

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 403

Introduced by Rountree, 3; Bosn, 25; Bostar, 29; Cavanaugh, M., 6; Fredrickson, 20; Jacobson, 42; McKinney, 11; Raybould, 28; Sanders, 45.

PURPOSE: The purpose of this resolution is to study the use of shackling on juveniles. The study shall include, but need not be limited to, an examination of the following:

(1) The circumstances under which the use of shackling on juveniles should be prohibited and when such shackling might be permitted, for instance, when there is a substantial and immediate risk of physical harm and no less restrictive alternative is sufficient;

(2) Potential legislation to address the use of shackling on juveniles and how such legislation should be drafted to provide clarity and consistency for agencies, staff, and contractors responsible for the care and transportation of juveniles; and

(3) Legislation, policies, or protocols other states have enacted relating to the shackling of juveniles and the experiences that such other jurisdictions have had when implementing limitations on shackling.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, SECOND 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.