

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

March 2, 2017

Senator Ebke
District #32 State Capitol
P.O. Box 94604
Lincoln, NE 68509-4604

RE: LB 589

Senator Ebke and Members of the Judiciary Committee:


The Department of Health and Human Services (DHHS) does not typically support bills by letter; however, I am unable to attend the hearing today due to a minor medical procedure.

LB 589 requires agreement of the parties or approval of the court in order to depose a child victim or child witness in felony criminal cases when a video-recorded forensic interview of the child has been conducted at a Child Advocacy Center. If a deposition of the child will be taken, LB 589 clarifies that the court shall enter any protective order that justice requires to protect the child witness or child victim from emotional harm or harassment, undue influence or intimidation during the deposition.

This bill provides much needed protection for many vulnerable children, including some who may be in the custody of the Department. It is not uncommon for child victims to have to endure the trauma of a deposition in some of the most serious abuse cases. Many times the alleged perpetrator is present for these depositions and sitting across the table from the child. Although it is not as common for depositions of child victims to occur in juvenile cases, it may also be beneficial to have a similar provision that applies to juvenile court proceedings.

Thank you for the opportunity to share the above information and we look forward to working with you in continuing our mission of helping people live better lives.

Sincerely,



Douglas J. Weinberg, Director
Division of Children and Family Services
Department of Health and Human Services

cc: Senator Crawford