I.

COLFAX COUNTY JUVENILE SERVICES

THREE YEAR COMPREHENSIVE PLAN

JANUARY 1, 2009 - DECEMBER 31, 2011

PROJECT DIRECTOR:

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NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

COUNTY FEDERAL ID NUMBER:
47- 6006445

COMMUNITY TEAM: The Colfax County Juvenile Services /Community "Team" includes relevant stakeholders in the community, many of whom have recently participated in a systems analysis of the juvenile justice system in Colfax County, with an eye towards identifying gaps and needs. The "Team" also includes several individuals who serve on Colfax County's 1184 Team, which has been meeting monthly to address issues of child abuse/neglect/delinquency and treatment resources. The "Team" also includes several individuals who are members of the Colfax County Community who have been meeting on and off for the past several months and who have been dedicated to implementing prevention strategies on behalf of Colfax County youth. Interdisciplinary networking between "team members" occurs formally on at least a monthly basis incidental to 1184 Team meetings and, and informally on a daily/weekly basis as team members interact with one another in their jobs. Juvenile Services Funds/Programs have been discussed regularly by "Team members" in these interdisciplinary contexts since 2002, when Colfax County's first Juvenile Services Plan was developed.

TEAM MEMBERS:

Bo Botelho; Colfax County Attorney; 1184 Team Chairperson; 412 East 11th Street, Schuyler, NE 68661; (402) 352-8502;

Mandy Trout; Deputy Colfax County Attorney; 1184 Team Member; 412 East 11th Street, Schuyler, NE 68661; (402) 352-8502;

Saul Soltero; Colfax County Diversion Officer; 1184 Team Member; 412 East 11th Street, Schuyler, NE 68661; (402) 352-8502

Amy Doesher; Northeast Nebraska Child Advocacy Center; 1184 Team Facilitator; 1500 Koenigstein Ave, Norfolk NE, 68701

Paul Kruse; Colfax County Sheriff; 1184 Team Member; 411 East 11th Street, Schuyler, NE 68661; (402) 352-8526;

Tony Hemmer; Colfax County Deputy Sheriff; 1184 Team Member; 411 East 11th Street, Schuyler, NE 68661; (402) 352-8526;

Lenny Hiltner; Schuyler Chief of Police; 1184 Team Member; 1020 A Street, Schuyler, NE 68661; (402) 352-2415;

Amy Johnson; Schuyler Central High School; 1184 Team Member;
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Stephen Grammar; Schuyler Junior High School; 1184 Team Member; 200 West 10th St, Schuyler, NE 68661-2400

Deanna Rodriguez; Center for Survivors; 1184 Team Member; PO Box 42, Columbus, NE 68601

COLFAX COUNTY PROFILE:

LAND AREA: 413 Sq Miles

POPULATION (2007 estimate): 9,974
POPULATION (2000 Census): 10,411

DEMOGRAPHICS:	White(2007)	97.7%
	Black(2007)	0.2%
	Native American(2007)	0.5%
	Asian/Pacific Islander(2007)	10.0%
	Hispanic(2007)	36.7%
	White Non Hispanic(2007)	62,4%

COUNTY SEAT: Schuyler

TOWNS AND POPULATIONS: Clarkson, 685; Howells, 632; Leigh, 442; Richland, 89; Rogers, 95; Schuyler, 5,371.

PUBLIC SCHOOL DISTRICTS: Clarkson Public Schools, Clarkson; District 501-Colfax County, Clarkson; District 504-Colfax County, Schuyler; District 505-Colfax County, Clarkson; Fisher's Public School, Schuyler; Howells Public Schools, Howells; Leigh Community Schools, Leigh; Richland Public Schools, Richland; Schuyler Central High School, Schuyler; Schuyler Grade Schools, Schuyler.

PRIVATE SCHOOLS: Howells Community Catholic School, Howells; St. John Neumann Elementary School, Clarkson

ECONOMICS:	Median Household Income(2007)	$42, 057		
	Persons below poverty(2007)	10.9%		
	Largest Employers(2006)	Farming	759	11.3%
		Government	564	8.4%
		Retail	496	7.4%
		Wholesale	367	5.4%
		Transportation	330	4.9%
		Professional	114	1.7%

IDENTIFIED PRIORITY AREAS:

PRIORITY AREA #1: UNSUPERVISED YOUTH

ISSUE: Team members feel that perhaps the largest contributor to juvenile delinquency in Colfax County and the Schuyler area is the inordinate amount of unsupervised time juveniles enjoy. Both law enforcement and school officials report that many area juveniles are left to tend to themselves for large part of their day. This is due in part to the large number of single parent homes, parents working in opposite or night shifts, and lack of extended family structure. As a result many juveniles find themselves without adult supervision for large amounts of time. Often school will provide what little supervision/structure that the child has. It is during these unsupervised periods that juveniles engage in high risk activity such as alcohol, criminal mischief (tagging), and gang or gang related behaviors.

Priority Area #1 Strategies:

A juvenile delinquency prevention committee will be formed to begin to address juvenile delinquency issues, including unsupervised youth, from a community level. This committee will include interested members of the community as well as law enforcement and educators. The goal will be to identify and acquire community resources which can be utilized to provide positive, structured activities for youth. This goal is ongoing, the lead agency is the Colfax County Attorneys Office. Currently the County Attorney Office is in the recruitment stage by trying to identify and approach interested community members to become committee members.

Resources Needed: Investment of time from community members and law enforcement.

Desired Outcomes: Educating the general public as to the seriousness of juvenile delinquency, create a sense of investment and empowerment in the community by allowing them input in developing a plan to counter the rising level of juvenile delinquency and to help identify community resources which can be used or developed for future juvenile services.

PRIORITY AREA #2: PRE-ADJUDICATION/DELINQUENCY PREVENTION RESOURCES

ISSUE: Team members recognize the distinct lack of pre-adjudication delinquency prevention resources. Current programs and resources are generally post adjudication or at least post law enforcement contact i.e. Diversion. There is a great need to reach out to at risk youths before legal intervention becomes necessary. Team members agree that the community needs to take a proactive approach in addition to the traditional reactive methods to address the rising juvenile delinquency issues.

Priority Area #2 Strategies:

"At Risk Youth Program" The County Attorneys Office, Diversion Officer, Law Enforcement and school officials will cooperate to identify "at risk youth", youth who are not currently adjudicated or under court supervision, but who are deemed to have a high risk to fall under the courts supervision or have been in the past. Once identified these youths will be invited to form a peer group, which is to meet at least monthly. This Goal is on-going, the lead agency is the Colfax County Attorney Office's Diversion Program.

Resources Needed: Investment of time. Funding for life skill and career development programs.

Desired Outcomes: The goal of the group is to promote and discuss positive lifestyles. This group will help these youth to identify positive life goals and provide assistance and support in attaining them.

"Junior Deputy Program", The colfax county attorney, Colfax county Sheriff's Department, Schuyler Police Department, Colfax County Diversion Program will develop and pursue programs and policies which will increase the number of positive contacts between law enforcement and children. Sheriff Kruse will spearhead a Junior Deputy Program, which will include law enforcement and other public service professionals speaking to fourth and or fifth grade classes throughout Colfax County. This strategy is in progress and we hope to be able to implement during the upcoming school year. The Colfax County Sheriff Department, and Colfax county Attorney's Office are lead agencies.

Resources Needed: Investment of time from local law enforcement and other public service professionals. Funding for special events such as "Field Days" and transportation for field trips to area law enforcement and public buildings, such the court house, fire station etc.

Desired Outcomes: Promote a sense of trust and respect between area youth and law enforcement.

PRIORITY AREA #3: SCHOOL RESOURCES FOR AT RISK YOUTH, SAFETY AND PREVENTION.

ISSUE: Team members recognize that the schools are the front line in the effort to prevent and reduce juvenile delinquency issues. Colfax County Schools and especially Schuyler schools lack the resources to properly address school related delinquency issues and/or contributing factors i.e. truancy, lack of parental involvement, lack of student participation, and gang related behaviors. Public school administrators have approached the Colfax County Attorneys Office for assistance in developing pre-adjudication tools to address the rising delinquency issues and lack of parental involvement that is currently being seen in area schools.

Priority Area #3 Strategies:

Schuyler Public Schools, Center for Survivors, Norfolk CAC, Colfax County Attorneys Office will cooperate to develop and implement school curriculum to address juvenile issues. Such as, a healthy relationship curriculum for teenage males as well as internet safety, good touch bad touch, and bullying curriculum for grade school age children. This Goal is on-going, progress is being made to have some of the curriculum installed in the Schuyler Public Schools by this fall. A, Healthy Relationships for Males, curriculum is currently being developed and will be completed by August of 2009, the class will be available for the 2009 Fall semester. The cooperating agencies are Schuyler Public Schools, Center for Survivors, Norfolk CAC, Colfax County Attorneys Office.

Resources Needed: Investment of time from educators and special presenters. Classroom space, goal specific curriculums, instructors, learning materials and teaching aids such as posters, books, educational videos etc.

Desired Outcomes: Provide school age children and teenagers with information to prevent them from becoming victims of others and from victimizing others. Promote healthy and respectful relationships between peers and prevent abusive dating relationships.

The three previously listed priority areas are so interwoven that each is a cause and symptom of the others. The simple fact is that Schuyler and Colfax county are comprised of a dynamic, transient multi cultural population. Added to this, is a large non-English speaking population, a large population of undocumented,"Illegal" residents, lack of extended family structure, lack of knowledge of legal system, lack of financial and social resources, and conflicting socio/cultural norms. It is the opinion of the team that the only way to even begin to address the areas of concern is to maximize positive and non court based contact between law enforcement, youth and the community.

To reach this end the team has formulated the aforementioned strategies to be implemented in and over the next three years. We believe each to be achievable with current resources and budget constraints. However, we understand that these are merely a beginning, and hope that each of the following components will help lay the foundation for the development of a comprehensive community based juvenile delinquency prevention program, that would not only reduce the number of juvenile offenders, but also help to integrate a very diverse and dynamic population..

APPENDIX A

COLFAX COUNTY

JUVENILE JUSTICE SYSTEM ANALYSIS

(COMMUNITY PLANNING DECISION POINT ANALYSIS)

The Juvenile Justice System Analysis Tool (Tool) was developed by the Juvenile Justice Institute at the University of Nebraska at Omaha in conjunction with the Nebraska Crime Commission to assist in County Juvenile Services Comprehensive Planning.

The Tool consists of twelve areas of decision points that make up the formal juvenile justice system in Nebraska. Various factors are present at each decision point—oftentimes changing from year to year based on state or county dynamics within the system such as changes in policies, programs, and/or personnel.

There are formal factors dictating certain decision points in the system, such as statutory authority. In addition, each county or community has unique factors surrounding certain decision points within the local county juvenile justice system. Identifying such informal factors helps to understand and assess juvenile justice needs and issues in individual locales.

Available data might also inform the factors surrounding a data point. Anecdotal data might be compared with statistical data, for example, to assess the true state of the system. County data is assessed when applying the Tool where applicable.

Colfax County

Because of the time constraints and personnel change, Colfax County stakeholders did not go through the entire Juvenile Justice System Analysis Tool by decision point. It is highly recommended that Colfax County review the System Analysis and undertake a Community

Capacity Inventory in the next 12 months to update their Comprehensive Plan, to determine the gaps needed to be filled to make a seamless continuum of services for juveniles, and to make sure resources are being utilized in the most effective and efficient way possible.

NEBRASKA JUVENILE COURT REPORT - COLFAX COUNTY
(Nebraska Crime Commission)

	2005	2006	2007
ARRESTS	64	13	116
OFFENSES			
1st/2nd Degree Assault	2	0	0
3rd Degree Assault	12	5	14
Sexual Assault - 1st	1	2	0
Sexual Assault - 2nd	0	0	0
Burglary	3	0	0
Drug - Felony	0	0	1
Theft > $1500	0	0	0
Theft < $1500	3	3	0
Theft < $500	1	0	1
Theft < $200	7	6	4
Crim Mischief - Felony	0	0	0
Crim Mischief - Misd	11	14	10
Major Trespass	0	0	5
Forgery - Misd - Major	0	0	0
Weapon - Misd	0	0	2
Disturbing Peace	6	1	2
Other Felony	1	2	0
Other Misdemeanor	55	42	53
Truancy	0	3	5
Curfew	20	3	9
Ungovernable Behavior	7	0	4
Possession of Alcohol	23	18	18
Other Status	0	0	0
Neglect	10	5	5
Dependent	15	8	10
Other/Unknown	12	9	10
TOTAL	**189**	**121**	**153**

If the youth is under 18, Probation is contacted and Probation completes an assessment. Juveniles are not normally detained unless Probation says need to be and unless there is an obvious flight risk (runaway case).

Colfax County contracts with Madison County for juvenile detention.

Due to the large Hispanic population in this community, there are some significant cultural and language barrier issues which is a cause for concern in this community. Disproportionate Minority contacts are an issue that may be addressed by training and educational resources available at a state level.

Charge Juvenile (County Attorney)

Whether to prosecute juvenile

Whether youth should be prosecuted as juvenile or adult

Offense(s) for which juvenile should be charged

Notes:

If the youth is under 10 years old, the only case that is filed is curfew violations. This compels the child and parent to appear in court and explain the whole situation, specifically why the child is out.

If the youth is above 16 years old, the offense committed and any criminal history is looked at to make a determination whether the case should be filed in adult court. If there is no record, diversion is offered to up to 18-year-olds on M.I.P.s, for example. This determination is made on a case by case basis taking into consideration the youth's age, record, and circumstances.

Pre-Adjudication Detention (Juvenile Court Judge)

Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication

Notes:

Usually the youth is not in detention to start with. If they are a threat to themselves or others or are a runaway, they are likely to be placed in detention.

Electronic monitoring is available through Probation for pre-adjudication. If electronic monitoring does not work, then the youth is placed at Madison.

Probable Cause Hearing (Juvenile Court Judge)

Whether State can show that probable cause exists that juvenile is within the jurisdiction of the court

Competency Evaluation (Juvenile Court Judge)

Whether juvenile is competent to participate in the proceedings

Whether juvenile is "responsible" for his/her acts

Notes:

Sometimes age is a struggle if the youth is very young. A guardian ad litem may be appointed if age is a factor.

Truancy does happen, but in Colfax County it is more of an issue of what to do with misbehaving youth once they are in school. Schools ask about what can be done in those situations.

Adjudication (Juvenile Court Judge)

Whether juvenile is, beyond a reasonable doubt, "a person described by §43-247"

Whether to order probation to conduct a pre-disposition investigation (PDI)

Notes:

PDIs are orders frequently in juvenile cases because rehabilitation is the goal rather than punishment. The only way to get a real feel for family and how it functions and the needs of the youth is through a PDI. If the case is minor, a learner's permit violation for example, a PDI would not be ordered.

Whether to order OJS evaluation

Notes:

An OJS evaluation is ordered when Probation comes back and says the youth needs more services or more supervision, or when more of a psychological evaluation is needed than what a PDI can assess. So an OJS evaluation is typically ordered at the recommendation of Probation or when the severity of the offense and high needs of the child warrants one.

Whether to order a PDI and an OJS evaluation

Notes:

Both a PDI and an OJS evaluation are not ordered together. A PDI is ordered to start, and if Probation doesn't feel like it can help, then ask for OJS evaluation.

Disposition (Juvenile Court Judge)

Whether to place juvenile on probation

Notes:

The court usually follows the PDI recommendations. The court also considers parents' concerns and recommendations, but that is usually included in any PDI as well.

Whether to commit juvenile to the Office of Juvenile Services (OJS)

Notes:

The court will not commit the youth to OJS unless the OJS evaluation recommends the child be placed with OJS.

Whether to place juvenile on probation and commit juvenile to HHS or OJS

Notes:

This very rarely occurs.

Administrative Sanctions (Probation)

Whether to impose administrative sanctions

Notes:

This decision is made at the discretion of probation. Probation has electronic monitoring when needed, but there is not a tracker service available. If a tracker is needed, the child will need to be placed with OJS.

Motion to Revoke Probation (County Attorney)

Whether to file a motion to revoke probation

Notes:

If an affidavit from Probation is filed and states that there is a probation violation a motion to revoke probation is usually filed if Probation recommends it.

Modification/Revocation of Probation (Juvenile Court Judge)

Whether to modify or revoke probation

Notes:

The court's decision is based on an updated report from the Probation Officer.
Usually if the situation gets to a point of revoking/modifying Probation, something is going on, and an OJS evaluation will be ordered. In lieu of termination, the court will try OJS—normally on the recommendation of Probation—either through communication by Probation or during review period—when needs are not able to be met through Probation.

Setting Aside Adjudication (Juvenile Court Judge)

Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment

Whether juvenile should be discharged from custody and supervision of OJS

Notes:

With exception of commitment to a YRTC, if the youth is placed with OJS, the court will make the decision to discharge the youth.

Summary:

As a result of the discussions had for the juvenile system analysis, addressing the following issues may be considered:

1. **Prevention Programs.**

   There is a lack of prevention programs for youth in Colfax County. Specifically, with the bulk of the population, the parents are non-english speaking, so it is very difficult to convey information to the parents. Solutions to this challenge would need to be a part of any program developed. These families also move in and out of the community regularly, so they may not be living in Colfax County permanently. The development of

programming would also need to take this unique dynamic into consideration when creating the efforts.

2. **After-School Programming.**

   There is a big lack of after-school programming in Colfax County. The parents are working, kids go to school, but there is a lack of supervision of youth after school. The goal would be to keep youth attending school, keep them doing well in school, and keep them after school to occupy their time in a constructive way until adult supervision is available.

3. **Diversion.**

   The Diversion Program run through the Colfax County Attorney's office should continue. The efforts of the diversion program are ongoing, with an increased presence in the schools.

4. **Disproportionate Minority Contact.**

   Due to the minority contacts issues for Colfax County, it would benefit this community to work with the State's DMC coordinator to assist with any training and educational services.