



## LB 530 is bad for kids, dangerous for communities, and an unfunded mandate for local budgets.

### As amended by AM 1489:

- Secure detention would be allowed for children as young as 11, regardless of the nature of the offense (current law is 13).
  - In these cases, other temporary/alternative placement options would have to be exhausted, and the child would be entitled to review hearings at a minimum of every five days.
- Secure detention would be allowed for youth age 11-18 for "protection of the juvenile" because of any of the following:
  - Running from law enforcement, placement, or the home
  - Committing any violent offense, including fighting or threatening others
  - Committing "multiple" property crimes
- Youth placed on electronic monitor or in another alternative to detention could no longer waive their detention hearing without the agreement of the county attorney.
- Tampering with an electronic monitor would now be a new misdemeanor charge.
- For any juvenile arrest made involving a felony charge – no matter whether it is violent or not – the probation officer doing intake would have to consult a judge before a release to an alternative to detention or without restriction.
  - This might require local judges to be "on call" at all hours to make these decisions, and/or for youth to be somewhat automatically detained until the judge could be reached, whenever the initial allegation is a felony.
- Probation would be required to notify the County Attorney (CA) whenever they impose a graduated sanction for any probation violation.
- Probation would be required to notify the CA in writing and request formal revocation of probation whenever any young person gets a graduated sanction for a criminal violation of probation (this could include fighting at school or even, as mentioned above, messing with their monitor).
- Every time a youth is placed on juvenile probation, the judge would be required to hold a hearing to determine whether the youth should be designated a "comprehensive supervision probationer" taking into account the nature of the charge, any past proceedings, and the recommendation of law enforcement and the CA.
  - Designated "comprehensive supervision probationers" would receive "prioritized" early intervention services, but also would be allowed no more than one graduated sanction for any behavior before formal revocation of probation would be required.
- Probation would be required to share otherwise confidential information about all youth on probation – including GPS location, parent contact information, school information – with all local law enforcement agencies.
- Thirty days before probation is set to satisfactorily term, Probation would be required to write up a progress report for the CA including any violations of any kind along the way. The CA could file a motion to revoke as late as 14 days before the term of probation is set to expire. Legal counsel would be appointed for the youth and the court would be required to schedule the hearing urgently prior to the date of expiration.

**Though better than the underlying bill, AM1489 would still walk back years of progress that have kept youth and communities safer.**

**It would cost counties significantly in increased detention, travel time for law enforcement, and attorney fees for new and expanded juvenile proceedings.**

**This will be scheduled for second round debate within the next two weeks.**

**There is still time to defeat this harmful legislation, but your senator needs to hear from YOU.**

**Follow the QR code to find your Nebraska state senator, then take two minutes to email or call today and express:**

- How would this make your job working with youth harder?
- What expertise do you have to share about what works (and what doesn't) with young people?
- Why is detention a challenge rather than a solution, in your part of the state?
- What unexpected costs do you foresee, if more young people are detained and graduated sanctions are replaced with more court hearings and formal revocations?



**[bit.ly/FindYourSenatorNE](https://bit.ly/FindYourSenatorNE)**

## **Voices for Children is here to help.**

- How do I reach out? We can help you find your senator and answer any questions about how to contact them, or we can directly connect you to them and their staff.
- What should I say, or how should I say it? We can help you craft what you want to say –you're busy with your day job helping youth, so give us your bullet points and we will type it up for you to edit as you see fit and send when you're able.
- What if I need to maintain confidentiality? Senators need to hear directly from you, their constituent and expert. But if absolutely necessary, we can take down your perspective "off record" to share with senators who need to hear it.



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