



March 31, 2025

To: Chairperson Bosn and members of the Judiciary Committee

From: Juliet Summers, Executive Director of Voices for Children in Nebraska

Re: Neutral testimony on LB 407, Provide for criminal proceedings against juveniles charged with felonies following unsuccessful juvenile court proceedings and provide for inadmissibility of certain statements

Our justice system should hold young people accountable in evidence-based ways that allow them to grow into healthy adults and promote community safety. Voices for Children in Nebraska has been around for 38 years and counting and over those decades, we have remained committed to being an independent voice for children and youth in our systems, grounded in good data, research into best practices, and the voices of lived expertise.

The blessing – and the curse – of this kind of institutional history is we have data and documentation, legislative proposals and bill drafts, master planning documents and stakeholder testimonials in our archives dating back to 1987. Though my tenure at Voices for Children only began in 2014, in preparing for the hearings today I am all too aware of how many times we've had similar conversations about youth crime and best responses in Nebraska and our country.

Every time, we have to step back and ask ourselves: *As citizens and policymakers, what do we want out of our youth justice system?*

- It should be evidence-based, investing taxpayer dollars in services that work.
- It should be targeted, casting a narrow net so that youth whose needs can be met by other systems are not processed through the costliest and most traumatic.
- It should respect parents' rights and responsibilities, while being empowered to act *in loco parentis* when necessary.
- It should respond swiftly and effectively to youth behavior and criminal offending in a way that prioritizes the highest risk/highest need.
- It should incorporate strength-based interventions that work to prevent adolescent misbehavior and youth crime in the first place, to be proactive and not reactive.
- It should learn from the lessons of the past and not make the same mistakes based on bad data, bad facts, or worst-case anecdotes.

I am testifying in the neutral on LB 407 today, because while we have some logistical concerns about how the transfer/refiling portion of it would function in practice, as far as the questions I just laid out, we believe it is the better option on the table than other proposals this session, such as LB 556.

Nebraska's current statutory framework for criminal and juvenile court jurisdiction passed just over a decade ago in 2014 on a 46-3 vote of the Legislature, with the changes rolling out in gradual waves over the next three years¹. Since then, data show that juvenile arrests, detention admissions, and felony charging have continued on an overall downward trend² – with a significant dip during the pandemic years of 2020-2021 and then slight recalibration in the two years following.

I have attached to my testimony a series of three tables we worked up at Voices for Children, showing how we understand the changes to the law in LB 407 and LB 556 would change charging jurisdiction from the current law. By retaining original juvenile court jurisdiction for most cases involving youth under age 18, LB 407 acknowledges the reality that the juvenile court is the right court to respond to youth crime, even serious and violent crime. The juvenile court is best positioned to understand when a young person is still amenable to treatment and rehabilitation - and to make the necessary determination if that is no longer the case.

I'd like to thank Senator Cavanaugh for his efforts to ensure our justice system responds appropriately and effectively when it comes to youth, and this Committee for all your time and attention.

¹ LB 464, 2014.

² According to data provided by the Nebraska Crime Commission, juvenile arrests have decreased from 10,534 in 2013 to 7,864 in 2023. According to data from individual detention centers, detention admissions have decreased from 2,518 in 2013 to 1,232 in 2023. Per data from the Office of Courts and Probation and calculations made by Voices for Children, there are an estimated 200 fewer youth charged with any felony in juvenile or criminal court in 2023 than 2013.