

1/15/2019 10:57am Hemville  
From Commissioner Boyle.

Received  
January 8, 2019



December 3, 2018

Douglas County Commissioners  
1819 Farnam Street  
Omaha, NE 68138

Dear Commissioners,

Douglas County has a once in a lifetime opportunity to radically change the trajectory for youth in our community. As we know, too many adolescents are prosecuted in the juvenile justice system, which is neither designed nor equipped to meet their needs or set them up for success. Minority youth are disproportionately represented in our juvenile justice system. The relocation and transformation of the proposed Juvenile Justice Center (the "Center") gives us the opportunity to do better. When there are adequate community resources and services, youth and their families are generally best served in their communities. This is something we should strive for.

The Sherwood Foundation ("Sherwood") is prepared to commit to the following funding: 1) five million dollars toward the building of the Center plus 2) five million dollars toward the ongoing programmatic portion of the Douglas County juvenile justice system. This funding should be a catalyst to create a system of best practices and hopefully greatly enhance the outcomes for our community's youth. While change is hard, it would be a missed opportunity to not push the bounds of reform. Sherwood's financial support is premised on the assumption that recognized and published best practices are utilized in both the construction of the Center as well as during the implementation of the programmatic and process elements.

National best practices dictate detention is intended to be a temporary, not long term, placement. Detention facilities should have a trauma-informed design. The current facility should not be used to detain adolescents again once the new facility is built.

Sherwood's funding is dependent upon the following elements (taken directly from The Juvenile Justice System Assessment and Courts Space Needs Study, Chinn Planning, 2017) being included as part of the final Center design:

1. No more than 48 beds, in a facility that is non-institutional and reflects a trauma informed environment.
2. Functional green space and an outdoor recreation area for the youth to utilize. Youth have adequate access to physical recreation opportunities, as well as access to fresh air in secure courtyards off of the housing unit.

*Segregated*



3. Small housing units (8-12 youth), single user showers/toilet rooms (1 per resident), and single occupancy sleeping rooms.
4. Access to abundant natural light.
5. Central dining.
6. Extensive program opportunities (education, treatment, visitation, recreation).
7. Very limited and closely monitored use of any form of isolation or room confinement.
8. Direct supervision staffing ratio of 1:8 (day) and 1:16 (night) to comply with Prison Rape Elimination Act (PREA) standards.
9. Incorporation of American Correctional Standards (ACA) Standards and other Youth Residential Facility Standards.
10. Beach-head offices for community groups, volunteers, social workers, schools, etc.
11. Co-location of the juvenile detention facility with the courts.
12. Courtrooms with a trauma-informed design that allow for multiple tables.
13. Conference rooms for meetings with clients and attorneys, social workers, counselors, and families.
14. Child-friendly waiting rooms that are in close proximity to the courtrooms and are large enough for separation of parties, with a separate area for victim-witnesses.
15. Multi-lingual/multi-cultural signage and resources.
16. Space to accommodate restorative justice practices.

As important as the building, implementing best practices in the operation of the Center is crucial. The programming and policy funding portions of our Grant are dependent upon implementation of the following:

1. Douglas County adopts an appropriate vision and mission statement for the Juvenile Justice system.
2. A Juvenile Justice deputy, supervisor or similar person is hired to oversee all aspects of juvenile justice for which the County is responsible.
3. Douglas County commits to eliminating disproportionate minority contact by way of adoption of the disproportionate minority contact (DMC) plan as updated annually by the Juvenile Detention Alternatives Initiative (JDAI) / Operation Youth Success (OYS) DMC Equity committee.
4. Stakeholders in the system have annual training on, among other items, implicit bias, DMC best practices, and the latest trauma-informed practice.
5. Douglas County and all relevant parties enter into—and adhere to—a Case Processing Agreement as produced collaboratively by the JDAI Case Processing committee.
6. Douglas County develops—and adheres to—written diversion guidelines that include prompt determination of diversion eligibility by incorporating and adapting the guidelines from the National Council of Juvenile and Family Court Judges Juvenile Delinquency Guidelines. This



includes a simple screening tool, increased efforts to engage families, and as necessary, increased staff.

7. There is a separate group composed of attorneys from the Public Defenders' office and Douglas County Attorneys who have received specialized training in juvenile justice, adolescent brain development, and up-to-date training for rehabilitative practices. A dedicated group of public defenders and prosecuting attorneys should be assigned to juvenile court cases.
8. Douglas County develops or has access to programming designed to be responsive to special needs populations including those who need immediate psychiatric care, victims of human trafficking, LGBTQ and immigrant populations, among others.
9. In order to be consistent with other jurisdictions, for statistical purposes and ensuring accurate population information, Douglas County Youth Center (DCYC) will count all kids who enter the doors, regardless of the length of their stay.
10. A review process for detention stays is developed and put into place (the review occurs every seven to ten days).

As noted, these construction and operational elements are not unique – all are best practices currently being utilized successfully in other jurisdictions. These elements are prerequisites for Sherwood's funding. If you choose to not adopt them, we wish you nothing but success and are hopeful your alternative approach works.

Sincerely,

Kerri R. Peterson  
Director of Urban Initiatives  
The Sherwood Foundation