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Testimony from:

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Testimony in Opposition to LB 556, "An Act Concerning Juvenile Law-Reform"

March 13, 2025

Nebraska Legislature Judiciary Committee

Chair Bosn and members of the Judiciary Committee,

Thank you for the opportunity to testify today. My name is Logan Seacrest (L-O-G-A-N S-E-A-C-R-E-S-T). I live in Nebraska and work for an organization in Washington DC called the R Street Institute. We're a nonprofit, nonpartisan, public policy organization that promotes free markets and limited, effective government.

I've worked in criminal justice policy for well over a decade, both in Nebraska for the Legislative Research Office, and in the Nebraska Supreme Court. I've done in-depth research projects for this very committee. In my professional opinion, arresting and prosecuting young children as adults does more harm than good.

From a developmental perspective, most children don't have the cognitive capacity to understand the full consequences of their actions, or even their most fundamental rights.¹ That's one reason we don't teach civics until children are older. Going to public school in Nebraska, we did not start learning about the Constitution in any sort of detail until high school. And that was in AP class. More abstract concepts, like presumption of innocence, I didn't truly comprehend until college.

¹ Logan Seacrest, "Treating Kids Like Kids: 'Raise the Age' Laws Align Juvenile Justice with Neuroscience and Common Sense," R Street Institute, February 3 2023, <https://www.rstreet.org/research/treating-kids-like-kids-raise-the-age-laws-align-juvenile-justice-with-neuroscience-and-common-sense>

How can little kids navigate a scary and unfamiliar legal system if they haven't learned about their constitutional rights yet?

From a practical standpoint, arresting kids and charging them as adults is not a good use of government resources. The majority of 12-year-olds are getting into trouble for relatively minor offenses. 99.9% of these cases are handled better via other means, such as Nebraska's excellent juvenile restorative justice program, which I wrote about in a recent national policy paper.²

When I worked for the Unicameral, I used to put out a report called "Nebraska At-A-Glance." Year after year, I was surprised to find that Nebraska was arresting children at twice the national average.³ It is not surprising that this strategy has failed to bring down Nebraska's high juvenile crime rates.⁴ If we're serious about public safety, we should focus on real solutions, not big government. The latest research shows that even short periods of juvenile detention result in a **31% decrease in high school graduation rates** and a **25% increase in adult arrests**.⁵ In other words, more crime, not less.

At R Street, we always like to say, "when it comes to kids, **invest instead of arrest**." Deflection, Restorative Justice, Violence Intervention — these are the strategies supported by the evidence. I urge you to adopt legislation that prioritizes those policies, instead of this bill. Thank you, and I welcome any questions.

² Logan Seacrest, "Justice for All: How Restorative Justice Mutually Benefits Victims and Youth," R Street Institute, September 19, 2023, <https://www.rstreet.org/research/justice-for-all-how-restorative-justice-mutually-benefits-victims-and-youth>

³ Logan Seacrest and Tim Erickson, "Nebraska At-A-Glance: National Rankings on 50 Key Policy Indicators," Legislative Research Office, January 2021, <http://govdocs.nebraska.gov/epubs/L3800/B033-2021.pdf>.

⁴ Ibid.

⁵ Logan Seacrest, "Intervention over Incarceration: A Limited Government Approach to Youth Violence," June 25, 2024, <https://www.rstreet.org/research/intervention-over-incarceration-a-limited-government-approach-to-youth-violence>.