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COMMISSION ON LAW ENFORCEMENT
AND CRIMINAL JUSTICE

MEMORANDUM

To: Community-based Juvenile Services Aid (CBA) Subgrantees
From: Nebraska Crime Commission
cc: Nebraska Coalition for Juvenile Justice Grant Review Committee
Date: September 17, 2018
Re: Use of Electronic Monitoring with CBA Funds

Effective immediately, the use of Community-based Juvenile Services Aid funding shall only be used for electronic monitoring when statutorily allowed as an alternative to detention.

According to NRS 43-245(3), "[a]lternative to detention means a program or directive that increases supervision of a youth in the community in an effort to ensure the youth attends court and refrains from committing a new law violation. Alternative to detention includes . . . electronic monitoring . . ."

"[A] standardized juvenile detention screening instrument shall be used as an assessment tool statewide by probation officers . . . in order to determine if detention of the juvenile is necessary and, if so, whether detention or an alternative to detention is indicated. . . Only duly trained probation officers shall be authorized to administer the juvenile detention screening instrument." (NRS 43-260).

"No juvenile who has been taken into temporary custody under subdivision (1)(c) of section 43-250 . . . shall . . . be subject to an alternative to detention infringing upon the juvenile's liberty interest for longer than twenty-four hours, excluding nonjudicial days, after having been taken into custody unless such juvenile has appeared personally before a court of competent jurisdiction for a hearing to determine if continued detention, services, or supervision is necessary." (NRS 43-253(3)).

Community-based Juvenile Services Aid funding shall not be used for electronic monitoring other than a probation officer placing the youth on an alternative to detention in a statutorily allowed manner or a court ordered preadjudicated service.

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