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Judiciary Committee  
December 05, 2012

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[PROBATION PILOT]

The Committee on Judiciary met at 1:30 p.m. on Wednesday, December 5, 2012, in Room 1113 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on implementation of the Juvenile Service Delivery Project under LB985. Senators present: Brad Ashford, Chairperson; Steve Lathrop, Vice Chairperson; Colby Coash; Brenda Council; and Amanda McGill. Senators absent: Burke Harr; Tyson Larson; and Scott Lautenbaugh.

SENATOR ASHFORD: Good afternoon, everyone. After going to the emergency room, I'm fine, so we're going to...

SENATOR MCGILL: What?

SENATOR ASHFORD: No, I'm just kidding.

SENATOR MCGILL: (Laugh) I'm like, did you fall again running?

SENATOR ASHFORD: (Laugh) You know, that...anyway, this afternoon we're going to talk about the Juvenile Service Delivery Project under LB985. And Thomas has indicated he has to leave, and so we're going to ask him to come up first. But before he does, I'd like to read...Judge Turnbull from North Platte was going to be here but was unable to come. And he...I've met with him several times in North Platte and other places, and he's been a great help to the committee in evaluating this legislation. So what...I might just read it into the record. Thanks. (Exhibit 1) I want to express my appreciation to the Legislature for extending the Juvenile Service Delivery Project to western Nebraska. In the 11th Judicial District, the project is implemented and underway. The probation officers have been hired, trained, and in Lincoln County we have at least eight to ten young people on probation utilizing the services provided through the Juvenile Service Delivery Project. There is a high degree of excitement over

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the fact that services are now available to juveniles on probation. The services that have been utilized by the courts include pretreatment assessments, juvenile sex offender evaluations, alcohol/drug evaluations, psychological evaluations, mental health counseling, and short-term shelter care. Inpatient treatment is also available. Currently in North Platte we do not have agency-based foster care or intensive outpatient treatment for juveniles. On the day the Judiciary Committee is holding their hearing, I will be faced with placing a juvenile on probation and with Health and Human Services, a dual placement, simply because we do not have agency-based foster care in our area. I know that Probation is working to solve this problem. The cooperation between all agencies is at a high level. The probation officer involved in the Juvenile Service Delivery Project now attends all monthly "Through the Eyes of a Child" meetings. All juvenile justice agencies attend these meetings. These meetings provide an opportunity to work together to make the project successful. Currently, the Juvenile Service Delivery Project in western Nebraska is to be evaluated after one year. I respectfully recommend to the committee that the evaluation process be extended for an additional year. One year is simply not enough time to rebuild what has been lost over the past three years. I believe it will take time to recruit the providers that are needed to provide such services as agency-based foster care or intensive outpatient treatment. So again, this is Judge Turnbull, who is on the firing line here. So that's good, you know, they're good comments. Tom, do you want to...Tom, I think today, this afternoon, we're going to try keep it to around five minutes unless you have need to speak for longer, if that's okay. [PROBATION PILOT]

THOMAS PRISTOW: Yes, sir. [PROBATION PILOT]

SENATOR ASHFORD: All right, go ahead. [PROBATION PILOT]

THOMAS PRISTOW: Good... [PROBATION PILOT]

SENATOR LATHROP: Or he's interrogated for longer than that. (Laughter)

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[PROBATION PILOT]

SENATOR ASHFORD: Yeah. [PROBATION PILOT]

THOMAS PRISTOW: Sorry, Senator. [PROBATION PILOT]

SENATOR ASHFORD: Yeah, yeah. [PROBATION PILOT]

THOMAS PRISTOW: (Exhibit 2) Good afternoon, Senator Ashford and members of the Judiciary. My name is Thomas Pristow, T-h-o-m-a-s P-r-i-s-t-o-w, and I am the director of Children and Family Services for the Department of Health and Human Services. Before I begin my prepared statement, I would just like to make a short announcement. My OJS Administrator, Terri Nutzman, will be leaving my administration. At the end of the this month she'll be going back to private practice, and we'll be recruiting for a new OJS Administrator. So I just wanted to let you folks know that that was happening.  
[PROBATION PILOT]

SENATOR ASHFORD: Thanks, Tom. [PROBATION PILOT]

THOMAS PRISTOW: We are sorry to see her go. The Department of Health and Human Services and the Administrative Office of Probation entered into an interagency agreement from January 2009 through June 2012. The final amendment to the agreement, which was signed in March 2012, was for a dollar amount not to exceed \$7.7 million, which included \$1.1 million for administrative costs. The original intent of this agreement was to: be a pilot project in Douglas County only; eliminate supervision of the same juveniles by both the department and the Office of Probation; reduce the number of juveniles in the legal custody of the department; prevent unnecessary penetration of juveniles further into the justice system; provide access to more services and resources in the community for juveniles placed on probation; and meet the needs of juveniles in the least restrictive community environment while maintaining community

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safety. The interagency agreement terminated with the passage of LB985. It was our understanding that LB985 created a pilot project, like the one set out in the original interagency agreement, which would continue in the judicial district serving Douglas County and expand to DHHS Western Service Area in Judicial Districts 11 and 12. LB985A transferred \$8.4 million from the DHHS budget to the Office of Probation effective July 1, 2012. With this funding, courts in those three judicial districts would place juveniles adjudicated as ungovernable under Section 43-247 on probation rather than placing them with the department. Juveniles adjudicated as law violators under this section would not be committed to the Office of Juvenile Services unless they were being committed into the YRTCs. In preparation for the implementation of LB985 in the 4th, 11th, and 12th Judicial Districts, staff attended community stakeholder education sessions held by Probation. Stakeholders who were invited to attend included, but were not limited to, service providers, attorneys, judges, county attorneys, and school officials. At these sessions, stakeholders were informed that Probation would now have the funding necessary to serve juveniles adjudicated under the section and...except those youth who required a commitment to the YRTCs. Meetings between the Office of Probation and DHHS were also held to clarify each of our roles, our mutual expectations, and which juveniles Probation would serve. Meetings have also occurred between the Office of Probation, DHHS, and UNMC regarding gathering data to evaluate the cost-effectiveness of LB985. We are currently in the process of obtaining a business association (sic) agreement with UNMC in order to exchange information in the evaluation process. After the operative date of LB985, courts in these three judicial districts continued to place some juveniles with DHHS/OJS both preadjudication and postadjudication. From July 1 through November 2012, a number of these youths were placed with DHHS. I am...we are fully working with Probation to review some of those cases and to see how we can move forward together in resolving those youth that were placed with us. I'm fully committed to the success of LB985 and the pilot. My staff and I are in regular contact with Corey and his staff. We will continue to meet with judges to help explain the options available to them to meet the needs of these children and youth. I want to see results for these youths, to set them on the right path to a healthy

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and productive life. In closing, thank you very much for your time, and I'm available to answer any questions you may have. [PROBATION PILOT]

SENATOR ASHFORD: Any questions? Senator McGill. [PROBATION PILOT]

SENATOR MCGILL: Of those, the youth, you said that were then placed with DHHS, are those kids that went on to YRTC or placed with you... [PROBATION PILOT]

THOMAS PRISTOW: No, ma'am. [PROBATION PILOT]

SENATOR MCGILL: Okay. Do you know of anyone who's gone on to YRTC that's been in the pilot, in this program? [PROBATION PILOT]

THOMAS PRISTOW: That came to us first that...and then went on to the YRTCs or...? I'm not sure I understand the question. [PROBATION PILOT]

SENATOR MCGILL: That went through this program, or maybe Corey knows, who were a part of this pilot program. [PROBATION PILOT]

THOMAS PRISTOW: Oh, yeah. We do have kids that...yes, the judges are sending us youth that we would normally get anyway through the YRTCs. Yes, that's occurred, if I'm understanding your question correctly. [PROBATION PILOT]

SENATOR MCGILL: Okay. [PROBATION PILOT]

SENATOR COUNCIL: Are you...you're asking the opposite, right? [PROBATION PILOT]

SENATOR MCGILL: Yeah, the opposite, like if they were--you want to help me articulate?--if they went through the Probation program. You said that...or are there any that have gone into that, it didn't work out, and they end up at YRTC? [PROBATION

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PILOT]

THOMAS PRISTOW: I don't have that exact number, Senator. [PROBATION PILOT]

SENATOR MCGILL: Okay. [PROBATION PILOT]

THOMAS PRISTOW: I'm sorry, I... [PROBATION PILOT]

SENATOR MCGILL: Okay, that's fine. [PROBATION PILOT]

THOMAS PRISTOW: But what we do have is a close collaboration with Probation and my senior administrator out in the Eastern Service Area works closely to solve these type of issues. I mean, this is...we want to make sure this things works. [PROBATION PILOT]

SENATOR MCGILL: Yeah. [PROBATION PILOT]

THOMAS PRISTOW: So when we get a hiccup or something happens that we're not quite sure what to do, I...Tony Green, my senior administrator out there, and Corey and their staff get together and work it out. [PROBATION PILOT]

SENATOR MCGILL: All right. Thanks. [PROBATION PILOT]

SENATOR ASHFORD: Senator Coash. [PROBATION PILOT]

SENATOR COASH: Thank you, Senator Ashford. I might have missed this in your testimony, but how many kids have we now diverted into each one of these pilot programs? [PROBATION PILOT]

THOMAS PRISTOW: How many have we referred in that Probation have taken?

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[PROBATION PILOT]

SENATOR COASH: Yeah, how many that would have been under you that have...now under the... [PROBATION PILOT]

THOMAS PRISTOW: I don't have that number with me, Senator. I'm sorry.  
[PROBATION PILOT]

SENATOR MCGILL: I bet Corey does. [PROBATION PILOT]

SENATOR COASH: Okay. I just wanted to know what the utilization rate was. Maybe somebody behind you will. I'm sure Probation will come up. [PROBATION PILOT]

SENATOR MCGILL: Corey has it, yeah. [PROBATION PILOT]

THOMAS PRISTOW: Yeah. [PROBATION PILOT]

SENATOR COASH: And Corey is going to...he'll answer that question. [PROBATION PILOT]

THOMAS PRISTOW: Okay. [PROBATION PILOT]

SENATOR COASH: And maybe this is a question more appropriately directed to him, but I'll ask it of you. Judge Turnbull is recommending another year to evaluate the effectiveness, at least in his judicial district. Do you have thoughts on that regarding our history, how long we've been doing this, and what it's going to take to get some good understanding of... [PROBATION PILOT]

THOMAS PRISTOW: I think it's...I have no problem with extending it for a year. I think out in the west, where the numbers aren't quite as great, it takes a little bit longer to kind

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of evaluate the effectiveness. I don't see any inherent issues with doing that. I mean, I think it's a good program. I like the outcomes of indicators that we've established across the three judicial districts. And if he needs that, more time, I think we could work with Probation to make that happen. [PROBATION PILOT]

SENATOR COASH: All right, thank you. [PROBATION PILOT]

SENATOR ASHFORD: My only question is on the...Judge Turnbull's comments about the dual placement is really a function of not having the resources. [PROBATION PILOT]

THOMAS PRISTOW: Well, the foster care...the foster placements I know they've...we are working with Probation, with Corey and his team, to look at how we can help with that. I mean, we have foster...we do our own foster care recruiting, training out in the western area, and we're looking at how we can make those homes and those houses of those foster parents available too. So there's some interagency cooperation we're trying to work out and to make that happen. [PROBATION PILOT]

SENATOR ASHFORD: And also some of the...and the judges that have been making dual placements or have made placements into HHS jurisdiction even though they're on probation, is that a capacity problem, a cost problem? What is causing that to happen? [PROBATION PILOT]

THOMAS PRISTOW: Senator, when this started, July 1, we...out of my budget came eight-point-some million dollars to transfer over. So when I get...when we get some of these kids that come back that should have gone over to Probation, then it does...it can impact the budget, and we are working with Corey to... [PROBATION PILOT]

SENATOR ASHFORD: Sure. Okay, so you're... [PROBATION PILOT]

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THOMAS PRISTOW: We are working, case by case, to go through those to see if the judges can, you know, get back in the courtroom and see if it's appropriate to move those kids out of our process and into probation. [PROBATION PILOT]

SENATOR ASHFORD: And a lot of that is you just can't...the judges won't...they don't stop on a dime and change that quickly. [PROBATION PILOT]

THOMAS PRISTOW: And it's education; it's relationship building;... [PROBATION PILOT]

SENATOR ASHFORD: Right. [PROBATION PILOT]

THOMAS PRISTOW: ...it's just like we talked about earlier this morning. [PROBATION PILOT]

SENATOR ASHFORD: Yeah. Okay. Any other questions of Thomas? Thanks. [PROBATION PILOT]

THOMAS PRISTOW: Thank you, Senators. [PROBATION PILOT]

SENATOR ASHFORD: Thank you. Thanks. I thought...sorry you had to wait around from 1:00. I thought 1:00. Okay, do we have a list, or are we going to...? No, so we'll just go down...who is...Corey, are you going to...okay. [PROBATION PILOT]

COREY STEEL: (Exhibits 3 and 4) Thank you, Senator Ashford and Judiciary Committee, for taking time to hear about what we think, on the Probation side, is a very successful project. And that's something we're very proud of and the juveniles that we've worked with. My name is Corey Steel. I'm assistant deputy administrator for the Office of Probation Administration. I want to talk a little bit about, since the passage, what we have done on the Probation side to implement LB985. Since July 1 the intent of

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LB985 was to mirror the Juvenile Justice Service Delivery Project in Omaha for the past three years with the interagency agreement with the Department of Health and Human Services. And I say that that was from 2009 to 2011 we had that pilot project and that interagency agreement. To mirror that project was for postdispositional services, for those services after disposition, for those juveniles that could have been made a state ward for the sole purpose to access services. We have created a criteria that has been agreed upon between the Department of Health and Human Services and Probation Administration of those juveniles that would fit within this parameter. Not every kid would be placed on probation that could have went to the department. There still is a percentage that will need that level of care based on this criteria. Since the passage of LB985, we've had several judiciary and stakeholder meetings that were held prior to the new legislation. As soon as the legislation was passed, Probation Administration had sent a team out to the western part of the state to start those collaborative meetings with judges, stakeholders, and the probation departments out there. We have also had continual presentations to the judiciary in the spring and fall judges' meeting, along with private conversations and meeting with those judges as well in Judicial District 4, 11, and 12 regarding the project, regarding those juveniles that are appropriate to be placed on probation supervision and access services. We continue to have stakeholder meetings and collaborative meetings with community stakeholders to provide access to services. One of the things that Mr. Pristow talked about was lack of foster care services in Judicial District 11 and 12, and those are things that we are continually working with the department on to create, enhance, and build and recruit more foster care, because that is a lack, and other services as well in those two judicial districts. As far as staffing, with LB985 we've hired all new administrative staff positions within...that's been allotted for that through LB985. In the field we've expanded our probation officers and our probation services in Judicial District 4, 11, and 12. We did delay hiring of two positions out in the western part of the state in Judicial Districts 11 and 12 as we knew that was a growing project and we didn't want to hire all staff at that point in time. We knew that that needed to grow in that area, so we delayed hiring of those new two positions. I will tell you, by January 1 of this year all staff will be hired that have been budgeted for

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within LB985. We've had additional training and extensive training with those officers that are going to be providing services to those juveniles in those districts as well. We've created a Juvenile Service Delivery Project Academy, which is a weeklong academy, where it's specialized juvenile training not only on the services but also on accurately and appropriately identifying the service need and targeting those services need at the right time, and then also what's the right funding stream for those services. One of the new things that we've created with the passage of LB985 is pooling our resources. So with the money that was allocated for service delivery in LB985, we did not just use that money and pay for every service as the kids needed it. We pool funding, so we look at family insurance; we look at any other resources that that family may have to pay for those services; we look at Medicaid and Kids Connect (sic) and help the families pay for that; we utilize LB985 service dollars as a last resort. We have juveniles on our care that we may be looking at three pots of money that are paying for their service need, so we could be utilizing family private pay, we could be tapping insurance, and then we could be backfilling with LB985 dollars, so we're able to stretch those service dollars a lot further. At the end of the UNMC evaluation, our goal is to tell you exactly how much money of the LB985 money was spent on services, how much family insurance was spent on services, and how much other service monies were paid for, so we have a cross...or we can look at all dollars that were put into the juveniles in those jurisdictions to pay for the services, not just how much state money was put in there but also how much family private pay, family insurance, Medicaid, Kids Connect (sic), other federal funding, and IV-E resources, once those are available to Probation Administration. We're continually working with the department to be able to access IV-E funding. As far as processes put in place, as we've gone through LB985 implementation we've finalized new policies and procedures outlined for the Nebraska Juvenile Service Delivery Project. All three jurisdictions were able to start accessing services July 1. We made sure that we hit the ground running, that July 1, if the judge in Districts 11 and 12 needed services, we were able to get those services to those families and those juveniles as of July 1. We, once again, identified appropriate Probation cases at disposition. We have created teams, as Thomas Pristow had talked about, which look at

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each individual case. There are some cases that did go to DHHS starting July, August, and September. We have reviewed, case by case, each one of those cases with this team to determine, do we need to go back to court and does this juvenile need to be placed on probation and access these service dollars instead of being made a state ward. We're going through that process as we speak. [PROBATION PILOT]

SENATOR ASHFORD: What are you finding there? [PROBATION PILOT]

COREY STEEL: We're finding right now we've been able to access all of those cases, and we have a team. We don't have the initial out...or we don't have the outcomes of those, of what that team has looked at. Tony Green and I just talked before this hearing. Those cases have been identified. The team is now going, case by case, to determine which ones need to go back to the court and make recommendations to the court that probation could be accessed. Once again, this is a recommendation, and the court still has judicial authority to make and determine what's the best suitable placement for that family and what's in the best interest of that child. Finally, we have early increase of utilization of predispositional investigations for single-focused evaluations. This was an extra added bonus that we put in place with the project dollars. With the project dollars, if the juvenile is adjudicated and the judge feels that there is an evaluation that is needed, they can access a single-focused evaluation. That can be a mental health, substance abuse, or a risk assessment for sexual issues. The judge can order Probation to pay for that single-focused evaluation instead of the Office of Juvenile Services evaluation, so we feel that that's also a cost savings. We're able to have one evaluation, package that back to the judiciary with recommendations for the service instead of a full-blown Office of Juvenile Services evaluation. Those are the highlights of what we have implemented within the past five months with LB985. I also handed out a one-page summary of history and then where we are at up to date, as of the passage of LB985, for your information as well. [PROBATION PILOT]

SENATOR ASHFORD: Yes, Senator McGill. [PROBATION PILOT]

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SENATOR MCGILL: Just in your opinion, is this, just furthering this program, what will solve our problem with YRTC or, you know, having the wrong people in YRTC?  
[PROBATION PILOT]

COREY STEEL: Right. I think this is a start. Will it solve the problem? No. I think there's other things that also need to be implemented as well and put in place. I think that this is...that accessing services up-front, being able to access those services in a timely manner at the time of disposition, and keeping juveniles in their family home will eventually have a decrease in the population at YRTC. Will it solve all the problems? No. [PROBATION PILOT]

SENATOR MCGILL: Yeah. Oh, we've already established there are different types of youth that are out there,... [PROBATION PILOT]

COREY STEEL: Yes. [PROBATION PILOT]

SENATOR MCGILL: ...so at least trying to get to some of the youth that maybe don't need to be there. [PROBATION PILOT]

COREY STEEL: Yes. [PROBATION PILOT]

SENATOR LATHROP: Maybe if...can I? If I may, maybe you know the answer to this. This just occurred to me since we've been talking about the YRTC this morning. If we got the kids out of there that shouldn't be there because they're not violent offenses, or whatever criteria we use, are we just making room for more kids that would be appropriate? [PROBATION PILOT]

COREY STEEL: I'll answer... [PROBATION PILOT]

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SENATOR LATHROP: It just occurred to me that when we talked this morning about clearing some of the young people out of the YRTC because they're not, you know, there's a better place for them, if we cleared out 50 percent of the population, would we then fill those very same seats with, or beds, with people that we would regard as appropriately placed there? In other words, is there a waiting list to get in, so to speak? [PROBATION PILOT]

COREY STEEL: I'll...I don't look at it like that. I'll answer it this way, Senator Lathrop. I think that with this project, and as we talked about this morning with enhancing community-based services, whether that's putting more money in the communities, as we talked about this morning, or by utilizing community-based services up-front, that will allow us to impact the overall percentage of kids that go to YRTC-Kearney or Geneva. Part of the UNMC evaluation is going to look at that specific thing. The process of the juvenile justice system, as you've talked about--and I think the question was asked, how many kids go directly to YRTC through the courts without any services or what have you?--with the project in the three jurisdictions that we have, a juvenile should not go straight from the first violation of probation or the first law violation straight to YRTC-Kearney or Geneva. We have several different layers of supervision that we can utilize within Probation and access now to pay for those services that are needed. So a juvenile in the project can start out with community-based services, can start off with non-treatment-based services that can be paid for. If treatment issues arise, they can then bump up that service delivery to pay for those treatment options, whether that be in home, preferably, but if the juvenile needs placed out of home for those treatment needs we can then pay for those out-of-home care as well. The juvenile should graduate through the system, and all resources and all services should be exhausted through this project prior to a kid going to Kearney. So the kids that should be in Kearney should be those highest-risk kids. And that's how we're trying to set up our system in Probation, so that they're assessed up-front, they're receiving the services at that point in time, and we have three different levels that we can ratchet up our case management and supervision. And until that juvenile gets to our highest level of

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supervision and still continues to have those behavioral issues and fail out, then that's the type that should be going to YRTC-Kearney and Geneva, not a low-risk kid or a medium-risk kid after they've violated and because of lack of services. [PROBATION PILOT]

SENATOR MCGILL: Has that happened yet in your programs? [PROBATION PILOT]

COREY STEEL: Have we had some kids that have been on probation that have raised through our levels? [PROBATION PILOT]

SENATOR MCGILL: Yeah. Yeah. [PROBATION PILOT]

COREY STEEL: We have had a few kids that...yes. [PROBATION PILOT]

SENATOR MCGILL: Okay. [PROBATION PILOT]

COREY STEEL: At the end of the day when we've put all of our...thrown all of our tools and all of our case management at them, they still need that level of care. [PROBATION PILOT]

SENATOR MCGILL: Okay. [PROBATION PILOT]

COREY STEEL: But then that also is the appropriate kid to place at YRTC-Kearney or Geneva. [PROBATION PILOT]

SENATOR MCGILL: Yeah. [PROBATION PILOT]

SENATOR LATHROP: Right. [PROBATION PILOT]

SENATOR MCGILL: Yeah. And I know Geneva is not full. I can't...I don't know about out

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at Kearney, just about the question of the at capacity, as I know they're actually down a little bit right now. [PROBATION PILOT]

SENATOR LATHROP: Oh, good. [PROBATION PILOT]

SENATOR ASHFORD: Corey, the case rate getting...just talking about cost for just a minute, just to...first of all, the juveniles we're talking about here are adjudicated. These are the toughest cases generally. I mean, not in all cases, but these young people have been adjudicated by the system, by the juvenile court or by the court, so they are difficult cases by definition. [PROBATION PILOT]

COREY STEEL: Correct, they're all...every juvenile that's placed on probation is adjudicated and placed on probation at disposition by the judge. [PROBATION PILOT]

SENATOR ASHFORD: So you start from a level of need for services that's...would be generally higher, I would assume, than a child that's in the system for some other reason, a status offense even or some other lower-grade problem or certainly those who are abused and neglected and that sort of thing, correct? I mean, they may need services as well,... [PROBATION PILOT]

COREY STEEL: Correct. [PROBATION PILOT]

SENATOR ASHFORD: ...but these kids have been adjudicated. [PROBATION PILOT]

COREY STEEL: Correct. These...the kids that come on probation that are receiving these services that are paid for are what we would classify as higher-risk juveniles because they have a higher service need... [PROBATION PILOT]

SENATOR ASHFORD: Right. [PROBATION PILOT]

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COREY STEEL: ...which then drives up their risk and their need for those services.  
[PROBATION PILOT]

SENATOR ASHFORD: Okay, and how many of those, in the three judicial districts, how many juveniles are in...the total number of juveniles in there? [PROBATION PILOT]

COREY STEEL: Currently, right now, active on probation in Judicial District 4J, 11, and 12, we have 1,151 juveniles. Of those juveniles...so 1,100 juveniles. Of those juveniles, 425 of them are accessing services through Probation. [PROBATION PILOT]

SENATOR ASHFORD: The rest of them are being...are generally back at home, going to school? [PROBATION PILOT]

COREY STEEL: Of...currently we have 89 juveniles that are placed in out-of-home care out of those 1,100. [PROBATION PILOT]

SENATOR ASHFORD: Okay, but only 400 are receiving services. [PROBATION PILOT]

COREY STEEL: Correct, 425 of those are receiving services. The bulk of those are in Douglas County. District 4J we have 825 juveniles that are on probation, and 406 of those are receiving services. So close to half of the juveniles in Douglas County that are on probation are receiving some form of assistance through the project for their service need. [PROBATION PILOT]

SENATOR ASHFORD: And those services are paid by the project funding.  
[PROBATION PILOT]

COREY STEEL: These are specific kids that are receiving project funding, correct.  
[PROBATION PILOT]

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SENATOR ASHFORD: And that funding...and is there a rate of...is there a case rate that you've determined in conjunction with...is it the same, or can you describe how that works? [PROBATION PILOT]

COREY STEEL: It's very comparable. We have set a standard, through our Fee for Service Voucher Program, for a specific service. We've outlined the definition of that service, and we've outlined a cost for that service. And a provider signs on with the Supreme Court Office of Probation Administration to provide that service at that rate. Currently in Douglas County we have 196 different providers that are accessing it...that we are accessing to pay for juvenile services in Douglas County. [PROBATION PILOT]

SENATOR ASHFORD: How about in 11 and 12? [PROBATION PILOT]

COREY STEEL: We are up to 48... [PROBATION PILOT]

SENATOR ASHFORD: Okay. [PROBATION PILOT]

COREY STEEL: ...different providers between Judicial District 11 and 12, and those are increasing on a daily basis. We're continuing to increase services out there. [PROBATION PILOT]

SENATOR ASHFORD: All right, then let's just take mental health services for a moment. How many...again, if you don't have the exact number that's fine. But in Douglas County, how many of those 190, 86, 90 are mental health providers? [PROBATION PILOT]

COREY STEEL: I don't have that in front of me, Senator, the exact number of providers. [PROBATION PILOT]

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SENATOR ASHFORD: Just can you give me a guesstimate on it that provide mental health? [PROBATION PILOT]

COREY STEEL: I would hate to give you a guesstimate because I could be... [PROBATION PILOT]

SENATOR ASHFORD: Half or 10 percent or 5 percent? [PROBATION PILOT]

COREY STEEL: Of the service providers that provide services, close to 30 percent of those are for substance abuse or mental health services. [PROBATION PILOT]

SENATOR ASHFORD: Okay. [PROBATION PILOT]

COREY STEEL: Thirty to forty percent. [PROBATION PILOT]

SENATOR ASHFORD: And the rest are different kinds of services. [PROBATION PILOT]

COREY STEEL: Correct. These services are anything from tutoring-based services, transportation services, all the way through the high-end psychiatric residential treatment facility, the highest end of service needs, so we pay for all of those. [PROBATION PILOT]

SENATOR ASHFORD: Is there a lack of mental...I'm asking a question that we all know the answer to, I guess. But, in your opinion, is there a lack of psychiatric services available for youth in Douglas County at this point? [PROBATION PILOT]

COREY STEEL: I can tell you, Senator, we currently do not have a wait when a kid needs a service. [PROBATION PILOT]

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SENATOR ASHFORD: Okay. How about in the... [PROBATION PILOT]

COREY STEEL: We do not experience waits. [PROBATION PILOT]

SENATOR ASHFORD: How about 11 and 12? [PROBATION PILOT]

COREY STEEL: Eleven and twelve is a little bit different, yes, because of the lack of services in their communities. So we have to set up in order to get that individual placed somewhere else in Nebraska or on the fringe of those other states close by--Colorado, Wyoming, South Dakota, and Kansas. [PROBATION PILOT]

SENATOR ASHFORD: Okay, but that's... [PROBATION PILOT]

COREY STEEL: But what I can tell you, as far as... [PROBATION PILOT]

SENATOR ASHFORD: ...that's building. [PROBATION PILOT]

COREY STEEL: Yeah, treatment-based services are close to 30 percent of the services that we pay for. [PROBATION PILOT]

SENATOR ASHFORD: All right. And three years ago we started in Douglas County, and now we're starting in 11 and 12. Can you tell me the qualitative difference...by...I don't mean better or worse, but qualitative...the substantive difference between the...how you deal with this juvenile and how that juvenile was dealt with prior to the project. When they come into this... [PROBATION PILOT]

COREY STEEL: I can talk about...yeah, what I can talk about is our system, on how a juvenile comes into our system, and what we do. And I'll talk...and then I'll tell you a little bit about what the outcome was of the project. When a juvenile comes into the probation system, they are assessed. We have several assessments that we do. We do

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a risk-based assessment; we do a mental health screening; we do a substance abuse screening. That will tell us what are the needs and what are the service needs that are possible there for that juvenile. If we flag one of those things, such as a substance abuse/mental health, we then will refer for an evaluation for those services, and we'll follow the recommendations of that evaluation that comes back to Probation and the court. And then we will put in place the needed service that is there. We also then look at what other barriers or services are needed for that juvenile. If the juvenile is having poor school attendance, failing in school, we can get an academic tutor or tutoring case management for that juvenile. If it's after-school time, we can help. We've funded different types of services or we've paid for services that are at Boys and Girls Club for after-school programs. We've paid for evening reporting centers. Those things, whatever that targeted need is for that specific case, we'll put that in place. And then all the way, as we said, we follow the recommendations of those evaluations if it's a treatment-based need as well, whether it be mental health or substance abuse. One of the things that I talk about as an outcome of the project, 83 percent of--the three-year project--those juveniles remained in their family home and received family-based services and services in their home instead of being placed out of their home. And so that's something that we felt was...we hung our hat on with Probation that we were able to keep juveniles in home and keep the services in their family home. So we're not only addressing the needs of the juvenile, but they're also addressing those needs of those family dynamics. [PROBATION PILOT]

SENATOR ASHFORD: Okay, just to wrap up, prior to the project, if an adjudicated youth, there was...in the disposition process, they received a probation...they had a probation officer and they had an HHS program of some kind. [PROBATION PILOT]

COREY STEEL: Correct. [PROBATION PILOT]

SENATOR ASHFORD: They had both. [PROBATION PILOT]

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COREY STEEL: That was, yeah, that was... [PROBATION PILOT]

SENATOR ASHFORD: And that was the reason... [PROBATION PILOT]

COREY STEEL: ...the start or the origination of the original pilot program as we sat down with DHHS is we had over, if I remember correctly, 240, 250 juveniles in Douglas County that had a caseworker assigned through DHHS, whether it be OJS or DHHS, and a probation officer assigned to that same case, one for supervision, one to pay for service delivery. And so it was a duplication of state resources to have two entities on one case, and so we started with that premise of the project to eliminate dual supervision of cases. If Probation was able to access the services and pay for the services, there was no need to make that juvenile a state ward. And then we expanded that to, at disposition, if we felt that a juvenile could stay on probation as defined and the services could be paid for, we would keep that juvenile on probation or recommend probation, and those services would be identified at that time. It does a couple things: It keeps the juvenile and the family engaged in the process and helps identify those service needs at the time of probation; it also keeps those juveniles, as our outcomes talk to us about, in the family home receiving those services; and, last, it did not have the stigma of making the kid a state ward simply to access services in the state of Nebraska. [PROBATION PILOT]

SENATOR ASHFORD: Okay. Senator Council. [PROBATION PILOT]

SENATOR COUNCIL: Thank you, Senator Ashford. And thank you, Corey. I'm listening to your testimony, and I had listened to Mr. Pristow, and I'm reading the written version of Mr. Pristow's testimony. And I'm seeing something that's not being stated, I guess, and I guess I need a little more insight. And quoting from Mr. Pristow's written statement, "After the operative date of LB985, courts in these three judicial districts continued to place juveniles with DHHS or DHHS/OJS," and, "From July 1, 2012, through November of 2012, a number of youth were placed with DHHS." What is that

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saying that's not being stated? I mean, I read that to say that DHHS is saying, we're still getting all of these youngsters that are being made wards of the state, and we're being subject to paying for their services. If that's the unspoken here, what do we need to do that's not being done to get back to the original objective of the project? [PROBATION PILOT]

COREY STEEL: The original intent of the project was never to take all kids at disposition, so eliminating the Office of Juvenile Services. It was identified population. That said, if this juvenile could be placed on probation and access services, that is who would be recommended for probation. There still are kids that need the department through those realms, in our eyes in Probation. [PROBATION PILOT]

SENATOR COUNCIL: Okay. [PROBATION PILOT]

COREY STEEL: There still are those high-end kids that are going to need services for a long time, and they're going to need access to those transitional services that Probation cannot provide that would need to remain with the department. There's also cases where the juvenile's family and the guardianship may be at issue. When a juvenile is placed probation, they're not in our care and custody like they are in the department. [PROBATION PILOT]

SENATOR COUNCIL: Right. [PROBATION PILOT]

COREY STEEL: And when guardianship issues arise, that's something that we cannot address and resolve. That's something that the department needs to be involved in at those issues. So there still are cases, and from the beginning we have said, this is not every kid come to Probation. These are identified kids that can be placed on probation and access services that we can pay for at that time. It is not preadjudication, front-loading (3)(b) services. That was never the intent, and it was never the outline of the project. It is postdispositional services. One of the avenues that we've chosen to add

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on to that is access to single-focused evaluations because we believe that that's a better course to go than having every kid go through a full OJS evaluation if it's not needed. [PROBATION PILOT]

SENATOR COUNCIL: Thank you. [PROBATION PILOT]

SENATOR ASHFORD: And of the 800 that you have now...well, starting in the...over the three-year period of this...of the project in Douglas County, are you seeing an impact on recidivism and coming back into the system generally? [PROBATION PILOT]

COREY STEEL: We did not specifically look at recidivism in the sense of one year, two years, three years out. [PROBATION PILOT]

SENATOR ASHFORD: Recidivism is the wrong term anyway. [PROBATION PILOT]

COREY STEEL: Right. [PROBATION PILOT]

SENATOR ASHFORD: I mean, it's coming...they successfully complete their probation. [PROBATION PILOT]

COREY STEEL: Right. [PROBATION PILOT]

SENATOR ASHFORD: And then... [PROBATION PILOT]

COREY STEEL: I could tell you last year... [PROBATION PILOT]

SENATOR ASHFORD: Are we already watching those kids? [PROBATION PILOT]

COREY STEEL: Right. Our data last year...and our annual report will be coming out within the next few months. What I can tell you is we have a higher successful

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completion rate of probation in Douglas County, which is our largest juvenile jurisdiction, obviously, 800 juveniles. Our hardest, highest-risk population is in Douglas County--I don't think I need to tell this committee that--as well. We had a higher successful completion of probation rate in Douglas County than anywhere else in the state and the state combined, and I attribute that to...and I've told Ellen, our administrator, this as well: I attributed that to accessing services at the right time and keeping kids on probation and paying for those services. Our toughest jurisdiction we were able to have the highest successful completion rate of probation. [PROBATION PILOT]

SENATOR ASHFORD: And then, lastly, if Judge Turnbull in North Platte can still, through the disposition process, send a juvenile, the high-needs juvenile, to a facility, for example, outside the state of Nebraska, that would not be paid for by either Probation or HHS and which...or is that... [PROBATION PILOT]

COREY STEEL: No, we do have access to pay for out-of-state placements. Our preference is to keep the juvenile in home. If the juvenile needs out of home, the first course of action in our administration is we look for in-state services to be able to provide those services for those juveniles. We do have some instances where a juvenile may need to be placed out of state, and we can pay for those services on out of state as well. [PROBATION PILOT]

SENATOR ASHFORD: If...is...are the counties still the payors of last resort then, still, if that money runs out or if there is inadequate funding,... [PROBATION PILOT]

COREY STEEL: (Inaudible.) [PROBATION PILOT]

SENATOR ASHFORD: ...if you have a child who is placed in a high-intensity program somewhere else, or even in the state, and it's exceedingly expensive? [PROBATION PILOT]

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COREY STEEL: If a juvenile is placed on probation in one of these three jurisdictions, we pay for that service. [PROBATION PILOT]

SENATOR ASHFORD: No matter what. [PROBATION PILOT]

COREY STEEL: Yes. [PROBATION PILOT]

SENATOR ASHFORD: So the county doesn't bear any...they're not the payor of last resort then? I mean, there is no last resort. [PROBATION PILOT]

COREY STEEL: We don't look for the county to pay for probation-based services in these three jurisdictions. [PROBATION PILOT]

SENATOR ASHFORD: Whereas in other counties that may not be the case, correct? [PROBATION PILOT]

COREY STEEL: In Douglas County, prior to the project, the county did fund a lot of their placement options. [PROBATION PILOT]

SENATOR ASHFORD: Okay. I mean, that's a significant difference, is it not? The state is, in effect, paying for those services, to a degree or totally, where they weren't necessarily in the past. [PROBATION PILOT]

COREY STEEL: I think, through the collaboration effort with Douglas County and these other jurisdictions, we've been able to fund some services that prior were funded by the county, but the county is also looking at other ways to fund juvenile services in a different way. So I think that's how we look at it with the project is we're able to fundamentally set the system up the way that we need to so that each entity can pay for what is needed and add more services. [PROBATION PILOT]

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SENATOR ASHFORD: Okay. Okay. That's all I have. Thanks for all your hard work. I know you're...I know you've moved this thing a long ways. [PROBATION PILOT]

COREY STEEL: Thank you. [PROBATION PILOT]

SENATOR ASHFORD: How many other testifiers do we have today? I know Melissa and Lina are here. Does anybody else want to...Melissa, Lina, are you both coming up or... [PROBATION PILOT]

MELISSA TIBBITS: I think Lina...(inaudible). [PROBATION PILOT]

SENATOR ASHFORD: She is? (Laugh) [PROBATION PILOT]

MELISSA TIBBITS: (Inaudible). [PROBATION PILOT]

SENATOR ASHFORD: Okay. [PROBATION PILOT]

MELISSA TIBBITS: She's there if I need her. [PROBATION PILOT]

SENATOR ASHFORD: Okay. I should say "Dr. Tibbits." Excuse me. I don't want to be... [PROBATION PILOT]

MELISSA TIBBITS: (Exhibit 5) No, that's fine. And actually, I have a handout. So I have a brief report that she's handing out right now, and I'm just going to summarize it for you as my testimony. I am Melissa Tibbits. I am an assistant professor at UNMC in the College of Public Health, and I am conducting the evaluation of the project with some of my colleagues at UNMC. So we began collaborating with the Office of Probation Administration early in 2012, before the July date, to develop and implement an evaluation of the Nebraska Juvenile Service Delivery Project. And, as you know, the evaluation formally began July of 2012. We developed a logic model, and we did that in

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consultation with the Office of Probation Administration, to really guide the evaluation. That's presented in Appendix A of the report on the back of the report. And the logic model really outlines all of the activities that occur through the project and all of the outcomes that we might expect as a result of the project, so just briefly I'm going to mention those before I move on with the rest of the report. First we have what we call "process outcomes." Those are outcomes that really measure the implementation of the project. And some of the ones that we have highlighted and that actually have come up through the discussion today are: increased use of the predispositional investigation as opposed to the OJS evaluation; use of the funding vouchers, so if the funding vouchers are issued, the kids aren't using them, then we wouldn't expect them to benefit from the services; consistency of case management; and quality standard adherence. The short-term outcomes that we discussed with the Office of Probation Administration are: decreasing dually supervised youth; increasing the number of youth who receive services while living at home; and decreasing the time between disposition, voucher issuance, and the receipt of services, so basically making sure that juveniles are getting services faster. Intermediate outcomes are: decreasing risk levels in relevant domains--that's often measured by the youth-level service inventory; also, increasing sanctions and decreasing motions to revoke, so not escalating cases; and increasing youth who complete court-ordered services. Our long-term outcomes are: increasing completion of cognitive restructuring groups; decreasing in-program recidivism and out-of-program recidivism; decreasing the number of juveniles committed to DHHS and OJS; and, ultimately, decreasing costs to the state, something that I know that's very important to this particular group. So the idea with the logic model is that if we're able to implement the program well, achieve the short-term outcomes, that will lead to the intermediate outcomes, and the intermediate outcomes will lead to the long-term outcomes. So, as I mentioned, we've been working with the Office of Probation Administration, also the Office of Juvenile Services, to obtain the data relevant to each of the outcomes that I mentioned that are in the logic model. And most of the data come from the Office of Probation Administration directly. And in that case there isn't any identifying information, such as juveniles' names. And as...largely we've been provided

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that data already, so we're beginning to work on analyzing it. Some of the outcomes, however, require us to link data between the two agencies, and that requires more sensitive data because we have to have names or Social Security numbers, something so that we can identify that a case in Probation isn't the same case in Juvenile Services. So right now both the Office of Probation Administration and OJS are really cooperating with us to share that data. Right now, because the data is so sensitive, we have to submit different...we have different procedures at the university that we have to follow. We have to submit an IRB application, and that's currently being reviewed. And we also have to have data sharing agreements, which also are being reviewed at UNMC right now. So with the data that we do have, we're in the really early stages of data analysis. And I have some preliminary findings here in this report, and those findings will be updated as we get additional data and also conduct additional analyses. So I'll just highlight a few things in the report. The first is, as Corey mentioned, one of the goals is really to increase the use of the predispositional investigation as opposed to the OJS evaluation. And really our data suggests that, since 2005, District 4 has had a substantially higher use of the predispositional investigation compared to other judicial districts. You'll see that in Table 2. And that difference has become even more pronounced since the start of the Nebraska Service Delivery Project. So I think that's important to note that we're moving in the right direction it seems. Other... [PROBATION PILOT]

SENATOR ASHFORD: And can you...what is that...just what is that... [PROBATION PILOT]

SENATOR MCGILL: Why is that important? [PROBATION PILOT]

SENATOR ASHFORD: Why is that important? [PROBATION PILOT]

MELISSA TIBBITS: It's important because,... [PROBATION PILOT]

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SENATOR ASHFORD: Thank you, Senator. [PROBATION PILOT]

MELISSA TIBBITS: ...as Corey mentioned, the predispositional investigation is often less intensive and less costly compared to the OJS evaluation. And it can provide, in some cases, an appropriate evaluation of the juvenile's needs in a less costly manner. So, as you know, other goals relate to the use of these service vouchers. And from 2009 to 2012, almost 8,000 monetary vouchers were issued to juveniles on probation. An additional 590 nonmonetary vouchers were issued, and those are issued just to track services for youth who don't need the monetary side of things. During that time, about 80 percent of the vouchers actually were used each year, and that's presented in Table 3. And it's important to note that, if you look at that table, the percentages in 2012 are a little lower than the previous years, but that's likely just because 2012 isn't complete yet. So the idea here is that, you know, as we know, a lot of vouchers are being issued, and for the most part they are being used. And finally, we have a little bit of information about the completion of services, which I think Corey alluded to. Compared to District...and this is presented in Table 4. Compared to District 4, overall it appears that other districts generally have a higher completion rate of services, but it's important to note that during the period of the project completion rates have risen substantially in District 4. So again, I think that's in line with what Corey was mentioning previously in terms of youth actually using the vouchers and completing their services, which is important because if they don't use the vouchers and don't complete the services, the services can't be effective. So, as I noted, we're really in the early stages of data analysis, and the findings I'm presenting here are really preliminary. Our next step is to really more comprehensively analyze the data, particularly this month, the data that we already have. And that will include looking at additional outcomes within the logic model, that I mentioned, individually, but also to look at the relationships between outcomes. For example, we can look at if services are associated with reductions in risk levels and if those reduction risk levels are associated with decreases in recidivism. So those are the types of questions that we'll be exploring ultimately. Additionally, hopefully... [PROBATION PILOT]

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SENATOR ASHFORD: That's really important to be able to look at, first of all, what the service is... [PROBATION PILOT]

MELISSA TIBBITS: Exactly. [PROBATION PILOT]

SENATOR ASHFORD: ...and whether or not it has any impact; if it's a familial issue; if it has to do with disruption, dysfunction in the home; family-based services are available; those family-based services are made available; they're used, per your point, 80 percent of the time anyway; and then is that resulting in...does that have a positive outcome then for that juvenile, correct? [PROBATION PILOT]

MELISSA TIBBITS: Exactly. Those are the types of questions that we will be able to answer with the data that we already have. [PROBATION PILOT]

SENATOR ASHFORD: That's just incredible to me. I mean, I don't know. Okay.  
[PROBATION PILOT]

MELISSA TIBBITS: So that's a next step in the immediate future. And additionally, as I mentioned, we're kind of held up with some of the contractual things--the IRB and our agreement with the Office of Juvenile Services--on the UNMC side. They're still reviewing that. We have to get that approval before we can move forward. Hopefully, that will be within the next week or two. Then, at that point, we'll be able to receive the more sensitive data regarding things like dual supervision, some of the cost data, and that will enable us to answer even more of the questions in the logic model. So our thought is that when all of the analyses are complete, we'll prepare a full report. This is just the very beginning, as you know. And also we'll request data, probably in April or May, depending on when it works with the two offices we're working with, to look at the data from the beginning of July to April or May so we can kind of understand better what's going on not only in District 4 but also Districts 11 and 12. So then we'll complete

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another report summarizing all of the data, particularly for this year. So those are our next steps. And that's all I have, if you have any questions. [PROBATION PILOT]

SENATOR ASHFORD: The...and then so April or May, and then we have 12 months after that to implement all the strategies that will work to fit the two-year time line, I guess, the one we were discussing this morning. You may not have been here. [PROBATION PILOT]

MELISSA TIBBITS: I...yeah. [PROBATION PILOT]

SENATOR ASHFORD: Any questions? Now what I asked you to do also...you...Lina and yourself have worked with Brenda--Senator Council--and myself for a couple of years now to evaluate what happens when a young person...when none of these things work and when the juvenile...it's not always juveniles, but the young person, juveniles primarily, become victims of violence. And I just want to applaud Senator Council for her leadership in getting this study going. We funded this through the Omaha Community Foundation with help from a donor, Jane Rogers. And you've done great work on that as well, and you've completed your report. I...the...and the report is here. I think the members, at least, of the committee have it. Okay. And one of the aspects of the report, and I know this is...most of your report doesn't deal specifically with this. But one of Senator Council's ideas, working with Ben Gray--Councilman Gray, right, Brenda?--it was the hospital intervention model that has been implemented--and maybe Brenda should explain it--that's been implemented at the University of Nebraska Medical Center where, if there is a shooting, or not always a shooting but primarily a shooting, and the victim is taken to UNMC, there is an intervention team that is developed through the Empowerment Network--is that right, Brenda?... [PROBATION PILOT]

SENATOR COUNCIL: Impact One. [PROBATION PILOT]

SENATOR ASHFORD: ...that meets with the families and, in some cases, the victim,

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and to talk down retaliatory...well, first of all, to create a...lower the tension at the hospital, which I believe has been the case in many, many...on many cases, and then at the same time try to talk down retaliatory activity. And, you know, I don't...that's hard to get data on all that, but I, at least anecdotally, it's my understanding that it's been quite successful. And I know Senator Council has more information on that. And then...but the major part of the study I'd ask you to talk to us about. [PROBATION PILOT]

MELISSA TIBBITS: Okay. So, as you mentioned, we actually, for our study, had a couple of different substudies, I guess. Two looked at Trauma Registry data. So when a youth is admitted to the hospital with, basically, violent injuries, that is recorded in the statewide Trauma Registry. So initially we looked at Trauma Registry data just in Omaha. We weren't able to access data from all of the hospitals, however, so ultimately we requested statewide data. So we ran analyses looking at...really comparing the...comparing violent injuries and nonviolent injuries, so a range...people are admitted to the hospital for a range of reasons, and we wanted to understand how youth in the age range of 10-25 differed, how those who had incurred violent injuries and those who hadn't differed in important ways. So that was really one thing that we were looking at. And, as I mentioned, we looked at that just for Omaha and then also the statewide registry. We also worked with Impact One to analyze their case notes. So, as Senator Ashford mentioned, Impact One does have the hospital intervention team. They go to the hospital, if there is a violent incident, to basically try to prevent retaliation. They also have what are called "street outreach specialists," and the street outreach specialists work with youth who either have been involved in violent incidents in the past or are thought to be at high risk of becoming involved in violence. So for this second part of the study, Impact One allowed us to review all of their case notes of youth who are working with street outreach specialists, and that ended up being around 100 youth. And basically, every time a street outreach specialist talked to a particular youth, they would write notes, basically, in a computer software system. And, as I mentioned, Impact One allowed us to view all those notes, de-identified, of course, to try to come up with...try to understand common themes among the different youth, common risk factors, in

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particular, for violence, and common protective factors, just so that we would have a better idea of the challenges that these youth are facing and potential ways to intervene. So that's really kind of a broad overview of the study. For the Impact One study in particular, I think some of the key findings were that a lot of the youth that were a part of this street outreach specialist project and had information in the database really were suffering from a lot of different stressors. [PROBATION PILOT]

SENATOR COUNCIL: Toxic stress. [PROBATION PILOT]

MELISSA TIBBITS: They generally had, in a lot of cases, academic difficulties. They weren't necessarily involved in physically violent incidents, like fights, but they...there was a lot of verbal aggression between the individual youth and their teachers, individual youth and their peers. They were clearly struggling with a lot of anger issues, I guess, is the best way to sum it up. Additionally, in the case notes it was clear that there was a sense that the youth often, in many cases, didn't have a stable home environment. Maybe they were shuffling between foster homes and group homes, back to their home, living with different relatives, so there was that stressor in their lives. Beyond that, some of the older youth in the study, particularly the older males who had been involved with the juvenile justice system, as many of them had, actually, in this particular study, were having trouble finding jobs and, kind of, a productive way to use their time. And, as a result, you could...it was...the kind of hopelessness and depression associated with that was pretty clear. So those are some of the, I guess, key findings that I would highlight, and they really highlight this idea that often the youth who become involved in the probation system or are admitted to the hospital as a result of being involved in violence, they're not necessarily just bad kids. They have a lot of challenges that I think make it hard for them to succeed in a traditional sense, and so I think our findings really highlighted that. And in the report we have some suggestions for multilevel interventions because, given that this isn't just about the child's inherent characteristics, it's about the community characteristics and the family characteristics and the school characteristics and the peer characteristics. To really have an impact on

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violence, all of those have to be taken into consideration. Individual treatment can be effective, definitely. But particularly for the younger youth, they're still living in their families' homes, they're still going to their schools, and they don't really have control over that, so that's important to consider as well. So that would be my... [PROBATION PILOT]

SENATOR ASHFORD: What are some of the recommendations that...well, let me ask this: Did you...you also studied the registry? [PROBATION PILOT]

MELISSA TIBBITS: We did. And Dr. Lander worked a little bit more on that, so it might be good... [PROBATION PILOT]

SENATOR ASHFORD: Maybe Doctor....would you... [PROBATION PILOT]

MELISSA TIBBITS: Yeah, it might be good for her to summarize. [PROBATION PILOT]

SENATOR ASHFORD: We have a chair for... [PROBATION PILOT]

LINA LANDER: No, that's fine. I'm Lina Lander. I'm assistant professor at the Department of Epidemiology at the University of Nebraska Medical Center, and I work with Dr. Tibbits. We've reviewed Trauma Registry for violence- and non-violence-related data and...thank you. [PROBATION PILOT]

\_\_\_\_\_: There you go. [PROBATION PILOT]

LINA LANDER: We had over 1,872 records that we selected because there were admissions related for violence-related trauma. And we selected those records based on "E" code, so if there was a gunshot or a stabbing injury, we have selected those injuries. We compared violence-related injuries to non-violence-related injuries, and those included mainly motor vehicle accidents and things like that. And we conducted

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comparisons in terms of demographic factors, such as age, race, and also hospital-based characteristics--length of stay, number of days in the intensive care unit. There were significant differences, surprisingly, for age. Patients admitted for violence-related injuries, on average, were 20 years of age. For non-violence-related injuries, they were 19, so we still included admissions in the 10- to 25-year-olds, among 20- to 25-year-olds, but the difference was significant. The proportion of males in the two categories was different as well. It was 86 percent for violence-related injuries--the patients were male--compared to 68 percent for non-violence-related injuries. Race was also significantly different for violence-related injuries. Thirty-nine percent of patients were African American compared to 5 percent for non-violence-related injuries. This also was statistically significant: Drug usage was involved in 23 percent of records for violence-related injuries and 10 percent for non-violence-related injuries. And alcohol was also different. It was significantly high for...in 43 percent of records for violence-related injuries, and 27 percent of records for non-violence-related injuries. And then injuries tended to be similar in terms of severity, as manifested by Glasgow Coma score. It's an indicator for severity of injuries. So, in terms of severity, there were similar types of injuries because, again, we looked at Trauma Registry, and the registry includes only severe injuries, the patients who get admitted to the hospital. So if someone gets stitches and gets released, they do not make it into the registry. So by default, we were looking at the more severe injuries, but we did see significant differences in terms of patient characteristics. [PROBATION PILOT]

SENATOR ASHFORD: Do these violent...or the admissions...obviously, these are admissions, so if someone has been killed they don't...there's no treatment, there's no... [PROBATION PILOT]

LINA LANDER: These included fatalities well. [PROBATION PILOT]

SENATOR ASHFORD: Okay. [PROBATION PILOT]

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LINA LANDER: So, yes, admissions included everything severe enough to be admitted to the hospital, more than the 23-hour observation that would be recorded for a patient who just goes to the emergency department and is released that same day.  
[PROBATION PILOT]

SENATOR ASHFORD: What is the average cost of those types of injuries?  
[PROBATION PILOT]

LINA LANDER: We were unable to get the cost data from the state registry unfortunately. We did look at the cost previously. [PROBATION PILOT]

SENATOR ASHFORD: At UNMC? [PROBATION PILOT]

SENATOR COUNCIL: Um-hum. [PROBATION PILOT]

MELISSA TIBBITS: Um-hum. [PROBATION PILOT]

LINA LANDER: Yes, at the UNMC. And the mean charge for violence-related injuries was \$28,000 per each admission and \$25,000, just over \$25,000 for non-violence-related injuries. [PROBATION PILOT]

SENATOR ASHFORD: So it's not significant. [PROBATION PILOT]

LINA LANDER: There was no significant difference, but you can see the costs are very high if we have a lot of these injuries and it's just under \$30,000 for each admission.  
[PROBATION PILOT]

SENATOR ASHFORD: And those are not accidents, generally. Those are generally fight... [PROBATION PILOT]

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LINA LANDER: That's correct. The violence-related injuries were things like gunshots, stab wounds, things like that. [PROBATION PILOT]

SENATOR COUNCIL: Brad? [PROBATION PILOT]

SENATOR ASHFORD: Yes, Senator Council. [PROBATION PILOT]

SENATOR COUNCIL: Dr. Tibbits, on the causes, the risk factors... [PROBATION PILOT]

MELISSA TIBBITS: Um-hum. [PROBATION PILOT]

SENATOR COUNCIL: And you identify protective factors in relation to risk factors. And what I noted in the report was the absence of protective factors to respond to risk factors. And your characterization of the stressors being of the toxic variety when it related to the youngsters... [PROBATION PILOT]

MELISSA TIBBITS: Um-hum. [PROBATION PILOT]

SENATOR COUNCIL: ...who were most likely to engage in violent behavior. And a lot of it was in response to some of the risk factors:... [PROBATION PILOT]

MELISSA TIBBITS: Um-hum. [PROBATION PILOT]

SENATOR COUNCIL: ...the family structure, the relationship with school, relationship with peers. And you noted that, in terms of addressing some of these risk factors, that waiting, you know, until we have teens or young adults, there has to be some early childhood intervention. And that's what you're talking about when you're talking about multilevel interventions. [PROBATION PILOT]

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MELISSA TIBBITS: Um-hum. [PROBATION PILOT]

SENATOR COUNCIL: So I guess the long of it is that if we're to break this cycle, we need to be prepared to direct resources to dealing with the elimination of these toxic stressors. And one of the points about the young adults not having jobs, you know, and the difference that that makes in terms of addressing some of those issues of hopelessness that, if unaddressed, play themselves out in violent confrontation. So your colleagues, you know, need to be aware of the need to focus resources towards job training and employment in order to get at those...the older youth and to deal with addressing the stressors that impact the early childhood development and getting into those homes and trying to deal with some of those, whether it's abuse and neglect or it's substance abuse, mental health issues. We need to get to those or you're not going to see any reduction in violence. I mean, is that essentially the results of your study?  
[PROBATION PILOT]

MELISSA TIBBITS: Senator, that's a great summary. Really, when it comes down to it, the bottom line is that if we want to prevent violence we do have to start early but continue throughout adolescence and young adulthood to make sure that the proper supports and environments are in place to really produce positive behavior rather than negative behavior. And I wanted to go back to your point about protective factors. So generally, in the prevention world, in the public health world we think that if there are enough protective factors, they can kind of...they can counterbalance some of the risk factors. So, for example, if you have an unstable living environment but you have great mentors, a responsive school, other things in place, that can kind of counterbalance the impact of that negative home environment or unstable living environment. But what we did find in the study was, at least in the case notes, those protective factors were rarely mentioned. So, for example, it didn't appear as though a lot of the youth had a mentor.  
[PROBATION PILOT]

SENATOR COUNCIL: Mentor, right. [PROBATION PILOT]

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MELISSA TIBBITS: It didn't appear as though many of the youth even necessarily got along with their teachers at school. It didn't appear as though they had, lawyer would sometimes call, "prosocial" or "positive" peers. It didn't appear as though they had plans for the future, which I think really ties in with that hopelessness. If you are hopeless, you don't really think you have a future, and your decisions reflect that. So I think...thank you for highlighting that. That is a really important point that it's not only about decreasing the risk factors, but it's about increasing the protective factors. [PROBATION PILOT]

SENATOR COUNCIL: Protective. [PROBATION PILOT]

MELISSA TIBBITS: That's a key part of the issue. [PROBATION PILOT]

SENATOR COUNCIL: Thank you. [PROBATION PILOT]

SENATOR ASHFORD: I mean, I think this is really important information. If there are no...I mean, we hear a lot when we get into these issues, well, there's an unstable family life, if only these children had a stable family life there would be no problems. And obviously we know from studying people that have, at least on the outside, stable family lives who have very difficult problems as well. But a couple points here that I...and this has been a two-year effort on your part, and it's...I know we've only spent 15 minutes on it here today. But it's been a mammoth effort. I don't know if a study like this has ever been done where we literally look at the violence itself. And what I believe from it, Senator Council, and I know you've...this is a big, important thing to you, is this sort of outreach in the neighborhoods that has been initiated, at least in Omaha, by Impact One specifically. And I'm sure there are other groups, but they're the predominant group. And this...you have...it seems to me that you have to, and correct me if I'm wrong, in order to...these are young people that these intervenors, so to say, are aware of. They know that there are...these children are at risk, so...and it's also my understanding...and, Brenda, correct me if I'm wrong, but that the Impact One people

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are also working with the Omaha Police division, too, to identify these individuals, and it's been an effective strategy. Now does that mean violence is done or gone away? No. But it's...wouldn't you say those interventions are critical on the...in the neighborhoods, on the streets, so to say? [PROBATION PILOT]

MELISSA TIBBITS: They certainly are, particularly for the youth who already are struggling from those stressors or already are at risk for violence. It's a critical piece of it. But I'd also like to emphasize that from the public health perspective, we also know that just preventing kids from getting to that place where they need the street outreach specialist is also very important. [PROBATION PILOT]

SENATOR ASHFORD: Well, and I agree with that, but I...there are phases here. [PROBATION PILOT]

LINA LANDER: Absolutely. [PROBATION PILOT]

SENATOR ASHFORD: And what we...I think in this committee we've struggled with the idea that if you...if a young person gets to that point where they need triage almost,... [PROBATION PILOT]

MELISSA TIBBITS: Um-hum. [PROBATION PILOT]

SENATOR ASHFORD: ...they need that on the street because the next...it's...my son is a public defender, and he calls these children "one-day-away kids." I mean, they're one day away from being shot or shooting. And there are those children, there are those juveniles out there, maybe not shot or shooting but getting into more trouble. So that triage aspect, we can't disregard that. [PROBATION PILOT]

MELISSA TIBBITS: No. [PROBATION PILOT]

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SENATOR ASHFORD: But then we have to, as Senator Council has said many, many times in this committee, go back as far as we can to those trigger events, like low attendance or, you know, suspension from school or behavioral issues at school, right? [PROBATION PILOT]

MELISSA TIBBITS: Yes, Senator. I completely agree that having that targeted strategy is critical, particularly in the short term, to addressing the violent issue because, regardless of if it's ideal to have interventions early on, and hopefully no one gets to that point, in reality a lot of kids are at that point where they're struggling and they could easily become involved in violence. So having someone that they can work with and can help them make better choices, which is a lot of what it comes down to, and have the supports that they need in their lives but enable those better choices, that is really critical. [PROBATION PILOT]

SENATOR ASHFORD: And to sort of tie it up, this committee has funded the Violence Prevention Fund, which some of the money has gone to Impact One to conduct those kinds of activities on the street and the hospital interventions, so we just need to keep plugging, right? Yeah. [PROBATION PILOT]

MELISSA TIBBITS: There's a lot of work to be done, but there are effective strategies that are known across the nation, and I think, to the extent that we can implement more of those, as long as they're relevant to our particular community, that will go a long way toward addressing the issue as well. [PROBATION PILOT]

SENATOR ASHFORD: Okay, thank you. Thank you, Senator Council, for getting this thing going. [PROBATION PILOT]

LINA LANDER: Okay. [PROBATION PILOT]

SENATOR ASHFORD: Okay. [PROBATION PILOT]

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SENATOR COUNCIL: Well, perhaps I'll see one or both of you in a couple of hours or so. Unfortunately,... [PROBATION PILOT]

MELISSA TIBBITS: For Janette. [PROBATION PILOT]

SENATOR COUNCIL: ...Janette Taylor, who was the executive director of Impact One, has left... [PROBATION PILOT]

SENATOR ASHFORD: Oh, she...yes. [PROBATION PILOT]

SENATOR COUNCIL: ...to pursue other... [PROBATION PILOT]

MELISSA TIBBITS: Important things. [PROBATION PILOT]

SENATOR COUNCIL: ...important things, and so there is a reception for her this evening, so. [PROBATION PILOT]

SENATOR ASHFORD: Oh, good. Where is that? [PROBATION PILOT]

SENATOR COUNCIL: Love Jazz. [PROBATION PILOT]

SENATOR ASHFORD: Okay. Thank you very much. [PROBATION PILOT]

SENATOR COUNCIL: Thanks again. [PROBATION PILOT]

LINA LANDER: Thank you. [PROBATION PILOT]

MELISSA TIBBITS: Thank you. [PROBATION PILOT]

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SENATOR ASHFORD: Does anyone else have any comments, questions? Yes.  
[PROBATION PILOT]

COREY STEEL: Senator, I have one thing that I forgot. Senator Krist had sent me a message. And he would have come to testify today, but he got called away, had to go run back to Omaha. He just wanted the committee to know that, and I know you're been a part of these meetings as well, that Senator Campbell and Senator Krist are continuing to meet with Probation and DHHS... [PROBATION PILOT]

SENATOR COUNCIL: HHS. [PROBATION PILOT]

COREY STEEL: ...and the Budget Office on the financials regarding the pilot project. They're keeping a very close eye on how much is spent, how much is allocated. And so when we get down to this he wants to make sure that the right money is in the right place to serve the right kids. And so he did want me to share that with the committee as well, and I forgot that when I was up here the first time. So I wanted to make sure I got that out. [PROBATION PILOT]

SENATOR ASHFORD: Thank you. [PROBATION PILOT]

SENATOR COUNCIL: Thank you. [PROBATION PILOT]

COREY STEEL: Okay, thank you. [PROBATION PILOT]

SENATOR ASHFORD: And, Terri, thank you for...Terri Nutzman, thank you so much for everything you've done on behalf of the committee and the whole entire Legislature.  
[PROBATION PILOT]

TERRI NUTZMAN: Well, you are most certainly welcome. It's been a privilege and an honor to work with you guys. And that doesn't mean...just because I'm leaving OJS--I'm

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going into private practice---... [PROBATION PILOT]

SENATOR ASHFORD: Oh. [PROBATION PILOT]

TERRI NUTZMAN: ...but I'm going to focus on the juvenile court and the juvenile issues as well. [PROBATION PILOT]

SENATOR COUNCIL: Good. [PROBATION PILOT]

TERRI NUTZMAN: So I'm going to continue in this process,.... [PROBATION PILOT]

SENATOR ASHFORD: Good. Good for you. [PROBATION PILOT]

TERRI NUTZMAN: ...but not as the OJS Administrator. [PROBATION PILOT]

SENATOR ASHFORD: Okay, thank you. But... [PROBATION PILOT]

SENATOR COUNCIL: Okay. [PROBATION PILOT]

SENATOR ASHFORD: Thank you very much for your service. And that concludes the hearings for today. Thank you. [PROBATION PILOT]