DAWSON COUNTY
nebraska

Comprehensive Juvenile Services Plan
June 30, 2007– July 1, 2010

Revised August 25, 2008

Dawson County Courthouse 700 North Washington Street Lexington, NE 68850

Dawson County Comprehensive Juvenile Services Plan June 30, 2007– July 1, 2010

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TABLE OF CONTENTS

Section 1: Introduction..... 2

Section 2: Juvenile Services Community Team.....3

Section 3: Community Planning Tool.....4

Section 4: Community Profile.....4

Section 5: Priorities..... 6

Section 6: Strategies..... 6

Appendix A: Juvenile Justice System Analysis Tool..... 15

Summary/Recommendations 22

I. INTRODUCTION

The Dawson County Juvenile Services Team was formed in March 2007. Key stakeholders involved in Juvenile Justice and juvenile assistance programs were invited to the informational meeting held March 26, 2007 at the Dawson County Courthouse. At that time, Jennifer Myers from the University of Nebraska, Omaha Juvenile Justice Institute led the group through a discussion of system decision points. This discussion became the basis for the Community Planning Decision Point Analysis included in Appendix A of this document.

On May 30, 2007, the group was brought back for a second meeting at the Courthouse. At this meeting, the group decided on their structure as a board and membership and chose a chairman. The Board includes all members of the Team and has only one officer, the Chairman. Decisions are made on a majority vote and meetings are scheduled for the third Thursday at 4:00 in the afternoon.

At the May 30th meeting, Ms. Myers led a discussion on the Community Planning Decision Point Analysis and the group began work on choosing priorities and designing strategies they would like to utilize immediately as well as long-term strategies they will implement in the next three years.

The Team has met on several occasions to create the Dawson County Juvenile Justice Plan. The team worked together to review the Community Planning Tool and identify the top four priorities for inclusion in the Juvenile Services Plan. The Team explored different strategies and suggestions which address prioritized concerns and selected the most promising strategies for implementation in Dawson County.

The Team has studied the key decision points in the juvenile justice case flow process and identified points that require policy changes, practice changes, training and/or new programs that will be implemented to improve outcomes for young people in the juvenile justice system.

This three-year plan is intended to serve as a guide for Dawson County in the implementation of effective strategies to address these priority areas. The Dawson County Juvenile Services Team will continue to study these issues and work cooperatively toward effective solutions to promote the safety and well-being of the community and its youth.

II. JUVENILE SERVICES COMMUNITY TEAM

The Dawson County Juvenile Services Planning Team includes key stakeholders in the local criminal justice system along with representatives of the community, prevention services, and Health and Human Services. The Planning Team meets to identify and prioritize juvenile justice problems and issues facing the county.

Stephen Garcia, Midwest Nebraska Drug Court Coordinator, serves as the Chair of the Planning Team.

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III. COMMUNITY PLANNING TOOL

The Juvenile Justice System Analysis Tool is included in its entirety beginning on page 15.

IV. COMMUNITY PROFILE

Dawson County is located in south central Nebraska with both the Platte River and Interstate 80 dissecting the county from east to west. Main transportation routes include Interstate 80 and State Highways 30, 40, 21 and 47. The Union Pacific Railroad runs through the county and the city of Lexington. The main economies in the county include farming and ag-related businesses and industry. Tyson has a plant located in Lexington,

and Orthman manufacturing is located just outside Lexington. Johnson Lake is a 2,500 acre lake located south of Lexington that provides recreation such as swimming, boating, fishing and camping.

The county has a total population of 24,365 residents with a little over 4,000 juveniles. The proportion of county residents who were under age 18 in 2004 was 29.2%, which is higher than the Nebraska average of 25.5%. The proportion of seventh- to twelfth-grade students who dropped out of school during the 2003-04 school year was 2.6% compared to 1.9% statewide. Overall, 26.4% of county residents aged 25 years or older have less than a high school education compared to 13.4% statewide.

In an average month in 2004, 131 children were in out-of-home care and the agencies serving domestic violence victims in the county handled 1,170 crisis calls and served 548 new contacts in 2000.

According to the 2003 Youth Risk Behavior Survey, Nebraska high school students are more likely than their counterparts nationwide to drink and drive and ride in a motor vehicle with a drinking driver. The motor vehicle death rate for Dawson County (32.3%) was almost double the Nebraska rate of 16.6%.

The proportion of single-parent families is increasing. In 2000, 12.3% of the county households were single-parent families compared to an average of 12.4% in Nebraska. 15% of first births occurred to unmarried women under the age of 20 with less than a high school education. This rate of "new families at risk" is almost double the Nebraska average of 9% of first births. The proportion of new families at risk in the county was higher among Hispanic Americans at 18.9%. 11.4% of county residents live in households with incomes below the poverty level; this is slightly higher than the state average (10%). This proportion increases for minority groups with Native Americans at 39% and Hispanic Americans at 17.1%. No numbers are available for the new ethnic groups that have moved into the county since 2004.

Racial and ethnic minority residents made up 31.4% of the population of the county compared to 14.3% statewide in 2004. Although there is no new Census data to substantiate this, Team members agreed that the percentage of minorities in Dawson County is much higher, perhaps even double what it was in 2004. Dawson County has the fastest growing population of Sudanese and Somali immigrants in the state of Nebraska. This puts a strain on the entire county as there are so many languages and dialects in the county and so few interpreters competent in those languages.

The arrest rate for all crime in the county in 2004 (46.6 arrests per 1,000 population) was a little lower than the overall rate for Nebraska (54.2). The arrest rate for juveniles under age 18 (32.8) was near the statewide rate of 33.3.

Additional information is included in the Community Planning Tool in Appendix A.

V. PRIORITIES

The availability and use of alcohol, tobacco, and illicit drugs by youth was identified as a major concern by the Dawson County Juvenile Services Team. Community tolerance and/or indifference toward the use of these substances were thought to be contributing factors. Another issue facing Dawson County youth is the growing availability and popularity of methamphetamine abuse. The resurgence of the gang culture among youth in the Lexington community was also identified as an emerging concern that may need to be addressed in the future. Team members agreed that after a lull in gang activity, the influence of gangs is beginning to reappear in the community.

Dawson County has sponsored a diversion program for youth which was contracted to a local agency. That agency no longer provides diversion services and ended their contract with Dawson County abruptly, leaving the County with no diversion program. The Team members agreed that replacing the diversion program is of utmost importance.

Based on its review and analysis of juvenile justice related issues facing the community, the Dawson County Juvenile Services Team established the following priorities:

Priority 1. Create and implement sanctions which target alcohol related issues.

Priority 2. Provide a Juvenile Diversion Program.

Priority 3. Create and implement a Juvenile Drug Court.

Priority 4. Address concerns about Disproportionate Minority Contact.

Priority 5. Address problems related to gang activity in the county.

Priority 6. Maintain a formal juvenile justice team which will discuss issues specific to the juvenile population while addressing the priorities of this plan and establish a Disproportionate Minority Contact Team.

VI. STRATEGIES

Priority 1. Create and implement sanctions which target alcohol related issues.

According to county statistics, alcohol related offenses account for the majority of juvenile arrests. Team members agree that the availability and use of alcohol by juveniles is a significant threat to their health and contributes to youth involvement in other risk behaviors (violence, motor vehicle and other accidents, teen pregnancy, etc).

Alcohol use is also widely acknowledged as a gateway to other drug use and is often a factor in gang activity. To combat this problem, the court will identify alcohol related violations and provide services/programs relating directly to alcohol use by juveniles. Programs agreed on by the Team include use of sanctions, chemical dependency evaluations and interventions, use of SCRAM devices and use of victim impact panels.

Team members agree that implementing sanctions through the court system will be a strong deterrent to alcohol use. Sanctions will be implemented which are specific to each juvenile brought before the court on charges related to alcohol use. The sanctions will include impounding the juvenile's driver's license, chemical dependency evaluations, treatment for alcohol abuse, alcohol detection devices (i.e. SCRAM) and/or participation in victim impact panels.

Strategy 1.1: Determine sanctions to be used by Juvenile Court and create a protocol that outlines the use of sanctions including who will be responsible for monitoring the sanctions and under what circumstances they will be removed or increased.

Timeline:

Fall 2007: Develop and implement formal sanctions program
2007-2008: Continue sanctions program. Review and revise program as needed.
2008-2009: Continue sanctions program. Evaluate effectiveness of program and revise as needed.

Responsible parties: Law enforcement, courts, County Attorney

Expected Results:

- Officials in the Justice System of Dawson County will have a document which allows them to apply sanctions in a proportionate, immediate, relevant and effective manner and will allow for increases in sanctions as needed to prevent recidivism.
- Sanctions which are immediate and consistent will prove a deterrent to alcohol abuse and the crimes that go with alcohol abuse.
- Juveniles in the system will be less likely to move on to other drug use. Recidivism will be reduced.
- The sanctions program is expected to decrease the juvenile court case load and the probation case load.
- Offering the program to first-time offenders allows them the opportunity to avoid prosecution and conviction.

Team members feel that alcohol abuse is the underlying cause for many of the juvenile crimes committed in Dawson County. Early use of alcohol is a strong factor in alcoholism and it is also considered to be a 'gateway' drug for even more serious drug abuse and increasing levels of criminal behavior. Juveniles who are dependent need more than punishment, they need treatment.

Strategy 1.2: Area mental health service providers will conduct chemical dependency evaluations and interventions for youth as recommended by the probation office and/or ordered by the court. In the most serious cases, treatment for alcohol abuse will be mandated by the court.

Timeline: Immediate implementation in 2007 and ongoing use of evaluations.

Responsible parties: Probation, courts, County Attorney, mental health providers.

Expected Results:

- Court officials will be able to identify rehabilitation/intervention strategies that are most appropriate for the juvenile.
- Juveniles will receive treatment if necessary, rather than a sentence that does not address the underlying problem of substance abuse.

One of the most troubling aspects of working with juveniles is their ability to manipulate family members and elude detection of their illegal use of alcohol. There are not enough court officials to personally monitor every youth who needs supervision. One solution to this problem is the use of the SCRAM devices that provide a system for monitoring youth directly and not relying on family members or adding to the workload of court or probation officials.

Strategy 1.3: Expand supervision resources including SCRAM devices that track alcohol use.

Timeline:
Fall 2007: Determine who will monitor SCRAM devices, purchase SCRAM devices.
January 2008: Increase number of SCRAM devices in use.
December 2008: Evaluate use of SCRAM devices and monitoring system.

Responsible Parties: Dawson County Juvenile Services Team, courts, probation, County Attorney.

Expected Results:

- The use of SCRAM devices will allow juveniles to stay in their own homes rather than be incarcerated.
- Children of single-parent families and families where both parents work or parents work the evening or night shifts will be able to stay at home even though there is no direct supervision by parents.
- The SCRAM device will give reliable feedback to officials when there is no strong family structure or the family does not enforce good behavior.
- The device will track alcohol consumption of a youth whose parents do not speak English or do not understand the requirements of the court.

- Use of the SCRAM device will deter alcohol abuse and will give court officials a low-cost method of monitoring juveniles without incarceration.
- Use of the SCRAM device will decrease the case load of the juvenile court and probation.

Priority 2. Provide a Juvenile Diversion Program

Dawson County was using the services of an agency that contracts for a juvenile diversion program. When that agency quit providing those services, Dawson County was left with no diversion program and without the resources to conduct a program within the County. Finding another agency that offers diversion services was high on every team member's list of priorities due to its potential impact on the court system regarding first time offenders in Dawson County.

Strategy 2.1: Contract with an agency that provides a juvenile diversion program. Juveniles will be under the authority of the County Attorney who has the discretion to either divert a juvenile offender to alternative programming or prosecute the youth's misconduct. Juveniles who satisfactorily complete diversion requirements avoid prosecution but when a juvenile fails to satisfy diversion requirements, the County Attorney will determine whether to prosecute the original charge. Juvenile diversion was in use for part of 2006-07 so protocols for use of diversion services are already in place

Timeline: Have new diversion program in place by December 2008.

Responsible parties: County Commissioners, Dawson County Juvenile Services Team, court, County Attorney.

Expected Results:

- The court will be able to offer a diversion program through a stable contracting agency.
- An effective diversion program will teach juveniles positive social skills, how to make good decisions and respect for the laws and norms of the community.
- The diversion program will help juveniles become effective members of the community.
- Diversion will give juveniles strong direction.
- A strong diversion program will decrease the case load for the courts, probation and jail system.

Priority 3. Create and implement a Juvenile Drug Court

The increase of methamphetamine use and delivery in Dawson County, along with underlying issues of alcohol and other substance abuse, is a concern that all Team members agreed to address. The implementation of a juvenile Drug Treatment Court

could provide a further sanction for juvenile offenders with this specific issue. Dawson County created and administers the Midwest Nebraska Drug Court for adults. The success of that program convinced team members to begin work on a juvenile drug court.

Strategy 3.1: Members of the Midwest Nebraska Drug Court Steering Committee will expand their reach to form a Juvenile Drug Court.

Timeline: The Steering Committee started working on the Juvenile Drug Court in 2007 and will continue until the drug court is well established.

Responsible Parties: Midwest Nebraska Drug Court Steering Committee, courts, Public Defender, County Attorney, probation, Drug Court Coordinator.

Priority 4. Address problems of Disproportionate Minority Contact.

Dawson County is newly listed as a DMC area and does not yet have statistical data available through this program. All the information below is taken from the 2000 Census and local data. The entire Team agrees that the 2000 Census demographics are outdated and do not reflect the incredible changes in population demographics the county has seen in the last few years.

Three Top DMC System Points as Identified by the Juvenile Services Team:

1) Population at risk: The Team feels that the youth population aged 10 to 17, in Dawson County and especially around Lexington, the county seat of Dawson County, is at risk. According to the 2000 Census, the population includes 64% listed as White, 36% listed as Hispanic/Latino and 3% as Black, Native American and Asian. The school drop-out rate among Latino children in Dawson and Gosper counties in 2002 was 20% as compared to only 3% for white teens (Inspire Mentoring Initiative, 2004). The Office of Juvenile Programs records 61% of 18-24 year-olds in Dawson County do not have a high school degree and Health and Human Services reports Dawson County as having one of the highest teen pregnancy rates in Nebraska.

2) Juvenile Arrests: According to the NE Crime Commission report, there were 445 juvenile arrests under the age of 18 for violent crimes, DUI and drug law violations in 2006. This is a 53% increase over a two year period from 235 arrests in 2004 to 445 in 2006.

3) Cases Diverted: One of the issues the Juvenile Services Community Team is concerned about is the lack of a diversion program.

The Team has decided to prioritize the need for a program that will address system point number one, our at-risk population. By contracting with the Boys and Girls Club –

Lexington Unit, the County believes some of the problems faced by the county can be eliminated over time.

According to local law enforcement, 95% of crimes committed by juveniles occur immediately after school hours. Recent United Way data reveals that Nebraska youth are at home alone 4 hours a day, 5 days a week. Parents in the area are facing a language barrier (47% of the population speaks a language other than English at home), 43% of the adult population did not complete High School and less than 15% of parents are actively involved in their child's education (2000 Census). These statistics show that youth in the area are not supervised after school and parents and students do not place a high priority on education. These are two areas the Boys and Girls Club will directly target.

Lexington Public Schools has a 2007 enrollment of 2,829 students. 599 of the students are White Not Hispanic, 86 are Black Not Hispanic, 2,100 are Hispanic, 30 are Asian/Pacific Islanders and 14 are American Indian/Alaskan Native. In recent years, there has been an influx of immigrants from Central America, Latin America and North Africa. Many of the immigrant children fled their homes after witnessing acts of violence (Lexington Public Schools).

Dawson County has a population of 24,659 with over 23 countries represented in the county's diverse population ("Ethnic Diversity in Dawson County" by Russ Czaplewski). The 2000 Census shows a minority population of 36% but most members of the Team believe numbers have changed dramatically since then and the minority population is closer to 50% of the population in 2008. Five of the 13 Nebraska gangs are known to have members in Lexington (Boys and Girls Club Community Assessment). Over 20% of children in the Lexington area are involved in child protective services as compared to the state average of 5% (Boys and Girls Club Community Assessment).

Although we do not have hard data at this time, the Team believes there are a number of risk factors that should prompt us to implement a DMC program. Among the risk factors are the following:

- Disregard for school attendance and/or graduation (2000 Census)
- The need to support the family with a job rather than school attendance (Juvenile Services Community Team informal assessment)
- Disorganized family and immediate community (Juvenile Services Community Team informal assessment)
- Parents are too busy at work to become involved in the child's life; less than 15% of parents are involved in child's school (Lexington Public Schools)
- The multi-county agency serving domestic violence victims in Dawson County handled 1,170 crisis calls and served 548 new contacts in 2000 (http://www.dhhs.ne.gov/profiles/two_rivers_HD.htm)
- The overall arrest rate for all crime in Dawson County was 84.8 arrests per 1,000 population in 1999. This is 43% higher than the overall rate for Nebraska which is 59.2%. The arrest rate for juveniles was under age 18 was 58.8% which is 26% higher than the statewide rate of 46.5% (http://www.dhhs.ne.gov/profiles/two_rivers_HD.htm)

- Gangs are seeing a resurgence in the area (Boys and Girls Club Community Assessment)
- Teen pregnancy is rampant- in 2000 one of every seven first births occurred to unmarried women under age 20 with less than a high school education (2000 Census)
- Lack of adult supervision after school or during summer vacation
- 14% of Dawson County youth live in poverty (2000 Census)

Strategy 4.1: The County will contract with the Boys and Girls Club, which is listed as a Model Program with the OJJDP. The Boys and Girls Club will provide prevention programs and will be used as a diversion program.

Timeline: The County will has contracted with the Boys and Girls Club for after-school activities and citizenship classes.

Responsible parties: Liz Waterman, County Attorney; Victor Diaz, Boys and Girls Club of Lexington; and Stephen Garcia, Juvenile Services Team Chairman

Expected Results: Getting a juvenile involved in the justice system after a crime has been committed is a necessity, but creating a climate of change and growth where youth can learn to avoid a life of crime is a much better idea. The Team wants to embrace the minority youth in the county and give them the tools they need to become productive citizens with the hope of a better life.

- The classes offered will teach juveniles positive social skills, how to make good decisions and respect for the laws and norms of the community.
- The program will help juveniles become effective members of the community. and will give juveniles strong, positive direction.

Strategy 4.2: Contract with Boys and Girls Club-Lexington Unit to provide a juvenile diversion program. Juveniles will be under the authority of the County Attorney who has the discretion to either divert a juvenile offender to alternative programming or prosecute the youth's misconduct. Juveniles who satisfactorily complete diversion requirements avoid prosecution but when a juvenile fails to satisfy diversion requirements, the County Attorney will determine whether to prosecute the original charge. Juvenile diversion was in use for part of 2006-07 so protocols for use of diversion services are already in place

Timeline: Have new diversion program in place by December 2008.

Responsible parties: Liz Waterman, County Attorney; Stephen Garcia, Dawson County Juvenile Services Team.

Expected Results:

- The courts will be able to offer a diversion program through a stable contracting agency.
- An effective diversion program will teach juveniles positive social skills, how to make good decisions and respect for the laws and norms of the community.
- The diversion program will help juveniles become effective members of the community.
- Diversion will give juveniles strong direction.
- A strong diversion program will decrease the case load for the courts, probation and jail system.

Priority 5. Address problems related to gang activity in the county.

The resurgence of the gang culture among youth in the Lexington community was also identified as an emerging concern that may need to be addressed in the future. Team members agreed that after a lull in gang activity, the influence of gangs is beginning to reappear in the community.

Strategy 5.1: Provide court-ordered gang prevention training to juveniles through the Boys and Girls Club-Lexington Unit.

Timeline: To begin on or before October 1, 2008.

Responsible parties: Liz Waterman, County Attorney; Stephen Garcia, Juvenile Services Team; Maria Easterday, District #9 Probation.

Expected Results:

- Juveniles will learn positive social skills, how to make good decisions and respect for the laws and norms of the community.
- The gang prevention program will help juveniles become effective members of the community and give them positive direction.
- A strong gang prevention program will decrease the case load for the courts, probation and jail system and decrease the amount of gang activity in the county.

Priority 6. Establish a formal juvenile justice team which will discuss issues specific to the juvenile population while addressing the priorities of this plan and establish a Disproportionate Minority Contact Team.

Strategy 6.1: Dawson County has established a formal juvenile justice committee that will discuss issues specific to this population while addressing the priorities of this plan. The team consists of members listed on page three of this document.

Timeline: The team was established in March 2007.

Responsible Parties: Team members are listed on page three of this document. Stephen Garcia, Drug Court Administrator for the Midwest Nebraska Drug Court is the acting Chairman of the Team.

Strategy 6.2: Dawson County formed a DMC Committee on July 31, 2008. The members of the committee are as follows:

Victor Diaz (308-325-6057)	Terry Unterseher	Suzanne Reynolds
Susan Jacinto	Sandy Doss	Robin Lange
Paul Pack	Linda Nielsen	Linda Miller
Leticia Bonifas	June Shubert	Jerry Bergstrom
Frances Peterson	Elizabeth Montes	Dan Boetel
Amber Ackerson		

The County has also appointed Victor Diaz, a member of the Juvenile Services Team and the DMC Committee, to serve on the State DMC Board.

Timeline: The team was established in March 2007.

Responsible Parties: Victor Diaz, the DMC Team (listed above) and the Juvenile Services Team.

Notation:
In the implementation of all six priorities, the county will use electronic monitoring whenever possible to allow youth to remain in their own homes and will hire interpreters as necessary to communicate effectively with youth and parents.

Although the Team agreed that there is not a problem with disproportionate minority contact in the county at this time, it is a concern that the rapid increase of ethnic/minority groups may lead to disproportionate minority contact. The increase in residents of Hispanic, Latin, Sudanese and Somali ethnicity is growing faster in Dawson County than in any other location in the state of Nebraska. This explains the steady increase in minority contacts; as minorities increase in the community, minority contacts increase in proportion. These contacts are often complicated by language barriers that are difficult to overcome. Although Dawson County hires many interpreters, there are some languages and/or dialects that are not represented in the interpreter pool for the area. These are all areas of concern that will require constant monitoring by the DMC Team and the Juvenile Services Team.

APPENDIX A: Juvenile Justice System Analysis Tool

Community Planning Decision Point Analysis

Data Points	Total Population (*2000)	Juvenile Population (**2005)
Total Population	24,365	4162
Male	12,286	2146
Female	12,079	2003
White	20,058	2957
Black/African American	76	46
Asian	161	17
Hawaiian/Pacific Islander	3	NR
American Indian	164	37
Hispanic	6,178	1104
Juveniles Arrested		276
Juveniles Secure Detention		2
Juveniles Prosecuted		231
Juveniles Placed in Diversion		No formal diversion program
Number of Juveniles Adjudicated		222
Number of Juveniles placed on Probation		234
YRTC-Kearney commitments		2
YRTC-Geneva commitments		2

Sources:
*2000 U.S. Census Data
**2005 OJJDP website 2005 DMC Federal Reports (Ages 10-17)

System Decision Point: Arrest/Citation: Police/Law Enforcement

Decision: ***Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested***

Formal Determining Factors
- Sufficient factual basis to believe offense committed
- Underlying support for a particular offense

Informal Determining Factors
- Officer's inclination/patience
- Degree to which the parent pushes the issue
- Youth's prior incidences with law enforcement

Decision: ***Whether to cite or arrest juvenile for juvenile or adult offense***

Formal Determining Factors
- Seriousness of offense
- Age

Informal Determining Factors
- Degree to which juvenile cooperates with law enforcement
- If the juvenile is already in the system with HHS or probation

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 stated in statute

Informal Determining Factors
- Immediate risk to juvenile
- Immediate/short term risk to public
- Seriousness of perceived offense
- Extent to which parent or other responsible adult available to take responsibility for juvenile

System Decision Point: Initial Detention: State of Nebraska Probation

Decision: ***Whether juvenile should be detained or released***

Formal Determining Factors
- Risk assessment outcome
- Accessibility of placement options: parent's/guardians, emergency shelter, staff secure facility, secure detention facility

Informal Determining Factors
- Probation does not handle any status cases
- Screening instrument is accurately determining placement of juveniles
- Does not have any secure facilities in the immediate location-have contract with Lancaster County for secure placements otherwise juveniles are sent to the Lincoln County holdover

System Decision Point: Charge Juvenile: County Attorney

Decision: ***Whether to prosecute juvenile***

Formal Determining Factors
- Likelihood of successful prosecution
- Factors under NRS § 43-276

Informal Determining Factors
- Boys and Girls Home have started running the diversion program for Dawson County in the last 6 months
- If 16 years and younger usually filing juvenile
- Methamphetamine is a large problem resulting in increases in cases from this drug issue

- Gang related activity is a problem especially amongst the Hispanic gangs which has lead to various criminal activity

Decision: ***Whether youth should be prosecuted as juvenile or adult***

Formal Determining Factors
- Seriousness of offense

Informal Determining Factors
- County Attorney is more likely to file adult on subsequent drug and alcohol related cases especially in MIP cases

Decision: ***Offense for which juvenile should be charged***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- If juvenile has patterned cases then a 3 (b) charge will also be filed in addition to any other current offenses

System Decision Point: Pre-adjudication detention: Juvenile Court Judge

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

Formal Determining Factors
- Whether there is an "immediate and urgent necessity for the protection of such juvenile"
- Whether there is an "immediate and urgent necessity for the protection of . . .the person or property of another"
- Whether the juvenile is likely to flee the jurisdiction of the court

Informal Determining Factors
- Judge will not proceed without a parent/guardian
- No other pre-adjudication alternatives besides sending the juvenile home or keeping them in a staff secure/secure facility
- Public defender services are available based on need of juvenile

System Decision Point: Probable Cause Hearing: Juvenile Court Judge

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

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- Judge finds probable cause of most cases on the bench

System Decision Point:Competency Evaluation: Juvenile Court Judge

Decision: ***Whether juvenile is competent to participate in the proceedings***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- The Judge stated he could not remember ever ordering a competency evaluation on a juvenile

Decision: ***Whether juvenile is "responsible" for his/her acts***

Formal Determining Factors
- "Complete evaluation of the juvenile including any authorized area of inquiry requested by the court."
- Opinion of physician, surgeon, psychiatrist, community mental health program, psychologist

Informal Determining Factors
- The Judge stated he could not remember ever ordering a competency evaluation on a juvenile

System Decision Point: Adjudication: Juvenile Court Judge

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

Formal Determining Factors
- Legal sufficiency of evidence presented during adjudication hearing
- Whether juvenile admits the allegations of the petition (or, "pleads to the charges")
- Residency
- Age

Informal Determining Factors
- The court conducts adjudication hearings on approximately 20-30% of the time

Decision: ***Whether to order probation to conduct a pre-disposition investigation (statutory authority unclear--see also: § 29-2261 (2)***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- 80-90% of cases disposed of without PDI's
- If case is an alcohol related first time offense no PDI is ordered

Decision: ***Whether to order OJS evaluation***

Formal Determining Factors
- NRS § 29-2204 (3): "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.

Informal Determining Factors
- When an OJS evaluation is ordered, court is not necessarily looking at out of home placement but rather more information than Probation can provide in a PDI

Decision: ***Whether to order a PDI and an OJS Evaluation***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- Usually a PDI is ordered first with an OJS evaluation being secondary

System Decision Point: Disposition: Juvenile Court Judge

Decision: ***Whether to place juvenile on probation***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- Most cases have dispositions of probation as first intervention
- Lexington schools have a school intervention tracker through Boys and Girls Home that is utilized by probation

Decision: ***Whether to commit juvenile to the Office of Juvenile Services***

Formal Determining Factors
- Whether juvenile is at least twelve years of age

Informal Determining Factors
- Conditions depend on what is learned in the OJS evaluation

Decision: ***Whether to place juvenile on probation and commit juvenile to HHS or OJS***

Formal Determining Factors
- As outlined in statute
- No apparent authority for delinquent in the legal custody of parents/guardian

Informal Determining Factors
- Judge is willing to do dual supervision cases

System Decision Point: Administrative Sanctions: Probation

Decision: ***Whether to impose administrative sanctions on a probationer***

Formal Determining Factors
- 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
- 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

Informal Determining Factors
- Probation is using on juvenile cases except on new traffic cases

System Decision Point: Motion To Revoke Probation: County Attorney

Decision: ***Whether to file a motion to revoke probation***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- MTR is requested on new charges
- When a MTR is filed, a capias is also Issued

System Decision Point: Modification/Revocation of Probation: Juvenile Court Judge

Decision: ***Whether to modify or revoke probation***

Formal Determining Factors
- As outlined in statute

Informal Determining Factors
- Usually the court modifies orders with extensions or additional conditions
- Court does not revoke probation orders Formally

System Decision Point: Setting Aside Adjudication: Juvenile Court Judge

Decision: ***Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or***

her commitment

Formal Determining Factors
- Juvenile's post-adjudication behavior and response to treatment and rehabilitation programs
- Whether setting aside adjudication will depreciate seriousness of juvenile's conduct or promote disrespect for the law
- Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based

Informal Determining Factors
- Court sets determinate probationary period-does not use "until age of majority"

Decision: ***Whether juvenile should be discharged from custody and supervision of OJS***

Formal Determining Factors
- Presumably same as those for probation

Informal Determining Factors
- No factors reported

Summary/Recommendations:

Juvenile Justice officials met on March 26, 2007 to discuss the Juvenile Comprehensive plan along with the system analysis. Representatives included law enforcement, probation, County Attorney, Drug Court, Region II, County Commissioners, Judge, Health Department, and other Dawson County officials. Several other persons were invited, but did not respond or attend (i.e. schools and HHS/OJS). I commend Dawson County for finally moving forward on getting the persons to discuss this plan so to hopefully be able to access funding sources in the future. As a result of the conversations, the following recommendations are for consideration:

1) Due to detention alternatives, both pre- and post-adjudication, it is recommended that the county consider implementing alternatives such as electronic monitoring or tracking.

2) According to statistics, alcohol related offenses are the highest number of arrests. Specific sanctions regardless of supervising agency (diversion or probation) should be targeting that alcohol abuse such as chemical dependency evaluations, taking juvenile's license away, victim impact panels, and treatment.

3) Due to the large Hispanic population in this community, the court system needs to be willing to address the specific language barriers that may arise. Since the Diversion program is new, the numbers are not going to be significant to look at, but the program will have to be diligent about allowing access to all races and ethnicities. This may include translating documents (i.e. letter sent to juvenile offering diversion) in order to provide equal opportunities to juveniles.

4) At this time, there is no standardization process for juveniles being considered for the diversion program between the County Attorney's office and diversion staff. A standardized screening process using assessment tools such as the YLS/CMI, SASSI, or MAYSI could be used to develop a more efficient way to screen and case manage the juveniles being considered. In addition, probation and OJS are both implementing such instruments into their investigatory and supervision policies which would allow for a continuum of risk and needs for a juvenile throughout the system.

5) With the increase of methamphetamine delivery and usage along with alcohol related issues, a juvenile Drug Treatment Court may need to be further discussed in order to provide another sanction for the juveniles going through court on these matters.

6) A formal juvenile justice committee should be established in order to discuss issues specific to this population while addressing the priorities of this plan.