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January 19, 2016

To: Chairman Seiler and Members of the Judiciary Committee

From: Juliet Summers, Policy Coordinator

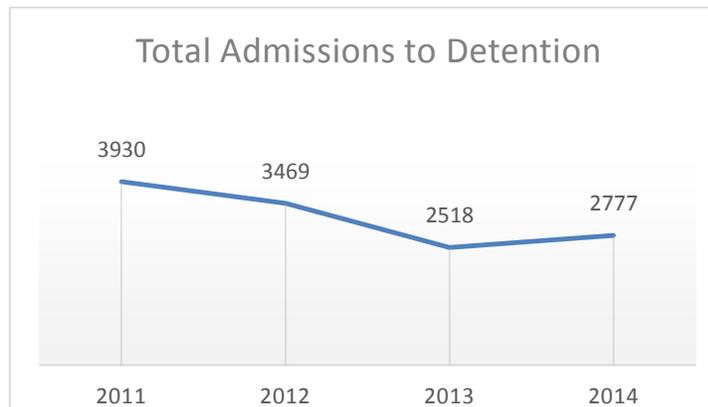
Re: LB 675, a bill to change provisions relating to placements and detention

When our kids are going down the wrong path, how our system responds matters. We can either get it right, or compound the damage done. Decades of research has shown that what works in combating juvenile crime are thoughtful responses aimed at changing underlying beliefs, engaging family and community around a child, and providing positive solutions.¹ In direct contrast, time and again we have seen that incarcerating juveniles does not work. Voices for Children in Nebraska supports LB 675, because it will bring Nebraska's juvenile code into alignment with best practice standards for the use of detention facilities.

All too often, we are locking up children who present with greater treatment needs than safety risks. When we place a young person in detention who is not a threat to society, we spend tax dollars with no benefit to public safety. When we place a young person in detention who is already suffering – from a mental health disorder, addiction, or history of trauma – we compound that suffering rather than resolving it. *Without demonstrated benefit*, we expose the child to:

- Worsened mental health and increased rate of suicide
- Increased likelihood of juvenile recidivism
- Decreased likelihood of returning to school and completing education
- Increased likelihood of going “deeper” in the system
- Increased likelihood of adult recidivism and incarceration

Detention is not just a bad place for low-risk, no-risk, or mentally ill youth; it is arguably the worst place.²



¹ Lipsey et al. *Improving the Effectiveness of Juvenile Justice Programs: a New Perspective on Evidence-Based Practice*. Center for Juvenile Justice Reform: December 2010.

² This list has been adapted from multiple studies compiled in: Barry Holman & Jason Ziedenberg. *The Dangers of Detention: the Impact of Incarcerating Youth in Detention and Other Secure Facilities*. Justice Policy Institute: available online at

http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

In Nebraska, our total annual admissions to juvenile detention facilities decreased by 36% between 2011 and 2013, but were on the rise again in 2014.³ A study commissioned by Probation to evaluate their risk assessment instrument used at detention intake showed that though children scored on average to be released, officers overrode the tool 45% of the time, usually upward to detention. In 12.2% of these overrides, the cause for override was listed as “parent or responsible adult not willing to take the child home.”⁴

This bill would substantially cut our juvenile detention admission numbers again, protecting our kids from the unintended harms of detention by ensuring that only the youth who truly require secure confinement to protect public safety would be detained.

When a child acts out, society has a choice in how to respond. How we structure our system has real and lasting consequences for kids and communities. We thank Senator Krist for bringing this important bill, and the Committee for your time and consideration.

³ *Kids Count in Nebraska*. Data provided by individual detention facilities.

⁴ Sara Moore, M.A. & Anne Hobbs, J.D., Ph.D. *Analysis of the Nebraska Juvenile Risk Assessment Instrument – 2015*. University of Nebraska Juvenile Justice Institute: available online at http://www.unomaha.edu/college-of-public-affairs-and-community-service/juvenile-justice-institute/_files/documents/analysis-of-nebraska-intake-risk-assessment-instrument.pdf