Antelope. This would eliminate

some of the inconsistencies between counties and agencies for the handling of youth caught with illegal substances or alcohol.

The goal of decreasing the rate of substance abuse in the tri-county area will be implemented on the following timeline:

Year 1: Identify all possible organizations, schools, and venues that may have a crucial role in preventing youth from getting involved in substance abuse. A list will be compiled of all available support resources in the tri-county area and a contact list of people from various schools, support agencies, county offices, probation, etc. will be created.

Services such as the tri-county Diversion and Juvenile Services Program will be offered to youth, along with a Voluntary Juvenile Services Program for youth who are in risk of becoming involved in criminal activity or substance abuse. Wrap around services through Professional Partners will also be provided.

Meetings will be held with law enforcement agencies in the tri-county area to learn about the specific issues each agency has regarding juveniles involved in drug and alcohol activity.

Year 2: Review all resources and work together with all organizations involved in trying to promote positive activities to the youth in the tri-county area.

Continue Services as described in Year #1.

Year 3: Review year one and two's progress and continue to work with all agencies involved in reducing substance abuse with juveniles in the tri-county area.

Continue Services as described in Year #1.

### **Priority Two (Organization Based)**

To enhance and expand the Alternatives Youth Diversion Education Program

The Alternatives Youth Diversion Education Program has been an important part of the diversion program/juvenile services programs for the past several months. Classes are currently held two evenings a month at the Lifelong Learning Center at the Northeast Community College campus. Classes are currently divided into two 4-hour evenings. The classes cover such topics as the 40 Developmental Assets, illegal drugs, alcohol usage, making better choices, and the importance of positive relationships.

Juvenile Accountability Officers, Sherry Peterson and Michelle Sullivan, currently teach the Alternatives Youth Diversion Program. The program consists of a PowerPoint lecture, videos, student group activities, written assignments, and guest speakers. One of the current guest speakers has been a police officer with the Norfolk Police Division. There has been discussion about possibly adding a carefully selected guest speaker who overcame their addictions to drugs and/or alcohol. Other guest speakers may be added to the curriculum as the need or interest arises.

Currently the classes are only offered in Madison County, but it is the goal of the Community Team to expand the geographical scope of where the course is offered. The Community Team will be actively promoting the class to other agencies in the area to be utilized by them in their work with juveniles. The other agencies could either refer youth that would benefit from the program to the Madison County classes offered at Northeast College, or a copy of the materials and slide presentation could be utilized by the other agencies for their own usage.

Some juveniles continue to have issues and violations even after being in the diversion program. For these more difficult juvenile cases, an advanced class or probation classes could be offered that would be more intensive and would include additional topics such as avoiding peer pressure, improving relationships with parents and teachers, and concentrating on making the right choice when they find themselves in a future predicament.

The anticipated timeline for the enhancement and expansion of the Alternatives Youth Diversion Education Program is as follows:

Year 1: Add additional guest speakers to the program content. They could possibly be obtained from contacting the local probation office and asking for recommendations. The process for creating an advanced or follow-up Alternatives Youth Diversion Program could be started.

Madison County Juvenile Services will present the Alternatives Program to school staff members and other interested organizations in order to reach out to additional youth in the tri-county area.

Year 2: Complete the advanced or follow-up Alternatives Youth Diversion Program and begin to bring youth into the program. The goal of sharing the Alternatives Program with other interested agencies should be implemented and completed by this time as well.

Year 3: The Alternatives Youth Diversion Programs could be streamlined and fully implemented by other area agencies that could benefit from presenting the program.

### **Priority Three (Organization Based)**

To increase collaboration between juvenile support service groups within Madison, Stanton & Antelope County areas

The Community Team will work to identify all support service options within the tri-county areas that could be utilized for those juveniles on the program. While there are many organizational partners that currently work with the juveniles in the diversion program and the juvenile services program, there are undoubtedly additional service groups that might be unknown to the county or currently underutilized. Research would be done to determine all of the service groups in the area and what additional services that these groups offer that may have not been used previously.

The Community Team will compile a comprehensive list of the services offered and the proper avenue to obtain the available services. A timeline has been established in order to accomplish this goal:

Year #1: Research and identify ways to increase the ease at which the Community Team and involved agencies can work with other agencies and utilize their services.

Year #2: Commence the implementation of the options identified in the previous year.

Year #3: The collaboration between the tri-county area and juvenile support service groups will be at a comfortable working relationship by this point.

**Priority Four (Issue Based)**

To reduce the rate of long term juvenile detention within the Madison, Stanton and Antelope County areas by utilizing alternatives to detention when possible

The issue of a significant number of youth being incarcerated at the Madison County Juvenile Detention Center is one priority that is being addressed. In order to decrease the number of youth residents at the Madison County Juvenile Detention Center, several steps must be taken.

The Community Team will increasingly work with the court to expand the use of tracker and electronic monitoring systems, through the County Attorney's Juvenile Services Programs, Probation, and Office of Juvenile Services, which would allow placement of the juveniles back into their own homes and communities. Living in one's own home and community would in most cases be the more ideal situation as opposed to incarceration.

The Community Team would like to increase the use of tracker and electronic monitoring overall. There has been past success with intensive supervision of more high-risk youth. The increased number of visits from a Juvenile Accountability/Service Officers, more restrictive curfews, and the usage of an electronic ankle bracelet can be successful in many cases. The juvenile is allowed to live at home where there is hopefully a support network, and they avoid the sometimes negative experience of being kept in an institutional detention setting.

Members of the Community Team will be meeting with educational and supervisory staff at the Juvenile Detention Center to identify the specific areas of need for certain youth that are released from the detention center back into their local communities. The goal is to make this transition successful and permanent.

Year #1 Research resources available such as Juvenile Accountability Services, Probation, Professional Partners wrap around services and identify services available to reduce the number of juveniles in detention and place them back into their family homes. Organizations in the area will continue to provide and enhance the services being provided so juveniles can be successful in returning home and staying out of the court system.

Year #2 Review services that were provided in year 1, meet with staff members of the detention center to determine the needs of juveniles after they are released from the detention center.

The Community Team members will work directly with schools in each school district to find ways to transition youth back into a regular classroom setting and recover credits to ensure that they will become successful, educated, responsible adults.

Year #3 Continue to provide services to youth in the tri-county area and review services to determine if they have been successful or if changes need to be made.

**Priority Five (Issued Based)**

**To reduce levels of truancy within Madison, Stanton and Antelope County School systems**

Truancy continues to be a major issue in the Norfolk Public Schools which are located in Madison County. The Norfolk Public Schools would be the largest school system in the tri-county area. There are several youth in the area that are choosing not to attend school or simply do not have the means to attend school because of parents who simply cannot transport the youth to school or choose not to.

It will be crucial to the success of this priority for the Community Team to work directly with school staff and the families of truant juveniles to specifically identify the causes of the truancy situations. Once the root of the situation can be uncovered, steps can be taken to remedy the causes.

It would be beneficial to restore the students to a full, or as full as possible, school schedule within the school systems of the tri-county area. In order to accomplish this task, Juvenile Accountability/Service Officers, Probation Officers, Office of Juvenile Services and Professional Partners will be working with area schools to set up a specific schedule for students to ensure that they are able to have a productive and positive educational experience.

Each county will aim to identify specific contact persons at schools located in their counties to better facilitate and increase efficiency of the work between the agencies involved with that specific youth.

Year #1—The Community Team and school staff members will work together to find a solution to the transportation problem with youth that are truant in the Norfolk Public School area or other areas in the tri-county area. A majority of the time this is due to the employment of parents who work for Tyson Foods or other factories. Contact will be made with those employers also to see if they are able to provide any assistance.

The Juvenile Accountability Office will continue to provide a Truancy Diversion Program for juveniles that have attendance issues. Professional Partners will work with school staff members and Juvenile Accountability in providing services for youth with attendance issues.

Explore the possibility of providing space for the Juvenile Accountability Office and Professional Partners Program to share an office at the Norfolk Junior High.

Year #2—Continue to provide a Truancy Diversion Program and assistance from Professional Partners to individual families dealing with truancy issues.

Year #3--Review progress made during Year 1 and 2 and continue to establish services that will assist juveniles who are truant to school.