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LB 346

judge in his discretion to put a juvenile in jail or to hold a juvenile following a disposition of the court I believe would put people in rural Nebraska in a very bad situation. For instance in my home county, I think it would be easier if you had a juvenile that was sentenced for some fairly small infraction, let's say, I think it would be much better to have them kept in the county jail close to home for a short period of time which would probably be the judge's discretion to do and would teach the juvenile a lot more about respect for law and order, it seems to me, than to send them to detention center in Kearney or wherever where they would be exposed perhaps to other things. So it seems to me that we should leave the discretion to the judges in this area and, quite honestly, 346 I think is opening a pandora's box if we don't get this amendment adopted. So I urge the body's adoption of this amendment.

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, here we go again attempting to do something quickly that has been a problem for a long time. Right now as I understand it, we have a juvenile justice court system in the State of Nebraska. My first reason for objecting to this is that we may, and I say "may", be dealing ourselves out of federal funds for the juvenile justice act from which we get federal money. I don't know one way or the other but we well may be doing that and I don't think we should be putting something on quickly here and take that risk. Secondly, under the juvenile act as we have it now, you do not put a child under fourteen in jail. Now if you want to change that, that is fine, but if a judge says that this person under fourteen has done a...has committed a crime that could be prosecuted under the adult system, he may do so, and then in that case he may put them in jail. Now rather than just saying, yes, you can put anybody in jail regardless of what, I would be a little leery of doing that. I think this situation should be studied during the interim and made a definite commitment one way or the other, not quickly making the decision here on this floor without any hearings, without knowing what the judges want to do, without not knowing what the judges think ought to be done at least and what prosecutors think ought to be done, but just quickly do it here because we want to put the kids in jail. So I urge you not to support this amendment.

PRESIDENT: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. Chairman, Mr. President and members, that was a very passionate plea from Senator Nichol but I