

7-2017

Nebraska Alternative to Detention Programs 2015 to 2016

Sara E. Moore

University of Nebraska at Omaha, smoore3@nebrwesleyan.edu

Lindsey Wylie

University of Nebraska at Omaha, slwylie@unomaha.edu

Anne M. Hobbs

University of Nebraska at Omaha, ahobbs@unomaha.edu

Juvenile Justice Institute, University of Nebraska at Omaha

Follow this and additional works at: <https://digitalcommons.unomaha.edu/jjireports>

Recommended Citation

Moore, Sara E.; Wylie, Lindsey; Hobbs, Anne M.; and Juvenile Justice Institute, University of Nebraska at Omaha, "Nebraska Alternative to Detention Programs 2015 to 2016" (2017). *Reports*. 33.

<https://digitalcommons.unomaha.edu/jjireports/33>

This Report is brought to you for free and open access by the Juvenile Justice Institute at DigitalCommons@UNO. It has been accepted for inclusion in Reports by an authorized administrator of DigitalCommons@UNO. For more information, please contact unodigitalcommons@unomaha.edu.



EVIDENCE-BASED NEBRASKA

NEBRASKA ALTERNATIVE TO DETENTION PROGRAMS

2015 to 2016

Sara Moore, Doctoral Student
Lindsey E. Wylie, J.D., Ph.D.
Anne Hobbs, J.D., Ph.D.



UNIVERSITY OF
Nebraska
Omaha

Table of Contents

- 3 Executive Summary**
- 4 Introduction**
- 5 Nebraska’s Community-based Juvenile Services Aid Program**
- 5** Reporting Data in JCMS
- 7 Alternative to Detention Programs**
- 8 Youth Served in Alternative to Detention Programs**
- 10** Cases by Gender
- 10** Cases by Age
- 10** Cases by Race and/or Ethnicity
- 11** Intake Status
- 11** Referral Source
- 12** Otherwise Detained by Program/County
- 13** Cases by Presenting Offense
- 15 Alternative to Detention Overarching Outcomes**
- 15** Methodology
- 15** New Law Violations
- 17** Discharge by Program/County
- 19 ATD Electronic Monitoring**
- 19** Discharge by Program/County

- 20** Length on Electronic Monitor by Program/County
- 21 ATD Reporting Center**
- 21** Discharge by Program/County
- 22** Length of Stay in a Reporting Center by Program/County
- 23 ATD Shelter Care**
- 23** Discharge by Program/County
- 24** Length of Stay in Shelter Care by Program/County
- 25 ATD Tracking Service**
- 25** Discharge by Program/County
- 26** Length of Time with Tracking Services by Program/County
- 27 Limitations**
- 28 Conclusions**
- 29 References**

Executive Summary

The overarching goal of an alternative to detention (ATD) program is to ensure that youth released to the community are adequately supervised instead of being detained. JJI set out to evaluate whether youth would have in fact been detained (that is, are we using the program as an alternative to detention?). Secondly, we planned to evaluate whether the program ensured that the youth showed up for the scheduled court date and refrained from any new law violations while placed in the community.

The research questions that JJI hoped to answer were as follows:

1. How many youth are served in an ATD?
2. How many of those youth would have gone to detention, without the ATD?
3. Are ATDs effective programs for ensuring youth get to their court date?
4. Do ATDs help youth avoid additional charges while the court date is pending?

Number of youth served?

Programs funded through Community-based Aid, including ATDs, are statutorily required to report data to the Nebraska Commission on Law Enforcement and Criminal Justice (Nebraska Crime Commission or NCC) (Neb. Rev. Stat. § 43-2404.02(4a)). This requirement is fulfilled when programs enter youth information into the Juvenile Case Management System (JCMS). However, many of these programs serve youth at various stages, some pre-adjudicated and others who have been adjudicated to probation. For an accurate count of youth served, programs must enter data on all youth served.

The Office of Probation has indicated that they cannot share any information about youth who are on probation because it is a violation of confidentiality. However, the community-based aid statutes are clear regarding confidential records. Neb. Rev. Stat. §43-2404.02(c) specifically states that: "Providing the commission access to records and information for, as well as the commission granting access to records and information from, the common data set is not a violation of confidentiality provisions under any law, rule, or regulation if done in good faith for purposes of evaluation. Records and documents, regardless of physical form, that are obtained or produced or presented to the commission for the common data set are not public records for purposes of sections 84-712 to 84-712.09. Furthermore, Neb. Rev. Stat. § 43-2404.02 mandates that the Office of Probation shall share data with the Nebraska Crime Commission, "to ensure that the dataset permits evaluation of recidivism and other measures."

How many of those youth would have gone to detention, without the ATD?

In the State of Nebraska, the Office of Juvenile Probation Administration screens youth using the Nebraska Juvenile Intake Screening Risk Assessment prior to making a recommendation on whether a youth should be detained. The data indicates that 26.2% of the youth participating in an ATD were the intended population and scored high enough to be detained, if not for an available ATD. However, once again, in 476 cases the data on RAI score not completed, so we are unable to assess whether youth served in our ATDs would have otherwise been detained.

Are ATDs effective programs for ensuring youth get to their court date?

JJI sought court data on court dates for the youth served through an alternative to detention from the Court Administrator. Unfortunately, when a youth fails to appear for court that is coded as continued, but the reason the case is continued is not captured. In the future, JJI will build fields to capture information related to court dates and ask programs to track whether the youth appeared in court as scheduled.

Do ATDs help youth avoid additional charges while the court date is pending?

From the 877 youth examined, only 91 or roughly 10%, had a new law violation between the youth's date of enrollment in an ATD and the date of discharge. Unfortunately, while these appear to be very promising results, with so much data missing, the results are incomplete and not valid.

Overall, the missing data compiled for this report led to an insufficient count of youth participating in ATDs and an inadequate evaluation into how alternatives to detention are being used in Nebraska.

Introduction

Alternatives to detention were established for the primary goal of having an option other than secure detention for youth pending juvenile court (DeMuro, 1999). The number of youth placed in secure detention centers on “an average day rose by 74 percent” between 1985 and 1995 (Stanfield, n.d.). In the 1980s, the “get tough” on crime movement led to systemic changes and revisions in states’ policies, contributing to an increased use of detention facilities. As such, the juvenile system has struggled to strike a balance between providing rehabilitation and holding youth accountable (Bernard & Kurlychek, 2010). By the mid-1990s, the “get tough” movement subsided and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) encouraged the use of alternatives to detention (Coupet, 2000; Austin, Johnson & Weitzer, 2005).

Like national trends, Nebraska detention rates rose during the 1980s and by the 1990s, also moved toward detention alternatives for juveniles. Nebraska statute indicates that a youth should only be placed in a secure detention facility for two reasons: (1) “immediate and urgent necessity for the protection of such juvenile or the person or property of another, or (2) if it appears that such juvenile is likely to flee the jurisdiction of the court” (Neb. Rev. Stat. § 43-251.01(5)). Consequently, a youth who poses minimal risk to his or herself and is unlikely to leave the jurisdiction, should be placed on an alternative, in lieu of detention. Many of Nebraska’s Alternatives to Detention (ATD) are programs funded through the Nebraska Community-Based Aid Fund.

Nebraska's Community-based Juvenile Services Aid Program

Recognizing that unnecessary formal involvement in the juvenile justice system may be contrary to the best interests and well-being of juveniles, the state of Nebraska established funds through the Community-based Juvenile Services Aid (CBA) Program for counties and tribes to use for developing programs and services (Neb. Rev. Stat. § 43-2404.02). The purpose of CBA is to assist counties with developing intervention and prevention activities “designed to serve juveniles and deter involvement in the formal juvenile justice system” (Neb. Rev. Stat. § 43-2404.02 (b)). This fund encourages prevention, diversion, and alternative programming for juveniles, as well as better coordination of juvenile services. The statute outlines specific funding for program activities including:

“programs for local planning and service coordination; screening, assessment, and evaluation; diversion; alternatives to detention; family support services; treatment services; truancy prevention and intervention programs; pilot projects approved by the commission; payment of transportation costs to and from placements, evaluations, or services; personnel when the personnel are aligned with evidence-based treatment principles, programs, or practices; contracting with other state agencies or private organizations that provide evidence-based treatment or programs’ preexisting programs that are aligned with evidence-based practices or best practices; and other services that will positively impact juveniles and families in the juvenile justice system.” (Neb. Rev. Stat. § 43-2404.02(3b)).

An alternative to detention receiving CBA funds is defined as:

“a program or directive that increases supervision of a youth in the community in an effort to ensure the youth attends court and refrains from committing a new law violation. Alternative to detention includes, but is not limited to, electronic monitoring, day and evening reporting centers, house arrest, tracking, family crisis response, and temporary shelter placement. Except for the use of manually controlled delayed egress of not more than thirty seconds, placements that utilize physical construction or hardware to restrain a youth’s freedom of movement and ingress and egress from placement are not considered alternatives to detention” (Neb. Rev. Stat. § 43-245 (3)).

Reporting Data in JCMS

Programs funded through CBA, including Alternatives to Detention, are statutorily required to report data to the Nebraska Commission on Law Enforcement and Criminal Justice (Nebraska Crime Commission) (Neb. Rev. Stat. § 43-2404.02(4a)). This requirement is fulfilled when programs enter youth information into the Juvenile Case Management System (JCMS).

The JCMS is a secure, web-based tool that allows programs to meet their reporting requirements, while measuring whether the program is meeting the goals they set out to achieve. More importantly, as a statewide system, programs are held to a uniform standard of reporting and utilize common definitions. An over-arching aim of the JCMS is for programs to utilize consistent definitions for key data elements, including definitions for type of detention alternative and specific data fields. This is not a simple undertaking, when considering that jurisdictions operate several alternatives to detention program types, and some programs serve adjudicated youth under juvenile probation and pre-adjudicated youth

under community-based. Although to fully evaluate the effectiveness of ATDs, JJI would need data for both pre-and-post adjudicated youth, there was some disagreement from agencies and the Office of Probation about entering post-adjudicated youth into JCMS because CBA funds are ear-marked for pre-adjudicated youth. As such, the Juvenile Justice Institute issued a recommendation that while programs could enter data for both pre-adjudicated and post-adjudicated youth; programs were only mandated to enter CBA-funded pre-adjudicated youth in FY2017. For programs who only entered the subset of pre-adjudicated youth, the evaluation of ATDs would only answer the more specific question of whether ATDs are effective for the population of pre-adjudicated youth, and not whether they are effective for all youth.

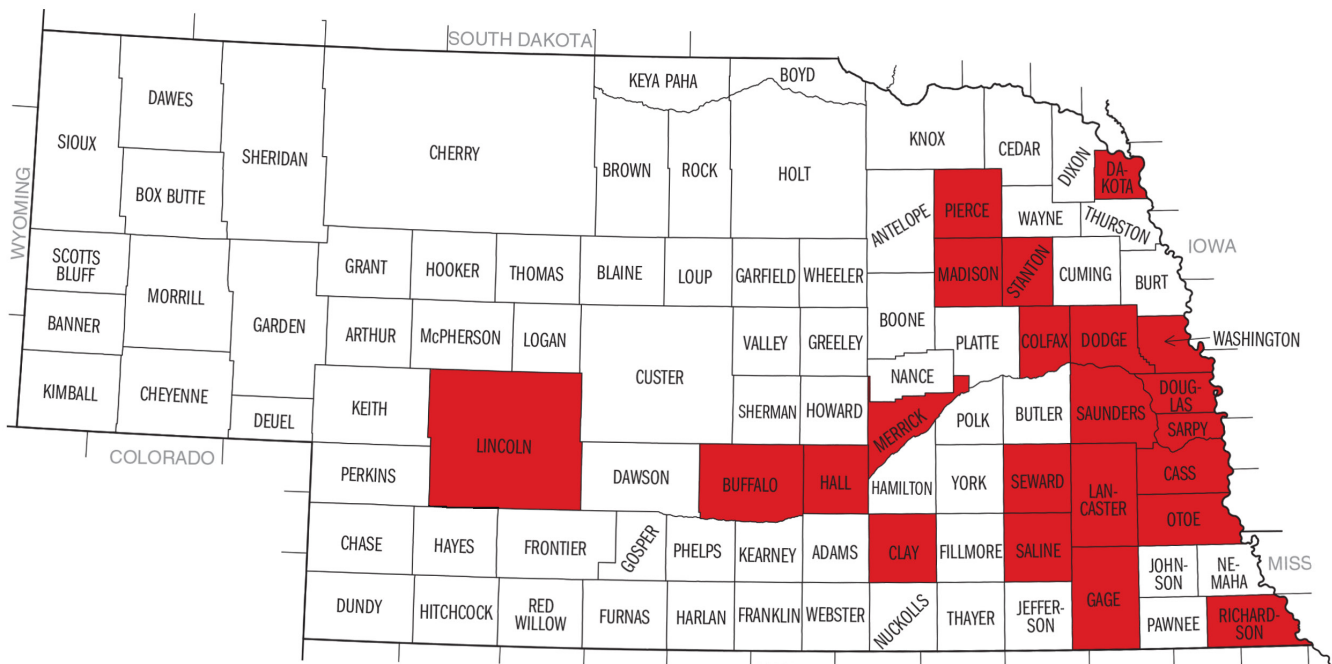
At the time of writing this report, JJI and the Office of Probation discussed policies for data entered into the JCMS moving forward. This direction will be further discussed in the concluding sections.

Alternative to Detention Programs

Programs entered data from July 1, 2015 to May 12, 2016 via an uploaded Excel spreadsheet to a secure link in JCMS. There were 928 cases uploaded to the JCMS from the Excel spreadsheets that were not included in the analysis for this report because the Excel spreadsheets captured limited data (i.e., demographics) and not variables specific to ATDs.

The ATD data system in JCMS became accessible for programs on May 12, 2016. Programs were trained and provided support for reporting data by program type prior to first quarter reporting. As such, the data for this report only reflects the data entered directly into JCMS between July 1, 2016 and December 31, 2016, for a total of 877 cases. During this time frame, 14% of programs funded through CBA, were programs designed to keep youth out of detention (see Figure 2).

Figure 2: Map of Counties that have ATDs funded through Community-based Aid



In September 2016, ATD data was extracted from JCMS to determine the completion of outcome variables by each program type. We found there was missing data for principal overarching ATD outcomes. For example, in 54.3% ($n = 476$) of cases, there was no indication as to whether a youth would have “otherwise been detained.” Consequently, we were unclear whether programs were self-identifying as alternatives to detention or even operating in that capacity. To address missing data, JJI held a training in November 2016 and provided one-on-one training for data entry and quality improvement. To improve data entry, programs were also informed of web-based resources, including previously recorded webinars and an ATD Codebook.

Youth Served in Alternative to Detention Programs

From July 1, 2016 to December 31, 2016 there were 28 ATD programs and 18 of those programs had referrals reported in JCMS. Of the 18 programs, 877 cases from 15 counties were entered into the JCMS (Table 1). Of these cases, 653 were individual youth served through an ATD and 224 were returning admissions. Of the 18 programs, 56.1% ($n = 492$) did not indicate the county who funded the program. Due to programs serving youth from multiple counties, researchers reviewed program registration and contacted programs to align the appropriate county with the program and case; however, for 19.3% ($n = 169$) of the cases we were unable to identify the county and these cases are noted as “Unknown County” in the tables throughout this report.

Some cases did not have enrollment and discharge dates so it was not clear whether those youth were served during the designated period. To be inclusive, youth with an enrollment date prior to the reporting period but who had no discharge date ($n = 180$) or youth with neither enrollment date nor discharge date ($n = 35$) were included in this report.

Within the Evidence-based Nebraska project, programs have been misclassified during the application process; however, JJI staff worked with programs to ensure appropriate program classification based on the goal of that program and the common definitions. With respect to ATDs, one program from Douglas County and one from Madison County that were originally classified as an ATD, were reclassified to a more appropriate program type. In addition, the Madison County Shelter Care program and Holt County Electronic Monitoring revised funding in fall 2016 and are not included in this report because they were no longer classified as an ATD and did not have any referrals.

Table 1. Number and Percent of Alternative to Detention Cases by Program/County

Program/County	Electronic Monitoring	Tracker Services	Reporting Center	Shelter Care	Total Number of Cases	Percent of Sample
Adams County Attorney/ Clay County	0	N/A	N/A	N/A	0	0.0%
Alternatives to Detention/ Colfax County	0	N/A	N/A	N/A	0	0.0%
Better Living/Saline County	N/A	0	N/A	N/A	0	0.0%
Boys Town/Douglas County	N/A	N/A	N/A	1	1	0.1%
CARE/Sarpy County	83	N/A	N/A	N/A	83	9.5%
CEDARS Youth Services	-	-	-	-	-	-
Cass County	22	29	N/A	N/A	51	5.8%
Douglas County	N/A	1	N/A	N/A	1	0.1%
Lancaster County	1	N/A	15	60	76	8.7%
Otoe County	7	9	N/A	N/A	16	1.8%
Sarpy County	15	25	N/A	N/A	40	4.6%
Unknown County	0	2	157	4	163	18.6%
Child Savings Institute/ Douglas County	N/A	N/A	N/A	33	33	3.8%

Counseling Center/Lincoln County	0	N/A	N/A	N/A	0	0.0%
Dakota County Probation/Dakota County	4	2	N/A	0	6	0.7%
Detention Alternatives/Hall County	1	1	N/A	0	2	0.2%
Detention Alternatives/Washington County	3	3	N/A	0	6	0.7%
Dodge County Probation/Dodge County	2	2	N/A	N/A	4	0.5%
Family Skill Building/Lincoln County	0	N/A	N/A	N/A	0	0.0%
Four County Juvenile Services/Richardson County	0	0	N/A	N/A	0	0.0%
Gage County MAPS Community Coalition/Gage County	N/A	5	N/A	N/A	5	0.6%
Heartland Family Services/Douglas County	N/A	N/A	N/A	1	1	0.1%
HOME Program/Douglas County	73	7	N/A	N/A	80	9.1%
Madison/Stanton/Pierce Pre-adjudication Services	-	-	-	-	-	-
Antelope County	1	N/A	N/A	N/A	1	0.1%
Cuming County	N/A	1	N/A	N/A	1	0.1%
Madison County	9	20	N/A	N/A	29	3.3%
Stanton County	2	1	N/A	N/A	3	0.3%
Unknown County	0	6	N/A	N/A	6	0.7%
Merrick County Attorney	0	0	N/A	N/A	0	0.0%
Metro Area Youth Services/Douglas County	N/A	N/A	4	N/A	4	0.5%
Owens Educational Services/Douglas County	N/A	N/A	18	N/A	18	2.1%
PACS/Lancaster County	22	N/A	N/A	N/A	22	2.5%
Partners for Otoe County/Otoe County	0	0	N/A	N/A	0	0.0%
Pre-adjudication Services/Buffalo County	11	11	0	0	22	2.5%
Reporting Center/Sarpy County	N/A	N/A	198	N/A	198	22.6%
Seward County Probation/Seward County	0	N/A	N/A	N/A	0	0.0%
Youth Attendants/Sarpy County	N/A	5	N/A	N/A	5	0.6%
Youth Services/Saunders County	0	0	N/A	N/A	0	0.0%
Total	256	130	392	99	877	100.0%

Cases by Gender

Of the 877 youth, there were 67.0% ($n = 588$) males and 33.0% ($n = 289$) females in the program.



$N = 289$



$N = 588$

Cases by Age

Table 2 displays the frequency of cases by the age of the youth upon intake. The age of the youth ranged from 10 to 19, with a mean age of 15.82 ($SD = 1.503$). Most youth were between ages 15 and 17 ($n = 582$; 66.4%), the most frequent age at time of intake was 17 ($n = 244$; 27.8%).

Age	Frequency	Percent
10	2	0.2%
11	3	0.3%
12	15	1.7%
13	44	5.0%
14	99	11.3%
15	138	15.7%
16	200	22.8%
17	244	27.8%
18	80	9.1%
19	1	0.1%
Not specified	51	5.8%
Total	877	100.0%

Cases by Race and/or Ethnicity

Most youth referred to an ATD were White ($n = 469$; 53.5%), followed by Black/African American ($n = 185$; 21.1%) and Hispanic ($n = 111$; 12.7%). Race and Ethnicity were not specified for 7.0% of the cases ($n = 61$). Fewer youth were American Indian/Alaska Native ($n = 22$; 2.5%), Asian ($n = 5$; 0.6%), Native Hawaiian/Other Pacific Islander ($n = 1$; less than 0.01%), Other race ($n = 11$; 1.3%), Multiple races ($n = 12$; 1.4%) (Table 3).

When we compared the race of youth referred to an ATD to the racial and ethnic composition of Nebraska youth of the same age (10 to 19), data indicated that White, Hispanic, Asian, Native Hawaiian/Other Pacific Islander, and Multiple race youth were underrepresented; while Black/African American and American Indian/Alaska Native were overrepresented.

Table 3. Nebraska Population Compared to Youth in Alternative to Detention				
	Nebraska*		Alternative to Detention	
Race/Ethnicity	Frequency	Percent	Frequency	Percent
White	187,409	72.3%	469	53.5%
Hispanic	39,446	15.2%	111	12.7%
Black/African American	14,503	5.6%	185	21.1%
American Indian, Alaska Native	2,883	1.1%	22	2.5%
Asian	6,453	2.5%	5	0.6%
Native Hawaiian, Other Pacific Islander	181	0.1%	1	< 0.01%
Multiple Races	8,383	3.2%	12	1.4%
Other Race	-	-	11	1.3%
Unspecified	-	-	61	7.0%
Total	259,258	100.0%	877	100.0%

*U.S. Census Bureau, Population Division (2016)

Intake Status

The youth's intake status is related to their position in the court system as either awaiting adjudication hearing (pre-adjudication), disposition hearing (post-adjudication pre-disposition), or had an adjudication and disposition hearing and no longer awaiting those hearing types (post-disposition). Under the CBA Program, funds are designated for youth who are not yet system involved. Consequently, most youth served should be pre-adjudicated.

As Table 4 notes, 26.8% ($n = 235$) were pre-adjudicated; 10.5% ($n = 92$) post-adjudicated but pre-disposition; 12.8% ($n = 112$) post-disposition. However, 49.9% ($n = 438$) of cases did not indicate the status at intake, so we are unable to draw conclusions about the system-involvement of youth served.

Table 4. Alternative to Detention Intake Status		
Intake Status	Frequency	Percent
Pre-Adjudication	235	26.8%
Post-Adjudication Pre-Disposition	92	10.5%
Post-Disposition	112	12.8%
Not Indicated	438	49.9%
Total	877	100.0%

Referral Source

Nebraska Revised Statute § 43-260 indicates that only trained probation officers conduct intake screenings and determine whether a youth can be detained based on RAI scores. Table 5 displays the referral source to an ATD. As expected, given the purpose of an ATD, most referrals were from probation ($n = 433$; 49.4%). Understandably, court referrals were the second most frequent referral source ($n = 156$; 17.8%).

Table 5. Referral Source to an Alternative to Detention		
Referral Source	Frequency	Percent
Court Referral	156	17.8%
Department of Health and Human Services	11	1.3%
Diversion Program	29	3.3%
Other	75	8.6%
Other County	1	0.1%
Probation	433	49.4%
School	8	0.9%
Not Indicated	164	18.7%
Total	877	100.0%

Otherwise Detained by Program/County

As previously noted, to help with identifying if an ATD is serving the intended population, programs entered data related to whether a youth would have been detained if an ATD was not available. Table 6 displays the number of youth by program/county; notably, 26.2% ($n = 230$) of the youth participating in an ATD were the intended population and would have been detained if not for an available ATD. However, once again, in 476 cases this question was not completed, so we are unable to assess whether youth served in our ATDs would have otherwise been detained.

Table 6. Frequency of Youth that Would Have Otherwise Detained by Program/County				
Program/County	Otherwise Detained	Not Otherwise Detained	Not Indicated	Total Number of Cases
Boys Town/Douglas County	0	0	1	1
CARE/Sarpy County	3	40	40	83
CEDARS Youth Services				
Cass County	12	38	1	51
Douglas County	0	1	0	1
Lancaster County	58	2	16	76
Otoe County	3	13	0	16
Sarpy County	5	35	0	40
Unknown County	2	6	155	163
Child Savings Institute/ Douglas County	15	0	18	33
Dakota County Probation/ Dakota County	5	0	1	6
Detention Alternatives/ Hall County	0	0	2	2
Detention Alternatives/ Washington County	6	0	0	6
Dodge County Probation/ Dodge County	4	0	0	4

Gage County MAPS Community Coalition/ Gage County	2	3	0	5
Heartland Family Services/ Douglas County	0	1	0	1
HOME Program/ Douglas County	67	7	6	80
Madison/Stanton/ Pierce Pre-adjudication Services				
Antelope County	0	0	1	1
Cuming County	0	0	1	1
Madison County	9	0	20	29
Stanton County	1	0	2	3
Unknown County	1	0	5	6
Metro Area Youth Services/ Douglas County	0	1	3	4
Owens Educational Services/ Douglas County	0	17	1	18
PACS/Lancaster County	17	5	0	22
Pre-adjudication Services/ Buffalo County	20	0	2	22
Reporting Center/Sarpy County	0	0	198	198
Youth Attendants/ Sarpy County	0	2	3	5
Total	230	171	476	877

Cases by Presenting Offense

To assist with determining the risk level of the youth, programs were instructed to enter the youth's most serious presenting offense associated with their enrollment into the program. We coded the offenses into 9 categories:

(1) drug or alcohol related (e.g., minor in possession, possession of marijuana or other controlled substances, tobacco); (2) property crimes (e.g., theft, shoplifting, trespass, burglary, vandalism/graffiti); (3) crimes against person (e.g., robbery, assault sex crimes); (4) weapons related; (5) procedural/administrative (e.g., violation of probation, false reporting, refusing to comply with officer, fleeing arrest); (6) uncontrollable/ungovernable (e.g., disturbing the peace, uncontrollable juvenile); (7) truancy; (8) Warrant/Capias; or (9) unclear/unspecific.

Once again, 53.0% ($n = 465$) of the cases did not have a reported presenting offense. Table 7 shows the cases with a reported offense, noting that most of the youth committed a property crime ($n = 100$; 11.4%).

Table 7. Frequency for Presenting Offense by Case

Presenting Offense	Frequency	Percent
Drug or Alcohol Related	83	9.5%
Property Crimes	100	11.4%
Crimes Against Person	82	9.4%
Weapons Related	9	1.0%
Procedural/Administrative	22	2.5%
Uncontrollable/Ungovernable	63	7.2%
Truancy	37	4.2%
Warrant/Capias	9	1.0%
Unclear/Unspecific	7	0.8%
Not Indicated	465	53.0%
Total	877	100.0%

Alternative to Detention Overarching Outcomes

Methodology

The intended goals of an ATD are to ensure a youth attends court and refrains from committing a new law violation pending their court hearing (Neb. Rev. Stat. § 43-245 (3)). One of the barriers for evaluating whether ATDs are meeting these goals, is inconsistent practices across the state for documenting juvenile court hearings and case processing. For instance, a youth may attend a detention hearing and continue their ATD participation until the disposition hearing, which may be continued for months and eventually dismissed. Additionally, some jurisdictions combine dockets wherein the youth's offenses are changed to another docket; as such, we were unable to track court records for the offense associated with their enrollment in the ATD.

To determine whether a youth committed any type of new law violation while in an ATD program, we examined court filings using Nebraska's JUSTICE system. JUSTICE allows online access to the Nebraska State Trial Court case information. We requested a data extract from JUSTICE to include all juvenile and adult misdemeanor and felony cases between July 1, 2016 and December 31, 2016, including cases that were sealed. The JUSTICE extract, structured at the charge-level, included 22,703 cases during the requested period. To match youth from ATD programs to JUSTICE data, we used Link Plus software to match the youth based on first name, last name, and date of birth.

All offenses, including status offenses (i.e., truancy and ungovernable) were included in this analysis because youth in an ATD are expected to refrain from unlawful behaviors pending a court hearing. The only offenses that were excluded were traffic violations ($n = 4$). For each youth, the most serious offense was coded into the nine categories previously outlined in "Cases by Presenting Offense".

New Law Violations

From the 877 total cases, 91 (10.4%) of the cases had a new law violation that occurred between the youth's date of enrollment and date of discharge. There were 11 cases where the youth committed a law violation during the measured period, but had no enrollment nor discharge date entered so it could not be determined whether a law violation occurred while they were in an ATD. Table 8 displays the number and percent of new law violations by program/county.

Table 8. Number and Percent of New Law Violation Cases by Program/County						
Program/County	Electronic Monitoring	Tracker Services	Reporting Center	Shelter Care	Percent of Program/County Sample	Percent of Total Sample
CARE/Sarpy County	11	N/A	N/A	N/A	13.3%	12.1%
CEDARS Youth Services						
Cass County	2	3	N/A	N/A	9.8%	5.5%
Lancaster County	0	N/A	1	1	2.6%	2.2%
Otoe County	1	1	N/A	N/A	12.5%	2.2%
Sarpy County	3	2	N/A	N/A	12.5%	5.5%
Unknown County	0	0	6	0	3.7%	6.6%
Child Savings Institute/ Douglas County	N/A	N/A	N/A	1	3.0%	1.1%
Detention Alternatives/ Washington County	1	1	N/A	0	33.3%	2.2%
Dodge County Probation/Dodge County	1	1	N/A	N/A	50.0%	2.2%
Gage County MAPS Community Coalition/ Gage County	N/A	1	N/A	N/A	20.0%	1.1%
HOME Program/ Douglas County	2	0	N/A	N/A	2.5%	2.2%
Metro Area Youth Services/Douglas County	N/A	N/A	2	N/A	50.0%	2.2%
Owens Educational Services/Douglas County	N/A	N/A	2	N/A	11.1%	2.2%
PACS/Lancaster County	3	N/A	N/A	N/A	13.6%	3.3%
Preadjudication Services/Buffalo County	2	2	0	0	18.2%	4.4%
Reporting Center/ Sarpy County	N/A	N/A	39	N/A	19.7%	42.9%
Youth Attendants/ Sarpy County	N/A	2	N/A	N/A	40.0%	2.2%
Total	26	13	50	2	-	100.0%

Of the 91 cases with a new law violation while on an ATD, 12 (13.2%) were later terminated or dismissed by the court or prosecutor (Table 9). Excluding the cases that were terminated/dismissed, 35.4% ($n = 28$) had a new violation for a property crime, 17.7% ($n = 14$) for a drug or alcohol related offense, 16.5% ($n = 13$) for truancy, 12.7% ($n = 10$) for uncontrollable/ungovernable, 10.1% ($n = 8$) for an offense against a person, and 7.6% ($n = 6$) for a procedural/administrative offense.

Table 9. Number of Terminated New Law Violation Cases by Program/County					
Program/County	Electronic Monitoring	Tracker Services	Reporting Center	Shelter Care	Total Number of Cases
CARE/Sarpy County	1	N/A	N/A	N/A	1
CEDARS Youth Services					
Sarpy County	1	1	N/A	N/A	2
Child Savings Institute/ Douglas County	N/A	N/A	N/A	1	1
Dodge County Probation/Dodge County	1	1	N/A	N/A	2
Metro Area Youth Services/Douglas County	N/A	N/A	1	N/A	1
Reporting Center/ Sarpy County	N/A	N/A	5	N/A	5
Total	3	2	6	1	12

Discharge by Program/County

Table 10 displays the discharge reason for each youth by county. Of the 441 youth that were discharged from an ATD program, the average length of stay (ALOS) for all ATD programs was 45.28 days ($SD = 49.55$), the median was 33.00 days, with a range from 0 to 509 days. For one EM case and one tracking services case, discharge dates were entered as occurring prior to the enrollment period, therefore, we could not calculate ALOS.

For ease of presentation, discharge reason was categorized into five categories: 1) Successful completion (completed program requirements); 2) Unsuccessful completion (noncompliant with program requirements, technical violations, absconding); 3) New law violation (including cut-off monitor); 4) Failure to appear; 5) Other.

All program discharge reasons are displayed for comparison in Table 10. It should be noted, however, that ATD program sub-types have different requirements for successful completion. Regardless, each sub-type shares the common goal to place youth in community-based services, rather than detaining them, to assist youth in attending their scheduled court hearings and refraining from new law violations.

As previously noted, youth who absconded from an ATD were categorized as an unsuccessful discharge. Previous research has found that youth may be more apt to abscond due to having less impulse control than adults, which may contribute to high levels of unsuccessful releases (Vaughn, 1998). A total of 12.7% ($n = 56$) of the youth absconded from their ATD, specifically, of those that absconded, 39.3% ($n = 22$) were from an electronic monitor, 17.9% ($n = 10$) from tracking services, 16.1% ($n = 9$) from a reporting center, and 26.8% ($n = 15$) from shelter care.

Table 10. Discharge Reason for any ATDs by Program/County

Program/County	Successful	Unsuccessful	New Law Violation	Failure to Appear	Other	Total Number
CARE/Sarpy County	46.6%	43.1%	10.3%	0%	0%	58
CEDARS Youth Services						
Cass County	46.9%	53.1%	0%	0%	0%	32
Lancaster County	73.1%	23.1%	3.8%	0%	0%	52
Otoe County	66.7%	33.3%	0%	0%	0%	9
Sarpy County	50.0%	50.0%	0%	0%	0%	30
Unknown County	71.0%	12.2%	0%	16.8%	0%	131
Child Savings Institute/ Douglas County	44.0%	56.0%	0%	0%	0%	16
Dakota County Probation/Dakota County	100%	0%	0%	0%	0%	5
Heartland Family Services/Douglas County	100%	0%	0%	0%	0%	1
HOME Program/ Douglas County	50.0%	28.3%	10.0%	0%	11.7%	60
Madison/Stanton/Pierce Pre-adjudication Services						
Cuming County	0%	100%	0%	0%	0%	1
Madison County	80.0%	6.7%	6.7%	0.0%	6.7%	15
Stanton County	66.7%	33.3%	0%	0%	0%	3
Unknown County	100%	0%	0%	0%	0%	3
PACS/Lancaster County	65.0%	30.0%	5.0%	0%	0%	20
Youth Attendants/ Sarpy County	20.0%	80.0%	0%	0%	0%	5

ATD Electronic Monitoring

In Nebraska, a variety of technologies are utilized for electronic monitoring (EM) programs including: global positioning system (GPS), a non-digital landline home-based system, or a phone application that provides intensive supervision by monitoring the location of a youth that is reviewed by program personnel.

To date, there is a lack of empirical research on the effectiveness of EM programs with juvenile offenders. From the limited research, youth with a moderate risk level and on an EM for less than 90 days are more likely to be successfully discharged, than youth with a felony level offense (Roy, 1997). However, this tells us more about what level of youth might be better served, and does not indicate whether EM programs overall are effective at increasing court appearances and reducing new law violations. Others have indicated that EM programs have the potential to decrease technical violations and absconding, but even that research indicates a need to determine which offenders should be placed on an EM (Padgett, Bales, & Blomberg, 2006).

Discharge by Program/County

Of the 19 ATD programs with an EM component, there were 256 youth cases, of those cases, 175 (68.0%) were discharged from an EM during the report period. Of the youth discharged from an electronic monitor, 54.3% ($n = 95$) of youth were successfully discharged, 36% ($n = 63$) were unsuccessfully discharged, 6.9% ($n = 12$) obtained a new law violation, of those, 4.6% ($n = 8$) were due to cutting the monitor, and 2.9% ($n = 5$) were discharged due to reasons identified as other. Table 11 displays the type of discharge from an EM by program/county.

Table 11. Discharge Reason for Electronic Monitoring by Program/County						
Program/County	Successful	Unsuccessful	New Law Violation	Failure to Appear	Other	Total Number
CARE/Sarpy County	46.6%	43.1%	10.3%	0%	0%	58
CEDARS Youth Services						
Cass County	56.0%	44.0%	0%	0%	0%	16
Otoe County	75.0%	25.0%	0%	0%	0%	4
Sarpy County	53.8%	46.2%	0%	0%	0%	13
Dakota County Probation/Dakota County	100%	0%	0%	0%	0%	3
HOME Program/Douglas County	51.8%	31.5%	7.4%	0%	9.3%	54
Madison/Stanton/Pierce Pre-adjudication Services						
Madison County	60.0%	20.0%	20.0%	0%	0%	5
Stanton County	100.0%	0%	0%	0%	0%	2
PACS/Lancaster County	65.0%	30.0%	5.0%	0%	0%	20

Length on Electronic Monitor by Program/County

The average length of time that a youth was on a monitor was 55.76 days ($SD = 49.29$), median 43.00, with a range of 0 to 231 days. One youth who was placed on a monitor and absconded the same day, which accounts for the zero days. We were unable to calculate length of one case from the HOME Program because the discharge date was entered as being prior to the enrollment date. Table 12 displays the length of time on an EM by program/county.

Table 12. Length of Time on Electronic Monitoring by Program/County				
Program/County	Mean (SD)	Median	Min	Max
CARE/Sarpy County	56.78 (53.55)	42.50	0	231
CEDARS Youth Services				
Cass County	50.56 (40.13)	42.50	7	146
Otoe County	55.25 (86.08)	18.50	1	183
Sarpy County	57.69 (34.75)	53.00	6	132
Dakota County Probation/ Dakota County	8.00 (3.46)	10.00	4	10
HOME Program/Douglas County	66.15 (53.22)	62.00	1	231
Madison/Stanton/Pierce Pre-adjudication Services				
Madison County	41.40 (11.89)	45.00	25	55
Stanton County	14.50 (2.12)	14.50	13	16
PACS/Lancaster County	45.95 (38.41)	32.50	5	159

Of the 95 youth successfully discharged from a monitor, 48.4% ($n = 46$) of the cases were discharged prior to 49 days. Conversely, of the 63 youth unsuccessfully discharged, 50.8% ($n = 32$) were discharged prior to being on an EM for 42 days.

Notably, of the 22 youth that absconded while on an EM, 36.4% ($n = 8$) did so within 7 days of being monitored and 50.0% ($n = 11$) absconded between 31 and 146 days.

ATD Reporting Center

Reporting centers are an intensive supervision program held at a physical location. The center may provide various types of programming, but generally, they do not provide treatment services. Reporting centers provide services at different times throughout the day including day, evening, weekend, or a combination of these services.

Juvenile reporting centers are viewed as a promising detention alternative; however, others have documented that program delivery varies across programs (Development Services Group, 2011a, 2014b). Although there is no one model to guide consistency because of the limited research on reporting centers, scholars have suggested that effective reporting centers should have clear eligibility criteria and provide quality staff supervision (Garland, Moore, Stohr, & Kyle, 2014).

Discharge by Program/County

Of the 5 ATD programs with a reporting center component, there were 392 youth cases; however, we only have discharge data for one-third of these youth ($n = 129$) because only a single program completed data entry for discharge reason (see Table 13). We do not know, however, what county these youth were served under because the program serves multiple counties and the grant county field was not completed.

With respect to discharge reason for this program, 71.3% ($n = 92$) were successfully discharged, 11.6% ($n = 15$) were unsuccessfully discharged, 17.1% ($n = 22$) were discharged due to failing to appear in court, and there were no youth discharged due to committing a new law violation.

Of the 129 youth discharged from this one reporting center, the program specified whether the youth participated in day or evening reporting. Specifically,

- Most of the youth participated in day reporting ($n = 50$). For the day reporting center, 82% ($n = 41$) were successfully discharged, 8.0% ($n = 4$) were unsuccessfully discharged, and 10% ($n = 5$) were discharged due to failing to appear in court.
- For the evening reporting center ($n = 16$), 50% ($n = 8$) were successfully discharged from the program, 18.8% ($n = 3$) were unsuccessfully discharged due to absconding, and 31.3% ($n = 5$) failed to appear in court.

Table 13. Discharge Reason for Reporting Centers by Program/County

Program/County	Successful	Unsuccessful	New Law Violation	Failure to Appear	Other	Total Number
CEDARS Youth Services						
Unknown County*	71.3%	11.6%	0%	17.1%	0%	129

*It is very likely that these are youth from Lancaster County, but because County was not filled in – we are unable to know this for certain.

Length of Stay in a Reporting Center by Program/County

The average length of stay for a youth in the reporting center was 19.90 days ($SD = 22.19$), with a median of 10.00 days, and a range of 0 to 121 days. Table 14 displays the length of stay in the one program that reported discharge information. Youth in the program for zero days participated in the program until supervision could be obtained at home ($n = 1$), failing to appear in court ($n = 1$), completion of a school suspension requirement ($n = 1$), absconding ($n = 1$), and reasons unclear but youth completed successfully ($n = 3$).

Table 14. Length of Stay in a Reporting Center by Program/County				
Program/County	Mean (SD)	Median	Min	Max
CEDARS Youth Services				
Unknown County	19.90 (22.19)	10.00	0	121

ATD Shelter Care

Shelter care programs are non-secure short-term residential care placements. Youth in these programs require more supervision than allowed at the community-based level and participate in a daily schedule. The shelter care programs provide four different types of services: enhanced shelter (therapeutic), short-term basic shelter, crisis stabilization shelter, and emergency respite foster care.

Lubow (1999) compared shelters to two other alternatives to detention in Cook County, IL as part of the JDAI initiative. “In all three sites, the alternative programs were implemented without sacrificing appearance-in-court rates or pretrial re-arrest rates.” Data that is more recent breaks out the data by program type and reports that 96% of program participants were successful in shelter care, but it does not define what is meant by success.

Discharge by Program/County

Of the 8 ATD programs with a shelter care component, there were 99 youth cases, of those cases, 71 (71.7%) were discharged from services. From the cases discharged, 92.9% ($n = 65$) received short-term basic shelter services, 5.7% ($n = 4$) needed crisis stabilization services, and 1.4% ($n = 1$) participated in an enhanced shelter (therapeutic).

Of those discharged from a shelter care program, 66.2% ($n = 47$) were successfully discharged, 31.0% ($n = 22$) were unsuccessfully discharged, 2.8% ($n = 2$) were discharged due to committing a new law violation, and no youth was discharged due to failing to appear in court (Table 15).

- For the short-term basic shelter programs, 66.1% ($n = 43$) were successfully discharged, 30.8% ($n = 20$) were unsuccessfully discharged, and 3.1% ($n = 2$) were discharged due to having a new law violation.
- For the crisis stabilization shelter, 100% ($n = 4$) were successfully discharged from the program.
- For the enhanced shelter (therapeutic), one youth was discharged for absconding.

Table 15. Discharge Reason for Shelter Care by Program/County

Program/County	Successful	Unsuccessful	New Law Violation	Failure to Appear	Other	Total Number
CEDARS Youth Services						
Lancaster County	73.1%	23.1%	3.8%	0%	0%	52
Unknown County	50.0%	50.0%	0%	0%	0%	2
Child Savings Institute/ Douglas County	44.0%	56.0%	0%	0%	0%	16
Heartland Family Services/ Douglas County	100%	0%	0%	0%	0%	1

Length of Stay in Shelter Care by Program/County

The average length of stay for a youth in a shelter care was 45.01 days ($SD = 39.71$), with a median of 33.00 days, ranging from 3 to 208 days. Table 16 displays the length of stay in a shelter care by program/county.

Table 16. Length of Stay in Shelter Care by Program/County				
Program/County	Mean (SD)	Median	Min	Max
CEDARS Youth Services				
Lancaster County	42.75 (36.21)	33.00	3	168
Unknown County	62.00 (55.15)	62.00	23	101
Child Savings Institute/Douglas County	51.25 (50.82)	33.00	7	208
Heartland Family Services/Douglas County	29.00 (-)	29.00	29	29

Of the 47 youth successfully discharged, 51.1% ($n = 24$) of the cases were within 37 days of enrollment. From the 22 youth unsuccessfully discharged, 50.0% ($n = 11$) were discharged after 23 days in the program.

ATD Tracking Services

Tracking service programs involve having a person who is assigned to work with the youth to improve compliance with attendance, curfew, employment, counseling, and drug/alcohol conditions. The type and frequency of contact varies by program, however, due to the limited data reported on contacts within JCMS, we were unable to determine the frequency of contacts and whether this influences youth outcomes.

Particularly for tracking services programs, research on the effectiveness of program components is lacking. Although there is research available on mentoring programs (which can be a component of tracker programs), we could not locate research specific to tracker services. To aid in better understanding the effectiveness of tracker services, future efforts will include researching the policies and procedures of these programs and continued evaluation of CBA funded tracking service programs.

Discharge by Program/County

Of the 15 ATD programs with a tracking services component, there were 130 youth cases, of those cases, 66 (50.8%) were discharged from services. Of the youth discharged from tracking services, 51.5% ($n = 34$) youth were successfully discharged, 40.9% ($n = 27$) were unsuccessfully discharged, 3.0% ($n = 2$) obtained a new law violation, and 4.5% ($n = 3$) were discharged due to reasons identified as other. Table 17 displays the type of discharge from tracking services by program/county.

Table 17. Discharge Reason for Tracking Services by Program/County						
Program/County	Successful	Unsuccessful	New Law Violation	Failure to Appear	Other	Total Number
CEDARS Youth Services						
Cass County	37.5%	62.5%	0%	0%	0%	16
Otoe County	60.0%	40.0%	0%	0%	0%	5
Sarpy County	47.1%	52.9%	0%	0%	0%	17
Dakota County Probation/Dakota County	100%	0%	0%	0%	0%	2
HOME Program/Douglas County	33.3%	0%	33.3%	0%	33.3%	6
Madison/Stanton/Pierce Pre-adjudication Services						
Cuming County	0%	100%	0%	0%	0%	1
Madison County	90%	0%	0%	0%	10%	10
Stanton County	0%	100%	0%	0%	0%	1
Unknown County	100%	0%	0%	0%	0%	3
Youth Attendants/Sarpy County	20.0%	80.0%	0%	0%	0%	5

Length of Time with Tracking Services by Program/County

The average length of stay for a youth in a tracking services program was 67.00 days ($SD = 73.77$), with a median of 53.00 days, ranging from 0 to 509 days. One youth was in the program for zero days specifically for supervised time and was successfully discharged. We could not calculate the length in the program for one case from the Madison/Stanton/Pierce Pre-adjudication Services (Unknown County) because the discharge date was prior to the enrollment date. Table 18 displays the length of time with tracking services by program/county.

Table 18. Length of Time with Tracking Services by Program/County				
Program/County	Mean (SD)	Median	Min	Max
CEDARS Youth Services				
Cass County	51.50 (50.31)	41.50	0	171
Otoe County	217.20 (184.87)	180.00	7	509
Sarpy County	69.24 (42.51)	55.00	4	186
Dakota County Probation/ Dakota County	10.00 (.01)	10.00	10	10
HOME Program/ Douglas County	55.33 (31.43)	63.00	1	89
Madison/Stanton/ Pierce Pre-adjudication Services				
Cuming County	6.00 (-)	6.00	6	6
Madison County	52.80 (20.81)	49.00	28	105
Stanton County	39.00 (-)	39.00	39	39
Unknown County	60.00 (4.24)	60.00	57	63
Youth Attendants/ Sarpy County	44.60 (25.76)	35.00	20	84

The one case not included in determining length of time with tracking services, as noted above, was a youth successfully discharged. Of the remaining 33 youth successfully discharged, 48.5% ($n = 16$) were discharged within 56 days from enrollment. Of the 27 youth who were unsuccessfully discharged, 51.9% ($n = 14$) were discharged within 40 days. Notably, a total of 10 youth were discharged for absconding, 90.0% ($n = 9$) of these cases were after the youth was in the program for 19 days, one youth was after being in the program for 6 days.

Limitations

Incomplete reporting for youth in each program resulted in an inability to effectively evaluate the programs. Missing or inaccurate data may be due to several reasons: different personnel reporting in JCMS, staff turnover, lack of understanding of how data should be entered, or an inability to gather data from other agencies. To mitigate these issues, the Juvenile Justice Institute (JJI) conducted in-person trainings, online webinars, and provided online resources. However, the substantive missing data warrants revisiting the programs to improve data entry and aid both the programs and JJI in understanding any data entry challenges.

Furthermore, we were limited in our ability to analyze failure to appear, one of the outcome measures of an ATD, because this is not captured in juvenile cases in JUSTICE. Another obstacle when analyzing failure to appear was missing data for discharge reason. Without discharge reason, JJI is unable to compare whether the court filing in JUSTICE is related to the youth unsuccessfully completing the ATD program. Moving forward statewide efforts must focus on improving data entry for discharge reasons and identifying ways to gather more accurate court hearing information.

The current data is primarily focused on youth that were pre-adjudicated because these are the youth supported by Community-based Juvenile Services Aid funds. Although with more complete data we could evaluate the effectiveness of ATDs for pre-adjudicated youth only, but this would not tell the entire picture. Many youth on ATD programs were also post-adjudicated and under the Office of Probation. To fully evaluate the effectiveness of ATDs across all youth, JJI would require data on all youth served in the program. By including both pre-and-post-adjudicated youth in analyses, we could determine whether ATDs are effective at deflecting further involvement in the juvenile or adult system for youth of all risk-levels. Although a complete sample would be ideal, ATD programs and the Office of Probation have not been supportive in providing data for post-adjudicated youth.

One of the primary functions of an ATD is to supervise a youth in the community prior to their court hearing to avoid placing them in secure detention. For this reason, it is important to understand the youth's status in the juvenile justice system court process as it relates to their level of risk. The Nebraska Juvenile Intake Screening Risk Assessment, referred to herein as Risk Assessment Instrument (RAI), is used to screen youth presented to detention to determine whether to detain the youth. The intention of an ATD is to provide a community-based alternative for youth that would have otherwise been detained, therefore, a RAI should be completed for all youth participating in an ATD unless participation was directed by the Court. RAI scores were missing for 83.7% ($n = 734$) of youth in an ATD from July 1, 2016 to December 31, 2016. Of those cases using an RAI, 46.7% ($n = 67$) are missing the date the assessment was given, the enrollment date, or both to determine if the RAI was used objectively to screen for eligibility into an ATD. Furthermore, this missing data influences the outcome measures. The lack of utilizing the RAI for eligibility into an ATD can lead to net-widening or blending of populations, both of which have adverse outcomes (Andrews & Bonta, 2010; Blomberg, 1977; Frazier, Richards, & Potter, 1983).

Conclusion

Under Nebraska law, the JJI is charged with evaluating whether programs funded through Community-based Juvenile Services Aid are effective. Per Neb. Rev. Stat. § 43-2404.01, one measure of an effective program is how well it prevents youth “from entering the juvenile justice system.” A second, statutorily required measure, is how well the program rehabilitates the juvenile offender. The Nebraska legislature clearly intended that programs funded through CBA demonstrate the impact they have on youth. Over the past two years, the Nebraska Crime Commission has worked closely with JJI and agencies running juvenile programs to determine how best to measure and evaluate programs receiving funds.

Considering CBA funds are used primarily to fund alternatives for pre-adjudicated youth, JJI anticipated being able to determine how effective they were at deterring pre-adjudicated youth from deeper penetration into the juvenile justice system. Agencies were encouraged to work with their probation office to gather all relevant data, so that JJI could evaluate how effective the program was overall at preventing youth from entering the system and refrain from law violating behaviors.

Nebraska Statute specifically states that “To ensure that the data set permits evaluation of recidivism and other measures, the commission shall work with the Office of Probation Administration...” (Neb. Rev. Stat. 43-2404.02.) JJI has reached out to the Office of Probation Administration, as the contracted entity mandated to work on behalf of the Nebraska Crime Commission, through emails, phone calls, and in-person meetings to explain the data problems. In these conversations with probation, JJI has discussed the collaboration with the Nebraska Crime Commission and JJI’s priority in protecting a youth’s right to privacy and restricted access to data, while balancing the statutory charge to evaluate outcomes for youth. The Office of Probation Administration has indicated that a process must be established to allow for the release of individual level data.

The Office of Probation Administration’s information is vital to assuring that agencies serve youth appropriately. If an agency does not understand the risk level of a youth, they might combine high and low risk youth. If an agency does not understand the needs of a youth, it is likely that the youth will not be adequately served. This risk, need, responsivity approach is the foundation of evidence-based work.

Evaluation of ATDs cannot move forward without an established process for the Office of Probation Administration to share their relevant data. For instance, probation is statutorily charged as the sole entity for completing a RAI on each youth presented to detention, and scoring the youth to determine whether they would be detained, released without conditions, or released to an ATD. Additionally, probation is an important source for the youth’s presenting offenses associated with their admission to an ATD and the youth’s intake status such as pre-adjudicated or pre-disposition. However, to date, this data was not shared, which restricts the program’s ability to meet the grant-reporting requirements to ensure programs are not net-widening and blending youth of different risk levels.

In short, unfortunately, programs registered as an “alternative to detention” have an overwhelming amount of missing data. As such, the authors were prevented from drawing any meaningful conclusions about whether ATDs are effective, and whether they are an appropriate use of funds in the state of Nebraska.

The Office of Probation Administration has indicated that they are statutorily prevented from sharing data, but intend to develop a process to address this barrier. In the upcoming year, JJI will work collaboratively with the Office of Probation Administration to ensure that appropriately processes are in place. However, if ATDs do not adequately enter data required in FY 2017/2018, they will not be deemed in compliance with the Title 75, Chapter 1; Distribution of Community-based Juvenile Services Aid. Without adequate data, JJI is unable to determine the effectiveness of an alternative to detention.

References

- Andrews, D. A. & Bonta, J. (2010).
The Psychology of Criminal Conduct (5th Edition). New York: Routledge
- Austin, J., Johnson, K.D., & Wietzer, R. (2005).
Alternatives to the secure detention and confinement of juvenile offenders. *Juvenile Justice Bulletin*.
- Bernard, T.J., & Kurlychek, M.C. (2010).
The cycle of juvenile justice [2nd ed.]. New York, NY: Oxford University Press.
- Blomberg, T. (1977).
Diversion and accelerated social control. *The Journal of Criminal Law & Criminology*, 68(2), pp. 274-282.
- Coupet, S. (2000).
What to do with the sheep in wolf's clothing: The role of rhetoric and reality about youth offenders in the constructive dismantling of the juvenile justice system. *University of Pennsylvania Law Review*, 148(4), p. 1303.
- DeMuro, P. (1999).
Pathways to juvenile detention reform: Consider the alternatives—Planning and implementing detention alternatives. Baltimore, MD: The Annie E. Casey Foundation.
- Development Services Group, Inc. (2011).
Day treatment. Office of Juvenile Justice and Delinquency Prevention: Model Programs Guide Literature Review. Retrieved from https://www.ojjdp.gov/mpg/litreviews/Day_Treatment.pdf
- Development Services Group, Inc. (2014).
Alternatives to detention and confinement. Office of Juvenile Justice and Delinquency Prevention: Model Programs Guide Literature Review. Retrieved from <https://www.ojjdp.gov/mpg/litreviews/AlternativesToDetentionandConfinement.pdf>
- Frazier, Charles E., Richards, P., & Potter, R.H. (1983).
Juvenile diversion and net widening: Toward a clarification of assessment strategies. *Human Organization*, 42(2), pp. 115-122.
- Garland, B., Moore, S., Stohr, M.K., & Kyle, M. (2014).
Juvenile evening reporting centers: A research note on an emerging practice. *Youth Violence and Juvenile Justice*. DOI: 10.1177/1541204014559523
- Neb. Rev. Stat. § 43-245 (3). (2017).
Terms, defined: Nebraska Juvenile Code.
- Neb. Rev. Stat. § 43-251.01 (5). (2017).
Juveniles; placements and commitments; restrictions.

Neb. Rev. Stat. § 43-251.01 (5). (2017).

Standardized juvenile detention screening instrument.

Neb. Rev. Stat. § 43-2404.01. (2017).

Comprehensive juvenile services plan; contents; statewide system to evaluate fund recipients; Director of the Community-based Juvenile Services Aid Program; duties.

Neb. Rev. Stat. § 43-2404.02. (2017).

Community-based Juvenile Services Aid Program; created; use; reports.

Padgett, K.G., Bales, W.D., & Blomberg, T.G. (2006).

Under surveillance: An empirical test of the effectiveness and consequences of electronic monitoring. *Criminology & Public Policy*, 5(1), pp. 61-92.

Roy, S. (1997).

Five years of electronic monitoring of adults and juveniles in Lake County, Indiana: A comparative study on factors related to failure. *Journal of Crime and Justice*, 20(1), pp. 141-160.

Stanfield, R. (n.d.).

Overview: The JDAI story: Building a better juvenile detention system. The Annie E. Casey Foundation.

U.S. Census Bureau, Population Division. (2016, June).

Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin for the United States and States: April 1, 2010 to July 1, 2015 [Table PEPASR6H].

Vaughn, J.B. (1989).

A survey of juvenile electronic monitoring and home confinement programs. *Juvenile & Family Court Journal*, 40(4), pp. 1-36.



Juvenile Justice Institute

Phone: 402.476.0113

Email: unojji@unomaha.edu

juvenilejustice.unomaha.edu

