



# Victim Youth Conferencing Evaluation Report

July 2017 - June 2018

Prepared for the  
Office of Dispute Resolution  
Administrative Office of the Courts  
Nebraska Judicial Branch



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**Center for Restorative Justice & Peacemaking**

An International Resource Center in Support of Restorative Justice Dialogue, Research, and Training  
University of Minnesota   College of Education & Human Development   School of Social Work

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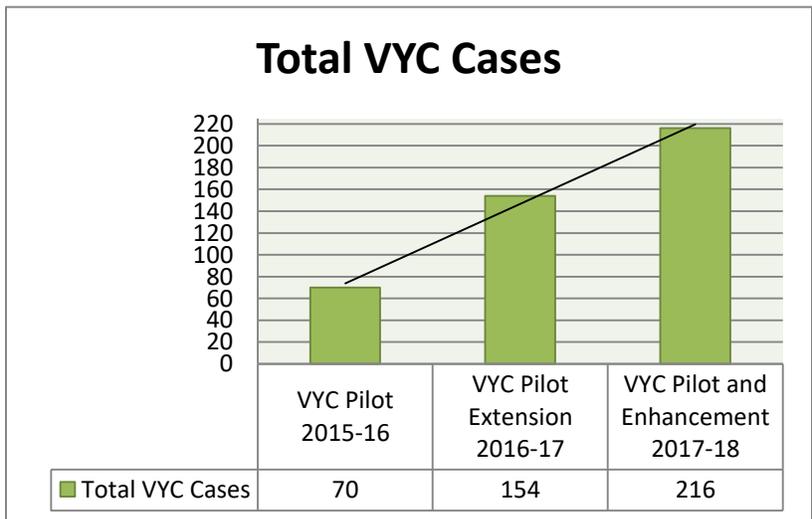
## Executive Summary

**Background:** The Office of Dispute Resolution (ODR) within the Administrative Office of the Courts, Nebraska Judicial Branch, initiated the Juvenile Victim Youth Conferencing (VYC) Pilot to address the negative impact of the deep immersion of youth into the juvenile justice system. The pilot was successfully implemented March 2015 through July 2016 in the 3<sup>rd</sup>, 4<sup>th</sup> and 12<sup>th</sup> Judicial Districts by the ODR-approved mediation centers in the three regions. The pilot was extended through 2017. In 2018, VYC has been expanded statewide with funding provided in part from the Sherwood Foundation.

**Evaluation Purpose:** Following a strategic planning process, an evaluation plan was developed with partner organizations based on the VYC theory of change: Victim Youth Conferencing as a primary restorative justice intervention will reduce youth involvement in the justice system. Specific long term measures of change include; 1) reducing recidivism, 2) closing the gap in disproportionate minority contact with courts, 3) increasing safety in communities, and 4) sustaining capacity for VYC statewide.

**Methodology:** The evaluation framework is a non-experimental design guided by descriptive, normative and impact questions. Descriptive questions explore who is served by VYC and under what conditions. Normative, also known as process evaluation includes questions about what is working or not working and whether fidelity to the VYC model is maintained. Impact questions focus on what is different as a result. Qualitative and quantitative methods have been applied to understand the progress made on short term goals and expected outcomes in fiscal year July 2017 through June 2018. Last comparative data from the VYC pilot is utilized to explore change over time.

**Total VYC Cases:** Since the piloting of Victim Youth Conferencing (VYC) with three ODR approved mediation centers in 2015, case numbers have continually increased, from 70 youth in the first pilot year, to 154 in pilot extension 2016-2017, and 216 in 2017-2018, for a grand total of 440 Victim Youth Conferences.



**Increase in Referral Sources:** An indicator of successful expansion of VYC is an increase in the number of referral sources from which the mediation centers receive cases. Three tiers of referrals have been defined based on the youth's point of access to VYC as an intervention to reduce court involvement. Tier 1 includes pre-court referrals coming from County Attorneys' offices after a school-based incident. Tier 2 includes Court Diversion referrals coming from County Attorneys or Courts pre-adjudication, while Tier 3 includes adjudicated cases referred by Courts with or without Probation. The number of referral sources increased during the report period, with 9 new referral sources in 6 new counties, 3 counties

without referrals that each had only 1 or 2 VYC referrals the previous year and 10 maintained referral sources in 6 counties with increased referrals in 4 of those counties.

**Shift to Greater Prevention:** During the first year of the VYC pilot, 37% of VYC referrals were Tier 1 and Tier 2 to prevent court involvement through pre-diversion and diversion, while 57% of referrals were Tier 3 for adjudicated youth, mostly on probation. By June 30, 2018, youth referrals at the Tier 1 and Tier 2 levels climbed to a combined 84.2% while referrals for adjudicated youth dropped to 15.3%.

**Expansion of Counties Served:** During the VYC pilot year 2015 to 2016, youth referrals came from 6 counties. For the pilot extension year July 1, 2016 to June 30, 2017, VYC cases came from 9 counties. By June 30, 2018, referrals for VYC reflected a growth to 12 counties.



**VYC Case Outcome Measures:**

VYC's had been held with 159 youth of the 216 cases open during the report period. Cases had been closed

for 154 youth, while 5 youth continue to make progress in fulfilling their reparations agreements. Three success indicators were selected for the 159 VYC's held and for the 154 cases closed during the report period. Goal 1: 95% of VYC's will result in a reparations agreement. The result: 100% of 159 VYC's resulted in a reparations agreement with the youths. Goal 2: 95% of reparations agreements will be fulfilled. The result: 94.2% have successfully fulfilled their reparations agreements, and 5.8% have partially fulfilled their agreements. Goal 3: 97% of youth, their parents, victims and surrogates will report satisfaction with VYC. The result: 95% who completed a post-VYC conference evaluation survey reported being extremely satisfied or satisfied with the VYC.

**Discussion and Recommendations:** ODR and the six regional mediation centers have made significant progress in the expansion of VYC statewide and building capacity to sustain its use. Outcome indicators for July 1, 2017 to June 30, 2018 suggest VYC Enhancement Initiative goals will be exceeded by December 2018. A goal is to focus on fidelity to the VYC model by strengthening the communication with youth and those harmed until the case is closed. ODR and mediation centers have recently added a case closure conversation with youth and victims guided by evaluation questions as new protocol.

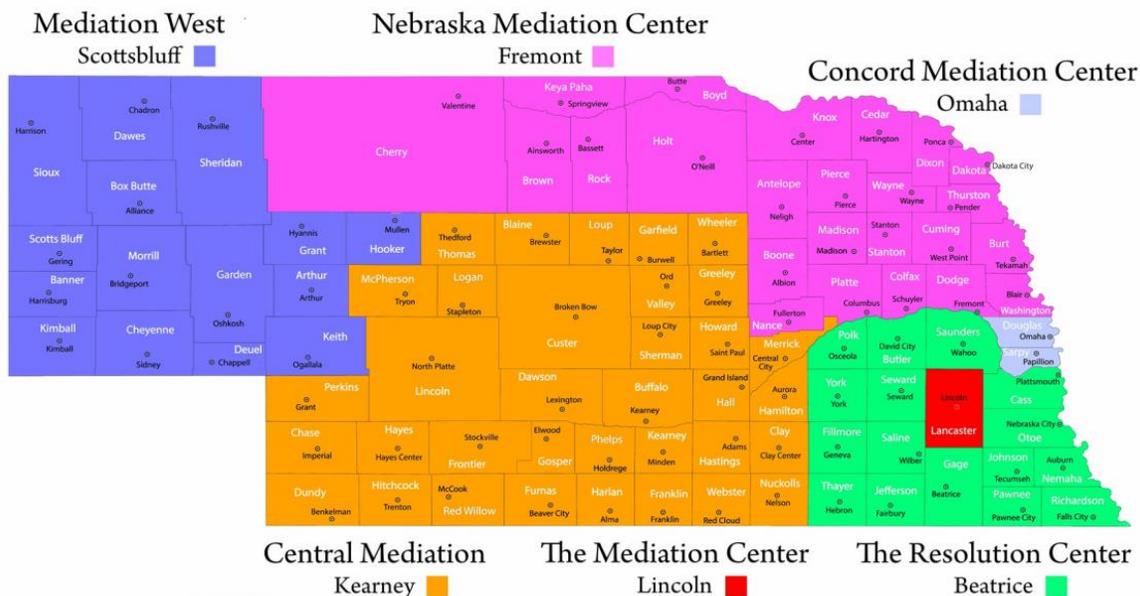
To increase the value of recidivism data, it is recommended that recidivism rates be tracked at 1-year, 2-year and 3-year post VYC case closure, beginning with the 2015 pilot cases. By doing so, the ability to compare across jurisdictions and interventions, and gain a better understanding of VYC impact is improved. ODR reports preliminary data using the Nebraska Supreme Court juvenile recidivism definition of one year (*Neb. Ct. R. § 1-1001, 2013*) shows a low 13% re-offending rate for VYC youth.

The long term expected outcome of Victim Youth Conferencing is a reduction in youth involvement in the justice system. Exploring how this will be measured is a next step, as well as for the goals of closing the gap in disproportionate minority contact with courts and increasing safety in communities.

## Collaborative Partners

The VYC Enhancement Initiative is a partnership between the Office of Dispute Resolution (ODR) of the Nebraska Judicial Branch and six ODR approved regional mediation centers.

# Nebraska Mediation Center Regions



- |  |  |
|--|--|
| <p><b>Central Mediation Center</b><br/>                 Email: <a href="mailto:info@centralmediationcenter.com">info@centralmediationcenter.com</a></p>  | <p>LOCATION: Kearney; (308)237-4692 &amp; (800)203-3452<br/>                 Website: <a href="http://www.centralmediationcenter.com">www.centralmediationcenter.com</a></p> |
| <p><b>Concord Mediation Center</b><br/>                 Email: <a href="mailto:contact@concord-center.com">contact@concord-center.com</a></p>            | <p>LOCATION: Omaha; (402)345-1131<br/>                 Website: <a href="http://www.concord-center.com">www.concord-center.com</a></p>                                       |
| <p><b>The Mediation Center</b><br/>                 Email: <a href="mailto:info@themediationcenter.org">info@themediationcenter.org</a></p>              | <p>LOCATION: Lincoln; (402)441-5740<br/>                 Website: <a href="http://www.themediationcenter.org">www.themediationcenter.org</a></p>                             |
| <p><b>Mediation West</b><br/>                 Email: <a href="mailto:charles@mediationwest.org">charles@mediationwest.org</a></p>                        | <p>LOCATION: Scottsbluff; (308)635-2002 &amp; (800)967-2115<br/>                 Website: <a href="http://mediationwest.org">mediationwest.org</a></p>                       |
| <p><b>Nebraska Mediation Center</b><br/>                 Email: <a href="mailto:nmc@nebraskamediationcenter.com">nmc@nebraskamediationcenter.com</a></p> | <p>LOCATION: Fremont; (402)753-9415 &amp; (866)846-5576<br/>                 Website: <a href="http://nebraskamediationcenter.com">nebraskamediationcenter.com</a></p>       |
| <p><b>The Resolution Center</b><br/>                 Email: <a href="mailto:info@theresolutioncenter.org">info@theresolutioncenter.org</a></p>           | <p>LOCATION: Beatrice; (402)223-6061 &amp; (800)837-7826<br/>                 Website: <a href="http://www.theresolutioncenter.org">www.theresolutioncenter.org</a></p>      |

## Overview and Background

The Office of Dispute Resolution (ODR) within the Administrative Office of the Courts initiated the Juvenile Victim Youth Conferencing (VYC) Pilot in 2015 as a means to address the negative impact of the deep immersion of youth into the juvenile justice system. After a successful pilot in three regions, the VYC Enhancement Initiative began in January 2018 to expand statewide.

ODR has worked for over twenty years to reduce the exposure of children and youth to lengthy adversarial court trials by increasing the use of alternative dispute resolution (ADR) practices. Research has shown that traditional justice system responses to delinquent behavior are not only costly, but result in poor outcomes for youths and communities. To advance ODR's systems change goals, the VYC pilot project was implemented in three of six Nebraska court regions.

VYC (also known as victim offender conferencing or victim offender mediation) is an evidence-based practice, with decades of research substantiating its potential to reduce youth recidivism, increase reparation and restitution to victims, and to be cost-effective (Nugent, Umbreit, Wiinmaki & Paddock, 2001; Latimer, Dowden & Muise, 2005; Aos & Drake, 2013). VYC is one of several restorative practice models allowing young people and those they have harmed to attempt to repair the harm through safe, constructive dialogue after an altercation or offense. Trained facilitators first meet individually with the victim and the youth to listen to the stories of each, and to determine whether a joint VYC conference is appropriate. Often among youth, the lines are blurred between victim and offender with both parties causing harm and being harmed by the other, thus repairing the relationship is also a high priority.

Participation in VYC is voluntary for youth as well as those harmed. If the person harmed chooses not to participate yet the youth who caused harm is ready to take responsibility for their actions, a volunteer surrogate will represent the victim's side in the VYC. The VYC facilitator convenes a joint conference in which the victim and youth are guided to talk about the offense and its impacts, offer apologies, and propose a reparations plan. If the youth and victim mutually construct and agree to a reparations plan, it is signed and tracked for completion and fulfillment.

### **VYC Pilot 2015 - 2016**

The initial VYC pilot began in March 2015 and continued through June 2016. Implementation occurred in the 4th Judicial District's Douglas County Juvenile Court, the 3rd Judicial District's Lancaster County Juvenile Court and the 12th Judicial District's juvenile courts, primarily in Scotts Bluff and

Cheyenne counties. Partner organizations that carried out VYC included three ODR approved mediation centers: Concord Mediation Center located in Omaha, The Mediation Center in Lincoln, and Mediation West in Scottsbluff. Training, program protocol development and evaluation services were provided by the Center for Restorative Justice and Peacemaking, University of Minnesota. In addition to funding through ODR, the VYC Pilot and the Enhancement Initiative have received generous investment from the Sherwood Foundation.

Results from the first year of the pilot showed promise with 70 youth participating in VYC through the three Nebraska mediation centers. Outcome indicators included but were not limited to VYC's resulting in a reparations agreement for the youth to make amends, youth successfully fulfilling their reparations agreement, youth and victims feeling the criminal justice system is more responsive to their needs, and youth and victims reporting they would recommend VYC to others in similar situations. A snapshot of VYC pilot outcomes is provided in Figure 1.



Figure 1 VYC 2015-16 Pilot Outcomes

A full evaluation report with additional results can be retrieved from the ODR's website at [https://supremecourt.nebraska.gov/sites/default/files/Programs/mediation/CW\\_JJ/nebraska\\_juvenile\\_voc\\_evaluation\\_report\\_11.15.16.pdf](https://supremecourt.nebraska.gov/sites/default/files/Programs/mediation/CW_JJ/nebraska_juvenile_voc_evaluation_report_11.15.16.pdf). The VYC pilot was extended for another year and strategic planning was carried out for statewide expansion.

### VYC Pilot Extension 2016-2017

With growing momentum, the VYC Pilot in fiscal year July 1, 2016 to June 30, 2017 served 154 youth cases, more than double the first year of the pilot. Victims in these cases totaled 199. All of six mediation centers statewide had staff trained in conducting victim youth conferencing by June 2017, even if not yet at the implementation stage. Young males represented 64.3% and females 33.8% of the cases. The age range of youth was eight to eighteen years, with the mean age being 14

Table 1 VYC Cases/County

County	Total Cases
Adams	8
Buffalo	28
Dodge	4
Douglas	8
Fillmore	1
Lancaster	92
Pawnee	1
Red Willow	2
Sarpy	5
out of state	1
Total	154

years and 11 months.

Lancaster and Buffalo counties had the largest numbers of cases, followed by Adams and Douglas (Table 1). Cases were referred to mediation centers from diversion programs, county attorneys, probation officers, directly from courts, and from a number of other youth support stakeholders as shown in Figure 2.

Race/ethnicity information was not collected for 86 of the 154 youth participating in VYC. For the 68 youth who did identify a race or ethnicity, 69.1% were White, 13.2% Hispanic, 10.3% African

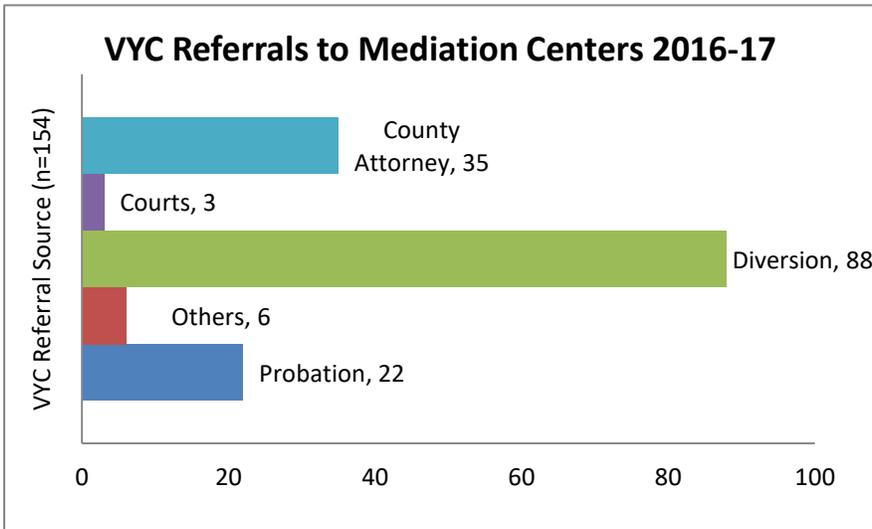


Figure 2 VYC Referral Sources 2016-17

American, 4.4% Kurdish, 1.5% Native American and 1.5% Latino, shown in Figure 3.

During the pilot extension, evaluation data was inconsistently reported across centers, so evaluation findings were cautiously interpreted. During the one year period, 142 of the 154 open cases had a VYC conference, of which

112 resulted in reparations agreements (78.9%), 12 did not result in reparations agreements (8.5%) and information was not reported for 18 cases.

While outcomes were difficult to evaluate in the pilot extension year, two efforts provided added incentive for statewide expansion of VYC. First, tracking youth recidivism became possible according to the Nebraska definition of recidivism in Supreme Court rule § 1-1001.<sup>1</sup> The results were promising.

Second, as part of the pilot in

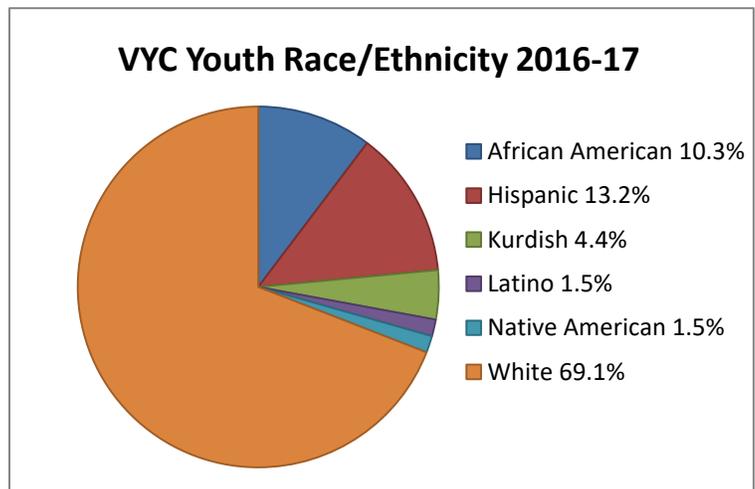


Figure 3 Youth Race/Ethnicity 2016-17

<sup>1</sup> Supreme Court Rule § 1-1001 can be retrieved from <https://supremecourt.nebraska.gov/supreme-court-rules/chapter-1-administrative-operations/article-10-uniform-definitions-recidivism-0>

Lancaster County, The Mediation Center launched Project Restore in collaboration with Lincoln Public Schools, the county attorney’s office, police department and other stakeholders. The goal was to prevent youth involvement in the courts through a pre-court VYC intervention after a school-related incident. Each of these developments will be discussed in more detail.

### VYC and Youth Recidivism

The National Institute of Justice (2014) defines recidivism as a relapse to criminal behavior after receiving a sentence or intervention for a previously committed criminal act. In Nebraska, recidivism in juvenile cases is defined as repeated court involvement within one year of being successfully released from a probation or problem-solving court program (Nebraska Supreme Court Rule §1-1001). For the purpose of analyzing effects of VYC on youth recidivism, the date the case closed at the mediation center was used as the “release from a probation or problem-solving court program” date. ODR has access to juvenile court records in the Judicial Branch JUSTICE database to track recidivism. In order to have the most accurate and complete understanding of youth recidivism in VYC cases, ODR also requested and was granted permission to access sealed youth court records.

ODR ran a JUSTICE search at the end of May 2017 when the earliest VYC cases had been concluded for at least one year. This search was conducted for all youth referred for VYC to the the first pilot sites, namely The Mediation Center, Concord Mediation Center and Mediation West. Cases found on JUSTICE which were dismissed, pending, or only involved status offenses were not included in these numbers, since they fall outside the bounds of the recidivism definition. The search also included identifying youth offenses prior to their case prompting a referral to VYC. Last, the relationship between whether a referred youth participated in a VYC or did not, and if they recidivated or not was included in the analysis. For 55 youth who were referred to mediation centers for VYC and met the search criteria, 38 had a VYC conference, while 17 did not.

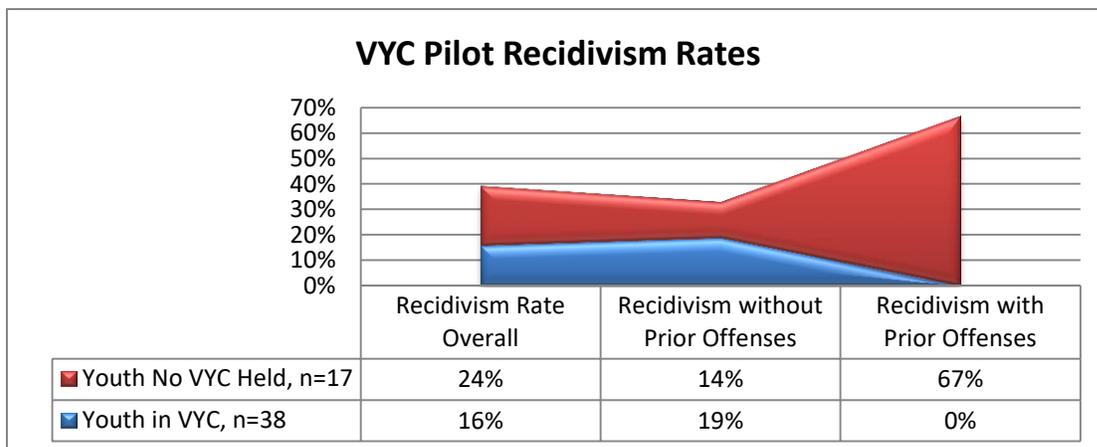


Figure 4 Recidivism Data

A total of 38 youth participated in the VYC pilot, fulfilled reparations agreements and cases had been closed for one year or longer when the recidivism check was conducted. After one year, six of the 38, or 16%, had recidivated, compared to 24% of youth recidivating who did not participate in a VYC conference. Of those youth who had a prior offense when referred to the VYC pilot and participated in VYC, none had recidivated one year after successful completion, compared to 67% of youth recidivating who were initially referred for VYC, but did not participate. It's important to be cautious in the interpretation of these statistics. We know very little about the circumstances of the youth who were referred yet did not participate in VYC. At the same time, it could be the youths who successfully completed VYC and followed through with their reparations agreements were less prone to recidivating prior to their participation. Further data collection and analysis would be required to be able to draw comparisons or make conclusions.

### **Recidivism in Context**

According to a report funded by the Office of Juvenile Justice and Delinquency Prevention (National Center for Juvenile Justice, 2014), each state, local jurisdiction and each intervention for that matter, differs in its structure, organization and data management methods, which effects how recidivism is defined and data interpreted. Thus it has been impossible to establish national recidivism rates or standards, and equally challenging to compare recidivism measures across programs and jurisdictions. Researchers Nugent et al. (2001) also noted that meta-analysis of victim offender mediation (VOM) programs did not determine a causal relationship between VOM and lowered recidivism, which continues to be a challenge for those attempting to measure recidivism.

One caveat is that tracking recidivism after 12 months is bound to be lower than longer term measures. Research has shown recidivism tends to increase when measured at two-year and three-year points after the intervention (Sickmund & Puzanchera, 2014). The majority of states tracking youth recidivism have opted to measure recidivism up to three years after whatever benchmark has been defined by their jurisdiction.

Tracking and reporting recidivism is very new for Nebraska and comparative data for analysis within its own systems is forthcoming. A baseline recidivism rate has not been established overall. Wylie and Hobbs (2016), in a report on Nebraska juvenile diversion programs, acknowledge the definition and ways of measuring recidivism varies greatly among diversion programs across the state, while 46% of diversion programs had no tracking of recidivism at the time of their inquiry. In their report, Wylie and Hobbs (2016) examined recidivism rates up to 3 years after youth completed diversion and found 30.2% of youth recidivated. They also found recidivism rates varied significantly between six months and three

years after youth completed diversion, as well as varied between counties and programs. Even though their analysis is specific to diversion programs and had numerous limitations, the report is the first in Nebraska to explore youth recidivism. Since their report, Richard Weiner (2018) reported on recidivism for Nebraska adjudicated youth who served probation. Weiner followed the Nebraska Supreme Court's definition of recidivism and extended the tracking to 3 years after release from probation. He found the best estimate of the recidivism rate for all probationers regardless of outcome to be 29.8% (p.4). The range of 29.8% to 30.2% provides the closest to a baseline available for comparison between interventions. Comparisons should be done with caution, since as previously mentioned; an actual recidivism baseline for all court involved youth has not been established.

It is also important to acknowledge that measuring and analyzing recidivism data is further complicated by many variables and overlapping systems that may be influential. Variables to consider include age, race, gender, previous offenses, type of offense, risk assessment level, and other services received, to name a few. Specifically related to VYC, variables may also include willingness to participate in VYC, whether a reparations agreement and/or restitution payment was fulfilled, and the reason for case closure if other than successful completion.

### **Project Restore**

The Mediation Center in Lincoln along with collaborative partners also showed promising results warranting expansion of VYC to reduce youth court involvement. Operating since November of 2015, Project Restore (as a subset of the Mediation Center's VYC cases) has provided an alternative for youth who have committed an offense in Lincoln middle or high school to make amends to their victims and families outside of the court system. A total of 50 youth participated in Project Restore during the VYC Pilot year 1 and extension year, with the Lancaster County Attorney's office referring the largest number of cases of all VYC's in the three pilot regions. The Project Restore model functions as a pre-court diversion option when a youth's law enforcement citation reaches the county attorney's office. The county attorney decides which cases to refer to Project Restore for VYC. Outcomes specific to Project

**94% of completed VYC's resulted in a reparations agreement for the youth to make amends.**

**98% of reparations agreements were successfully fulfilled by youth and 2% were in progress.**

**4 out of 5 youth who participated in VYC did not have a second offense sent to court within 1 year.**

**100% of youth and their parents who completed an evaluation survey expressed being satisfied or extremely satisfied with the Victim Youth Conference.**

Figure 5 Project Restore VYC Pilot Outcomes

Restore from November 2015 through June 2017 are shown in Figure 5.

## Planning for Sustainability

With a commitment from all six mediation centers and ODR to expand the use of VYC statewide, the organization's directors convened for a two-day planning process in February, 2017. The process was facilitated by a consultant from the Center for Restorative Justice and Peacemaking, University of Minnesota, and followed the program sustainability framework developed by the Center for Public Health Systems Science at Washington University, St. Louis.<sup>2</sup> Eight sustainability domains as listed in Figure 6 were considered during the two-day session. As a result, ODR and mediation centers developed a 3-year capacity building and VYC implementation plan.



Figure 6 Eight Sustainability Domains

A logic model was then developed for the VYC Enhancement Initiative with short, medium and long term outcomes for VYC participants, communities and court systems. Additionally, the logic model includes organizational capacity building to support sustainable change. The VYC Enhancement Initiative logic model is available through ODR. For the purpose of this evaluation report, short term goals and outcomes are the focus, since the mediation centers were just six months into the VYC Enhancement Initiative at the end of June, 2018, and the centers varied in their stages of program development. Common developmental stages to consider when designing an evaluation include program planning,

<sup>2</sup> More information about the sustainability framework and assessment tool can be found at <http://www.sustainool.org>.

implementation and maintenance (The Centers for Disease Control and Prevention, 2011). These stages are rarely static, yet what further complicates the VYC Enhancement Initiative is the expectation all statewide mediation centers show progress in each developmental stage simultaneously, while balancing their unique political and economic contexts within the broader Nebraska context that impacts statewide development.

## **2018 VYC Enhancement Initiative Goals and Outcomes**

The first goal of the VYC Enhancement Initiative is to reduce youth recidivism by expanding the use of victim youth conferencing in all six mediation center regions, targeting all 12 judicial districts over the three year period of 2018-2020. Conducting outreach to regional stakeholders who may serve as VYC youth referral sources will occur during the planning stage for this goal. An increase in the number of counties served in 2018 and in the number of referral sources will be indicators of successful outreach. Outcome success indicators were developed for the participants served; outlined below.

### **GOAL 1 - VICTIM YOUTH CONFERENCING OUTCOME INDICATORS**

In 2018, 187 youth, 187 parents/guardians, and 280 victims will be served through VYC.

- 95% of VYC's will result in a reparations agreement
- 95% of reparations agreements will be fulfilled
- 97% of youth, their parents, victims and surrogates will report satisfaction with VYC
- 82% of youth will not recidivate within 1 year of VYC

The second goal of the VYC Enhancement Initiative is to train a minimum of 24 facilitators in victim youth conferencing, and 24 surrogates to participate as community members when victims decline to participate in VYC. Having a pool of qualified VYC facilitators and surrogates is necessary for the program implementation and maintenance stages of development. Additionally, 6 to 12 advanced facilitators will become regional trainers of VYC for ongoing maintenance and sustainability. Twenty-four judges, probation officers, mediators, victim advocates, juvenile defense attorneys, county attorneys, diversion, police and school officials will be educated about VYC, which is relevant for VYC planning in unserved districts, and ongoing implementation and maintenance statewide.

### **GOAL 2 - VYC TRAINING AND EDUCATION OUTCOME INDICATORS**

Training and education will be provided to 24 VYC facilitators, 24 surrogates, 6 to 12 advanced facilitators to become VYC regional trainers of VYC, and 24 key stakeholders who may serve as referral sources.

- 90% of regional advanced trainers are confident in their ability to conduct restorative justice and VYC training
- 90% of stakeholders attending educational sessions are more aware of and committed to using VYC in their region

The third goal of the VYC Enhancement Initiative is to build the capacity of ODR and the six regional mediation centers to implement and sustain VYC as a youth restorative prevention and intervention strategy. In the planning stage of capacity building, ODR and six regional mediation centers will hire or contract for a restorative justice coordinator. For implementation and maintenance, mediation centers will ensure appropriate VYC conference space is regularly accessible. The Return on Investment (ROI) in VYC will be documented and communicated to stakeholders in the political context to secure ongoing support, however it is premature to include ROI in the current evaluation due to the short implementation timeframe. ODR and mediation center staff will determine when planning and implementation has been sufficient to demonstrate a sustainable ROI.

### **GOAL 3: ORGANIZATIONAL CAPACITY BUILDING OUTCOME INDICATORS**

- ODR and regional mediation centers recommend policies to their governing bodies for long term commitment to VYC and restorative services
- 85% of VYC's are held within 60 days of referral as an indicator of capacity
- Referrals received either meet or exceed projections
- Media articles, newsletters, and websites promote VYC
- ODR and six regional mediation centers each secure at least one new source of funding for VYC

Taking into account the appropriate indicators for the short-term first 6 months of the VYC Enhancement Initiative, goals and related outcomes are addressed in the evaluation results section of this report.

## **Evaluation Framework**

The VYC Enhancement Initiative evaluation plan has been developed with the engagement of ODR and mediation center directors following the results of the VYC pilot project in three of six Nebraska court regions and the sustainability planning process to expand statewide over the next three years. In February of 2018, ODR and mediation center staff met with consultants from the Center for

Restorative Justice and Peacemaking to review the evaluation framework and make any final adjustments to timeframe and process for data collection before the end of the fiscal year.

The long term evaluation plan is based on the VYC theory of change: Victim Youth Conferencing as a primary restorative justice intervention will reduce youth involvement in the justice system. Specific long term measures of change include, 1) reducing recidivism, 2) closing the gap in disproportionate minority contact with courts, 3) increasing safety in communities, and 4) sustaining capacity for VYC statewide. Future evaluation reports will address long term measures, while this evaluation focuses on short term goals and expected outcomes in fiscal year July 2017 through June 2018.

The evaluation framework is a non-experimental design guided by descriptive, normative and impact questions as shown in Figure 7. Still being in the planning and early implementation stages of development, the 2018 evaluation of the VYC Enhancement Initiative aims to deepen understanding of VYC impact, while surfacing questions and gaps in knowledge for future inquiry.

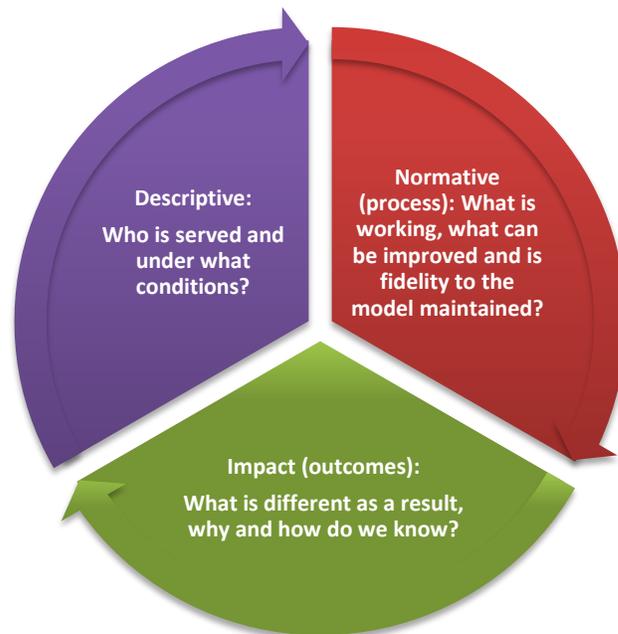


Figure 7 Evaluation Questions

Qualitative and quantitative evaluation methods, which are aligned with output and outcome measures specified in the VYC Enhancement Initiative Logic Model, have been applied to document the degree to which intended results are achieved. Equally important is evaluating fidelity to the VYC model, which includes understanding the effectiveness of following VYC protocols and how VYC participants

evaluate their experience. Process evaluation is incorporated in order to determine what is working well to achieve the desired outputs and outcomes, and what may need to be changed.

## **Outcome Evaluation**

Descriptive data for the VYC outcome evaluation has been tracked through the Caseload Manager MIS data collection system utilized by ODR and Mediation Centers. VYC case data has been provided to ODR and forwarded to the evaluator after the removal of individual identifiable information. Supplemental data for impact measures that are not VYC case specific has been provided directly from the mediation centers.

### **Post-VYC Surveys for Satisfaction and Program Fidelity**

Post VYC conference surveys with structured questions using a 5-point Likert scale, from strongly agree to strongly disagree, have been self-administered at the end of the VYC conference. Surveys also include two open-ended questions for respondents to freely share their perspectives. Surveys are provided to youth and their parents, victim and surrogate attendees (not including facilitators) through either an online survey link or as a hard-copy, whichever is deemed most appropriate by the VYC facilitator for that case. Post-VYC survey questions have been designed for the following measures.

- Fidelity measures: Questions related to preparedness, professional supportiveness and respect, and youth remorse.
- Satisfaction measures: Questions related to overall satisfaction, responsiveness, greater understanding, feeling heard and satisfaction with the reparations agreement.
- Procedural justice measure: A question is asked about whether the justice system is perceived to be more responsive to the needs of victims and youths based on participation in VYC.

## **Process Evaluation**

ODR and six mediation centers, along with the external evaluator and program consultant from the Center for Restorative Justice and Peacemaking have engaged in process evaluation through regular conference call meetings to discuss program activities, the progress made and areas for improvement. Additional open-ended process questions were asked of mediation centers and information received by the evaluator directly from them. Last, measures and methodology for documenting the achievement of qualitative long-term outcome goals not addressed in this evaluation will be explored by the end of year one and added to the evaluation plan in 2019 as feasible.

## Limitations

Since this is a transitional period for the VYC Enhancement Initiative with planning and early implementation in three regions and expansion in three regions, data is not consistently available statewide. Additionally, the VYC Enhancement Initiative has been made possible by funding from the Sherwood Foundation beginning in January 2018 and coinciding with the calendar year; however ODR and the mediation centers operate with a fiscal year of July 1 to June 30. From an evaluation perspective, this further complicates the parameters for measuring outcomes during the transitional state of implementation. With the intent to provide timely evaluation results to statewide stakeholders and policy makers, this report is based on data for the fiscal year July 1, 2017 to June 30, 2018, which means three of six regions were not implementing VYC for 6-9 months of the report period.

As a result, a number of projected outcomes outlined in the VYC Enhancement Initiative Logic Model are not ready for analysis. Similarly, any evaluation of the second goal related to training is not addressed in this report, since the annual plan did not include any training sessions during the calendar year. A number of goal 3 indicators are also not explored in this report.

Using recidivism as an outcome measure presents some challenges as previously mentioned. First, it is inconsistently defined across programs and governmental units, making the data on recidivism incomparable. Baseline data and comparative group data are also missing nationwide as well as in Nebraska, so recidivism tends to be measured for the individual rather than for understanding system impacts. Last, with the VYC statewide expansion beginning in 2018, coupled with the definition of recidivism being bound by one year after court/program involvement, ODR has determined VYC recidivism analysis will not be provided for evaluation until 2019.

## VYC Outcomes July 1, 2017 to June 30, 2018

### Goal 1: Expanding the use of victim youth conferencing in all Six ODR regions.

The first measure of successful expansion of VYC is whether the mediation centers and ODR have increased the number of counties served in the past year. During the VYC pilot year 2015 to 2016, youth cases came from 6 counties, which included Douglas, Lancaster and 4 counties in the 12<sup>th</sup> judicial district (ODR region 2); Morrill, Box Butte, Cheyenne and Scotts Bluff. For the pilot extension year July 1,

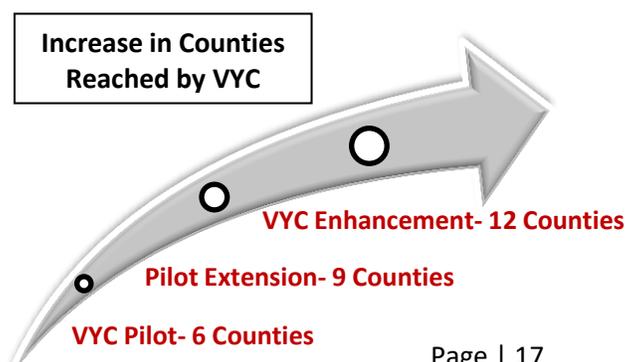


Figure 8 Increase in number of Counties Reached by VYC

2016 to June 30, 2017, VYC cases came from 9 counties; Adams, Buffalo, Dodge, Douglas, Fillmore, Lancaster, Pawnee, Red Willow and Sarpy counties. No cases came from Morrill, Box Butte, Cheyenne or Scotts Bluff counties.

As part of the sustainability planning process in 2017, each of the six mediation centers set goals for expanding the offering of VYC in their region. The VYC Enhancement Initiative is expected to reach at least 17 counties by the end of 2020. By June 30, 2018, cases came from 12 counties and all 6 ODR regions (see Figure 8). Mediation centers received referrals for a total of 216 VYC cases. A list of regions, counties and total cases for the period of July 1, 2017 to June 30, 2018 is provided in Table 2.

Table 2 2017-18 Total VYC Cases by County/Region

ODR Region	County	Total Cases
1	Adams	15
1	Buffalo	17
1	Lincoln	1
2	Cheyenne	1
2	Keith	1
2	Scotts Bluff	10
3	Lancaster	142
4	Saunders	3
4	York	1
5	Dodge	8
6	Douglas	16
6	Sarpy	1
6 regions	12 counties	216 cases

### Increase in Referral Sources

The second indicator of successful expansion of VYC is an increase in the number of referral sources from which the mediation centers receive cases.

Three tiers of referrals have been defined based on the youth's point of access to VYC as an intervention to reduce court involvement.

- Tier 1: Pre-Court referrals coming from County Attorneys' offices after a school-based incident through a school/justice partnership. These cases may or may not involve a citation from police.
- Tier 2: Court Diversion referrals coming from County Attorneys or Courts pre-adjudication.
- Tier 3 – Court Adjudicated cases referred by Courts with or without Probation.

As awareness grows about the effectiveness of VYC, mediation centers expect referrals will also come directly from schools, law enforcement, social service organizations, families and individuals. From July 1, 2017 to June 30, 2018, referrals for VYC came from six counties that had no referrals the previous year: Lincoln, Cheyenne, Keith, Scotts Bluff, Saunders and York. Referrals within these counties are the result of 9 new VYC referral sources as identified in Table 3 on the next page. Of the six counties in 2017-18 that had active VYC cases the previous year, the mediation centers serving Adams, Dodge, Douglas and Lancaster counties received increased referrals from their referral sources. Sarpy and

Buffalo Counties decreased the number of referrals to VYC yet the referral relationship was maintained with Sarpy probation referring one case and Buffalo diversion referring 17 cases to their mediation center for VYC.

No VYC referrals to mediation centers were made in the counties of Fillmore, Pawnee and Red Willow, all which had a minimal one to two cases referred to mediation centers the previous year.

Table 3 New VYC Referral Sources in 6 Counties

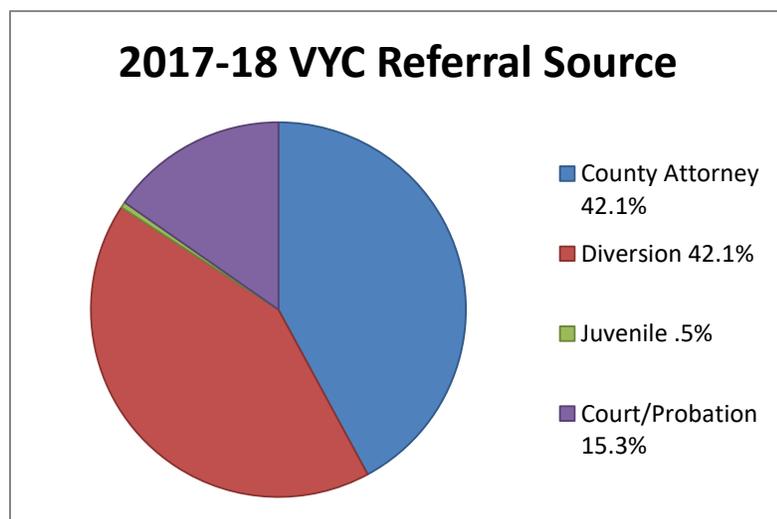
County/Referral Source	County Attorney	Diversion	Court, No Probation	Probation
Cheyenne				✓
Lincoln				✓
Keith	✓			
Saunders	✓	✓		
Scotts Bluff	✓		✓	✓
York	✓			

In summary, the VYC Enhancement Initiative has shown success in increasing the number of referral sources during the report period, with

- 9 new referral sources in 6 new counties,
- 10 maintained referral sources in 6 counties with increased referrals in 4 of those counties, and
- No referrals in 3 counties that each had only 1 or 2 VYC referrals the previous year.

### Descriptive Analysis of Referral Sources

The potential impact of VYC and under what conditions people benefit from participation may be better understood by analyzing the general breakdown of VYC cases by type of referral source (shown in Figure 9). County Attorneys and Court Diversion each were responsible for 42.1% of all VYC referrals in the report period, while 15.3% of referrals were made by courts for adjudicated youth, most

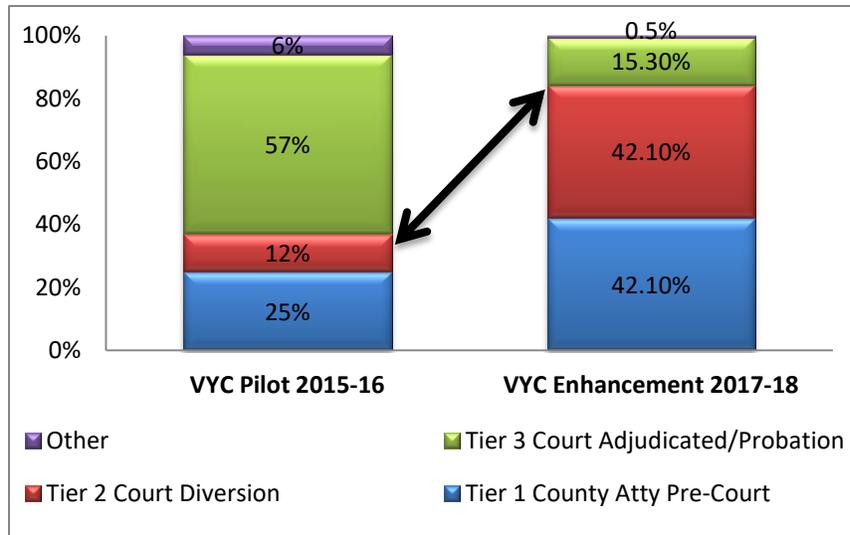


who were assigned to probation. In one case a juvenile self-referred to VYC.

Compared to the VYC pilot year 2015 to 2016, a notable change has occurred in the point youth referrals are made from Tier 1 to Tier 3. At the start of the VYC pilot, the original focus was on probation

Figure 9 Comparison of VYC Referral Source by Tier

offices being the primary referral sources. However, it was determined that diversion programs were essential to intervene earlier and prevent further court involvement. The success of Project Restore also shifted attention to county attorneys as a referral source prior to court involvement. During the first



year of the VYC pilot, 37% of VYC referrals were Tier 1 and Tier 2 to prevent court involvement, while 57% of referrals were for adjudicated youth, mostly on probation. By June 30, 2018, youth referrals at the Tier 1 and Tier 3 levels climbed to a combined 84.2% while referrals for adjudicated youth dropped to 15.3% as depicted in Figure 10.

Figure 10 Comparisons of Referral Sources 2015-16 and 2017-18

### VYC Case Goals and Outputs

Each mediation center set goals for VYC cases from 2018 through 2020, and the goals for 2018 are outlined in table 4. This report includes descriptive data for the first six months of 2018 combined with the second half of 2017 for the mediation centers that were already in the implementation stage.

Table 4 VYC 2018-19 Case Goals by Region

Referral Source	Reg. 1 Central Mediation Center	Reg. 2 Mediation West	Reg. 3 The Mediation Center	Reg. 4 The Resolution Center	Reg. 5 Nebraska Mediation Center	Reg. 6 Concord Mediation Center
Tier 1: Co. Atty. & Pre-court	12	4	36			5
Tier 2: Diversion	11	6	32	2	6	15
Tier 3: Courts & Probation	9	10	12	2		15
Total=177	32	20	80	4	6	35

It's important to note not all centers had the capacity to implement VYC prior to 2018, and required a priority focus on planning the first half of the year. With that in mind, a total of 216 VYC cases were opened during the report period, which is an increase of 40% from the pilot extension year 2016-17 and exceeds the 2018 goal of 177 VYC cases by 22%. The goal for total VYC cases by region and by referral source tier is found in Figure 11.

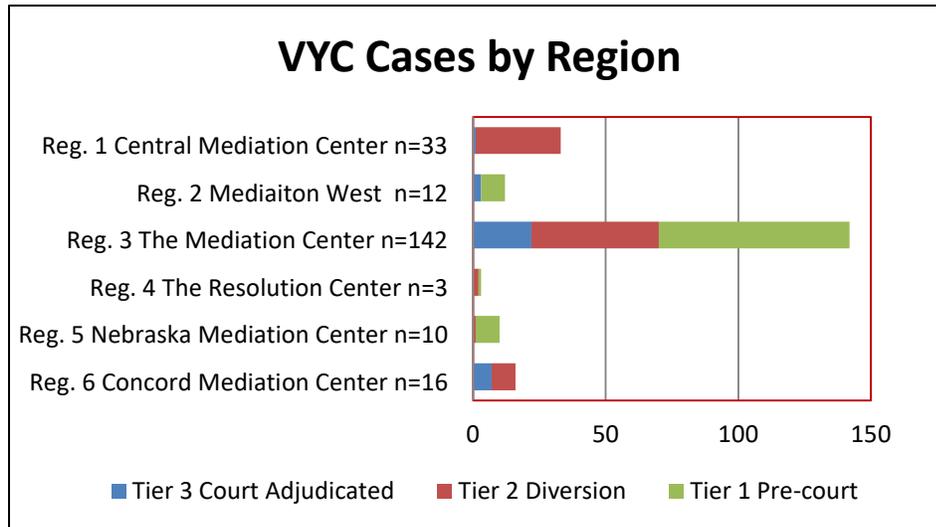


Figure 11 2017-18 VYC Cases by Region and Tier Referral Source

For the report period, the Central Mediation Center has received 33 VYC cases, exceeding its annual goal. Mediation West with 12 VYC cases in the first six months of 2018 is beyond the halfway mark in achieving its 2018 goals.

The Mediation Center set a goal of 80 VYC cases for 2018 and has already exceeded that goal by 77%. The Resolution Center, new to VYC this year, has opened 3 VYC cases in the first six months compared to their annual goal of 4 cases. The Nebraska Mediation Center, also new to VYC, has opened 10 VYC cases compared to their goal of 6 cases in 2018. Last, Concord Mediation Center has opened 16 VYC cases, almost half of their goal for the calendar year. All mediation centers are either exceeding or are positioned to achieve their projected VYC case goals for 2018.

### Youth Participants

Of the 216 VYC cases for July 1, 2017 to June 30, 2018, 77 or 35.6% of the youth identified as female, 133 or 61.6% as male and gender was not reported for 6 cases. The mean age is 15.5 years, with a

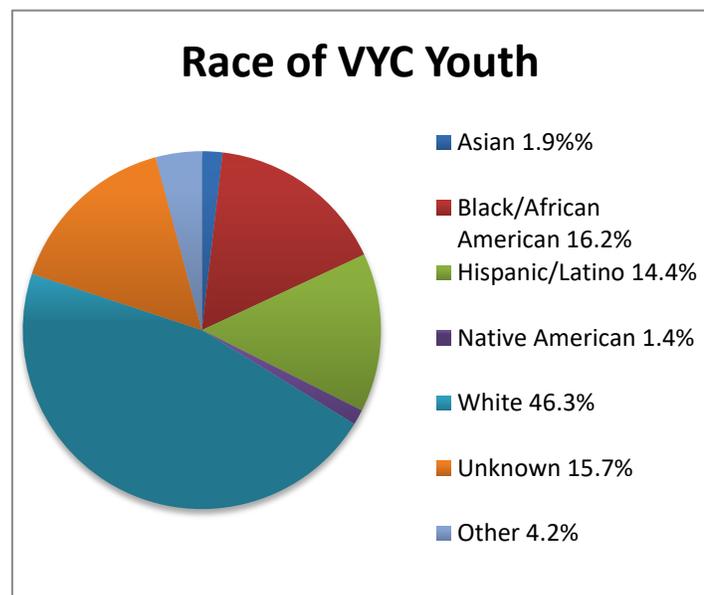


Figure 12 Race Identified by VYC Youth

range from the youngest being 9.9 years old to the oldest being 23.6 years old. The largest demographic of youth identified their race as white (46.3%), while 16.2 % identified as African American, 14.4% Hispanic/Latino, 1.9% Asian/Pacific Islander, 1.4% Native American, and 4.2% other. Data on race was missing for 15.7% of youth in VYC (see Figure 12).

### Victims and Those Harmed

At the end of the report period, VYC conferences had been held by four of the six mediation centers with 159 of the 216 youth cases, 40 were pending and 17 cases closed without convening a VYC conference. The cases included 223 victims, of which 104 were youth, 49 adults and 31 cases involved mutual assault. A breakdown of victims by type is provided in table 5.

Table 5 VYC Victims

Victims	Number
Adult	49
Church	1
Community/Neighborhood	1
Family	3
Juvenile	104
Mutual Assault	31
Private Business	14
Public Institution	8
Not Reported	12
Total	223

### VYC Participants

VYC is voluntary for all parties. Once a referral is received, mediation centers contact the youth and the victim(s) to request their participation. In many cases the victims opt not to participate. For the report period, victims chose to not participate in 50% of the cases, the youth refused participation in less than 2% of cases, and both the youth and victim refused in 2.7% of the cases as shown in Figure 13. Both the victim and youth chose to participate in VYC in 45.7% of the cases, which is an increase from 34.1% during the first year of the VYC pilot.

### VYC Outcome Measures

Of the 159 VYC’s held, the cases have been closed for 154 youth, while 5 youth continue to make progress in fulfilling their reparations agreements. Specific success indicators for the 159 VYC’s held and for the 154 cases closed during the report period are as follows.

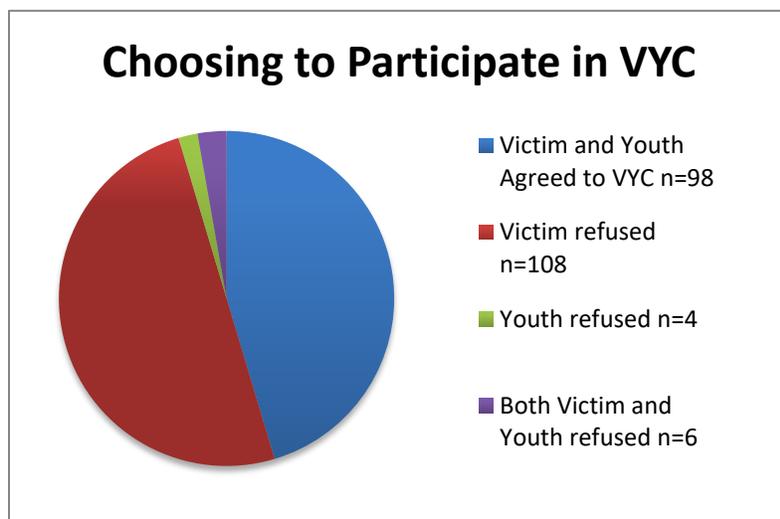


Figure 13 Choosing to Participate in VYC

**Goal: 95% of VYC's will result in a reparations agreement.**

→**Actual Result: 100%** of 159 VYC's resulted in a reparations agreement with the youths.

**Goal: 95% of reparations agreements will be fulfilled.**

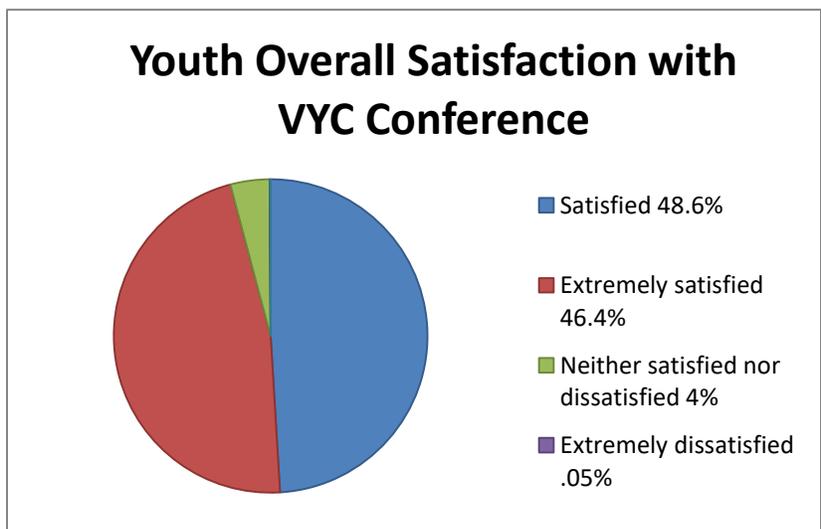
→**Actual Result: 94.2%** of 159 youth have successfully fulfilled their reparations agreements, and **5.8%** have partially fulfilled their reparations agreements. No case has been closed without full or partial fulfillment of the reparations agreement.

**Goal: 97% of youth, their parents, victims and surrogates will report satisfaction with VYC.**

→**Actual Result: 95%** of youth, their parents, victims and surrogates who completed a post-VYC conference evaluation survey reported being extremely satisfied or satisfied with the VYC overall.

### Post-VYC Conference Participant Evaluation Surveys

Four mediation centers had completed VYC's and closed cases by the end of the report period: The Mediation Center, Concord Mediation Center, The Resolution Center, and Nebraska Mediation Center. They reported evaluation results utilizing the post-VYC conference participant evaluation survey. Mediation centers received completed surveys consistently from the youth and their parents who participated in VYC conferences; however post-VYC conference surveys were received for just 34% of the victims who participated and only for 7% of surrogates. One of four mediation centers had no completed post-VYC conference surveys from victim surrogates, indicating VYC facilitators are inconsistent in providing the post-VYC survey to victims and surrogate participants. At the same time, completing the survey is voluntary and anonymous, so more information is needed to understand the



degree to which the survey is provided to participants and determine the response rate.

Of the youth who answered the survey question rating their overall satisfaction with VYC, 95% reported being extremely satisfied or satisfied with the VYC conference, while 1% was dissatisfied or extremely

Figure 14 Youth Overall Satisfaction with VYC, n=156

dissatisfied and 4.4% was neutral (shown in Figure 14).

Seventeen victims answered this question, and 94.1% reported being extremely satisfied or satisfied with the VYC conference, while 5.9% was neutral and none reported being dissatisfied (shown in Figure 15).

Eight surrogates completed the post-VYC conference survey and answered this question. All (100%) reported being satisfied with the VYC conference. Additional survey questions were asked of all participants to evaluate how well prepared they felt they were by the VYC

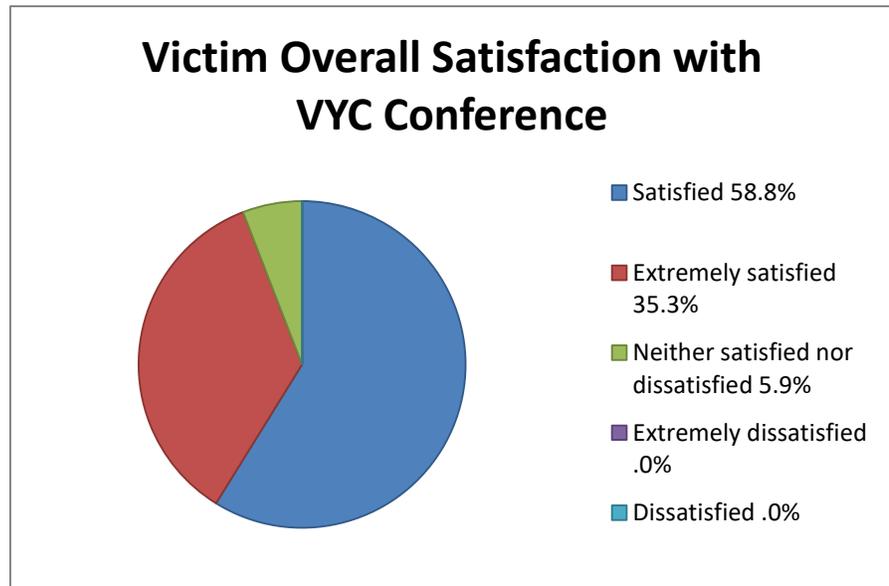


Figure 15 Victim Overall Satisfaction with VYC, n=17

facilitators, their level of satisfaction with the reparations agreement, if they felt the facilitators were genuinely interested in their perspective and if they would recommend VYC to others in similar situations. Results are shown in Figure 16.

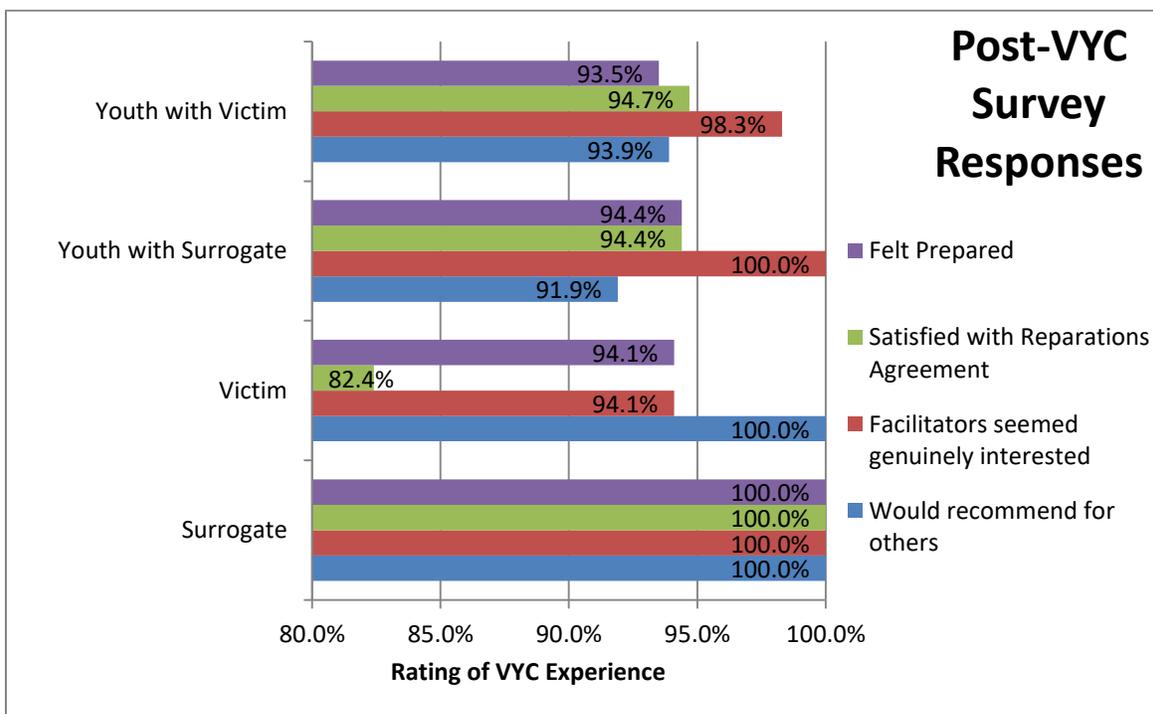


Figure 16 Post-VYC Conference Survey Responses: youths n=156, victims n=17, surrogates n=8

All surrogates reported satisfaction with the way they were prepared for the VYC conference, the resulting reparations agreement made, and the genuine interest of the facilitators. All also would recommend participating in VYC to others. Satisfaction with the way they were prepared for the VYC conference had a slight variation among victims (94.1%), youth who met with victims (93.5%), and youth who met with surrogates (94.4%). Interestingly, 100% of victims said they would recommend VYC to others in similar situations, yet had the lowest satisfaction with reparations agreement with 82.4% expressing satisfaction. Almost 94% of youth who met with victims in the VYC conference said they would recommend it to others, which is slightly higher than the 92% of youth who met with surrogates rather than victims. When asked why they would recommend VYC to others, some responses include the quotes provided in Figure 17.

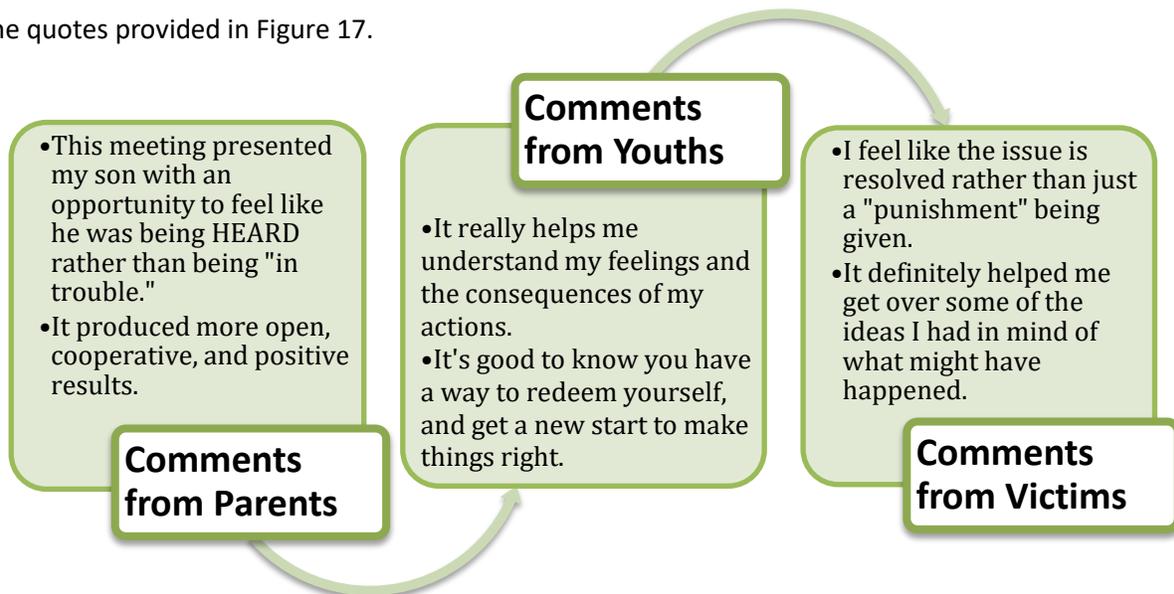


Figure 17 Comments from VYC Conference Participants

Youth and victims were asked another question relating to procedural justice – whether participation in the VYC conference made the justice system more responsive to their needs.

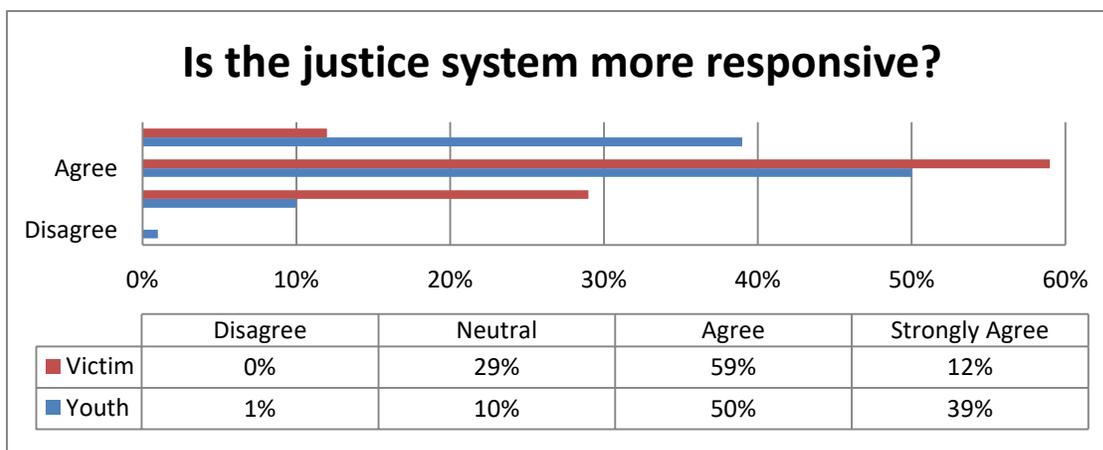


Figure 18 Survey response ratings – Is the system more responsive?

Youth completing the post-VYC survey answered 89% strongly agreed or agreed, while 70% of victims strongly agreed or agreed. Survey results comparing response rates of victims and youth are shown in Figure 18.

Three post-VYC survey questions were unique to victims. The following statements were posed to victims with a five-point Likert scale to respond, from strongly agree to strongly disagree.

- **It was helpful to talk directly with the person who was responsible for the harm.**  
94.1% strongly agreed or agreed, and 5.1% were neutral.
- **Meeting the person who caused the harm reduced any fear I had that he/she would commit another crime against me.**  
76.5% strongly agreed or agreed, and 23.5% were neutral.
- **The person who caused the harm seemed sorry and showed remorse about the real impact of the crime on my life.**  
76.4% strongly agreed or agreed, 17.7% were neutral, and 5.9% disagreed.

Similarly, three post-VYC survey questions were unique to youths who met with the person harmed. The following statements were posed to youth for which the same five-point Likert scale was provided.

- **It was helpful to be able to talk directly with the person who was affected by my behavior**  
88% strongly agreed or agreed, 11% were neutral, and 1% disagreed.
- **Meeting the person harmed allowed me to express my thinking about why I committed this crime and what I was feeling.**  
83% strongly agreed or agreed, 15% were neutral, and 2% disagreed or strongly disagreed.
- **After the meeting, I have a better understanding of the full impact of the crime on others.**  
94% strongly agreed or agreed, 4% were neutral, and 2% disagreed.

### **Survey Limitations**

One limitation of the post-VYC conference survey is the inconsistency and room for subjectivity in the administration of surveys by six centers and many VYC facilitators. Four survey tools are available based on the participant, which means VYC facilitators have the task of giving each participant the

appropriate survey. Second, as noted previously, it appears not all participants are provided the survey in all cases. Additionally, surveys that are administered as hard copies to participants have been altered by two of the four mediation centers; one eliminating the procedural justice evaluation question, and one creating a separate survey for parents. Last, all surveys are in English and in writing, which requires participants to be able to read and respond in English.

## **Goal 2: VYC Training and Education**

To build capacity for VYC, mediation centers and ODR established goals for training VYC facilitators and educating stakeholders statewide. One objective is to increase the diversity of VYC facilitators to better serve the diverse population of court-involved youth and their families. Additionally, training goals include expanding the pool of advanced VYC trainers in Nebraska for long term sustainability. With these goals in mind, ODR and the mediation centers worked with consultants from the Center for Restorative Justice and Peacemaking during the report period to plan for regional trainings being held in September and October. The outcomes and evaluation results from these sessions will be shared in the next evaluation report covering the 2018 calendar year.

## **Process Evaluation**

The third goal of the VYC Enhancement Initiative is to build the capacity of ODR and the six regional mediation centers to implement and sustain VYC. The process evaluation addresses the 6 of the 8 sustainability domains considered in the development of the VYC Enhancement Initiative three-year plan to the degree they are relevant in this early stage of implementation: 1) Communications, 2) Partnerships, 3) Funding Stability, 4) Political Support, 5) Program Evaluation, and 6) Organizational Capacity. Information was collected through participation in conference calls, website and document reviews, and direct responses to open-ended questions submitted to mediation centers.

### **Communications**

As an indicator of communications capacity building, ODR and mediation centers set a goal to increase media articles, newsletters, and websites that promote VYC. During the report period, ODR added three promotional documents to their website, Concord Mediation Center added two documents, and The Resolution Center added the VYC fact sheet shared by ODR. All centers have access to ODR promotional materials and may have developed their own. For this evaluation, web sites were reviewed to determine the availability of information provided by centers; however mediation centers

may also provide information in printed copy to stakeholders. This report does not include an assessment of all forms of marketing and communications.

The ways in which VYC is communicated through web sites is shown in Figure 19. Five of the mediation centers and ODR include a description of the restorative practice of VYC on their website, although it is most often referenced as juvenile victim offender mediation (JVOM). Three mediation centers list JVOM as a sub-heading under their mediation or services heading, while two centers and ODR list it under restorative justice (terms also used include restorative justice dialogue and restorative practices). Two mediation centers identify their restorative practices staff including contact information. Last, ODR and one mediation center has a restorative justice heading visible on their web site home page.

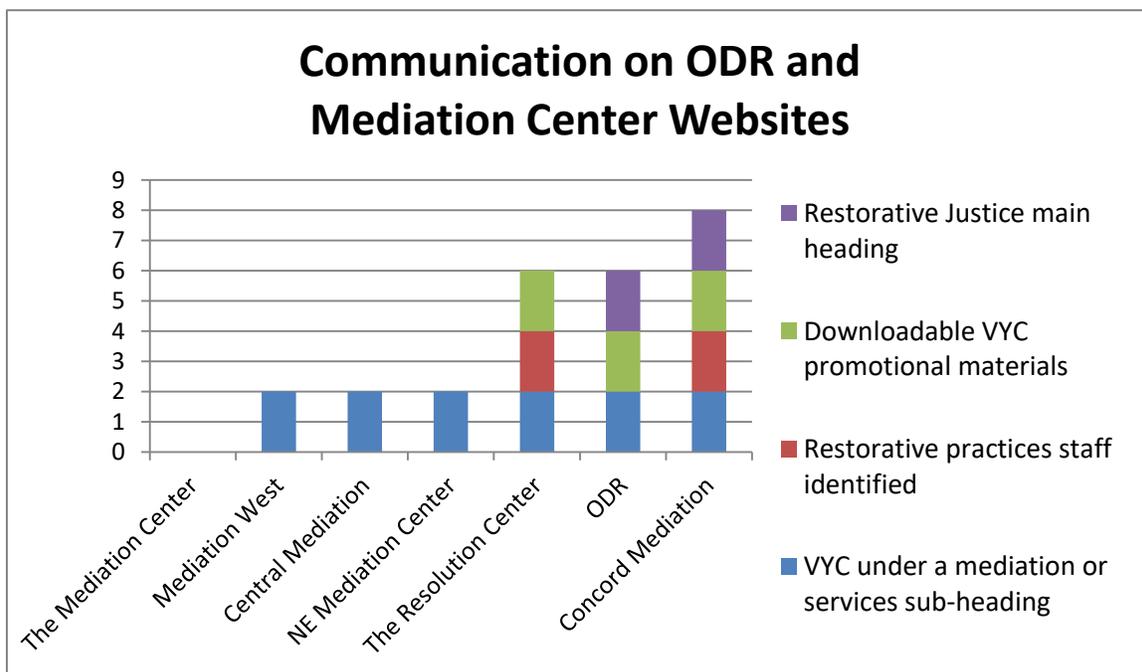


Figure 19 VYC Communications on Websites

## Partnerships

To increase VYC for youth having school-based offenses at the pre-diversion tier, mediation centers sought partnerships with 3 high schools to create VYC pilot projects, 1 high school to expand VYC, and held meetings with administrators in 10 school districts; Omaha, Beatrice, York, Chadron, Garden County, Gering, Scotts Bluff, Sydney, ESU #13, and ESU #2. Outreach was conducted to 12 counties to increase referrals for VYC to divert youth from court involvement. As a result, diversion referrals were maintained or increased in 3 counties and began to be received in 4 counties.

Relationships continue to be built in 5 counties for future VYC referral partnerships: Cluster,

Hall, Gage, Platte, and Cuming counties. Additionally, mediation centers reported 30 meetings with county attorneys, judges, law enforcement, probation officers and community organizations to build partnerships and increase VYC referrals. The increase in referral sources and in number of referrals as reported earlier is evidence of strengthened partnerships.

Last, to promote VYC and build partnerships statewide, Mediation Centers and ODR made presentations to 5 of the Nebraska Association of County Official's regional conferences. Following each presentation, attendees were contacted individually on two occasions by the ODR staff and offered details about incorporating VYC in their respective counties. Presentations were also made at the Nebraska Juvenile Justice Association statewide conference, Nebraska State Penitentiary, Nebraska Department of Correctional Services and Nebraska Victim Assistance Academy. These statewide presentations could be interpreted as contributing to building political support as well.

### **Funding Stability and Political Support**

To increase funding stability, ODR and six regional mediation centers set a goal to each secure funding for VYC from at least one new source in 2018. By June 30, 2018, 2 of 6 mediation centers had secured new funding, and one had increased support from an existing source. On a broader systems change level, mediation centers have been significantly involved with county stakeholders in adding VYC as a priority to their juvenile services comprehensive community 3-year plans under the Nebraska Crime Commission.

All mediation centers have reported collaboration for this purpose in their regions of the state. Mediation centers reported

### ***Story of Graffiti Tagging***

A middle-school student was caught tagging (spray-paint graffiti) a number of neighborhood businesses. The county diversion officer referred the case for victim-youth conferencing. Several of the impacted businesses were willing to participate in a conference. They wanted to understand why their businesses were targeted and to hear from the youth why he would engage in this type of activity. There was some fear the vandalism was gang related.

During the conference, the business owners asked the youth how he was doing in school – the answer, struggling a bit – and his interactions with other students – a bit of a loner. After hearing his apology, the victims provided creative solutions to help him see the impacts of his behavior. Through dialogue, the youth realized that he was part of a community, agreed to participate in a service day at one of the businesses and to find a school activity to make better use of his time.

### ***Story of Throwing Rocks***

A 12-year old threw large rocks from the top of a viewing tower in a public park. Thankfully, nobody was injured, but damage was done to the concrete below the tower. The VYC conference included the youth, his grandmother, his mother (by phone) and a member of the Parks and Recreation Advisory Board to speak on behalf of the community. The board member spoke about the impacts of the crime - costs to the community for repairing the damage and the potential harm to others had anyone been injured by the rocks.

The youth agreed to attend a class on responsible behavior and the community member suggested the youth complete community service at the park. The community member made initial contact with the Parks & Recreation Department to set up this community service with the youth. Ultimately, the youth took accountability for his actions and was able to give back to the community by doing community service.

negotiations underway to set VYC fee rates for Crime Commission funding. ODR provided the Crime Commission with a template for VYC goals as an example that could be provided to local planning teams. The number of juvenile services comprehensive plans that incorporated VYC as a priority will be provided in the next evaluation report.

Partnerships to include VYC in juvenile services plans and with the Nebraska Crime Commission have the potential to increase funding for VYC, expand its use and also build political support. As ODR has deepened collaboration with the Nebraska Crime Commission, partnership with the Juvenile Service Division of the Office of Probation has also grown. Both relationships contribute to ODR gaining political support to introduce restorative justice legislation in 2019 that includes a request for a state appropriation.

### **Program Evaluation**

During the report period, ODR and mediation centers identified areas to improve data collection that would contribute to more consistency in data reporting for evaluation purposes. First, a committee met over several months to redesign the Caseload Manager VYC database so that all centers report case data with the same language and interpretation. Drop-down selection of client data points were added whenever possible, such as for county, gender, race, and offense type, to name a few. A codebook was written to provide definitions and protocol for case data reporting.

To strengthen the potential for meaningful data sharing across programs and jurisdictions, meetings were held with Crime Commission staff to streamline the way data is reported with their system as much as possible. Mediate.com, the administrator for ODR's Caseload Manager Database, made

the necessary revisions so mediation centers could be operating with the new system by July 1, 2018. Consistent and streamlined data collection improves the cost effectiveness and sustainability of evaluation work for ODR and the mediation centers.

Another area identified for improvement is inconsistency in protocols for VYC case closure and lack of evaluation by VYC participants at the conclusion of their case. Mediation centers vary in the degree to which they have conversations with youth and victims for closure. Some stay in contact with the youth and victim to know if the reparations agreement has been successfully fulfilled, while in other cases it is the responsibility of the referral source, such as probation or diversion, to track youth accountability for follow through. A decision was made to add three questions to be asked of youth and victims by mediation centers when their case is being closed. The questions were added to Caseload Manager for tracking, so mediation centers consistently build in this step as case closing protocol and the responses are included in future evaluations. It is anticipated that the change process for the new case closing protocol will take 6 to 9 months to implement.

### **Organizational Capacity**

The primary goal for capacity building during the first year of the VYC Enhancement Initiative was ODR and six regional mediation centers to each hire a restorative justice coordinator. Funding provided by the Sherwood Foundation made it possible to achieve this goal. All centers and ODR were able to establish a staff position between January and March 2018. With staff on board, time was devoted to building capacity among the other sustainability domains.

## **Discussion and Recommendations**

ODR and the six regional mediation centers have made significant progress in the expansion of VYC statewide and building capacity to sustain its use. Outcome indicators for July 1, 2017 to June 30, 2018 suggest VYC Enhancement Initiative goals will be exceeded by the end of the 2018 calendar year. Statewide outreach and partnership building has laid the foundation for gaining political and funding support for sustainability. Improvements made to data collection procedures will allow for more efficiency and consistency in evaluation.

One area needing more attention is fidelity to the VYC model by strengthening the communication with youth and those harmed until the case is closed. Even though ODR and mediation centers have recently added a case closure conversation with youth and victims guided by evaluation questions, it is unclear if all mediation centers are bought in to this new protocol. Following through

with the youth and victim to track fulfillment of the reparations agreement and their level of satisfaction with the final outcome sets VYC apart from a standard mediation. It's also important to work with system stakeholders to ensure this step happens, even if it requires more information sharing and collaboration around the youth's follow through on the reparations agreement.

A capacity building goal of the VYC Enhancement Initiative is for ODR and mediation centers to sustain program evaluation without the involvement of an external evaluator by the end of 2020. Establishing efficient and effective evaluation methods with consistency in data collection and reporting by all centers is essential to achieve this goal. Progress has been made to streamline data collection and reporting, yet mediation centers tend to customize their processes at the local level. It is important to determine as collaborative partners when program adaptability is needed to fit VYC to the community context and when consistency among all mediation centers is necessary. During the report period, 4 of 6 mediation centers utilized post-VYC conference surveys for youth, 3 surveyed victims, 3 minimally surveyed surrogates, and 2 made changes to the survey forms. For evaluation purposes, a next step to streamline evaluation and data collection is to simplify the survey process with the creation of one survey tool rather than four separate tools for each participant group. Web-based participant surveys are encouraged to be used, since they provide the highest level of efficiency and consistency in reporting. It is recommended that ODR manage one survey tool account, like Qualtrics, through which all survey data is compiled.

Increasing the value of recidivism data is another area to be strengthened. It is recommended that recidivism rates be tracked at 1-year, 2-year and 3-year post VYC case closure, beginning with the 2015 pilot cases. By doing so, the ability to compare across jurisdictions and interventions, and gain a better understanding of VYC impact is improved. Analysis of recidivism data may be expanded to include comparison by variables of race, gender, age, offense type, parent involvement in VYC, referral source and county. ODR reports preliminary data using the Nebraska Supreme Court juvenile recidivism definition of one year (Neb. Ct. R. § 1-1001, 2013) shows a low 13% re-offending rate for VYC youth. Broadening the scope of recidivism measures and extending the timeline will provide evidence to substantiate preliminary data.

Last, with significant progress made in the early implementation phase of the VYC Enhancement Initiative, revisiting the evaluation plan makes sense to ensure the analysis explores questions of impact and desired long term outcomes. It is recommended that ODR, mediation centers and collaborative partners create a list of questions to guide evaluation beyond descriptive statistics. The long term evaluation plan is based on the VYC theory of change: Victim Youth Conferencing as a primary

restorative justice intervention will reduce youth involvement in the justice system. Exploring how this will be measured is a next step, as well as doing so for the long range goals of closing the gap in disproportionate minority contact with courts and increasing safety in communities.

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