



**Testimony on LB 212
Before the Nebraska Legislature
Judiciary Committee
February 25, 2015**

**Brad Meurrens
Disability Rights Nebraska**

Good afternoon Senator Seiler and members of the Judiciary Committee. For the record my name is Brad B-R-A-D Meurrens M-E-U-R-R-E-N-S and I am the Public Policy Specialist with Disability Rights Nebraska, the designated Protection and Advocacy organization for Nebraskans with disabilities. I am here today in support of LB 212.

We have advocated for many years for the reduction of the use of restraints within the context of mental health or other disability services and/or systems. We have maintained that there must be a detailed process, for example, to explore what less restrictive alternatives could be used and to develop rigorous standards/criteria by which the decision to use restraints is made or substantiated. While our advocacy has tended to be contained to the human services systems, we support LB 212's attempt to provide similar direction regarding when restraints should be used in the juvenile court context.

In the psychiatric as well as the juvenile court context, restraints should not be utilized willy-nilly or without strong justification. We support the bill's requirement that probable cause should be found before restraining a juvenile in a juvenile court proceeding as well as that there is no less restrictive alternative available to the use of restraints.

We also support the requirement that individuals have an opportunity to be heard before the use of restraints is ordered.

We would suggest some further tightening of the criteria in Section 1 be considered to ensure that the juvenile's risk of harm to self or others is imminent or immediate before justifying the use of restraints pursuant to LB 212.

Disability Rights Nebraska recommends the committee advance LB 212.