



February 20, 2026

To: Chairperson Bosn and members of the Judiciary Committee

From: Katie Nungesser, Voices for Children in Nebraska

Re: Support of LB 996, Prohibit the use of shackles or restraints on juveniles

Nebraskans believe in treating people with dignity, protecting children, and building systems rooted in fairness and care, and those shared values are exactly why our state should never normalize the routine shackling of kids. The legislature has already taken an important and principled step by recognizing that shackling children in courtrooms is wrong. Previously the Legislature came together, in a bipartisan way, to say clearly that children deserve dignity, care, and protection from the unnecessary harm of shackling in the courtroom. Voices for Children is in support of LB 996 as it simply closes the gap. It extends that same moral clarity beyond the courtroom and into transport, facilities, medical appointments, and everyday interactions with systems that are supposed to protect and rehabilitate young people.

Every child, regardless of their behavior, is still a child. Their bodies are still growing. Their growth plates are vulnerable, and the use of metal, chains, and restraints can cause long term damage. The mental harm is just as real. According to the National Institutes of Health, adolescence is a critical period of identity formation. Young people are actively developing their sense of self and their understanding of who they are in the world. When a child is chained, restrained, and treated like a dangerous criminal, they can begin to internalize that identity. Shackling does not just restrict movement. It reshapes self perception. It teaches a child to see themselves as something less than human, something threatening, something disposable. The presence of shackles creates a threatening and stigmatizing environment where justice feels punitive instead of rehabilitative. That is the opposite of what the juvenile justice system is meant to be.

We are particularly concerned about the use of shackles for long-distance transport. Youth we have come in contact with report that third party transport contractors can be the most aggressive and the most likely to use shackles. This issue is even more severe for rural youth. Children in rural areas may be shackled for much longer periods of time during transport simply because of geography. A child in Gering, for example, may be transported nearly six hours to Madison County for detention. LB 996 would ensure that a

determination about shackling for that length of transport is made based on true questions of safety, not routine or standard practice.

LB 996 would align Nebraska with national momentum. Across the country, states and jurisdictions have recognized the harm of routine shackling. Statutes, regulations, and case law in more than 40 states now ban or limit the practice for children. In Miami-Dade County, shackling of youth ended in 2006, and over nearly two decades there has been no increase in violence, incidents, or escapes. Ending shackling did not reduce safety¹.

The American Academy of Child and Adolescent Psychiatry has stated that indiscriminate shackling generates additional trauma and is stigmatizing to children who have already experienced significant harm². The United States Supreme Court has ruled that routine shackling is unconstitutional for adults because it undermines dignity, fairness, and the presumption of innocence. If this practice is unconstitutional for adults, it should be unthinkable for children.

This Legislature has already said that indiscriminate shackling of children in courtrooms is wrong. LB 996 simply completes the work you have already started. It aligns Nebraska's practices with the values this body has already affirmed. It maintains provisions for safety, but says that children's dignity does not end at the courtroom door.

Thank you to Senator Rountree for bringing this legislation, and to the Committee for your thoughtful consideration. We ask that you advance LB 996.

¹ Campaign Against Indiscriminate Juvenile Shackling. *Shackling and Courtroom Safety*. 2016, The Gault Center / Defend Youth Rights, https://www.defendyouthrights.org/wp-content/uploads/CAIJS_Shackling-and-Courtroom-Safety-3.4.16.pdf.

² American Academy of Child and Adolescent Psychiatry. (2015). *Mandatory shackling in juvenile court settings* (D. Fassler, M.D., author) [Policy statement]. https://www.aacap.org/AACAP/Policy_Statements/2015/Mandatory_Shackling_in_Juvenile_Court_Settings.a_spx