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February 6, 2026

To: Chairperson Hardin and members of the Health and Human Services Committee

From: Katie Nungesser, Director of Youth Justice and Child Welfare Policy

**Re: Opposition to LB 1013, Change and eliminate provision relating to names of state institutions and requirements relating to gender at youth rehabilitation and treatment centers**

Nebraska has a duty to keep youth in the justice system safe, healthy, and supported with programming that helps them grow and thrive. Voices for Children stands in opposition to LB 1013, not on its own merits, but because it appears to be the only substantive legislation brought to underpin a much larger plan of moving youth between facilities in Nebraska. Voices for Children supports thoughtful planning for youth facilities based on the best interests of children and the safety of communities, and thus we have serious concerns about the proposed moves as they appear within Governor Pillen's budget proposal and public reporting, and the way the state is approaching them.

Our agency, the families we serve, and partners across the field report first learning of these major changes to youth facilities through the Governor's Mid Biennium Budget Adjustment. While some budget-related information was provided about the proposed moves, we have struggled to obtain clear and consistent answers to many critical questions. The most substantive details we have received came from the joint meeting of the Juvenile Services Committee and the Nebraska Coalition for Juvenile Justice in January, where the plan was described to be completed by the end of 2026, and from reporting by Flatwater Free Press on January 21, 2026

### **Proposed relocation**

Under the agencies' plan:

- The boys currently housed at YRTC-Kearney would move to what is currently a youth prison in Omaha, the Nebraska Correctional Youth Facility
- The girls currently housed in YRTC-Hastings would move to YRTC-Kearney
- The teens currently housed in Whitehall, a campus in Lincoln for kids with substance-use disorders and sexually harmful behaviors, would move to YRTC-Hastings
- The youth currently at the Omaha prison would move to the Reception and Treatment Center, an adult prison in Lincoln. There are also adults at the youth prison who would go to other prisons
- DHHS would vacate Whitehall

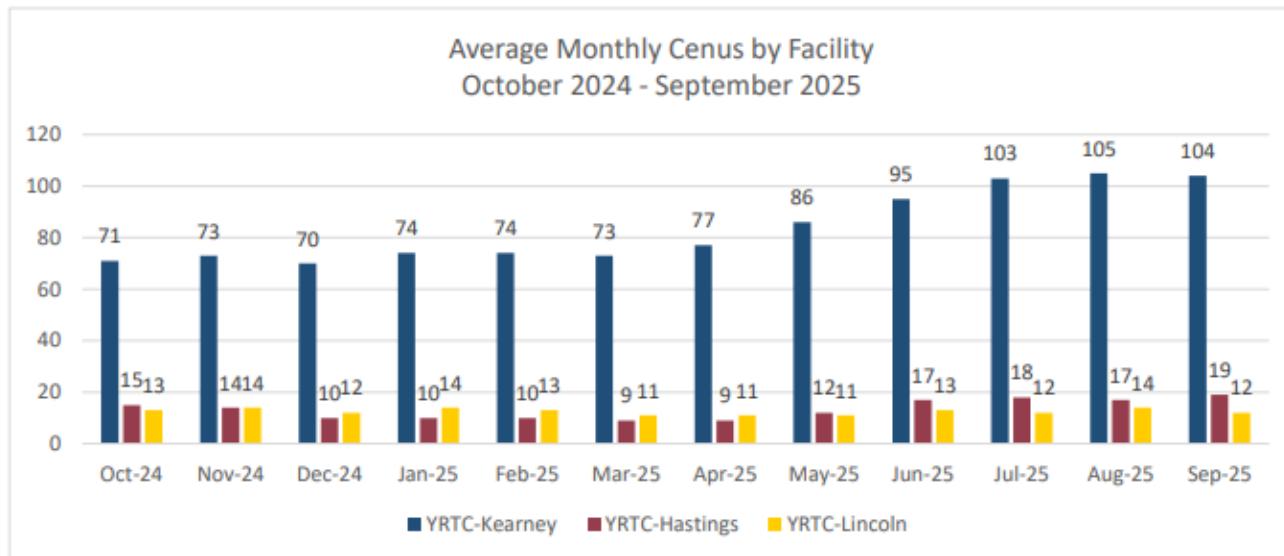


Figure 1 Source: Dec 2025 YRTC Operations Plan and Key Performance Indicators Report

Though the language does not appear in this bill, it is our understanding that LB 1013 is a necessary prerequisite to a series of facility moves planned between the Department of Health and Human Services and the Department of Corrections. We have significant reservations about both the behind-the-scenes process by which these decisions appear to have been made, and about each of the moves themselves.

We are particularly concerned about proposals that would dismantle the Secure Youth Confinement Program in Omaha and move young people into other facilities, such as the DOC facility in Lincoln. NCYF in Omaha was created with the purpose of preventing harm to younger offenders, recognizing that youth and young adults are significantly more likely to be rehabilitated in developmentally appropriate settings and less likely to be subjected to sexual and physical harm from other detainees. Overcrowding has been a persistent issue in Nebraska correctional facilities, and moving these youth from a dedicated space into already strained environments could compromise safety, program quality, and the ability of staff to meet youth needs within Corrections.

Similarly, moving boys from Kearney into what is currently NCYF presents significant risks. While some youth may benefit somewhat from proximity to family in the Omaha area, relocating them could expose them to negative impacts of a more hardware secure facility that was not built with rehabilitation in mind. This move would also create substantial hardship for rural youth and their families, limiting their ability to maintain family connections, an essential factor in successful rehabilitation. The perceived benefit of individual sleeping rooms in Omaha does not outweigh the core issue. Staffing levels and youth programming, which US Department of Health and Human Services identifies as critical to positive outcomes, are likely to be negatively impacted as the move rolls out.

The proposed relocation of girls from Hastings to Kearney raises serious concerns. The Hastings facility has demonstrated stronger performance through more positive youth feedback, accreditation standards, and higher-quality physical infrastructure designed to support safety, stability, and rehabilitation. In contrast, the Kearney facility is significantly oversized for the current youth population, creating operational inefficiencies and

management challenges, and it has been the subject of substantial complaints, oversight scrutiny, and documented administrative concerns. Moving girls from a more therapeutic, stable, and accredited environment into a facility with a history of systemic issues represents a step backward in both care quality and rehabilitative outcomes.

Finally, the logistical complexity of relocating youth across three facilities is substantial. Nebraska's DHHS Office of Juvenile Services and the Department of Corrections have long faced challenges with staffing stability, program implementation, and consistent standards of care. A large-scale transition of this magnitude significantly increases the risk of administrative failures, service disruptions, and escalating costs, impacts that fall most heavily on the young people these systems are meant to protect and support.

At its core, this is a question of values and investment. Nebraska's young people are worth sustained, thoughtful investment, but they deserve the right investment. To date, the state has not conducted a comprehensive, long term, systemwide evaluation demonstrating a meaningful return on investment for the YRTC model in terms of youth rehabilitation, public safety, or long-term outcomes. Meanwhile, other states have shown measurable success by shifting away from large scale, correctional institutions toward smaller, community based, treatment-oriented models that prioritize rehabilitation and family connection. Advancing this plan without rigorous study, transparent analysis, or meaningful public input is not only premature, it is irresponsible policymaking that risks entrenching a system that evidence increasingly shows is ineffective for young people and communities alike.

For these reasons, while we have no objection to the language of LB 1013 on its face, we urge the Legislature to carefully consider the impacts of relocating youth and dismantling facilities designed for rehabilitation and oppose this bill. Nebraska's youth justice system should prioritize developmentally appropriate programming, stability, and safety for young people, rather than relying solely on physical facility capacity and budget concerns. Thoughtful planning and investment in evidence-based approaches will better serve youth, families, and our communities.

Thank you for your time and consideration.

# NEBRASKA YRTCS (1991-PRESENT)

**1991**
**2002**
**2002**
**2008**
**2011**
**2013**
**2013**
**Concerns that YRTCs represent inadequate use of state funds**

Several articles from April to December highlighted concerns about boys getting incomplete treatment, overcrowding, and the lack of a certified drug counseling program. Articles highlighted high recidivism rates and youth moving on to the adult correctional system.

**YRTC Kearney loses accreditation by American Correctional Association**

**Whistle blown on youth-on-youth physical "takedowns"**  
After complaints were made by formerly-incarcerated youth, the Johanns administration eliminated the practice of physical restraint of boys by their peers at YRTC Kearney. In 12 months, there had been 1,344 "takedowns," lasting minutes to hours.

**Agency proposes \$18 million new facility to serve boys who had prior YRTC commitment**  
The proposal was based on a high recidivism rate and concerns about lack of community-based programming for reentry. Opponents viewed it as an expensive addition to bolster a failing program.
 
**Rising violence at YRTC Kearney**  
In 2011, there were 96 assaults on staff compared with 22 in 2008. 472 youth-on-youth assaults were also reported.
 
**Ongoing disturbances and escapes at YRTC Kearney**  
News reports highlighted 11 boys creating a disturbance in the middle of the night, a teen attempting to sell drugs, and 18 separate escapes.
 
**Report shows Nebraska has one of the highest youth incarceration rates**  
The Legislature considered closure of the YRTCs to prioritize funding for a treatment-based system, and formed a task force to develop a plan for closure in favor of a regional service model.
 
**2019**
**2019**
**2018**
**2017**
**2017**
**2016**
**2016**
**Safety violations cause DHHS to close YRTC Geneva**

Fire safety locks were malfunctioning, buildings damaged, and girls described being held in indefinite solitary confinement in rooms without working lights. Concerns were also raised about ability to hire and retain staff.

**Two teens charged with robbing, assaulting female staffer at YRTC Kearney**

**Fence built at YRTC Kearney**  
Youth escapes and attempted escapes have continued.

**Inspector General report identifies reversal in improvements at YRTC Kearney**

Critical incidents were up, with 19 escapes and 14 assaults in FY 2017-2018.

**Solitary confinement report shows high rate and long lengths of isolation at YRTC facilities**

Girls at Geneva were subjected to room confinement at a rate of 2.84 times per 100 days, with an average confinement of almost 23 hours. Boys at Kearney were subjected to it at a rate of 2.32 times per 100 days, with an average length of over 49 hours.

**11 girls attempt escape from YRTC Geneva in one night**
**Inspector General report highlights high number of escapes, assaults, and fights, use of solitary confinement, and loss of programming at YRTC Kearney**
**Former YRTC worker charged with sexual abuse of protected individual**  
The 28-year-old licensed provisional mental health practitioner eventually pled no contest to the second-degree felony for having sexual contact with a teen at YRTC Kearney.
 
**2019**
**2020**
**2021**
**2022**
**2023**
**2024**
**2025**
**DHHS attempted removal of four girls to Lancaster County detention facility and ultimately removed all 24 girls to the Kearney campus.**  
Four girls escaped in early September.
 
**Lincoln YTRC opens 20 youth transferred from Kearney to Lincoln**
**Hastings YRTC open holding 10 girls**  
**YRTC 5-year strategic plan implemented, identifying two primary objectives**  
response to concerns identified in 2020 and advancing the facilities from a "traditional corrections approach" to a "comprehensive treatment approach"
 
**Hastings YRTC recognized for 100% compliance with corrections standards**
**Report from OIG shows surge in use of solitary confinement on youth in Nebraska YRTCs**  
Same year YRTC Kearney received 100% compliance with corrections standards.
 
**Three teens escape Lincoln YRTC**  
Allegations that teens stole a vehicle and committed a robbery during the escape
 
**Alleged staff sex abuse at Kearney YRTC reported by several youth**  
Annual Ombudsman report also notes concerns about physical facility structures