

**2014**

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**Statutory Responses to Domestic  
Minor Sex Trafficking Victims**

**Nebraska**



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## Identification

## Initial Custody

## Process Following Initial Custody

### Child in Need of Assistance (Abused/Neglected)

#### Authority for Initial Custody:

- By a peace officer without a warrant if:
- Child is endangered by surroundings and immediate removal is necessary for protection
  - Child is suspected of prostitution

#### Placement:

The least restrictive placement possible, determined by the department.

#### Where is child referred after initial custody?

To DHHS for temporary placement, and emergency medical or other treatment. Must start investigation w/in 24 hours if DMST.

#### When and how does court assume jurisdiction?

The county attorney files a petition accompanied by verified affidavit.

### Child in Need of Assistance (Status Offenses)

#### Authority for Initial Custody:

- By a peace officer without a warrant if:
- Child is endangered by surroundings
  - Child has run away or is truant
  - Child is suspected of prostitution

#### Placement:

- Return home
- The least restrictive placement possible

#### Where is child referred after initial custody?

If suspected of prostitution, refer to DHHS. Otherwise, referred to the Office of Probation Administration for evaluation.

#### When and how does court assume jurisdiction?

The county attorney files a petition accompanied by verified affidavit.

### Delinquent Child (Minors immune under prostitution law)

#### Authority for Initial Custody:

- By a peace officer without a warrant if child:
- Is endangered by surroundings
  - Has violated a law (except prostitution law)
  - Has violated probation

#### Placement:

- If not suspected of prostitution:
- Return home or least restrictive placement
  - Secure or nonsecure detention, if indicated by detention assessment instrument

#### Where is child referred after initial custody?

If suspected of prostitution, refer to DHHS. Otherwise, refer to Office of Probation Administration for evaluation.

#### When and how does court assume jurisdiction?

The county attorney files a petition accompanied by verified affidavit.

# Trafficking Victims in Nebraska

## Placement Process Pending Adjudication/ Investigation

### When must placement hearing be held after initial custody?

Within 48 of order of temporary custody, if requested

### What are the placement options?

- The temporary custody of a suitable person
- The temporary care and custody of the department
- A proper and accredited charitable institution

## Adjudication or Referral to Alternate Process

### Adjudication:

Adjudication hearing is to be held no later than 90 days after the petition is filed

### Or Alternate Process

N/A

## Placement Following Adjudication

### Dispositional Outcomes

- Remain in the home under supervision
- Placement in the care and custody of the department
- Commitment to a suitable institution, hospital, or agency

### Dispositional Outcomes

N/A

### When must placement hearing be held after initial custody?

Within 48 of order of temporary custody, if requested

### What are the placement options?

- The temporary custody of a suitable person
- A proper and accredited charitable institution
- A state institution

### Adjudication:

Adjudication hearing is to be held no later than 90 days after the petition is filed

### Or Alternate Process

The county attorney or city attorney may refer the child to a juvenile pretrial diversion program

### Dispositional Outcomes

- Remain in the home under supervision
- Commitment to a suitable institution, hospital, or agency

### Dispositional Outcomes

- Community service
- Letter of apology or restitution
- Restrictions on freedom
- Education or services

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Within 48 of order of temporary custody, if requested

### What are the placement options?

- The temporary custody of a suitable person
- The temporary care and custody of the department
- A proper and accredited charitable institution
- Secure or nonsecure detention, if indicated by detention assessment instrument

### Adjudication:

Adjudication hearing is to be held no later than 90 days after the petition is filed

### Or Alternate Process

The county attorney or city attorney may refer the child to a juvenile pretrial diversion program

### Dispositional Outcomes

- Probation supervision
- Placement in a suitable family home or institution
- Secure detention if the interests of the child and community require it

### Dispositional Outcomes

- Community service
- Letter of apology or restitution
- Restrictions on freedom
- Education or services