

ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE RESOLUTION 121

Introduced by Pedersen, 39;

PURPOSE: To examine the feasibility of the adoption of juvenile certification legislation to provide that the juvenile court shall have original jurisdiction as to any juveniles who have committed crimes outlined in Nebraska statutes.

The study shall include, but not be limited to, determining:

(1) Whether all crimes should go to the juvenile court or if there are certain types of crimes that should remain in county or district court;

(2) Whether there are types of crimes that would automatically be sent to adult court and the procedures that would need to be followed in order to do that; and

(3) The types of evidence that would need to be presented in order to transfer a case to adult court or to keep a case in juvenile court.

In making the above determinations, the issues to be considered include: The type of treatment the juvenile would most likely be amenable to; whether there is evidence that the alleged offense included violence or was committed in an aggressive or pre-meditated manner; motivation for the commission of the offense; age of the juvenile and age and circumstances of others involved

in the crime; previous history of the juvenile, including whether the previous offenses were adjudicated in juvenile court; whether the crimes were against persons or relating to property; any previous history of antisocial behavior, including any patterns of physical violence; the sophistication and maturity of the juvenile; whether he or she has had previous contact with law enforcement agencies and the nature of the contact; whether there are facilities available to the juvenile court for the treatment and rehabilitation of the juvenile; and whether the best interests of the juvenile and the security of the public may require that the juvenile continue in custody or under supervision for a period of time extending beyond his or her minority and, if so, any available alternatives.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.