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February 21, 2018

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

**From:** Juliet Summers, Policy Coordinator

**Re: LB 1112, a bill to change provisions relating to placement and detention of juveniles and permit an additional use of community based juvenile services aid funding**

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.<sup>1</sup> In direct contrast, time and again we have seen that incarcerating juveniles does not work. Voices for Children in Nebraska supports LB 1112, because it will bring Nebraska's juvenile code into alignment with best practice standards for the use of secure detention.

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.<sup>2</sup>

**In Nebraska, our total annual admissions to juvenile detention facilities have fallen dramatically through concerted efforts and investments in alternatives, from 3,930 in 2011 to 2,161 in 2016.<sup>3</sup>** This is a terrific trend that we should all be proud of. LB 1112 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. Additionally, by allowing counties a **one-time** use of the community

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

<sup>2</sup> 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](http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf)

<sup>3</sup> *Kids Count in Nebraska*. Data provided by individual detention facilities.

based juvenile services aid fund to modify existing detention facilities or invest in new alternatives to detention, the bill has the potential to broaden the array of existing placements available for youth who need safe spaces that aren't home, but aren't detention.

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