

Youth Rehabilitation Center (YRTC) and Out-of-Home Placement (OOHP) Workgroup

Update to the Juvenile Services Committee

November 8, 2016

The YRTC and OOHP Workgroup was convened to review and refine recommendations related to the YRTC and juvenile justice out of home placements from 2013. These 2013 recommendation are available for review at Appendix A. A listing of the group's members and representation is available at Appendix B.

Future of YRTCs and Regional System

This Juvenile Services Committee has consistently recommended a move to a regionally based model, similar to Missouri's regional model. Since the initial creation of this recommendation legislation has changed the structure of the Office of Juvenile Services and the Administrative Office of Probation, as well as admission criteria for the YRTCs. The YRTCs daily population has decreased and the current YRTC structure is able to meet the needs of the youth. The costs of establishing additional YRTC like facilities across the state are not supported by the number of youth that need YRTC services. If Nebraska were to create additional YRTC facilities, it would be costly and potentially increase the number of youth in YRTC placements.

The group proposes the current YRTCs continue to run and explore the feasibility of community developed services created across Nebraska to serve the needs of youth in their communities, prevent youth from needing to leave the community for treatment, and reintegrate and transition youth back into the communities in a way that is safe for the youth and the community.

The group identified a need for state run front-end placement services that are no eject no reject, including mental health facilities and treatment group homes that will address the youth's risk level and prevent further contact with the juvenile justice system. These services should be available across the state at equally located geographic sites. The service should reflect the needs of the community and the gaps in currently available services.

Proposed 2016 Recommendations:

1. The Committee does not recommend that the YRCTLs be closed, nor does the Committee recommend that the YRTCs be replicated in additional regions across the state.
 - a. The number of YRTC youth has decreased, and the current population does not support the cost of creating and staffing additional facilities across the state.
2. Action should be taken to explore the feasibility of regional community developed, state owned and/or contracted facilities or service centers to serve young people prior to and after YRTCs.
 - a. These services could be created equally across the state of Nebraska. These services should address the service gaps that exist in the communities they serve. Each community will have different service gaps and needs.
 - b. Services would have no eject/no reject policies to serve youth in their communities.

Level Five Youth

Both YRTC-G and YRTC-K provide specified cottages, specifically Dickson Cottage at YRTC-K and LaFlesche Cottage at YRTC-G, which allow high-risk youth to access treatment in a highly structured environment. These cottages are intended to provide short-term placement and reintegrate youth back into the YRTC's general population as soon as it is safe to do so. These cottages offer level five youth a highly structured environment, individualized counseling and behavior management, and are intended to be short term to allow youth a safe space to work towards reintegrating. Most youth who need a highly structured environment are in a crisis and re-integrate into the YRTC's general population following stabilization. At any given time in YRTCs there is an extremely small population (reported to be approximately five youth at any given time) of level five youth who are in need of a highly structured environment on a more long term basis.

Proposed 2016 Recommendations:

1. Legislative changes and creation of a new facility are not necessary to meet the needs of high-risk juvenile law violators in a highly structured treatment facility.
2. Placing the level five youth in need of a long-term highly structured environment in an urban area is not recommended at this time.
 - a. A facility already exists on the YRTC campuses to meet the needs of the youth.
 - b. Placing this facility in an urban area would increase the number of youth who go missing from care.
 - c. Allowing these youth to remain in the YRTC campus would enhance the treatment by allowing youth to remain in a familiar place and have contact with familiar people. The continuity of care will allow youth to feel safe enough to begin addressing their issues.
3. This facility cannot be woven into any potential regional system, as the number of youth who require this service is too small to support more than one facility.
4. Address gaps in community services for level five youth who are aging out of their placements. See section on Service Gaps for more information.

Staffing

The key to successful treatment and rehabilitation is the direct care staff that work closely with the youth. Smaller staffing ratios allow staff to create safe and trusting relationships with the youth, which allows youth to change and accept treatment. The facilities must be staffed at a ratio that ensure that youth are physically, emotionally, and mentally safe, youth are able to build safe relationships with caring adults, and takes into account the safety, vicarious trauma, and potential for burn out of the staff. Staff must also be adequately compensated to recruit and retain skilled and competent workers.

Proposed 2016 Recommendation:

1. The Office of Juvenile Services should be adequately funded to pay staffing for the population of youth in the YRTCs. The attached current staffing analysis recommends [ratio].

New Law Violations while in YRTC Placement

The group has identified a need to create a process that holds youth who are currently in the YRTC and commit a new law violation accountable. While the YRTC staff report new violations to law enforcement

and the county attorney, the youth may not receive any consequences since the youth is already involved in the juvenile justice system and at the highest treatment setting in the state. For many youth, remaining in the YRTC without further sanction is appropriate and allows them a chance to address their behavior within the treatment setting. However, there is a small population of youth who continue to offend and as they are in the most restrictive treatment setting, there are not additional consequences.

Clarification of Requirement to Exhaust Community Resources

In order for a youth to be placed at the YRTC, as per §43-286(1)(b)(ii), all levels of probation supervision and options for community based services have been exhausted and placement of the youth must be a matter of immediate and urgent necessity for the protection of the youth or the person or property of another, or if it appears that such juvenile is likely to flee the jurisdiction of the court. This has led to conflicting interpretation of the law, with some jurisdictions requiring that the youth exhaust placements that are out of state prior to commitment at the YRTCs. Reducing out-of-state placements should be a priority, and the state should be required to show that the services available in the out-of-state placement are not available in state, including through commitment at a YRTC, prior to an out-of-state placement.

Proposed 2016 Recommendation:

1. Legislation should be created that clarifies that youth do not need to be placed out of state to have exhausted all community resources prior to a placement at a YRTC.