



**Nebraska Statewide Victim Youth Conferencing
 Enhancement Initiative
 Year 2 Cumulative Report**
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Grant Background Summary

The Office of Dispute Resolution and six regional mediation centers began the Nebraska Supreme Court’s Statewide Victim Youth Conferencing (VYC) Enhancement Initiative in January 2018. The project partners set out to expand the use of the restorative justice (RJ) intervention, VYC, across all 12 judicial districts in order to reduce youth involvement in the court system. Several target outcomes were identified, including: (1) reduce youth involvement in the juvenile courts, (2) decrease youth recidivism, (3) increase completed reparation plans, and 4) increase victim and youth satisfaction [with the justice intervention].

In order to achieve the desired outcomes, ODR and the mediation centers worked with Restorative Justice Trainer and Consultant, Ted Lewis, to develop program materials and structure. External Evaluator, Jennifer Blevins, from the University of Minnesota’s Center for Restorative Justice and Peacemaking developed and carried-out an extensive external program evaluation. The evaluation consists of two components: (a) an outcome evaluation, whereby the evaluator examines specific program outputs and outcomes and (b) a process evaluation, whereby the evaluator examines how a program produces the desired outcomes and identifies strengths and weaknesses in the program. The evaluation is ongoing, but the present report outlines the primary findings thus far.

Program Implementation

In addition to ongoing RJ training opportunities, several other events have been instrumental in the progress of the program’s success, including staffing at ODR and the centers to carry out the goals of the grant. The timeline below outlines some key events that transpired over the course of the first two years of the VYC expansion program.

Implementation Timeline: Key Events				
2017 Pre-Grant	Ongoing outreach & Implementation	Ongoing Program Development	Fall 2017	Centers Begin Recruiting & Hiring Restorative Justice Coordinators and/or Restorative Justice FTE Staff Persons In preparation for the start of the grant period, each mediation center appoints or hires a new Restorative Justice full-time equivalent staff person. The majority of the centers have designated an RJ staff person prior to the start of the program.
			January 1, 2018	Grant Period Begins VYC services become available at all six regional mediation centers.
2018 Year 1			March 12, 2018	ODR Hires Restorative Justice Program Analyst The ODR office hires a full-time Restorative Justice staff person responsible for providing support to the six ODR-approved mediation centers in the implementation of the project.



	Ongoing outreach & Implementation	Ongoing Program Development		The RJ Program Analyst also begins working with the centers, external evaluator, and RJ consultant to establish an updated statewide data management protocol.
			April 2018	All Centers Fully Staffed
				Concord Mediation Center (Omaha) hires a new Executive Director and a new Restorative Justice Coordinator
			April 30, 2018	ODR hosts System-wide Restorative Justice Project Planning & Implementation Meeting
				All six mediation center executive directors and their RJ associated staff attend a statewide meeting, hosted by ODR.
			June 2018	ODR Distributes Unified VYC Codebook
				Due to the large influx in the number of cases referred to the VYC program, the mediation centers reevaluate existing data collection and management processes. To obviate the need to manually retrieve data points from the online data management program, the centers work with ODR and the external evaluator to develop a uniform reporting process. The new data system becomes available to centers in July 2018 at which point the centers experience a system-wide shift in how data is reported.
			August 2018	Unified Statewide Data System Released
				The evaluation team works with the developer of the online data management program Caseload Manager, to develop a system of data exporting that will include a more representative sample of the cases served by the mediation centers. The new uniform system allows centers to export data directly from the online data management program.
			2019 Year 2	
	ODR staff, center staff, former participants, and community members testify before the Judiciary Committee in support of the Restorative Justice Bill.			
May 13, 2019	LB 595 Passes			
				LB 595 revises the Dispute Resolution Act to include restorative justice as a fundamental function of the Office and the six regional ODR-approved mediation centers. It also updates the Juvenile Code's diversion statutes relating to victim youth conferencing (also known as victim/offender mediation or restorative justice dialogue) to reflect current practices. LB595 is designated a Speaker Priority bill and advances out of the Judiciary Committee with an amendment (AM1164).

Note: Following the change in data reporting in July 2018, centers revised how and what type of data they reported. Prior to the change, centers manually reported all open, ongoing, and closed cases during a reporting period. The updated reporting system limited reporting to cases that reflects the following criteria: (1) cases that were opened prior to the reporting period, but were closed during the reporting period, OR (2) cases that were opened during a reporting period *and* closed during the same reporting period. Cases that did not meet this criteria were not included in data reports beginning July 2018. The present data includes cases that were opened after the grant reporting period (January 1, 2018), and closed by the end of the Year 2 (December 31, 2019).



Program Implementation during Grant Period

The six regional ODR-approved non-profit mediation centers operate independently and in partnership with ODR as they serve Nebraska's 93 counties. When the VYC program pilot began in 2015, the mediation centers were tasked with developing a program specific database for participants in the VYC program. Furthermore, the VYC program presented the mediation centers with the unique task of maintaining consistent records across all participating mediation centers. During the pilot staff from The Mediation Center in Lincoln, Mediation West in Scottsbluff, and Concord Mediation Center in Omaha, worked together with an external evaluator from the University of Minnesota's Center for Restorative Justice and Peacemaking to determine key data points to be tracked throughout the program. Participating centers developed new online workgroup within the online data management program that allowed for customized data collection specific to VYC

During early years of data collection (2015-2017), VYC case records were identifiable by case number and were not sorted by individual youth participants. Additionally, centers submitted all cases regardless of case-types (i.e., opened, on-going, and closed) cases during each reporting period. As a result, one youth may have had several lines of data, as a new record was created each time a youth was referred for a VYC or as if a case was opened and closed during separate reporting windows. Duplicate lines were eliminated using Microsoft Excel, Microsoft Power BI, and IBM SPSS Statistical Program. The evaluator rearranged data from multiple lines into a single line of data per youth participant, by shifting lines of data within a group (in this case the Youth's Name) to represent a single case, or single line of data. When the current grant period began, the same reporting challenges existed. To address the problem, centers were instructed to only report closed cases beginning December 2018. The original 2018-2019 dataset included 630 lines of data, 141 of which were duplicate cases and 8 were criminal case referrals. Duplicate lines of data were removed by filtering on youth's last name, youth's first name, and the mediation center where the case was opened. Two cases were removed because the offending party was an adult (older than 25 years). Analysis were conducted using the remaining 478 cases between 2018-2019.

Overall Goal Achievement to date - Summary

Since January 2018, the centers have reportedly opened more than 475 cases (an exact number is not available due to reporting limitations) and have facilitated more than 380 conferences. The closed cases allowed ODR to examine program trends and success at the center level and at the broader state level. See Appendix A for program achievement in 2018 and Appendix B for program achievement in 2019.

Goal 1. The first goal for the VYC Enhancement Initiative is to reduce the likelihood of recidivism for youth who participate in the program. The first step in achieving this goal requires that the use of the VYC service expand to include all six regions of the state, including all 12 judicial districts by the end of the grant period (December 2020). Since the start of the program, the centers have made considerable progress towards this goal. Since the program pilot in 2015, the centers have served 25 counties across all 12 judicial districts, 15 during the current grant period. The centers received referrals from the following counties: Adams, Buffalo, Dodge, Douglas, Gage, Hall, Keith, Lancaster, Lincoln, Otoe, Red Willow, Sarpy, Saunders, Scotts Bluff, and York.

Participant Characteristics. According to the U.S. Department of Health and Human Services’ federal poverty guidelines, households with income below \$25,750 for a family of four are considered low-income households in the state of Nebraska¹. Just over half of the participants (51.5%) self-reported the family size for the home in which they resided at the time of the referral. More than 39% of youth ($n = 190$) reported that they resided in a home with five family members or less and more than 10% of youth ($n = 57$) reported living in a home with six to nine family members. Less than half of the youth participants reported annual family income; of those who reported, 14.4% ($n = 69$) reported less than \$25,000 annual household income, 17.9% reported greater than \$25,000 and less than \$50,000 annual household income ($n = 86$), and only 8.4% ($n = 40$) reported \$50,000 or more annual household income. Table 1 demonstrates the number of youth participants that may likely be living in low-income household based on the annual family income and family size. The greatest proportion of youth participants (40%, $n = 191$) reside in one-parent homes, whereas only 20.7% of youth ($n = 99$) reside in a two-parent home Figure 1.

During the first two years of the expansion program, the centers facilitated an actual VYC conference for 381 of the 478 cases. Youth participants ranged in age from 10.2 years to 23.7 years of age ($M = 14.9$, $SD = 1.82$). The majority of the participants were male (64.4%) and identified as White, non-Hispanic (50.6%). Table 2 displays the participant characteristics by year.

VYC Conferences. Of the 381 conferences, 374 (98.2%) cases resulted in a reparations plan between the youth offender and the harmed party (victim). Although 142 (29.7%) of VYCs included the actual victim, the majority of cases included victim surrogates (37.6%), as shown in Figure 2. Each reparation plan could include as many or as few reparations as agreed upon by the parties. The majority of reparation activities included in the plans reflected in the restorative justice literature: services to the victim, apology or reflection letter, services for the offender (e.g., counseling), community service, or financial restitution. In some cases, the parties developed other alternative reparations (e.g., organizing donations to victim’s choice of non-profit). The most frequently included reparation was some form of apology or reflection letter ($n = 191$), which was included in 40.0% of all reparation plans. Figure 3 displays all types of reparations included in the reparations plan since the start of the program.

The majority of youth who participated in the program and signed a reparation plan were partially or completely successful in completing the agreed upon reparations. As demonstrated in Figure 3, 264 youth (69.7%) successfully fulfilled all of the conditions laid out in the reparations plan and 23 youth (6.1%) of youth fulfilled the majority of the agreed upon reparations. Only 5 youth (1.3%) were reportedly unsuccessful in fulfilling the conditions of the reparation plans. One youth was unreachable for a status on reparations. For 115 youth, the status of the reparation plan completion was not reported.

Since the VYC Program pilot concluded in 2017, all six regional mediation centers have begun offering the VYC program to eligible youth. The Nebraska Supreme Court Rule §1-1001(B) defines juvenile recidivism as occurring when “within 1 year of being successfully

¹ U.S. Department of Health and Human Services (2019). 2019 Poverty Guidelines. *U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs*. Retrieved from <https://aspe.hhs.gov/2019-poverty-guidelines>



released from a probation or problem-solving court program the juvenile has (a) an adjudication pursuant to Neb. Rev. Stat §43-247(1) or (2).”² To date, only Year 1 youth have reached one-year since the date of program completion. A preliminary recidivism analysis computed for youth who participated in Victim Youth Conferencing following the program pilot in 2017 through the end of the first year of the current grant period demonstrated positive findings. Access to youth who did *not* participate in the VYC program is limited, therefore there was no comparison group. Instead, the evaluator compared the youth who participated in the program to eligible youth who declined participation. A chi square test of significance demonstrated that participation in a facilitated conference, that is, a VYC, did significantly predict a youth’s likelihood to recidivate, $\chi^2(1,)= 5.316, p < .05$, such that only 7.8% of youth who participated in a VYC recidivated compared to 15.5% of youth who did not participate in a VYC.

Goal 2. The second goal for the program is to train additional facilitators and surrogates in restorative justice facilitation. Since the start of the grant period, the ODR and mediation centers have hosted four regional restorative justice trainings and four advanced VYC trainings. More than 70 people attended trainings to be VYC facilitators and more than 80 people received training as surrogates to represent the perspective of those harmed when they choose not to enter the process. One-third of the newly trained facilitators are from under-represented populations. In order to increase capacity and sustainability across the state, four mediation center staff attended training to become trainers of VYC facilitation.

Goal 3. The mediation centers’ continued outreach is generating increased relationships and referrals across the state. In addition to the increase in referral sources from the 25 counties listed above, mediation centers also conducted outreach to stakeholders statewide. They include prospective referral sources in Colfax, Garden, Holt, Jefferson, Kimball, Madison, Platte, Sherman, and Washington counties. Mediation center staff reached out to 1,148 stakeholders, including courts, county attorneys, probation, schools, and city and county officials in 56 Nebraska counties through meetings and presentations to promote VYC and form partnerships.

The ODR’s external evaluator held interviews with Restorative Justice Coordinators, key center staff, and community stakeholders as part of a qualitative process evaluation. Mediation center staff indicated that a key area of focus for sustainability is the ability to adapt the VYC model to meet the need of the local community culture and partnerships while also maintaining high fidelity to the model. Centers are finding that expectations from local stakeholders and differences in center-based business practices result in some variations in areas such as the case closure process and the amount of ongoing follow-up with participants.

Mediation centers are seeing results from outreach to cultivate partnerships and diversify funding for VYC. In addition to the service agreements that all centers have with State Probation and with ODR to fund individually invoiced VYC cases, the centers have secured alternate funding totaling more than \$371,406 during the first two years of the grant period.

Future steps

Nebraska’s Judicial Branch sets out to identify and provide access to swift, fair justice and to protect the youth in Nebraska communities. The Victim Youth Conferencing (VYC)

² Nebraska Supreme Court Rule §1-1001(B). Retrieved from <https://supremecourt.nebraska.gov/supreme-court-rules/chapter-1-administrative-operations/article-10-uniform-definitions-recidivism-0>



program is one means to provide Nebraska youth who cause harm and the individuals whom they have harmed an opportunity to achieve justice through the restorative, facilitated process. Since the start of the VYC program, the centers and ODR have identified three principal learnings, each of which require program providers to adapt.

First, centers must adjust certain components of the program implementation to the needs of each of the stakeholders and communities they serve. The centers serve youth at various stages in the justice process in anywhere from one to 22 counties per center. Consequently, the centers make small accommodations to best meet the needs of each provider. As a result, centers must balance the need to remain true to restorative justice principles while still satisfying the needs of the referral partner. For instance, some referral partners prefer to take on the process of vetting participants, while other partners defer to the centers in reaching out to potential participants.

In the same vein, some stakeholders expressed interest in using the program to serve a broader audience than ODR and the centers initially identified. Some referral partners have expressed interest in using the program to serve special populations such as sexual assault cases and adult offenders. The centers have had to work with local referral partners to establish other streams of funding that would allow centers to serve such unique populations.

Similarly, program outreach efforts have identified pre-ticketed youth as another important population that can benefit from the VYC program and restorative practices. Many local- and state-level administrators have expressed a desired to capture at-risk youth who cause harm at school but do not yet have a connection to the justice system. The current program set out to serve youth who have received at least a citation for a harmful behavior, however, stakeholders are interested in using the process for pre-ticketed offense as well.

The Juvenile Services Division of Nebraska Probation (juvenile probation) is a primary partner in the VYC program; however, the partnership has presented some challenges to the centers and probation alike. The VYC program is most successful when participants can come together within a reasonable period. Center staff have observed that often times many weeks and sometimes months have passed between the offense and referral to VYC. The centers, ODR and probation are re-assessing to determine the most optimal time and means for probation to take advantage of the program.

Finally, as the program continues to grow, the centers must continue to anticipate the need for staffing capacity that meets the demands of program caseloads. As centers increase program capacity by training new facilitators, they must adjust staff engagement as well. During 2019, the centers trained 46 new facilitators, and more than 150 facilitators have been trained since the start of the program in 2015. Although the number of referrals increases annual, referrals ebb and flow throughout the year. The centers have had to make adjustments to keep newly trained facilitators engaged during lulls in case referrals. To keep facilitators engaged and maintain their skill set, centers lead informal educational sessions to until cases become available and/or new facilitators are ready to begin.

During the final grant year, the centers will continue to track youth participation and evaluate program outcomes. The program providers expect to facilitate another 290 cases in



2020, as well as maintain ethnically diverse facilitators trained in Basic Mediation and VYC. Each center will also train or sustain four surrogates.

The ODR and mediation centers are also increasing targeted efforts to maintain statewide program capacity and sustainability for the VYC program. The centers will continue this effort by continuing to educate and support internal restorative justice staff, increase partnerships and political support for VYC and restorative justice, and seek and obtain program funding for long-term sustainability. Many of the centers are seeking support for early intervention programming through their local counties, with a focus on school-based referrals.

Future directions also include continued process evaluation. With implementation differences, the ODR seeks to include an analysis of whether a difference in outcomes between centers exists because of program differences. Other topics for future evaluations include fidelity to traditional restorative justice principles and a determination of whether sustainability is most successful with community cultural adaptations.

Table 1: Low-Income Youth Participants Based on Household Size by Annual Family Income

Family Income	Number of Persons in Household								
	2	3	4	5	6	7	8	9	
\$0-9999	1	3	3	0	0	0	0	0	9
\$10,000-14,999	6	9	13	10	8	4	3	0	54
\$15,000-19,999	0	2	0	1	1	0	0	0	5
\$20,000-24,999	1	0	0	0	0	0	0	0	1
\$25,000-29,999	0	3	1	3	0	0	1	0	8
\$30,000-35,999	3	6	4	6	7	5	2	1	34
\$35,000-39,999	1	1	1	0	1	0	0	0	4
\$40,000-44,999	0	0	1	1	0	0	0	0	3
\$45,000-49,999	2	8	10	4	6	1	1	0	32
\$50,000 and above	4	5	10	10	4	2	0	1	36
Total	18	37	43	35	27	12	7	2	181

Note: Figures in dark gray are considered low-income households and figures in light gray are *possibly* low income according to the U.S. Department of Health and Human Service's 2019 Poverty Guidelines. Retrieved from <https://aspe.hhs.gov/2019-poverty-guidelines>



Table 2: Participant Demographic Characteristics

	2018 (n = 198)	2019 (n = 280)
Age (Years)		
Minimum	11.1	10.2
Maximum	23.7	19.0
Mean (SD)	15.4 (1.8)	14.65 (1.8)
Race/Ethnicity	(%)	(%)
American Indian or Alaska Native	3 (1.5)	5 (1.8)
Asian	3 (21.5)	4 (1.4)
Black or African American	30 (15.2)	46 (16.4)
Native Hawaiian or Pacific Islander	--	1 (<1)
Hispanic/Latino	7 (3.5)	39 (13.9)
White	100 (50.5)	142(50.7)
Mixed Race	1 (<1)	--
Other	24 (12.1.8)	16 (5.7)
Gender		
Male	120 (60.6)	188 (67.1)
Female	59 (29.8)	88 (31.4)
Interpretation Needs		
Interpreter needed for youth	1 (<1)	6 (2.4)
Interpreter needed for victim	--	4(1.6)
Interpreter needed for parent	4 (2)	32 (12.8)
Interpreter needed for other	--	1 (<1)
Family Annual Income at Primary Residence		
\$0-9999	--	7 (2.5)
\$10,000-14,999	13 (6.6)	44 (15.7)
\$15,000-19,999	--	4 (1.4)
\$20,000-24,999	--	1 (<1)
\$25,000-29,999	2 (1.0)	7 (2.5)
\$30,000-35,999	10 (5.1)	27 (9.6)
\$35,000-39,999	1 (<1)	3 (1.1)
\$40,000-44,999	--	2 (<1)
\$45,000-49,999	13 (6.6)	21 (7.5)
\$50,000 and above.	8 (4.0)	32 (11.4)

Note: Prior to July 2018, the centers were not consistently tracking the above data points. Tracking consistency improved in July 2018, when the Caseload Manager case screens were updated to reflect the needs of the program.



Figure 3: Youth Residence at Referral during Year 1 (2018) and Year 2 (2019), $n = 326$

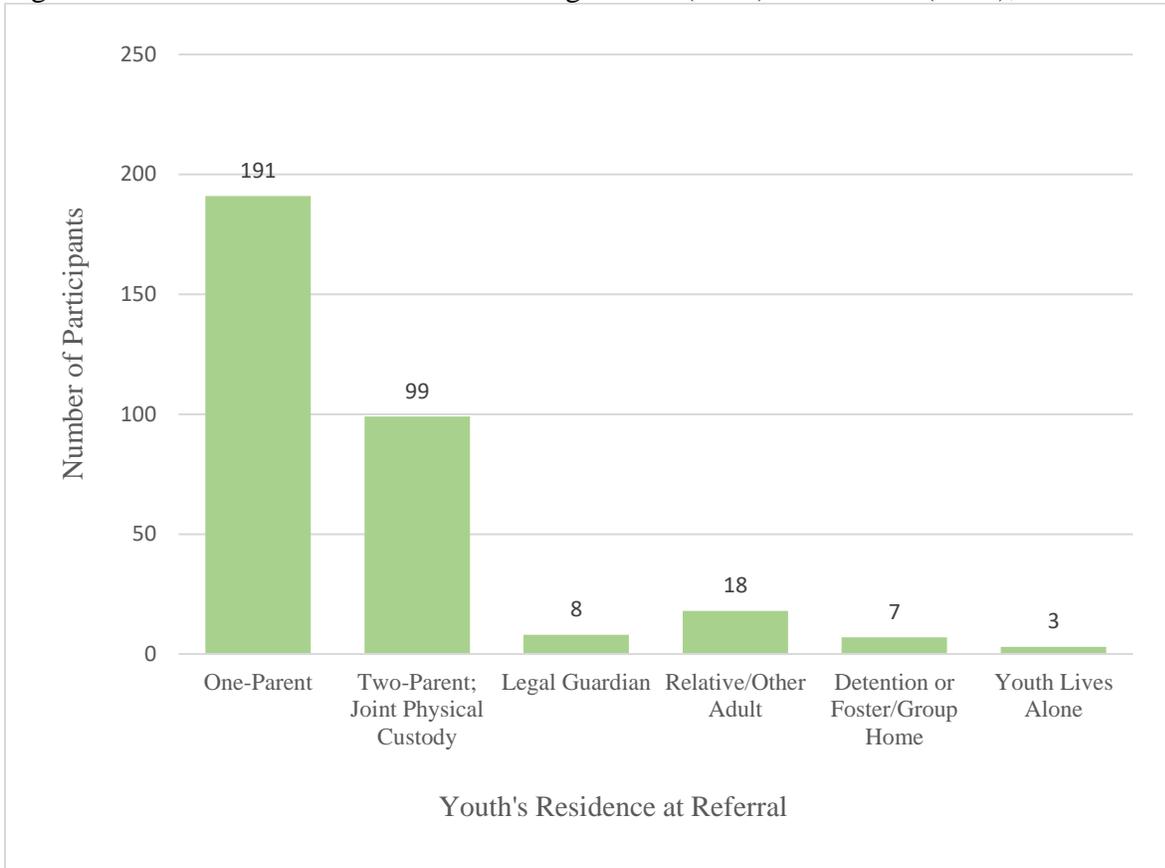




Figure 2: Types of VYC's held during Year 1 (2018) and Year 2 (2019), $n = 355$

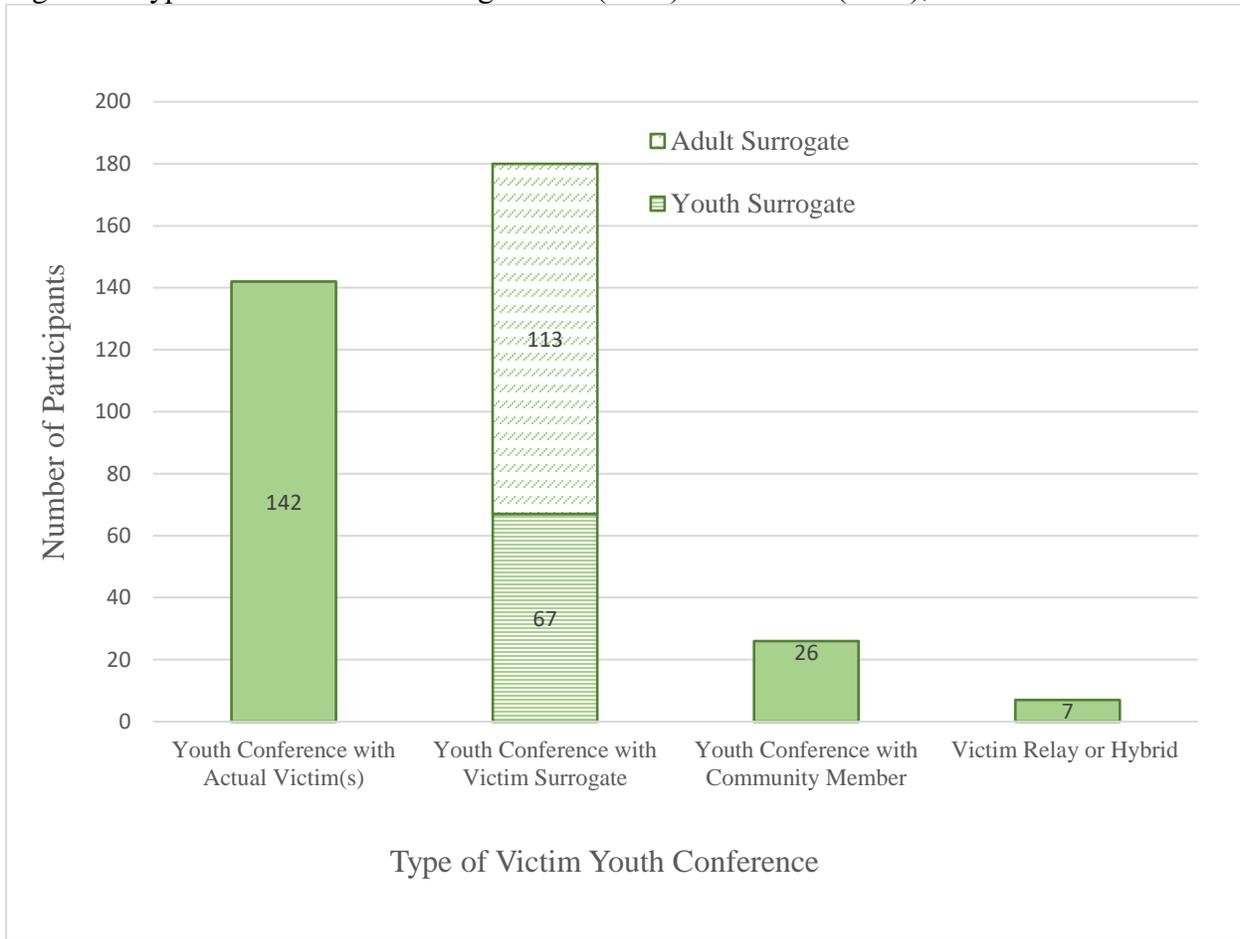
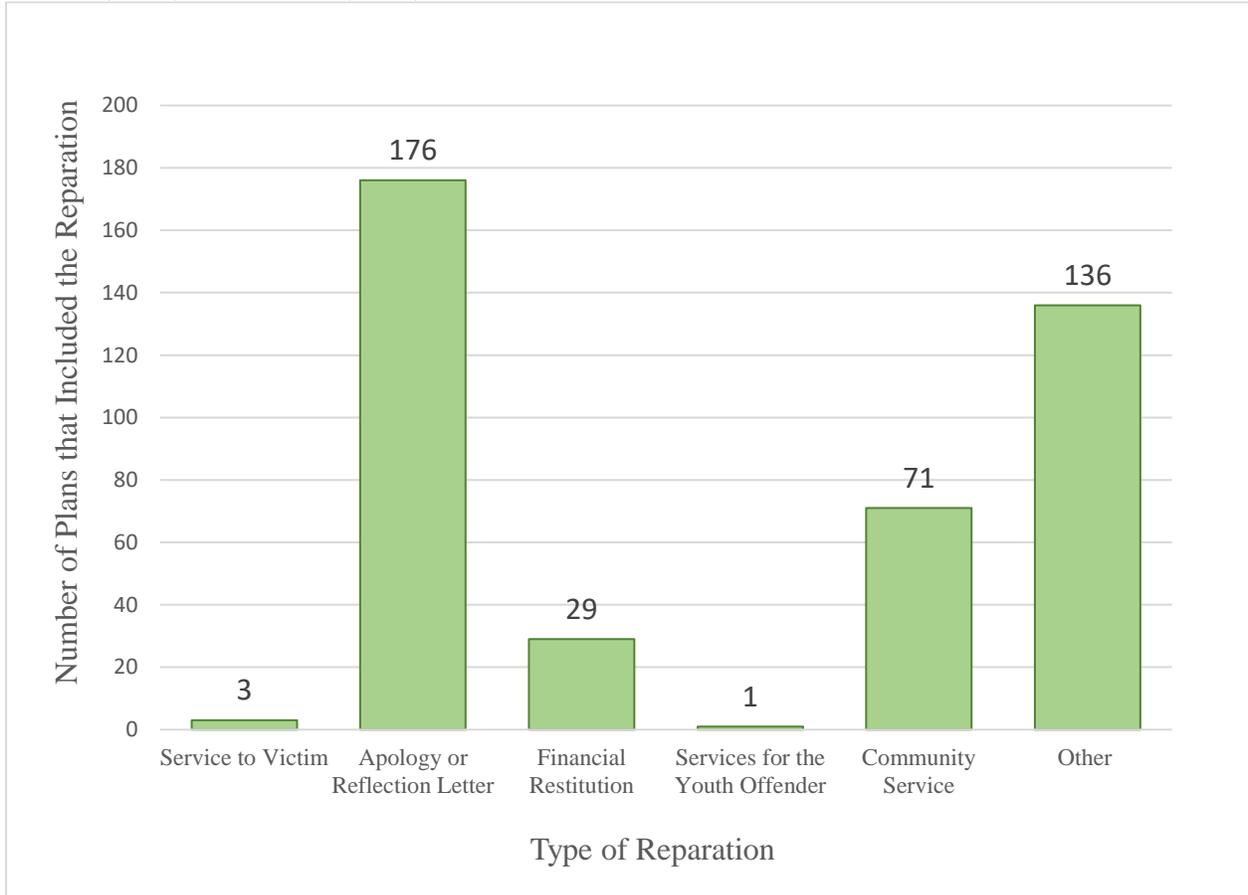




Figure 3: Frequency at which Each Type of Reparation was Included in Reparation Plans for Year 1 (2018) and Year 2 (2019)



Note: Centers did not consistently report reparations for all cases.

Appendix A

Year 1 (2018) Summary

During the first year of the program, the mediation centers actively conducted outreach in order to expand referral partners. Several counties expressed interest utilizing VYC and Restorative Justice with juvenile and adult populations. In addition to legal minors, two mediation centers served adolescent adults (ages 19-25) and one adult (>25 years). The centers embraced the enthusiasm and collaborated with referral partners to identify alternative sources of funding to accommodate a broader population. The centers reported 198 closed cases across 12 counties: Adams, Buffalo, Dodge, Douglas, Hall, Keith, Lancaster, Lincoln, Sarpy, Saunders, Scotts Bluff, and York.

Data Collection and Evaluation

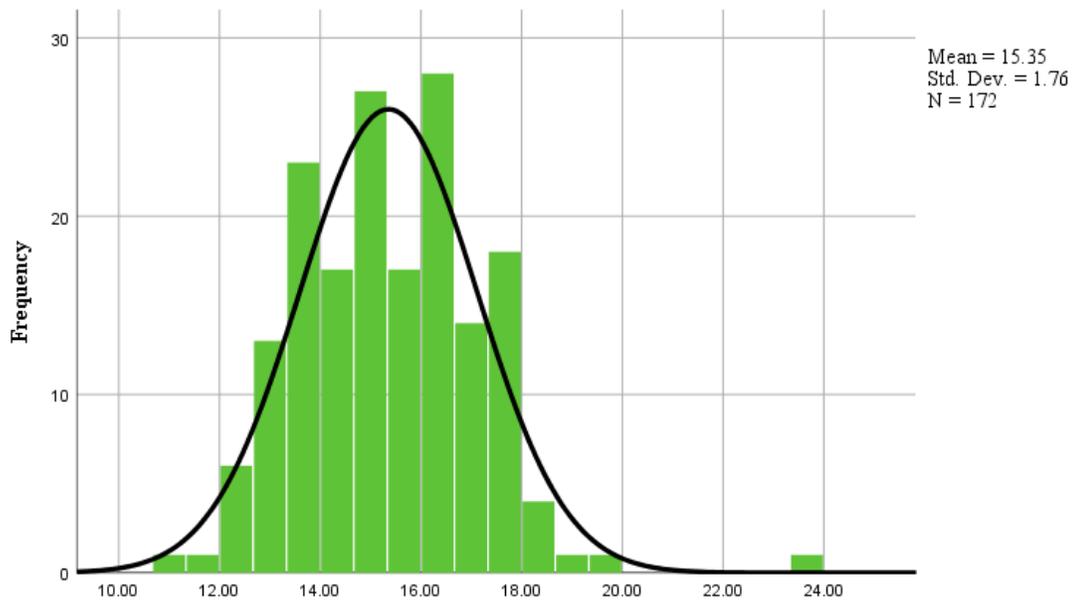


Figure 4: Age of Youth at Date of Referral

Goal 1 Achievement. In 2018, the centers received referrals from a variety of partners, including county attorney offices (10.1%), diversion programs (37.9%), Probation, (14.1%), and schools (42.9%). Youth participants ranged in age from 11.1 years to 23.7 years of age ($M = 15.35$, $SD = 1.76$), see Figure 4. The majority of the participants were male (60.6%) and identified as White, non-Hispanic youth (50.5%). The greatest proportion (28.3%) of VYCs included the actual victim, while 22.3% included surrogates. In the fall of 2018, the centers increased efforts to recruit and train new victim surrogates. At the conclusion of each conference, participants are invited to complete a survey examining participant satisfaction. The survey includes three items that invite participants to participate in future conferences: (1) “Are you interested in talking to someone about being a volunteer for VYC in the future?;” (2) “If you are interested in talking with someone about being a volunteer for VYC, include as many of the



following as you feel comfortable sharing: your name, telephone number, email address;” (3)
“What is the best way to reach you?”

The centers facilitated 158 conferences. All but one conference resulted in a reparations plan between the youth offender and the harmed party (victim). The majority of youth who participated in the program and signed a reparation plan were partially (7.1%) or completely successful (88.2%) in completing the agreed upon reparations. Only 4 youth (4.7%) were reported as unsuccessfully fulfilling the conditions of the reparation plans.

Goal 2 Achievement. At the local level, mediation centers engaged in local outreach by hosting VYC information meetings, attending community partner meetings, and communicating with potential referral partners and their administrators. At the state level, ODR and mediation centers presented informational sessions at the Nebraska Juvenile Justice Association, the Juvenile/County Judges' Educational Conference, the courts and juvenile probation, the Nebraska State Bar Association, the Nebraska Association of Crime Victims, the Juvenile Justice Institute, and five regional Nebraska Association of County Officials conferences.

Additionally, ODR sponsored two regional basic VYC mediation trainings in September 2018 where 41 new individuals were trained to be facilitators. At each training, restorative justice consultant, Ted Lewis, co-trained with one resident VYC facilitator from each center. Five new co-trainers prepared and led at least one training unit.

Goal 3 Achievement. External evaluator, Jennifer Blevins from the University of Minnesota Center for Restorative Justice and Peacemaking, assessed program sustainability in December 2018. The Center for Public Health Systems and Science developed the Program Sustainability Assessment Tool to measure eight organizational domains that contribute to program sustainability. Results indicated moderate sustainability potential at the end of 2018, where outcomes reflected sustainability areas of strength as: Program Evaluation ranking 5.9 out of 7; Organizational Capacity ranking 5.4 out of 7; and Program Adaptation as 5.5 out of 7. Areas for further development were: Funding Stability, ranking 4.2 out of 7; Partnerships as 4.4 out of 7; and Political Support as 4.8 out of 7.

In the fall of 2018, ODR drafted a legislative bill to support restorative justice efforts across the state. One of the significant steps taken to plan for long-term program sustainability was to gain Chief Justice Heavican's approval to introduce a Restorative Justice bill. The ODR Director at that time, Debora Denny, and RJ Program Analyst, Alisha Jimenez, garnered support from several Nebraska state legislators in favor of the bill. Senator Joni Albrecht agreed to sponsor the bill, which was introduced into the 2019 Legislature as LB595. The drafted bill included a fiscal note that would fund the six RJ staff persons across the mediation centers and the ODR RJ staff position; however, the fiscal note was not introduced due to opposition from proponents of the bill. The bill sought to expand the Office of Dispute Resolution to include Restorative Justice practices as a resource to youth involved in courts, probation, diversion, and pre-diversion. In other efforts to sustain the VYC program beyond the term of the grant, mediation center directors wrote proposals for additional grants.



Program Challenges in 2018

A considerable challenge during the first grant year was the need to harmonize data collection protocols and execution. Each mediation center operates as an independent non-profit organization. All six centers use Caseload Manager, an online data system used nationally by mediation professionals for managing clients. Although similar in nature, each center's VYC online case management workgroup was distinct. The ODR evaluation team and the mediation centers had to develop a system for data collection and reporting that accommodated the case management needs of the centers, the reporting criteria for program funders, and the research and evaluation needs of ODR and the program's external evaluator. The task uncovered with several roadblocks, including costs, programming limitations, and programming errors by the external case management company.

Another considerable challenge to the VYC Enhancement Initiative stemmed from the lack of pre-existing relationships between mediation centers and some county officials, county attorneys, and local schools. In counties where the County Attorney's office has great rapport with the local school district, a few counties were eager to incorporate VYC in the schools as a pre-diversion program available to students. However, in those counties where such relationships were not pre-existing, the mediation centers increased education and outreach in an effort to bridge interests between the schools and the county attorneys.

Finally, another challenge to VYC implementation has been access to diverse populations. Given the existing literature suggesting youth of color are less likely to participate in a VYC, the ODR and mediation centers began the implementation with ethnic minority populations in mind. The centers actively sought eligible facilitators and surrogates of color to expand the reach of the VYC program. One barrier to expansion was identifying and reaching stakeholders with the ability to refer youth of color. To address this barrier, the ODR and mediation center staff sought collaborations with other juvenile services and local programs who are already serving communities of color. The program exhibited some success in this area, as demonstrated in Table 2, where ethnic minorities made up 22.3% of all cases in 2018. However, the centers still lacked racial and ethnic representation that reflected the demographics in their service areas.

Appendix B

Year 2 (2019) Summary

The Enhancement Initiative program observed program challenges and success during the second year. The program focus during 2019 included concerted efforts towards program capacity and sustainability. As centers continued local outreach, the ODR office worked with the legislature and the AOCF to identify sustainable streams of funding that may extend beyond the grant period. Furthermore, ODR and center directors increased the programs national network to learn from success and challenges of similar programs in other states.

Data Evaluation and Collection

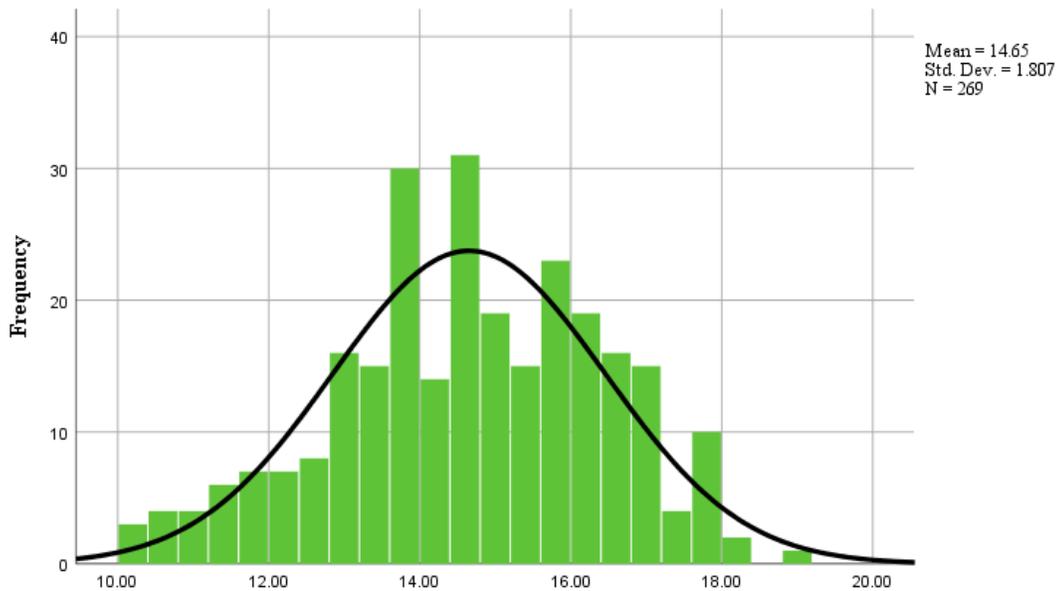


Figure 5: Age of Youth at Date of Referral

Goal 1 Achievement. In 2019, the centers continued to receive referrals from diverse partners, including county attorney offices (10.4%), diversion programs (36.1%), Probation, (15.4%), schools (33.6%), and other legal representatives (<1%, e.g., GAL, human services orgs.). Youth participants ranged in age from 10.2 years to 19.0 years of age (M = 14.65, SD = 1.81). As shown in Figure 5, the program served a wider range of ages as the mediation centers observed success in increased program partners. The majority of the participants were male (67.1%) and identified as White, non-Hispanic youth (50.7%). Ethnic and racial minorities reportedly accounted for a combined 36.8% of all cases. The greatest proportion of VYCs (48.5%) included victim surrogates, while only 30.7% included the actual harmed party (victim).

The centers facilitated 223 conferences, of which all but one resulted in a reparation plan between the youth offender and the harmed party (victim). The majority of youth who participated in the program and signed a reparation plan were partially (7.7%) or completely



successful (85.1%) in completing the agreed upon reparations. Only 2 youth (1.0%) were reported as unsuccessfully fulfilling the conditions of the reparation plans.

Goal 2 Achievement. Each of the mediation centers has continued to focus on quality training of local VYC facilitators and surrogates to ensure a successful outcome for all involved. In 2019, 46 people attended training on VYC facilitation, 43 people received training as surrogates to represent the perspective of those harmed when they choose not to enter the process, and 164 regional stakeholders attended informational presentations or training sessions to increase their knowledge of VYC. Four mediation center staff also continued training as VYC trainers, with the aim to increase capacity and sustainability within Nebraska. As a component of the train-the-trainer process, trainers received coaching and individual evaluator feedback.

Goal 3 Achievement. During 2019, ODR's external evaluator, Jennifer Blevins, held interviews with Restorative Justice Coordinators and key staff at each mediation center for a qualitative process evaluation. One identified area of focus for sustainability is the ability to adapt the VYC model to meet the needs of the local community culture and partnerships, while also maintain high fidelity to the model. Variations in case closure processes and the amount of ongoing follow-up with participants was identified as an area needing further attention. With implementation differences, the program partners expect future evaluation to include an analysis of whether a difference in outcomes exists as a result, or if sustainability is most successful with community cultural adaptations.

Blevins also conducted interviews with program partners and stakeholders in all six regions of the state. Despite centers' outreach efforts, some stakeholders remain disinterested in utilizing the program. Based on stakeholder feedback, Blevins inferred potential reasons stakeholders did not engage, such as misunderstandings about the cost, confusion related to the terminology, or misunderstanding about the process itself. Centers followed up with stakeholders to clarify some areas of misunderstanding. In the final grant year, ODR will continue working with centers to develop a universal glossary for reference in future outreach and education efforts.

Program Challenges in 2019

During the implementation of the program, the challenges experience by the ODR and the mediation centers can be classified into three primary areas: (1) stakeholders, (2) parents, and (3) staff.

In addition to stakeholder disengagement mentioned in Goal 3, the centers had challenges working with stakeholders when individual youth had contact with multiple stakeholders. Centers experienced communication challenges when youth participants were under the supervision of multiple stakeholders, for example, the school and probation. As a result, some aspects of the program would overlap or conflict with activities prescribed by the other stakeholder. It also led to confusion concerning which stakeholder would take the lead in communication with the centers, the youth, the families, and the victims. In such situations, the assigned facilitator bridged communication between stakeholders and encouraged more open communication overall.



Mediation center staff reported challenges with parents in the areas of time commitment and responsiveness. Center staff continued to work with the parents and utilize referral partners when communication was strained. Finally, the centers continued to work towards achieving a more diverse participant demographic. However, center staffing often did not meet the diverse needs of the participant population. To address this problem, centers increased efforts to recruit past participants as future volunteers who shift the demographic make-up in the conference when diverse staffing is unavailable.