



STATE OF
NEBRASKA
JUDICIAL BRANCH

Office of Dispute
Resolution

Nebraska Juvenile Restorative Justice & Family Intervention Initiative





Goals

Overarching goal of the Department of Justice’s Juvenile Justice System Reform Initiative: to develop and implement sustainable, research-based, and data-informed recidivism-reduction policies, practices, and programming, and the strategic reinvestment of cost savings into effective prevention and intervention programs.



The Nebraska Juvenile Restorative Justice & Family Intervention Initiative goals are to:

- Reduce recidivism and disproportion contact with the justice system for Black, Indigenous, and other youth of color.
- Engage families to address issues that impact youth success and identify needed resources.
- Further evaluate juvenile restorative justice processes.
- Develop a system that supports long-term sustainability of juvenile restorative justice programming.



This project is supported by Grant #15PJDP-21-GG-03218-JRIX awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice.

Processes



Victim Youth Conference*

An evidence-based facilitated dialogue between a youth who committed an offense and the person(s) harmed. Once assessed for appropriateness, the conference is designed based on the level of participation of the victim, or a surrogate if the victim does not want to participate. The process allows for discussion on impacts of the youth's actions, needs, obligations, and collaboratively developing a plan as to what the youth needs to do to make amends.

**Also known as Victim Offender Mediation*

Excessive Absenteeism Conference

A facilitated dialogue for students, their family, and school personnel to deep dive into the underlying causes for the student missing school. This process allows for collaborative engagement between the student, family, and school personnel to develop an attendance plan that addresses absences, and is realistic and achievable, resulting in the student successfully remaining in school.

Juvenile Justice Family Conference

A facilitated dialogue between a youth and their family. It is an opportunity for family members to have a safe conversation about concerns, responsibilities, and expectations, and develop a plan to address the identified issues. A goal is to put the youth and their family in a better position leading to a greater opportunity for the youth to be successful within the family, in their community, and at school.

Juvenile Justice Family Group Conference

A large group facilitated dialogue between a youth, the victim, and support systems such as family members. Restorative conference processes are tailored to meet the needs of the victim. This specific process is appropriate when the victim decides that participation meets their needs, generally involves higher level offenses, and may include family private time for the youth and their family. Similar to a Victim Youth Conference, harms are identified, impacts are discussed, and the participants collaboratively create a reparations plan for the youth.



Family Engagement

Family issues affect youth and, in turn, can impact a youth's success at school and in the community. Family issues may be unhealthy relationships between family members, or unmet family needs such as financial (e.g., housing, food, transportation) or health (e.g., mental health, substance use).

The processes available under the Juvenile Restorative Justice and Family Intervention Initiative encourage family participation. This allows the family to work together on issues that are impacting the youth and the whole family.

When a plan takes into account the family's needs in addition to the youth's, a foundation is being set for the youth's success.

Juvenile restorative justice processes takes a broader approach. When families are engaged and are part of the process:

- The family can help the youth develop a plan that allows the youth to be successful. Part of the plan development includes how the family can provide support to the youth leading to a better chance of successful completion of a plan.
- Any family issues impacting the youth can be explored.
- There can be a discussion about family needs and how to get those needs met. Having access to resources can positively impact a youth and their family. Resource expansion may involve things such as mental health services, or housing, food, and transportation assistance.



Victim Centered



At first glance, restorative justice appears to be focused on the youth who is given the opportunity to:

1. Take responsibility for their actions
2. Understand the impacts of their actions
3. Develop an action plan to make amends

These three focal points are about redirecting the youth's path in life, reducing the likelihood that they commit another offense. However, restorative justice is also victim centered.

An important tenet of restorative justice is giving the victim the power to decide if they want to participate and at what level.

The victim, or harmed person, decides if they want to:

- 1** Share what happened with the restorative justice facilitator.
- 2** Learn more about restorative justice and how it could be used in their case.
- 3** Explore what participation could look like, such as indirect (no direct contact with youth) or direct involvement.

Individual preparation meetings are held with all participants to ensure the appropriate level of participation for everyone involved.

What if the victim decides they do not want to participate or not have any direct contact with the youth? If that is the case, the process can be designed to use a surrogate – a person who stands in place of the victim. The surrogate contributes their own thoughts, feelings, and experiences; they do not speak for the actual victim.



Outcomes

As part of a pilot in 2015, the Administrative Office of the Courts and Probation's Office of Dispute Resolution (ODR) initiated a youth restorative justice program called Victim Youth Conferencing (VYC). This RJ pilot was in response to the number of youth negatively impacted by deep immersion into the juvenile justice system. The initial success of the pilot led to a statewide expansion. The following outcomes are based on this initial expansion of restorative work in Nebraska*.

Of 871 case referrals, 677 VYCs were conducted. Of those completed VYCs, **668 (99.6%) resulted in a reparation plan.**

Of the 668 reparation plans, **546 (81.7%) successfully completed all requirements**; 47 (7.0%) completed more than half.

For those youth who participated in a VYC, **87% did not recidivate** within one year of participation.

Referral Sources

- 19.25%: Pre-court and pre-diversion cases (e.g., schools, county attorneys)
- 47.75%: Court-diverted cases or courts at the pre-adjudicative stage
- 31.50%: Post-adjudicated cases

Conference Participation

- 37%: An adult surrogate was used
- 35%: The actual victim participated
- 22%: A youth surrogate was used
- 3%: A community member participated
- 2%: The victim had indirect participation and a surrogate was used during the conference
- 1% not reported

*Scan QR Code for the 2018-2021 VYC Final Evaluation Report or visit nejudicial.com/3FONKwX



“

“Raising the next generation is a shared responsibility. When families, communities and schools work together, students are more successful and the entire community benefits.”

-U.S. Department of Education

”

Research & Evaluation



Evaluation is essential to measuring program implementation and outcomes and is required by the Office of Juvenile Justice and Delinquency Prevention. Nebraska has an innovative two-part evaluation plan with multiple university partners.

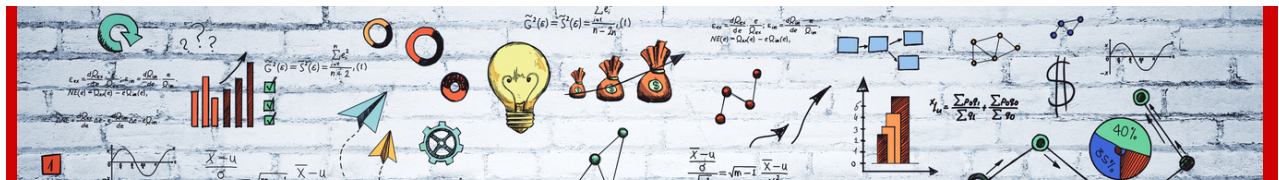
Research

The University of Nebraska - Lincoln (UNL) research group is an inter-disciplinary team



College of Law
Department of Psychology
Public Policy Center

comprised of researchers from the College of Law, the Department of Psychology, and the Public Policy Center. UNL is exploring perceptions of restorative justice among various groups, such as school personnel, diversion staff, attorneys, and the general public. They also are focusing on identifying barriers to participation in a restorative justice process, including barriers relating to referrals (e.g., how referral sources make decisions on whether or not to refer a youth to restorative justice) and implementation.



Program Outcome Evaluation

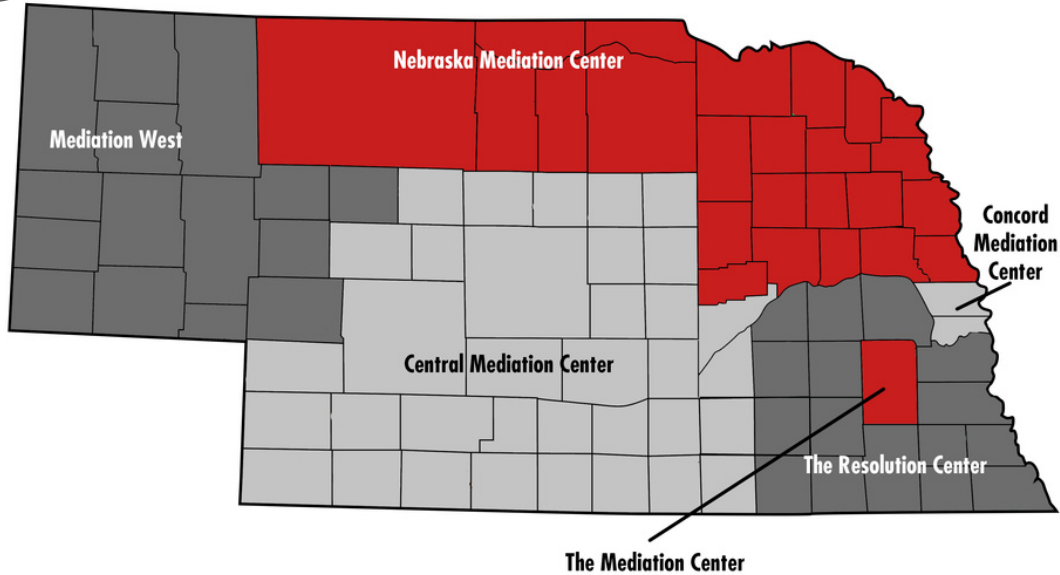


SCHOOL OF CRIMINOLOGY
AND CRIMINAL JUSTICE

The Nebraska Juvenile Justice Institute, housed within the University of Nebraska at Omaha School of Criminology and Criminal Justice, is conducting the outcome evaluation for the project. The primary focus will be to evaluate whether youth placed on a diversion program with restorative practices are more likely to complete diversion than youth who complete standard diversion. Propensity score matching will be the primary technique used in the evaluation. Researchers will also capture data on the youth's type of offense, county within the state, age at first offense, age for current offense, race, gender, ethnicity, the number of terms in the diversion agreement, and completion. The complete evaluation report will be available at the conclusion of the grant.



Providers



Central Mediation Center

308.237.4692

info@centralmediationcenter.com

Counties covered: Adams, Blaine, Buffalo, Chase, Clay, Custer, Dawson, Dundy, Franklin, Frontier, Furnas, Garfield, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Howard, Kearney, Lincoln, Logan, Loup, McPherson, Merrick, Nuckolls, Perkins, Phelps, Red Willow, Sherman, Thomas, Valley, Webster, Wheeler

Concord Mediation Center

402.345.1131

contact@concord-center.com

Counties covered: Douglas, Sarpy

The Mediation Center

402.441.5740

info@themediationcenter.org

Counties covered: Lancaster

Who can make a referral? Schools, diversion offices, attorneys, probation officers, a harmed person, a youth/family member, or community supports.

Referral

Form:

Use link↓ or scan code →
with your phone's camera.
<http://nejudicial.com/rjreferral>



Mediation West

308.635.2002

info@mediationwest.org

Counties covered: Arthur, Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Grant, Hooker, Keith, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux

Nebraska Mediation Center

402.753.9415

nmc@nebraskamediationcenter.com

Counties covered: Antelope, Boone, Boyd, Brown, Burt, Cedar, Cherry, Colfax, Cuming, Dakota, Dixon, Dodge, Holt, Keya Paha, Knox, Madison, Nance, Pierce, Platte, Rock, Stanton, Thurston, Washington, Wayne

The Resolution Center

402.223.6061

info@theresolutioncenter.org

Counties covered: Butler, Cass, Fillmore, Gage, Jefferson, Johnson, Nemaha, Otoe, Pawnee, Polk, Richardson, Saline, Saunders, Seward, Thayer, York