



February 8, 2018

To: Chair Ebke and members of the Judiciary Committee
From: Juliet Summers, Policy Coordinator at Voices for Children in Nebraska
Re: **LB 869 – change provisions regarding the sealing of juvenile records**

Our juvenile justice system should be structured to ensure all children can take the right steps to put their past behind them and move toward a better future. As a society, we all benefit by policies that hold youth accountable in age-appropriate ways, and allow them the ability to grow out of and past their adolescent decisions. Voices for Children in Nebraska supports LB 869, because it provides a needed update to our statutory code regarding the sealing of juvenile records, to ensure these records don't become dead weight dragging down Nebraska's youth and, by extension, our communities.

A robust policy around the sealing of juvenile records does not preclude accountability. Youth who break the law should be held accountable for their actions. However, decades of research shows, and public opinion strongly supports¹, that youth can be rehabilitated. Most will stop law-breaking behavior simply as they grow out of it, and a record may actually get in the way of that natural process, by cutting off opportunities which research has shown support law-abiding maturity: namely, completing school, starting a family, getting a job and achieving financial self-sufficiency.² Youth who have paid their debt to society, and who have taken advantage of the rehabilitative services offered to them in the juvenile court, should have the chance to get an education and earn an honest living. Moreover, when they are able to do so, their prospects for lifetime income and stability improve, impacting the prosperity of neighborhoods, communities, and our state as a whole.

Unfortunately, information obtained through LR 26 this past summer suggests that the implementation of our current statute is haphazard across the state, leaving too many young people saddled with unsealed records that should have been closed. Voices for Children in Nebraska supports LB 869, because we believe the additions and changes it makes to our code will fix some of the current issues, and benefit Nebraskans in a number of ways:

- It will ensure **families receive the information they need** to understand the importance of a sealed record, the steps the youth will need to take in order to achieve it, and whom to contact after the fact to check that the record has actually been sealed.

¹ See, e.g., *Potential for Change: Public Attitudes and Policy Preferences for Juvenile Justice System Reform*. Center for Children's Law & Policy. Available at https://www.macfound.org/media/article_pdfs/CCLPPOLLINGFINAL.PDF

² Michael Massoglia, and Christopher Uggen. *Settling Down and Aging Out: Toward an Interactionist Theory of Desistance and the Transition to Adulthood*. American Journal of Sociology 116 no. 2. September 2010.

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- It will ensure that youth who have completed the orders of the court and followed through with rehabilitative services **actually receive the benefit of a sealed record**, without undue burden or needing to initiate a complex proceeding, by providing for automatic sealing of records upon successful completion of probation and the orders of the court.
- It will **provide additional protection as the youth grows up**, by heightening sealing protection after five years have passed.

LB 869 will ensure that our sealed records statute is functioning to meet the need which it was originally intended to meet, and in doing so will provide relief to young people who have done everything we have asked of them and only wish to move forward into a better future. We thank Senator Pansing Brooks for examining this issue through the interim study, and for bringing this bill. We also thank the members of the committee for your time, and urge you to advance it.