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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 875 – Change sentencing provisions for individuals under the age of 18**

All children deserve and need society's protection to grow into healthy, productive adults. Even children who commit serious crimes are still children. We should respond to youth crime in a thoughtful and effective way that preserves community safety, contributes to Nebraska's future prosperity, and gives both children and communities the protection they need. Voices for Children in Nebraska supports LB 875, because it provides an opportunity to establish appropriate and fair sentences for youth based on their unique needs and circumstances, creating a brighter future for Nebraska.

Sentencing youth to life without the possibility of parole is inconsistent with our knowledge of child and adolescent development. Children and youth are not little adults. As this committee knows, youth have poorer impulse control, are more susceptible to peer pressure, and are incapable of weighing long-term consequences because their brains are still developing and changing, even into their twenties. For these reasons, the Supreme Court has consistently ruled (*Roper v. Simmons*, *Graham v. Florida*, *J.D.B v. North Carolina*, and *Miller v. Alabama*) that youth are less culpable for their actions and more amenable to rehabilitation, and must be treated differently. Under LB 875's provisions, judges would still have the discretion to sentence minors to lengthy sentences of incarceration, and even to life in prison. By allowing the opportunity for parole consideration at some point, however, the bill comports with what we know about children's capacity for change.

Sentencing children to life without parole is costly and ineffective. On average, taxpayers spend approximately \$2 million to incarcerate a child for life. Costs for aging inmates in particular, place a huge burden on state budgets.¹ Conversely, a productive, college-educated adult contributes over \$1 million to society.² Because adolescents are not fully grown, they are capable of change and rehabilitation. Permitting opportunity for parole consideration would hold minors accountable in a way that does not necessarily make them a permanent burden on our society.

Our responsibility to protect children requires us to hold them accountable in a way that gives them the opportunity for rehabilitation, redemption, and hope for a second chance at life. We believe LB 875 is an important step in this work. We thank Senator Bolz for bringing it, and we urge you to advance it.

¹ *The Lives of Juvenile Lifers*. The Sentencing Project, March 2012.

² Philip A. Trostel, "The Fiscal Impacts of College Attainment," New England Public Policy Center at the Federal Reserve Bank of Boston Working Paper (2007):20, 22,