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March 2, 2015

To: Members of the Judiciary Committee

From: Juliet Summers, Policy Coordinator for Child Welfare and Juvenile Justice

RE: Support for LB 482, to deinstitutionalize juveniles who have committed non-criminal status offenses

When we imagine the type of young person coming before the juvenile court, it is easy to envision a stereotypical teenage deadbeat, dropout, or much worse. In fact, a substantial portion of the children arrested, filed on in juvenile court, and confined in facilities have not only not committed a serious or violent crime – they haven't committed a crime at all. **“Status offenders” have engaged in behaviors like truancy from school, habitual disobedience in the home, or trying alcohol – troubling choices that need to be addressed, but that are not inherently criminal in nature.** Voices for Children in Nebraska supports LB 482, because it will strengthen protections to keep low-risk youth out of court, out of detention facilities, and in their own homes. This approach has the potential to prevent undue trauma for the child and family and save significant taxpayer dollars.

I am attaching with my testimony a data snapshot Voices just released on this issue, but here are some numbers from 2013:

- **11% of all youth arrests** were for status offenses.
- 1,064 children total were supervised on probation for status offenses, and **status offenders made up nearly a third of new juvenile probationers.**
- These youth are predominantly of high-school age, **but 21 children age ten or younger were filed on in juvenile court with status charges.**
- **Children of racial and ethnic minority groups are disproportionately represented, making up 31% of the total youth population in Nebraska, but almost 40% of the children charged with status offenses in court.**¹

Additionally, the most recent data on out-of-home placement of these juveniles, from a national census taken by the Office of Juvenile Justice and Delinquency Prevention in 2011, showed that **Nebraska judges placed status offenders in residential facilities at more than four times the national rate.**²

Beyond the trauma to the child and family of being charged in court and removed from the home, court involvement is costly to communities, and out-of-home placement even more so. National research and reforms implemented by other states have shown that the best way to get the most “bang for the buck” out of a juvenile system is to screen away the low-risk youth and focus more time, resources, and taxpayer dollars on the truly high-risk cases.³ In Florida, where a statewide network operates 24/7 to assist families in crisis

¹ Data from the Nebraska Crime Commission and the Nebraska JUSTICE Case Management System.

² Data from the OJJDP National Census of Juveniles in Residential Placement, available online here: <http://www.ojjdp.gov/ojstatbb/ezacjrp/>

³ Davis, Antonette, Angela Irvine, and Jason Ziedenberg. *Supervision Strategies for Justice-Involved Youth*. National Council on Crime and Delinquency: May, 2014. http://nccdglobal.org/sites/default/files/publication_pdf/supervision-strategies.pdf

without court intervention, a cost-benefit analysis in 2011 showed that the state saved more than \$160 million dollars in juvenile justice placement costs. In Calcasieu Parish, Louisiana, the launch of a multi-agency resource center for families decreased the number of status offense filings to only 1% of all court referrals, and reduced the delay between families seeking help and receiving it from an average of 50 days to about two hours.⁴

There is no reason to believe that Nebraska jurisdictions could not take similar approaches with similar success, given the state funding already made available by LB 561. Combining the protections of LB 482 with the community-based aid grants will point courts and communities in the right direction, toward meeting these children's behavioral needs immediately and in the home, where they belong.

Voices for Children in Nebraska thanks Senator Krist for bringing this important legislation, and the Committee for your consideration of it. We would urge you to advance this bill.

⁴ Salisch, Annie and Jennifer Trone. *From Courts to Communities: The Right Response to Truancy, Running Away, and Other Status Offenses*. Vera Institute of Justice and Models for Change Resource Center Partnership: December, 2013. <http://www.vera.org/sites/default/files/resources/downloads/from-courts-to-communities-response-to-status-offenses-v2.pdf>.

