

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1282

Introduced by McDonnell, 5.

Read first time January 16, 2024

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to juveniles; to amend section 83-4,125,
- 2 Revised Statutes Cumulative Supplement, 2022; to provide for youth
- 3 renewal centers for high-risk youth; to define and redefine terms;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-4,125, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 83-4,125 For purposes of sections 83-4,124 to 83-4,134.02:

4 (1) Criminal detention facility means any institution operated by a
5 political subdivision or a combination of political subdivisions for the
6 careful keeping or rehabilitative needs of adult or juvenile criminal
7 offenders or those persons being detained while awaiting disposition of
8 charges against them. Criminal detention facility does not include any
9 institution operated by the Department of Correctional Services. Criminal
10 detention facilities shall be classified as follows:

11 (a) Type I Facilities means criminal detention facilities used for
12 the detention of persons for not more than twenty-four hours, excluding
13 nonjudicial days;

14 (b) Type II Facilities means criminal detention facilities used for
15 the detention of persons for not more than ninety-six hours, excluding
16 nonjudicial days; and

17 (c) Type III Facilities means criminal detention facilities used for
18 the detention of persons beyond ninety-six hours;

19 (2)(a) (2) Juvenile detention facility means:

20 (i) An an institution operated by a political subdivision or
21 political subdivisions for the secure detention and treatment of persons
22 younger than eighteen years of age, including persons under the
23 jurisdiction of a juvenile court, who are serving a sentence pursuant to
24 a conviction in a county or district court or who are detained while
25 waiting disposition of charges against them; or -

26 (ii) A youth renewal center for high-risk youth.

27 (b) Juvenile detention facility does not include any institution
28 operated by the department;

29 (3) Juvenile facility means a residential child-caring agency as
30 defined in section 71-1926, a juvenile detention facility or staff secure
31 juvenile facility as defined in this section, a facility operated by the

1 Department of Correctional Services that houses youth under the age of
2 majority, or a youth rehabilitation and treatment center;

3 (4) Room confinement means the involuntary restriction of a juvenile
4 placed alone in a cell, alone in a room, or alone in another area,
5 including a juvenile's own room, except during normal sleeping hours,
6 whether or not such cell, room, or other area is subject to video or
7 other electronic monitoring;~~and~~

8 (5) Staff secure juvenile facility means a juvenile residential
9 facility operated by a political subdivision (a) which does not include
10 construction designed to physically restrict the movements and activities
11 of juveniles who are in custody in the facility, (b) in which physical
12 restriction of movement or activity of juveniles is provided solely
13 through staff, (c) which may establish reasonable rules restricting
14 ingress to and egress from the facility, and (d) in which the movements
15 and activities of individual juvenile residents may, for treatment
16 purposes, be restricted or subject to control through the use of
17 intensive staff supervision. Staff secure juvenile facility does not
18 include any institution operated by the department; and -

19 (6)(a) Youth renewal center for high-risk youth means a specialized,
20 secure institution operated by a state, local government, or private
21 entity selected by the local county board for the treatment and
22 rehabilitation of high-risk individuals under eighteen years of age.

23 (b) A youth renewal center for high-risk youth serves individuals
24 who:

25 (i) Are under the jurisdiction of a juvenile court, eligible for
26 pretrial release, or on juvenile probation;

27 (ii) Have severe behavioral, mental health, or substance abuse
28 issues; and

29 (iii) Have been identified by a court as needing intensive
30 therapeutic intervention as an alternative to detention or incarceration.

31 (c) The primary goals of a youth renewal center for high-risk youth

1 are to provide comprehensive mental health treatment, behavioral therapy,
2 and rehabilitative services within a secure setting. Key components
3 include:

4 (i) Assessment and Diagnosis: Performing detailed behavioral and
5 psychological evaluations to develop personalized treatment plans;

6 (ii) Therapeutic Interventions: Providing diverse therapeutic
7 modalities, including cognitive-behavioral therapy, family therapy, group
8 therapy, augmented and virtual reality-based therapy, and trauma-informed
9 care;

10 (iii) Educational Programs: Ensuring ongoing or renewed engagement
11 in educational activities, with special education services where
12 required;

13 (iv) Life Skills Training: Teaching essential skills for daily
14 living and successful societal reintegration;

15 (v) Substance Abuse Treatment: Offering targeted substance abuse
16 interventions as needed;

17 (vi) Recreational and Cultural Activities: Organizing structured
18 programs that promote mental and physical well-being; and

19 (vii) Aftercare and Reintegration Support: Facilitating a smooth
20 transition back into the community, including coordination with community
21 services and post-release supervision.

22 Sec. 2. Original section 83-4,125, Revised Statutes Cumulative
23 Supplement, 2022, is repealed.