January 28, 2022

To: Senator Lathrop and Members of the Judiciary Committee

From: Aubrey Mancuso, Executive Director

Re: Opposition to LB 1010

Our juvenile justice system is distinct from the adult criminal justice system in that it is intended to be rehabilitative and not punitive. A functioning juvenile justice system addresses the challenges kids are facing and allows young people to move beyond them. In fact, there is a body of research that shows that many young adults will cease problematic behavior after the age of 24 when their brains are fully developed.

Voices for Children is opposed to LB 1010 because it underemphasizes the important role that confidential information plays in allowing young people to move beyond a problematic adolescence and short cuts important constitutional protections for kids.

GPS information for young people on a monitoring system is already available to law enforcement with probable cause and a warrant. This bill would undercut the important protections of establishing probable cause and obtaining a warrant before receiving this information.

In addition, the required copying of information into the Nebraska Criminal Justice Information System undercuts the goal of allowing young people to move beyond problematic youth behavior. Law enforcement is already entering information into this system on juvenile arrests and the entering of additional probation information does not serve the goal of rehabilitation for youth. We also know that our current system of record sealing has not always ensured that records were sealed with fidelity. The entering of information into an additional system creates another potential avenue for the inadvertent release of information that should be protected.

In short, LB 1010 is contrary to the many years of work by this legislature to make our juvenile justice system more rehabilitative, an ideal that aligns with reforms intended to reduce the number of people incarcerated in the adult criminal justice system.

We urge the committee not to advance this bill. Thank you for your consideration.