

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT**  
**LB184**

---

**Hearing Date:** Wednesday February 15, 2023  
**Committee On:** Judiciary  
**Introducer:** Cavanaugh, J.  
**One Liner:** Provide for inadmissibility of statements of juveniles during transfer proceedings

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

---

**Vote Results:**

**Aye:** 8 Senators Blood, Bosn, DeBoer, DeKay, Holdcroft, Ibach, McKinney, Wayne  
**Nay:**  
**Absent:**  
**Present Not Voting:**

---

**Testimony:**

**Proponents:**

Senator John Cavanaugh  
Abbi Romshek  
Spike Eickholt

**Representing:**

District 09  
Nebraska Criminal Defense Attorney's Association  
Voices for Children in Nebraska

**Opponents:**

Daniel Martin  
Bri McLarty

**Representing:**

Omaha Police Officer's Association  
Nebraska County Attorney Association

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

---

**Summary of purpose and/or changes:**

Section 1 would amend § 29-1816 to provide that statements made by juveniles and evidence derived from statements made by juveniles at a hearing or during the hearing process on a motion to transfer a case to juvenile court are inadmissible in subsequent proceedings. This section would also be amended to remove outdated language.

Section 2 would amend § 43-274 to provide that statements made by juveniles and evidence derived from statements made by juveniles at a hearing or during the hearing process on a motion to transfer a case from juvenile court to adult court are inadmissible in subsequent proceedings.

---

**Explanation of amendments:**

The amendment would replace the new language in Sections 1 and 2 to provide that the

---



statements are admissible in the motion to transfer proceedings, in juvenile court, and for impeachment in a case when the accused's testimony is materially inconsistent with the statements. The statements could also be included in a presentence investigation report.

---

Justin Wayne, Chairperson

