



March 27, 2025

To : Chairperson Bosn and Members of the Judiciary Committee:
From: Anahí Salazar, policy coordinator for Voices for Children in Nebraska
Re: Support for LB 700, a juvenile justice omnibus bill

Our justice system should hold youth accountable for their actions in developmentally appropriate ways that promote rehabilitation and the opportunity for future development. Voices for Children supports LB 700, because adolescent brains are fundamentally different than those of adults which means the processes and mechanisms of our juvenile and criminal systems must operate differently for them in order to be effective and just.

LB 700 takes meaningful steps toward recognizing youth development and improving outcomes for young people in several critical ways:

Protecting Youth Confidentiality

LB 700 strengthens confidentiality for youth in juvenile and criminal proceedings. Decades of research—and broad public support¹—affirm that young people have a strong capacity for rehabilitation. Most will stop law-breaking behavior simply as they grow out of it, and a record may get in the way of that natural process, by cutting off opportunities which research has shown support law-abiding maturity: namely, completing school, starting a family, getting a job and achieving financial self-sufficiency.²

Youth who have taken responsibility for their actions and engaged in rehabilitative services deserve a fair chance to rebuild their lives. By ensuring robust confidentiality, LB 700 allows young people to truly move forward, ultimately benefiting Nebraska's communities and economy. When they are able to do so, their prospects for lifetime income and stability improve, impacting the prosperity of neighborhoods, communities, and our state as a whole. In an age where everything is on the internet forever, robust confidentiality of court proceedings is a crucial protection to allow young people the opportunity for a truly fresh start.

Implementing Smart Sentencing Practices

This bill acknowledges the unique ability of adolescents to grow, change, and rehabilitate—even after serious offenses. LB 700 applies principles of smart sentencing that acknowledge adolescents' capacity to change, rehabilitate, and grow beyond even the worst of crimes. Specifically, sentencing youth to life without the opportunity for parole is inconsistent with scientific understanding of youth development and out of step with most states, including our neighbors. It is costly and ineffective. On average, taxpayers spend approximately \$2 million to incarcerate a child for life. Costs for aging inmates in

¹ See, e.g., *Potential for Change: Public Attitudes and Policy Preferences for Juvenile Justice System Reform*. Center for Children's Law & Policy. Available at https://www.macfound.org/media/article_pdfs/CCLPPOLLINGFINAL.PDF

² Michael Massoglia, and Christopher Uggen. *Settling Down and Aging Out: Toward an Interactionist Theory of Desistance and the Transition to Adulthood*. *American Journal of Sociology* 116 no. 2. September 2010.

particular, place a huge burden on state budgets.³ Conversely, a productive, college-educated adult contributes over \$1 million to society.⁴

Eliminating life without parole and providing an opportunity for extended juvenile court jurisdiction for young people adjudicated on the highest level felonies provides appropriate avenues for accountability and rehabilitation. It gives youth a chance to demonstrate change, without making them a permanent burden on our budget.

Preventing False Confessions and Manipulation

LB 700 protects against false confession and youth susceptibility to manipulation, by requiring developmentally-appropriate Miranda warnings and parental notification when youth are in custodial interrogation. Research has repeatedly shown that young people are particularly susceptible to manipulation and the pressure of authority during interrogation.⁵ Data from innocence projects across the country show that in 340 exoneration cases, 42% of individuals who were a minor at the time of interrogation had falsely confessed, compared with only 13% of adults.⁶ Young people may indicate they understand their rights when, in fact, they do not. Developmentally appropriate language helps, and when a young person asks for a parent, guardian, or other trusted adult, that request should be treated similarly to when an adult asks for a lawyer: the youth is expressing uncertainty and lack of understanding that cannot be remedied until the trusted adult is present.

Keeping kids out of adult facilities and in the state of Nebraska

LB 700 ensures that youth are not held in adult facilities and cannot be transferred out of state during the juvenile court process is critical to protecting their rights, safety, and development. Research shows that youth housed in adult facilities, even for a short time, face significantly higher risks of physical and psychological harm, including increased rates of suicide, assault, and recidivism. Removing exceptions that allow youth to be detained in adult jails, even temporarily, ensures they remain in environments designed for rehabilitation rather than punishment. Additionally, preventing out-of-state transfers keeps youth connected to their families, legal representation, and support systems, which are essential for their success in the court process and their long-term well-being. Keeping youth in their communities allows for more appropriate rehabilitative services, better legal oversight, and improved opportunities for reintegration, ultimately leading to safer communities and better outcomes for young people.

For these reasons, Voices for Children strongly supports LB 700. We thank Senator McKinney for championing this important legislation and appreciate this committee's dedication to improving systems for Nebraska's youth. We respectfully urge you to advance this bill, and I welcome any questions.

³ *The Lives of Juvenile Lifers*. The Sentencing Project, March 2012.

⁴ 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.

⁵ Redlich, A.D., Goodman, G.S. Taking Responsibility for an Act Not Committed: The Influence of Age and Suggestibility. *Law Hum Behav* 27, 141-156 (2003). <https://doi.org/10.1023/A:1022543012851>

⁶ Steven A. Drizin. *Interrogation Gone Bad: Juvenile False Confessions in the post-DNA Age*. Northwestern University. Available at <https://www.nij.gov/topics/courts/indigent-defense/documents/drizin.pdf>