Section I.

Buffalo County Comprehensive Juvenile Justice Plan

January 1, 2009-December 31, 2011

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LAW ENFORCEMENT AND
CRIMINAL JUSTICE

Buffalo County Nebraska Comprehensive Juvenile Justice Plan January 1, 2009-December 31, 2011

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Section II

Community Team Section

The Buffalo County Community Team was formed as an advisory committee to the Buffalo County Board of Supervisors in 2002. The Buffalo County Community Team is comprised of representatives from agencies providing services to the youth and families of Buffalo County, i.e. education, the faith community, local business, youth of the community and community members at large. The Committee attempts to meet on a quarterly basis and functions as one committee with individual members working on various issues as specific needs arise. There are no permanent standing committees.

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Section III
Juvenile Justice System Analysis Tool

See attached as Appendix A.

Section IV.
Community Socio-Economics:

Buffalo County Socio-Economics:

Based on July 2007 estimates by the U.S. Census Bureau, the population of Buffalo County Nebraska was 44,976. This represents a 3.3% increase from the 2000 Census or a gain of 2,717 individuals. Three communities in Buffalo County experienced a gain in population. Kearney, Gibbon, and Pleasanton gained population. Four communities experienced a loss in population from 2000 to 2007. These communities include Amherst, Elm Creek, Ravenna, and Riverdale. Sixty-five percent live in urban classified areas and (35%) live in rural classified areas.

Buffalo County is located in south-central Nebraska and covers 975 square miles. The southern border of the county runs parallel to Interstate 80. The population density per square mile of land (43.7) in 2004 increased to (46) in 2007; is almost double the population density for the state of Nebraska (22.3). The city of Kearney is the county seat of Buffalo County. Great Lakes Aviation provides four daily flights to Denver International Airport in Denver, Colorado.

Buffalo County is a rural area of 9 towns, 1,442.5 sq. miles. Contextual conditions for the County include: 11.2% of residents live below the poverty level compared to a statewide average of 9.7%. Minority population in Buffalo County is 5%. The ethnic makeup is 95% Caucasian, 4% Hispanic, and the remaining 1% representing Black, Asian, American Indian, and Pacific Islander. In Buffalo County 30.2% of residents completed four years of college or more, 57.8% completed high school, and 25% of the population is under age 18. The median household income for residents in Buffalo County is $41,036.

BUFFALO COUNTY DEMOGRAPHIC PROFILE

POPULATION: AGE AND SEX

The population of Buffalo County (44,976) represents a 13.2% increase from the 1990 Census. A little over half of the increase (6.7%) is due to natural changes (births and deaths) and slightly under half (6.2%) is due to net migration. Forty-nine percent of the population is male and fifty-one percent is female. The median age for females (31.3) is more than two years higher than the median age for males (28.9). The median age for Buffalo County is 30.0 years. Juveniles age 10 to 19 make up for 17% of the population with males outnumbering females. The city of Ravenna has the lowest proportion of juveniles in this age range (15%) and Riverdale has the highest proportion at 23.9%.

Gender	Total Pop. Of County		Juveniles Age 10-19		Median Age
Male	22,110	(49.0%)	5,231	(24.6%)*	28.9 years
Female	22,866	(51.0%)	4,974	(22.4%)*	28.9 years
County Total	44,976	(100%)	10,205	(23.5%)*	30.0 years[1]

RACE AND ETHNICITY

The racial profile of Buffalo County is predominately white. The county is not as racially or ethnically diverse as the state of Nebraska. Whites account for 95.2% of the population in Buffalo County and 89.6% statewide. The village of Miller has no racial or ethnic diversity and Gibbons racial diversity with 85.0% of the population identified as white comes close to equalling the state's racaial diversity.

No community withinin Buffalo County has African Americans, Native Americans, Asians, or Pacific Islanders as individual groups equalling one-percent of the population. In Buffalo County Hispanics represent the largest proportion of a racial group other than white (4%) with Asians (0.7%) followed by African Americans (0.5%), American Indians (0.3%) and Pacific Islander (rounds to zero percent).

Race/Ethnic Group	Makeup of Population	
	Number	Percent
White/Non Hispanic	40,221	95.2
African American	232	0.5
American Indian	140	0.3
Asian	289	0.7
Pacific Islander	13	rounds to zero
Hispanic or Latino	1,970	4.7

Race/Ethnic Group	Juveniles Age 10 – 19 Male & Female
White/Non Hispanic	9,380
African American	162
American Indian	56
Asian	72
Pacific Islander	3
Hispanic or Latino	472

[1] Numbers for juvenile population is based upon estimates established by the Office of Juvenile Justice and Delinquency Prevention as of Dec. 2005. cite:http://www/.ojjdp.ncjrs.org/ojstatbb/exapop/asp/comparison

Over ninety-percent of the population (5) years and older in Buffalo County speak English only. The village of Amherst contains the highest proportion of those who speak English only (98.2%) while the city of Gibbon has the lowest proportion (81.9%). County wide, 6.7% of the population speaks a language other than English at home. Gibbon again has the highest proportion (18.1%) followed by Shelton (16.3%). Pleasanton represents the lowest proportion with only 1.7% speaking a language other than English at Home. Less than three percent of the total county population reports that they speak English less than very well.

Population 5 Years and older	**Speak English Only**	**Speak Language Other than English at Home**	**Speak English Less than Very Well**
Number	38,841	2,629	967
Percent	93.3%	6.7%	2.4%

EDUCATION: ENROLLMENT AND ATTAINMENT

Overall there are thirty-five public and private K - 12 schools in Buffalo County. Nine of these are high schools, three are middle schools and twenty-three are elementary schools. Seven of these schools are private including three elementary, one middle school, and three high schools. In addition to the K – 12 schools there is also the University of Nebraska at Kearney and Central Community College.

Buffalo County has eleven middle and high schools with 4,256 youth in 6th through 12th grades. School enrollment of the population three years and over is 14,318 (2000 Census). Of these, 32.5% are enrolled in grades 1 – 8, 18% in grades 9 – 13, and 40.9% in college or graduate school. Amherst has the highest percentage of the students enrolled in grades 1 – 8 (56.9%) and Kearney has the lowest (25.1%). Miller has the highest percentage of students enrolled in grades 9 – 12 (57.7%) and Kearney again has the lowest (13.0%).

Overall the number of students in Buffalo County declined by 101 students from the 2000 school year to the 2001 school year (Nebraska Department of Education). The range of student decline during this time was a low of one student in Amherst to a high of fifty-two students in Kearney. Five districts saw an increase of students during this time ranging from a gain of one to six students. There were 7,166 students enrolled in K-12 grades during the 2007-2008 school year (Nebraska Department of Education).

The population of Buffalo County age twenty-five and over is 24,177. Of this population, 10.8% do not have a high school diploma. The community with the highest proportion of residents without a high school diploma is Gibbon (23.3%) and the community with the lowest percentage is Riverdale (5.6%). Almost ninety percent of Buffalo County residents are a high school graduate or higher. In Riverdale 94.4% of the residents have a high school degree or higher but in Gibbon this is true for only a little over three-fourths of the residents (76.7%). County wide, 30.2% (4,865 individuals) hold a Bachelor's degree or higher. Another 2,442 individuals have obtained a graduate or professional degree. Kearney is the community with the highest proportion of the residents with a Bachelor's degree or higher (34.9%) and the community with the lowest is Miller (14.3).

Population 3 Years & Over Enrolled in School	**Grades 1 - 8**		**Grades 9 - 12**		**College or Graduate School**	
14,318	4,655	(32.5%)	2,572	(18.0%)	5,852	(40.9%)

Population 25 Years & Over	**No High School Diploma**		**High School Graduate or Higher**	
24,177	2,618	(10.8%)	21,559	(89.2%)

EMPLOYMENT STATUS AND LABOR FORCE

The labor force of Buffalo County includes individuals 16 years and older and includes 24,062 individuals. As of July 2007, of those in the labor force 2.86% were unemployed. The lowest level of unemployment in the county is in Elm Creek (0.6%) and the highest level is in Riverdale (4.2%).

Nebraska ranks 47 out of 50 in the average time it takes to commute to work. The commute time in Nebraska is at least seven minutes less than the national average. The commute time for employees in Buffalo County is even less than the state average (15.6 minutes). Miller residents report the longest commute time (47.8 minutes) and Kearney residents report the shortest time (13.8 minutes). Residents in four communities (Amherst, Elm Creek, Ravenna and Shelton) report commute times of more than 20 minutes but less than 30 minutes. The commute times of residents in the rural communities in the county indicate most of the residents must travel to another community for employment.

Population 16 Years and Over	In Labor Force	Unemployed	Commute to Work	Mean Time in Minutes of Commute
33,080	24,062	646 (2.0%)	23,078	15.6

Non-farm employment accounts for the majority of employment in Buffalo County (22,478). Trade, wholesale, and retail comprise the largest employment sector (6,776). This is followed closely by services (5,574), Government (3,965), and manufacturing (3,505). Construction and mining, transportation, communications and utilities, financing, insurance, and real estate comprise 2,658 individuals.

The majority of those employed (8,908) are employed in non-manufacturing positions. Good Samaritan Hospital and the University of Nebraska at Kearney are the two largest non-manufacturing employers. Major employers include Baldwin Filters, Eaton Corporation, Coleman Powermate, Morris Press, Marshall Engines, West Company, and Chief Industries Inc. Companies continually praise the efforts of the local work force.

INCOME

The median household income in Buffalo County ($36,782) is below that for the state of Nebraska ($39,250). Households in Riverdale report the highest median income in the county at $44,375 and Ravenna the lowest at $31,875.

The median family income in the county is $46,247. Riverdale is slightly above the county median at $46,786 followed closely by families in Kearney at $46,650. Miller families earn the lowest median income at $36,875.

The per capita income for Buffalo County residents is $17,510. Kearney is the only community in which the per capita income ($17,713) is higher than the county overall. Elm Creek is just below the county average at $17,339 and Miller residents have the lowest per capita income at $13,968.

Median Household Income	Median Family Income	Per Capita Income	Median Earnings Full-Time Year Round Workers	
			Male	Female
$36,782	$46,247	$17,510	$30,182	$21,977

The proportion of families in Buffalo County living below the poverty level (6.3%) is slightly lower than the proportion statewide (6.7%) but is almost two percent better than the overall proportion for the United States (9.2%). Six hundred fifty-three families (6.3%) live below the poverty level in Buffalo County. Of these families, 530 include related children under 18 years and 286 families include

children under 5 years. The highest percentage of families in the county living below the poverty level live in Kearney (7.4%) followed closely by Shelton (7.2%). The village of Miller has no families living below the poverty level.

There are 4,395 (11.2%) individuals living below the poverty level in Buffalo County. Of these individuals, 1,048 live with related children under 18 years and 670 live with children age 5 to 17 years. Kearney has the highest proportion of individuals living below the poverty level (13.4%) and Miller reports the lowest proportion (4.1%).

Living Below Poverty Level	Number	Percent	With Related Children Under 18 Years	With Children Under 5 Years
Families	653	6.3%	530	286
Individuals	4,395	11.2%	1,048	378

Unmarried females present (1,316 individuals) or 8.3% of the householders in Buffalo County. The majority of these householders live in Kearney (1,019 female householders). In all communities in the county with the exception of Riverdale, unmarried females represent five to ten percent of householders. In Riverdale they represent 10.8% of householders.

HOUSEHOLDS AND HOUSING CHARACTERISTICS

There are 16,830 housing units in Buffalo County. Of these, 94.7% are occupied and 5.3% are vacant. The highest housing occupancy is in Riverdale with 98.8% of the units occupied and only 1.2% of the units vacant. The lowest occupancy level is in Miller followed closely by Ravenna with 88.9% and 89.0% respectively.

Family households represent 10,222 of the households in the county. There are 5,204 family households that include their own children under 18 years and 5,430 with individuals under 18 years old. Unmarried females account for 1,316 households, 929 of these include their own children under 18 years old.

Owners occupy 63.6% (10,128) of the housing units in Buffalo County and renters occupy the other 36.4% or 5,802 units. The highest owner occupancy levels in the county are in Pleasanton (86.2%) and the lowest are in Kearney (56.5%). Renters occupy 43.5% of the housing units in Kearney. The higher percentage of renters in Kearney is partially due to students from the University of Nebraska at Kearney.

Specified owner occupied units in Buffalo County have a median value of $91,300 and the median gross rent for specified renter occupied units is $495. The median value of specified owner occupied units is highest in Kearney ($94,700) and exceeds the median value countywide. The median value of

specified owner occupied units in all other communities in the county is well below that of the county median. The median value is lowest in Miller at $42,500 and five of the communities have a median value between $60,000 - $68,000. The median gross rent is highest in Pleasanton ($531) and lowest in Riverdale ($400) followed closely by Gibbon ($404).

Total Housing Units	Occupied	Vacant	Owner Occupied Units	Renter Occupied Units
16,830	15,930	900	10,128	5,802

There has been some growth in new housing units over the past decade with 18.8% or 3,160 housing units built in the county from 1990 to March 2000. A little over two percent (2.2%) of these new housing units were built from 1999-March 2000. Almost ten percent (1,665 units) were built from 1995 – 1998 and another 6.7% or 1,130 units were built from 1990 – 1994. Kearney had the highest proportion of new housing structures built from 1990 – March 2000 (20.2%). There were no new housing structures built in Miller during the same time period.

Homes sold in Buffalo County since 1996 in number and the total value are:

2008* 469 $63.2 million (through August 31, 2008)

2007 652 $84.8 M	2006 692 $89.5 M	2005 676 $86.3 M
2004 653 $84.3 M	2003 659 $78.7 M	2002 546 $58 M
2001 549 $59.5 M	2000 424 $44.6 M	1999 430 $45 M
1998 393 $34 M	1997 442 $40 M	1996 385 $33.1 M

(Buffalo County Board of Realtors, Multiple Listing Service and Kearney Hub)

Section V
Identified Priority Areas
for
2009 – 2011 Comprehensive Plan

Identified Priority Areas

January 1, 2009 through December 31, 2011

The 2008 Buffalo County Community Team developed a focus on the critical areas of need for youth in Buffalo County. The areas identified were:

1. Juvenile Crisis Detention / Intervention.
2. Diversion and Truancy Programs with high accountability for juveniles and involvement of parents and guardians.
3. Parental Engagement Services and Involvement Programs with a focus on referrals to affordable mental health services for youth and their families.

In developing the new priorities for the new three year Buffalo County Comphrehensive Juvenile Justice Plan; The Buffalo County Community Team meet twice formally in 2008. There were several additional meetings throughout the year involving individual Team members. During the last meeting the Buffalo County Community Team decided to complete a county wide survey.

During an seven week time period, 65 individuals responded to the "Buffalo County Comprehensive Juvenile Service Plan Survey. Individuals from ten communities responed to the survey: (67%) or 42 individuals from Kearney reponded, (16%) as well as 10 individuals from Gibbon. The other Buffalo County respondants were from Ravenna and Amherst. Additional respondants lived in Hastings, Franklin, Grand Island, Holdrege, Axtell, and Minden.

Twenty-eight percent or 18 of the respondants described their occupations as being ones of working directly with youth in education. Nineteen percent or 12 worked directly with youth-other. The majority of respondants described their agencies as; (36.9%) as school/education; (24.6%) as service providers-Non-

profit; (15.5%) as Government/State or local/Dependency/Child Welfare; (6%) as No Agency-I am a Parent; (3%) as court personnel.

The majority (73.8%) of respondants to the Buffalo County Comprehensive Juvenile Justice Plan Survey advised they were "well-informed" of the issues of affecting juveniles in Buffalo County. Forty percent of the respondants advised they were familiar with the past Buffalo County Comprehensive Juvenile Services' Plans.

In regards to the question, "Juvenile Diversion should remain a priority for Buffalo County for the next three years?" Ninety-two percent or 55 respondants strongly agree (56.7%) and (35%) or 21 agree. Eight percent or 5 respondants neither agree nor disagree. Ninety-five or 39 respondants strongly agree (65%) and (30%) or 18 agree that Truancy Reduction should remain a proiority area for Buffalo County.

A smaller percentage (32.2%) of the respondants advised they were knowledgeable regarding specific efforts and initiatives regarding the Attention Center in Buffalo County. Fifty-six percent or 33 of the respondants neither agree nor disagree, disagree, and strongly disagree; and (13.6%) or 8 respondants have never heard of the Attention Center.

The delivery of services for youth in Buffalo County should remain a priority had (70.7%) or 41 respondants stronghly agree and (25.9%) or 15 respondants agreed. Out of 58 respondants, (27.6%) or 16 respondants answered "YES" to there are enough services for youth and families in Buffalo County; and (48.3%) or 28 respondants responded "NO" to the above question.

Services Needed in Buffalo County:

There were 23 individuals who responded to listing services which they felt were needed. Two individuals suggested a juvenile detention or holding facilty was needed. Several individuals commented about having enough services being provided, but changes in "implemention" or how they are run should be updated or improved. The need for additional affordable behavioral health services for juveniles was listed as a needed service.

The main areas for recommendations of services fall within these categories:

1) **Mental health services, affordable evaluations and Cognitive Behavioral Intevention Services/Programs with home-based therapy. More parent engagement services which are required.**

2) **Better coordination of services between schools, Truancy/Diversion Programs, Probation, OJS and DHHS.**

3) **Drug/Alcohol prevention programs with AA/NA support systems for youth and their families to include prevention/education/mentoring and family support programs with peer to peer support and job training.**

4) **Additional diversion programs/services for 18-20 year old young adults. These services to include diversion and case management for MIP's and/or parenting classes.**

5) **Additional recreational activities within each individual community. (Examples given were skate parks and teen centers)**

6) **Juvenile Services facility which can safely detain a youth and provide mental health assessment/evaluations and provide faciliation of communication between all parties involved, i.e.-youth, parent(s), judicial system, DHHS/OJS, State Probation, and service providers.**

7) **Continuing education on issues of diversity and cutural sensitivity when working with youth/families of different origins.**

Section VI: Strategies

The continued development and implementation of the strategies in support of improved juvenile justice, and youth services in Buffalo County is undertaken with the understanding that all efforts should include the greatest array of community representatives as possible. These strategies continue to consider and involve law enfocement, the judiciary, State Probation, Health and Human Services, private service providers, the County Attorney's Office, the Buffalo County Public Defender, youth, educators, private business, church groups, and health care providers. The entire Buffalo County community has responsibility to contribute to these strategies. The primary support for the implementation of these services comes through the Buffalo County Attorney's Office and the Buffalo County Juvenile Justice Community Team (The Team). The strategies for Buffalo County focus on the following:

1. Continue implementation, the effectiveness of the Buffalo County Juvenile Diversion Program, the Buffalo County Truancy Program and the Buffalo County Attention Center Program. Buffalo County should continue to test the provision of diversion services and seek ways to maximize the effectiveness of financial and human resources. This activity will be the responsibility of the the Administrator of Buffalo County Juvenile Services in the Buffalo County Attorney's Office. Efforts should be directed at the continued development of collaborative efforts for assessing and providing services to youth and parents. This will include working with community service providers in developing affordable prevention based services.

2. Continue working on developing plans to maximize the utilization and delivery of services for youth at the county level, provide better utilization of resources and broader community involvement in a manner that will focus on improving communication within communities, programs, groups and families. The Buffalo County Community Team should facilitate the organization, research, design and implementation of a Buffalo County Juvenile Services Focus Project with the goal of establishing an on-going review, assessment and adjustment of the focus of county level services. This process will require engaging all of the relevant parties associated with youth in Buffalo County and working to establish a unified approach toward youth issues. The Buffalo County Juvenile Justice Team should identify key community youth programs and work with them to design and implement a Buffalo County Juvenile Services Focus Project.
3. Establish a set of service delivery components that enhance parent skills in working with youth, increase parental involvement in existing programs and services, better equip parents to be effective parents and hold parents accountable in the care of their children.

The Philosophy and Direction to Accomplish the Strategies

The 2008 plan continues to address areas of programmatic activity. Those three areas of programmatic activity in 2002 related to: 1) justice system crisis intervention, 2) diversion programs for first time juvenile offenders and 3) parental involvement and education.

Combined with the identification of the programmatic areas of need, the Buffalo County Community Team articulated, and continues to articulate, a service delivery philosophy that, by consensus, was adopted as the fundamental philosophical criteria upon which to base initiatives undertaken by and/or supported by the Buffalo County Board of Supervisors. The Team recommends that any programs be based upon and/or reflect "strength-based", "whole-family", "parental-involved", "wrap-around" services. While these terms hold a somewhat different meaning to specific service providers the every-day meaning of this philosophy is that for too long the youth that the justice system deals with have been viewed as young individuals that have been involved in an isolated event or series of delinquent events that is the reason for being brought to the attention of the justice system.

A operational philosophy that looks to strength-based, whole family, parental involved, wrap-around services recognizes that the youth in question did not get to where they are by themselves. Historically the system often has viewed the youth as a bad or trouble youth for whom the system was responsible. In order to consider the issues that may need to be addressed within the philosophy presented, the youth must be considered as a person who has positive attributes as well as issues that need to be considered and worked with. The youth is part of a family network whether considered functional or non-functional. Addressing the concerns with a youth involves the consideration of the strengths and needs of the whole family and the whole child in a manner that does not place a band aid on a wound that needs more serious attention.

The approaches encouraged within this plan can become complex. The recommendations are in recognition that the child and the child's behavior is a complex combination of needs and strengths and personal and familial responsibility. The need and encouragement of skills development that helps the individual and family deal with more than the fact that a child has been involved in a delinquent act is a major corner stone of the provision of services. This plan calls for an incresing emphasis on the focus of programs and services designed to engage youth, engage parents and equip both for interaction and problem solving. This plan also calls for a greater emphasis on coordination and utilization of existing programs, services and initiatives.

APPENDIX A: SYSTEM POINT CHECK LIST

SYSTEM POINT: ARREST/ CITATION	
PARTY RESPONSIBLE: Police/Law Enforcement STATUTE REFERENCE: NRS §§ 43-247 (1), (2), (4)	
Decision: Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested.	
Formal Determining Factors a. Sufficient factual basis to believe offense was committed. b. Underlying support for a particular offense.	Informal Determining Factors a. Officer's Inclination/ patience b. Degree to which parent or service provider pushes the issue c. Youth's prior incidences with law enforcement. d. Youth and/or youth's families perceived status in the community.

Notes: Arrest/Citation

The formal determining factors are of course appropriate. The Kearney Police Department takes exception with point "a" in the informal factors. It may be semantics but in the experience of the Chief of Police it is not an Officers patience or inclination as much as their opinion that the offender will not re-offend. This is of course true in very minor types of incidents. We mandate arrest for offenses such as MIP, DUI, Assault and the Officer has very little discretion in those types of instances.

Area law enforcement would concur that point "c" is considered in some instances, as the tendency is to arrest persons who we have had prior contact on or in many instances, continued contact with as an offender.

The Kearney Police Department does not believe point "d" is an issue. It is difficult to determine how much effect point "b" would have. The experience of the Kearney Police Department has seen people who are adamant to see someone charged and we have when appropriate, "negotiated" this out. We have also and more often seen someone who may not want someone arrested, merely cautioned and we were in a position where we needed to take a greater level of enforcement action.

Decision: Whether to cite or arrest juvenile for juvenile or adult offense.	
Formal Determining Factors a. Seriousness of Offense b. Is there a warrant?	Informal Determining Factors a. Degree to which juvenile cooperates with officer. b. Victim's desire. c. Is the youth already in the HHS or juvenile system?
Notes: In the cite/arrest for juvenile or adult offense, this is often again not a discretionary matter. Status offenses of course would not apply to an adult. The Kearney Police Department has consistently addressed misdemeanor issues as a juvenile offense, unless the offender is already within the system for a prior offense. In these instances, depending on the nature of the incident, it may be reviewed and upgraded. Serious offenses are on a case by case basis. An assault, even if a misdemeanor, is certainly serious and could warrant a review of what level the case is filed at. I do believe that generally, this would be a youthful offender status rather than an adult charge. Under the informal factors, each of those is somewhat salient, but certainly not driving factors in the decision making process. Again, it is really more what the crime is, felony or misdemeanor that drives that decision.	

Decision: Whether to take juvenile into custody or to cite and release (NRS § 43-248 (1), (2); § 43-250 (1), (2), (3))	
Formal Determining Factors As per NRS 43-348	Informal Determining Factors a. Immediate risk to juvenile b. Immediate/short term risk to public c. Seriousness of perceived offense d. Extent to which parent or other responsible adult available to take responsibility for juvenile. e. Is there a warrant? f. Availability of pre-adjudication detention options?
Notes: Taking juvenile into custody or citing and release. This is driven by policy. Our greatest concern is for the welfare of the juvenile. As I'm certain we are all aware, the thought processes of a juvenile are erratic at best, even on a good day. Once having been arrested for an offense, it is never appropriate to simply cite and release. The Kearney Police Department makes every effort to make certain these people are released to a responsible adult, usually a parent or guardian. We have had to make exceptions to other family	

members, such as Aunts, Uncles and in some instances adult siblings. Though not what we always want, we have even placed runaways on buses at the request of their parents. This is an area where status offenses, i.e. MIP, come into play. It would be wholly inappropriate to release an intoxicated juvenile with a citation. I also think that if you review statute, you would note that in your Informal factors, statutorily these may be more formal that informal.

Other informal factors do have an impact on decisions. This is a community that has a real issues with juvenile possession and consumption of alcohol. You can not treat this lightly or inconsistently. It seems that this includes licensing issues of businesses and the community is looking for significant answers to what seem to be age old questions. As Chief of Police, I think you'll find that arrest data and prosecution information will show a consistent effort to treat this type of offense seriously and regularly. I think a review of the Health Partners surveys for area youth can go along ways to help in making certain decisions. I know it is a self reporting instrument and I am cynical enough to wonder but it does give some insights.

I question whether there are specific age appropriate services for alcohol and drug counseling available to the community. I think our programming is at best haphazard in this area and is very much adult centered. I don't think there is enough age appropriate support available in this area. I think this is a very specific issue for juveniles and I don't think the adult solutions are as effective for youth. I also think this speaks directly to the failure and dismantling of the states mental health system.

SYSTEM POINT: INITIAL DETENTION

PARTY RESPONSIBLE: State of Nebraska Probation

STATUTE REFERENCE: NRS § 43-250(3), § 43-260, § 43-260.01

Decision: Whether juvenile should be detained or released.

Formal Determining Factors	Informal Determining Factors
a. Risk assessment outcome b. Accessibility of placement options: i. Parents/Guardians ii. Emergency Shelter iii. Staff Secure Facility iv. Secure Detention Facility	a. Juvenile attitude in regard to willingness to work with the situation, family, etc. b. Parental attitude in regard to willingness to work with the child and the authorities c. Victim sensitivity in the case. Ie. does the victim reside in the home of the youth.

Notes:

Formal factors listed are appropriate.

SYSTEM POINT: CHARGE JUVENILE PARTY RESPONSIBLE: County Attorney STATUTE REFERENCE: NRS § 43-274(1), § 43-275, § 43-276	
Decision: Whether to prosecute juvenile.	
Formal Determining Factors a. Likelihood of successful prosecution b. Factors under NRS § 43-276: i. Type of treatment to which juvenile would be most amenable ii. Evidence that offense was violent, aggressive, or premeditated iii. Motivation for commission of offense iv. Age of juvenile and co-offenders v. Previous offense history, especially patterns of prior violence or antisocial behavior vi. Juvenile's sophistication and maturity vii. Juvenile's prior contacts with law enforcement and the courts viii. Whether there are facilities particularly available to the juvenile court for the treatment and rehabilitation of the juvenile ix. Whether best interests of juvenile and public safety dictate supervision extending beyond his or her minority x. Victim's inclination to participate in mediation xi. "Such other matters as the county attorney deems relevant to his or her decision"	Informal Determining Factors An informal factor includes whether prosecution will have any impact on the juvenile (e.g. change the placement, hold the youth accountable)
Notes:	

Decision: Whether youth should be prosecuted as juvenile or adult.	
Formal Determining Factors a. Seriousness of offense b. NRS 43-276	Informal Determining Factors Likelihood of completing probation successfully.
Notes:	

Decision: Offense for which juvenile should be charged.	
Formal Determining Factors Likelihood of successful prosecution for that offense or whether lesser charge is more easily proven.	Informal Determining Factors None different than any other type of case.
Notes:	

SYSTEM POINT: PRE-ADJUDICATION DETENTION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-253(2)	
Decision: Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication.	
Options: 1. Parents/Guardians 2. Emergency Shelter 3. Staff Secure Facility 4. Secure Detention Facility 5. Electronic Monitoring	
Formal Determining Factors a. Whether there is an "immediate and urgent necessity for the protection of such juvenile" b. Whether there is an "immediate and urgent necessity for the protection of…the person or property of another" c. Whether juvenile is likely to flee the jurisdiction of the court	Informal Determining Factors a. Lack of available placement for juvenile
Notes: The main thing is the protection of the juvenile.	

SYSTEM POINT: PROBABLE CAUSE HEARING PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-256	
Decision: Whether state can show that probable cause exists that juvenile is within the jurisdiction of the court.	
Formal Determining Factors Age of the juvenile	Informal Determining Factors
Notes:	

SYSTEM POINT: COMPETENCY EVALUATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-258(1(b))	
Decision: Whether juvenile is competent to participate in the proceedings.	
Formal Determining Factors a. Does the juvenile understand the nature of the offense, the penalties and his or her rights? b. Can the juvenile assist his or her defense?	Informal Determining Factors
Notes:	

Decision: Whether juvenile is "responsible" for his/her acts NRS § 43-258(1(c) and (2))	
Formal Determining Factors c. Physician, Surgeon, Psychiatrist, Community Health Program, Psychologist d. "Complete evaluation of the juvenile including any authorized area of inquiry requested by court." (NRS § 43-258(2))	Informal Determining Factors a. Family environment b. Legal history c. Medical history d. Education
Notes:	

SYSTEM POINT: ADJUDICATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-279 (2) and (3)	
Decision: Whether the juvenile is, beyond a reasonable doubt, "a person described by section 43-247."	
Formal Determining Factors a. Legal sufficiency of evidence presented during adjudication hearing b. Whether juvenile admits the allegations of the petition (or, "pleads to the charges")	Informal Determining Factors NONE
Notes:	

Decision: Whether to order probation to conduct a pre-disposition investigation (statutory authority unclear)	
Formal Determining Factors a. Nature of the offense b. Juvenile's history c. Family and/or school problems d. Juvenile's behavior	Informal Determining Factors
Notes: In 99% of the cases a pre-disposition investigation is done. *See NRS § 29-2261(2): A court may order a pre-sentence investigation in any case, except in cases in which an offender has been convicted of a Class IIIA misdemeanor, a Class IV misdemeanor, a Class V misdemeanor, a traffic infraction, or any corresponding city or village ordinance.	

Decision: Whether to order OJS evaluation NRS § 43-281	
Formal Determining Factors a. Nature of the offense b. Juvenile's history	Informal Determining Factors a. Family and/or school problems b. Juvenile's behavior
Notes: *See also: NRS § 29-2204(3): Except when a term of life is required by law, whenever the defendant was under eighteen years of age at the time he or she committed the crime for which he or she was convicted, the court may, in its discretion, instead of imposing the penalty provided for the crime, make such disposition of the defendant as the court deems proper under the Nebraska Juvenile Code. Prior to making a disposition which commits the juvenile to the Office of Juvenile Services, the court shall order the juvenile to be evaluated by the office if the juvenile	

has not had an evaluation within the past twelve months.

Decision: Whether to order a PDI or OJS Evaluation	
Formal Determining Factors a. Presumably supplement each other b. Uncertainty about whether probation or commitment to OJS is in the juvenile's best interest	Informal Determining Factors a. Seriousness / Nature of the offense b. Juvenile history c. Family and/or school problems d. Juvenile's behavior
Notes:	

SYSTEM POINT: DISPOSITION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-286 (1)	
Decision: Whether to place juvenile on probation NRS § 43-286(1)(a)(i)	
Formal Determining Factors a. Nature of the offense b. Treatment options available to the juvenile	Informal Determining Factors a. Family history b. School problems c. Behavior problems
Notes:	

Decision: Whether to commit such juvenile to the Office of Juvenile Services NRS § 43-286(1)(b)	
Formal Determining Factors a. Office of Juvenile Services recommendation b. Juvenile's need of treatment c. Nature of the offense	Informal Determining Factors a. Family history b. School problems c. Behavior problems d. Juvenile history
Notes:	

Decision: Whether to place juvenile on probation and commit juvenile to HHS or OJS	
Formal Determining Factors a. No apparent authority for delinquent in the legal custody of parents/guardian.	Informal Determining Factors a. Gives probation responsibility of supervision, but opens access to HHS/OJS funds for treatment or rehabilitation

Notes:

NO ONE AGENCY OR THE OTHER – EITHER / OR

See Also, State v. David C., 6 Neb. App. 198, 572 N.W.2d 392 (1997): [9] It is clear that the court intended to commit David to the YRTC without actually revoking his probation. We can find no statutory basis for this procedure. Section **43-286** provides for the possible dispositions that a court may make, including continuing [*214] the disposition portion of the hearing and (1) placing the juvenile on probation subject to the supervision of a probation officer; (2) permitting the juvenile to remain in his or her [***31] own home, subject to the supervision of the probation officer; (3) placing the juvenile in a suitable home or institution or with the Department; or (4) committing him or her to OJS. **Section 43-286 provides no authority for a court to place a juvenile on probation under the care of OJS.** Section **43-286**(4)(e) provides that if the court finds that the juvenile violated the terms of his or her probation, the court may modify the terms and conditions of the probation order, extend the period of probation, or enter "any order of disposition that could have been made at the time the original order of probation was entered . . . ." The court could not have originally entered an order providing for probation with commitment to YRTC, and it necessarily follows that the court could not enter such an order upon finding that the juvenile had violated the terms of his or her probation. The attempt to continue probation while committing David to a YRTC would also require a reversal of the order of April 30.

SYSTEM POINT: ADMINISTRATIVE SANCTIONS PARTY RESPONSIBLE: Probation STATUTE REFERENCE: NRS § 29-2266	
Decision: Whether to impose administrative sanctions on a probationer	
Formal Determining Factors (NRS § 29-2266 (2)) a. Probation officers has reasonable cause to believe that probationer has committed or is about to commit a substance abuse violation or a non-criminal violation b. Substance abuse violation refers to a positive test for drug or alcohol use, failure to report for such a test, or failure to comply with substance abuse evaluations or treatment c. Non-criminal violation means: i. Moving traffic violations; ii. Failure to report to his or her probation officer; iii. Leaving the jurisdiction of the court or leaving the state without the permission of the court or his or her probation officer; iv. Failure to work regularly or attend training school; v. Failure to notify his or her probation officers of change of address or employment; vi. Frequenting places where controlled substances are illegally sold, used, distributed, or administered; vii. Failure to perform community service as directed; viii. Failure to pay fines, courts costs, restitution, or any fees imposed pursuant to section 29-2262.06.	Informal Determining Factors a. has the juvenile started probation and has yet to start treatment b. is the juvenile taking own steps to correct behavior and it is a better course of action then the sanction c. have other sanctions already been tried and the same behavior has continued d. is the current placement in question in regard stability and contributions to positive outcomes.
Notes:	

SYSTEM POINT:	**MOTION TO REVOKE PROBATION**
PARTY RESPONSIBLE: County Attorney STATUTE REFERENCE: NRS § 43-286(4)(b)(i)	
Formal Determining Factors Seriousness of the violation.	Informal Determining Factors What does the Probation Officer think should happen.
Notes:	

SYSTEM POINT:	**MODIFICATION/REVOCATION OF PROBATION**
PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-286(4)(b)(v)	
Formal Determining Factors Treatment options. What programs are needed for the juvenile?	Informal Determining Factors Look at where the juvenile is at, at that point in time?
Notes:	

SYSTEM POINT:	**SETTING ASIDE ADJUDICATION**
PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-2,104	
Decision: Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment NRS § 43-2,102	
Formal Determining Factors (43-2,103) a. Juvenile's post-adjudication behavior and response to treatment and rehabilitation programs b. Whether setting aside adjudication will depreciate seriousness of juvenile's conduct or promote disrespect for law c. Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based.	Informal Determining Factors Has the juvenile been off of probation for one full year?
Notes: Never do it unless the juvenile has been off of probation for one full year.	

Decision: Whether juvenile should be discharged from the custody and supervision of OJS	
Formal Determining Factors a. Presumably same as those for probation under NRS § 43-2,103 Age of the Juvenile Age 18, subjected to prosecution in adult court for criminal charges.	Informal Determining Factors Request of any of the parties.
Notes: See Also, *In re Interest Tamantha S.*, 267 Neb. 78; 672 N.W.2d 24 (2003): it is clear under the language of § 43-408 that the committing court maintains jurisdiction over a juvenile committed to OJS, conducts review hearings every 6 months, and is to receive written notification of the placement and treatment status of juveniles committed to OJS at least every 6 months. See § 43-408(2) and (3). Thus, although the statute speaks of committed [**28] juveniles' being "discharged from [OJS]," § 43-408(2), the statute does not explicitly say that OJS discharges the juveniles, and, on the contrary, the Legislature has explicitly mandated that the committing court "continues to maintain jurisdiction" over a juvenile [***9] committed to OJS. *Id.* Therefore, while OJS may make an initial determination with regard to the advisability of the discharge of a juvenile committed to OJS, the committing court, as a result of its statutorily imposed continuing jurisdiction, must approve the discharge of the juvenile.	

APPENDIX B

Page: Demographic Information

1. My contact information.

answered question	**62**
skipped question	**3**

	Response Percent	Response Count
Name:	96.8%	60
Company:	93.5%	58
Address:	93.5%	58
Address 2:	12.9%	8
City/Town:	100.0%	62
State:	100.0%	62
ZIP/Postal Code:	100.0%	62
Country:	91.9%	57
Address:	91.9%	57
Phone Number:	90.3%	56

2. The following BEST describes my primary interest in relation to juvenile issues.

answered question	**65**
skipped question	**0**

	Response Percent	Response Count
I am a youth	0.0%	0
I provide peer support to another youth	1.5%	1
I am a concerned Parent	6.2%	4
I am a concerned Private Citizen	3.1%	2
I am a Public Policy Maker	0.0%	0
I am an Elected Official	0.0%	0
I work directly	27.7%	18

2. The following BEST describes my primary interest in relation to juvenile issues.

with Youth-in education		
I work directly with Youth-in counseling	7.7%	5
I work directly with Youth-other	18.5%	12
I manage staff who work directly with Youth	7.7%	5
I am an Agency/Program Administrator	18.5%	12
I perform Grant Writing/Data Analysis	1.5%	1
I provide Administrative support	3.1%	2
I provide services or support to Parents	4.6%	3

3. The following BEST describes my agency "type".

answered question		**65**
skipped question		**0**
	Response Percent	**Response Count**
No Agency-I am a Youth	0.0%	0
No Agency-I am a Parent	4.6%	3
Service Provider-Non-Profit	24.6%	16
Service Provider-For Profit	3.1%	2
School/Education	36.9%	24
Law Enforcement	10.8%	7
Parent, Family, or Peer Support	1.5%	1

3. The following BEST describes my agency "type".

Funding	0.0%	0
Court Personnel	3.1%	2
Government (state or local)-Delinquency/Status	1.5%	1
Government (state or local)-Dependency/Child Welfare	1.5%	1
Government (state or local)-Other	12.3%	8

4. I am well-informed regarding issues affecting juveniles in Buffalo County.

answered question	**65**
skipped question	**0**

	Response Percent	**Response Count**
Strongly Agree	12.3%	8
Agree	61.5%	40
Neither Agree or Disagree	16.9%	11
Disagree	9.2%	6
Strongly Disagree	0.0%	0

5. I am very familiar with the Buffalo County Comprehensive Juvenile Services Plan.

answered question	**65**
skipped question	**0**

	Response Percent	**Response Count**
Strongly Agree	12.3%	8
Agree	27.7%	18
Neither Agree or Disagree	26.2%	17
Disagree	29.2%	19
Strongly Disagree	4.6%	3

1. Diversion in Buffalo County has been fully implemented?

answered question	**60**
skipped question	**5**

	Response Percent	Response Count
Strongly Agree	23.3%	14
Agree	41.7%	25
Neither Agree or Disagree	30.0%	18
Disagree	5.0%	3
Strongly Disagree	0.0%	0

2. I'm knowledgeable regarding specific efforts and initiatives aimed at maximizing the effectiveness of the Buffalo County Juvenile Diversion Program?

answered question	**60**
skipped question	**5**

	Response Percent	Response Count
Strongly Agree	15.0%	9
Agree	40.0%	24
Neither Agree or Disagree	26.7%	16
Disagree	16.7%	10
Strongly Disagree	1.7%	1

3. I'm knowledgeable regarding specific efforts and initiatives aimed at reducing truancy in Buffalo County?

answered question	**60**
skipped question	**5**

	Response Percent	Response Count
Strongly Agree	18.3%	11
Agree	38.3%	23
Neither Agree nor Disagree	25.0%	15

3. I'm knowledgeable regarding specific efforts and initiatives aimed at reducing truancy in Buffalo County?

Disagree	16.7%	10
Strongly Disagree	1.7%	1

4. I am knowledgeable regarding specific efforts and initiatives aimed at maximizing the effectiveness of the Buffalo County Attention Center?

answered question	**58**
skipped question	**7**

	Response Percent	Response Count
Strongly Agree	8.6%	5
Agree	22.4%	13
Neither Agree nor Disagree	31.0%	18
Disagree	31.0%	18
Strongly Disagree	6.9%	4

5. Juvenile Diversion should remain a priority area for Buffalo County for the next three years.

answered question	**60**
skipped question	**5**

	Response Percent	Response Count
Strongly Agree	56.7%	34
Agree	35.0%	21
Neither Agree nor Disagree	8.3%	5
Disagree	0.0%	0
Strongly Disagree	0.0%	0

6. Truancy reduction should remain a priority area for Buffalo County for the next three years.

answered question	**60**
skipped question	**5**

	Response	Response

6. Truancy reduction should remain a priority area for Buffalo County for the next three years.

	Percent	Count
Strongly Agree	65.0%	39
Agree	30.0%	18
Neither Agree nor Disagree	5.0%	3
Disagree	0.0%	0
Strongly Disagree	0.0%	0

7. I have participated in truancy reduction efforts (through ANY committee, initiative, or agency) over the past three years.

answered question	**60**
skipped question	**5**

	Response Percent	Response Count
Always (9 + meetings or activities per year)	6.7%	4
Usually (6-8 meetings or activities per year)	8.3%	5
About Half the Time (3-5 meetings or activities per year)	16.7%	10
Seldom (1-2 meetings or activities per year)	20.0%	12

7. I have participated in truancy reduction efforts (through ANY committee, initiative, or agency) over the past three years.

Never (0)	48.3%	29

8. I'm knowledgeable regarding specific efforts and initiatives regarding the Attention Center in Buffalo County?

answered question	**59**
skipped question	**6**

	Response Percent	**Response Count**
Strongly Agree	6.8%	4
Agree	25.4%	15
Neither Agree nor Disagree	23.7%	14
Disagree	20.3%	12
Strongly Disagree	11.9%	7
I've never heard of the Attention Center	13.6%	8

Page: Priority 2

1. Delivery of services for youth in Buffalo County should remain a priority?

answered question	**58**
skipped question	**7**

	Response Percent	**Response Count**
Strongly Agree	70.7%	41
Agree	25.9%	15
Neither Agree nor Disagree	3.4%	2
Disagree	0.0%	0
Strongly Disagree	0.0%	0

2. Do you believe there are enough services for youth and families in Buffalo County?

answered question	**58**
skipped question	**7**

	Response Percent	Response Count
Yes	27.6%	16
No	48.3%	28
I really don't know	24.1%	14

3. Please list services which you believe are needed in Buffalo County.

answered question	**23**
skipped question	**42**

	Response Count

Page: Priority 3

1. Enhancing parental skills is important in Buffalo County?

answered question	**57**
skipped question	**8**

	Response Percent	Response Count
Strongly Agree	73.7%	42
Agree	22.8%	13
Neither Agree nor Disagree	3.5%	2
Strongly Disagree	0.0%	0

2. Increasing parental involvement in existing programs and services is important in Buffalo County?

answered question	**57**
skipped question	**8**

	Response Percent	Response Count
Strongly Agree	70.2%	40
Agree	29.8%	17

2. Increasing parental involvement in existing programs and services is important in Buffalo County?

Neither Agree nor Disagree	0.0%	0
Strongly Disagree	0.0%	0

3. Holding parents accountable in the care for their children in Buffalo County is important?

answered question	**57**
skipped question	**8**

	Response Percent	**Response Count**
Strongly Agree	68.4%	39
Agree	31.6%	18
Neither Agree nor Disagree	0.0%	0
Disagree	0.0%	0
Strongly Disagree	0.0%	0

1. The most important issues facing youth in Buffalo County are:

answered question	**54**
skipped question	**11**

	Response Percent	**Response Count**
Truancy	53.7%	29
Early Assessment	29.6%	16
Mental Health Issues	68.5%	37
Youth violence	35.2%	19
Drug/Alcohol Abuse	88.9%	48
Nothing to do	16.7%	9

2. Additional issues facing youth in Buffalo County are:

answered question	**16**
skipped question	**49**

Response Count

3. Additional recommendations for programs to help youth and families are:

answered question	**15**
skipped question	**50**

	Response Count

General Information

1. If you are from an agency, does your agency receive any type of Juvenile Service funding through the Nebraska Crime Commission?

answered question	**51**
skipped question	**14**

	Response Percent	**Response Count**
Yes	11.8%	6
No	60.8%	31
N/A	27.5%	14

2. Communication and collaboration between Buffalo County and state-level agencies is effective?

answered question	**54**
skipped question	**11**

	Response Percent	**Response Count**
Strongly Disagree	7.4%	4
Disagree	13.0%	7
Undecided	48.1%	26
Agree	29.6%	16
Strongly Agree	1.9%	1

3. I feel the following issue(s) are not currently being addressed sufficiently, and should be considered as NEW Priority Areas in the 2009-2011 Buffalo County Comprehensive Juvenile Services Plan.

answered question	**16**
skipped question	**49**

	Response Count

4. I can provide data to substantiate the issue(s) I just listed as a Priority Area for Buffalo County.

answered question	**36**
skipped question	**29**

	Response	**Response**

4. I can provide data to substantiate the issue(s) I just listed as a Priority Area for Buffalo County.

	Percent	Count
Strongly Agree	5.6%	2
Agree	36.1%	13
Neither Agree nor Disagree	52.8%	19
Disagree	2.8%	1
Strongly Disagree	2.8%	1