

Wednesday, July 24, 2013

Nebraska's Juvenile Justice System 7/24/13 07/24/13 8:19:46 AM



Sen. Brad Ashford



Chief Justice
Mike Heavican



Ellen Brotofsky



Corey Steel

Huge Change in Nebraska's Juvenile Justice System Is Underway Now

By Lorraine Boyd - The Daily Record

Subject: LB561, Introduced by Sens. Brad Ashford, Kathy Campbell, Bob Krist, Amanda McGill and Ernie Chambers.

Meet the players:

Neb. Sen. Brad Ashford, Nebraska Supreme Court Chief Justice Mike Heavican, Nebraska State Probation Administrator Ellen Brokofsky, Office of Probation Deputy Administrator for Juvenile Services Corey Steel, Omaha's Chief Juvenile Probation Officer Mary Vicek and Neb. Sen. Kathy Campbell, chair of the Health and Human Services Committee.

Statement of Intent by LB561's principal introducer, Sen. Brad Ashford:

"Legislative Bill 561 would reform and reorient our juvenile justice system to treat and rehabilitate the children who are at risk rather than punishing them.

"Our current system is inadequate and we are failing our children and communities. We must act now to address the gaps in our system and create a continuum of care that includes comprehensive diversion programming, mental health programming and reentry programming that is evidence-based.

“This bill would expand the Nebraska Juvenile Service Delivery Project statewide and create the Office of Juvenile Assistance [OJA] under the Supreme Court. The OJA would coordinate diversion programming, violence prevention programming, the distribution of juvenile grants and the collaboration between juvenile justice entities and the Juvenile Justice Institute, the University of Nebraska Medical Center and national experts. The Office of Juvenile Services and the Youth Rehabilitation and Treatment Centers in Kearney and Geneva would be eliminated or substantially transformed pursuant to a transition plan developed and implemented prior to January 1, 2015.

“Juveniles in the system would be supervised by Probation and treated in their homes and communities whenever possible utilizing evidence-based practices.”

Big changes are coming this October (some changes began July 1) as supervision of juvenile offenders transitions from the Department of Health and Human Services’ Office of Juvenile Services to the Nebraska Supreme Court’s Office of Probation Administration.

“This is *big*. A totally new approach to juvenile justice. It’s soup to nuts,” said Neb. Sen. Brad Ashford, sponsor of LB561, which is now law.

For at least 30 years, HHS has handled juvenile offenders, often making them wards of the state and sending them to juvenile detention facilities such as those in Kearney and Geneva, Ashford said.

“It was under the wrong system for years. It was a debacle, a dreadful failure. Nebraska had the 3rd highest juvenile detention in the country. In the 1980s and ’90s, it was part of one huge agency. Too big. We’re talking about 3,500 kids. They were the victims. The system lent itself to kids falling through the cracks. In most cases, we failed them. There are twelve-hundred 15- to 25-year-old youths in the state penitentiary,” he said.

“Before, we threw all the kids in the same pot.” No more.

Six years ago, Ashford and the Judiciary Committee he chairs could see a clear pathway, from abuse and neglect to truancy to juvenile detention. “We weren’t intervening early enough. Chief Justice Heavican said to me, ‘We’re getting the failures in the courts.’”

The committee started with the office of violence prevention. They dealt with the sealing of juvenile records and made child welfare changes.

“Over the years, our work evolved into LB561,” Ashford said. “It was the culmination of the work of gobs of people over five to six years.”

“On the Court side, we have really good people, people on the cutting edge; people like Ellen Brokofsky and Corey Steel, and Mary Vicek.” Steel will oversee the implementation of reshaping of the juvenile justice system. Steel has supervised the successful pilot program in which the probation office managed the behavioral treatment of juvenile offenders in Omaha, North Platte and Scottsbluff.

“And big applause to Kathy Campbell who did such a great job focusing on community-based services,” Ashford added.

It all started to come together, Ashford said, when The Nebraska Children’s Commission, composed of 18 voting members (16 of whom are appointed by the governor) and six members of the state legislature, created by the legislature in 2012.

“The committee meets regularly to study alternatives to juvenile detention, using real-time data. And they have subpoena power. It’s getting the system to work for children, establishing a process that wasn’t there before.

He said Gov. Dave Heineman – who signed the bill into law on May 29 – has long been enthusiastic in supporting their efforts.

“We want to keep kids out of detention and get them in a good place.” There’s family reunification therapy, an educational component, all new ways of dealing with youths in trouble. “We are shifting kids into community-based programs,” he said.

“We’re seeing a number of new resources designed to keep kids out of detention. Boys Town has designed a new 24-bed facility in Omaha and is talking about something in Scottsbluff. Catholic Charities has Journeys, a new treatment facility in Omaha. Omaha Home for Boys also has plans.

The program will cost up to \$44 million when fully implemented, including the shift of dollars from Health and Human Services and about \$15 million in new appropriation money. The County Juvenile Services Aid Program would be enhanced with an additional \$10 million to help counties develop community-based service options. The bill would also provide for the use of social impact bonds to finance projects authorized by the Office of Juvenile Assistance.

State Probation Administrator Brokofsky said, “We have to hire 191 people before January, mostly people in the field [about 90 of them probation officers]. We will be prioritizing, giving extra points to those already working in the system, so hopefully there won’t be too many who lose their jobs.

“The lion’s share of the budget is for services. Paying for placement and detention is new for us. We have had to think differently. What do we want to accomplish? We need to engage families at the earliest possible moment.”

Safety, rehabilitation, intervention; a small number needing high-end control, the least amount of disruption possible for the kids: that’s what the new duties mean to Brokofsky.

“Is this cheaper? Not necessarily. Do you save money, or do you save kids?” Brokofsky said.

As of July 1, all juveniles who enter the system are being assigned a probation officer, who will manage cases and make sure juveniles receive services.

“The infrastructure is in place, so we’re ready. The biggest challenge is change,” Brokofsky said.

“It’s going to be a lot of work, for everyone involved – the court, ancillary providers ... a lot for everyone. [But] I have confidence because we have really strong leaders, with cooperation among them – Everyone from Chief Justice Heavican, and [State Court Administrator] Janice Walker, to Child Welfare and Juvenile Justice.

“It is a change of branches. The change is not an overnight decision.

“Now we have to deal with the details. The focus in terms of transition is the child and the family. We have a plan: in the juvenile world, everything centers around the child and family.

“For the new kids who enter the system, there will not be so much of a difference. But for those who are in the system now, there could be change. They may have new caregivers.

“It’s doable. It’ll probably be a little rocky at first; probably will not all go smoothly. But the Legislature’s thought was and is “community, community, community.”

“We’re putting a continuum in place, to try to keep the kids out of the system to being with. I’ve been working in the justice system since 1975. It’s ALL about community,” she emphasized. “Douglas County, Lancaster County, [cities like] Grand Island, they are all different. We sat down with those people and talked about [these changes].

A big challenge, she said, is that there is no infrastructure regionally. Many services have dried up over the last 15 years.

“This is an opportunity. I’m looking forward to it. It will be really good for families, and great for communities. We did the transition on the adult side about five years ago, with reporting centers and training. We’re transitioning now with the best of the best for children.

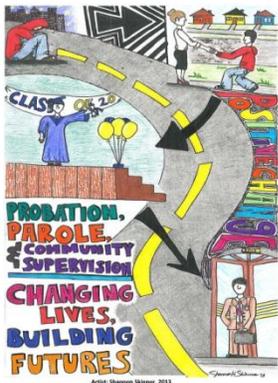
“My approach is just like eating an elephant: one bite at a time. I have a lot of confidence in the leadership.”

Nebraska Supreme Court Justice Mike Heavican said, “I am proud of Ellen Brokofsky, our probation administrator.

Ellen was the impetus for many of the changes outlined in LB561. I am equally proud of our probation staff for their support of Ellen. I am confident that everyone involved in this transition is working diligently to implement a successful juvenile justice program under the auspices of the Court’s probation administration.

“I want to thank everyone involved in this process including the governor, the legislature and most especially, our probation staff.”

Probation Week



Changing Lives, Building Futures

Probation, Parole, and Community
Supervision Week
July 21-27, 2013

The Nebraska State Probation System

This week is Pretrial, Probation and Parole Supervision Week.

At an earlier ceremony, State Probation Administrator Ellen Fabian Brokofsky noted that this is an exceptional year for juvenile probation officers given the passage of LB 561.

“This monumental legislation’s purpose is to reform Nebraska’s juvenile justice system. In it, the Nebraska Probation System was charged with improving the opportunity for success for

every juvenile and his or her family under the court’s jurisdiction,” she said.

The legislation is designed to ensure a juvenile’s access to a comprehensive system of meaningful behavioral health treatment and other programs without requiring them to become a state ward. Nebraska’s juvenile probation officers,

Brokofsky assured the audience, we are “up to this challenge.”