January 28, 2022

To: Senator Stinner and Members of the Appropriations Committee

From: Aubrey Mancuso, Executive Director

Re: Neutral testimony on LB 792

Our juvenile justice system is distinct from the adult criminal justice system in that it is intended to be rehabilitative and not punitive. In spite of this overall goal, there are many ways in which our juvenile justice system mirrors our adult criminal justice system, especially with regard to the use of incarceration and the physical footprint of the space used to incarcerate kids.

The majority of kids in our juvenile justice system have experienced adverse life experiences like trauma, poverty, addiction or mental health issues. Decades of research has shown that incarceration is an ineffective intervention for addressing these issues in young people and that in many cases it increases the likehood of criminogenic behavior in adulthood.

In order to truly provide rehabilitative services, we have to reshape the way that we invest in the needs of kids and families by prioritizing community-based prevention services. The Legislature took a significant step toward this goal with legislation passed in 2013 that created community-based aid funding for this population. However, we have since failed to fully fund the resources to scale or to divest from incarceration. To that end, we have concerns about continuing to provide additional resources to a model that has not been shown to improve outcomes for kids.

However, we are speaking out in a neutral capacity today because the facilities at YRTC-K are extremely outdated and far out of line with any current best practices in the field. If Nebraska is going to continue incarcerating children, we can, at a minimum, improve the physical space they are held in.

Thank you for your consideration.