

JUSTICE CENTER DEVELOPMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES
July 23, 2020, 9:00 a.m., Room 903, Civic Center
1819 Farnam Street, Omaha, Nebraska

JCDC Board members in attendance: Mary Ann Borgeson, John Christensen, Ben Gray, David Levy and Chris Rodgers.

JCDC Board Administration in attendance: Joel Pedersen (Counsel), Joe Lorenz (Treasurer), Diane Carlson (Secretary).

I. APPROVAL OF THE MINUTES

Motion by Gray to approve the 09/19/19 Meeting Minutes, second by Rodgers. Motion carried 5-0.

II. BOARD COMMENTS

None.

III. PROGRAMS STATUS UPDATE – Kim Hawekotte

Kim Hawekotte, Deputy County Administrator - Juvenile Services, presented the Douglas County Juvenile Justice Initiatives update. Douglas County is part of three national initiatives on Juvenile Justice Reform; Juvenile Detention Alternatives Initiative (JDAI), Cross-Over Youth Initiative and Collective Impact. The Nebraska juvenile justice system is a rehabilitation system. The system is meant to balance rehabilitation with holding the youth accountable for their actions. Research shows it is the relationships with our youth that are important, not just programs. Research also shows the more entrenched a youth becomes within the justice system, the more harmful it is to them. This is why it is imperative to look at prevention and early intervention programs which are crucial to changing the future trajectory of our youth.

Ms. Hawekotte highlighted several early intervention initiatives: Community-based grant funds for community providers; development of a Community Plan to determine what are the needs of our youth in the community; Juvenile Assessment Center serving over 2800 youth per year; Racial and Ethnic Disparity evaluation; Status Offense Diversion Program for youth who have not committed crimes but are at high risk to do so; and the Home Program.

Ms. Hawekotte reported the current population at the Douglas County Youth Center (DCYC) as of July 21, 2020, is 61 youth: 55 male and 6 female. Fifty-four percent of the youth are charged as adults. Eighty-six percent are youth of color. The average length of stay is 47 days. For those youth who are charged as adults, the average length of stay is 196 days. The length of stay may have increased recently due to the COVID-19 pandemic. Seventy-seven percent of youth in the DCYC are reoffenders (previously been in detention before). Thirty-six percent are pre-adjudicated, meaning, they are the County's responsibility.

Ms. Hawekotte reported on several new key initiatives, including a contract with UNMC, CHI, Heartland Family Services and Charles Drew, for behavioral health initiatives; a mentoring program with UNO

starting this fall; and a federal grant that will be used to study recidivism rates at the DCYC. Ms. Hawekotte's full presentation is available at <https://www.douglascounty-ne.gov/justice-center-project/justice-center-development-corporation>.

Board member John Christensen praised the presentation and Ms. Hawekotte's work. Board member Ben Gray agreed and commented that this information needs to be shared with the media. Ms. Hawekotte replied she is working on a media communication plan. Board member David Levy asked whether the higher percentage of youth with adult charges is the result of diverting lower level offenders away from the DCYC or the manner in which juvenile crimes are charged in Nebraska. Ms. Hawekotte replied the answer is really both. She said we have had success in developing community programs for lower level offenders to divert those youth from the DCYC, but we also need to look at the manner in which youth are being charged as adults.

Commissioner Mike Boyle asked whether the County Board could receive juvenile services program updates. Commissioner Borgeson stated she is planning on reinstating the County Board monthly updates.

IV. PROJECT STATUS UPDATE – Bruce Carpenter/Don Mohlman

Bruce Carpenter, HDR, provided a project update. Mr. Carpenter discussed parking for the Justice Center Tower and Youth Center. He noted the attorneys and judges that currently park in the lower level of the Hall of Justice will continue to so. There is existing parking for visitors in the 19th and Harney Street garage. There are discussions about developing the County-owned property on the corner of 19th and Howard Street with the Public Building Commission, City of Omaha and a private developer who owns property to the south. Mr. Carpenter presented the design images and schematics of the Justice Center Project. The full presentation is available at <https://www.douglascounty-ne.gov/justice-center-project/justice-center-development-corporation>.

Commissioner Mike Boyle asked whether there are adequate bus lines coming from north and south Omaha to the Justice Center for parents and other visitors. There are bus stops on 19th and Harney and 17th and Harney. There will be follow-up on the question of the actual bus lines. Commissioner Boyle expressed his concern that there may not be an adequate number of beds at the proposed Youth Center. In response, Mr. Carpenter and Mr. Achola explained that the Youth Center will be built to enable adding an additional floor to house more youth if needed; increasing the number of beds from 64 to a potential 96. Commissioner Boyle stated the County does not have funding for an additional floor.

Board member Ben Gray asked for the dimensions of the green space between the buildings. There is approximately 9,000 square feet of green space.

Don Molman provided a construction update. He reported that MUD completely vacated its building in early July. He reported that later today, Kiewit will be taking public bids for the demolition bid package. There will be seven bid packages on this project and they will be broken down appropriately to allow others to participate. The demolition package includes site clearing, site preparation and abatement of the existing MUD parking garage and annex. Also, a big component of this bid package will be grading and preparation for foundations and the vertical build.

V. ACTION ITEMS

a. Accept owner's availability of funds determination. Motion by Rodgers, second by Gray. Motion carried 5-0.

b. Accept Finance Subcommittee Charter. Motion by Rodgers, second by Gray. Motion carried 5-0.

c. Approve 2nd Amendment to KBG Agreement. Motion by Gray, second by Rodgers, Motion carried 5-0.

d. Approve Resolution 2020-0723-01 updated signature authority. Motion by Gray, second by Rodgers. Motion carried 5-0.

e. Approve Resolution 2020-0723-02 Small/Emerging Business (SEB) Program. Motion by Gray, second by Rodgers. Motion carried 5-0.

f. Approve SEB Program Consulting Agreement. Motion by Gray, second by Rodgers, Motion carried 5-0.

VI. PUBLIC COMMENTS

The following members of the public provided comments: Larry Storer.

VII. ADJOURN

Motion to adjourn by Gray, second by Christensen. Meeting adjourned.

Douglas County Juvenile Justice Initiatives

July 23, 2020

GUIDING PRINCIPLES

Beneath every behavior is a feeling. And beneath every feeling is a need. And when we meet that need rather than focus on the behavior, we begin to deal with the cause not the symptom!

Douglas County has been visionary and in the forefront of implementing juvenile justice reform. We are actively involved in many national initiatives such as Juvenile Detention Alternative Initiative (JDAI); Cross-Over Youth Initiatives; and Collective Impact. That is one of the reasons that Douglas County created the position of Deputy County Administration over Juvenile Services. The position is to ensure that all of our great initiatives are working together and alongside of each other for the best interest and future of our youth.

In order to create an ideal juvenile justice system within Douglas County, there are eight core requirements that must guide all efforts within the County. These eight core requirements must be considered in all programming and services and are as follows:

1. Developmentally Appropriate;
2. Research-based, Data-Driven and Outcome-Focused;
3. Fair and Equitable;
4. Strengths-Based;
5. Trauma-Informed and Responsive;
6. Supportive of Positive Relationships and Stability;
7. Youth and Family-Centered;
8. Coordinated.

The Nebraska Juvenile Justice system is considered a rehabilitation model. In other words, that is what to guide all of the decisions within the juvenile legal system: "what is in the best interest of the child/youth". We are not a punishment system – that is our adult court system. In juvenile court, it is a delicate balance between accountability and rehabilitation. It can be done but it involves looking much deeper than what crime was committed but rather looking into why was the crime committed and how we can keep the youth from re-offending or committing further crimes. It involves looking at the whole family unit and ways to strengthen the supports around that youth. Relationships, not programs, change people. Research has clearly shown that by building on the strengths of any youth – their deficiencies decrease. One of the keys to an effective JJ system, is a strong and robust prevention and early intervention system. Research has shown that you do more damage to any youth by placing them further into the JJ system than is needed. Again, this should not be based upon the crime committed but rather the risks/needs of the youth.

PROGRAMS AND SERVICES

I. Prevention and Early Intervention Services/Programs

A. Community-Based Grant Funds

Funding acquired by communities through participation in this Nebraska Crime Commission grant program is used to aid in the establishment and provision of community-based services for juveniles who come in contact with the juvenile justice system. These funds shall prioritize evidence-informed programs and services that will accomplish diverting youth from the juvenile justice system; reducing the population of juveniles in detention and secure confinement; and assisting transitioning juveniles from out-of-home placements to in-home treatments. For the 2020 Grant year, Douglas County will expend the following for community-based services:

- Total grant amount for 2020 is \$1,661,511 plus \$233,626 allowed as a carry-over from 2019 Grant Funds for a total of \$1,895,137.
- Through a Douglas County application process, 17 community providers were selected to provide these programs/services.
- 90% of the grant funds are going to community-based providers for prevention and early intervention services.
- 85% of the grant funds are for community-based providers east of 72nd street.
- Range of programs/services from in-home family support services to mediation to restorative justice to school attendance initiatives to refugee services.

B. Community Plan for Prevention and Early Intervention Programs/Services

To remain eligible to receive Community-Based Aid funding, Douglas County under Nebraska Revised Statute §43-2404.01 must develop, adopt, and submit a comprehensive juvenile services community plan to the Nebraska Crime Commission. This community planning process must be used to assess current programs, identify preventive measures to keep youth from entering the juvenile justice system, pinpoint duplication and/or gaps in services to youth and focus on effective, research-proven strategies. By June 2021, Douglas County must submit its Comprehensive Community Plan meeting the statutory and Nebraska Crime Commission requirements.

C. Juvenile Assessment Center (JAC)

The JAC is a County department that strives to divert all eligible youth from formal processing, while recommending interventions to prevent further law violations, and enhance productive growth of young citizens. The JAC utilizes evidence-based principles such as the risk/need/responsivity principle by making targeted referrals, based on screening and

assessment, and referring to service providers in the community utilizing evidence-based principles, as well as monitoring utilization and effectiveness of each of these services.

Currently the JAC is providing diversionary services for delinquency youth; status offense youth; dually-involved youth; and parental referred youth. An independent evaluation for the past four years of operation was completed on the JAC in February 2020 which found the following:

- Approximately 2,800 youth are seen each year equally divided between delinquency youth and status offense youth; 58% of the youth are male; 35% are Caucasian; 37% are Black; and 22% are Hispanic/Latino.
- Based on validated assessment tools, the highest needs for youth are education/employment; peer relations; and personality/behavior.
- 76% of family/youth surveyed felt that they were better off going through the JAC;
- Recidivism rates were nearly 2X lower for youth who successfully complete the JAC.

D. Racial and Ethnic Disparity – OJJDP Grant

This federal grant is to reduce the incidence of racial and ethnic disparity in the juvenile justice system by preventing youth of color from entering detention; if detained by expediting the release of youth of color to their homes; and providing early intervention of culturally competent evidence-based services and programs to meet the needs of the families and youth within the family-home. The following is occurring:

- A contract has been approved with Impact Justice to complete an evaluation of Douglas County juvenile justice system regarding racial and ethnic disparity along with recommendations.
- Monthly lunch-and-learn will be occurring over the next three months on this issue along with a virtual conference the end of October.
- A request has been filed with OJJDP to obtain permission to use the 2018 grant funds to create alternatives to detention for youth of color.

E. Status Offense Diversion Service or CHINS/FINS Program

The creation and implementation of a process to use evidence-based screenings and referrals to divert at-risk status offense youth from the juvenile justice system into appropriate and meaningful services when necessary that will lead to better outcomes for youth and their families. Included within this service would be school attendance issues; mental/behavioral health services; and missing/runaway youth initiative. An executive steering committee has been created to be working on the creation and implementation of a diversionary program for status offense youth. Data has been collected and is being analyzed along with researching other States programs/services.

II. System-Involved Youth Services and Programs

A. HOME Program

The HOME program is operated through DCYC to provide GPS electronic monitoring service for youth. To improve utilization of this service by the judicial system other supportive programs and services must be included beyond just the GPS monitor. These stability service/programs must target youth of color due to the high disproportionate minority issues within DCYC.

During 2019, there were 32 pre-adjudicated youth that could have remained in their home if appropriate stability services were available. The following is occurring:

- To obtain approval from OJJDP to utilize 2018 Title II funding to pay for these in-home stability services/programs as an alternative to detention.
- A validated assessment tool has been researched to assist staff in determining the needs of these youth and obtaining the appropriate services/programs.
- The process to become a State Probation provider so these services continue after the youth is adjudicated and placed on probation.

B. Douglas County Youth Center (DCYC)

DCYC is to protect the interest and safety of the community and the youth by providing a secure, safe and structured environment for youth and to offer the necessary educational and developmental resources to a culturally diverse detention population.

- Current Data as of July 21,2020
 - Total population 61 (55 male and 6 female)
 - 33 (54%) Youth are charged in adult court with felonies and 28 (46%) youth are charged in juvenile court (19 felony and 9 misdemeanor)
 - Racial breakdown – 3% Asian; 57% Black; 26% Hispanic; 13% Caucasian (86% are youth of color)
 - Average length of stay – 47 days for juvenile charged in juvenile court and 196 days for youth charged in adult court.
 - Ages of youth – 8 aged 13 & 14; 13 aged 15; 22 aged 16; 16 aged 17; and 2 aged 18.
 - 77% of the youth are readmits to the facility due to new charges with the largest categories of robbery and weapons violations.
 - 36% of youth charged in juvenile court are pre-adjudication and Douglas County's responsibility.
- Key Initiatives and reforms that are currently occurring within DCYC
 - Crisis Response Team – This is a therapeutic intervention for youth with behavioral issues within DCYC provided by Heartland Family Service and paid for by Region 6. Currently, this is available during working hours on Monday through Friday.

- Behavioral Health Initiative – This is a multi-disciplinary team that meets weekly to discuss mental and behavioral health needs of the youth within DCYC. The team is comprised of DCYC Admin, DCYC Education, DCYC Medical, UNMC/Department of Psychiatry, Charles Drew Health Center/Navigator, CHI Health/Psychiatrist, Heartland Family Service/Crisis Response, Probation, Public Defender’s Office.
- UNO Mentoring Program – This is a collaborative with UNO/Department of Criminal Justice students and youth at DCYC. Mentoring will continue once youth are discharged from DCYC. Implementation of program by fall of 2020 with UNO to provide analysis of relevant data.
- OJJDP Grant dealing with the use of room confinement and recidivism in juvenile detention facilities has been applied for with a decision by OJJDP in September. This grant would have funding to hire a Manager of Behavioral/Mental Health Services in DCYC; implementation of the evidence-based program of Motivational Interviewing for all staff; implementation of the evidence-based program of Trauma Affect Regulation Guide for Education and Therapy (T.A.R.G.E.T.).
- Key Initiatives and reforms that are being explored to implement within next year
 - National accreditation of DCYC to ensure that best practices are occurring within DCYC.
 - Contract with a consultant with an expertise in accreditation and juvenile practice and policies along with database expertise to assist in accreditation preparation.
 - Thorough review of disciplinary policies and practices within DCYC.
 - Thorough review of visitation policies and practices within DCYC.
 - Utilization of an evidence-based screening tool to assist in determining the needs of youth at the time of admission to DCYC.
 - Develop and implement monthly data reports for external stakeholders regarding youth at DCYC.

C. Youth Charged as Adults

Due to over 50% of youth in DCYC as charged as adults, an in-depth analysis of these youth and processes must occur. This analysis will include the charges; criminal history; child welfare history; length of stay; demographics; time periods involved in Motions to Transfer these cases to juvenile court; and the court legal processes of these youth. Work is currently being done with the Administrative Office of the Courts and with the Unicameral to convene a legislative resolution this fall exploring the need for all cases to start in juvenile court and then transferred to the adult court system concentrating on the “child – not the charge”.