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Nebraska Primed for Right-Sizing Juvenile Justice System

On December 5, the Platte Institute joined a diverse array of stakeholders to highlight the need for juvenile justice reform in Nebraska that enhances public safety, puts more youths on the right track to being productive citizens, and reduces costs to taxpayers. Joining forces with the Texas Public Policy Foundation's scholars Marc Levin and Jeanette Moll, the Platte Institute released a new report that clearly sets forth the juvenile justice challenges and solutions in Nebraska. This week, Levin and Moll presented the findings of this report to lawmakers at a Senate Judiciary Committee interim hearing and at a forum cosponsored with Voices for Children where some 237 leaders gathered.

In a [report](#) on the hearing, the *Omaha World-Herald* cited the study and quoted Ms. Moll's testimony while noting the emphatic commitment policymakers made at the hearing to act on these recommendations.

Among the priorities identified in the report, testimony, and presentations include:

- Creating an incentive-based funding mechanism to address the fact that Nebraska counties often commit low-level, nonviolent youths to state youth lockups that cost between \$183 and \$257 a day but have one year recidivism rates of up to 29 percent. This incentive-based model has proven to reduce recidivism and costs in Ohio, Illinois, and Texas. Counties can voluntarily choose to reduce such commitments to the state in exchange for funding to implement non-residential and residential strategies at the local level. This would lead to programs that supervise, treat, and hold youths accountable which have been proven to reduce recidivism. Community-based approaches often achieve better outcomes, as they are able to keep youths closer to their families, churches, and non-profit organizations.
- Strengthening school-based responses to truancy in order to alleviate the need for largely ineffective and costly court interventions. The report highlights the GOALS program in Omaha that has reduced both truancy and court referrals by working pro-actively with the family to address the reasons why the youth is missing school.
- Right-sizing local juvenile detention facilities through utilizing alternatives

such as electronic monitoring, night reporting centers, and in-home visits by probation officers to ensure youths who do not pose an immediate risk to public safety show up for court proceedings. The Juvenile Detention Alternatives Initiative (JDAI), which is being used in Douglas County and jurisdictions throughout the nation, has employed such alternatives, as well as the streamlining of judicial processes and better information sharing, to successfully reduce detention populations as well as the rates at which youths fail to appear for court hearings and are re-arrested prior to trial.

- Reducing the number of youngsters ages 11 to 16 who are funneled into the adult probation and prison systems by adopting a default presumption that such youths should be held accountable in the juvenile justice system. Currently, 914 Nebraska youths ages 11 to 16 are annually sent to adult court, often for lower-level, nonviolent felonies. Research has demonstrated that youths sent to adult court have a 33.7 percent higher recidivism rate than those processed through the juvenile system. The default presumption that the report recommends could be overridden by the court if it makes specific findings that the youth requires handling in the adult system. Also, Nebraska should consider a blended sentencing option which Texas and other states maintain, which allows courts to sentence a youth to an initial period of time in the juvenile system that may be followed by a period in the adult system when they reach the age of majority, dependent on a court determination at that juncture concerning whether the youth requires further rehabilitation or segregation from the public.
- Improve the probation and diversion systems to increase the current 57.3 percent rate at which Nebraska youths successfully complete probation. This can be accomplished through steps such as reducing high caseloads; better utilization of risk and needs assessments to match the right offenders with the right programs; implementing a system of swift and sure administrative sanctions from probation officers; and the implementation of a civil citation system. This system, which is now being used in a pilot program in Omaha, allows for police to handle the most minor cases, such as routine school misbehavior, through a civil citation that requires the youth to take steps such as attending treatment and performing community service. By diverting the lowest-level, lowest-risk youths from probation entirely, more resources are freed up for probation departments to focus on youths with more significant delinquency issues.

Given policymakers' strong support at the hearing for making these types of improvements to Nebraska's juvenile justice system, the state appears to be on the cusp of a new era in juvenile justice. Senator Brad Ashford has pledged this week to file incentive funding and information sharing legislation this session to broadly revamp the system over the next two years. The Platte Institute, along with its counterpart the Texas Public Policy Foundation, stands ready to

continue working with lawmakers and stakeholders to build on this report and the growing consensus for better aligning Nebraska's juvenile justice policies and practices with the best research on what works to put more troubled youths on the path to productive, law-abiding lives.



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