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To: Chairperson Bosn and Members of the Judiciary Committee

From: Anahí Salazar, Policy Coordinator for Voices for Children in Nebraska

RE: Support for LB 462- Change reporting requirements relating to child abuse or neglect, parental rights, and juvenile court jurisdiction

The child welfare system should prioritize family preservation whenever possible. Young people in Nebraska should be able to be independent in a reasonable manner and families should not have to worry about needless punitive action against them. Simultaneously, our child protective system should be structured to ensure a timely and appropriate response when abuse or neglect is suspected. Voices for Children supports LB 462 because it clarifies the definition of child neglect, to help prevent safe and loving families from becoming unnecessarily involved with the child welfare system; and modifies the current system of universal mandatory reporting because it is inefficient and leads to erroneous reporting, which needlessly overwhelms our child protective hotline – and can be particularly harmful to children and communities in poverty.

Removal from the home is experienced as a trauma by children and parents. Even the investigation process can be traumatic for a family. The child welfare system is intended to prevent true abuse and dangerous neglect – not to police and tear apart loving and supportive families. We should do all in our power to ensure our statutes are correctly aligned to minimize the risk of traumatic harm caused by the system itself.

As of 2019, 47 states designate certain professions whose members are required by law to report suspected child abuse or neglect. However, only 18 states and Puerto Rico mandate *all* persons to report.¹ The rationale for having all people be mandated reporters is to cast a wide net, ideally protecting every child. Unfortunately, what occurs instead is that our child abuse and neglect hotline is inundated with calls, many or most of which need to be screened out in order to find the reports where children are actually at risk. **In Nebraska in 2022, there were 38,674 calls to the hotline reporting suspected child abuse or neglect. Of these, 15,544 were screened out for not meeting the threshold. 8,147 contained no allegation of abuse or neglect. Of the 15,544 that were accepted, only 1,741 ended up being substantiated. An additional 4,336 were referred to Alternative Response for voluntary services.**² The data tells the story that our current structure both risks cases being missed in the massive volume of calls, and putting families through investigations that may not be necessary to ensuring child safety.

Because allegations of physical neglect represent the majority of the reports, it is crucial our statute distinguishes neglect from poverty. They are frequently intertwined, but a family's lack of economic security is not in itself a reason for child welfare system response. In most cases, issues can be better addressed by providing resources and concrete support to families through other channels. This is

¹ Child Welfare Information Gateway, [Mandatory Reporting of Child Abuse and Neglect | Child Welfare Information Gateway](#), May 2023.

² 2023 Kids Count Report, Child Welfare, [Child Welfare 2023 – Kids Count Nebraska](#)



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especially important for rural Nebraskans and Nebraskans of color, who are statistically more likely to experience poverty in our state. In fact, families of color are disproportionately brought into the court system and face greater likelihood of removal of their children. We must ensure that our laws are clear that poverty itself is not neglect, and poverty issues can be helped and ameliorated without causing traumatic harm to the child and irreparable damage to the community.

Universal mandatory reporting, with its high number of calls that must be screened out, is linked with delays in investigation as intake workers have too much information to sift through.³ Moreover, because neglect and poverty are distinct but intertwined, populations which experience poverty at higher rates – such as rural Nebraskans and Nebraskans of color – are frequently overreported, leading to over-policing and communities fractured by a system initially intended to help rather than harm.⁴

LB 462 articulates a better approach: professionals in positions likely to encounter child abuse or neglect remain mandated reporters, and must undergo training to understand what to look for, what to report, and how to respond. Nothing in the bill prevents other concerned citizens from continuing to call the hotline if they see something, but by removing statutory penalties for failure to do so, our Department intake teams should receive fewer erroneous calls to screen out. Easing this pressure on the front end of our system can allow for timelier investigations of accepted reports, and reduce disparities by rurality and race and ethnicity in intake.

For all these reasons, we thank Senator McKinney for bringing this bill and thank the Committee for considering this important matter. LB 462 would clarify the definition of neglect in this way, helping more families stay out of the child welfare system and keeping children from unnecessary trauma.

³ For instance, in our 2019 report, *Equality Before the Law: Race & Ethnicity in the Front End of Nebraska's Child Welfare System*, Voices for Children analyzed reporting data and discovered the time between report and investigation in Nebraska averaged five days - nearly double the national average. Available at <https://voicesforchildren.com/wp-content/uploads/2019/07/RED-data-snapshot-1.pdf>

⁴ *Poverty and Child Neglect: How Did We Get It Wrong?* National Conference of State Legislatures: February 2023. Available at <https://www.ncsl.org/resources/details/poverty-and-child-neglect-how-did-we-get-it-wrong>