Operation Youth Success
Policy and Advocacy Work Group
Monday, May 21, 2018
8:30-10:00 AM
UNO, Barbara Weitz Community Engagement Center, Room 128

Present: Mary Visek, A’Jamal-Rashad Byndon, Margarent Vacek, Shawne Coonfare, Joy Suder, Christine Henningsen, Catherine Hall, James Hubbard, Brad Alexander, Janee Pannkuk, Karla Dush, Amber Parker, Catherine Rivier, Debora Faga

OYS Updates:

- Prevention WG is participating in the Juneteenth Parade on Saturday, June 16th. All the work groups are invited to participate. We are filling backpacks with information to hand out during the parade, so if anyone would like their information included please let us know.
- Nebraska Chapter of Moms Demand Action will be sponsoring the “Wear Orange for National Gun Violence Awareness” event to be held at Columbus Park, 1515 S. 24th St., on June 2nd, 7-9pm; if you post pictures on Facebook of you and/or your staff and friends wearing orange and use #wearorange we will re-post on our Facebook page.
- “Honk for Peace” rally this Friday at 5pm, 72nd & Dodge.

Member Updates:

- Reunification picnic at Children’s Museum, June 2nd, 6-8pm

Summary of last meetings activities:

Follow up:

- Website page of “Legislative Updates” under the Policy and Advocacy Page – see below under Activity for discussion items
  - Provide a link to a trusted website instead of providing updates ourselves
- Shawne will reach out to an OPS representative
- Joy following up with Ray on multiple filings; PD breakdown with cases - have filings gone up?
  - Been in touch with Ray Curtis
  - Filings of juvenile justice cases (delinquency and status offenses) have gone up from 2016. In 2016 there were 1560 cases and in 2017, there were 1813; this includes both status and delinquent cases.

Mission Statement:

Across Douglas County, our vision is a comprehensive, coordinated, and community-wide approach to juvenile services that eliminates the need for youth involvement with our justice system while maintaining public safety.

For all youth who do enter our justice system, our goals are to provide effective, compassionate and individualized support that empowers youth and their families to succeed and to build an environment of mutual trust and accountability.
- Administrative offices are beginning to use COGNOS to be able to track items that haven’t been tracked before
- Multiple filings – are hard to track because of various reasons (names can be different on each filing, do not currently track dismissed cases, etc.); Ray suggested that Probation or the County Attorney’s office might have a better idea of multiple filings
  - Patrick and Brad – update sibling visitation at DCYC
    - They are meeting next week to discuss

**Activity:**
- Review work plan, finalize draft and determine next implementation steps
  - Would be helpful to have updates from all of the other work groups on what they are doing – will bring the OYS Updates provided to the Steering Committee
  - Added LB 869 and LB 870 to the work plan
- Update on Runaway Taskforce – Karla, Christine and others
  - Project Harmony has applied for a grant which would employ a mental health practitioner that would work with non-system involved runaways.
  - The group’s focus is on youth 13 and under who are non-system involved, because when they are system-involved they have entities currently supporting them
  - Promoting as a best practice National Safeline, a 14-objective curriculum that can be taught anywhere; discussing having one of their trainers come and hold the training
    - Have done some adjustment to include the Native American population
  - Lt. Scherer, through the Child Victims Unit, looked at a program that originated in St. Paul that includes ten questions that are asked by an officer of the youth that helps them assess whether the youth should be taken to the Child Advocacy Center or returned to the parent/guardian and has requested that this be included in their SOP
  - Had Y.E.S. present on National Safe Place, a program that includes various designated safe places a youth can go to contact Y.E.S.
- Update to final Legislative session
  - Christine provided a review on the legislative update handout (attached)
- Legislative Update section on OYS website (what should be included, how often should it be updated, etc.)
  - Provide an update (handout) on the legislative updates to the other work groups

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Christine will provide Debora with the Voices for Children link to place on OYS website for legislative updates

- Discussion: Brown Bagger idea
  - Follow up to Juvenile Reentry Project presentation by Legal Aid at the JJPF
  - Future areas/events in which to hold above presentation
- Have not yet brought the idea of a forum before the Steering Committee, but are considering holding something in the fall, perhaps in conjunction with the DMC committee

Decision making/next steps:
- What should be the next steps in preparation for next year regarding LB 869 (juvenile record sealing) and LB 870 (room confinement)?
- Record Sealing - Christine will do some work before the next meeting on record sealing
- Provide updates on legislative bills and what the Policy work group is doing to the other work groups
- The Policy group can, if there are bills that we want to promote or stand against, recommend to the Steering Committee to take a position for or against

Feedback Survey – Handed out

Next Meeting: Monday, July 23, 2018, from 830am -10am, Barbara Weitz Community Engagement Center, Marion Ivers Board Room, Room 128

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2018 SINE DIE UPDATE: JUVENILE JUSTICE LEGISLATION

JULIET SUMMERS
VOICES FOR CHILDREN IN NEBRASKA

Voices for Children in Nebraska is the independent voice building pathways to opportunity for all children and families through research, policy and community engagement.
NEW LAW

• LB 670: (KRIST) JUVENILE JUSTICE PACKAGE OF (MOSTLY CLEAN-UP) LEGISLATION
  • LB 670: CHANGE MEMBERSHIP AND DUTIES OF THE COALITION FOR JUVENILE JUSTICE
    • RESPONDS TO NEBRASKA’S WITHDRAWAL FROM TITLE II JUVENILE JUSTICE FUNDING BY EMPHASIZING THE STATE
      MANDATE FOR THE COALITION, REDUCING REQUIRED MEMBERSHIP, AND MAKING SOME DUTIES DISCRETIONARY
  • LB 516: CHANGE PROVISIONS RELATING TO A REPORT ON JUVENILE FACILITIES
    • MODIFIES THE DEFINITION OF ROOM CONFINEMENT TO SPECIFICALLY STATE THAT THE CHILD MUST BE ALONE AND
      IT DOES NOT MATTER WHETHER OR NOT THE ROOM IS “SUBJECT TO VIDEO OR OTHER ELECTRONIC MONITORING”
    • PROVIDES THAT REPORTED DATA SHALL REDACT PERSONAL IDENTIFYING INFORMATION, BUT SHALL PROVIDE
      INDIVIDUAL, NOT AGGREGATE DATA
    • PROVIDES ENFORCEMENT OF FAILURE TO REPORT THROUGH CHILD-CARING AGENCY LICENSURE AND CRIME
      COMMISSION DETENTION AND STAFF-SECURE STANDARDS
  • LB 673: CLEAN-UP FROM THE GRADUATED RESPONSE BILL FROM LAST YEAR
    • PROVIDES THAT IF A CHILD IS DETAINED IN RESPONSE TO A MOTION TO REVOKE PROBATION, THEIR PROBABLE
      CAUSE HEARING CAN BE DONE IN FRONT OF THEIR JUDGE.

NEW LAW

• LB 670: (CONTINUED)
  • LB 774: CHANGE PEACE OFFICERS’ DUTIES REGARDING ENCOUNTERS WITH CERTAIN JUVENILES
    • ALLOWS LAW ENFORCEMENT TO STREET RELEASE CHILDREN UNDER THE AGE OF 11. (IF THE CHILD IS NOT
      STREET RELEASED, THEY ARE TO BE DELIVERED TO HHS, NOT TO PROBATION.)
    • ALLOWS LAW ENFORCEMENT TO MAKE REFERRALS TO IMMEDIATE CRISIS INTERVENTION, DE-ESCALATION
      AND RESPITE CARE PROVIDERS FOR ALL CHILDREN THEY ENCOUNTER, NOT JUST IN RESPONSE TO A STATUS
      OFFENSE.
  • LB 826: PROVIDE FOR JURISDICTION TO MAKE FACTUAL FINDINGS UNDER THE UNIFORM CHILD
    CUSTODY JURISDICTION AND ENFORCEMENT ACT
    • ALLOWS A COURT CONSIDERING INITIAL CUSTODY TO MAKE FACTUAL FINDINGS ABOUT ABUSE, NEGLECT,
      NONVIABILITY OF REUNIFICATION, AND WHETHER REMOVAL TO A COUNTRY OR ORIGIN WOULD BE IN THE
      CHILD’S BEST INTEREST
NEW LAW

• LB 670: (CONTINUED)
  • LB 1112: CHANGE PROVISIONS RELATING TO PLACEMENT AND DETENTION OF JUVENILES
    • STARTING JULY 1, 2019, SETS OUT PERMISSIBLE RATIONALES FOR SECURE DETENTION AS FOLLOWS:
      "A JUVENILE SHALL NOT BE DETAINED UNLESS THE PHYSICAL SAFETY OF PERSONS IN THE COMMUNITY WOULD BE
      SERIOUSLY THREATENED OR DETENTION IS NECESSARY TO SECURE THE PRESENCE OF THE JUVENILE AT THE NEXT
      HEARING, AS EVIDENCED BY A DEMONSTRABLE RECORD OF WILFUL FAILURE TO APPEAR AT A SCHEDULED COURT
      HEARING WITHIN THE LAST TWELVE MONTHS."
    • STARTING JULY 1, 2019, IMPLEMENTS A SPECIFIC LIST OF IMPEMISSIBLE USES OF SECURE DETENTION, INCLUDING:
      • WHEN THE CHILD IS 12 YEARS OLD OR YOUNGER
      • PARENT REFUSAL TO KEEP THE CHILD AT HOME
      • FOR TREATMENT, PUNISHMENT OR REHABILITATION
      • DUE TO LACK OF ALTERNATE APPROPRIATE FACILITIES
    • PERMITS USE OF THE STATE COMMUNITY-BASED JUVENILE SERVICES AID FUND FOR COUNTIES TO APPLY ONE TIME
      TO MODIFY A DETENTION FACILITY OR CREATE A NEW ALTERNATIVE TO DETENTION
    • REQUIRES JURISDICTIONS APPLYING FOR THE CBJS FUND TO CONSIDER RACIAL AND ETHNIC DISPARITIES IN THEIR
      COMPREHENSIVE JUVENILE JUSTICE PLANS

NEW LAW

• LB 1078: (CRAWFORD) REQUIRE INVESTIGATION AND REPORTING BY INSPECTOR GENERAL
  INTO ALL ALLEGATIONS OF CHILD SEXUAL ABUSE OR ASSAULT OF YOUTH ON PROBATION
  OR IN PLACEMENT
    • THE IG INVESTIGATES CASES OF DEATH OR SERIOUS INJURY AND COMPLAINTS IN OUR CHILD-
      SERVING SYSTEMS
• LB 990: (WAYNE) CREATE THE OFFENSE OF A PROHIBITED JUVENILE OFFENDER IN
  POSSESSION OF A FIREARM
    • ANY JUVENILE ADJUDICATION FOR A FELONY OFFENSE OR MISDEMEANOR OFFENSE OF DOMESTIC
      VIOLENCE MAKES A JUVENILE A PROHIBITED PERSON UNTIL AGE 25
    • THE YOUTH MUST BE ADVISED BY THE COURT OF THIS POSSIBLE CONSEQUENCE IN ANY JUVENILE
      CASE THAT MIGHT GIVE RISE TO THE PROHIBITED JUVENILE STATUS
    • POSSESSION OF A FIREARM BY A "PROHIBITED JUVENILE OFFENDER" IS A CLASS IV FELONY FOR A
      FIRST OFFENSE, AND A CLASS III-A FELONY FOR SUBSEQUENT OFFENSES
DIED

- LB 158: EXTEND AUTOMATIC EARLY APPOINTMENT OF LEGAL COUNSEL IN ALL JUVENILE PROCEEDINGS STATEWIDE
- LB 869: STRENGTHEN JUVENILE RECORD SEALING AND CREATE A CATEGORY OF “ENHANCED” RECORD SEALING AFTER FIVE YEARS HAVE PASSED
- LB 870: RESTRICT ROOM CONFINEMENT OF JUVENILES
- LB 781: ELIMINATE MANDATORY MINIMUMS FOR MINORS SENTENCED IN ADULT COURT
- LB 875: ELIMINATE JUVENILE LIFE WITHOUT PAROLE AS A SENTENCING OPTION
- LB 930: PROHIBIT USE OF JUVENILES’ STATEMENTS MADE IN CUSTODIAL INTERROGATION WITHOUT A PARENT PRESENT

2018 INTERIM STUDY RESOLUTIONS

- LR 377: (LOWE) INTERIM STUDY TO EXAMINE SAFETY AND SECURITY AT THE YOUTH REHABILITATION AND TREATMENT CENTERS
- LR 418: (HOWARD) INTERIM STUDY TO EXAMINE THE DISPROPORTIONALITY THAT EXISTS IN NEBRASKA’S FOSTER CARE AND JUVENILE JUSTICE SYSTEMS
- LR 429: (PANSING BROOKS) INTERIM STUDY TO EXAMINE THE ROLE AND PURPOSE OF SCHOOL RESOURCE OFFICERS IN SCHOOLS
- LR 467: (WAYNE) INTERIM STUDY TO EXAMINE THE NEBRASKA JUVENILE CODE