



Dave Heineman
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)

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STATE OF NEBRASKA

Nebraska Coalition for Juvenile Justice Meeting

June 4, 2010

The Nebraska Coalition for Juvenile Justice Committee met Friday, June 4, 2010 at 10:00 a.m. at the Super 8 Motel, located at 2545 Cornhusker Hwy, Lincoln, Nebraska. Notice of this meeting was published May 21, 2010 in the Lincoln Journal Star.

Call to Order, Roll Call

The meeting was called to order at 10:00 a.m. by Linda Benjamin, Chairman. Benjamin reminded the group that we are in compliance with the Open Meeting Act.

Members Present: Michael Behm, Linda Benjamin, Cassy Blakely (arrived at 10:10 a.m.), Kara Brostrom, Jennie Cole-Mossman, Judge Vernon Daniels (left at 12:00 p.m.), Jamal Jackson, Ron Johns, Kathy Moore (arrived at 10:15 a.m.), Terri Nutzman, Todd Reckling (arrived at 10:15 a.m.), Reggie Ryder, Petra Smith, Kevin Stukenholtz, Scott Swisher, Kent Turnbull, Derek Vaughn, Roger Wess. **Members Excused:** Mark Benne, Brady Brewster, Billie Gallagher, Kay Glidden, Nicole Goaley, Mike Long, Thomas McBride, Elaine Menzel, Alex Moreno, Gerard Piccolo, Chris Rodgers, Dan Scarborough, Vanessa Sherman, Corey Steel. **Members Unexcused:** Ashley Frahm and Amanda Johnson. **Staff Present:** Tiffany Mullison, Monica Miles-Steffens, Alyson Stephens, Merry Wills.

Introductions:

Merry Wills was introduced as the Crime Commission's new Juvenile Compliance Monitor. Wills reported having over 30 years of experience in the non-profit sector working with youth in the community.

In the interest of time, introductions were not done and members were encouraged to welcome each other during breaks and after the meeting.

Approval of March 26, 2010 Minutes

Motion

A motion was made by Wess and seconded by Blakely to approve the March 26, 2010 minutes. Voting in favor of motion: Behm, Blakely, Brostrom, Cole-Mossman, Daniels, Jackson, Johns, Nutzman, Reckling, Smith, Stukenholtz, Swisher, Turnbull, Vaughn, Wess. Ryder abstained. (*motion carries*)

Update on the web-bases Juvenile Diversion Case Management Information System

Anne Hobbs, UNO/JJI, reported on the progress of the Juvenile Diversion Case Management Information System stating there are now twelve counties using the new system and most have migrated data into the system. She also shared there are currently 4,317 youth currently entered in the system.

Ryder questioned can we add a screen to show recidivism of diversion clients? Hobbs reported in the future this feature could be added but would be costly to do so as additional programming hours would be needed. Kramer reported to the group a definition for recidivism would need to be established prior to being added to the system as to ensure consistency in reporting.

SEE ATTACHMENT 1

Update on Burns Assessment

Doctor Liz Neely reported the Douglas County Juvenile Justice Coordinating Council had a Readiness Assessment Consultation completed by the Burns Institute, which examines the state of Disproportionate Minority Contact in a jurisdiction. The Burns Institute has begun this process by conducting interviews with twenty three stakeholders and by collecting data from law enforcement, probation, etc. This will allow the Burns Institute to complete a data-driven, consensus-based approach designed to change policies, procedures and practices in the juvenile justice system. Burns staff came to Omaha on April 6-7, 2010.

SEE ATTACHMENT 2

Update on the Annie E. Casey Foundation

Neely reported on Douglas County's efforts to become a Juvenile Detention Alternative Initiative Site (JDAI). Annie E. Casey Foundation has been offering this reform program for several decades and has had impressive impacts in reducing detention populations, saving tax payer money, and addressing over representation of minorities in the juvenile justice system.

Neely reported representatives from the Casey Foundation came to Omaha May 4, 2010 to provide information on the JDAI process, meeting with the Juvenile Court Bench in Douglas County, Judiciary Committee of the Legislature and statewide stakeholders from law enforcement, detention centers, courts, etc. and provided information on the impact the Casey Foundation has had through this initiative. The Casey Foundation was also using this time to gauge if Douglas County was ready and willing to commit to the work involved in becoming a JDAI site. Neely at this time extended a thank you to all who helped provide statistics and attended the meeting.

Information Sharing form CJJ Conference

Members of the Coalition who attended the CJJ Conference held in Washington, D.C. April 10-13, 2010 were asked to report to the group.

Smith reported it was interesting to learn what other communities are doing across the country in regards to information sharing. She shared the conference was a great source of ideas and she found it beneficial to hear the level of involvement from juvenile judges across the country. Smith reported the overall message of the conference was there is too much burden being placed up on the school systems and how we, as a community, aid in this process. Swisher reported on the Zero Tolerance mentality of schools and how to overcome this mentality while benefiting our youth.

Crime Commission Juvenile Justice Specialist/Compliance Monitor Report

Mullison reported on the upcoming CJJ Conference to be held in New Jersey in October 2011. She reported Kramer, Wills, and herself will be attending as federally mandated. Mullison extended a welcome to any Coalition members who are interested in attending.

Mullison reported the representative for the Office of Juvenile Justice Delinquency Program (OJJDP) will be coming to Nebraska July 20-23, 2010. Mullison shared an entrance interview will be held on July 20 and encouraged Coalition members to attend via phone or in person. She also shared, on July 21, State Advisory Group Members are invited to attend a day of technical assistance regarding the DMC Plan, Three-year Plan, how to be more proactive, etc. Mullison reported July 22 will consist of completing statewide site visits with the OJJDP representative. Mullison also asked Coalition members to consider attending the exit interview to be held on July 23.

Mullison reported Grant Management Training will be held in June at four state wide locations and will consist of technical assistance to subgrantees for how to successfully complete all grant required contingencies and reporting documents.

Mullison reported the 2008 State Advisory Group Funds will expire in September 2010 and asked the group in the event there are remaining funds would the Coalition support the reprinting of the Juvenile Delinquency Handbooks in Spanish and Vietnamese as we currently out of these publications. Mullison at this time asked the group for a motion. Discussion followed resulting in the decision that per Nebraska Open Meeting Act if an item is not listed on the agenda it cannot be voted on. Benjamin requested the spending of 2008 State Advisory Group Funds be added to the September agenda. Discussion was held about exploring the options to have languages, such as Neurik, also created and printed.

Wills reported she attended the Juvenile Justice Conference and enjoyed hearing the information on Trauma Informed Care and Best Practices.

Approval of State Advisory Group funds for Annie E Casey Foundation

Mullison reported expenses were obtained during the Annie E Casey Foundation site visit including mileage for Coalition members to attend, snacks and lunch.

Motion

A motion was made by Stukenholtz and seconded by Moore to approve use of State Advisory Group funds for reimbursement of Anne E Casey Foundation site visit expenses. Voting in favor of motion: Behm, Brostrom, Cole-Mossman, Jackson, Moore, Nutzman, Reckling, Smith, Stukenholtz, Swisher, Vaughn, Wess. Blakely, Daniels, Johns, Ryder and Turnbull abstained. (*motion carries*)

Approval of State Advisory Group funds for attendance at CJJ Conference

Motion

A motion was made by Vaughn and seconded by Smith to approve use of State Advisory Group funds to send up to five members at a maximum amount of \$9,000 total to attendance the CJJ Conference in New Jersey in October 2010. Estimates of expenses for each person to attend were \$1,800. Voting in favor of motion: Behm, Blakely, Brostrom, Cole-Mossman, Jackson, Johns, Moore, Stukenholtz, Swisher, Vaughn, Wess. Voting against the motion: Reckling. Daniels, Nutzman, Ryder, Smith and Turnbull abstained. (*motion carries*)

Approval of State Advisory Group funds for CJJ Annual Dues

Motion

A motion was made by Vaughn and seconded by Smith to approve the use of State Advisory Group funds for \$5,000 to pay for annual dues to the CJJ. Voting in favor of motion: Behm, Blakely, Brostrom, Cole-Mossman, Jackson, Johns, Moore, Stukenholtz, Swisher, Turnbull, Vaughn, Wess. Daniels, Nutzman, Reckling, Ryder, and Turnbull abstained. (*motion carries*)

Sub-Committee Reports

Executive: Benjamin reported she was unable to attend the Federal Advisory Coalition For Juvenile Justice [FACJJ] meeting in Washington, D.C. due to it being Mother's Day weekend and a graduation to attend. Benjamin reported she will try to attend the next meeting to be held in September.

Grant Review: Vaughn extended a Thank You to all members who participated in Grant Review. Vaughn reported on the number of grants reviewed and recommendations from the committee for the Crime Commission to offer more technical assistance to subgrantees. Vaughn also reported the Title V and JABG grant review meeting was held via conference call and the process appeared to go very well.

DMC: Johns reported the DMC Committee has been focused on the Annie E Casey site visit as well as the Burns Institute visit as earlier discussed by Neely. Johns also reports there has been active discussion on data management and further exploring options to be able to manage data consistently statewide.

Youth: Blakely reported she participated in a National Youth Committee conference call. She reported training is being developed for State Advisory Groups on how to engage and have an active youth committee. Blakely presented the group with the National Youth Manual that was developed by youth and is being used by State Advisory Groups nationwide. Blakely shared a local meeting was held for the state youth committee and discussion was held on what our youth's role is on the Coalition. The youth committee would like to explore the option to hold a one day conference about issues that youth involved in the justice system feel are important.

Blakely reported the National CJJ Youth Committee Conference will be held July 29-30 in Washington D.C. The youth committee would like to send up to two members to this conference and requests approval of funds to support attendance at this conference be added to the September agenda.

Approval of Title V Grant Funds

Motion

A motion was made by Vaughn and seconded by Smith to approve the 2010 Title V funds as recommended by the staff/grant review committee. Voting in favor of motion: Behm, Blakely, Brostrom, Cole-Mossman, Jackson, Johns, Moore, Stukenholtz, Swisher, Turnbull, Vaughn, Wess. Daniels, Nutzman, Reckling, Ryder, Smith abstained. (*motion carries*)

Approval of Juvenile Accountability Block Grant Funds

Motion

A motion was made by Vaughn and seconded by Wess to approve the 2010 Juvenile Accountability Block Grant funds as recommended by the staff/grant review committee. Voting in favor of motion: Behm, Blakely, Brostrom, Cole-Mossman, Jackson, Johns, Moore, Stukenholtz, Swisher, Turnbull, Vaughn (abstained 10-JA-604), Wess. Nutzman, Reckling and Ryder abstained. (*motion carries*)

Approval of Request for State Advisory Group Funds

Vaughn reported the Buffalo County Community Partners submitted a request for \$5,000 out of State Advisory Group funds to be used for the 2010 Central Nebraska Youth Summit. Vaughn reported the grant review committee did not recommend this request for funding due to limited funds being available.

Motion

A motion was made by Vaughn and seconded by Stukenholtz to approve the staff/grant review committees recommendation to deny funding the Buffalo County Community Partners request to utilize \$5,000 of State Advisory Group funds. Voting in favor of motion: Behm, Blakely, Brostrom, Cole-Mossman, Jackson, Johns, Moore, Smith, Stukenholtz, Swisher, Vaughn, Wess. Nutzman, Reckling, Ryder and Turbull abstained. (*motion carries*)

Old Business:

Mullison reported the Crime Commission has updated their Operating Instructions. Behm spoke on Operating Instructions #10, 016.1A, which deals specifically with Conflict of Interest. Legal Council was sought and assisted in the writing of this section. Behm reports there is no need for a written Conflict of Interest Form any already submitted forms will be shredded.

Mullison reported on the auto deposit required for reimbursement of NCJJ members. A form was handed out explaining this process. Mullison also handed out copies of the revised Expense Report form for expense reimbursement as well as reviewing the guidelines for this process.

SEE ATTACHMENT 3

New Business:

Mullison reported on the May 7, 2010 Crime Commission meeting. Mullison shared Cass County appealed the recommendations made by the Coalition in the amount of \$22,079 in County Aid funds and the Crime Commission Board accepted the appeal, granting their request. Mullison shared as instructed by the Crime Commission Board the \$22,079 was taken out of County Aid Enhancement by taking an equal percentage from all nine County Aid Enhancement recipients who were recommended to be awarded over \$5,000.

Benjamin reported on the election of Chair and Vice Chair stating the ballots to nominate will be placed on the September agenda. Benjamin stated it would be ideal for a future Vice Chair to be an individual who is eligible to potentially move into the Chair position if interested.

Benjamin encouraged members who may be interested in serving on subcommittees to please speak with Mullison.

Benjamin requested to hear further discussion on the impact of reform on detention centers in the state at the September meeting.

Benjamin reported the state of Indiana has applied to the OJJDP to host a regional conference in Indiana. Benjamin reports she submitted a Letter of Support on behalf of the Coalition to support their efforts.

Public Comment:

None

Adjournment:

Meeting was adjourned at 12:30 p.m. by Benjamin.

Respectfully submitted by:

A handwritten signature in blue ink, appearing to read 'Alyson Stephens', with a long, sweeping flourish extending to the right.

Alyson Stephens

ATTACHMENT 1

Juvenile Diversion Case Management Information System (JDCMIS) Status Report

Project Goals: 1. Create a web-enabled system (on a secure server (NCJIS) supported by the Nebraska Crime Commission and the Nebraska Chief Information Office.)

2. Contact Nebraska's 93 counties to a) sign a MOU for data-sharing; b) gain access using an assigned certificate; c) receive training on this new system; d) migrate historical diversion data into the new system, or e) continue using their system but migrate data into new system on a weekly schedule.

3. Provide technical support as problems arise.

I. Status of the Program: JDCMIS is in place on a secure server through NCC.

- a. Number of programmer hours - 0 billable hours
- b. Number of coordinator hours: 113 hours (83 April; 50 May)
- c. NE Crime Commission staff - 35 hours

II. Contacting Nebraska's counties

a. Since February 2010, 40 County Attorneys have signed and returned the Memorandum of Understanding (MOU).

i. Twelve Counties are now using the new system and most have migrated data into the system.

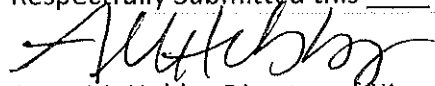
- 1. There are currently 4,317 youth currently entered in the system (mostly migrated data).
- 2. Three (3) counties will continue to use their own system and are working with their technology departments to determine the most cost effective way to upload data at least once per week.
 - a. Lancaster County has signed a revised MOU –which indicates they will import their data. (Douglas and Sarpy are reviewing the MOU).
- 3. If all of the Counties (who have committed in some way) follow-through more than 90% of the youth completing diversion in the state will be captured using this system.
- 4. Some counties have signed the MOU but have not migrated their data:
 - a. Hall County has returned the MOU, but has indicated it may not “use” the system – (may do minimal data entry.) Their data is not migrated in. The NCC has sent a letter requesting additional information from Hall County.

ii. Migrating counties in is a somewhat slow process because there are multiple steps and then “kinks” to be worked out. It generally takes 6 or 7 phone calls per county.

For example, after the CA signs the MOU, a certificate must be requested and arranged to access the system. The county must then decide how many certificates to add and whether they will port in historical data. Once those decisions are made, the county “zips” and sends the data to me. I verify the total cases and send them to the programmer’s to migrate into the new system. I ensure that the coordinator is trained and then they check to ensure that all of their cases migrated in. We then work through issues like missing cases.

- iii. Each county has unique issues and concerns that we work through one at a time. For instance, one county’s data was stored in 2 databases and needed to migrate in differently. Another county did not have data to import but required on site technical assistance. This week I have been working with a County to ensure the site is ADA complaint.
- b. Fifty –three (53) have not returned the MOU. The NCC sent a 2nd request at the end of May.
 1. Three (3) do not plan to participate because they have no juvenile offenses (Rock, Valley, Dawes).
 2. One has indicated a strong reluctance to turning in the MOU –but has signed it. They were waiting until they get a strongly worded letter from the NCC.
- c. On May 14, 2010, I offered a brief training for Diversion Coordinators and other interested persons at NJJA.
 - i. Twenty-six (26) persons attended (representing 31 counties).
 - ii. 12 are currently using the system and 14 are not yet on the system.

Respectfully Submitted this 4th day of June, by:


Anne M. Hobbs, Director of JJI

ATTACHMENT 2

Burns Institute Update

Readiness Assessment Consultation

Through a grant from the Nebraska Crime Commission, Douglas County is contracting with the Burns Institute to conduct a Readiness Assessment Consultation. The Burns Institute's Assessment is a data-driven, consensus-based approach designed to change policies, procedures and practices in the juvenile justice system that result in the disproportionate detention of youth of color and poor children. For more information about the Burns Institute visit: <http://www.burnsinstitute.org/>

The Readiness Assessment Consultation will explore seven areas:

1. State of DMC
2. Purpose of Detention and Detention Utilization
3. Community Engagement and Collaboration
4. System Stakeholders' Engagement and Collaboration
5. Data Collection and Analysis Capacity
6. Other Factors that Could Affect DMC Reduction Efforts

The Burns Institute team reviewed numerous background materials, policies and statistics to create a context for understanding juvenile justice system operations in Douglas County including: Detention Admissions Screening Instrument (including training materials, override policies); law enforcement booking criteria; statistical reports from probation; statistics on arrests, referrals to detention, and admissions to detention by race/ethnicity and offense; average Length of Stay (ALOS) in detention by race/ethnicity and offense; Average Daily Population (ADP) in detention by race/ethnicity; Alternatives to Detention Utilization by race/ethnicity; and other relevant documented policies and procedures.

On April 6th and 7th, representatives from the Burns Institute conducted 23 interviews with gatekeepers and key stakeholders representing the following:

1. Judiciary;
2. Probation;
3. Court Services;
4. Law Enforcement;
5. Juvenile Prosecutor
6. Juvenile Defender;
7. Management Information Systems supervisor;
8. Service provider(s);
9. Community-based organization serving proven-risk youth; and
10. Engaged parents and youth.
11. Detention Center
12. Juvenile Assessment Center

The final report is expected to be received in mid-June. Representatives from the Burns Institute will be presenting the findings of the Readiness Assessment Consultation to the Douglas County Board on **July 27th** and will provide a presentation to juvenile justice system stakeholders at **12:00 p.m. in Room 702 of the Douglas County Civic Center (** lunch will not be provided, however, you are welcome to bring your own).**

Juvenile Detention Alternatives Initiative (JDAI) Update

The Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) is a nationally renowned reform process that effectively: lowers detention populations, enhances public safety, saves tax payer money, reduces the overrepresentation of minority youth, and introduces other overall juvenile justice system improvements. Additional information about the Juvenile Detention Alternatives Initiative (JDAI) visit: <http://www.jdaihelpdesk.org/Pages/Default.aspx>.

Visit

On May 4th representatives from the Annie E. Casey Foundation visited Douglas County to discuss the JDAI process with local and state policy makers and service providers. An additional purpose of their visit was to gauge the extent to which Douglas County has stakeholder buy-in and support for undertaking the work necessary to become a JDAI site. In addition to their public presentation which included representatives from across the state of Nebraska, the Casey Foundation also had meetings with the Douglas County Separate Juvenile Court Bench, members of the Judiciary Committee of the Nebraska Legislature, and members of the Douglas County Board.

Resolution

On May 25th the Douglas County Board adopted the enclosed resolution, establishing a Juvenile Detention Reform Committee to serve as the governing structure of this reform initiative (i.e., a JDAI Steering Committee). The resolution also commits the participation of our core group of local and state stakeholders (judiciary, prosecution, defense, law enforcement, probation, our public school system, the Department of Health and Human Services, detention and assessment centers, etc.) and resolves that the Committee engage additional partners throughout the JDAI process (non-profits, community organizations and service providers, etc.). Although our neighboring counties cannot yet officially commit to this undertaking, it is our hope that by inviting them to participate in our process, they will soon follow suit.

The resolution has been sent to the Casey Foundation and Douglas County is awaiting guidance for the next steps regarding implementation.

Site Coordinator

The process of becoming a JDAI site is very rigorous and requires a full-time site coordinator for three years. Title II funding was obtained to hire a full-time site coordinator. A job description has been drafted based on other JDAI coordinator positions. The Coordinator will be housed in the Douglas County Youth Center, will report to the Douglas County Board, and will work with the Casey Foundation's technical assistance team in implementing their core strategies in Douglas County. It is hoped that the Coordinator position will be filled and begin in July, 2010.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

WHEREAS, Douglas County desires to reduce the population of juveniles detained at the Douglas County Youth Center; and

WHEREAS, a study commissioned by the Douglas County Board concluded that while Douglas County's youth population levels, crime, and even arrests and admissions have declined, the detained juvenile population in Douglas County was growing due to delays caused by a fragmented, complex and inefficient system; and

WHEREAS, in 2008, the Douglas County Board established a Juvenile Justice Coordinating Council to examine and implement more effective approaches to addressing local delinquency; and

WHEREAS, after several specific reform initiatives, the Juvenile Justice Coordinating Council concluded that the Douglas County Juvenile Justice System could better serve youth, improve public safety, and save tax payer resources by undertaking a broader reform effort; and

WHEREAS, the Annie E. Casey Foundation has extensive experience in undertaking juvenile detention reform nationwide and has committed to assisting Douglas County; and

WHEREAS, close collaboration between County agencies, the courts, community-based organizations, school districts, and elected officials from within Douglas County will be required to successfully undertake detention reform; and

WHEREAS, the Douglas County Board together with the Juvenile Justice Coordinating Council desires to create the Juvenile Detention Reform Committee to reduce reliance on secure detention and to create more effective rehabilitation opportunities for our youth.

THEREFORE BE IT RESOLVED that the Chairperson of the Douglas County Board's Child and Youth Services Committee will convene and serve as chair of the Juvenile Detention Reform Committee to work with the Annie E. Casey Foundation to become a Juvenile Detention Alternative Initiative (JDAI) site.

BE IT FURTHER RESOLVED that the Juvenile Detention Reform Committee herein commits to participating in the Annie E. Casey Foundation's intensive and collaborative reform process, and will include officials or designees representing:

1. Douglas County Juvenile Court
2. Douglas County Attorney's Office

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3. Douglas County Public Defender's Office
4. Chief, Omaha Police Department
7. Chief Probation Officer
8. State Probation Administration
9. Douglas County Board of Commissioners and Departments (Juvenile Assessment Center, Youth Detention Center, etc.)
10. Department of Health and Human Services
11. Office of Juvenile Services
12. Omaha Public Schools
13. Douglas County Sheriff's Office

In addition to this core group of stakeholders, the Juvenile Detention Reform Committee will engage additional partners (including state leaders and agency representatives, non-profits, community organizations and service providers) throughout the JDAI process.

Dated the 25th day of May, 2010

Motion by Tusa, second by Boyle to approve. I move the adoption of the resolution.

Adopted: May 25, 2010

Yeas: Boyle, Duda, Kraft, Tusa, Borgeson

Nays: Hutchings

Absent: Rodgers

(CERTIFIED COPY)



Thomas F. Cavanaugh

Douglas County Clerk

Resolution No. 447
ADOPTED: May 25, 2010

ATTACHMENT 3

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

OPERATING INSTRUCTION
NUMBER 10

May 7, 2010

GRANT PROCEDURES

- 001 **PURPOSE:** The Nebraska Commission on Law Enforcement and Criminal (hereinafter referred to as the Crime Commission or Grantor) is designated to administer various federal and state grant programs by the Governor or by state statute. It is the responsibility of the Crime Commission to ensure that (1) the requirements for each grant program are met, (2) fair guidelines and procedures are implemented for the administration of all grants awarded to the Crime Commission, including procedures for awarding grant funds, subgrant adjustments, reprogramming of turnback funds, suspension and termination of awarded funds and the continued monitoring of subgrant projects.
- 002 **SCOPE:** Applicable to Crime Commission members and staff, and all agencies receiving funds.
- 003 **REFERENCES:** Neb. Rev. Stat. §43-2401 to §43-2414; §81-1415 to §81-1429.01; §81-843 to §81-1851.
- 004 **DEFINITIONS OF TERMS:** The following terms and definitions will be utilized for the purpose of this operating instruction:
- 004.01 **Administrator:** The individual within the Crime Commission who is the lead contact person and is responsible for the grant submission process for that specific funding source.
- 004.02 **Applicant:** The agency that has submitted a grant application to the Crime Commission requesting funds from either a federal grant or state appropriated funds.
- 004.03 **Cash Report:** A document prepared by the subgrantee that shows quarterly expenditures and requests for funds.
- 004.03 **De-Obligated Funds:** Funds that are returned after a grant award contract was terminated, expired, or was voluntarily returned by a subgrantee.
- 004.04 **Executive Director:** The individual who is responsible for the supervision of the policies as established by the Crime Commission and has the powers and duties as outlined in Neb. Rev. Stat. §81-1425.
- 004.05 **Fiscal Officer:** The individual on the Grant Award who is responsible to the Grantor for fiscal oversight of the grant award made to the applicant and for providing quarterly fiscal reports.

006.02: Members of the staff review shall meet to discuss the merits of each grant application and determine funding recommendations.

006.03: Summary Comments shall be prepared for each grant application outlining strengths and weaknesses of the grant as well as the funding recommendation. If the staff review recommends denial for a particular application, the reason(s) for denial shall be included in the Summary Comments.

006.04: Staff Review funding recommendations will be based upon the same criteria as outlined in the grant review section.

007

GRANT REVIEW COMMITTEE: After the staff review, grant applications shall be reviewed and funding recommendations will be made by the appropriate grant review committee unless otherwise specified by the Governor or statute. Procedures for establishing the grant review committee are found in Operating Instruction Number 2.

007.01: The committee shall consider staff review recommendations, but otherwise act independently to evaluate grant applications and make funding recommendations for the federal and state programs.

007.02: Evaluation and funding recommendations will be based upon the following criteria:

007.02A: Eligibility of the applicant.

007.02B: Adherence to federal and/or state requirements and guidelines.

007.02C: Completeness, clarity, continuity and consistency of the written application. The written application shall include all sections and information as outlined in the grant application instructions.

007.02D: Ability and capacity of the proposed program to make an impact on the identified problem.

007.02E: Other resources available to address the problem including an explanation of how the grant applicant's proposal will work with and/or coordinate with existing resources.

007.02F: Cost effectiveness of the proposed project.

007.02G: Amount of funds available.

007.02H: If previously funded, the performance and ability of the applicant to manage a grant program, including the timely submission of required reports to the Crime Commission.

007.03: Applicants shall be notified after the grant review committee meeting regarding funding recommendations in the following manner:

007.03A: Applicants who have received favorable funding recommendations shall be notified, by the Executive Director or designee, within ten (10) working days from the date of the grant review as to the funding recommendation. Notification will include information regarding recommended funding amount, summary comments stating strengths and weaknesses, and recommended conditions for funding.

007.03B: Applicants who have not been recommended for funding shall be notified in writing, via certified mail, by the Executive Director or designee, within ten (10) working days from the date of the grant review. The notification shall include the reason(s) for denial, summary comments stating strengths and weaknesses of the application, and the basis for an appeal to the Crime Commission. Notification shall include the instructions and deadline for filing an appeal.

007.03C: Notification shall include the date for the next scheduled Crime Commission meeting where final funding decisions will be determined.

007.04: The recommendations from the appropriate grant review committee, along with the summary comments, shall be forwarded to the Crime Commission for final review and funding determination at its next meeting.

007.05: The Nebraska Coalition for Juvenile Justice will follow the procedures outlined in the preceding paragraphs of this section.

008

FINAL FUNDING DETERMINATIONS: Final funding of subgrant applications will be determined at a Crime Commission meeting.

008.01: For situations where the subgrant application has been recommended to receive funding by the grant review committee, the Crime Commission, in making its final determination, will consider the staff review committee recommendations, grant review committee recommendations, information contained in the summary comments, Commission member discussion and input from the administrator.

008.02: For situations where the subgrant application has not been recommended to receive funding by the grant review committee, the Crime Commission, in making its final determination, will consider the staff review committee recommendations, grant review committee recommendations, information contained in the summary comments, any written statements offered by the applicant, Commission member discussion and input from the administrator.

008.03: The basis for any appeal of the grant review committee's recommendation shall be limited to those outlined in section 015 of this operating instruction.

008.04: Final funding determinations will be made by majority vote of the Commission members. The Crime Commission may:

1. Vote to adopt the funding recommendations and conditions of the grant review committee;
2. Modify the recommendations of the grant review committee which may include additional conditions or requirements that the applicant must meet in order to receive funding; or
3. Reject any recommendation made by the grant review committee.

008.05: Notification of final funding determinations will be made to the applicants by the Executive Director or designee within ten (10) working days from the date of the Crime Commission's decision.

008.05A: For applicants who received funding, the notification will inform the applicant of the final status of the application, including the requirement to meet any conditions, the need to submit a revised budget and the steps necessary to obtain the grant award.

008.05B: For applicants who were denied funding, the notification will inform the applicant of the final status of the application and the reason(s) for the denial.

009 **GRANT AWARD PROCESS:** Once an applicant has received final funding approval by the Crime Commission, the applicant will be required to accept a grant award and special conditions from the Grantor. A completed grant award signifies the applicant is now a subgrantee and agrees to adhere to all special conditions.

009.01: Applicants who are required to meet additional conditions and/or are required to submit revised budgets shall have thirty (30) days from the date of the notification as outlined in section 008 to satisfactorily meet those requirements. Exceptions to the 30 day deadline may be allowed when an extension has been approved by the administrator. The administrator will document when an extension has been granted.

009.02: Once an applicant has satisfactorily met any additional conditions or requirements, the Grantor shall prepare the grant award and special conditions and send to the applicant.

009.03: The applicant will be required to accept the award by having all necessary individuals from the program sign and return the grant award within thirty (30) days from the date of provision. Exceptions to the 30 day requirement may be allowed when an extension has been approved by the administrator. The administrator will document when an extension has been granted. In the event that the grant award is not received by the deadline and an extension has not been authorized by the administrator, and three contacts of the project personnel listed on the grant application have been attempted and

013.02: Termination of subgrant funding may occur when the subgrantee is in noncompliance with any state or federal law, state or federal guidelines or requirements, or fails to adhere to the terms of the grant award or fails to follow the requirements of this operating instruction. Termination of subgrant funding may only occur by a majority vote of the Crime Commission after consideration of the matter at a scheduled [public] meeting.

013.02A: The Executive Director shall notify the subgrantee of the recommended termination and provide the reasons for such recommendation.

013.02B: The subgrantee may appeal following the process outlined in Section 15 of this operating instruction.

013.02C: The matter shall be forwarded to the Crime Commission either at its next scheduled meeting or, if necessary, at a special meeting called to specifically address the situation.

014 TURNBACK FUNDS: All turnback funds will be placed back into the state or federal source from which they were awarded for reallocation to subgrantees unless the block grant program has ended. If the grant program has ended, turnback funds shall either be lapsed to the state's general fund or returned to the federal grantor agency.

014.01: The Executive Director is authorized to award turnback funds of \$10,000 or less to existing or new subgrants. This reallocation of funds by the Executive Director may be utilized in emergency situations or when the grant program is due to end before the next Commission meeting.

014.02: If the Executive Director re-awards turnback funds, this action shall be reported to the Crime Commission at its next scheduled meeting.

015 GRANT APPEAL PROCESS: Appeals from applicants or subgrantees may be taken to the Crime Commission in limited circumstances. Any appeal shall follow the procedures outlined in this section.

015.01: An appeal may be filed with the Crime Commission only when:

015.01A: A grant applicant has been denied funding after the grant review.

015.01B: A subgrantee's funds have been terminated.

015.02: Any appeal must be made in writing and shall be received by the Grantor within ten (10) working days from the date of the Grantor's written notification via certified mail. The Grantor's notification shall include the date and time of the review hearing by the Crime Commission. The appeal from the denied or terminated applicant shall be in writing and shall clearly explain the grounds of the appeal. The written appeal shall also include the signature of the project director. If the written appeal is not received by the

deadline, the matter will be deemed closed and not subject to further review by the Crime Commission.

015.03 Basis for Appeal: The basis of the appeal shall be limited to one or more of the following grounds:

015.03A: The appealed decision was biased, arbitrary or prejudiced against the applicant or subgrantee;

015.03B: The appealed decision was reached without following the procedures outlined in this operating instruction; and/or

015.03C: The appealed decision was reached without following the guidelines of the specific grant program.

015.04: The Crime Commission shall review the appeal at its next scheduled meeting. The review will take into consideration the written appeal of the appellant and the written response of a designated staff person of the Grantor. Copies of both shall be provided to members of the Crime Commission prior to the hearing. At the discretion of the Crime Commission, questions may be posed by Commission members to the Appellant and/or personnel of the Grantor. At this review, the burden shall be on the appellant to demonstrate that one or more of the bases for appeal have been proven. The decision of the Crime Commission shall be final upon a majority vote of the Commission members.

016

CONFLICT OF INTEREST: Members of the Crime Commission shall recuse themselves from participating in any review of grants pursuant to Sections 07 or 08 and appeal hearings pursuant to Section 015 that directly involve their agency, institution or personnel.

016.01A: Any member of the grant review committee or the Crime Commission may raise the issue of a conflict of interest.



Michael E. Behm
Executive Director

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