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March 8, 2017

To: Chairperson Ebke and Members of the Judiciary Committee

From: Juliet Summers, Policy Coordinator

RE: Support for LB 516, change provisions relating to a report on juvenile facilities

All youth in the juvenile justice system are entitled to receive rehabilitative services for a second chance to succeed. Outmoded and inhumane practices like the use of extended solitary confinement mar children's opportunity for rehabilitation and recovery. Voices for Children supported LB 894 last year and we support LB 516 this year, because clear reporting requirements on the use of isolation in Nebraska's youth facilities is a sensible first step toward reform.

Last year, LB 894 required facilities housing minors in Nebraska to report quarterly to the Office of the Inspector General on the use of "room confinement," defined in statute as "the involuntary restriction of a juvenile to a cell, room, or other area, alone, including a juvenile's own room, except during normal sleeping hours."¹ The bill mandated supervisory approval, documentation of any mental health contacts and attempts to return the youth to the general population, and reporting when youth remain in confinement longer than an hour.

The deleterious effects of isolation on the adolescent brain and development have been widely documented.² The intent behind LB 894 was to ensure that uniform information could be collected, pursuant to a common definition, to ascertain the extent of the use of isolation in juvenile facilities across the state: the reasons why children are being placed in isolation, how long they are kept there, what efforts are being made to return them to the general population, and whether any of those data points are correlated with the gender, racial, or ethnic identity of the child. A clear picture of juvenile solitary confinement in Nebraska cannot be drawn unless facilities are compliant with the law not only by providing reports to the Inspector General, but in ensuring those reports are comprised of disaggregated data and fulfill the requirements posed in statute. If every facility answers these questions a little differently, with or without disaggregated data, or in forms of their choice rather than those requested by the Inspector General, the purpose of LB 894 will have been lost.

To that end, Voices for Children supports LB 516 as a clarifying measure intended to ensure compliance with reporting requirements the Legislature has already adopted. It is our hope that as the disaggregated data flows back, the Legislature will be able to determine whether further reform regarding juvenile solitary confinement is warranted. We thank Senator Pansing Brooks for her commitment to improving our juvenile justice system, and the Committee for your time and consideration of this bill.

¹ *Neb. Rev. Stat. §83-4,125*

² Laura Dimon, "How Solitary Confinement Hurts the Teenage Brain," *The Atlantic* (2014), <http://www.theatlantic.com/health/archive/2014/06/how-solitary-confinement-hurts-the-teenage-brain/373002>.