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February 8, 2017

**To:** Chairwoman Ebke and Members of the Judiciary Committee

**From:** Juliet Summers, Policy Coordinator

**Re: LB 107—Prohibit sexual assault of a patient, client, or student as prescribed**

All children deserve the protections of law to ensure they are able to grow into healthy, well-developed adults. Nebraska law recognizes that teenagers are not yet fully capable of adult decision-making, and we have wisely set our age of majority at nineteen to reflect that adolescent brains are still works in progress. Voices for Children in Nebraska supports LB 107 because it closes a gap in our statutory rape law and would protect all of Nebraska’s children when they are in vulnerable positions.

Research shows that teenager’s brains are still going through significant developmental changes and will not reach full maturity even until their early twenties. The last parts of a teenager’s brain to develop are areas associated with decision making. As a result, adolescents are less likely than adults to consider the consequences of their actions and are more likely to participate in inappropriate behaviors.<sup>1</sup> Youth age 16 to 19 are, developmentally, still children, and they will not reach full emotional maturity for several years. An adult in a position of authority or trust such as a health professional, teacher, or religious leader could take advantage of an adolescent’s susceptibility to pressure or coerce them into sexual encounters they are not ready for.

Most or all of the positions of authority enumerated in the bill are already prevented from engaging in sexual conduct with minors under their care by either administrative or ethical mandates of their profession. However, a gap currently exists in our criminal law to allow the state to respond when such an abuse occurs. We support LB 107 because it closes this gap. Because it is tailored to only address situations in which an adult is in a position of authority that could lend substantial power or pressure to impose upon an adolescent’s susceptibility, LB 107 would protect adolescents from being taken advantage of, without threatening so-called “Romeo and Juliet” relationships or criminalizing normal teenage sexual exploration.

We thank Senator Crawford for her continued commitment to Nebraska’s children and this Committee for your time and consideration. We respectfully urge you to advance this bill.

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<sup>1</sup> American Academy of Child and Adolescent Psychiatrists. *Teen Brain: Behavior, Problem Solving, and Decision Making*. September 2016. Available online: [https://www.aacap.org/AACAP/Families\\_and\\_Youth/Facts\\_for\\_Families/FFF-Guide/The-Teen-Brain-Behavior-Problem-Solving-and-Decision-Making-095.aspx](https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/The-Teen-Brain-Behavior-Problem-Solving-and-Decision-Making-095.aspx)