

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB774

Hearing Date: Wednesday January 24, 2018
Committee On: Judiciary
Introducer: Pansing Brooks
One Liner: Change peace officers' duties regarding encounters with certain juveniles

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Baker, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:		

Verbal Testimony:

Proponents:

Senator Patty Pansing Brooks
George Merithew
Aimee Melton
Juliet Summers
Maureen Monahan

Representing:

Introducer
Omaha Police Department
Omaha City Council
Voices for Children
Nebraska State Bar Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 774 would make adjustments to statutes governing how peace officers handle juveniles taken into custody.

Section 1 of the bill would removes certain language of statute dealing with specific dates that is no longer effective or relevant moving forward.

Section 2 applies current statutory standards applicable when a peace officer takes a juvenile under the age of 11 into temporary custody to instances where they are taken into custody under the jurisdiction of Neb. Rev. Stat. Sec. 43-248(8), which references Neb. Rev. Stat. Sec. 43-247(1), (2), (3)(b), or (4). The bill requires the peace officer to immediately take reasonable measures to notify the juvenile's parent, guardian, custodian, or relative and may release the juvenile. If the juvenile is not released, the peace officer must deliver the juvenile to the Department of Health and Human Services for temporary placement in the least restrictive environment consisted with the best interests of the juvenile.

Section 3 of the bill amends statute to allow a peace officer who makes contact with a child in need of assistance to refer the child or the parents or guardians to a clinically credentialed community-based provider for crisis intervention, de-escalation, or respite care.

Laura Ebke, Chairperson