County Juvenile Services
Comprehensive Three Year Plan

Sherman County

January 1, 2009 to December 31, 2011

Completed by:

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II. Community Team

The Sherman County Prevention Policy Board is the Community Team for Sherman County. The team was formed in 1995 by a group of concerned parents, youth, and elected officials at the suggestion of the Sherman County Child Abuse Prevention and Treatment Team to address concerns about increased youth substance abuse and law violations.

The demographic structure of the Prevention Policy Board can be described as a 26 member board of directors consisting of parents, organizational leaders, business owners, youth, school representatives, law enforcement and policy making officials, all of whom volunteer their time. The executive committee, which is elected from the at large members of the team, consists of a chairman, vice chairman, two at large officers, a representative from the University of Nebraska county extension, the board of county commissioners and the county attorney. The youth and diversion coordinator serves as the secretary/treasurer. The full board meets quarterly, rotating throughout the different communities in Sherman County, with the executive board meeting more often as necessary.

The members of the Sherman County Community Team:

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III. Community Planning Tool

Comprehensive Plan Priorities as identified through the Community Planning Tool and discussion:

1. Secure holding facility and detention center for juveniles in our area.

2. Improvements to the current diversion program.

3. Clear definition of roles and responsibilities of diversion officer and law enforcement regarding diversion clients.

4. Improve the Sherman County prevention system for youth.

(See Appendix A.)

IV. Community Socio-Economics

Sherman County consists of five small, rural communities, Loup City (county seat), Litchfield, Rockville, Ashton and Hazard. Highways 92, 2 and 10 connect the communities. Sherman County rests in the middle of central Nebraska and is primarily agricultural. Major employers include county government, Central Nebraska Community Services and Loup City and Litchfield school systems. There are numerous small businesses with a few employees such as retail stores and banks. The following table shows the demographic characteristics of the population:

Gender & Ethnicity	Total Population of Grant Area		Total Juvenile Population of Grant Area	
	Number	% of total #	Number	% of total #
Male	1520	49.3%	345	51.5%
Female	1563	50.7%	325	48.5%
White	3049	98.9%	663	99%
Black	3	0.1%	1	0.2%
American Indian and Alaska Native	9	0.3%	3	0.4%
Asian	6	0.2%	3	0.4%
Native Hawaiian and other Pacific Islander	0	0%	0	0%
Other	16	0.5%	0	0%
Total	3083	100%	670	100%
Hispanic or Latino				
Hispanic or Latino	37	1.2%	13	1.9%
Not Hispanic or Latino	3015	97.8%	657	98.1%

Source: U.S. Census Bureau @ http://quickfacts.census.gov/qfd/states/31/31163.html

OJJDP website @ http://ojjdp.org/ojstatbb/ezapop/asp/profile_selection.asp

Although the percentage of residents over age 25 who are high school graduates is comparable to the state level at 82%, the percentage of those same residents who hold bachelor's degrees is only 10.8%, far short of the state level of 23.7%. Median household income in 2004 was $33,367 and 11.1% of persons were living below the poverty level. Employment opportunities within the county are limited, forcing residents to commute to larger communities for work. The most common destinations are Grand Island and Kearney which are approximately one hour away. This is in part contributing to a decline in population. Sherman County has seen a 7.1% regression in population since 2000. As there are no institutions of higher learning in the county, it has become a challenge to bring young families back home after they leave the area to obtain a college education. Statistical information was obtained from the Census Bureau website http://quickfacts.census.gov/qfd/states/31/31163.html

Sherman County is home to Sherman Dam, a popular state operated recreational facility. Sherman Dam offers a variety of activities and serves as a valuable area attraction bringing in a large number of visitors especially during the summer season.

Sherman County may host a wealth of challenges but it does have one unique community identifier that we feel larger communities cannot claim. Sherman County has concerned citizens who recognize the fact that we have issues that need attention. They are willing to work together for the good of our children and the betterment of our community. Most of the population in Sherman County share similar ancestries and everyone speaks English, social class has proven to be a bigger barrier than ethnicity.

NEBRASKA JUVENILE COURT REPORT - SHERMAN COUNTY

(Nebraska Crime Commission)

	2005	2006	2007
ARRESTS	1	0	0
OFFENSES			
1st/2nd Degree Assault	0	0	0
3rd Degree Assault	0	0	0
Sexual Assault - 1st	0	0	0
Sexual Assault - 2nd	0	0	0
Burglary	0	0	0
Drug - Felony	0	0	0
Theft > $1500	2	0	0
Theft < $1500	0	0	0
Theft < $500	0	0	0
Theft < $200	0	1	0
Crim Mischief - Felony	3	0	0
Crim Mischief - Misd	0	0	0
Major Trespass	0	1	0
Forgery - Misd - Major	0	0	0
Weapon - Misd	0	0	0
Disturbing Peace	0	0	0
Other Felony	0	0	0
Other Misdemeanor	3	2	1
Truancy	0	0	0
Ungovernable Behavior	1	2	0

Possession of Alcohol	1	1	1
Other Status	0	0	0
Neglect	0	3	0
Dependent	0	0	0
Other/Unknown	0	0	0
TOTAL	**10**	**10**	**2**

Sherman County Data

Juvenile court offense data for Sherman County is provided for years 2005, 2006, and 2007 (Juvenile Court Reporting—Nebraska Crime Commission)[1]. Arrest numbers for each year represent arrests made of 0 – 17 year-olds in Sherman County.

In 2007, according to OJJDP at http://www.ojjdp.ncjrs.gov/ojstatbb/exapop/, Sherman County had a juvenile population (ages 0 – 17 years old) of 636, with 629 white, 1 black, 3 American Indian, and 3 Asian. In addition, 15 were identified as Hispanic and 621 Non-Hispanic.

1

Juvenile Court Reporting (JCR)

The Nebraska Crime Commission's Statistical Analysis Center (SAC) collects information from the courts on juveniles processed through the juvenile justice system. Approximately 8,000 juvenile cases a year receive final disposition or judgment which are reported to the Crime Commission by paper forms and by the computerized court system JUSTICE. Various statistics are compiled from these data by the SAC for use in juvenile justice planning. Data are provided back to local and state agencies, policy makers, the courts, National Center for Juvenile Justice and federal Bureau of Justice Statistics.

Nebraska Juvenile Court Data Set

Juvenile court information has been submitted to the Crime Commission on an ongoing basis for over 20 years. When a case reaches a disposition, meaning finality with concern to the court proceedings, a data collection form is completed and forwarded to the Crime Commission. The reported information is collected within the county court or by the probation office. There data typically include cases which have been handled with a formal petition having been filed. The statistics reported here by the Crime Commission only contain information on cases handled through a formal petition. The terms, cases, petitions and referrals may all be used describe the same group of juveniles processed. This does not necessarily represent all cases filed in juvenile court during those times; rather only those that received final a disposition or judgment. Information on pending cases is not included.

V. Identified Priority Areas

The top priority identified through the Community Planning Tool is a state level issue and not a matter that Sherman County can address alone, therefore, our focus turned to the local issues that we can accomplish.

a. Strengthen the Juvenile Diversion program by increasing communication between the Diversion Office and Local Law Enforcement, as well as defining the roles and responsibilities of each.

This area was originally identified through a meeting of Law Enforcement, the County Attorney, and the Diversion Officer in preparation for the 2006-2008 County Juvenile Services Plan. With some new deputies in the Sherman County Sheriff's Department it was discovered that there were many unanswered questions regarding the Diversion program in Sherman County. Since that time there has been a great deal of turnover in both the Sheriff's office and the Diversion office. Sherman County elected a new Sheriff in 2007, there are several new deputies and the current Diversion officer accepted her position in 2008. Although strides are being made to strengthen the program, there is obviously much work to still be done.

It was agreed as a Team in 2005 to focus on increasing the citations issued for violations regarding alcohol use and as of 2008 we are seeing results of that agreement. The Sherman County Diversion Program is an option for those cited as an alternative to traditional court proceedings. It provides a vehicle for education for first time offenders.

Decreasing the use of alcohol in Sherman County, especially by youth, is the top priority of the community team. The following statistical data serves as verification of that priority.
Data from local and State surveys indicate that the misuse of alcohol is the top concern for Sherman County. In 2003, 2005 and 2007 both Loup City and Litchfield schools participated in the Nebraska Risk and Protective Factor Student Survey. The 2003 results indicated that 48% of youth in 6th grade had used alcohol at some point at least once. In 2005, only 31% of 6th graders reported use and in 2007 only 27% reported using alcohol. In 2003 87% of 12th grade students reported using alcohol, in 2005 81% and in 2007 75% reported using alcohol. All of these numbers are above the state levels of use, however, through this series of surveys we are able to show that we are making progress. Underage drinking is slowly becoming less popular.

Acceptance is by far our biggest alcohol related challenge in Sherman County Nebraska. Alcohol has been considered acceptable by the majority of the population of Sherman County for generations. It is socially acceptable to consume alcohol in excess, to drink and drive, for youth to consume alcohol and for adults to provide alcohol to youth. It is a multi-generational social norm that we face. Obviously not everyone shares the same belief, but it has been the popular view for many years. Through town hall meetings, local surveys and personal contacts, we have found that the general consensus is that the community realizes that alcohol misuse is an issue

that must be addressed. As community members become educated about the dangers of alcohol a growing number support efforts to address the issue, including increased law enforcement. This shows that there is a great need for further education and a fully functioning Diversion program is one effective avenue for that education.

b. Implement, maintain, and improve prevention programs and activities for youth.

This is a priority that was identified during the previous County Juvenile Services Plan. Again, due to staff changes there have been improvements, but not to the extent that we feel we are capable. The community team has agreed that it is focused on following through with the previous plan to completion prior to moving on to new priorities. Data shows that our priorities are in line with community need.

We have found through local surveys and discussions that youth often erroneously believe that most of their peers are drinking alcohol. By educating youth on the effects of alcohol use and offering alternative activities for them to participate in we are putting the choice to use alcohol in their hands. We are displacing the old belief that everyone is drinking by putting those youth together in an alcohol free environment and providing education and opportunity for other activities.

The Sherman County Prevention Policy Board is working closely with the Loup City and Litchfield school systems to continue to implement evidence-based prevention programs such as Project Northland, Class Action, ATLAS and ATHENA. In addition, the community team is providing training for the individuals presenting these programs in the school.

In the community setting the Youth Coordinator assisted 7-12 grade youth in forming a youth advisory board that meets monthly to plan youth activities and learn more about alcohol concerns and prevention alternatives.
Also in the community setting the All Stars program is implemented by the Youth Coordinator each year for students in the sixth grade. All Stars uses positive peer pressure to encourage youth to delay the onset of substance use. Following All Stars Graduation, these youth are encouraged to continue meeting on a monthly basis. During the meetings, the youth watch prevention videos, learn about alcohol Advertising and are encouraged to join the larger youth group the following year when they are in 7th grade.

The United Methodist Church, Catholic Church, Baptist Church and Christian Church, as well as local civic groups are joining forces to increase the number of educational opportunities aimed at substance abuse issues for youth and families in the community. These same groups are also working together to plan and host alcohol free activities for youth on a regular basis. The number of these alternative activities

and educational opportunities as well as community support for them continues to increase. The Youth Advisory Board assists with the planning, scheduling, advertising, etc. of each of these opportunities. The community team sponsors members of the youth group to attend leadership training, activism summits and various statewide trainings in order to develop the group of future leaders.

We are continually seeking new prevention programs that will best serve the needs of our youth and our community. The OJJDP Model Programs Guide is used to identify scientifically tested and proven programs that address a range of issues across the juvenile justice spectrum.

c. Help the youth identify and develop community service projects to motivate youth in alternative activities and give them a sense of community ownership and involvement.

The Youth Coordinator maintains a data base of community service projects and contact information. Community service logs are kept in the office to track the number of hours each individual donates. When a young person completes a sufficient number of hours the Youth Coordinator forwards their name to Volunteer Nebraska. Youth are then eligible for an award based on the number of hours completed. Loup City High School has agreed to present these awards annually at their Honors Banquet held each spring to recognize outstanding achievements. Youth in the diversion program and the youth group are encouraged to look at their own unique talents and utilize those for community service.

The Sherman County Fair is an excellent example of the community service that is being accomplished by the youth of Sherman County. Each year since 2005 the number of service hours have grown. The youth clean up and paint fences and buildings prior to the fair, host activities for younger youth and operate fund raisers during the fair and clean up the fairgrounds after. The day after the fair was over this year a group of 15 people met to clean up the entire fairgrounds, including the grandstands. Of those 15 people, 11 were youth volunteers.
In this manner the youth are building bonds with their community and relationships with adults in the community that they may have never had a connection with otherwise. We have found in Sherman County that adults are often disillusioned when it comes to teenagers. The media often covers what young people do wrong, but less often covers what they do right. There is a huge number of youth who desire to be a productive part of their community by doing their share and making the right choices. It is our job as community leaders to assist them. This priority is of the utmost importance to our youth. It is not simply a matter of the youth completing work that needs to be done in the community. It is about youth learning new skills, feeling that they are a valued part of their community and forming bonds that give them one more reason to avoid risky behaviors such as alcohol use.

VI. Strategies

- The following strategies will be implemented in order strengthen the Juvenile Diversion program by increasing communication between the Diversion Office and Local Law Enforcement, as well as defining the roles and responsibilities of each. As stated previously this priority was identified in the previous three year plan (2006-2008) and although strides have been made to reach this goal there is still a great deal of work to be done.

1. Overall, improve communication between the Diversion Officer and local Law Enforcement by scheduling regular meetings with the Sheriff and/or Deputies to keep them informed of changes in participants, policies and general information.

2. The Diversion Officer will make the guidelines and requirements for participation in the Diversion Program available to the Sheriff and Deputies during the month of January 2009.

3. The Diversion Officer has recently begun requiring drug and alcohol testing of diversion participants. The Diversion Officer administers the tests and will share the results of these tests with the Sheriff's Department. This was a goal of the previous three year plan that has been very recently met but will continue to be improved.

4. The Diversion Officer will inform Law Enforcement of current diversion participants on a monthly basis. Law Enforcement will be informed of individual diversion meetings to allow the department to participate. This reflects an image of unity between diversion and law enforcement and strengthens the diversion program. This also allows Law Enforcement to request information from diversion clients as well as take part in educating them.

5. Information pertaining to any diversion participant will be shared between Law Enforcement and the diversion office within 24 hours of being obtained, whenever possible. This improved communication will increase the likelihood of successful completion of the program.

6. Information regarding alcohol use or suspicion will be shared with Law Enforcement within 24 hours of being received.

7. The Diversion Coordinator will continue to attend trainings and statewide meetings with other Diversion Officers to build skills and find ways to enhance the Diversion Program.

8. The Diversion Officer will attend training for the YLS Assessment Program and implement the program in order to better assess youth clients. This will allow the Diversion Program to better meet the needs of each individual client and in turn build a stronger diversion program.

Many improvements have already been made, but these seven strategies will be implemented beginning January 1, 2009.

Resources for the above priorities are currently being met by the County and LB 1014 grant funds.

The expected results are improved handling of clients, resulting in a stronger diversion program that better meets the needs of its clients.

Strategies 1-6 were identified in the previous three year plan. As stated previously, due to dramatic turnover in the Diversion Office and the Sheriff's Department these strategies have been addressed but have not been fully realized. It is our opinion that these strategies are still applicable and are realistic goals.

- The next priority identified is to implement, maintain, and improve prevention programs and activities for youth.

1. The Youth Coordinator will continue to work with the Loup City and Litchfield Schools regarding the implementation of substance abuse prevention programs at the school. We have excellent working relationships with both schools and will continue to bring new prevention programs to the youth.

2. The Youth Coordinator will continue to provide substance abuse prevention materials and education for the Raider Room After School Program.

3. The Youth Coordinator will continue to implement the All Stars program for 6th grade students in Loup City and Litchfield. Additionally the coordinator will encourage the All Stars Graduates to continue to meet on a monthly basis to provide education and information regarding substance abuse.

4. The Youth Coordinator will continue to work collaboratively with civic groups, schools, ministerial representatives and community leaders to plan educational activities for the community such as town hall meetings, focus groups, etc.

5. The Youth Coordinator will continue to work with other organizations to sponsor alternative activities for youth and families. Some examples of these activities include activities after home sporting events, dances, County Fair events, family game nights, and youth group meetings.

6. The Youth Coordinator will continue to meet with the 7th -12th grade youth advisory board on a monthly basis to plan youth activities and learn more about alcohol concerns and prevention alternatives.

7. The community team will continue to sponsor members of the youth group to attend leadership training, activism summits and various statewide trainings so that they can build skills and network with others.

8. The Youth Coordinator will continue to search for new prevention programs that meet the needs of the youth and the community.

Each of these strategies will be ongoing throughout the length of the three year plan.

Necessary resources include funds for programs and activities and manpower to assist with the implementation. Funds are being sought through various grants and community donations. We are blessed with a wonderful pool of volunteers with whom our work would not be possible.

Expected results for each of these strategies is a strengthened prevention system. The community team feels that in order to build a successful prevention program that will be able to reduce substance use it is necessary to provide a wide variety of avenues for education and alternatives. Each new activity and educational point adds to our prevention continuum and allows us to better serve the youth of Sherman County.

This priority was identified in the previous plan but the strategies have been expanded. Again, due to staff changes there have been improvements, but not to the extent that we feel we are capable. The community team has agreed that it is focused on following through with the previous plan to completion prior to moving on to new priorities.

- The final priority identified is to help youth identify and develop community service projects to motivate youth in alternative activities and give them a sense of community ownership and involvement.

1. The Youth and Diversion Coordinator will continue to maintain and make improvements in the data base of community service opportunities for youth to participate in.

2. The Youth and Diversion Coordinator will continue to maintain logs for community service hours and will submit recommendations for the Volunteer Nebraska Award.

3. The Youth and Diversion Coordinator will increase public awareness of the community service policies that are in place, resulting in new opportunities for service and new youth becoming involved in serving.

4. The Youth and Diversion Coordinator will coach youth in the procedures necessary. Such as, following selection of a specific community service project, the youth will be required to plan steps to the accomplishment of the project. With each step, they will need to decide who needs to do what to accomplish the task. Tasks will be delegated with a time line for completion. A written plan will be followed for large projects. With any project that necessitates the approval of government or community agency, the youth will be challenged to determine who to talk to, when meetings can be scheduled and preparation of information to support their request.

5. The Youth and Diversion Coordinator will ensure that community service is on the agenda at each monthly meeting of the youth advisory board.

The youth and the Youth and Diversion Coordinator will work together regarding these strategies.

Each strategy is expected to be ongoing during the three year period.

Resources necessary for these strategies are currently being provided through grant funding and community support. Maintaining the position of Youth and Diversion Coordinator to organize the efforts and some supplies are the basic requirements.

The results of these strategies will be that the youth are building bonds with their community and relationships with adults in the community that they may have never had a connection with otherwise. It is expected that youth will learn new skills, will feel that they are a valued part of their community and will form bonds that give them one more reason to avoid risky behaviors such as alcohol use.

This priority was identified in the previous plan but the strategies are for the most part new. It was the goal of the previous strategy to assist the youth in completing one community service project per year. Currently various youth are working with ongoing projects individually. There are 3-4 major group projects occurring each year as well. This is a priority we have made improvements in, but with new strategies progress will be much more advanced.

Appendix A

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 such as probable cause, information provided, observations. 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 as well as attitudes and actions.
Notes: Officer discretion – warning – written or verbal, citation (ticket arrest) Cooperation and support of parents Community perception Factual basis beyond reasonable doubt	

Decision: Whether to cite or arrest juvenile for juvenile or adult offense.	
Formal Determining Factors a. Seriousness of Offense b. Is there a warrant? Seldom warrants from Sherman County investigations. Warrants from courts, fines, etc. Arrest here.	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: Decision of adult or juvenile charges to CA. Judge transfers to juvenile court only if youth requests transfer. Crimes to be sited for adult, then stepped down if necessary. Misdemeanor 1 year or less jail Felony over 1 year Juvenile court unless serious or violent Infraction, traffic - Fine	

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 No juvenile detention center near. Custody only for felonies, extreme violence	Informal Determining Factors a. Immediate risk to juvenile - EPC 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: Transporting is difficult with only one officer on duty at times and no female officers. For 3A – uncontrollable, have used Broken Bow because Madison County is too far Theft, burglaries are dealt with locally, not transported, released to parents.	

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 a. Risk assessment outcome b. Accessibility of placement options: i. Parents/Guardians ii. Emergency Shelter iii. Staff Secure Facility iv. Secure Detention Facility	Informal Determining Factors
Notes:	

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	Informal Determining Factors
a. Likelihood of successful prosecution	
b. Factors under NRS § 43-276:	
i. Type of treatment to which juvenile would be most amenable	Runaways
ii. Evidence that offense was violent, aggressive, or premeditated	Out of control
iii. Motivation for commission of offense	Truancy
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"	

Notes:

Prosecution occurs if there is sufficient evidence and facts
Option of diversion or court

Appendix A

Decision: Whether youth should be prosecuted as juvenile or adult.	
Formal Determining Factors a. Seriousness of offense	Informal Determining Factors
Notes: Judge informs of rights, juvenile must request transfer. Judge usually transfers to juvenile Transfer for guilty plea	

Decision: Offense for which juvenile should be charged.	
Formal Determining Factors Factual basis	Informal Determining Factors
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
Notes: No juvenile detention facility near, detained only in serious cases.	

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	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	Informal Determining Factors
Notes:	

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

Decision: Whether to order probation to conduct a pre-disposition investigation (statutory authority unclear)	
Formal Determining Factors	Informal Determining Factors
Notes: *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	Informal Determining Factors
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
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	Informal Determining Factors
Notes:	

Decision: Whether to commit such juvenile to the Office of Juvenile Services NRS § 43-286(1)(b)	
Formal Determining Factors	Informal Determining Factors
Notes:	

Appendix A

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: 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
Notes:	

SYSTEM POINT: MOTION TO REVOKE PROBATION PARTY RESPONSIBLE: County Attorney STATUTE REFERENCE: NRS § 43-286(4)(b)(i)	
Formal Determining Factors	Informal Determining Factors
Notes: Probation requests, Judge approves	

SYSTEM POINT: MODIFICATION/REVOCATION OF PROBATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-286(4)(b)(v)	
Formal Determining Factors	Informal Determining Factors
Notes: Not cited – ran, did not catch, attitude to officers, did not test positive Cited – Test positive, MIC, MIP	

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
Notes:	

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	Informal Determining Factors
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 A

Summary:

The above Community Planning Tool document, as well as an analysis of the results of the previous Three Year Plan, were used to determine the priorities for the 2009 – 2011 Sherman County Three Year Comprehensive Juvenile Services Plan. The Sherman County Prevention Policy Board in cooperation with Sherman County Law Enforcement, Sherman County Attorney and the Sherman County Judicial System worked through the data and the analysis tool in the process of determining what the priorities are for the County and writing the 2009-2011 Three Year Plan for Sherman County.