

March 15, 2018

Dear Senators:

Disability Rights Nebraska, the designated Protection and Advocacy organization for people with disabilities in Nebraska. We support LB 930.

LB 930 would prohibit the use of statements obtained from a juvenile in “custodial” situations (which is short of the child being arrested, but does impact their ability to leave) unless a parent, guardian, or custodian is present and that parent, guardian, or custodian is informed of the child’s right to remain silent and right to counsel.

In adult situations, those rights generally attach once an individual is under arrest (that is, the person cannot get up and leave). This provision, which will attach to children whether they have a disability or not, assures that a responsible adult is made aware of their rights to silence and to counsel. As children with disabilities might be more prone to manipulation/pressure by custodial authorities, this provision is likely to benefit children with disabilities.

Disability Rights recommends this legislation be advanced.

For further information or clarification, please do not hesitate to contact me at your convenience: brad@drne.org, or 402-474-3183.

Sincerely,

Brad Meurrens

Public Policy Director
Disability Rights Nebraska