



STATE OF
NEBRASKA
JUDICIAL BRANCH

Office of Dispute
Resolution

Victim Youth Conferencing Evaluation

July 2019 - June 2020

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

Prepared by Alisha Caldwell Jimenez, M.A., J.D.
ODR Restorative Justice Program Analyst

Table of Contents

Executive Summary	4
Background:	4
Evaluation Purpose:	4
Methodology:	4
Limitations:	4
Total VYC Cases:	5
VYC Participant Outcomes:	5
Expansion of Counties Served:	5
Discussion:	5
Collaborative Partners	6
Overview and Background	7
VYC Pilot (FY 2015-2016) and Pilot Extension (FY 2016-2017)	7
VYC Enhancement Initiative FY 2017-2019	7
<i>Success Indicators for Goal 1 – Expanding the Use of the VYC in all Six ODR Regions</i>	7
<i>Success Indicators for Goal 2 – VYC Training and Education Outcome</i>	8
<i>Success Indicators for Goal 3 – Organizational Capacity Building Outcome</i>	8
Evaluation Framework	8
Evaluation Design	8
Process Evaluation	9
Limitations	9
VYC Outcomes: July 1, 2019 to June 30, 2020	11
Goal 1: Expanding the Use of the VYC in all Six ODR Regions	11
Increase in Counties Served	11
Referral sources: Pre-Diversion to Probation	12
Referrals by Source Type, Region, and Tier	12
VYC Participant Outcomes	13
Participant Post-VYC Evaluation Survey	14
Persons Harmed and Their Participation in VYC	16
Youth as Surrogates for Youth Harmed	17
Reasons for Youth Not Participating	17
Parent Involvement	18
Other Youth Demographic Data	18
Types of Offenses	20

Goal 2: VYC Training and Education	21
Goal 3: VYC Capacity Building and Sustainability	22
Diversified Funding Sources	22
Partnerships and Political Support	22
Conclusion and Future Directions	24

Table of Figures & Tables

Figures

Figure 1. Number of Counties Served by Fiscal Year (2015-2020)	11
Figure 2. Referral Tier Changes for Past Three Fiscal years (2017-2020).....	12
Figure 3. Referral Sources During Present Fiscal year (2019-2020)	12
Figure 4. Referrals by Region and Tier (N=285).....	13
Figure 5. Participant Outcome Measures for 2019-2020 Fiscal Year	13
Figure 6. Post-VYC Survey Respondents by Category	14
Figure 7. Participant Post-VYC Survey Response: Overall, how satisfied are you with the conference?	14
Figure 8. Post VYC Survey Responses Measuring Participant Agreement	15
Figure 9. Post VYC Survey Responses Measuring Participant Satisfaction.....	15
Figure 10. Type of Conference Held (N=217)	16
Figure 11. Number of Referred Youth Who Did Not Participate in VYC (N=71)	17
Figure 12. Number of Cases that Did Not Result in VYC by Center (N=63)	17
Figure 13. Number of Referred Youth's Parent Participation across Total Cases (N=290)	18
Figure 14. Race/Ethnicity of Referred Youth (N=288).....	18
Figure 15. Reported Family Annual Income	19
Figure 16. Reported Family Size (Based on Primary Place of Residence)	19
Figure 17. Types of Offenses by Percentage of Total (N=288)	20
Figure 18. New Facilitator Training Survey Responses.....	21
Figure 19. Percentage of Each VYC Funding Source as Reported through Caseload Manager.....	22
Figure 20. Government Funding Source by Mediation Center as Reported through Caseload Manager.....	23

Tables

Table 1. Number of Counties Served per Region (2017-2020).....	11
Table 2. Number of Persons Harmed by Category	16
Table 3. Number and Type of Offenses Referred for VYC	21

Executive Summary

Background: The Office of Dispute Resolution (ODR) within the Administrative Office of the Courts and Probation (AOCP), Nebraska Judicial Branch, initiated the Juvenile Victim Youth Conferencing (VYC) program to respond to the number of youth negatively impacted by deep immersion into the juvenile justice system. The program pilot was implemented in partnership with the ODR-approved mediation centers in the 3rd, 4th, and 12th judicial districts from March 2015 through July 2016, with an extension through 2017. The pilot showed promising results, including growth from 70 VYC cases in year 1 to 142 VYC's held in year 2. Finally, initial examination of the data showed promisingly low rates of recidivism, with only 16% of youth recidivating.

In January 2018, VYC expanded statewide—offering VYC through all 6 regional mediation centers with funding provided by The Sherwood Foundation. During the first two fiscal years (2017-2018 and 2018-2019), VYC's were held with 381 youth out of 487 referred cases. During prior years, the total number of cases included cases opened prior to the target fiscal year period, that were closed during the report period, and cases that were opened and closed during the report period; however, totals did not include cases opened during the report period that were still open at the conclusion of the reporting period.¹ The present report reflects the updated measurement based on the cases closed during the 2019-2020 fiscal year.

Evaluation Purpose: Following a strategic planning process, the evaluation team and partner organizations identified the VYC theory of change: Victim Youth Conferencing as a restorative justice intervention that ultimately reduces 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 design framework is non-experimental in nature and addresses 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 what system changes will lead to improvements as well as sustainability. Impact questions focus on what is different as a result. Qualitative and quantitative analyses examine short-term goals and outcomes during fiscal year 2019-2020.

Limitations: During the 2019-2020 fiscal year, the COVID-19 pandemic added challenges in a variety of ways. In response to the COVID-19 pandemic, the centers promptly adjusted the delivery of services to accommodate social distancing by shifting from in-person to video-call options, allowing for more flexibility and less burden on families by meeting them where they are and reducing the barriers to participation (e.g., taking time off work, transportation, childcare). The increased use of technology allowed some centers to better overcome the challenges associated with serving very large service areas, for instance Nebraska Mediation Center, Central Mediation Center, The Resolution Center, and Mediation West.

¹ Since the VYC Pilot, the definition of VYC cases to be included in annual outcome reporting has changed, so data for 2019-2020 is not directly comparable to previous years. Total VYC cases in previous reports included all cases for which VYC conferences were held, both those that had been closed during the report period and those still open at the end of the fiscal year.

Total VYC Cases: During the 2019-2020 fiscal year, the mediation centers received a total of 290 VYC case referrals, of which 217 (74.8%) resulted in an actual VYC conference.

VYC Participant Outcomes: Program success was measured against three primary short-term success indicators derived from the program pilot findings: 1) 95% will result in a reparations agreement, 2) 95% of reparations agreements will be fulfilled, and 3) 97% of participants will report satisfaction with the VYC process. Results are demonstrated in the graphic below.

Success Indicator 1: 95% of VYC's will result in a reparations agreement.

•Of 290 case referrals, 217 held a VYC. Of those 217 VYCs, 209 had a reparation plan (**96.3%**).

Success Indicator 2: 95% of reparations agreements will be fulfilled.

•Of the 209 with a reparation plan, **96.1%** successfully fulfilled all (180 of 209) or fulfilled at least half (21 of 209) of the plan. **<1%** of youth did not follow through (1 of 209) and **<1%** of youth were unreachable (1 of 209). Data was missing for 6 of 209 cases.

Success Indicator 3: 97% of participants (e.g., youth, their parents, those harmed and surrogates) will report satisfaction with VYC.

•**90.2%** of participants who completed a post-VYC conference survey reported being extremely satisfied (166 of 397) or satisfied (192 of 397) with VYC. **93.5%** (371 of 397) said they would recommend VYC for others.

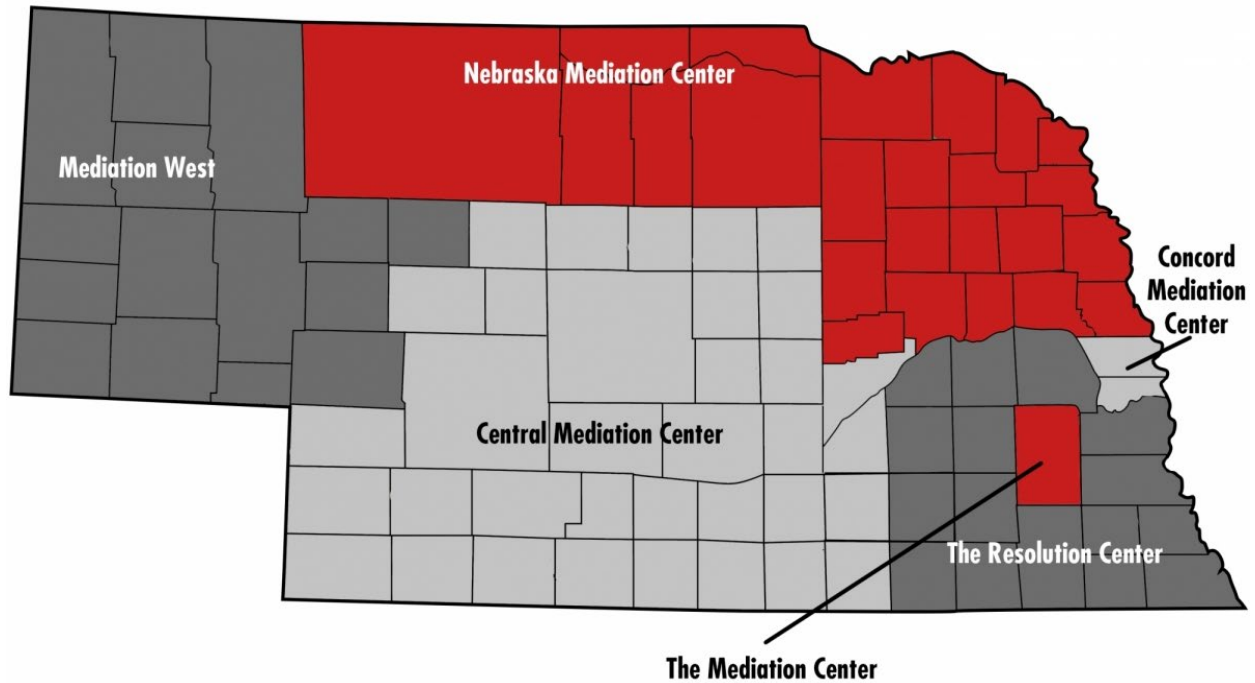
Expansion of Counties Served: During the 2019-2020 fiscal year, the centers served 15 independent counties across all 6 mediation regions. In previous years, an additional 11 counties have made referrals or expressed interest in making referrals, indicating as many as 26 total counties are ready for VYC. Three regions received referrals from counties which they had not previously served. Two of the three new counties had not previously used the VYC process, Cheyenne in Region 2 and Fillmore in Region 4, whereas one county had previously used the service of a center in another region.

Discussion: Nebraska mediation centers and their partners have stayed on course with the enhancement of VYC and have achieved intended goals statewide. Systems change has begun at all levels of government in a relatively short time. The descriptive data for VYC implementation indicate a number of areas for future evaluation, program development, and broader systems improvements.

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.

Mediation Center Regions*



Central Mediation Center Email: info@centralmediationcenter.com	OFFICE: Kearney; (308)237-4692 & (800)203-3452 Website: www.centralmediationcenter.com
Concord Mediation Center Email: contact@concord-center.com	OFFICE: Omaha; (402)345-1131 Website: www.concord-center.com
The Mediation Center Email: info@themediationcenter.org	OFFICE: Lincoln; (402)441-5740 Website: www.themediationcenter.org
Mediation West Email: info@mediationwest.org	OFFICE: Scottsbluff; (308)635-2002 & (800)967-2115 Website: www.mediationwest.org
Nebraska Mediation Center Email: nmc@nebraskamediationcenter.com	OFFICE: Fremont; (402)753-9415 & (866)846-5576 Website: www.nebraskamediationcenter.com
The Resolution Center Email: info@theresolutioncenter.org	OFFICE: Beatrice; (402)223-6061 & (800)837-7826 Website: www.theresolutioncenter.org

**Note: Each center serves their entire region and travels beyond their office location.*

Overview and Background

The Office of Dispute Resolution (ODR) within the Administrative Office of the Courts and Probation (AOCP) of the Nebraska Judicial Branch, initiated the Juvenile Victim Youth Conferencing (VYC) Pilot to respond to the number of youth negatively impacted by deep immersion into the juvenile justice system.

VYC Pilot (FY 2015-2016) and Pilot Extension (FY 2016-2017)

In March 2015, The Sherwood Foundation granted ODR partial funding to initiate the VYC Pilot in the 3rd, 4th, and 12th judicial districts. The University of Minnesota's Center for Restorative Justice and Peacemaking developed program protocols and conducted an external evaluation of program outcomes. The VYC pilot was extended for another year, through July 2017 and showed promising results, including growth from 70 VYC cases in the initial year to 142 VYC's held in the extension year. Following the pilot, strategic planning was carried out for statewide expansion.

VYC Enhancement Initiative FY 2017-2019

In January 2018, VYC expanded statewide—offering VYC through all 6 regional mediation centers with a significant portion of funding provided by The Sherwood Foundation. A total of 159 VYC conferences were held during the 2017-18 fiscal year and 222 VYC conferences during the 2018-19 fiscal year. During prior years, the total number of cases included cases opened prior to the target fiscal year period, that were closed during the report period, and cases that were opened and closed during the report period; however, totals did not include cases opened during the report period that were still open at the conclusion of the reporting period. It is important to note that the evaluation of FY2019-2020 reflects an updated measurement based on the cases closed during the 2019-2020 fiscal year.

During the first two fiscal years (2017-2018 and 2018-2019), VYC's were held with 381 youth out of 487 referred cases. Of the 487 VYC referred cases, the majority of cases 67.5 % (n=329) identified as male, 31.2% (n=152) identified as female, and gender was not reported for 22 youth. The mean age was 15.24 years (SD = 1.67), with a range from the youngest being 9.6 years old to the oldest being 18.8 years old. The largest demographic of youth identified their race as White (48.3%), while 15.8% identified as Black or African American, 10.2% Hispanic/Latino, <1% Asian, <1% Native Hawaiian or Pacific Islander, 1.6% American Indian or Alaska Native, <1% as mixed race and 9.6% other. For 12.7% racial and/or ethnic group was reported as unknown or not reported. The cases included 350 victims, of which 148 were youth, 86 adults, and 80 were cases involving mutual assault.

The prior evaluation years revealed three primary success indicators for the VYC expansion period. For each of the indicators below, the evaluators identified several short-term and long-term measures that benchmark minimum target success. Review of each success indicator varies year to year, but all short-term and long-term will be addressed in the cumulative report at the end of the grant period.

Success Indicators for Goal 1 – Expanding the Use of the VYC in all Six ODR Regions

The total number of youths, parents/guardians, and those harmed coming together for VYC will increase statewide. Measurable indicators of success should include the three short-term and one long-term measures below:

- 95% of VYC's result in a reparations agreement,
- 95% of reparations agreements are fulfilled,
- 97% of youth, their parents, those harmed and surrogates report satisfaction with VYC, and
- 82% of youth will not recidivate within one year of VYC.

Success Indicators for Goal 2 – VYC Training and Education Outcome

Training and education provided to 24 VYC facilitators, 24 surrogates, 6 to 12 highly-skilled facilitators to become regional trainers of VYC, and 24 key stakeholders to serve as potential referral sources. Measurable indicators of success should include:

- 90% of new trainers are confident in their ability to provide restorative justice and VYC training,
- 90% of people trained as facilitators are confident in their ability to conduct VYC's, and
- 20% of people trained as VYC facilitators and surrogates are from communities of color and other under-represented populations.

Success Indicators for Goal 3 – Organizational Capacity Building Outcome

The third goal of the VYC Enhancement Initiative is to build the capacity of ODR and the six regional mediation centers to advance and sustain VYC as a youth restorative prevention and intervention strategy. Indicators of success should include:

- 85% of VYC's are held within 60 days of referral as an indicator of capacity,
- The number of referrals received either meet or exceed projections, and
- ODR and six regional mediation centers each secure at least one new source of funding for VYC.

Evaluation Framework²

The VYC Enhancement Initiative evaluation plan was developed with the engagement of ODR and mediation center directors following the results of the VYC pilot project in three Nebraska judicial districts and a sustainability planning process to expand statewide. 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 subsequent 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 2019-2020.

Evaluation Design

A non-experimental evaluation design is guided by descriptive, normative and impact questions. Still in the early implementation stages of development, the 2019-2020 fiscal year evaluation of the VYC Enhancement Initiative aims to deepen understanding of VYC impact and those who are benefiting from participation, while surfacing questions and gaps in knowledge for future inquiry.

Qualitative and quantitative evaluation methods, which are aligned with output and outcome measures specified in the VYC Enhancement Initiative Logic Model,³ are utilized to document the degree to which intended results are achieved. 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. Since the VYC Enhancement Initiative is a systems change model, the expectation is for ODR and mediation centers to be in an ongoing process of implementation, evaluation, reflection, and positive change.

Outcome Evaluation

² Adapted from Blevins, J. (2019). *Victim Youth Conferencing Evaluation Report: July 2018 - June 2019*. Updated to reflect 2019-2020 process. Retrieved November 1, 2020, at https://supremecourt.nebraska.gov/sites/default/files/Nebraska_VYC_Eval_Report_2018-19_Final.pdf

³ Available upon request through the Office of Dispute Resolution.

Descriptive data for the VYC outcome evaluation is tracked through the Caseload Manager data management system utilized by ODR and mediation centers. Due to the confidential nature of the VYC data, the evaluator receives anonymous data, whereby ODR redacts VYC case data, eliminating uniquely identifying information, and assigns a new ODR-generated unique identification number. Supplemental data for impact measures that are not VYC case-specific is provided directly from the mediation centers to the evaluator.

Post-VYC Evaluation Surveys for Satisfaction and Procedural Justice

Post VYC conference surveys with structured questions using a 5-point Likert scale, from strongly agree to strongly disagree, are self-administered at the end of a VYC conference. Surveys also include two open-ended questions for respondents to freely share their perspectives. Surveys are provided to youth and their parents, those harmed, support people, 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 are designed for the following measures.

- Implementation 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 those harmed and youth based on participation in VYC.

Process Evaluation

ODR and the mediation centers, along with the evaluator, are engaged in process evaluation through regular conference call meetings to discuss program activities, progress made, and areas for improvement.

Limitations

The ODR and the mediation centers are dedicated to the success and longevity of the VYC program. The center directors and their staff are committed to providing the program as a service to the youth within their service areas in an effort to reduce youth contact with deeper parts of the justice system. However, the centers did have to overcome some challenges.

Centers continue to grow referral sources as referrals from the courts have slowed in some areas over the course of the program. Centers have increased outreach to school and community partners. As a result some centers extended resources to develop contacts and optimize the referral process. As centers' referral sources expand, so does the program's adaptability to the specific needs of each service area. Centers continue to adjust to meet the needs of stakeholders, and must balance this need with fidelity to the VYC's restorative nature.

The importance of youth victim surrogates has become more apparent over time. They add significant value to the process when the actual victim is unable/unwilling to participate. Consequently, all centers have increased efforts to recruit and train a variety of youth surrogates. What has also become clear is that many cases do not have a clear cut "victim" and "offender" party. When both parties are youth, it is common that each have caused harm and experienced harm. As a result, facilitators are careful in the terminology they use with actual participants, despite how the individuals have been labeled in the case management system or by the referral source.

The COVID-19 pandemic has added challenges in a variety of ways. In response to the pandemic, the centers promptly adjusted the delivery of services from in-person to video-call options, allowing for more flexibility and less burden on families by meeting them where they are and reducing the barriers to participation (e.g., taking time off work, transportation, childcare). The centers now provide various options for participation, such as Zoom, FaceTime, Go-To meetings, or conference calls. Another challenge presented by the pandemic is that some youth participants have had difficulty completing conditions of the reparations plans due to lost volunteer opportunities and/or job loss. Consequently, long-term restitution agreements can be difficult to maintain with youth. Thus, some facilitators have had to revisit the terms of the reparations agreement, including, for example, timeline, size of payment, and payment increments.

Additionally, centers developed processes and training to conduct virtual intakes, individual preparation meetings, and conferences using the various online video conference platforms. Furthermore, key forms and surveys were converted to electronic formats to ensure fidelity to the process and reporting needs. This format also supported client access to forms by making essential materials available electronically when in-person meetings are not possible. The increased use of technology has allowed some centers to overcome the challenges associated with serving very large service areas, including four of the six centers in covering 93 counties. Centers persistently remind referral sources of continued services, available funding for such services, and the ability to accommodate the need for social distancing through the aforementioned virtual avenues.

Unfortunately, the pandemic prevented ODR and the centers from carrying out the statewide educational goals desired for the 2019-2020 fiscal year. Additionally, in order to comply with state and national health guidelines, a statewide planning retreat to assess program progress, capacity building, and sustainability, was postponed until 2021.

VYC Outcomes: July 1, 2019 to June 30, 2020

Goal 1: Expanding the Use of the VYC in all Six ODR Regions

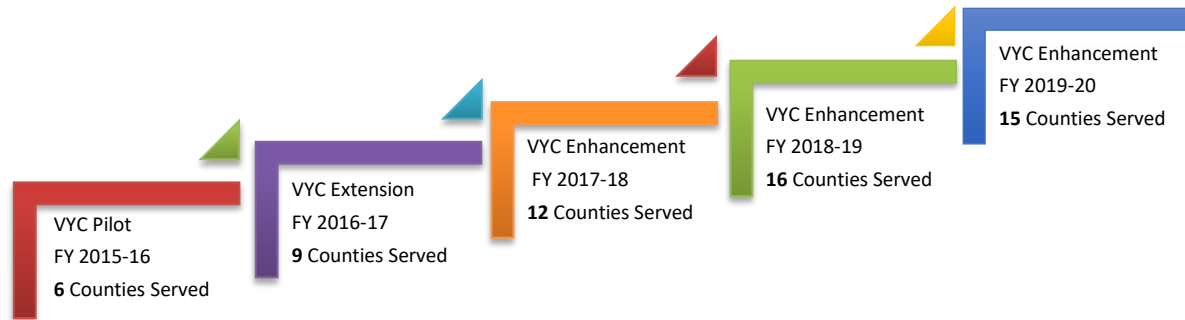


Figure 1. Number of Counties Served by Fiscal Year (2015-2020)

Increase in Counties Served

The first indicator of a successful VYC expansion is demonstrated by the increased number of unique counties served each fiscal year (see Figure 1). Three regions received referrals from counties which they had not previously served. Two of the three new counties had not previously used the VYC process, Cheyenne in Region 2 and Fillmore in Region 4. For the third new county, Gage County previously made referrals to The Resolution Center in Region 4, but during the 2019-2020 fiscal year,

Table 1
Number of Counties Served per Region (2017-2020)

County by Region and Center	2017-2018			2018-2019			2019-2020		
	Total Referred Cases	Total VYCs Held	% VYCs of Referrals During Fiscal Year	Total Referred Cases	Total VYCs Held	% VYCs of Referrals During Fiscal Year	Total Referred Cases	Total VYCs Held	% VYCs of Referrals During Fiscal Year
Region 1: Central Mediation Center									
Adams	15	14	93%	12	11	92%	15	14	93%
Buffalo	17	9	53%	22	17	77%	15	13	86%
Hall	-	-	-	2	2	100%	1	1	100%
Lincoln	1	1	100%	3	1	33%	-	-	-
Red Willow	-	-	-	3	0	0%	1	0	0%
Region 2: Mediation West									
Cheyenne	1	0	0%	-	-	-	1	0	0%
Keith	1	0	0%	1	1	100%	2	1	50%
Kimball	-	-	-	1	0	0%	-	-	-
Scotts Bluff	10	0	0%	16	11	69%	5	4	80%
Region 3: The Mediation Center									
Lancaster	142	120	85%	144	124	86%	139	116	82%
Region 4: The Resolution Center									
Fillmore	-	-	-	-	-	-	2	1	50%
Gage	-	-	-	7	3	43%	6	2	33%
Otoe	-	-	-	1	0	0%	4	2	50%
Saunders	3	0	0%	4	3	75%	3	3	100%
York	1	0	0%	1	1	100%	-	-	-
Region 5: Nebraska Mediation Center									
Dodge	8	0	0%	26	22	85%	37	22	58%
Gage	-	-	-	-	-	-	1	0	0%
Region 6: Concord Mediation Center									
Douglas	16	13	76%	25	23	92%	51	35	65%
Sarpy	1	0	0%	3	3	100%	3	2	67%

Gage County referred a juvenile to the Nebraska Mediation Center (NMC) in Region 5, because the juvenile resided in a county served by the NMC. For 4 case referrals no county was reported.

During the 2019-2020 fiscal year, the centers served 15 independent counties across all 6 regions, one less than the previous fiscal year. Over the years, another 11 counties have made referrals or expressed interest in making referrals, indicating as many as 26 total counties are ready for VYC. See Table 1 for a total of referred VYC cases by region, mediation center, and county during the expansion fiscal years; for four cases, county was not reported.

Referral sources: Pre-Diversion to Probation

Three distinct tiers refer to a youth’s point of access to VYC at the time of the referral. The VYC process is available to youth as early as pre-diversion (e.g., county attorney referral, school-based referral) and as late as post-adjudication (e.g., court-order, probation). Tier 1 cases include pre-court and pre-diversion cases typically by county attorneys, schools, and other local entities; Tier 2 includes court-diverted cases referred by county attorneys or courts at the pre-adjudicative stage; and Tier 3 cases include post-adjudicated cases referred by court order or by a probation order.

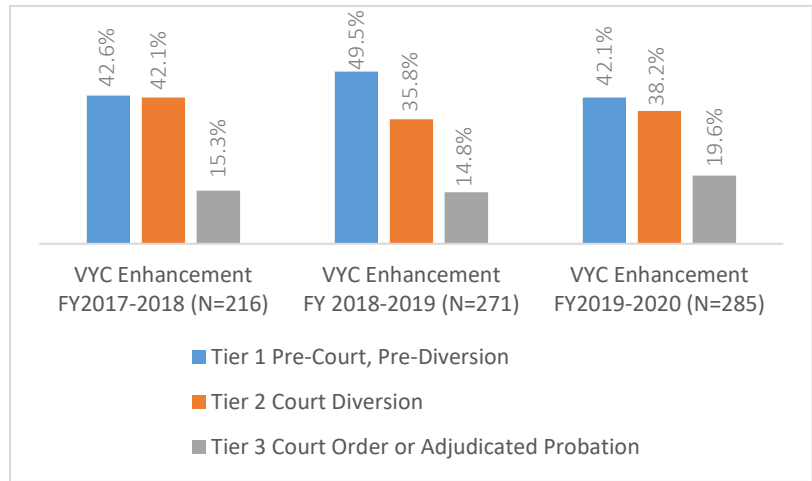


Figure 2. Referral Tier Changes for Past Three Fiscal years (2017-2020)

During the 2018-2019 fiscal year, Tier 1 cases experienced the greatest proportion of referrals, however, during the 2019-2020 fiscal year, Tier 2 and Tier 3 referral sources also saw increased referrals to the program. Figure 2 illustrates the shift in types of referrals over the course of the three-year expansion period based on the cases that reported case tier. During the 2019-2020 fiscal year five cases did not report case tier.

Referrals by Source Type, Region, and Tier

School-based referrals and Diversion referrals make up the greatest proportion of cases referred to VYC (See Figure 3). Five cases did not report referral source. When broken down by tier and

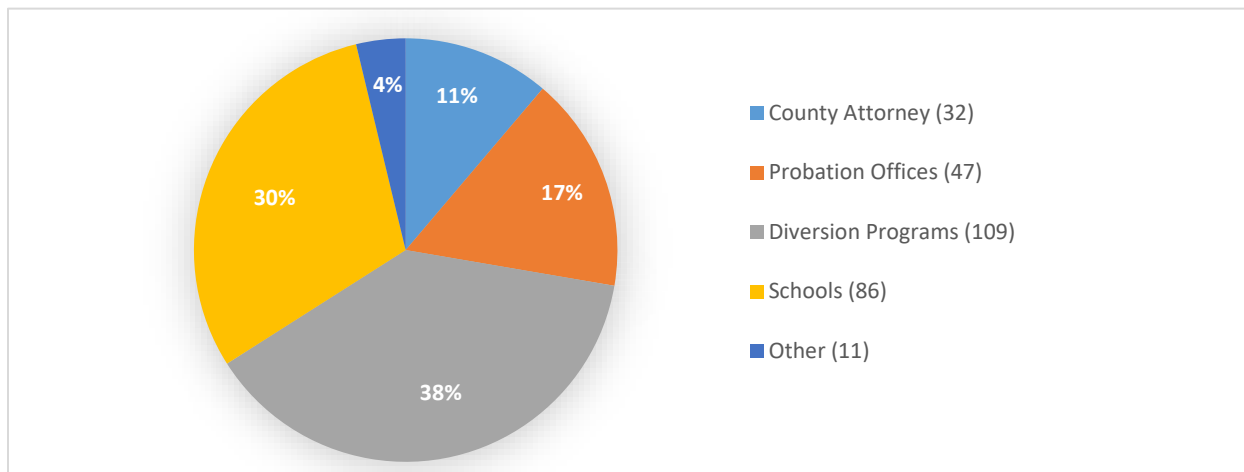


Figure 3. Referral Sources During Present Fiscal year (2019-2020)

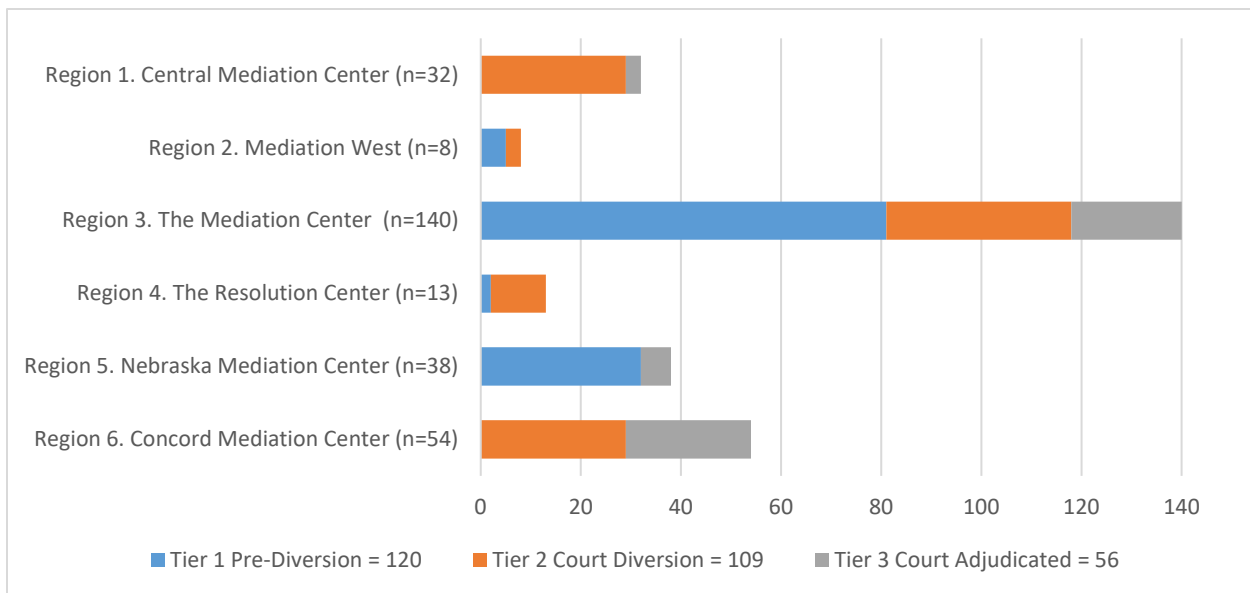


Figure 4. Referrals by Region and Tier (N=285)

mediation center, The Mediation Center located in Lancaster County reported the greatest diversity of referred cases across all three tiers (see Figure 4). Five cases did not report the tier level.

VYC Participant Outcomes

During the 2019-2020 fiscal year, 217 of the 290 referred cases resulted in a VYC conference. Commensurate with the findings during the 2015-2017 VYC Pilot, three measures served as success indicators. Success Indicators 1 and 2 were met and exceeded during the 2019-2020 fiscal year, however, Success Indicator 3 was not fully met (see Figure 5). Success Indicator 4 measuring recidivism is a long-term indicator that will be evaluated separately at the end of the grant period. Post-participation surveys revealed less than 97% of survey respondents reported satisfaction with the conference itself. However, due to the voluntary nature of the post-conference surveys, findings are

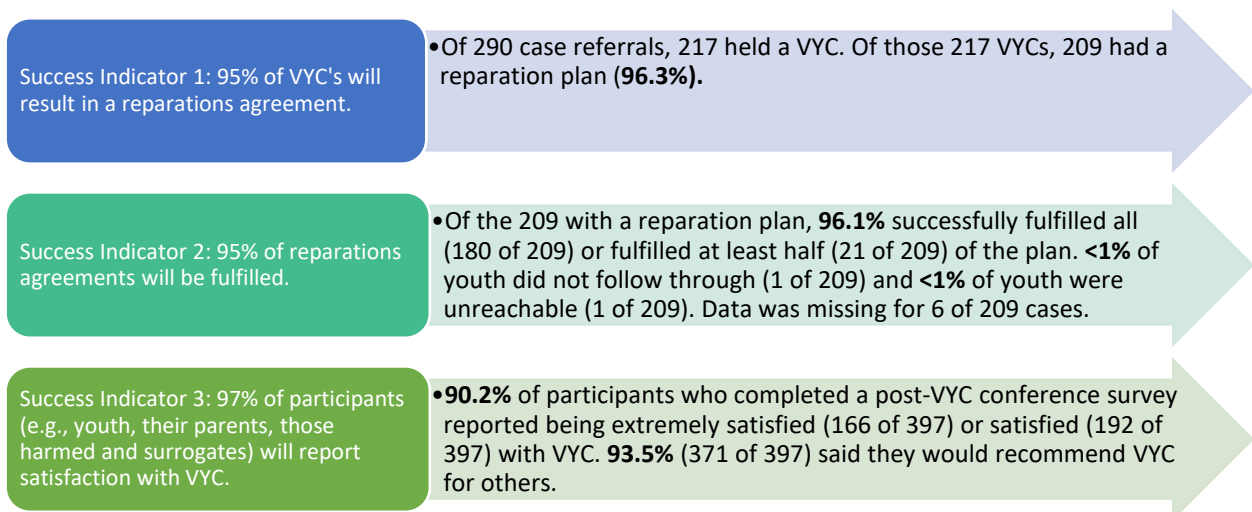


Figure 5. Success Indicators for 2019-2020 Fiscal Year

limited and therefore do not completely reflect the sentiments of *all* conference participants.

Participant Post-VYC Evaluation Survey

At the conclusion of each conference, all participants are offered an opportunity to participate in a confidential post-conference survey. Surveys are available to all participant types, including the referred youth, the harmed individual, parents/guardians of participants, surrogates, and support persons. Participants may complete the survey in paper form or online through the secure platform.⁴ The post-conference survey is completely voluntary and, as a result, not all participants choose to respond. Only 397 of 763 reported participants completed the post-conference survey. Furthermore, respondents are free to leave any items blank, and therefore not all respondents answered every survey question. Figure 6 displays the types of respondents who completed surveys. Seven individuals indicated “Other” as their role in the conference; these individuals include: an interpreter for the mother, a representative of the company harmed, the sister of a youth who caused harm, three support persons for youth who caused harm, and a facilitator.

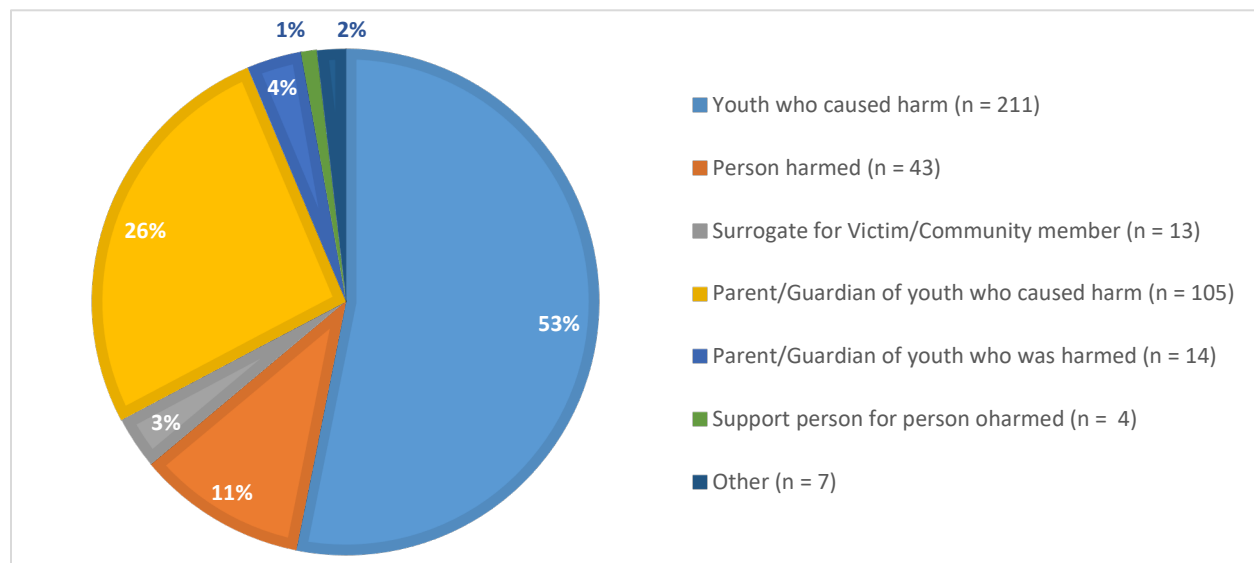


Figure 6. Post-VYC Survey Respondents by Category

The survey includes nine questions that examine participant satisfaction on several dimensions. The first question assesses participants’ overall satisfaction with the conference in which they just participated. Responses ranged from ‘extremely dissatisfied’ to ‘extremely satisfied.’ Figure 7 demonstrates the distribution of responses for overall satisfaction with the conference. Over 90% of VYC

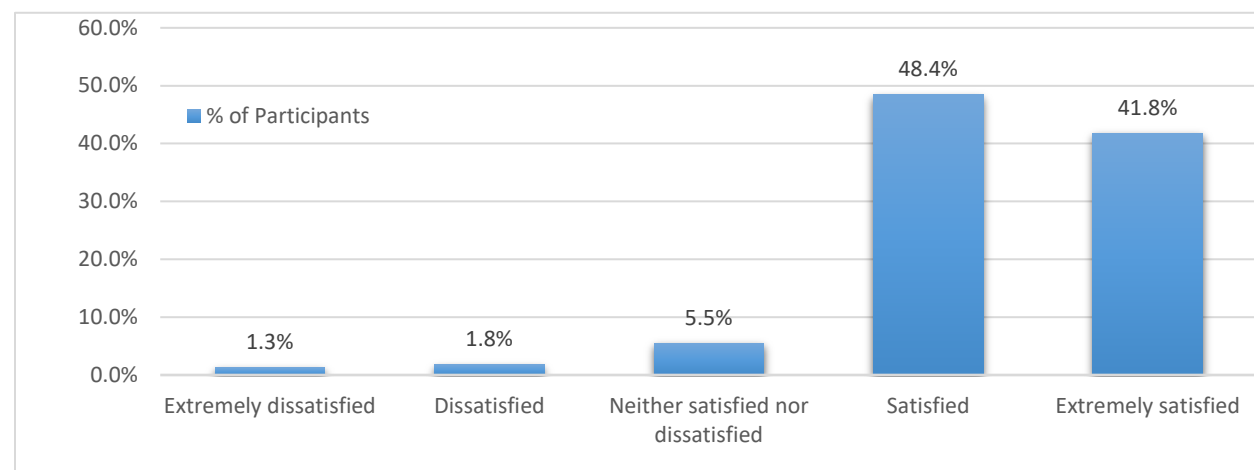


Figure 7. Participant Post-VYC Survey Response: Overall, how satisfied are you with the conference?

⁴ Qualtrics.com (2021). Qualtrics Online Survey Software. Retrieved from <https://www.qualtrics.com>

participants who completed the post-conference survey indicated they were either ‘satisfied’ or ‘extremely satisfied’ with the conference overall.

Two additional items examine participant satisfaction with the extent to which they were prepared by the facilitators for the conference and their satisfaction with the resulting reparations plan. Again, 90.2% of survey participants were either satisfied or extremely satisfied with the conference preparation and 90.1% of survey participants whose conference resulted in a reparations plan indicated they were satisfied or extremely satisfied with the reparation plan. See Figures 8 and 9 for an illustration of all responses.

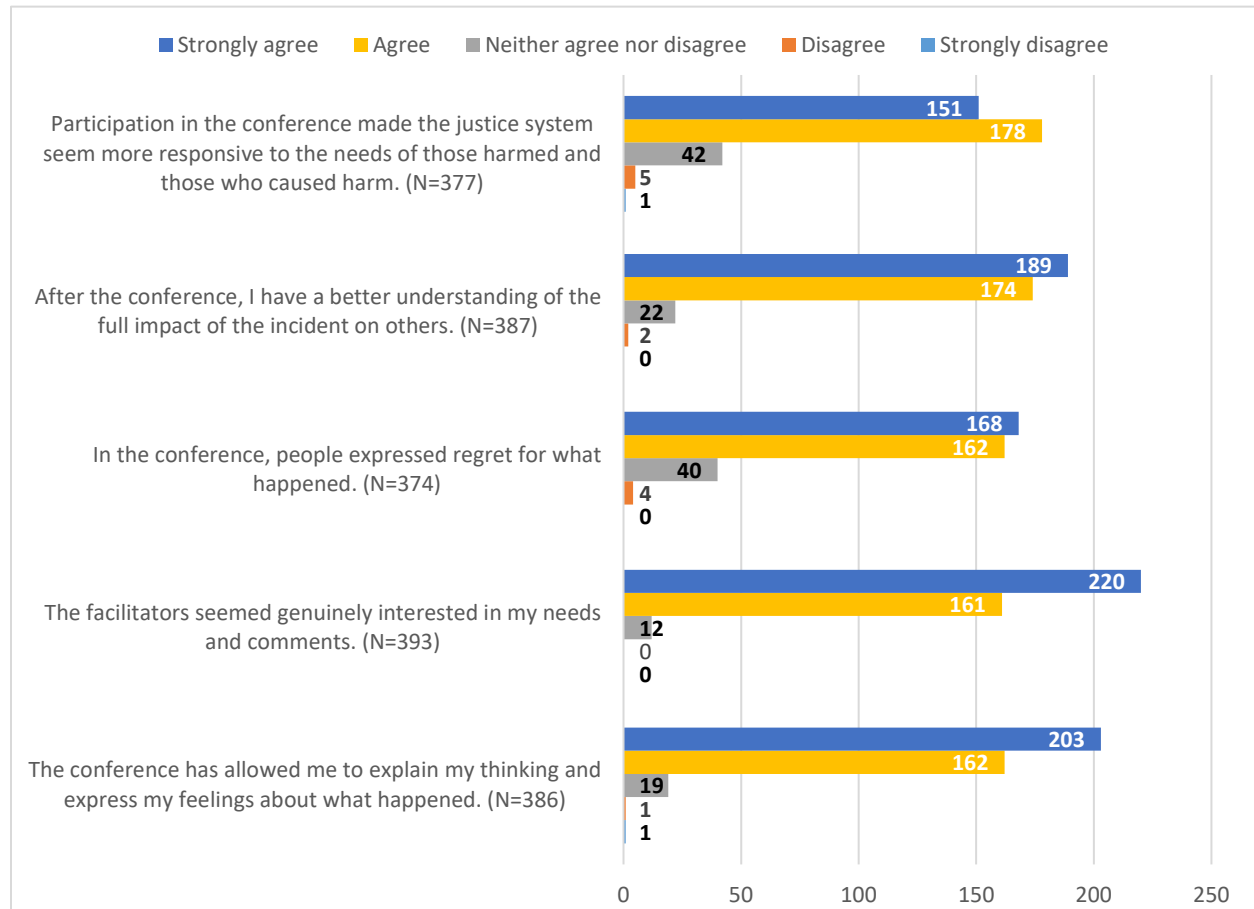


Figure 8. Post VYC Survey Responses Measuring Participant Agreement

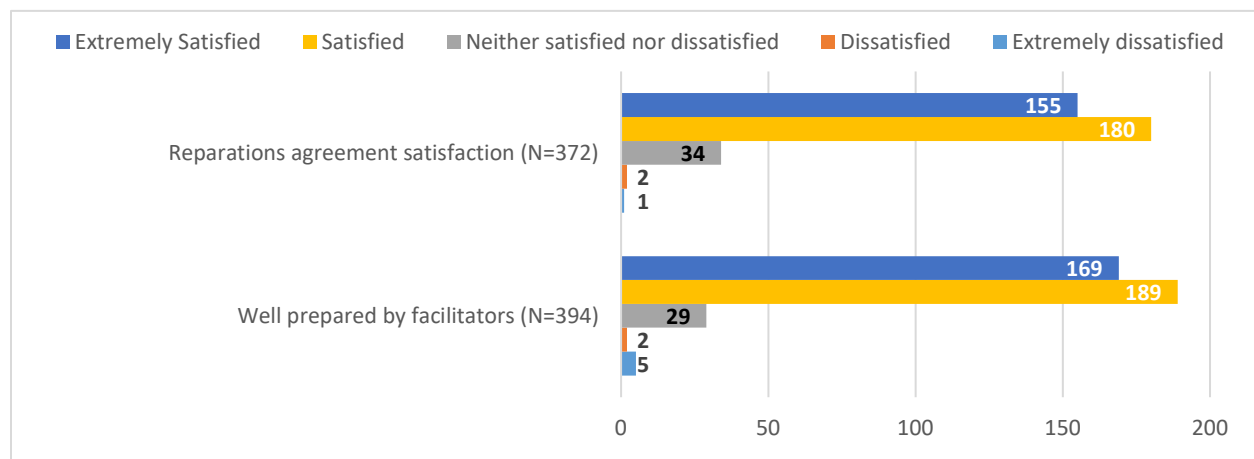


Figure 9. Post VYC Survey Responses Measuring Participant Satisfaction

Persons Harmed and Their Participation in VYC

Within one week of a referral, the mediation centers contact all parties to a case, including parents of minors. The referred youth and the harmed parties to the offense are invited to participate in the VYC conferencing process, however, participation is completely voluntary. During the 2019-2020 fiscal year, the centers reported 217 VYC conferences, made up of 765 reported participants, including both youth and harmed parties.

Harmed participants belonged to five general categories: youth under the age 19 (the age of majority in the Nebraska), adults, businesses or organizations, family members, and or school staff (see Table 2). Five of the cases that reported the type of persons harmed included more than one category of persons harmed. One case reported at least one youth and an adult as the persons harmed in the case. Another case indicated at least one youth and business/organization as the parties harmed in the case. And three cases identified at least one adult and business/organization as the parties harmed in the case. The type of person harmed was missing for 10 cases. Previously, stakeholders indicated referral sources do not always have access to information about those harmed or, in some cases, referral sources choose not to make it available to mediation centers.

Table 2.

Number of Participants Harmed by Category

Persons Harmed	N (Percent of total)
Youths under age 19	160 (55.2%)
Adults over 19 years	58 (20.0%)
Businesses or Organizations	36 (12.4%)
Family Member	16 (5.5%)
School Staff	10 (3.4%)
Not Reported	10 (3.4%)

Surrogates represented the perspective of those harmed in 60% of VYC conferences held. During the 2019-2020 fiscal year, 40% of VYC's included the youth meeting directly with the person harmed, which is consistent with the findings in the prior fiscal year. Relay conferencing with a surrogate occurred in 1% of the cases, see Figure 10. In a relay conference, the harmed individual does not directly meet with the youth who caused harm, but instead relays his or her comments to the facilitator prior to the day of the conference. On the day of the conference, the youth who caused harm meets with a victim surrogate and the facilitator relays to the youth the message expressed by the true harmed victim.

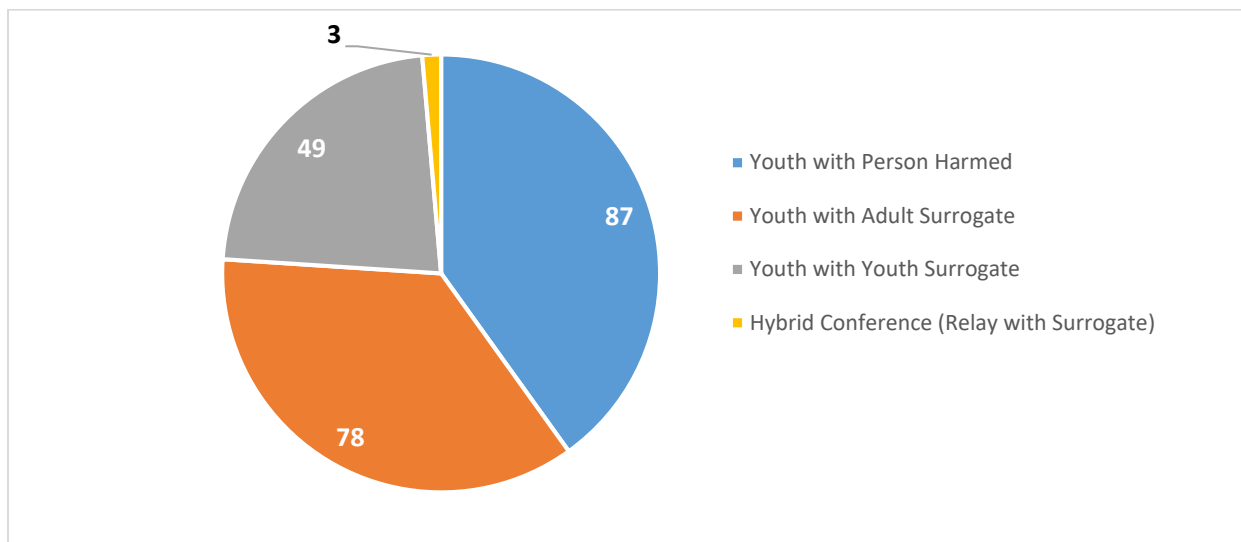


Figure 10. Type of Conference Held (N=217)

Youth as Surrogates for Youth Harmed

Surrogates were used in place of the harmed party in 130 of the VYC cases. While 55.2% of those harmed were other youth, the surrogates represent only 22.6% (n=49) of those youth who met with a youth surrogate, whereas 35.9% (n=78) met with adult surrogates. For the remaining relay conferences, the type of surrogate was not reported (n=3, 1.4%). In many of the cases involving youth, participants met with the actual harmed party and a surrogate was not needed (n=87, 40.1%).

Reasons for Youth Not Participating

Participation in a VYC program is completely voluntary for all parties, including the youth who caused the harm. Seventy-one of the referred cases did not result in a VYC conference (see Figure 11). Two cases did not report sufficient data to be included in the analysis. Of the 71 cases, 16 youth voluntarily declined participation in the VYC process, the centers were unable to reach 22 youth for further participation in the VYC process, and 11 youth were deemed inappropriate for participation. The referral source withdrew the youth in 14 cases prior to reaching the conferencing stage of the process.

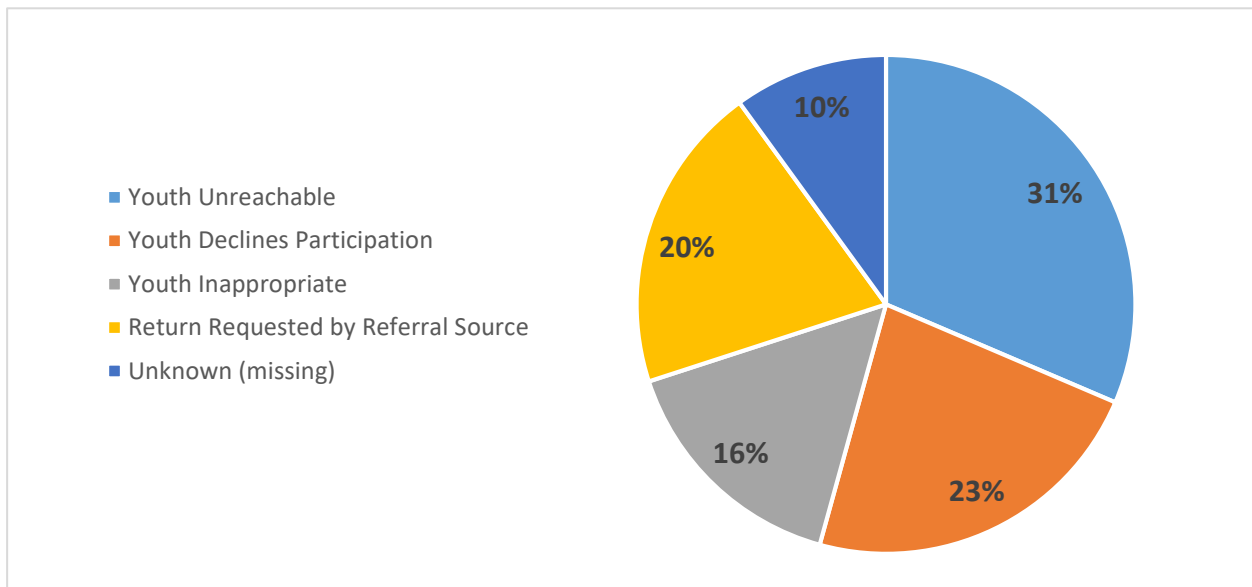


Figure 11. Number of Referred Youth Who Did Not Participate in VYC (N=71)

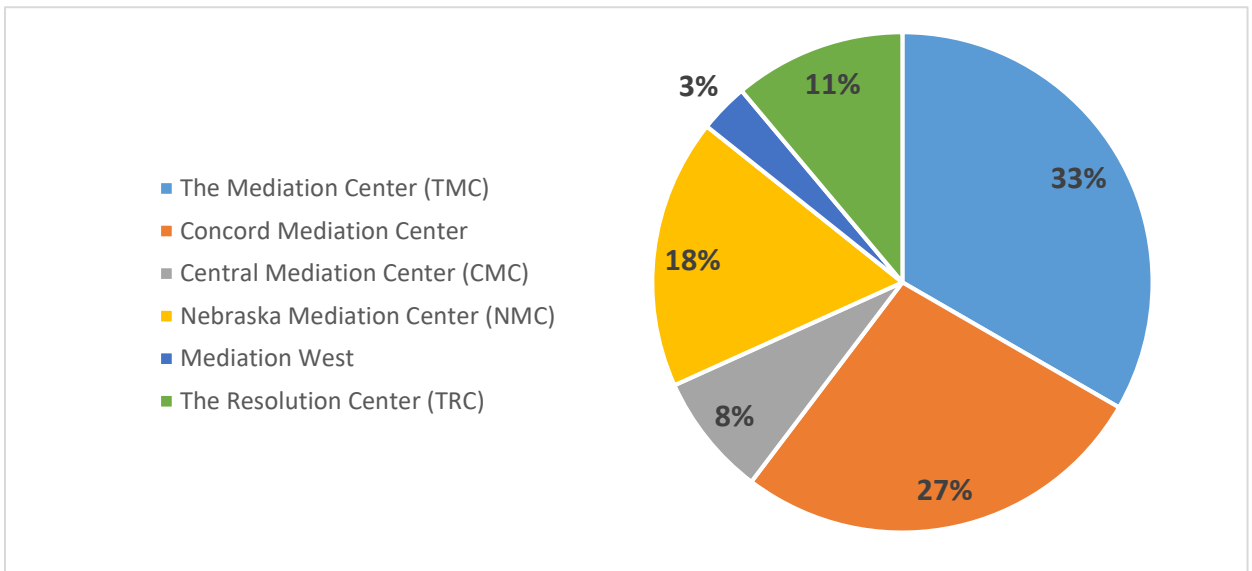


Figure 12. Number of Cases that Did Not Result in VYC by Center (N=63)

Finally, data about the reason for not participating was missing for eight youth who did not participate in a conference. Of the youth referrals that did not result in a conference and reported a reason, the largest proportion were referred to The Mediation Center in Lincoln and the least were referred to Mediation West in Scottsbluff, as demonstrated in Figure 12.

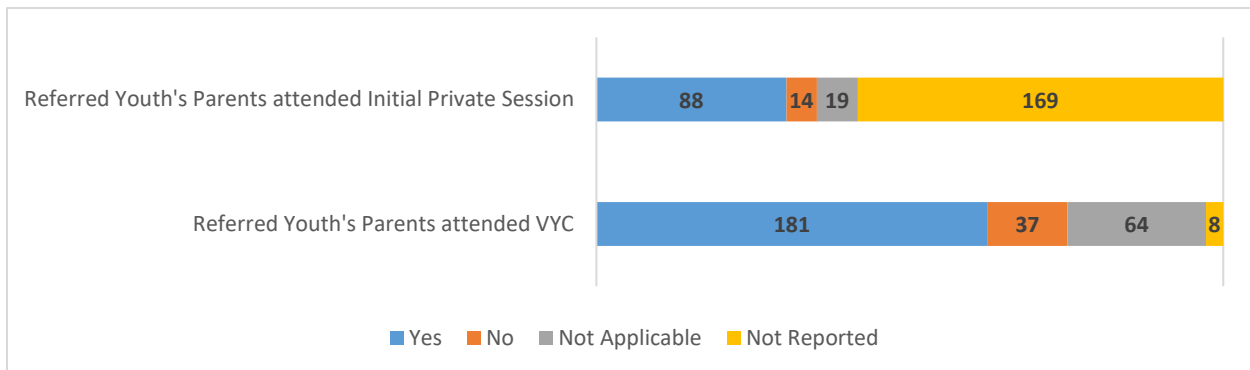


Figure 13. Number of Referred Youth's Parent Participation across Total Cases (N=290)

Parent Involvement

Parents and/or guardians of referred youth and harmed parties are included throughout the VYC process. Parents are invited to attend the initial private session between the youth and the facilitator as well as the VYC conference. Reporting on parent involvement was not consistent across all areas. Figure 13 illustrates the number of cases for which parent participation was reported for the initial private session and for the VYC conference. Additionally, if they responded “yes” to parent participation in the VYC, centers reported *how many* parents participated in the conference. One parent participated the conference in 106 cases and two parents participated in the conferences in seven cases. Number of parents of VYC youth participants was not reported for 104 of the cases that resulted in a VYC.

Other Youth Demographic Data

The majority of youth identified as White, non-Hispanic and the largest ethnic minority group identified as Black (see Figure 14). For four of the five youth who identified their race as “other,” three

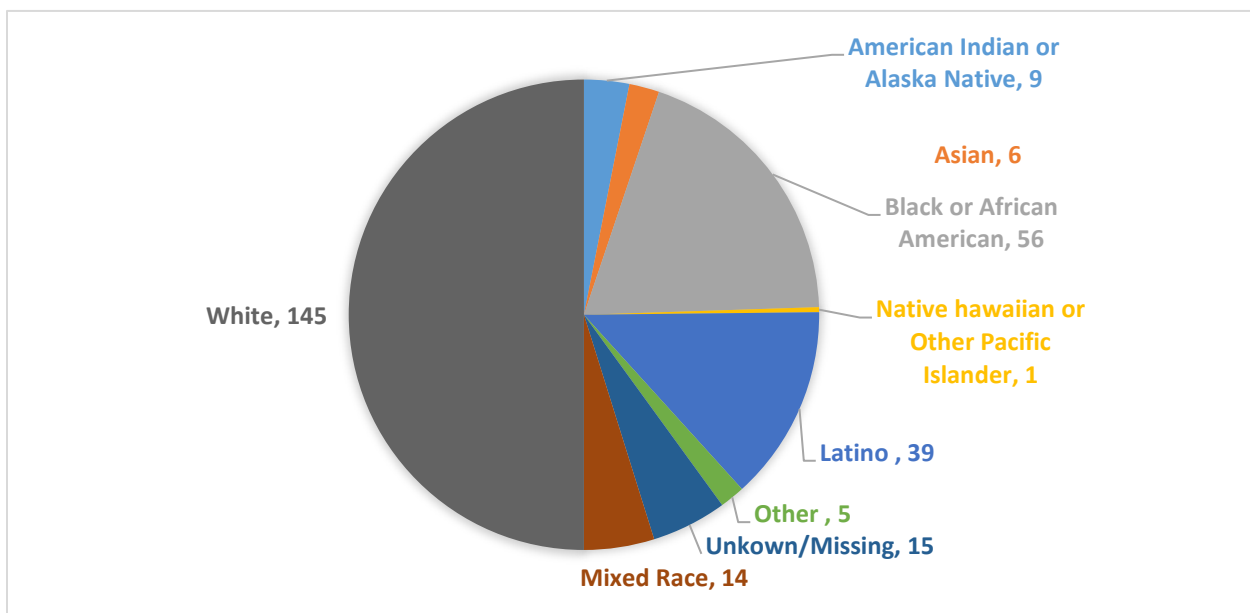


Figure 14. Race/Ethnicity of Referred Youth (N=290)

identified as Middle Eastern and one as Sudanese. The remaining youth did not identify a racial or ethnic group. In 15 cases, interpreters were needed for communication at some point in the VYC process. The centers provided interpreters in seven languages, including: Arabic, Burmese, Nuer, Sign Language, Somali, Spanish, and Vietnamese. In 13 of the 15 cases that required an interpreter, the individual who needed the interpreter was the parent of the referred youth. For the remaining two cases, the interpreter was used for the harmed party of the case.

Approximately two-thirds of the referred youth identified as male (61.7%, n=179) and just over one-third identified as female (37.6%, n=109). Data entries for gender were missing for youth in two cases. The age of youth was calculated at the time of referral and ranged from 11.18 years to 18.69 years. The average age for the 2019-2020 fiscal year sample was 15.51 years. Youth between the ages of 11 and 13 made up 17.3% of the sample, 38.9% are between the ages of 14 and 15, and 38.6% are between the ages of 16 and 18. Data on youth age and completion of reparations agreements (n=206; data is missing for three of 209 VYC's that resulted in a reparations agreement) show the following percentages of youth who successfully completed *all* reparations.

- 90.0% of 40 youth 10-13 years of age
- 90.2% of 82 youth ages 14-15 years
- 86.9% of 83 youth ages 16-18 years

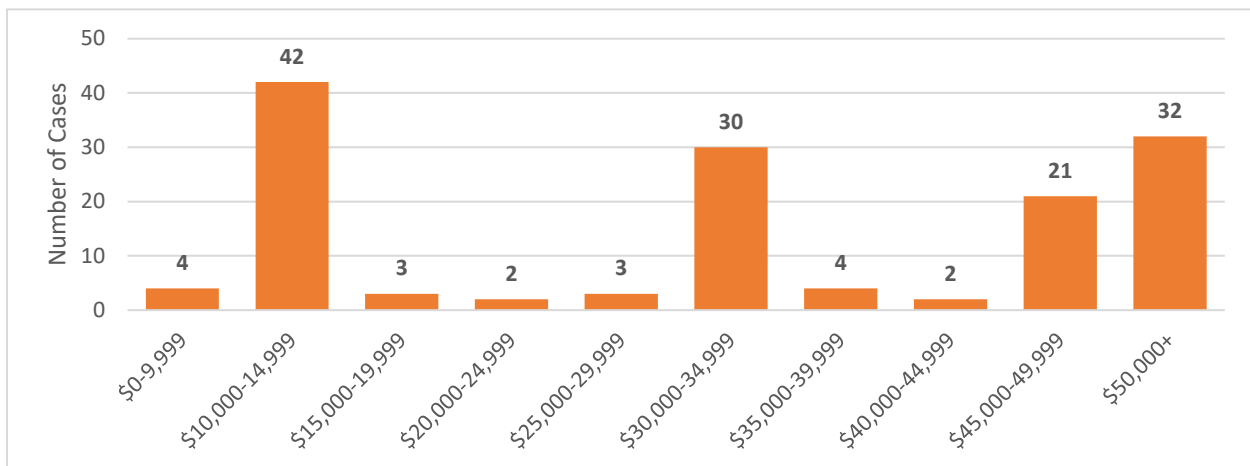


Figure 15. Reported Family Annual Income

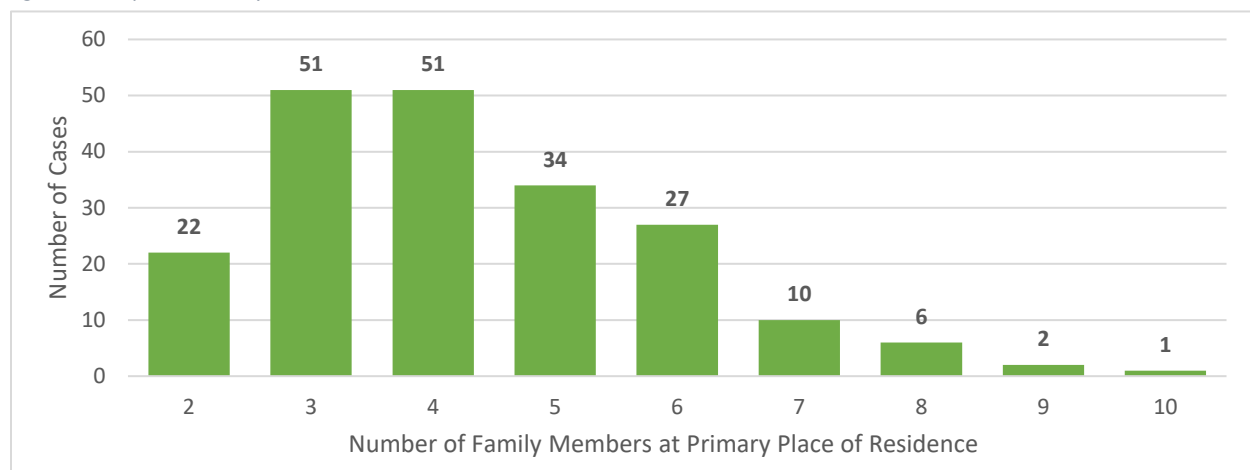


Figure 16. Reported Family Size (Based on Primary Place of Residence)

The majority of youth who participated in the program were enrolled in school at the time of the referral (n=259, 89.3%). Two youth reported as not being enrolled in school, two youth reported being suspended or expelled, and 27 youth did not report data on school enrollment. The program served youth from a range of income brackets (Figure 15) and family sizes (Figure 16). Data for family income was missing for half of the cases (50.7%), however, the distribution of reported incomes suggests the program is serving youth in low-income socioeconomic brackets. The majority of youth participants who reported family size indicated they reside in one-parent homes (55.2%, n =160), whereas only 26.7% (n =77) of youth reside in a two-parent home. Of the remaining youth, 2.4% (n=7) reside with a legal guardian, 3.8% (n=11) reside with a relative or non-parental adult, <1% (n=2) resides on his or her own, and 2.4% (n=7) of youth reside in a detention center or foster/group home. Twenty-six youth did not report their condition of residence at the time of referral.

Types of Offenses

Youth who were referred to VYC had a variety of altercations that program stakeholders perceived to warrant a conference with those harmed. The majority of youth reported only one offense for which they were referred, however, 17 youth reported two to four offenses that initiated a case referral for the VYC program. The greatest proportion of cases listed the first offense as assault (45.9%)—made up of the combined cases of general assault (n=104, 35.9%) and mutual assault (n=29, 10%). Often in altercations involving youth, both parties were harmed and have done harm, which is revealed during individual planning meetings with the parties. Figure 17 shows the types of intake offenses and the proportion of youth who were referred for each offense type. Offense types were missing for two cases.

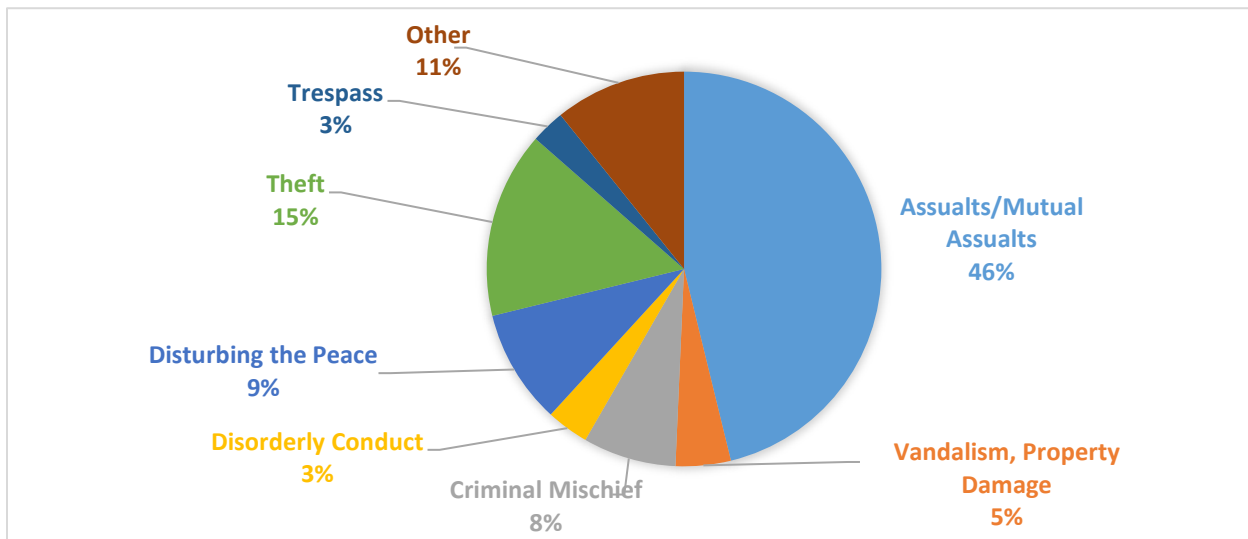


Figure 17. Types of Offenses by Percentage of Total (N=288)

Table 3 shows the types of offenses and the percentage of youth who were referred for that offense. Every case had at least one referral offense, although one case included four referral offenses, three cases included three referral offenses, and 17 cases included two referral offenses. The table reflects the total number of each type offense across *all* offenses, not merely the intake offense.

Future evaluations should examine the proportion of offense types compared to the broader juvenile population in Nebraska to contextualize the ratios illustrated in the VYC program. Where possible, future evaluations should also compare and contrast the composition of offense types in other justice interventions.

Table 3.
Number and Type of Offenses Referred for VYC

Offense Type	Total Number of Cases that Included the Offense	Percentage of all cases with at least offense of this type
Assault	104	35.9%
Vandalism	13	4.5%
Mutual Assault	29	10%
Criminal Mischief	22	7.6%
Disorderly Conduct	10	3.4%
Disturbing the Peace	31	10.7%
Harassment	0	0%
Theft	52	17.9%
Trespass	20	6.9%
Other	43	14.8%

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. In September 2019, ODR hosted four trainings on Advanced Practices in Restorative Justice. The trainings examined skills to engage in deeper practice through reflection and mindfulness. Attendees were experienced VYC facilitators from each of the regional mediation centers. One full basic VYC training was hosted by Concord Mediation Center in October 2019 and 15 new facilitators were trained.

Trainees rated their satisfaction with the overall training a mean score of 4.53 of 5, where 1 is very dissatisfied and 5 is very satisfied. Trainees also rated their satisfaction with the training materials (e.g., training manual, presentations, videos) as 4.53 of 5, where 1 is very dissatisfied and 5 is very satisfied. Trainees rated their agreement with four additional statements regarding training on a scale of 1 to 5, where 1 is strongly disagree and 5 is strongly agree (see Figure 18). On all items, participants rated either a 4 or 5 on the 1 to 5 scales.

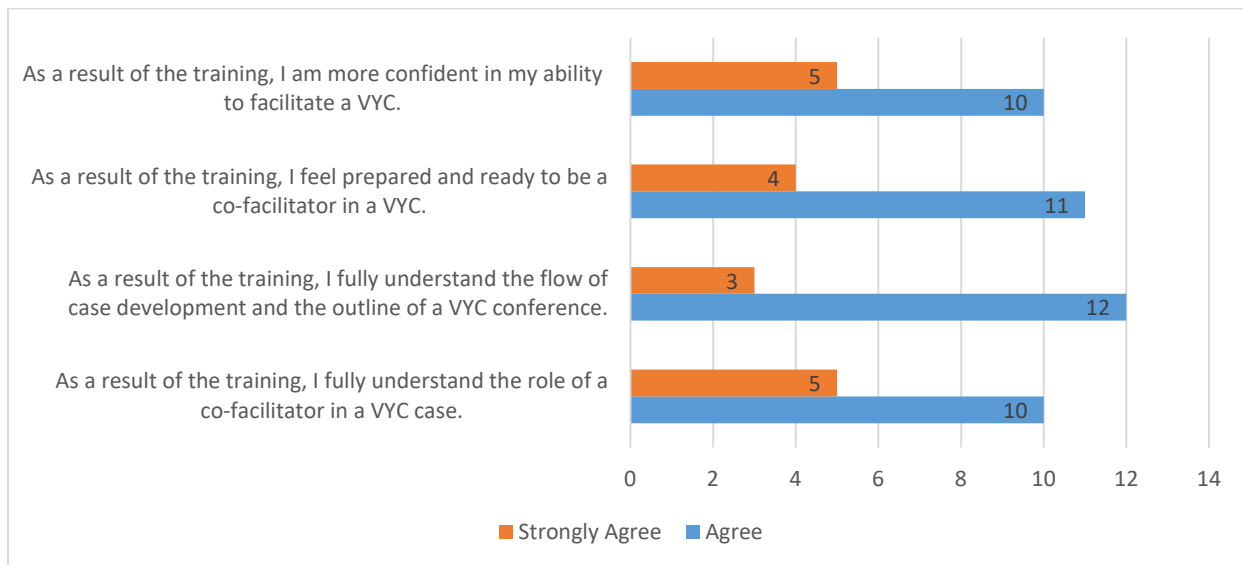


Figure 18. New Facilitator Training Survey Responses

During the 2019-2020 fiscal year, ODR and the mediation centers initiated efforts to host a statewide educational retreat on restorative justice. However, the COVID-19 pandemic of 2020 inhibited the ability to continue with the retreat during the fiscal year.

As part of the process evaluation with mediation center directors and restorative justice coordinators, mediation center directors began actively implementing the quality assurance protocol that was developed during the 2018-2019 fiscal year. The protocol examines 1) new VYC trainers' preparedness to provide quality training, and 2) new VYC facilitators' apprenticeship coaching prior to facilitating VYC on their own. The VYC trainer feedback guide is used to observe and coach new trainers, as is an apprentice feedback guide to ensure the preparedness of VYC facilitators.

Finally, ODR lead the charge to initiate the development of new restorative justice facilitator ethics of practice,⁵ training guidelines, and approval policies. At the conclusion of the 2019-2020 fiscal year the policy efforts were in infancy stages, and further updates are expected by the end of the 2020-2021 fiscal year.

Goal 3: VYC Capacity Building and Sustainability

In an effort to secure sustainability, the mediation centers continue to adapt the VYC model to meet the local community culture and partnership interests, while also maintaining the proven best practices of the VYC model.

Diversified Funding Sources

The mediation centers maintain diversified funding with government partnerships and private foundation revenue. Figure 19 demonstrates the mediation centers' diverse funding for VYC cases. Figure 20 highlights the government sources during the 2019-2020 fiscal year.

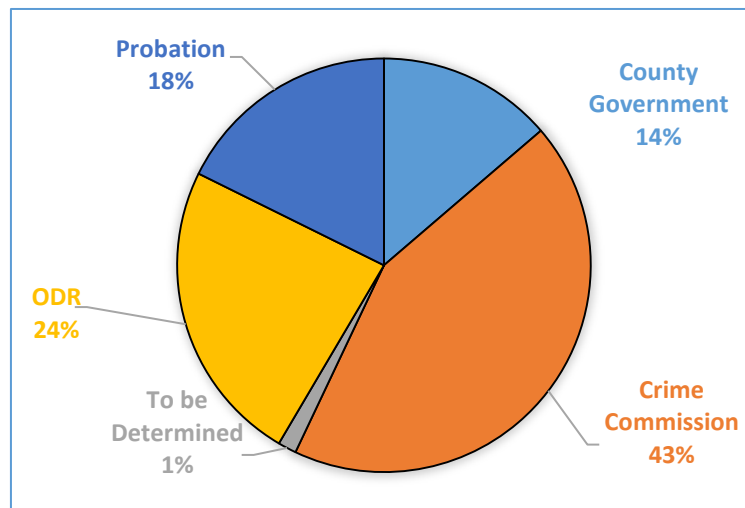


Figure 19. Percentage of Each VYC Funding Source as Reported through Caseload Manager

The Sherwood Foundation's financial support has contributed largely to the success of the three-year VYC Enhancement Initiative. The Sherwood Foundation funds support capacity building efforts statewide, including the hiring of Restorative Justice staff at each mediation center and a Restorative Justice Program Analyst at ODR.

Partnerships and Political Support

In addition to outreach by mediation centers during the 2019-2020 fiscal year, ODR presented at the following conferences.

- Nebraska Court Improvement Project – 2019 Children's Summit (Kearney, NE, September 2019)
- Nebraska Judicial Branch Education – New Judges Orientation (Online)

⁵ See "Nebraska Restorative Justice Facilitator Standards of Practice" (2020). Retrieved from [https://supremecourt.nebraska.gov/sites/default/files/u7124/Nebraska Restorative Justice Standards of Practice Approved 2020_08_26.pdf](https://supremecourt.nebraska.gov/sites/default/files/u7124/Nebraska_Restorative_Justice_Standards_of_Practice_Aproved_2020_08_26.pdf)

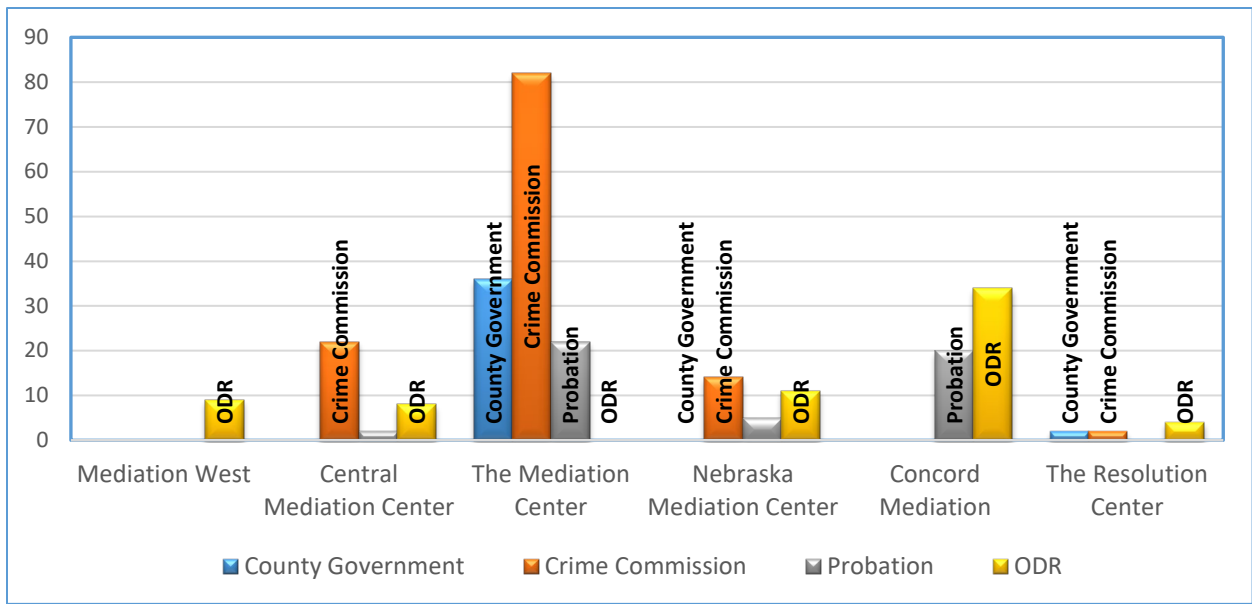


Figure 20. Government Funding Source by Mediation Center as Reported through Caseload Manager

Conclusion and Future Directions

During the 2020 fiscal year, the mediation centers and VYC project partners faced several barriers as a result of the COVID-19 pandemic but managed to continue to advance many of the intended goals throughout the state. Findings in the present report are consistent with those of previous VYC enhancement years. For Goal 1, the total number of youths, parents/guardians, and those harmed participating in VYC conferences statewide increased. For Goal 2, training efforts were reduced in response to COVID-19. However, the trainings that were administered during the fiscal year were effective and trainees expressed feeling well prepared to begin facilitating with youth. Although trainings were not as easily accessible, the centers maintained efforts to hold virtual meetings and educational sessions. The centers and ODR continued outreach by presenting at statewide trainings for court personnel and conferences designed for juvenile service providers and stakeholders. Finally, Goal 3 continues to be an ongoing priority for the centers and ODR. Despite the restriction on in-person meetings, the centers were successful in advancing the use of VYC and continued to show steady referrals throughout the year.

Descriptive findings during the expansion program since efforts began in 2018, demonstrate effective efforts to gain increased county and individual participation. Continued education efforts support systems change within the mediation center network and among VYC stakeholders across the state. There still remains a number of areas for future evaluation, program development, and broader systems improvements.

The present report focuses on short-term goals and expected outcomes for the 2019-2020 fiscal year. Future evaluation reports will examine aggregate findings across all three years of the expansion program (2018-2020) and will examine long-term goals not explored here (e.g., effect of VYC on disproportionate minority contact in the courts; increased safety in communities). Furthermore, the current report revealed several outcome areas to examine in more detail, including an examination of the proportion of offense types to the broader juvenile population in Nebraska to contextualize the ratios illustrated in the VYC program. Where possible, future evaluations will also compare and contrast the composition of offense types in other justice interventions. In comparing the VYC to other juvenile justice programs, future evaluations should incorporate a cost-benefit analysis to assess overall long-term benefits of youth participation in VYC compared to or in conjunction with other juvenile programs.

**Office of Dispute Resolution
Victim Youth Conferencing Evaluation Report**

Fiscal Year 2020 – July 1, 2019 to June 30, 2020

This Victim Youth Conferencing Evaluation Report of the Office of Dispute Resolution (ODR) contains aggregate caseload statistics extracted from the caseload management system used by the ODR and the approved centers. Providing case statistics ensures transparency to the public and complies with statutory requirements (Neb. Rev. Stat. § 25-2908(15)).



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