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February 23, 2017

To: Chairman Riepe and Members of the Health and Human Services Committee
From: Juliet Summers, Policy Coordinator for Child Welfare and Juvenile Justice
Re: Support for LB 298 – Change provisions relating to the Nebraska Strengthening Families Act and a taskforce

When the state intervenes in a child's life, we should ensure that our system response is tailored to ensure the best possible outcome for the youth, family, and broader community. Voices for Children in Nebraska supports LB 298, because it will ensure that youth removed from their homes due to juvenile justice system involvement will be able to reasonably access the extra-curricular, socio-cultural, and religious activities that are strong foundations for positive development. As a member organization of the Normalcy Taskforce of the Children's Commission that convened over the past year to make recommendations regarding expansion of the Nebraska Strengthening Families Act (NSFA), we believe that this bill reflects a strong stakeholder consensus that youth on probation in Nebraska deserve and would benefit from these protections of law.

All youth need normal childhood experiences that can teach them how to manage emotions and stress, develop coping strategies, and navigate their way through life.¹ Promoting such opportunities is particularly important for youth in our juvenile justice system, where participation in pro-social extracurricular, cultural, enrichment and religious activities can build on positive strengths and serve as a bulwark against recidivism. Promoting normalcy is already a value supported by juvenile court practice; as a lawyer representing youth in the courtroom, I can tell you that participation in a pro-social activity was a standard part of the court order and probation contract. This is a pragmatic approach, because normalcy works: the teens I represented who did the best on probation were those who got involved in something they were passionate about. Making the football team can be more effective than any punishment to curb marijuana use or encourage better school attendance.

However, participation in such activities can sometimes be a challenge for youth in foster care, detention, and group care placements. In 2014, the Nebraska Legislature bifurcated the way our juvenile court system would serve youth: child welfare cases would remain with the Department of Health and Human Services (DHHS), and juvenile justice cases would be exclusively served by the Administrative Office of Probation ("juvenile probation"). The result is that, though juvenile probation makes every effort to keep youth at home in their communities, there are times when youth are removed from their homes and remain under juvenile probation's care and placement without being made state wards. Hence, these youth are not currently covered by the protections of the Nebraska Strengthening

¹ Charlyn Harper Browne, "Youth thrive: Advancing healthy adolescent development and well-being," *Center for the Study of Social Policy*, September 2014.

Families Act that passed last year in LB 746, though in many cases they will be in the same foster or residential placements as youth placed by DHHS. Voices for Children supports LB 298, because youth in care on a juvenile justice docket deserve and would benefit no less from these protections. We also believe that LB 298 strikes a sound balance between protecting parental decision-making rights when a youth is placed out of the home, and allowing caregivers and placement facilities the flexibility to identify what a reasonable normalcy plan should look like for that child with her individual needs.

We thank Senator Baker for bringing this important legislation, and this Committee for your time and consideration. We would respectfully urge you to advance LB 298.