

AMENDMENTS TO LB1155

Introduced by Executive Board.

1           1. Strike original section 10 and insert the following new section:

2           **Sec. 10.** Section 83-4,134.01, Revised Statutes Supplement, 2025, is  
3 amended to read:

4           83-4,134.01 (1) It is the intent of the Legislature to establish a  
5 system of investigation and performance review in order to provide  
6 increased accountability and oversight regarding the use of room  
7 confinement for juveniles in a juvenile facility.

8           (2) The following shall apply regarding placement in room  
9 confinement of a juvenile in a juvenile facility:

10           (a) Room confinement of a juvenile for longer than one hour during a  
11 twenty-four-hour period shall be documented and approved in writing by a  
12 supervisor in the juvenile facility. Documentation of the room  
13 confinement shall include the date of the occurrence; the race,  
14 ethnicity, age, and gender of the juvenile; the reason for placement of  
15 the juvenile in room confinement; an explanation of why less restrictive  
16 means were unsuccessful; the ultimate duration of the placement in room  
17 confinement in hours and minutes; facility staffing levels at the time of  
18 confinement; and any incidents of self-harm or suicide committed by the  
19 juvenile while he or she was isolated;

20           (b) If any physical or mental health clinical evaluation was  
21 performed during the time the juvenile was in room confinement for longer  
22 than one hour, the results of such evaluation shall be considered in any  
23 decision to place a juvenile in room confinement or to continue room  
24 confinement;

25           (c) The juvenile facility shall electronically submit a quarterly  
26 report ~~quarterly~~ to the Division of Legislative Oversight ~~Legislature~~ on  
27 the juveniles placed in room confinement; the length of time, in hours

1 and minutes, each juvenile was in room confinement; the race, ethnicity,  
2 age, and gender of each juvenile placed in room confinement; facility  
3 staffing levels at the time of confinement; and the reason each juvenile  
4 was placed in room confinement. The report shall specifically address  
5 each instance of room confinement of a juvenile for more than four hours,  
6 including all reasons why attempts to return the juvenile to the general  
7 population of the juvenile facility were unsuccessful. The report shall  
8 also detail all corrective measures taken in response to noncompliance  
9 with this section. The report shall redact all personal identifying  
10 information but shall provide individual, not aggregate, data. The report  
11 ~~shall be delivered electronically to the Legislature. The initial~~  
12 ~~quarterly report shall be submitted within two weeks after the quarter~~  
13 ~~ending on September 30, 2016. Subsequent reports shall be submitted for~~  
14 ~~the ensuing quarters within four weeks after the end of each quarter; and~~

15 (d) All reports submitted pursuant to this section shall be in a  
16 format the Division of Legislative Oversight determines is necessary for  
17 its review; and

18 (e) (d) The Division of Legislative Oversight, specifically the  
19 Inspector General of Nebraska Child Welfare or the Legislative Audit  
20 Office, shall review all data collected pursuant to this section in order  
21 to assess the use of room confinement for juveniles in each juvenile  
22 facility and prepare an annual report of the his or her findings of the  
23 Division of Legislative Oversight, including, but not limited to,  
24 identifying changes in policy and practice which may lead to decreased  
25 use of such confinement as well as model evidence-based criteria to be  
26 used to determine when a juvenile should be placed in room confinement.  
27 The report shall be delivered electronically to the Legislature on an  
28 annual basis.

29 (3) The use of consecutive periods of room confinement to avoid the  
30 intent or purpose of this section is prohibited.

31 (4) Any juvenile facility which is not a residential child-caring

1 agency which fails to comply with the requirements of this section is  
2 subject to disciplinary action as provided in section 83-4,134. Any  
3 juvenile facility which is a residential child-caring agency which fails  
4 to comply with the requirements of this section is subject to  
5 disciplinary action as provided in section 71-1940.