

STUDY OF THE
YOUTH SERVICES DIVISION
AND THE JUVENILE JUSTICE SYSTEM
IN NEVADA



Bulletin No. 91-18

LEGISLATIVE COMMISSION
OF THE
LEGISLATIVE COUNSEL BUREAU
STATE OF NEVADA

SEPTEMBER 1990

**STUDY OF THE YOUTH SERVICES DIVISION AND
THE JUVENILE JUSTICE SYSTEM IN NEVADA**

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**Legislative Commission
of the
Legislative Counsel Bureau
State of Nevada**

September 1990

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Senate Concurrent Resolution No. 52—Committee on Finance

FILE NUMBER. *197*

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study of the Youth Services Division and the juvenile justice system in Nevada.

WHEREAS, The State of Nevada is experiencing a rapid rate of growth in its population and a corresponding increase in the number of children entering its system of juvenile justice; and

WHEREAS, This increase in the demand upon our system of juvenile justice is being further enhanced by expanding activities of gangs and the abuse of drugs by young persons; and

WHEREAS, This unprecedented burden upon our system of juvenile justice is obstructing the desirable goal of placing youthful offenders in the least restrictive environment appropriate to the offense committed and has instead necessitated the placement of youthful offenders in any facility available, sometimes requiring the placement of male and female offenders at the same location; and

WHEREAS, Increases in costs for the placement and rehabilitation of youthful offenders, together with the expanding need for and the unavailability of sufficient programs and facilities, has created a crisis for state and local government; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative Commission is hereby directed to conduct an interim study of the Youth Services Division of the Department of Human Resources and the system of juvenile justice in Nevada, including the detention, probation, parole and education of youthful offenders; and be it further RESOLVED, That the study include an evaluation of:

1. The estimated number of youthful offenders to be served in the future, the expected severity of their offenses and the projected costs for placement and rehabilitation;

2. The demand created by youthful offenders upon the judicial system of this state, and the ability of the state to provide adequate facilities, services and funding for placement and rehabilitation;

3. The operation of the Youth Services Division of the Department of Human Resources, the types of youthful offenders it serves and its ability to manage the caseload;

4. Existing state and county facilities and services for the placement and rehabilitation of youthful offenders, including the respective methods of management, costs of operation and sources of funding;

5. Current alternatives for the placement and rehabilitation of youthful offenders in the community, including the cost and availability of those alternatives; and

6. Possible alternatives for the future placement and rehabilitation of youthful offenders, considering the expected cost of and demand for adequate facilities and services;

and be it further

RESOLVED, That the results of the study and any recommended legislation be reported to the 66th session of the Nevada Legislature.

SUMMARY OF RECOMMENDATIONS

This summary represents the major conclusions reached by the subcommittee. The conclusions are based upon: (1) testimony provided to the subcommittee by representatives of the Youth Services Division, the Juvenile Justice System in Nevada and the National Center for Juvenile Justice, all of whom are familiar with the operations of the Youth Services Division, Juvenile Courts and county juvenile justice systems; (2) the experience and knowledge of the members of the subcommittee; (3) research completed by the members and staff of the subcommittee; and (4) other correspondence to the members and staff of the subcommittee.

The subcommittee recommends:

1. That continuation funding be provided to the Youth Services Division for the contract care of serious, chronic, violent juvenile offenders, based upon a professionally completed needs assessment with the resultant recommended funding amounts to be submitted to the 1991 Legislature through the Executive Budget process.
2. That the Youth Services Division, through its Youth Parole Bureau, increase "aftercare" services including the establishment and the operation of a halfway house or program of similar concept.
3. That the Youth Services Division create a subsidy program to provide services for Children in Need of Supervision (CHINS) based upon a statewide needs assessment to determine the projected needs for services including out-of-home placement and foster care services. All seventeen (17) counties must participate with funding to consist of two-thirds county share and one-third state share.
4. That the "collection process" of child support payments for youth committed to the Youth Services Division and as currently provided for in NRS, be revised to make child support payments mandatory by responsible relatives for youth committed to state operated training centers. The payment shall be determined based upon a uniform statewide sliding fee scale (for use by all Department of Human Resources agencies) to be developed by the Department of Administration. The subcommittee also recommends that the collection amounts from child support payments be estimated and included through the Executive Budget process in the affected budget accounts within the Youth Services Division.

5. That the Youth Services Division pursue the addition of a new accounting/clerical position to be primarily responsible for the billing and collection process of child support payments for youth in the care of the Youth Services Division. Additionally, that the Youth Services Division pursue the implementation of an automated billing and collection system for child support payments through the acquisition of a personal computer and software.
6. That the appropriate NRS be amended to allow the Youth Services Division to transfer committed youth between institutional placement facilities without obtaining the committing court's specific approval. An advisory notice to the court and parents or responsible relatives of the youth must be processed by the Youth Services Division.
7. That the Youth Services Division request funding on an "as needed" basis for the provision of services to committed youth between 8 and 12 years of age.
8. That an endorsement be given, in concept, to the proposed creation of the Division of Youth and Family Services with the objective of consolidating and improving service delivery to children in the State of Nevada from various agencies within the Department of Human Resources.

**REPORT OF THE LEGISLATIVE COMMISSION
TO THE MEMBERS OF THE 66TH SESSION
OF THE NEVADA LEGISLATURE:**

This report is being submitted in compliance with Senate Concurrent Resolution No. 52 of the 65th Session of the Nevada Legislature which directs the Legislative Commission to study the Youth Services Division and the Juvenile Justice System in Nevada.

The legislative members of the subcommittee were:

Senator John M. Vergiels, Chairman
Assemblyman David E. Humke, Vice Chairman
Senator Raymond D. Rawson
Senator Margaret E. O'Neill
Assemblywoman Eileen Brookman
Assemblyman Gaylyn J. Spriggs
Assemblyman Wendell P. Williams

The subcommittee held five meetings and received considerable testimony concerning the operations of the Division of Youth Services and the Juvenile Justice System in Nevada. The subcommittee reviewed a great deal of information and has attempted in this report to present its findings and recommendations briefly and concisely. Also, supporting documents and minutes are on file in the Fiscal Division of the Legislative Counsel Bureau. The subcommittee wishes to recognize and thank the many people who attended and participated in meetings of the subcommittee for their cooperation and assistance in providing valuable information about the operation of the Youth Services Division and the Juvenile Justice System in Nevada.

This report is transmitted to the members of the 1991 Legislature for consideration and appropriate action.

Respectfully submitted,

Legislative Commission
Legislative Counsel Bureau
State of Nevada

Carson City, Nevada
August 1990

LEGISLATIVE COMMISSION

Assemblyman John E. Jeffrey, Chairman
Assemblyman Robert M. Sader, Vice Chairman

Senator Charles W. Joerg
Senator William R. O'Donnell
Senator Raymond C. Shaffer
Senator Randolph J. Townsend
Senator John M. Vergiels

Assemblyman Louis W. Bergevin
Assemblyman Joseph E. Dini, Jr.
Assemblyman James W. McGaughey
Assemblyman Danny L. Thompson

REPORT TO THE 66TH SESSION OF THE NEVADA LEGISLATURE
BY THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE
TO STUDY THE YOUTH SERVICES DIVISION
AND THE JUVENILE JUSTICE SYSTEM
IN NEVADA

I. INTRODUCTION AND BACKGROUND

The 65th Session of the Nevada Legislature, in 1989, adopted Senate Concurrent Resolution No. 52 (File No. 197, Statutes of Nevada, 1989) which directed the Legislative Commission to study the Youth Services Division and the Juvenile Justice System in Nevada.

The last study of juvenile offender facilities took place after the 1971 Legislative Session as a result of Senate Concurrent Resolution No. 14 (1971), which resulted in study Bulletin No. 101 being presented to the 1973 Legislature for its review and consideration. In addition to the primary objectives of S.C.R. 14 which directed the Legislative Commission to study all facilities in the state for juvenile offenders, Bulletin No. 101 also contained a recommendation to continue the Probation Subsidy Program for the rehabilitation of youthful offenders in Nevada which was established as a pilot program by the adoption of Assembly Bill 203, by the 1971 Legislature. Additionally, Assembly Bill 637, as adopted by the 1987 Legislature, created an advisory committee to study the laws relating to children and to report any recommended legislation to the 65th Session of the Nevada Legislature (1989). This was accomplished through the preparation and publishing of Bulletin No. 89-16. Although A.B. 637 permitted inquiry into all laws relating to children, the committee confined its study to matters directly or indirectly related to juvenile justice.

The 1989 Legislature, after reviewing the Youth Services Division's budgets and programs, adopted Senate Concurrent Resolution No. 52, which directed a review of the Youth Services Division, its programs and facilities and the types of youthful offenders it serves, as well as a review of the juvenile justice system.

Both the Senate Finance Committee and the Assembly Ways and Committee (1989 Session) were extremely concerned with information provided during budget hearings which detailed overcrowding, primarily at the Nevada Youth Training Center at Elko as well as the emergence of a new, more sophisticated, youthful offender, labeled the

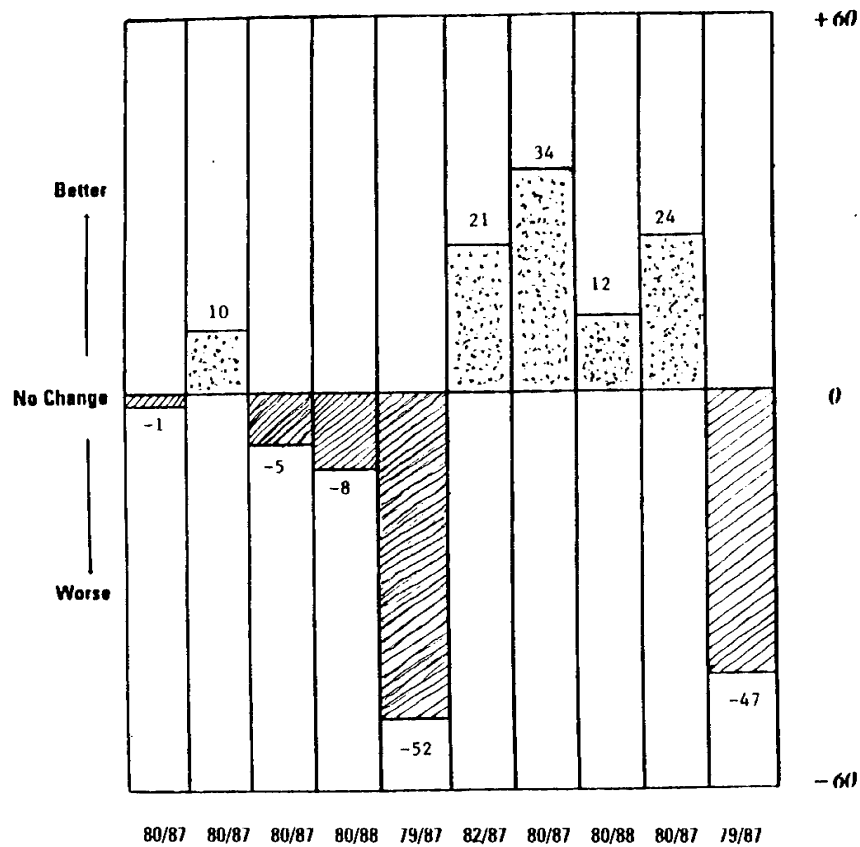
serious, violent, chronic offender. The Senate Finance Committee also toured the Nevada Youth Training Center during the 1989 Session and observed first hand the overcrowded conditions and the new, more sophisticated, serious youthful offenders. The Legislature was also aware of Nevada's high ranking in the incarceration of juvenile offenders. Several sources have put Nevada at or near the top nationally in the per capita incarceration of juveniles. One study completed by The Center for the Study of Social Policy ranked Nevada the highest among the 50 states in incarcerating juvenile offenders exceeded only by the District of Columbia. This ranking is from the most recent data available and is based on counts from a one-day facility census in 1987. The study indicated that Nevada incarcerates 40.7 offenders per 10,000 juveniles and in fact, has increased the incarceration rate by nearly 47 percent in the period from 1979 to 1987 (see Exhibit 1). The same publication lists the national average as 16.6 offenders incarcerated per 10,000 juveniles.

Exhibit 2 provides a range of comparison for juveniles in custody in the United States, while Exhibit 3 shows historical admissions data, number of juveniles in custody as of February 1987 and the approximate annual cost per institutionalized juvenile. While there is some disagreement on methods used in the studies, the fact remains that Nevada's rate is very high.

NEVADA

Total Population: 1,007,000
 Percent Population under 18: 25.1
 Percent Population Minority: 18.9
 Percent Population Metropolitan: 82.6
 Per Capita Income: \$17,511

Percent Births With No Early Prenatal Care
 Infant Mortality Rate
 (Per 1,000 Live Births)
 Percent Low Birth Weight Babies
 (AFDC & Food Stamps)
 Percent of Children in Poverty
 Percent not Graduating from
 High School
 Education Expenditures Per Pupil
 Teenage Unemployment Rate
 Percent of Births to Teenage Mothers
 Juvenile Incarceration
 (Per 10,000 Juveniles)



Percent Births With No Early Prenatal Care
 Infant Mortality Rate
 (Per 1,000 Live Births)
 Percent Low Birth Weight Babies
 (AFDC & Food Stamps)
 Percent of Children in Poverty
 Percent not Graduating from
 High School
 Education Expenditures Per Pupil
 Teenage Unemployment Rate
 Percent of Births to Teenage Mothers
 Juvenile Incarceration
 (Per 10,000 Juveniles)

1979										
1980	27.1	10.7	6.6	66.6	10.0		\$2668	15.2	15.4	27.7
1982								35.2		
1987	27.4	9.6	6.9		15.2	27.9	\$3573		11.7	40.7
1988				61.4				13.3		

Trend Data

38	22	27	31	9	31	32	21	29	50
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National Rank (out of 51; most recent data available)

32/51

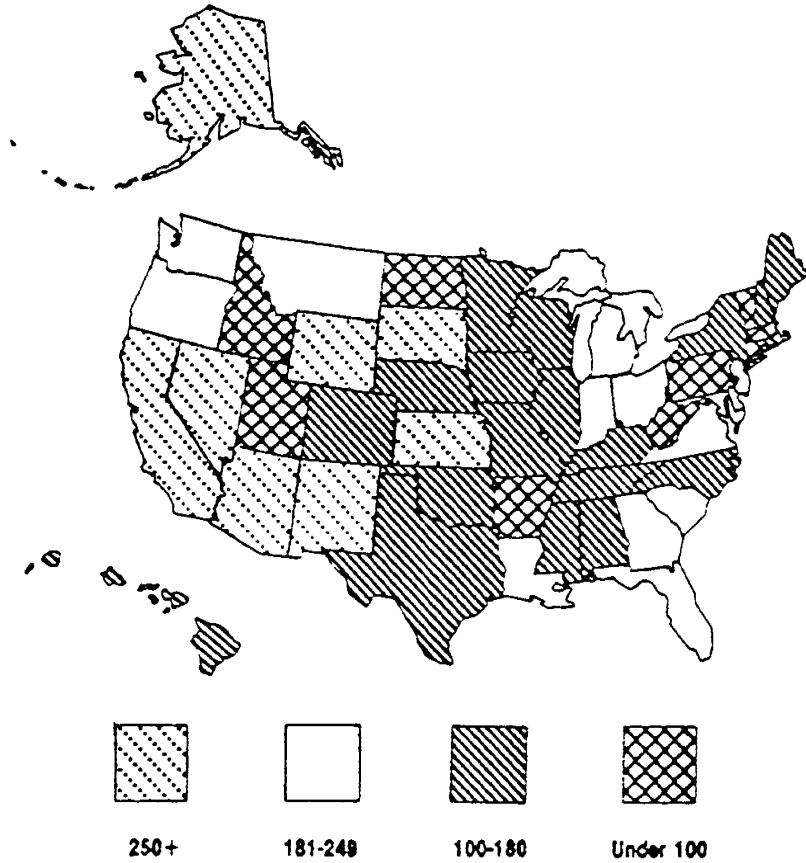
National Composite Rank

11/13

Regional Composite Rank

Exhibit 2

FIGURE 2.
NUMBER OF JUVENILES IN CUSTODY PER 100,000 POPULATION
OVER AGE 10, 1987



Source: Office of Juvenile Justice and Delinquency Prevention,
U.S. Department of Justice, 1988.

Exhibit 3

TABLE 1.
JUVENILES IN TRAINING CAMPS, REFORMATORIES, AND HALFWAY HOUSES:
NUMBER AND COST PER INSTITUTIONALIZED JUVENILE, 1984, 1986, AND 1987

State	Admissions Per Year		Number in Custody on Feb. 2, 1987	Average Annual Cost Per Institutionalized Juvenile
	1984	1986		
Alabama	7,512	7,804	804	\$20,000
Alaska	2,441	1,851	178	51,400
Arizona	10,636	12,344	1,019	18,600
Arkansas	1,919	2,793	249	27,200
California	133,462	156,940	14,712	21,100
Colorado	9,322	8,625	503	29,000
Connecticut	1,704	2,242	227	61,400
Delaware	1,021	1,109	169	26,000
Washington, D.C.	6,012	8,870	413	22,500
Florida	32,462	39,398	2,311	17,900
Georgia	14,466	16,031	1,338	25,500
Hawaii	2,863	3,437	149	28,800
Idaho	1,176	921	117	43,400
Illinois	16,111	18,432	1,930	26,800
Indiana	15,821	18,075	1,320	20,700
Iowa	2,725	4,095	427	28,400
Kansas	3,179	2,967	676	31,500
Kentucky	5,420	5,674	607	29,400
Louisiana	5,370	4,012	1,028	25,300
Maine	784	691	214	31,300
Maryland	8,653	8,329	1,032	30,700
Massachusetts	2,784	3,083	212	44,100
Michigan	13,318	16,828	1,816	39,100
Minnesota	8,640	8,608	581	39,200
Mississippi	4,642	5,588	355	18,900
Missouri	10,101	10,822	815	24,200
Montana	478	578	228	23,400
Nebraska	2,456	2,741	274	22,000
Nevada	5,697	6,468	482	31,800
New Hampshire	847	423	126	41,600
New Jersey	13,649	14,927	1,997	31,800
New Mexico	8,014	6,361	491	22,600
New York	7,377	9,679	2,226	54,300
North Carolina	4,392	5,882	812	28,600
North Dakota	557	445	69	28,900
Ohio	32,737	37,229	3,126	22,000
Oklahoma	2,480	5,179	446	43,700
Oregon	7,965	9,475	592	29,200
Pennsylvania	13,861	12,948	1,103	47,000
Rhode Island	632	740	105	78,700
South Carolina	4,546	4,081	715	27,200
South Dakota	1,598	1,976	228	16,500
Tennessee	13,824	15,187	1,038	25,600
Texas	30,509	35,080	2,421	26,000
Utah	5,414	6,177	217	35,400
Vermont	0	176	15	66,700
Virginia	13,405	13,932	1,456	29,100
Washington	22,107	23,690	1,134	35,300
West Virginia	1,374	1,273	141	22,600
Wisconsin	4,867	6,064	686	29,900
Wyoming	277	374	173	19,200
Total	521,607	590,654	53,503	\$27,000
Source: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, 1988.				

As a result, the 1989 Legislature, cognizant of the rapid rate of population growth in Nevada and the corresponding increase in the number of children entering its juvenile justice system with diverse needs, adopted Senate Concurrent Resolution No. 52. The results of the study are to be reported to the 66th Session of the Nevada Legislature for its review and consideration. The subcommittee developed a total of eight recommendations.

Subcommittee Meetings

The S.C.R. 52 Subcommittee held a total of five meetings which took place in Las Vegas (two), Reno (one), and Carson City (two).

Subcommittee Methodology

The S.C.R. 52 Subcommittee conducted its study through the public hearing process. The subcommittee received considerable input on the operation of the Youth Services Division and the Juvenile Justice System through both written and verbal testimony from employees of the Division of Youth Services and the Department of Human Resources, District Court Judges, County Chief Juvenile Probation Officers, concerned parents and a representative from the National Center for Juvenile Justice (see Appendix A). The subcommittee also solicited written comments and concerns from interested individuals in regard to the subcommittee's initial draft recommendations (see Appendix B). Additionally, the subcommittee and staff reviewed a large number of publications, studies and reports concerned with juvenile justice issues (see Appendix C).

II. HISTORY, ORGANIZATION, AND OVERVIEW OF THE YOUTH SERVICES DIVISION

The Youth Services Division, as organized today, is a result of legislation adopted during the 1973 and 1979 Legislative Sessions. Prior to the 1973 Session, and the passage of Assembly Bill 405, there existed a Children's Home Division, the Nevada Girl's Training Center Division and the Nevada Youth Training Center Division. Assembly Bill 405 created a Youth Services Agency which consisted of the Nevada Youth Training Center Division, Nevada Girl's Training Center Division, Northern Nevada Children's Home Division, Southern Nevada Children's Home Division and a Community Services Division. Additional legislation adopted during the 1973 Session also changed the name of the Department of Health, Welfare, and Rehabilitation to the Department of Human Resources of which the Youth Services Agency was a part of. Assembly Bill 824, as adopted by the 1979 Session, changed the agency name to the Youth Services Division and also created a Youth Parole Bureau and Child Care Services Bureau and shaped the division primarily as it is organized today (Exhibit 4, organizational chart).

Purpose

Briefly stated, the purpose of the Youth Services Division as enumerated in NRS 232.400 is to provide services for youth, who are in need of residential care or in need of treatment or both. Also, the division shall develop standards for carrying out programs aimed toward the prevention of delinquent acts of children and programs for the treatment of those brought to its attention. The division shall also develop and assist in carrying out programs for the diversion of juveniles out of the judicial system and programs for the aftercare of juveniles who have been released from state institutions, who have been brought before the juvenile court or have otherwise come into contact with law enforcement agencies.

NEVADA STATE DEPARTMENT OF HUMAN RESOURCES

YOUTH SERVICES DIVISION

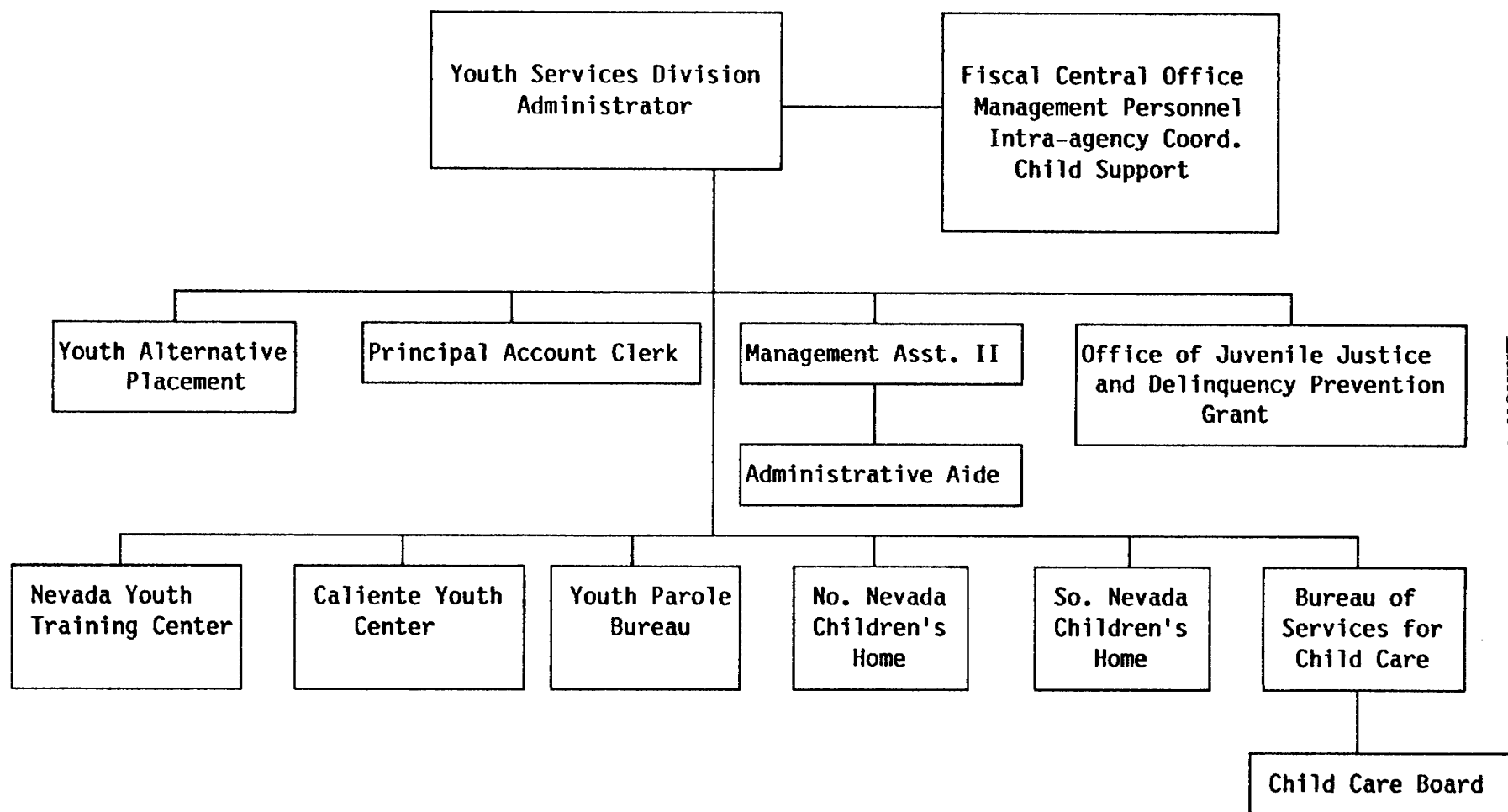


Exhibit 4

Program Descriptions

Following is a summary description of the agencies and programs within the Youth Services Division.

Youth Services Division - Administration

This budget was established during the 1979 Legislative Session and provides administrative support for the six agencies of the Youth Services Division as well as the Alternative Placement and Probation Subsidy Programs.

Bureau of Services for Child Care

The Bureau of Services for Child Care has responsibility for licensing, monitoring and providing technical assistance to child care facilities caring for five or more children not licensed by local entities. All jurisdictions are monitored for unlicensed child care with reported complaints being investigated. The bureau's objectives are to continue statewide licensing, monitoring and training to improve the quality of child care provided to Nevada's children.

Youth Alternative Placement

The Youth Alternative Placement programs, overseen by the administrator of the division as well as the Youth Parole Bureau, are designed as an alternative to institutional placement at either the Nevada Youth Training Center or the Caliente Youth Center. Programs include St. Jude's/Home of the Good Shepherd for females located in Las Vegas, the Spring Mountain Youth Camp for males, also located in Clark County, and the China Spring Youth Camp for males located in Douglas County. Additionally, other alternative placements are available for youth paroled from state institutions who may require placement in a reputable home, an educational or work program.

Nevada Youth Training Center

The Nevada Youth Training Center in Elko is a 24-hour residential treatment facility for male youth between 12 and 18 years of age who have been adjudicated delinquent by the State of Nevada's district courts. At capacity, the seven living units at the center can accommodate 160 youth. The center operates an accredited junior and senior high school and offers required and elective academic subjects, remedial programs, vocational education, interscholastic athletics and youth work programs. Religious, medical, dental, recreational and counseling services are also offered.

Caliente Youth Center

The Caliente Youth Center is a 24-hour residential treatment facility for male and female youth between 12 and 18 years of age who have been adjudicated delinquent by the State of Nevada's district courts. NRS 210.615, as added by the 1987 Legislature allows the administrator of the Youth Services Division to transfer male youth from the Nevada Youth Training Center to the Caliente Youth Center. The center provides rehabilitative training, education and recreation for committed youth and consists of seven cottages, each having a capacity of 20 youth for a total of 140 inmates. The recommended budget during the current FY 1989-1991 biennium is predicated on six cottages for a capacity of 120 youth; 60 boys and 60 girls.

Youth Parole Bureau

The Youth Parole Bureau provides parole supervision for youth released from the Nevada Youth Training Center and the Caliente Youth Center. Counselors are presently stationed in Las Vegas, Reno, Carson City, Fallon and Elko. Counselors work with the family, the youth and institutional staff to identify, provide and implement parole services that will permit successful social adjustment when the youth is returned to the community.

Probation Subsidies

The Probation Subsidy Program, created by the 1971 Legislature and authorized in NRS 213.220, provides funding to local judicial court districts with the stated purpose of reducing the necessity for commitment of youthful offenders to state correctional institutions by strengthening and improving local supervision of youth placed on probation by the juvenile and district courts of the state.

Northern Nevada Children's Home

The Northern Nevada Children's Home is located in Carson City and consists of seven cottages with a total capacity for 68 children. The home provides care for children who are neglected, abandoned, orphaned, abused or in need of supervision and who are committed by a court order. Care includes food, clothing, shelter, personal hygiene, medical and dental services, recreation and counseling for emotional problems. Education is provided in the Carson City public schools.

Southern Nevada Children's Home

The Southern Nevada Children's Home, located in Boulder City, consists of seven cottages with a total capacity for 70 children. The home provides care for children who are neglected, abandoned, orphaned, abused or in need of supervision and who are committed by court order. The care includes food, clothing, shelter, personal hygiene, medical and dental services, recreation and counseling for emotional problems. Education is provided in the Boulder City public schools.

Funding History

The general fund appropriation for the Youth Services Division has grown from \$6,434,494 in fiscal year 1981 to \$12,620,446 in fiscal year 1991, an increase of approximately 96 percent. A history of the general fund appropriations for the division from fiscal year 1980 to fiscal year 1991 is displayed in Exhibit 5. The division's overall total funding has increased approximately 95 percent from fiscal year 1980 to fiscal year 1991, encompasses all revenues including federal grant funding and totals \$13,849,653 in fiscal year 1991. A history of total funding for this period is also displayed in Exhibit 5. (It should be noted that the amounts shown are legislatively approved amounts. Actual amounts may differ slightly due to changes that took place during the fiscal periods such as augmentations, supplemental appropriations, reversions, etc.).

Institutional Caseload Growth

As the population of the State of Nevada has grown over the last decade, so too has the number of youth entering the juvenile justice system and programs and facilities administered by the Youth Services Division. Exhibit 6 shows a history, from fiscal year 1981 through fiscal year 1990 of institutional caseload and other workload measures of the division.

YOUTH SERVICES DIVISION
LEGISLATIVELY APPROVED BUDGETS
FY 1980 THROUGH FY 1991
LAPYS-07/30/90-02:25P

	FY 1980			FY 1981		
	GENERAL	OTHER	TOTAL	GENERAL	OTHER	TOTAL
	FUND	FUNDS	FUNDS	FUND	FUNDS	FUNDS
YOUTH SERVICES	\$136,993	\$13,290	\$150,283	\$139,256	\$13,290	\$152,546
INNOVATIVE GRANT PROJ	\$60,000	\$0	\$60,000	\$60,000	\$0	\$60,000
CHILD CARE SERVICE	\$0	\$0	\$0	\$0	\$0	\$0
ALTERNATE PLACEMENT	\$0	\$0	\$0	\$0	\$0	\$0
YOUTH TRAINING CENTER	\$2,129,175	\$110,478	\$2,239,653	\$2,202,465	\$102,660	\$2,305,125
YOUTH PAROLE SERVICE	\$460,194	\$0	\$460,194	\$475,118	\$0	\$475,118
YTC-ECIA CH 1 & 2	\$0	\$123,750	\$123,750	\$0	\$126,339	\$126,339
YTC - FARM	\$0	\$0	\$0	\$0	\$0	\$0
GIRLS TRAINING CENTER	\$1,197,645	\$30,066	\$1,227,711	\$1,258,791	\$30,066	\$1,288,857
PROBATION SUBSIDY	\$629,370	\$348,520	\$977,890	\$629,370	\$338,478	\$967,848
CHILDREN'S HOME - CARSON	\$567,841	\$23,430	\$591,271	\$590,704	\$23,430	\$614,134
CHILDREN'S HOME - BOULDER	\$565,946	\$29,639	\$595,585	\$575,934	\$29,639	\$605,573
OUTSIDE AGENCY CARE	\$169,830	\$0	\$169,830	\$169,830	\$0	\$169,830
GOOD SHEPHERD	\$198,000	\$0	\$198,000	\$198,000	\$0	\$198,000
SPRING MTN YOUTH CAMP	\$252,000	\$0	\$252,000	\$252,000	\$0	\$252,000
PAROLEE FOSTER HOMES	\$67,500	\$0	\$67,500	\$75,000	\$0	\$75,000
	\$6,434,494	\$679,173	\$7,113,667	\$6,626,468	\$663,902	\$7,290,370
	=====	=====	=====	=====	=====	=====

Exhibit 5

YOUTH SERVICES DIVISION
LEGISLATIVELY APPROVED BUDGETS
FY 1980 THROUGH FY 1991
LAPYS-07/30/90-02:25P

	FY 1982				FY 1983		
	GENERAL	OTHER	TOTAL	*	GENERAL	OTHER	TOTAL
	FUND	FUNDS	FUNDS	*	FUND	FUNDS	FUNDS

YOUTH SERVICES	\$159,311	\$37,159	\$196,470	*	\$166,838	\$39,587	\$206,425
INNOVATIVE GRANT PROJ	\$0	\$0	\$0	*	\$0	\$0	\$0
CHILD CARE SERVICE	\$0	\$0	\$0	*	\$0	\$0	\$0
ALTERNATE PLACEMENT	\$678,000	\$0	\$678,000	*	\$692,000	\$0	\$692,000
YOUTH TRAINING CENTER	\$2,543,184	\$121,160	\$2,664,344	*	\$2,674,751	\$121,160	\$2,795,911
YOUTH PAROLE SERVICE	\$480,716	\$0	\$480,716	*	\$502,389	\$0	\$502,389
YTC-ECIA CH 1 & 2	\$0	\$158,000	\$158,000	*	\$0	\$158,000	\$158,000
YTC - FARM	\$0	\$4,500	\$4,500	*	\$0	\$1,500	\$1,500
GIRLS TRAINING CENTER	\$1,456,421	\$35,570	\$1,491,991	*	\$1,540,511	\$35,570	\$1,576,081
PROBATION SUBSIDY	\$755,244	\$174,259	\$929,503	*	\$755,244	\$0	\$755,244
CHILDREN'S HOME - CARSON	\$645,875	\$23,430	\$669,305	*	\$675,880	\$23,430	\$699,310
CHILDREN'S HOME - BOULDER	\$628,604	\$24,500	\$653,104	*	\$664,876	\$24,500	\$689,376
OUTSIDE AGENCY CARE	\$0	\$0	\$0	*	\$0	\$0	\$0
GOOD SHEPHERD	\$0	\$0	\$0	*	\$0	\$0	\$0
SPRING MTN YOUTH CAMP	\$0	\$0	\$0	*	\$0	\$0	\$0
PAROLEE FOSTER HOMES	\$0	\$0	\$0	*	\$0	\$0	\$0
	-----	-----	-----	*	-----	-----	-----
	\$7,347,355	\$578,578	\$7,925,933	*	\$7,672,489	\$403,747	\$8,076,236
	=====	=====	=====	*	=====	=====	=====

YOUTH SERVICES DIVISION
LEGISLATIVELY APPROVED BUDGETS
FY 1980 THROUGH FY 1991
LAPYS-07/30/90-02:25P

	FY 1984			FY 1985		
	GENERAL	OTHER	TOTAL	GENERAL	OTHER	TOTAL
	FUND	FUNDS	FUNDS	FUND	FUNDS	FUNDS
*****	*****	*****	*****	*****	*****	*****
YOUTH SERVICES	\$126,921	\$0	\$126,921 *	\$130,009	\$0	\$130,009 *
INNOVATIVE GRANT PROJ	\$0	\$0	\$0 *	\$0	\$0	\$0 *
CHILD CARE SERVICE	\$83,887	\$3,000	\$86,887 *	\$87,076	\$3,000	\$90,076 *
ALTERNATE PLACEMENT	\$860,000	\$0	\$860,000 *	\$902,880	\$0	\$902,880 *
YOUTH TRAINING CENTER	\$3,038,515	\$99,000	\$3,137,515 *	\$3,167,979	\$99,000	\$3,266,979 *
YOUTH PAROLE SERVICE	\$572,969	\$0	\$572,969 *	\$589,356	\$0	\$589,356 *
YTC-ECIA CH 1 & 2	\$0	\$159,081	\$159,081 *	\$0	\$167,516	\$167,516 *
YTC - FARM	\$0	\$1,500	\$1,500 *	\$0	\$1,500	\$1,500 *
GIRLS TRAINING CENTER	\$1,743,468	\$49,377	\$1,792,845 *	\$1,821,058	\$52,966	\$1,874,024 *
PROBATION SUBSIDY	\$755,244	\$0	\$755,244 *	\$793,006	\$0	\$793,006 *
CHILDREN'S HOME - CARSON	\$752,979	\$23,430	\$776,409 *	\$782,859	\$23,430	\$806,289 *
CHILDREN'S HOME - BOULDER	\$715,807	\$23,500	\$739,307 *	\$749,265	\$23,500	\$772,765 *
OUTSIDE AGENCY CARE	\$0	\$0	\$0 *	\$0	\$0	\$0 *
GOOD SHEPHERD	\$0	\$0	\$0 *	\$0	\$0	\$0 *
SPRING MTN YOUTH CAMP	\$0	\$0	\$0 *	\$0	\$0	\$0 *
PAROLEE FOSTER HOMES	\$0	\$0	\$0 *	\$0	\$0	\$0 *
	-----	-----	----- *	-----	-----	----- *
	\$8,649,790	\$358,888	\$9,008,678 *	\$9,023,488	\$370,912	\$9,394,400 *
	=====	=====	===== *	=====	=====	===== *

YOUTH SERVICES DIVISION
LEGISLATIVELY APPROVED BUDGETS
FY 1980 THROUGH FY 1991
LAPYS-07/30/90-02:25P

	FY 1986			FY 1987		
	GENERAL	OTHER	TOTAL	GENERAL	OTHER	TOTAL
	FUND	FUNDS	FUNDS	FUND	FUNDS	FUNDS
*****	*****	*****	*****	*****	*****	*****
YOUTH SERVICES	\$102,025	\$0	\$102,025 *	\$98,942	\$0	\$98,942 *
INNOVATIVE GRANT PROJ	\$0	\$0	\$0 *	\$0	\$0	\$0 *
CHILD CARE SERVICE	\$125,636	\$2,200	\$127,836 *	\$128,912	\$2,200	\$131,112 *
ALTERNATE PLACEMENT	\$913,507	\$0	\$913,507 *	\$941,404	\$0	\$941,404 *
YOUTH TRAINING CENTER	\$3,075,869	\$123,750	\$3,199,619 *	\$3,165,552	\$123,750	\$3,289,302 *
YOUTH PAROLE SERVICE	\$580,771	\$13,632	\$594,403 *	\$585,490	\$14,177	\$599,667 *
YTC-ECIA CH 1 & 2	\$0	\$156,328	\$156,328 *	\$0	\$166,790	\$166,790 *
YTC - FARM	\$0	\$5,000	\$5,000 *	\$0	\$5,000	\$5,000 *
GIRLS TRAINING CENTER	\$1,390,913	\$37,629	\$1,428,542 *	\$1,429,083	\$37,629	\$1,466,712 *
PROBATION SUBSIDY	\$824,726	\$0	\$824,726 *	\$857,715	\$0	\$857,715 *
CHILDREN'S HOME - CARSON	\$799,648	\$74,841	\$874,489 *	\$815,490	\$77,220	\$892,710 *
CHILDREN'S HOME - BOULDER	\$783,754	\$75,541	\$859,295 *	\$792,921	\$77,920	\$870,841 *
OUTSIDE AGENCY CARE	\$0	\$0	\$0 *	\$0	\$0	\$0 *
GOOD SHEPHERD	\$0	\$0	\$0 *	\$0	\$0	\$0 *
SPRING MTN YOUTH CAMP	\$0	\$0	\$0 *	\$0	\$0	\$0 *
PAROLEE FOSTER HOMES	\$0	\$0	\$0 *	\$0	\$0	\$0 *
	-----	-----	-----	-----	-----	-----
	\$8,596,849	\$488,921	\$9,085,770 *	\$8,815,509	\$504,686	\$9,320,195 *
	=====	=====	=====	=====	=====	=====

YOUTH SERVICES DIVISION
 LEGISLATIVELY APPROVED BUDGETS
 FY 1980 THROUGH FY 1991
 LAPYS-07/30/90-02:25P

	FY 1988				FY 1989		
	GENERAL	OTHER	TOTAL		GENERAL	OTHER	TOTAL
	FUND	FUNDS	FUNDS		FUND	FUNDS	FUNDS
*****	*****	*****	*****	*****	*****	*****	*****
YOUTH SERVICES	\$188,676	\$225,000	\$413,676 *		\$108,154	\$225,000	\$333,154 *
INNOVATIVE GRANT PROJ	\$0	\$0	\$0 *		\$0	\$0	\$0 *
CHILD CARE SERVICE	\$154,047	\$5,160	\$159,207 *		\$155,519	\$5,360	\$160,879 *
ALTERNATE PLACEMENT	\$1,075,904	\$166,320	\$1,242,224 *		\$1,105,336	\$169,200	\$1,274,536 *
YOUTH TRAINING CENTER	\$3,453,165	\$129,976	\$3,583,141 *		\$3,518,552	\$130,476	\$3,649,028 *
YOUTH PAROLE SERVICE	\$691,493	\$15,968	\$707,461 *		\$717,580	\$16,606	\$734,186 *
YTC-ECIA CH 1 & 2	\$0	\$138,405	\$138,405 *		\$0	\$140,657	\$140,657 *
YTC - FARM	\$0	\$8,000	\$8,000 *		\$0	\$8,000	\$8,000 *
GIRLS TRAINING CENTER	\$1,782,775	\$48,655	\$1,831,430 *		\$1,828,387	\$49,385	\$1,877,772 *
PROBATION SUBSIDY	\$870,581	\$0	\$870,581 *		\$883,639	\$0	\$883,639 *
CHILDREN'S HOME - CARSON	\$889,701	\$32,045	\$921,746 *		\$916,674	\$32,526	\$949,200 *
CHILDREN'S HOME - BOULDER	\$887,908	\$31,608	\$919,516 *		\$916,169	\$32,082	\$948,251 *
OUTSIDE AGENCY CARE	\$0	\$0	\$0 *		\$0	\$0	\$0 *
GOOD SHEPHERD	\$0	\$0	\$0 *		\$0	\$0	\$0 *
SPRING MTN YOUTH CAMP	\$0	\$0	\$0 *		\$0	\$0	\$0 *
PAROLEE FOSTER HOMES	\$0	\$0	\$0 *		\$0	\$0	\$0 *
	-----	-----	----- *		-----	-----	----- *
	\$9,994,250	\$801,137	\$10,795,387 *		\$10,150,010	\$809,292	\$10,959,302 *
	=====	=====	===== *		=====	=====	===== *

YOUTH SERVICES DIVISION
LEGISLATIVELY APPROVED BUDGETS
FY 1980 THROUGH FY 1991
LAPYS-07/30/90-02:25P

	FY 1990				FY 1991		
	GENERAL	OTHER	TOTAL		GENERAL	OTHER	TOTAL
	FUND	FUNDS	FUNDS		FUND	FUNDS	FUNDS

YOUTH SERVICES	\$115,754	\$119,187	\$234,941 *		\$117,654	\$119,163	\$236,817 *
INNOVATIVE GRANT PROJ	\$0	\$0	\$0 *		\$0	\$0	\$0 *
CHILD CARE SERVICE	\$178,644	\$8,860	\$187,504 *		\$179,477	\$9,460	\$188,937 *
ALTERNATE PLACEMENT	\$1,949,775	\$367,936	\$2,317,711 *		\$1,744,452	\$376,911	\$2,121,363 *
YOUTH TRAINING CENTER	\$3,877,594	\$179,656	\$4,057,250 *		\$3,985,680	\$180,792	\$4,166,472 *
YOUTH PAROLE SERVICE	\$853,072	\$17,436	\$870,508 *		\$916,306	\$17,959	\$934,265 *
YTC-ECIA CH 1 & 2	\$0	\$152,794	\$152,794 *		\$0	\$155,222	\$155,222 *
YTC - FARM	\$0	\$10,000	\$10,000 *		\$0	\$10,000	\$10,000 *
GIRLS TRAINING CENTER	\$2,608,825	\$85,845	\$2,694,670 *		\$2,644,929	\$87,133	\$2,732,062 *
PROBATION SUBSIDY	\$910,148	\$205,813	\$1,115,961 *		\$937,453	\$205,813	\$1,143,266 *
CHILDREN'S HOME - CARSON	\$1,019,146	\$28,266	\$1,047,412 *		\$1,040,588	\$29,114	\$1,069,702 *
CHILDREN'S HOME - BOULDER	\$1,048,563	\$36,544	\$1,085,107 *		\$1,053,907	\$37,640	\$1,091,547 *
OUTSIDE AGENCY CARE	\$0	\$0	\$0 *		\$0	\$0	\$0 *
GOOD SHEPHERD	\$0	\$0	\$0 *		\$0	\$0	\$0 *
SPRING MTN YOUTH CAMP	\$0	\$0	\$0 *		\$0	\$0	\$0 *
PAROLEE FOSTER HOMES	\$0	\$0	\$0 *		\$0	\$0	\$0 *
	-----	-----	----- *		-----	-----	----- *
	\$12,561,521	\$1,212,337	\$13,773,858 *		\$12,620,446	\$1,229,207	\$13,849,653 *
	=====	=====	===== *		=====	=====	===== *

Nevada Youth Services Division

Institutional and Program Caseload Figures
Average Monthly Populations

	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>	<u>FY 1985</u>	<u>FY 1986</u>	<u>FY 1987</u>	<u>FY 1988</u>	<u>FY 1989</u>	<u>FY 1990</u>
Nevada Youth Training Center	159	165	155	134	141	157	165	181	181	155
100 Caliente Youth Center	86	96	79	62	63	72	78	76	98*	124
Northern Nevada Children's Home	**	**	52	58	51	61	52	56	52	46
Southern Nevada Children's Home	62	59	63	62	60	68	68	68	66	63
Youth Parole Bureau - Average monthly caseload (statewide)	538	571	548	519	494	559	595	641	670	686

* Statutory changes made during the 1987 Legislative Session allowed lower risk male inmates from the Nevada Youth Training Center to be transferred to the Caliente Youth Center.

** Not available.

scr52 populations/LLP:nm
YOUTH SERVICES DIV

III. RECOMMENDATIONS

The subcommittee has a total of eight recommendations.

1. That continuation funding be provided to the Youth Services Division in the 1991-93 biennium for the purchase of contract care for serious, chronic, violent juvenile offenders. Furthermore, the subcommittee recommends that the amounts to be funded in each year of the biennium be based upon a professionally completed needs assessment that will project not only the number of beds or contract slots needed, but also the type of bed, services or treatment needed, such as those for serious, chronic, and violent juvenile offenders, high level sexual offenders or dual diagnosed, emotionally disturbed delinquents. The subcommittee also recommends that the needs assessment include a recommendation as to the location of the facility and that the delivery of the needs assessment results to the state Budget Office and Legislative Counsel Bureau's Fiscal Analysis Division be made simultaneously. The subcommittee has also recommended that it prefers that the contract services be provided within the State of Nevada to facilitate family involvement in the treatment process.

During the course of the study, the question of how to best provide care for the serious, chronic, violent category of juvenile offender received considerable attention and discussion. The Youth Services Division ranked the provision of care to this category of offender as their number one priority at this time. The Youth Services Division currently utilizes a series of eight criteria to determine if offenders should be placed in this category and also to determine the ability of the Nevada Youth Training Center to properly program for their needs (Exhibit 7).

The problem regarding the lack of qualified facilities within the State of Nevada to provide care and supervision (programs) for this category of offender first surfaced during the 1989 Legislative Session during testimony before the Senate Finance Committee and the Assembly Ways and Means Committee. This category of offender had proven to be disruptive to the curriculum and programming at the Nevada Youth Training Center in Elko as well as compromising the security of the facility and the safety of staff. In an effort to remove the most troublesome offenders from the general population at the Nevada Youth Training Center, the 1989 Legislature provided \$300,000 in each year of the 1989-91 biennium for the placement, care, treatment and supervision of this category of offender in out-of-state facilities.

Exhibit 7

The following criteria has been utilized to determine the serious/chronic offenders and the ability of the Nevada Youth Training Center to properly program for their needs:

SERIOUS/CHRONIC OFFENDERS: Has demonstrated, through prior history and demonstrated behavior within the institution, to be continually/chronically in violation of rules, regulations or law, which poses a serious threat to students and staff and demonstrates an inability or unwillingness to conform to program standards; and continually shows or demonstrates no remorse for his actions.

SEXUAL ASSAULT: Has an identified sexual assault history which manifests itself through force, intimidation, violence or coercion and presents a serious threat to other youth. Has demonstrated unresponsiveness to programming or other treatment modification.

SEVERELY EMOTIONALLY DISTURBED: An emotional disturbance which presents a serious or life threatening condition, which would or has resulted in physical violence upon himself or others, which through treatment available has shown to be ineffective. Has further demonstrated the need for individualized and secure treatment approach.

INABILITY/REFUSAL TO ADJUST: Has demonstrated, through prior offenses, or failed programming to be unwilling or unable to adjust to or accept available programming. Has a history of non-compliance, resistance or no achievement in the program, combined with serious or chronic violations of rules or regulations directly related to authority. Maintains an attitude that promotes insecurity with staff and causes no compliance with other committed youth and is in need of constant security type programming so as to prevent negative behavior and to protect staff and youth.

RUNAWAY: Has demonstrated, in residence, a history of disruptive behavior by attempting, threatening, involving others or actually running from the program, which presents a serious threat to the general population, staff and the surrounding community.

ASSAULTIVE BEHAVIOR: While in residence, has demonstrated behaviors that are or have the propensity for violence and physical injury to other youth or staff and has established a history of assaultive behavior within the community or other programs.

GANG: Has demonstrated leadership abilities with regard to gang involvement. Promotes, participates and recruits actively involved in gang related activity. Has established ties within residence gang members to further the cause of identified gangs. Promotes negligent behavior, solicits negative behavior and participates in related activities, which presents a serious threat to in resident youth and staff, or is so easily manipulated into violent gang activity that continued placement causes a risk to the security of the program, its youth and staff.

SATANISM: Has involved himself, refusing treatment, in the practice of Satanism or occult activities, presenting serious threat to himself through self-mutilation or suicide attempts, or to others through recruitment or persuasion and has become so disruptive and unresponsive that he presents serious threat to the overall security of the institution, its youth and staff.

The youth who fit into these categories need to be placed into a more highly structured and secure facility that the Nevada Youth Training Center is able to provide. Future population of these types of youth is estimated to be approximately twenty (20) percent of the total population (at present, 35 to 40 youth).

These youth need to be placed in a more secure facility, close to a major metropolitan center where professional services are more readily available.

scr52 exhibit

Furthermore, the money committees communicated their intent (via a Letter of Intent) to the Youth Services Division that it prepare a detailed proposal to be submitted to the 1991 Session of the Nevada Legislature that would address the care and treatment of this category of offender within the State of Nevada (Exhibit 8). It should be noted that the funding provided for the out-of-state placements has met the goal of removing this category of offender from the general population and has allowed for, at least on a temporary basis, the return of desired and established programming at the Nevada Youth Training Center (Exhibit 9).

During the course of the study, the subcommittee reviewed and considered several alternatives in providing services within Nevada to this category of offender. Two primary alternatives were identified, the first being the state could construct its own facility to be staffed and operated with state employees. The second alternative would consider privatization and a privately operated correctional firm which could construct and operate a secure facility in Nevada. Neither alternative can be effectively pursued without first identifying the number of beds needed. The number of beds needed cannot be effectively decided without defining the optimum length of stay in the facility and the number of youth requiring services and the type of service required.



Nevada Legislature

July 13, 1989

Mr. Robert A. Cavakis, Administrator
Youth Services Division
505 East King Street
Carson City, NV 89710

Dear Mr. Cavakis:

The Assembly Ways and Means Committee and the Senate Finance Committee jointly closed the Youth Alternative Placement budget by adding \$300,000 in each year of the 1989-91 biennium for the placement of chronic, violent, male offenders in out-of-state facilities. In closing the Youth Alternative Placement budget as well as the Nevada Youth Training Center's budget, both money committees expressed a serious concern regarding the lack of secure facilities within the state for these type of violent offenders.

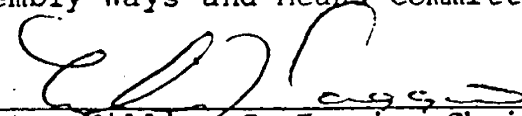
It is the intent of the money committees that the Youth Services Division prepare a detailed proposal to be submitted to the 1991 session of the Nevada Legislature that will address the care and treatment of the more sophisticated and violent youthful offender within the State of Nevada. It would also be useful for the division to report its progress to and cooperate with the interim legislative study committee on the Youth Services Division authorized pursuant to S.C.R. 52.

It is also the intent of the money committees that use of the funding for out-of-state placements be reserved and utilized only for the most troublesome, violent and difficult to manage offenders.

Sincerely,



Assemblyman Marvin M. Sedway, Chairman
Assembly Ways and Means Committee



Senator William J. Raggio, Chairman
Senate Finance Committee

Exhibit 9
STATE OF NEVADA



BOB MILLER
Acting Governor

JERRY GRIEPENTROG
Director
Department of Human Resources

ROBERT A. CAVAKIS
Administrator
Youth Services Division

EDWIN C. BURGESS
Superintendent
Youth Training Center

DEPARTMENT OF HUMAN RESOURCES
YOUTH SERVICES DIVISION
NEVADA YOUTH TRAINING CENTER
P.O. Box 469 - Telephone 738-7182
Elko, Nevada 89801

February 27, 1990

The Honorable William J. Raggio
Nevada Senator and Chairman,
Senate Finance Committee
P. O. Box 3137
Reno, Nevada 89505

Dear Senator Raggio:

On behalf of myself and the personnel of the Nevada Youth Training Center, I want to convey our appreciation for the Senate Finance Committee's response to our problems with the Serious/Chronic Offender and over-crowded conditions experienced during the last session of the Nevada Legislature.

I certainly appreciated your efforts to visit the Center to view our facility and witness the problems we were facing at that time.

Serious/Chronic Offenders: On August 5, 1989, we removed nine (9) of our most threatening youth and placed them in a secure program in Tennessee.

Expansion of Beds at Caliente: July 1, 1989, filled all sixty (60) available beds at Caliente.

For the present, the Institutional Population appears to be under control. One (1) year ago, February 26, 1989, there were one hundred ninety-eight (198) youth at Elko and forty-one (41) at Caliente. Today, one year later, there are one hundred seventy-one (171) at Elko; seventy (70) at Caliente and ten (10) placed in other programs; 239 - 251 - approximately a 5% increase under Commitment.

February 27, 1990

The Honorable William J. Raggio, Senator
Chairman, Senate Finance Committee

An indication of the positive results of this action is a comparison of Management Indicators for the seven (7) months - August to March of 1988-89 and 1989-90.

N.Y.T.C. Population, February 26, 1989:	198	Today: 171
Supervisor Resignations:	22	10
A.W.O.L.'S:	18	1
Staff Assaults:	6	0

We have, once again, gained stability with our program and are able to get on with program development and administration, rather than continuing in a crisis management mode.

We are thankful for your concerned and positive response to our problems and are now looking forward to the Recommendations of the SCR 52 Committee for the future of youth programs for the State of Nevada.

Sincerely,

Edwin C. Burgess, Superintendent
Nevada Youth Training Center

ECB/CS

File

The Youth Services Division presented information to the subcommittee on these critical variables. Initially, the Youth Services Division had recommended that a 40-bed facility was needed in Nevada (Exhibit 10). Later, that approach was revised to include beds for the Division of Mental Health and Mental Retardation in a joint or shared 100-bed facility which was communicated to the State Public Works Board (Exhibit 11). When the subcommittee requested a refined proposal from the Youth Services Division on the pursuit of the proposed joint facility, the Youth Services Division responded in April, 1990, that "it would be several months before the Department of Human Resources is prepared to proceed with a formal recommendation on this subject." The S.C.R. 52 study concluded without receiving a formal recommendation from the Department of Human Resources.

BOB MILLER
Acting Governor

Exhibit 10

JERRY GRIEPPENTROG
Director



DEPARTMENT OF HUMAN RESOURCES

YOUTH SERVICES DIVISION
NEVADA YOUTH TRAINING CENTER
P.O. Box 469 - Telephone 738-7182
Elko, Nevada 89801

November 30, 1989

*** MEMORANDUM ***

TO: Robert A. Cavakis, Administrator
FROM: Mike Simonsen, Assistant Superintendent
Nevada Youth Training Center
SUBJECT: Forty (40) Bed Serious Offender Facility
SCR 52 Sub-Committee

#1. NEEDS ASSESSMENT:

During the past two (2) Fiscal Years, 1987-88 and 1988-89, we began to experience some serious problems on a much more frequent basis. There was a big increase in staff assaults, youth assaults, runaways, boys refusing to participate in treatment programs and as a result, an increase in staff turnover.

In assessing the problems and searching for causes, it was determined that certain youth were responsible and in turn, their negative behavior and attitudes were becoming contagious to everyone. These youth were the "serious/chronic" offenders. For the most part, they were the youth who had been Revoked from Parole at least once. Typically, they were gang members who exhibited violent, aggressive behavior and in turn, presented a serious threat to both staff and peers. They demonstrated an unwillingness to follow rules and regulations and constantly eroded the authority of staff.

In Fiscal Year, 1987-88, there were twenty-six (26) youth identified as "serious/chronic" offenders and as being inappropriately placed at the Nevada Youth Training Center. In Fiscal Year 1988-89, there were thirty-two (32) identified youth.

November 30, 1989

*** MEMORANDUM ***

TO: Robert A. Cavakis

FROM: Mike Simonsen

SUBJECT: Forty (40) Bed Serious Offender Facility - SCR 52 Sub-Committee

#1. NEEDS ASSESSMENT - CONTINUED.

At the present time, there is an immediate need for a twenty (20) bed secure facility. We have eleven (11) youth in out-of-state placements and an additional nine (9) youth in residence that meet the "serious/chronic" offender criteria. Those youth would be better served in a secure facility in the State of Nevada. They are inappropriate for programs and treatment at the Nevada Youth Training Center.

If the present trend continues, we can expect an increase of four (4) to six (6) "serious/chronic" offenders per year; based on this projection, we could expect to require a secure facility of forty (40) beds by Fiscal 1993.

#2. SPECIFIC TREATMENTS - AND TARGET POPULATION:

TARGET POPULATION:

A. Serious/Chronic Offender.

Youth who have committed a crime against persons that include the use of a weapon, resulting in bodily injury and represent a physical threat to the well-being of potential victims.

B. Gang Leaders.

Youth who are heavily involved in street gang activities who provide leadership and commitment to the illegal values of the "gang."

C. Youth who are not amenable to treatment in a less secure program.

This category of youth are those who are committed to the State Training Centers and demonstrate an unwillingness or inability to conform to the rules and regulations of the Centers. Behaviors would include assault on other inmates or personnel, A.W.O.L.'S who commit new law violations and youth who are involved in gang-related activity within the institution.

November 30, 1989

*** MEMORANDUM ***

TO: Robert A. Cavakis
FROM: Mike Simonsen
SUBJECT: Forty (40) Bed Serious Offender Facility - SCR 52 Sub-Committee

#2. SPECIFIC TREATMENTS - AND TARGET POPULATION - CONTINUED.

SPECIFIC TREATMENT PROGRAMS:

- A. Secure facility with the ability to isolate each inmate.
- B. Highly structured and controlled environment.
- C. Psychological and Psychiatric Services.
- D. Counseling - Individual and Group. Program must include Aggression Abatement Training, Values Clarification, Drug Treatment, A.A., N.A., Survival Skill Training.
- E. Academic, Vocational, Exploratory and Work Training Programs.
- F. Generally, there must be programs to address violent acting-out behaviors, drug education and treatment, victims rights and consequences of crime.

BOB MILLER
Acting Governor

STATE OF NEVADA



JERRY GRIEPENTROG
Director
Department of Human Services

ROBERT A. CAVAKIS
Administrator
Youth Services Division

DEPARTMENT OF HUMAN RESOURCES
YOUTH SERVICES DIVISION

505 E. King Street, Suite 606

Carson City, Nevada 89710

Telephone: (702) 885-5982

January 9, 1990

MEMO

TO : Robert Ferrari, Manager
Public Works Board

FROM : Robert A. Cavakis, Administrator

SUBJECT : Major New Construction Request

The Youth Services Division has through a formal planning process determined that there is a need for a maximum security facility for chronic/violent juvenile offenders in Nevada. The number of juvenile offenders eligible for such a program today ranges between 10 and 20. The juvenile justice system in Nevada is experiencing a disproportionate increase in the number of chronic/violent offenders and it would appear that we could expect to require a secure facility of 40 beds by FY1993.

Recent conversations with Brian Lahren, Administrator, Division of Mental Hygiene and Mental Retardation (MH/MR), have led to discussions regarding a proposal for a co-located facility to be shared by Youth Services and MH/MR. The Division of MH/MR indicates a need for 40 beds for mentally disordered juvenile offenders and 10 beds for classification and treatment of juvenile offenders with serious mental health concerns. It would appear that a facility design that would include shared kitchen and dining space, classroom space, office space, reception area, library, medical examination rooms, and visiting rooms, with five 20-bed residential wings, would serve the needs of the juvenile justice system in Nevada for at least a 5 year period.

Dr. Lahren indicates that Dr. Bill Beck had submitted to the Public Works Board at some time in the recent past a proposal for a classification and treatment program for MH/MR. That proposal contains justifications and suggestions that could be incorporated into this proposal. If this proposal is successful it would at least in the short term eliminate the need for that smaller classification and treatment facility.

I believe that if in fact the Public Works Board initiates this project, the American Correctional Association Standards for Juvenile Training Schools should be used as a guideline. Those Standards include 70 square feet of

sleeping space per inmate, 35 square feet of day room space, 100 square feet of indoor activity space, and 15 square feet of dining space for each inmate. The Standards also require one acre of outdoor activity area for every 25 beds in the facility. There is also a requirement for 20 cubic feet of storage space per inmate. I have included with this memorandum a copy of the American Correctional Association Standards and at your request have available the National Institute of Justice/American Correctional Association National Directory of Corrections Construction to assist in the design phase. Dr. Lahren and I are prepared to provide additional response including technical assistance as you determine the need.

RAC/cs
enc

Additionally, the Youth Services Division had proposed a 14-month length of stay for 35 youth estimated in FY 1993 in the secure facility they were requesting which resulted in an estimated need of 41 beds by the end of the 1991-93 biennium (Exhibit 12). The 14-month length of stay (LOS) was in response to a request by the subcommittee that the needs assessment define the LOS. Information reviewed by the subcommittee on classification analysis by the National Council on Crime and Delinquency revealed that the bed needs could vary greatly dependent on the LOS (Appendix C-1).

Various publications reviewed by the subcommittee indicate that six to eight months in a secure facility is most usually the optimum average length of stay (Appendix C-6, C-14, C-3). Testimony provided to the subcommittee at their March 14, 1990, meeting by Richard Gable, Director of Applied Research, National Center for Juvenile Justice, indicated that **length of stay is the single most important factor that controls how many beds are needed much more so than the number of admissions.** He further stated, "while there are not standards for length of stay, there are a lot of people in the corrections business that feel that after seven or eight months in a program which does not change over time, in a relatively static program, whatever has not happened in the first seven or eight months, probably is not going to happen in the second seven or eight months." Mr. Gable suggested that within a commitment period, a child may not have to spend the entire commitment in a secure facility, but instead progress through a treatment program and through a decreasing series of secured placements back to the community.

BOB MILLER
Acting Governor

JERRY GRIEPENTROG
Director
Department of Human Resources



ROBERT A. CAVAKIS
Administrator
Youth Services Division

EDWIN C. BUNGESS
Superintendent
Youth Training Center

DEPARTMENT OF HUMAN RESOURCES
YOUTH SERVICES DIVISION
NEVADA YOUTH TRAINING CENTER
P.O. Box 469 - Telephone 738-7182
Elko, Nevada 89801

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FEB 26 1990

February 8, 1990

LEGISLATIVE COUNSEL BUREAU
FISCAL ANALYSIS DIVISION

MEMORANDUM

TO: Robert A. Cavakis, Administrator

FROM: Mike Simonsen, Assistant Superintendent
Nevada Youth Training Center

SUBJECT: Needs Assessment - Chronic/Violent
Offenders Facility

On January 26, 1990 in a memo to you from Gary L. Ghiggeri, he asked if we had done a needs assessment similar to the National Council on Crime and Delinquency's Classification Analysis of Oregon's needs based on length of stay. The following information takes our needs assessment of November 30, 1989 and places it into NCCD's format.

We anticipate the minimum length of stay to be one (1) year and the average length of stay to be fourteen (14) months. I have shown the average increase of chronic violent offenders to be five (5) per year. This does not take into account any diagnostic beds.

1989 - 90	-	20 youth in secure beds x 425 days	=	8,500	
				+ 365 days	
		potential need for secure placement-		24	beds
1990 - 91	-	25 youth in secure beds x 425 days	=	10,625	
				+ 365 days	
		potential need for secure placement-		30	beds
1991 - 92	-	30 youth in secure beds x 425 days	=	12,750	
				+ 365 days	
		potential need for secure placement-		35	beds
1992 - 93	-	35 youth in secure beds x 425 days	=	14,875	
				+ 365 days	
		potential need for secure placement-		41	beds

Given the differences in opinion regarding length of stay and the uncertainty of the number and type of beds needed, the subcommittee felt that it would be extremely cost effective to have these questions answered through the procurement of a professionally completed needs assessment prior to obligating funding for the services. The subcommittee has requested that the Youth Services Division utilize the results of the needs assessment and incorporate them into their request in The Executive Budget to be submitted to the 1991 Nevada Legislature. While the subcommittee was unable, based on the information provided, to endorse either a state or a private correctional facility, it should be noted that the Corrections Corporation of America has expressed their desire to construct and staff a facility in Nevada (Exhibit 13). The Corrections Corporation of America currently provides care to a number of Nevada's serious, chronic, and violent juvenile offenders in their Shelby Training Center, a secure facility located in Memphis, Tennessee. Exhibit 14 lists 12 youth placed in Shelby Training Center during FY 1990 as well as other youth placed elsewhere who were deemed inappropriate for placement at state operated training centers. The total cost of these placements during FY 1990 was \$291,999.



RECEIVED

MAY 11 1990

LEGISLATIVE COUNSEL BUREAU
FISCAL ANALYSIS DIVISION

John S. Robinson
Director
Juvenile Services Development

May 7, 1990

102 Woodmont Boulevard
Nashville, Tennessee 37205
Phone: (615) 292-3100
FAX: (615) 269-8635

Mr. Larry Peri, Program Analyst
Fiscal Analysis Division
Nevada Legislative Counsel Bureau
Legislative Building
401 South Carson
Carson City, Nevada 89710

Dear Larry:

Thank you for your telephone call last week. I am writing this letter to follow-up and describe in more detail Corrections Corporation of America's recent efforts in developing a new juvenile program in the State of Nevada.

First, you had asked me about the status of the Division of Youth Services contracting for secure beds at Shelby Training Center. Earlier this year we were informed by the Juvenile Court of Memphis and Shelby County that they had a need for the 10 beds we were using for out of state referrals. After meeting with Bob Cavakis and getting his commitment on the need for continued contract services at STC, we sought and obtained local approval to expand the bed capacity of the facility. The expansion is scheduled to be completed late this summer; however, this will not impact our ability to continue accepting referrals prior to the completion date. We are in the process of working with Bob in renewing our contract for the upcoming fiscal year.

Regarding a new juvenile program for the state, our discussions have shifted to developing a co-located, multi use facility. I have had meetings with Bob Cavakis, Brian Lahren, Assemblywoman Jan Evans and Assemblyman Jim Spinello and all have shown an interest in this concept in light of the state's juvenile justice system needs in treating the chronic and violent offender, children with mental health and mental retardation diagnosis and children who have committed a crime but who have been diagnosed as severely emotionally handicapped or mentally ill.

The program we are discussing is a 100-bed co-located facility with a 40-bed campus for adjudicated youth committed to the Youth Services Division and a 60-bed campus for youth under the care of the Mental Health and Mental Retardation Division. The campuses would be separated but would utilize certain core facilities housing administration, support services and a gymnasium. The direct care and professional staff for each campus would be hired and assigned

Mr. Larry Peri
May 9, 1990
Page 2

to the respective campus based on their qualifications and client needs. The support and administrative staff would provide services to both campuses. The housing units and program space would be designed to meet the specific needs of each population. One recommendation we heard for the mental health campus was to designate one unit for assessment and classification. This facility design, besides being more cost effective, would prove suitable for dealing with the "dual diagnosed" clients. The merger or consolidation of professional correctional and mental health staff would help to fill a gap that currently exists in your juvenile justice system.

Last month CCA opened a new juvenile program that could serve as a prototype for the proposed facility in Nevada. Our facility, located in East Tennessee and operated for the Tennessee Department of Youth Development, is a 144-bed co-located facility providing delinquency treatment programs to male and female offenders. There are two separate campus both having access to a central core building housing the administrative and support functions. There is also a full size gymnasium utilized by both campuses. I have enclosed information regarding this facility for your review and future reference.

CCA is suggesting that requests for proposals be let to the private sector for the design, construction, financing and management of the proposed new juvenile program. In addition to advantages the private sector can offer in cost, speed and flexibility, the State of Nevada would not use their bonded indebtedness to build the facility and would make no payments on the project until the first youth is placed in the program. The per diem price to the state would include the cost of construction, debt service and operations.

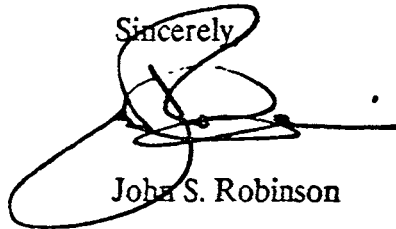
A broad range of financing alternatives could be considered for this project if the state was agreeable to entering a long term lease agreement for the facility and a separate management services contract. This arrangement would permit the exploration of tax exempt financing which would offer the state the best cost. Additionally, it would permit mechanisms for public or private ownership of the facility. If the state decided to terminate the management services contract with the operator, they would retain access to the facility and either contract with another manager or operate it themselves.

Mr. Larry Peri
May 9, 1990
Page 3

CCA considers this proposed program and financing alternative beneficial to the State of Nevada and the youth it would serve. We remain committed to working with state officials in developing this project and seek your guidance as to our next step.

I hope this information is helpful and I look forward to seeing you the next time I am in Carson City.

Sincerely

A handwritten signature in black ink, appearing to be "John S. Robinson", written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

John S. Robinson

Enclosures

cc: Gary Ghiggeri
Bob Cavakis
Brian Lahren

MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER

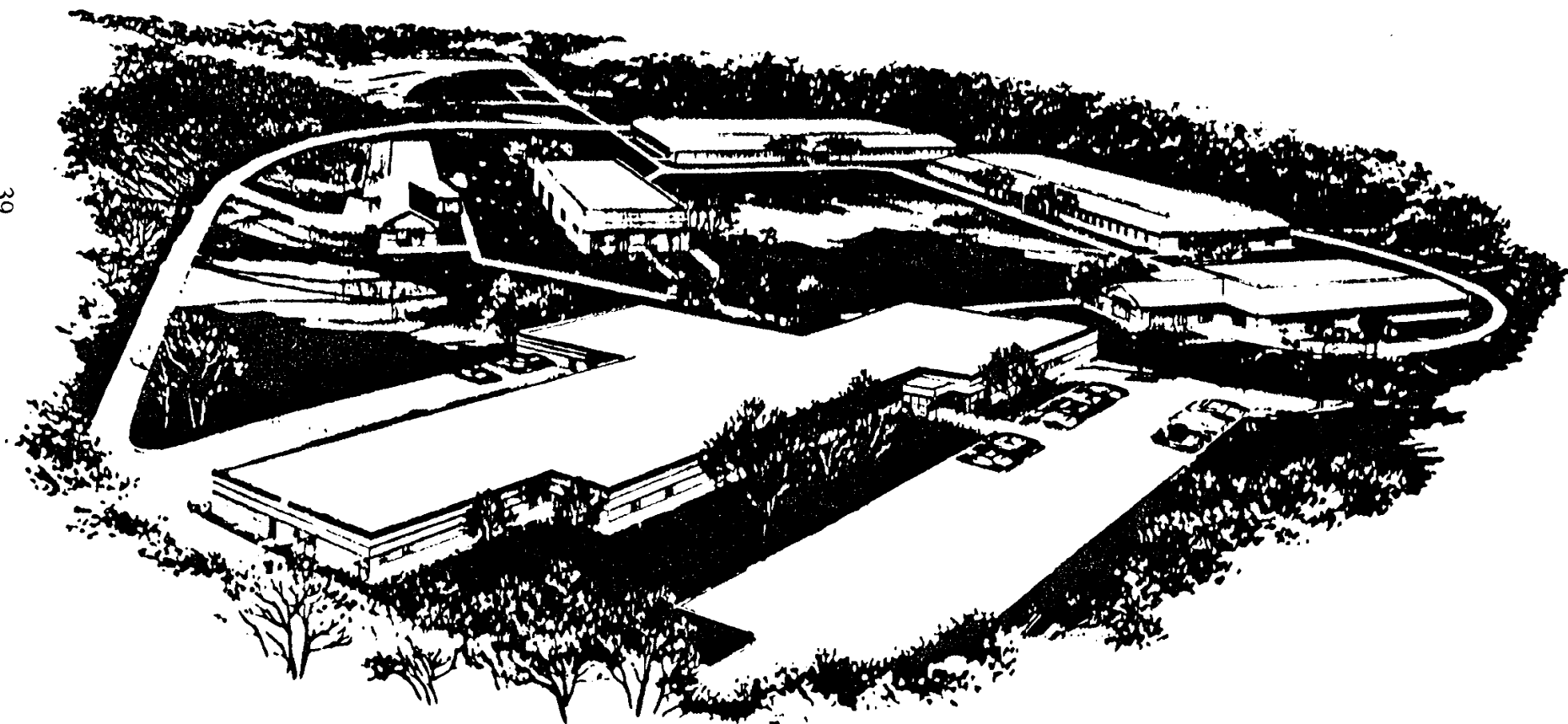
This 144-bed facility, which was constructed in 11 months and opened in April, 1990 in Dandridge, Tennessee, was designed and built by CCA for the Tennessee Department of Youth Development. The center provides a comprehensive array of treatment programs designed to meet the needs of male and female juvenile offenders from East Tennessee who require placement in a juvenile correctional facility. The center also serves as the state's regional institutional classification center.

The design of the 106,000 square-foot, \$7.5 million center includes six separate buildings positioned in a campus style plan. A distinct separation between the male and female housing buildings is provided. The total center consists of a core center building, three separate male housing buildings, one female housing building and a gymnasium.

Programs and services offered include reception, classification and orientation services; a full educational and vocational program; counseling services including individual, group and family counseling, an extensive substance abuse education, counseling and treatment program, law-related education and conflict management, and life skills; a comprehensive recreation program; and active community volunteer program; health care services; a resident employment program; program economy and canteen; storeroom and laundry services; and, food and dietary services.

The center is designed and operated in accordance with American Correctional Association Standards for Juvenile Training Schools and will be fully accredited within the first two years of operation.

The per diem cost to the State of Tennessee is \$84.43. This price includes cost of construction, debt service and operations. The current operating cost for housing a juvenile in a state operated facility is approximately \$103.00.



CCA MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER

This 144-bed juvenile correctional complex, scheduled to open April 1990 in Dandridge, Tennessee, will provide a comprehensive array of treatment programs designed to meet the needs of male and female juvenile offenders from East Tennessee who require placement in a juvenile correctional facility. The complex will serve as the state's regional institutional classification center. The treatment program is designed as a complete systems approach utilizing a "normalized environment" to effect a positive change in the student's identified antisocial behavior.

The design of the youth development center includes six separate buildings positioned in a campus style plan. A distinct separation between the male and female housing buildings is provided. The total complex consists of a core center building, three separate male housing buildings, one female housing building and a gymnasium.

The core center building includes a full kitchen, food preparation area and small dining area, academic and vocational classrooms/laboratories/shops, full service medical area with separate male and female day wards, central control center, reception/classification area, large multi-purpose room, administrative offices, central laundry and facility maintenance area.

The living units are designed to house no more than 12 students each. These 12-bed living units are grouped in two typical building designs: a 24-bed or a 48-bed building. Each living unit has 12 individual sleeping rooms with toilet/sink and appropriate furnishings, a central dayroom, quiet room, dining/multi-purpose room with kitchenette, shower room and laundry with washer/dryer for cleaning of personal clothing. The housing buildings contain other space shared by the living units in that building such as visiting, multi-purpose, offices, classroom and a custodial room.

The fully equipped gymnasium is accessible from both male and female housing buildings and includes a regulation size basketball court, bleachers, weight area, locker rooms and office space. Ample outside recreation space is also available for physical education and recreational activities. A canteen is located at one end of the gymnasium.

Operator:

Corrections Corporation of America
for the Tennessee Department of Youth Development
Nashville, Tennessee

Architect:

Barber & McMurry
Knoxville, Tennessee

Builder:

Ray Bell Construction Company
Brentwood, Tennessee



Exhibit 14

Out-of-State and Other Placements Fiscal Year 1990

<u>Name</u>	<u>Sex</u>	<u>Facility/Location</u>	<u>Number of Days</u>
JG	Female	Devereaux, Texas	207
RH	Male	Rite of Passage, Schurz, NV	272
WW	Male	Rite of Passage, Schurz, NV	272
EM	Male	Colorado Boys Ranch, Colorado	181
JR	Male	Habilitat (Hawaii)	70
DT	Male	Moore Enterprises, Las Vegas	204
HG	Male	Colorado Boys Ranch, Colorado	60
DJ	Male	Arizona Boys Ranch, Arizona	131
MG	Male	CCA-Santa Fe Detention, New Mexico	124
HA	Male	CCA-Shelby Training, Tennessee	245
LB	Male	CCA-Shelby Training, Tennessee	172
MC	Male	CCA-Shelby Training, Tennessee	209
WM	Male	CCA-Shelby Training, Tennessee	177
JS	Male	CCA-Shelby Training, Tennessee	156
JT	Male	CCA-Shelby Training, Tennessee	186
MV	Male	CCA-Shelby Training, Tennessee	103
KW	Male	CCA-Shelby Training, Tennessee	246
MC	Male	CCA-Shelby Training, Tennessee	136
DK	Male	CCA-Shelby Training, Tennessee	136
KB	Male	CCA-Shelby Training, Tennessee	23
KB	Male	CCA-Shelby Training, Tennessee	23
MG	Male	Rebound, Colorado	47

scr52 outofstate placements
YOUTH SERVICES DIV
LLP:nm

Regardless of the ultimate outcome of the state operated or privately operated facility decision, the fact remains that a facility is needed within the State of Nevada in the very immediate future. Considerable testimony and written comments were received by the subcommittee addressing the desperate need for a facility to treat serious, chronic, violent juvenile offenders, as well as offenders with multiple needs such as mental health concerns to be located within the State of Nevada.

It is important to note, that while the S.C.R. 52 Subcommittee focused its attention primarily on the need for in-state facilities for juvenile delinquents and other youthful offenders, the need for other types of facilities is also noted. Representatives from the Department of Human Resources - Director's Office, the Division of Mental Health and Mental Retardation, the Welfare Division, several district court judges and county chief juvenile probation officers all provided testimony to the S.C.R. 52 Subcommittee regarding the urgent need for in-state treatment facilities for youth.

During the December 7, 1989, meeting of the subcommittee, representatives of the Welfare Division provided an analysis of Placement trends in out-of-state facilities (Exhibit 15) and of children who could be returned to Nevada if treatment facilities were available (Exhibit 16).

Exhibit 15

PLACEMENT TRENDS 1988-89:

INCREASED NUMBERS OF ADOLESCENT MALE SEX OFFENDERS
CURRENTLY PLACED OUT-OF-STATE: 11

INCREASED NUMBER OF FEMALES IN OUT-OF-STATE PLACEMENTS
34% OF THE 44 CHILDREN IN OUT-OF-STATE PLACEMENT ARE
FEMALE AS OF DECEMBER 1989

INCREASED NUMER OF CHILDREN UNDER THE AGE OF 10 ARE BEING
PLACED OUT-OF-STATE; 19% OF THE CURRENT 44 CHILDREN IN
OUT-OF-STATE PLACEMENTS ARE UNDER THE AGE OF TEN

INCREASED NUMBER OF ADJUDICATED MALES ARE BEING PLACED
IN OUT-OF-STATE PLACEMENTS; CURRENTLY 29% OF THE 44 CHILDREN
IN PLACEMENT ARE ADJUDICATED DELINQUENT BY THE COURT

JWC
File:oosprpt

Exhibit 16

OUT-OF-STATE PLACEMENT RETURN ANALYSIS

December 1989

An analysis of the current report indicates that the following children could be returned to in-state treatment facilities if appropriate and sufficient beds are available:

Southern Nevada Program for Adolescent Sexual Perpetrators funded by the 1989 legislature: (12 beds for mild to moderate behavior management; not operational)

65-312446-10	15 year old male	Colorado Boy's Ranch
65-410671-10	14 year old male	Colorado Boys's Ranch.
65-410606-10	13 year old male	Idaho Youth Ranch
65-374906-10	15 year old male	Colorado Boy's Ranch
65-395315-10	15 year old male	Griffith Center

Therapeutic Group Homes: McDowell Youth Homes, a private non-profit corporation based in Santa Cruz, California and licensed by the Welfare Division provides group care for males ages 10-18 in Reno and Las Vegas. The McDowell organization plans a total of 12 homes in Nevada within the next two years. The Welfare Division currently has 24 children in placement with the McDowell Homes in Las Vegas and Reno. The following children could be returned from out-of-state placements to therapeutic group homes if accepted by McDowell or similar organization:

65-039213-12	13 year old male	Majestic Ranch-Utah
65-089771-11	13 year old male	Idaho Youth Ranch
65-044116-10	14 year old male	Colorado Boy's Ranch
65-044366-10	15 year old male	Colorado Boy's Ranch
65-358976-10	14 year old male	Idaho Youth Ranch
65-359733-11	13 year old male	Idaho Youth Ranch
65-359733-10	17 year old male	Idaho Youth Ranch

Therapeutic Group Homes (female): A critical shortage of therapeutic group homes for females exists in Nevada. A special need exists for therapeutic groups homes for intellectually handicapped females that are unable to be treated in the general group home population. If additional beds were available, the following females could be considered for return from out-of-state placement:

65-191677-10	15 year old female	Heritage Schools-Utah
65-361702-10	16 year old female	Excelsior Youth Center-Colorado
65-411524-10	16 year old female	Heritage Schools-Utah.
65-349668-10	14 year old female	Walden Environment-California (requires services for children with limited intellectual abilities)

Acute/ Residential Treatment for Children Ages 4-10:
The following children could be considered for return to Nevada if a state facility for acute care (30 days or less) and residential treatment (30 days to 24 months) was available. Youth Hospital-Las Vegas restricts admissions to children 12-17 years of age for acute care only.

65-362544-10	9 year old male	Colorado Christian Home
65-315414-10	9 year old male	Colorado Christian Home
65-108677-10	8 year old male	Colorado Christian Home
55-347432-10	6 year old female	Colorado Christian Home
65-269327-11	9 year old male	Majestic Ranch-Utah
65-361050-10	7 year old male	Primary Children's RTC-Utah.

A preliminary analysis suggests that 50% of the children placed out-of-state could be returned to Nevada if appropriate and adequate levels of care were available. The remaining 50% of children in out-of-state placement represent special needs children with chronic and/or acute behavior problems which require experienced and specialized clinical programs which would not be feasible for the State of Nevada to fund.

Recent analysis of the Child Welfare Budget indicates the Welfare Division may experience a \$1.8 million shortfall in FY 90. These shortfalls are the result of children being placed in the Welfare Division's custody that require expensive care and often care that is not available in Nevada.

The Adolescent Sexual Offender Program, overseen by the Division of Mental Health and Mental Retardation is another example of a program desperately needed in-state. Unfortunately, the program has experienced delays in its planned startup and as of the conclusion of the S.C.R. 52 Study, still had not gotten fully operational in both southern and northern Nevada. The A.C.R. 52 Subcommittee charged with studying the Division of Mental Health and Mental Retardation has formulated several recommendations in this area.

The Advisory Committee to Study Laws Relating to Children which presented its conclusions to the 1989 Legislature through Bulletin No. 89-16, also felt that it would be more appropriate for Nevada to develop facilities for youth in-state and return children placed in out-of-state facilities home. The committee felt that children who have multiple problems such as a combination of abuse or neglect, delinquency, psychological problems or learning disorders may receive different treatment depending upon where they enter the care system. If placed in a youth training center, the centers lack the resources to provide the individualized professional treatment such a child needs. Facilities that provide the professional treatment are usually nonsecure and cannot handle these children. This results in the option of sending these children out of state to facilities that are equipped to deal with their special problems.

The Department of Administration, through an advisory group known as the Budget Advisory Group has formulated statewide critical issues to be used in a long-range planning process in state government. The critical issues have been identified as the most significant issues before the state for the next three to five year time period. The planning document indicates that "the state should consider the benefits of developing Nevada-based programs to address the needs of special and troubled youth populations now placed out of state."

These examples all sum up the need to provide more services in-state for Nevada's youth. The unanswered questions are the number of beds, the length of stay and the treatment required.

2. **That the Youth Services Division, through its Youth Parole Bureau, increase "aftercare" services including the establishment and the operation of a halfway house or program of similar concept.**

Information provided to the subcommittee by the Youth Services Division during the study places this concept as the Division's first new and expanded priority for the 1991-93 biennium and as its second priority overall, after the proposed facility for the care of the serious, chronic, violent offender. The

subcommittee, in endorsing this concept, recognized the need for a transition component in the spectrum of available care to bridge the gap between incarceration and independent living or release. The halfway house would aid youth in making a smoother transition from institutional care, through the parole process, back to community release.

Testimony provided to the subcommittee by Rich Gable, of the National Center for Juvenile Justice, points out the benefits of this additional level of care. He indicated that many correctional systems fall down at the point when youth leave facilities and return to their home community. This is true not only for out-of-state placements but for alternatives developed in the home state as well. In most cases, youth returning from secure out-of-state placements do not have sufficient structure waiting for them upon their return. It is at this most difficult transition point, that structure and supervision are needed.

Mr. Gable went on to state that in times of limited resources, if he were to look at a place to shore up a juvenile correctional system, he would look to aftercare first. Specifically, regarding Nevada's out-of-state placements in Tennessee, Mr. Gable testified that if those placements are not followed up with good support services upon the youth's return, the state may well be wasting its money spent on the secure treatment. Mr. Gable suggested that the halfway house concept could also be used for youth entering the juvenile justice system who are not yet in need of incarceration in a more restrictive facility.

The Youth Services Division's proposal for a halfway house program (Appendix D) which includes among its expected benefits a reduction in recidivism to the training centers, tentatively plans for two halfway houses, one in Northern Nevada, and one in Southern Nevada. While the subcommittee supports the concept of the halfway house program, it has also recommended that the Youth Services Division research other states to review the operation of existing halfway house programs. During the course of the study, the Youth Services Division was asked if they had researched other states regarding similar facilities, staffing patterns and services provided. The Youth Services Division indicated that they had not and stated that their proposal, for budgeting and staffing purposes, was patterned after the Spring Mountain Halfway House.

It should be noted that the subcommittee has endorsed the concept of a halfway house program as an additional level of care within the state juvenile correctional system, but not specifically the division's proposal. The subcommittee strongly feels that more research should be conducted by the Youth Services Division and that additionally, the Youth Services Division should give some consideration to contracting for these services if it is deemed to be cost effective and if the services can be provided in a more timely manner.

The Youth Services Division expressed a desire to operate the facility with state employees since existing facilities or providers under contract with the division have denied care to certain "troublesome" youth.

3. **That the Youth Services Division create a subsidy program for Children in Need of Supervision (CHINS) based upon a statewide needs assessment of all counties and their projected needs for services including out-of-home placement and foster care services. All 17 counties must participate, with funding to consist of two-thirds county and one-third state. Funding provided to counties cannot be used for additional staff or to replace local funds for existing programs for CHINS. Based upon the projected needs of counties and the funding necessary for programs, consideration may be given to counties to review and potentially adjust revenue caps.**

In formulating this recommendation, the subcommittee's intent is for the state to enter into a joint partnership with the counties with the ultimate goal of preventing or reducing the frequency of status offenders or Children in Need of Supervision (CHINS) from becoming delinquents. Status offenders are defined in NRS 62.040 as children who are habitually truant from school, are unable to be managed or controlled by their parents or who are runaways. When a child falls into this category of offense, care and supervision is provided by the county of their residence. Court orders which are issued that classify a child as a status offender contain terms or conditions of behavior that the child must adhere to. If these terms or conditions are violated, the child up until July 1, 1991, becomes an escalated CHIN and may be adjudicated delinquent and committed by a county to a state operated training center. Assembly Bill 100, as adopted by the 1989 Legislative Session, changed the conditions of the escalation of CHINS to prohibit after July 1, 1991, the escalation of a status offender to delinquent status for the violation of a court order adjudicating the child as a status offender.

Throughout the course of the study, testimony, primarily by representatives of the Nevada Association of Chief Juvenile Probation Officers indicated that some type of joint effort was needed between the state and counties to accommodate this provision. While the Youth Services Division testified repeatedly that the care of status offenders was the counties' responsibility, the subcommittee remained concerned about the continuation and enhancement of local community based programming for status offenders with the intent of minimizing the impact on populations at state operated training centers.

The Nevada Association of Counties, in testimony before the subcommittee, indicated their concern about the ability to address revenue caps of local governments if this particular approach is adopted by the 1991 Session of the

Nevada Legislature. The Nevada Association of Counties' primary concerns were that not all county governments have gross gaming fee revenues and they are under revenue capped structures. As a result, conceivably they may end up having to choose between the reduction of existing programs and services to fund new legislative mandates. They indicated that the ability to address revenue caps might help get unanimity from the 17 counties. The subcommittee agreed to include in the recommendation that local government spending caps should be reviewed and consideration be given to counties to adjust revenue caps.

4. That the "collections process" of child support payments as currently provided for in NRS be revised to make child support payments mandatory by responsible relatives for youth committed to state operated training centers. The payment shall be determined based upon a uniform statewide sliding fee scale to be developed by the Department of Administration. Judicial discretion must be allowed for responsible relatives with the inability to meet the fee schedule. The subcommittee also recommends that the collection amounts from child support payments be estimated and included through The Executive Budget process in the affected budget accounts within the Youth Services Division.

During the study, while conducting a review of the collections process of child support payments, the subcommittee discovered that judges were not uniformly ordering support payments by responsible relatives and that furthermore, payments that had been ordered were not being made by the responsible party. Presently, NRS 62.321 provides that the court, when committing a child to the custody of the Youth Services Division, may order payments by responsible relatives to the Youth Services Division to assist in the cost of the child's care. This pertains to children committed to the Nevada Youth Training Center, the Caliente Youth Center or to Alternative Placements.

A closer examination of this process by the subcommittee, revealed that of the 17 Nevada counties, judges in only five counties were routinely ordering child support payments. Additionally, the review showed that the Youth Services Division was owed approximately \$220,000 in child support payments that had not been paid. This situation has apparently existed for some time and is a combination of several factors such as insufficient personnel within the Youth Services Division to pursue the collections process in a more vigorous fashion, the lack of coordination and commitment between the Youth Services Division and juvenile courts in enforcing the court ordered payments and the transient nature of Nevada's population with the relocation of families increasing the difficulties in contacting responsible relatives.

The subcommittee recommendation included making the ordering of the payments mandatory versus optional so that uniformity would exist among the judicial districts and juvenile courts. The subcommittee received information which pointed out that several different sliding fee scales are in existence among various state agencies. The subcommittee, in seeking uniformity, recommends that a uniform sliding fee scale be developed and implemented by the Department of Administration to assist agencies and entities responsible for assessing the parent, guardian or other responsible person for the cost of services provided to their children. The subcommittee recommended, that in developing the uniform sliding fee scale, that the Department of Administration also consult with county agencies that also assess payments against parents or other responsible relatives.

Testimony provided by juvenile court judges during the course of the study, also resulted in the subcommittee recommending that judicial discretion be allowed in the assessment procedure as some parents or relatives do not have the ability to pay. The judicial discretion would allow the committing court the option to waive or reduce the child support payment amount as the situation dictates.

The subcommittee also recommends that the collection amounts from child support payments be estimated and included through The Executive Budget process for the 1991-93 biennium in the affected budget accounts within the Youth Services Division. Currently, payments received are deposited directly to the state general fund. This recommendation would allow both the agencies and the legislative money committees to better review and follow compliance with child support payments. Exhibit 17 shows child support collection amounts deposited to the general fund on behalf of Youth Services agencies for the period from FY 1980 through FY 1990.

GENERAL FUND REVENUE
YOUTH SERVICES DIVISION
FY 1980 THROUGH FY 1990
GFRYS-07/30/90-11:35A

	FY 1980	FY 1981	FY 1982	FY 1983	FY 1984	FY 1985	FY 1986	FY 1987	FY 1988	FY 1989	FY 1990
CHILDREN'S HOME - CARSON	\$39,870	\$35,710	\$38,196	\$28,183	\$28,707	\$31,136	\$34,231	\$26,438	\$29,878	\$25,799	\$26,000
CHILDREN'S HOME - BOULDER	\$39,042	\$36,835	\$35,168	\$37,413	\$36,865	\$35,596	\$40,752	\$40,385	\$39,990	\$39,790	\$41,000
YOUTH TRAINING CENTER	\$19,933	\$26,760	\$30,240	\$24,043	\$16,535	\$21,920	\$32,815	\$30,218	\$36,684	\$64,000	\$47,000
GIRLS TRAINING CENTER	\$7,942	\$15,088	\$39,036	\$22,054	\$14,700	\$19,500	\$18,832	\$19,765	\$22,168	\$21,457	\$35,000
YOUTH ALTERNATE PLACEMENT	\$0	\$0	\$6,982	\$9,477	\$7,108	\$11,093	\$12,235	\$12,603	\$16,313	\$10,337	\$4,100
	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
	\$106,787	\$114,393	\$147,620	\$121,170	\$103,915	\$119,245	\$138,865	\$129,409	\$145,033	\$161,383	\$153,100
	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
PER CENT INCREASE	----	7.1%	29.0%	-17.9%	-14.2%	14.8%	16.6%	-6.8%	12.1%	11.3%	---

SOURCE:
FY 1980 - FY 1988; APPROPRIATIONS REPORT.
FY 1989 ACTUAL PER CONTROLLERS RECORDS.
FY 1990 ESTIMATED.

5. That the Youth Services Division pursue the addition of a new accounting/clerical position to be primarily responsible for the billing and collection process of child support payments for youth in the care of the Youth Services Division. Additionally, that the Youth Services Division pursue the implementation of an automated billing and collection system for child support payments through the acquisition of a personal computer and software.

As noted in the preceding recommendation, the subcommittee determined that inadequate staffing exists to allow proper and continual emphasis to be placed on the collections process of child support payments. One staff member, an accounting specialist, is currently assigned the responsibility for this process. Through interviews with the staff member (by subcommittee staff), the subcommittee determined that the duty, while recognized as highly important, often is allocated attention on an "as time allows" basis. The pursuit and addition of an accounting/clerical position would enhance the ability of the division to become more successful in the billing and collection process of child support payments.

Also, during the subcommittee's review of the billing and collection process, it was determined that the current system used to issue billings and track compliance with child support payments is manual and consists of ledger cards with no master control copy existing. The manual system, in addition to being cumbersome to maintain is slow in the entering and retrieval of information and allows for more chance of error or duplication in its usage. A personal computer with accompanying billing system software would greatly expedite the billing and collection process and allow immediate determination of the status and compliance with billing payments.

6. That NRS 62.211 be amended to authorize the juvenile court to commit children to the Youth Services Division of the Department of Human Resources for suitable placement in an institutional or correctional facility. The division must provide the parents and the court with an advisory notice prior to moving a child from one facility to another. If the Youth Services Division considers moving a committed youth from an institutional to a community placement, they shall secure the committing court's permission.

This recommendation would allow the Youth Services Division to move committed youth between institutional facilities without the committing court's prior approval. This recommendation was developed to allow the Youth Services Division more autonomy in moving youth within the existing alternatives for institutional care currently available to the division. During the course of the study, information was provided which described a court hearing

to modify the decree or court order of the commitment prior to allowing the Youth Services Division to transfer serious, chronic violent offenders to the Correctional Corporation of America's Shelby Training Center in Tennessee. This process resulted in delays which the Youth Services Division felt impacted both security and programming within the Nevada Youth Training Center. The Youth Services Division felt it was highly important to be able to move youth in need of more secure placement facilities immediately without the delay of a new court hearing. Comments received on this potential recommendation prior to the finalization of the recommendation were primarily favorable, however, the primary concern of both the Association of Chief Juvenile Probation Officers as well as Clark County Juvenile Court Services was that the recommendation might result in youth being moved from institutional and secure placements to foster care or community placements. Suggestions were made that this recommendation would be viewed more favorably if it were modified to specifically authorize the courts to commit the delinquent youth to the Youth Services Division for suitable placement in an institutional or secure youth correctional center.

In making this recommendation, the subcommittee discussed the need for the Youth Services Division to develop a formal classification document and procedure to be used to assess a committed youth for placement in the most appropriate facility or level of care available to the Youth Services Division.

7. **That the Youth Services Division request funding on an "as needed" basis for the provision of services to committed youth from 8 to 12 years of age.**

NRS 210.180, as amended by the 1989 Legislature, increases the age of commitment to a state operated training center from 8 to 12 years of age but still places responsibility for care of this group with the Youth Services Division. The subcommittee chose not to make a specific fiscal recommendation in regard to funding this recommendation due to the limited time this statutory change has been in effect and the resultant infrequency of occurrences to date. At this time, only one youth in this age group had been committed to the Youth Services Division in state fiscal year 1990. The subcommittee suggests that at the time of need, the Youth Services Division should either look to savings within the alternative placement budget, as was done during fiscal year 1990 or approach the Interim Finance Committee for funding.

8. **The subcommittee endorses, in concept, the proposed creation of the Division of Youth and Family Services within the Department of Human Resources.**

An overview was provided to the subcommittee by Jerry Griepentrog, Director of the Department of Human Resources, regarding the proposed reorganization

within the Department which would result in the new Division of Youth and Family Services (Appendix E). Mr. Griepentrog indicated that the major thrust of the reorganization proposal would be the consolidation of programs providing services to children in Clark and Washoe Counties from the Welfare, Youth Services, and Mental Health/Mental Retardation Divisions, and the Children's Resources Bureau. Mr. Griepentrog testified that this proposal was supported by the Executive Branch and would be presented to the 1991 Legislature. The subcommittee requested specific information from Mr. Griepentrog regarding the total overall cost of the proposed reorganization, proposed staffing including existing and new positions within the department and specific organizational plans of the proposal. Mr. Griepentrog indicated that this information would not be available until September when submittal of the FY 1991-93 budget requests were due in the Budget Division. The subcommittee, therefore, was unable to analyze any specific information about the proposal and was unable to endorse anything beyond the general concept of the proposed reorganization.

The proposal, if included in The Executive Budget, should be closely reviewed by the money committees during the 1991 Session. It should be noted that the motion for approval of this recommendation by the subcommittee was made based upon the subcommittee's agreement that the proposed reorganization would not preempt any efforts to solve the problem of providing institutional beds for the serious, chronic and violent offender.

IV. FINDINGS

While the following items did not result in specific recommendations, the subcommittee felt that the issues described are important and worthy of mention.

Drug and Alcohol Abuse Treatment at State Operated Training Centers

The National Institute of Justice, in a Research in Brief report which studied 399 detained juveniles over a three year period beginning in December, 1986, in a state operated detention facility in Tampa, Florida and the role of drug use in the events that brought them into contact with the Juvenile Justice System, indicated 41 percent tested positive for one drug, while seven percent tested positive for two or more drugs. The findings of the study underscore the urgent need to intervene early to help delinquent youth involved in drug use. By applying education and treatment resources to 13-and 14-year olds, the progression to more serious drug use and criminality may be able to be forestalled (Appendix C-18).

During the course of the study, testimony received by the subcommittee strongly suggested that care and treatment provided to offenders in the training centers in the areas of drug and/or alcohol abuse was in need of improvement. The Youth Services Division responded to the S.C.R. 52 Subcommittee on several occasions that continuation of existing alcohol and drug treatment programs as well as refinement of programs would enable the division to meet or exceed standards for drug treatment. The Division also stated that continued training and funding as provided through the Rehabilitation Division's Bureau of Alcohol and Drug Abuse would be sufficient.

The subcommittee was concerned that such a high percentage of youth committed to the Youth Services Division's training centers have histories of substance abuse problems (Exhibit 18 and 19). It should also be noted that the subcommittee would most likely have reacted favorably in the form of additional resource recommendations had the Youth Services Division responded to requests by the subcommittee for any unmet needs in the area of substance abuse treatment.

The Youth Services Division indicated that through its Youth Parole Bureau, it had applied for grant funding through the Department of Motor Vehicles and Public Safety which administers the Drug Control and System Improvement Formula Grant Program. The objectives of the grant request submitted by Youth Parole include: a comprehensive program including intensive drug testing of youth on parole status; placement of youth identified through drug screening with substance abuse problems in day/evening or residential treatment programs; training and certification of institutional staff as Bureau of Alcohol and Drug Abuse (BADA) substance abuse counselors and development of an institution 12-step "treatment program" and an evaluation of the project by the University of Nevada, Las Vegas.

The subcommittee endorses the Youth Services Division's efforts in the refinement and improvement of existing programs for the treatment of offenders with histories of drug and/or alcohol abuse and encourages it to continue its efforts.



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MAY 11 1990

STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES
YOUTH SERVICES DIVISION

LEGISLATIVE COUNSEL BUREAU
FISCAL ANALYSIS DIVISION

BOB MILLER
Acting Governor
JERRY GRIEPENTROG
Director
Department of Human Resources

CALIENTE YOUTH CENTER
Post Office Box 427—Telephone 726-3181
Caliente, Nevada 89008

BOB CAVAKIS
Administrator
Youth Services Division
CURTIS B. STEWART
Superintendent

May 10, 1990

MEMO:

TO: Larry L. Peri, Program Analyst, Fiscal Analysis Division,
Legislative Counsel Bureau.

FROM: Curtis Stewart, Superintendent, Caliente Youth Center

SUBJECT: Residents who Have had Serious Drug/Alcohol Problems
Prior to Commitment.

We sampled our entire population in November 1989, and again yesterday. Based upon our reviews, we have determined that 80% of our female population and 50% of our male population have documented histories of serious substance abuse problems. The actual numbers involved are probably higher because we looked at documented histories only.

The boys' percentage is undoubtedly lower because we are talking about a much younger population than with the girls.

For definition sake, we deem serious problems to be those where the youth uses more than one substance at least weekly and has done so for a period of 6 months or longer.

Hope this will be of some help to you.

cc: Bob Cavakis



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MAY 11 1990

DEPARTMENT OF HUMAN RESOURCES
YOUTH SERVICES DIVISION
NEVADA YOUTH TRAINING CENTER
P.O. Box 469 - Telephone 738-7182
Elko, Nevada 89801

LEGISLATIVE COUNSEL BUREAU
FISCAL ANALYSIS DIVISION

December 1, 1989

*** MEMORANDUM ***

TO: Robert A. Cavakis, Administrator
Youth Services Division

FROM: Kevin Toomey, Psychologist III *FOX*

SUBJECT: INFORMATION REQUEST

Substance Abuse Problems can be defined as use, abuse, addiction of drugs or alcohol, sales of controlled substance and the overall impact of these activities on school work, family, psychological-social development and the juvenile justice system.

The use and abuse of drugs occurs most frequently with the drugs listed below. Their ranking indicates the degree to which each is used or abused as assessed by the Treatment Staff at the Nevada Youth Training Center:

- Alcohol
- Cocaine
- Amphetamines
- Hallucinogens and PCP
- Volatile solvents and aerosols
- Narcotics

Addiction to any of the aforementioned drugs or alcohol presents a unique problem in treating these youth in a therapeutic/correctional environment. While a youth's committing offense may not indicate drug use or addiction, it may be the underlying cause for the offense itself.

December 1, 1989

*** MEMORANDUM ***

TO: Robert A. Cavakis, Administrator, Youth Services Division
FROM: Kevin Toomey, Psychologist III, Nevada Youth Training Center
SUBJECT: INFORMATION REQUEST

Thorough evaluations and screening by a skilled Substance Abuse Counselor and Staff is required in order to understand the full impact of the "drug problem." Without proper identification, many youth may simply fall through the cracks and go through a full commitment process without confronting the "real" issue.

In the last five (5) years, drug and alcohol related offenses have increased 11.7%; therefore, it can be assumed that underlying substance abuse problems account for a greater proportion of other offenses.

The sales of drugs, especially crack cocaine, has had a devastating effect upon black youth. The negative lifestyle associated with drug trafficking and gang associations is very difficult to dismiss in lieu of the financial benefits and status it represents. Very often, these youths do not see themselves as part of the drug abuse problem because they "only sell the drug." This disassociation from the real problem and its related benefits creates a mind-set that is very difficult to break and almost impossible to impact on a long-term basis. Because "base-heads" are perceived as low-life individuals to be taken advantage of, sexual favors or exchanges create a common breeding ground for AIDS transmission which potentially will impact juvenile offenders more than intravenous drug use.

In the last five (5) years, the commitment rate for blacks has increased 9.4% while the commitment rate for whites has decreased 8.7%. This increase can be directly related to the development of youth gangs and drug sales and trafficking.

Drug abuse and addiction and the sale of drugs have impacted all aspects of many youths lives. School performance and interest decline or is lost, work ethics are ridiculed, family conflicts are commonplace and psycho-social development is thwarted. Each factor individually is a red flag in assessing juvenile delinquency, but any combination of these factors increases the effort and intensity necessary to effect rehabilitation.

The Nevada Youth Training Center is currently pursuing Accreditation as a Residential Treatment provider through the Bureau of Alcohol and Drug Abuse.

December 1, 1989

*** MEMORANDUM ***

TO: Robert A. Cavakis, Administrator, Youth Services Division
FROM: Kevin Toomey, Psychologist III, Nevada Youth Training Center
SUBJECT: INFORMATION REQUEST

A formal program has been in place since August, 1988. All youth receive a two week substance abuse education program, evaluation and screening at N.Y.T.C.

The formal Substance Abuse Program combines individual, group and further educational programming. A twelve (12) week course, New Perspectives, is assigned to all youth assessed as being in need of further treatment by a Certified Substance Abuse Counselor, as well as those Court-Ordered to receive treatment.

This is an Educational/Counseling Program designed to address, confront and treat the problems previously discussed. This is a Federally Funded Program administered by the Bureau of Alcohol and Drug Abuse.

As of December 1, 1989, 299 youth were received at N.Y.T.C. 140 youth received the New Perspectives Treatment Program and were Paroled; 49 youth at N.Y.T.C. are currently receiving or have received treatment and 20 youth are awaiting placement. This is a total of 209 youth or 69.9% of the year-to-date population.

While these youth receive intensive treatment at N.Y.T.C., direct, available followup services and resources to Parolees are scarce, at best, and difficult to administer and maintain. This maintenance of treatment contacts is directly proportioned to treatment success. Without it, many youth return to the juvenile justice or adult criminal systems because of a failure to overcome the "underlying cause" of their inability to successfully complete Parole or future involvement in criminal acts.

KT/CS

Regional Facilities

The 1989 Legislature adopted A.B. 851, also called the county participation bill, which was designed to lessen commitment rates to the Nevada Youth Training Center by having counties more heavily utilize regional centers such as the China Spring Youth Camp. Another anticipated benefit was the provision of an alternative level of incarceration for the lesser offender. Often, youth are committed to the Nevada Youth Training Center and are exposed to a more sophisticated offender who may influence the "lesser" offender in a negative way. This is also called "contagion" where less sophisticated offenders learn delinquent attitudes and values from more troublesome juveniles.

Through the passage of A.B. 851 by the 1989 Legislature, all counties except Clark are required to pay a pro rata assessment to the Youth Services Division for the operational support of the China Spring Youth Camp. Clark County supports the Spring Mountain Youth Camp which is almost totally utilized by Clark County.

At this time it appears that the intent of the bill has been realized with the census at China Spring showing a substantial increase in utilization. The census at China Spring, which has a 30 bed capacity, in fiscal year 1989 and prior to the passage of A.B. 851 was 20.83 or a 69.43 percent utilization factor. During fiscal year 1990, the average daily census was 30.83 or utilization factor of 102.8 percent.

The census at Spring Mountain (75 beds) for FY 1989 was 74.17 or a utilization rate of 98.89 percent. For fiscal year 1990, the average daily census was 71.52 or a utilization factor of 95.4 percent.

The subcommittee was impressed with the high utilization of the two regional facilities and their corresponding impact on lessening commitments to the Nevada Youth Training Center.

Long Range Planning for Nonviolent Juvenile Offenders

During the study, the subcommittee discussed the need for the Youth Services Division to engage in a long-range planning effort to provide for the future needs of nonviolent youthful offenders. Information reviewed by the subcommittee shows that trends nationwide indicate a need for more community-based programs for nonviolent offenders. For example, the January, 1990, issue of Corrections Digest (Appendix C-16) cites study results from the National Council on Crime and Delinquency, which states in part that "states relying on institutions alone to handle violent and nonviolent offenders are costing their citizens more money and returning to society a youth who is virtually unchanged." Additionally, the publication

indicates that the American Bar Association and the Institute for Judicial Administration have urged states to reform their juvenile corrections system arguing that programs must be small to be effective and that more community based-residential programs are needed for nonviolent offenders.

The Youth Services Division indicated during the subcommittee's March 14, 1990, meeting that they strongly supported community based services in lieu of additional general purpose beds and they did not feel there was a need for additional general purpose beds in Nevada at this time. They further stated that although the State of Nevada has one of the highest rates of juvenile incarceration in the nation, they believe that rate can be controlled and managed through Probation Subsidies. The subcommittee requested additional information from the Youth Services Division regarding any future plans for community based programs, other than the Probation Subsidies Program and the proposed halfway house concept. The Youth Services Division indicated that they did not have future plans in mind at this time for any other community based programs.

The subcommittee requested that the Youth Services Division pursue the design and implementation of these community based programs in the future to avoid the construction of general purpose beds for nonviolent offenders.

scr52 final report
YOUTH SERVICES DIV

V. APPENDICES

APPENDIX A

Individuals providing testimony to the subcommittee:

Assemblyman Ernie Adler

David Bash, Chief
Nevada Youth Parole Bureau

Bill Beck, Ph.d., Clinic Director
Northern Nevada Child and Adolescent Mental Health Services

Liz Breshears, Chief
Bureau of Alcohol and Drug Abuse

Tim Burge, District Supervisor
Nevada Youth Parole Bureau

Robert N. Calderone, Director
Washoe County Juvenile Court Services

Robert Cavakis, Administrator
Nevada Youth Services Division

Dick Dewitt, President of the Executive Board
Community Runaway and Youth Services

Tom Dever
Attorney at Law

Sharon Ezell, Human Services Planner
Department of Human Resources, Director's Office

Richard J. Gable, Director of Applied Research
National Center for Juvenile Justice

Robert Hadfield, Executive Director
Nevada Association of Counties

Peggy Leavitt, Superintendent
Southern Nevada Children's Home

Honorable Charles M. McGee, District Judge
Second Judicial District Court, Washoe County

Honorable John S. McGroarty, District Judge
Eighth Judicial District Court, Clark County

Eugene Paslov, Superintendent of Public Instruction
Nevada Department of Education

Christa Peterson, Ph.D., Clinic Director
Southern Nevada Child and Adolescent Mental Health Services

Dan Prince, Juvenile Justice Specialist
Nevada Youth Services Division

Robert Ranney, Director
Clark County Juvenile Court Services

John S. Robinson
Corrections Corporation of America

Leonard Ross, Interested Parent

Linda Rowlette, Interested Parent

Fernando Serrano, Chief Juvenile Probation Officer
Sixth Judicial District

Honorable Miriam Shearing, District Judge
Eighth Judicial District Court, Clark County

Curtis Stewart, Superintendent
Caliente Youth Center

Wayne R. Teglia, Director
Nevada Department of Motor Vehicles and Public Safety

Robert W. Teuton, Assistant Director
Clark County Juvenile Court Services

Wendy W., Interested Parent

Michael J. Willden, Deputy Administrator
Program and Field Operations
Nevada State Welfare Division

appendix a
YOUTH SERVICES DIV

APPENDIX B

Individuals providing written comments on draft recommendations:

Dale Askew, Assistant County Manager
Clark County

Robert S. Hadfield, Executive Director
Nevada Association of Counties

James J. Jackson, Special Master and Associate Municipal Judge
First Judicial District Court

Linda Ryan, Administrator
Nevada State Welfare Division

Fernando Serrano, President
Nevada Association of Chief Juvenile Probation Officers

Honorable Miriam Shearing, District Judge
Eighth Judicial District Court, Clark County

Thomas L. Stringfield, District Judge
Fourth Judicial District Court

Robert W. Teuton, Assistant Director
Clark County Juvenile Court Services

Dottie Wanderer, Chairman
Governor's Advisory Council on Youth

appendix b
YOUTH SERVICES DIV

APPENDIX C

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appendix c
YOUTH SERVICES DIV

APPENDIX D

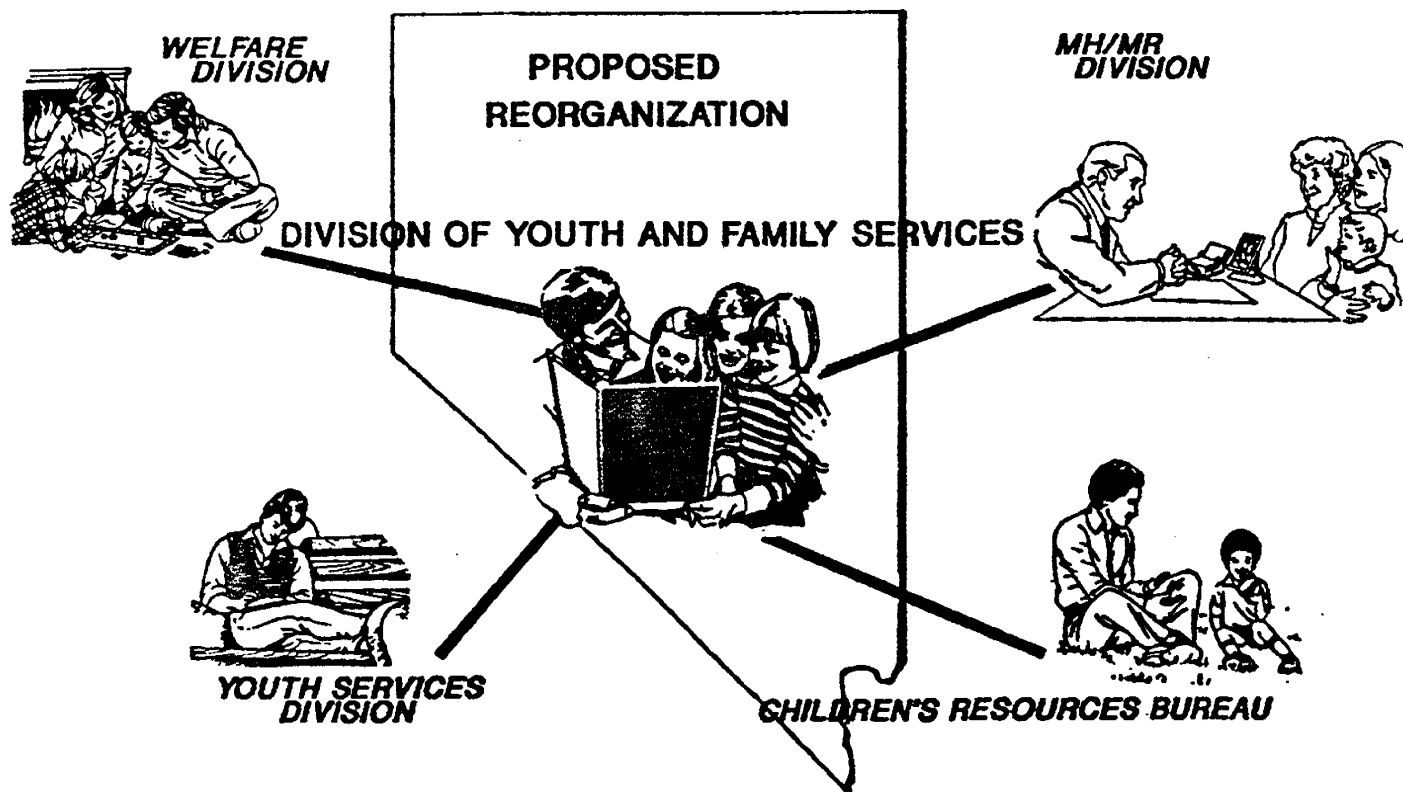
The Halfway House proposal developed by the Youth Services Division's Youth Parole Bureau is on file in the Legislative Counsel Bureau, Fiscal Analysis Division and is available for review upon request.

APPENDIX E

Proposed Reorganization - Division of Youth and Family Services

Note: The draft version of the bill draft request which accompanied the reorganization proposal is on file in the Legislative Counsel Bureau, Fiscal Analysis Division.

DEPARTMENT OF HUMAN RESOURCES



Nevada Division of Youth and Family Services

Prior to the 1989 session of the Nevada Legislature, analysis of the existing system for delivery of services to Nevada's children and families was undertaken. This analysis indicated that there was a considerable degree of fragmentation of children's services, resulting in children not receiving needed services, becoming lost between service agencies and not being served in an effective and integrated manner. Specifically, several major issues related to children and family services were identified:

Lack of integrated or coordinated intake and assessment. Most programs providing services to children or families have externally and internally imposed requirements narrowly defining eligibility and services. As a result, services tend to be limited to those who fit the "profile". Those children and families which did not meet a narrow definition, especially those with multiple problems and multiple service needs, were often "defined out" or shuffled from one program to another.

Lack of "front-end" or preventive services. Because county agencies in Washoe and Clark counties are responsible for child protective services within their borders, most state services were organized for delivery after a crisis overwhelming to the family structure occurred and the child has been removed from the home. There was little emphasis placed on treatment interventions which would meet the needs of "at-risk" families before a crisis and before entering the protective services system.

Need for additional staff training to handle multi-problem children and families. The background and training of many State employees has not prepared them for dealing with the complexity of problems seen in children and families today. While these employees are fully competent and have received on-the-job training for dealing with the issues associated with the specific focus of their particular programs, a need was identified for additional training to enhance the existing skills of these employees to deal directly with multi-problem children and families.

Lack of continuing responsibility and accountability as a client moves between the various programs and services within the system. Responsibility and accountability for a client began and ended for each program or service agency when the client entered and exited that particular program or service. All too often the client would then move on to another program or agency, with little or no coordination of effort. This in turn resulted in the provision of inappropriate services, often in a more restrictive (and costly) than necessary environment.

Lack of accountability for the overall continuum of residential treatment services. While many residential programs exercise veto powers over children not meeting specific admission criteria, no one within the State is responsible for ensuring that residential programs change (or are created) to meet the needs of multi-problem

children. In addition, the less restrictive programs of one division may not be made available to institutionalized children of another division on a timely basis.

Three of the above issues were addressed by the 1989 Legislature:

Lack of integrated or coordinated intake and assessment.

The Children's Resources Bureau was funded to provide a multi-disciplinary diagnostic assessment for children with multiple problems and their families.

Lack of "front-end" or preventive services.

The Family Preservation Program was initiated in Clark County and has recently expanded to Washoe County. This program provides intensive home-based services to families who have been identified as abusive and neglectful to prevent the out-of-home placement of their children.

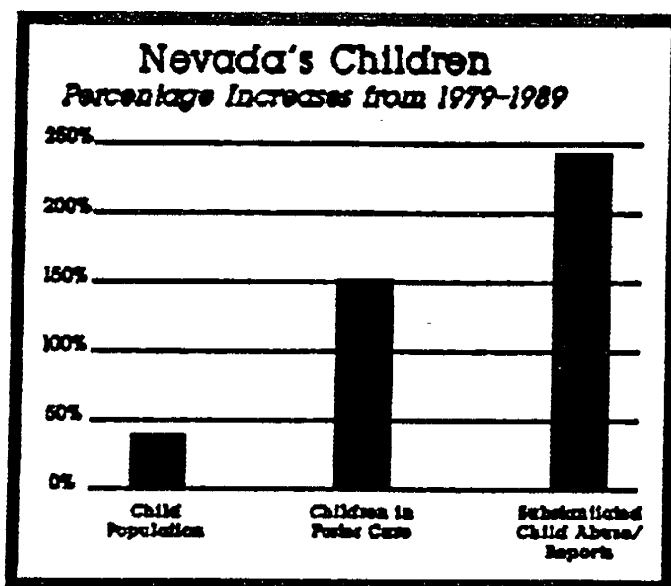
Need for additional staff training to handle multi-problem children and families.

The University of Nevada system, in conjunction with the Nevada State Welfare Division, has developed and implemented a curriculum to provide a variety of training opportunities to enhance the skills of Department employees who provide services to children and their families.

The problems and causative factors which prompted the 1989 Legislature to take action have not abated, but have been further exacerbated by our continued growth, which serves to increase the overall acuity of the problems facing Nevada with regard to children's services.

From 1979 to 1989, Nevada's child population increased by 40%. In that same period, the number of children placed in substitute care increased by 151% and the number of substantiated reports of child abuse or neglect increased by 245%. These statistics point to a need for a service delivery system which will better help Nevada families to stay together by providing family-focused services in a comprehensive and integrated manner.

In order to build on the accomplishments from the 1989 Legislative session and develop and implement a system of services which further integrates service delivery and enhances the continuum of care, the Department of Human Resources proposes to move forward with the next phase of restructuring services for children. The major thrust of this phase is the consolidation of programs

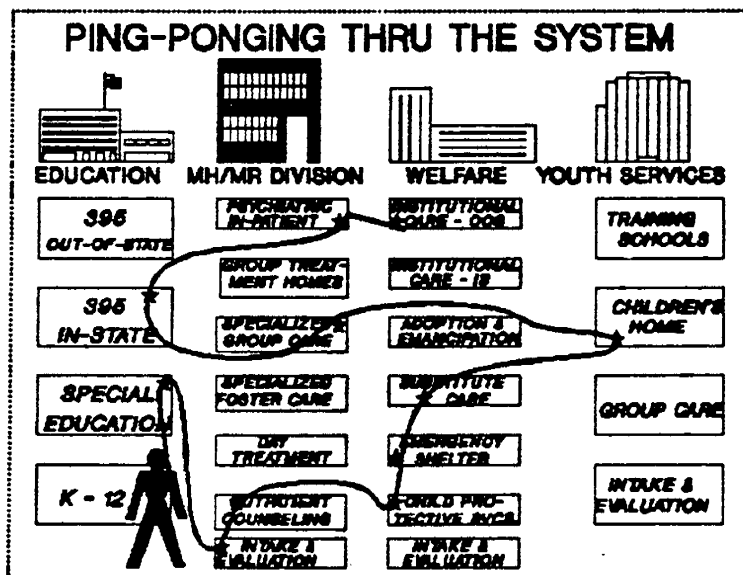
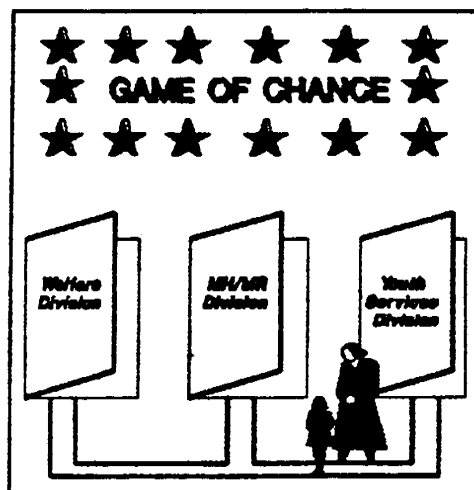


providing services to children in Clark and Washoe counties from the Welfare, Youth Services, and Mental Hygiene/Mental Retardation Divisions within the Department and the Children's Resources Bureau into a single Division for Youth and Family Services.

The rural areas are not proposed for inclusion in this initial phase, based on the need for additional study and consideration with regard to services in rural Nevada. The Department is beginning efforts to develop alternatives which will be appropriate for rural Nevada, and will propose further action when such alternatives have been developed.

The proposed reorganization is designed to respond to the remaining issues noted above with regard to the current service structure in Clark and Washoe counties. The first of these issues is the lack of service coordination. Because the actual services received may depend on the initial agency "door" chosen, this sometimes results in a "game of chance" system for providing services.

The services currently provided by the three involved divisions are primarily categorical in nature (i.e., designed for the specific "categories" of child welfare, mental health or delinquency), and are not designed to effectively address the multi-problem children presenting themselves for services today. The focus of the services actually received are categorical in nature, and they are often delivered sequentially rather than concurrently. In addition, the actual sequence of delivery may sometimes appear to be almost random in nature, resulting in a "ping-pong" movement of a child through the system.

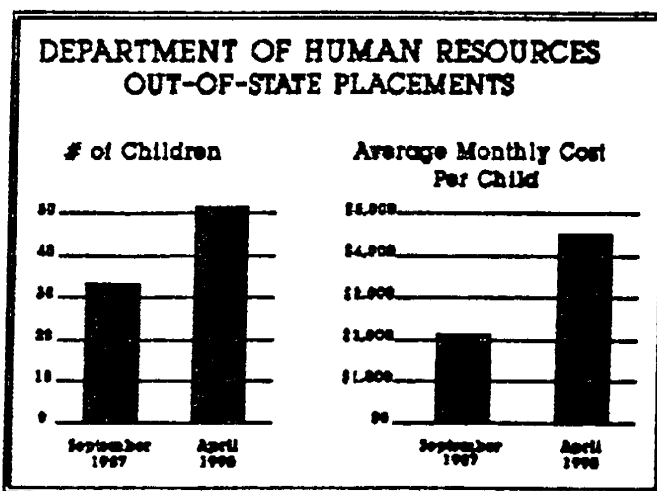


As a child's treatment needs are identified, the child may be transferred from one division to another, with each transfer requiring a new intake, a new assessment, and a new caseworker, all of which contributes to the lack of continuity for children needing services from multiple programs or agencies. More often than not, the effect of this activity is the delivery of inappropriate services rather than no services, as perhaps manifested by the skyrocketing increases in out-of-home placements. These substitute care placements, particularly institutional placements, are frequently over-restrictive, often

questionably effective, and always expensive.

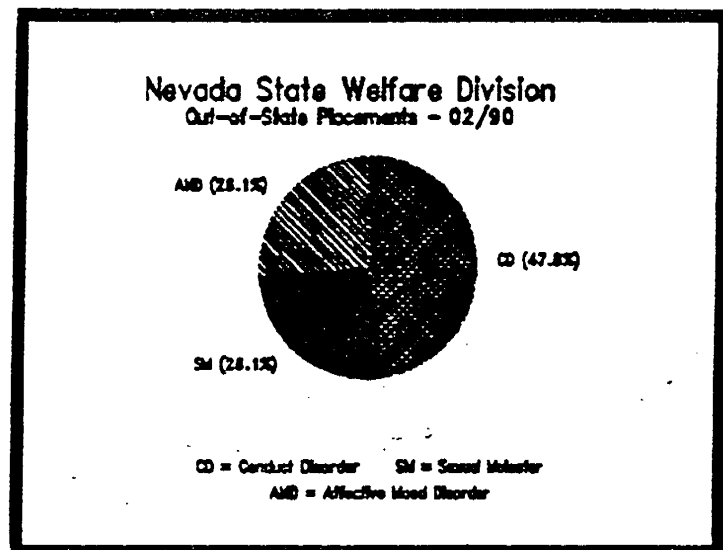
A basic causative factor in this regard is that no single agency or organizational unit has overall responsibility for the movement of the child through the system. The proposed new Division of Youth and Family Services will have such overall responsibility. The division will develop a case management capability for multi-problem children, assigning a case manager to the child and family who will continue with the case throughout the system.

The remaining issue to be addressed by the proposed reorganization is the continuum of residential treatment services. There is no single agency or program in Nevada with overall responsibility or accountability for developing a residential continuum to adequately serve multi-need children in our state. The financial and service impact of this fact is significant.



From September of 1987 to April of 1990, the number of children in Nevada State Welfare Division custody who were in out-of-state placements increased from 33 to 52, an increase of 58%. The average monthly cost per child for such placements increased from \$2,111 to \$4,456, an increase of over 110%. Even if further increases in numbers are avoided, the April 1990 statistics result in an annualized cost of nearly \$2.8 million, all of which is being transferred out of the State of Nevada.

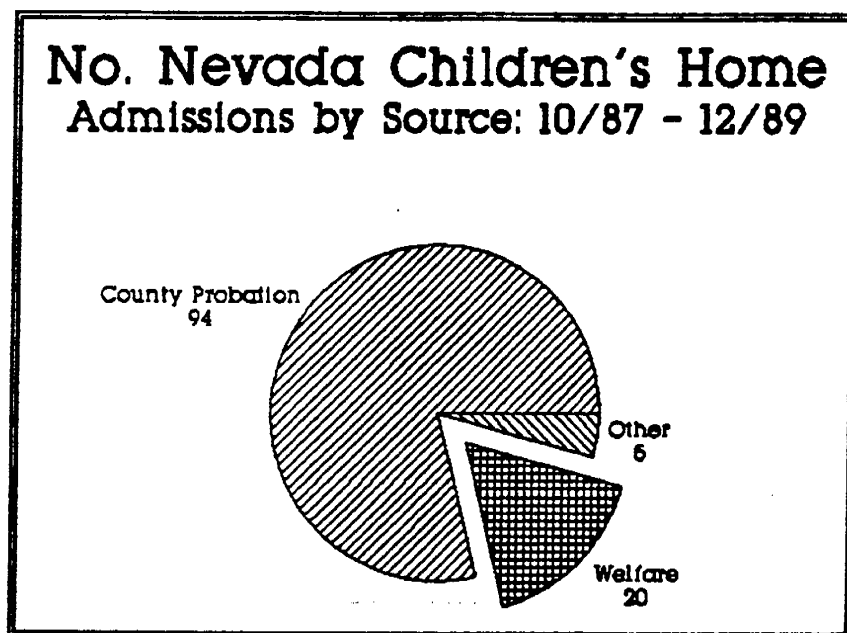
There are approximately 55 children currently placed out-of-state by the Department, including those placed by Youth Services as well as the Welfare Division. Of these, approximately 48% have a conduct disorder as their principal diagnosis, while approximately 26% each have been principally diagnosed as being a sexual offender or having an affective mood disorder. Review of these cases has determined that, with few exceptions, appropriate treatment programs could be developed within Nevada if adequate resources were available. The costs of developing these programs would be



offset by the dollars currently being spent on out-of-state placements.

In addition to the out-of-state placement question, increased accountability for residential services currently provided in-state is also necessary. As noted in the initial analysis, many residential programs have veto powers which exclude children needing services who do not meet specific admission criteria, and institutionalized children from one division are not able to obtain access to the less restrictive programs of another division on a timely basis. This often results in the provision of inappropriate residential treatment services.

An example of the lack of coordination and comprehensive planning for residential treatment



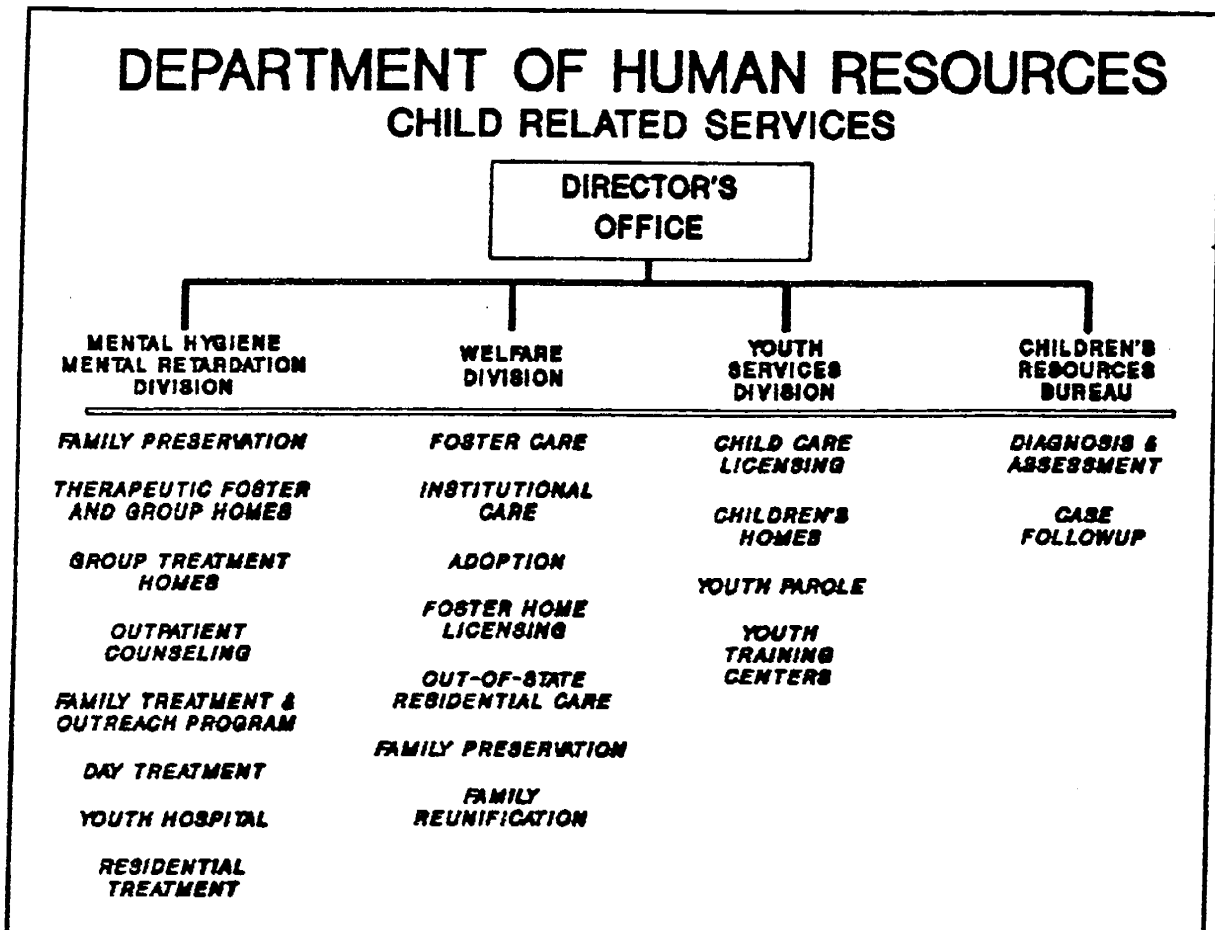
services may be found in the Northern Nevada Children's Home. This facility, which provides services similar to group foster care, is operated by the Youth Services Division. During a 15-month period from October 1, 1987 to December 31, 1989, nearly 80% of all admissions were referred from County Probation offices, and only 17% were from Nevada State Welfare Division referrals. It should be noted that there is an apparent economic incentive for the County Probation offices to use this facility, as their statutorily defined

cost per child is \$50 per month. The cost to the State for each bed in this facility averaged \$1,717 per month in 1989.

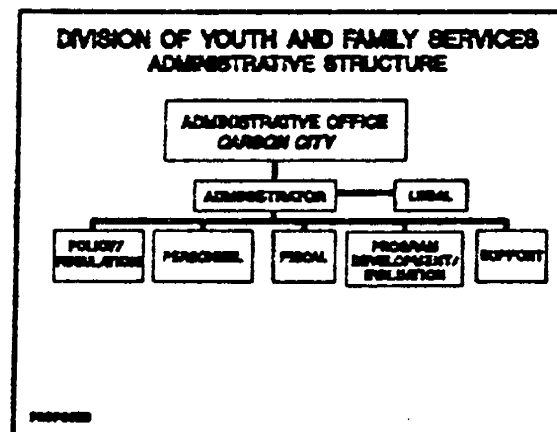
In order to ameliorate the situation with regard to out-of-state placements and inappropriate and uncoordinated usage of in-state residential treatment services, a single authority accountable for residential service development and management is required. The proposed new Division of Youth and Family Services would be that authority.

Functionally, the new division will be organized with a community-based service delivery focus, with regional offices in Clark and Washoe counties and an overall administrative office in Carson City. This structure will provide for improved coordination with other public and private sector agencies and place responsibility for programs in the communities where they will be provided.

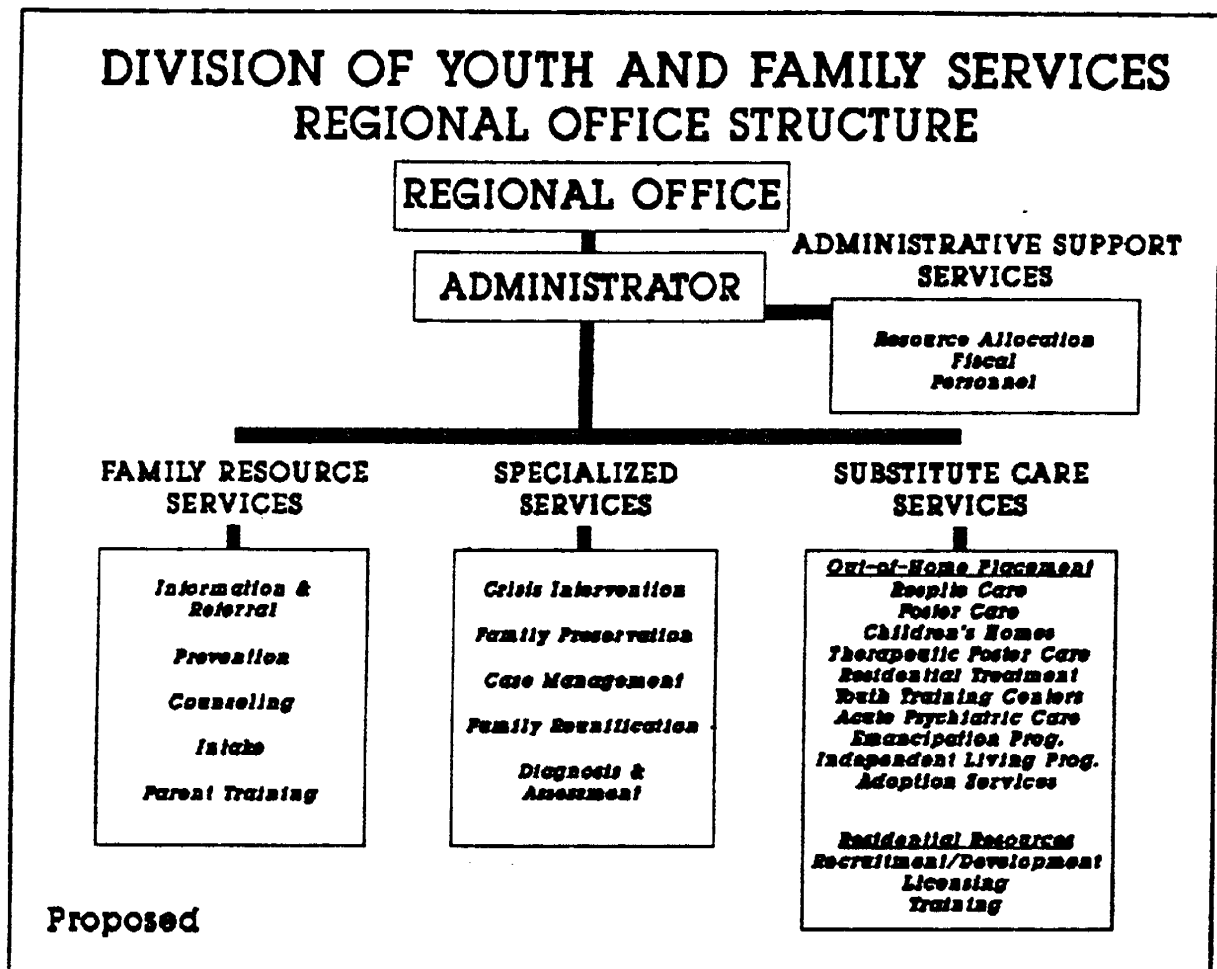
The services which will be combined from the three divisions and the Children's Resources Bureau are:



The Carson City administrative office will be the main administrative office for the new division and will coordinate all division activities at the state level, including program and policy development and evaluation, budget development and administration, and personnel matters.



Each of the two regional offices will be directed on a day-to-day basis by an administrator with responsibility for all regional services. Services in each regional office would be grouped into three areas, as follows:



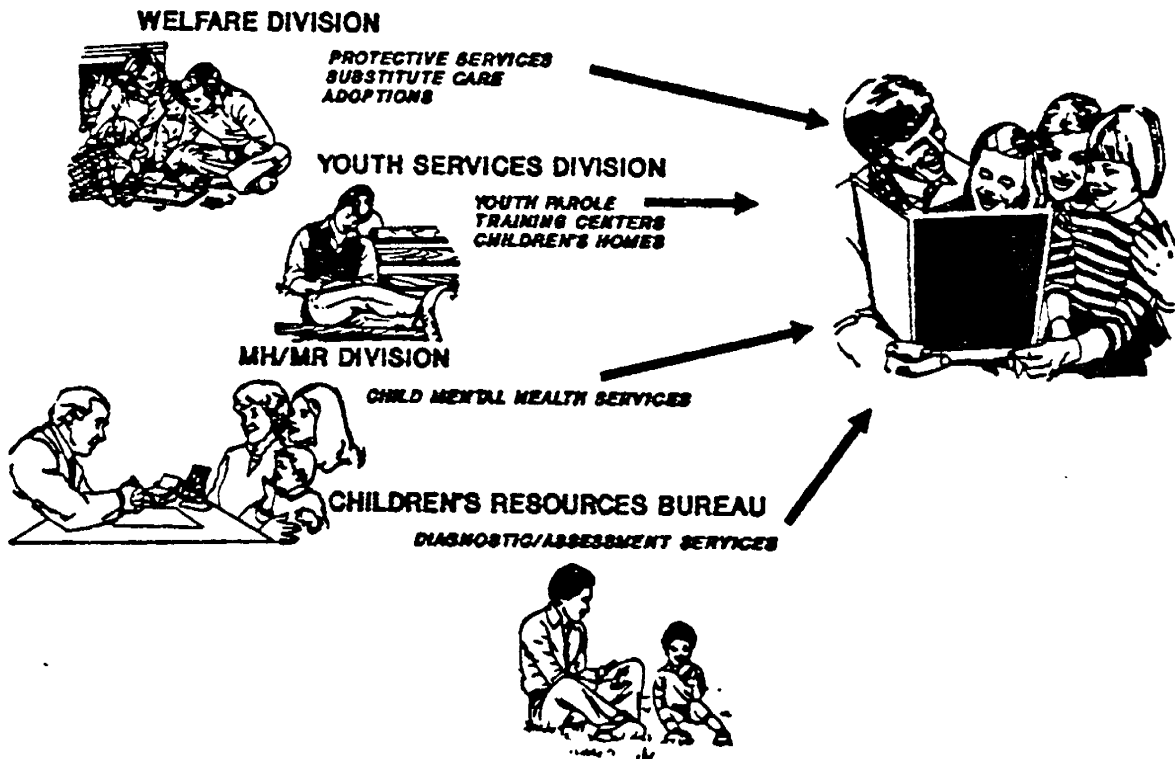
FAMILY RESOURCE SERVICES. In addition to initial intake and referral, services in this area will focus on prevention, enabling families to stay together through the provision of home-based and community-based services.

SPECIALIZED SERVICES. Services in this area will focus on maintaining a child in his or her own home, or on returning the child to her or his own home as quickly as possible if there are no alternatives to immediate removal.

SUBSTITUTE CARE SERVICES. Services in this area will focus on arranging and monitoring out-of-home placements as well as developing, licensing and training providers of out-of-home care.

The proposed reorganization of services for children and families into a single division within the Department of Human Resources will provide for a further restructuring of programs and service delivery philosophy in Nevada, building upon the accomplishments of the 1989 Legislative session and moving substantially closer to the goal of promoting families and helping them stay together and productive by providing family-focused services in a comprehensive and integrated manner.

DEPARTMENT OF HUMAN RESOURCES DIVISION OF YOUTH AND FAMILY SERVICES



APPENDIX F

Suggested legislation.

SUMMARY--Requires adoption and use of uniform formula to charge parents for cost of care or services provided by state to children. (BDR 5-295)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to children; requiring the juvenile court to order parents to reimburse the youth services division of the department of human resources for the cost of care and services provided to their children; requiring the adoption and use of a uniform formula for the amount state agencies may charge parents for the cost of care or services provided to their children; and providing other matters properly relating thereto.

**THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**

Section 1. NRS 62.321 is hereby amended to read as follows:

62.321 1. Whenever a child is committed by the court to custody other than that of its parents, and no provision is otherwise made by law for the support of the child, compensation for the care of the child while in such custody, when approved by order of the court, is a charge upon the county where the child has a legal residence. If a female child is committed to a private institution within the state, any compensation for the care of the child which is not paid by a parent must be paid by the state from money budgeted

for by and appropriated to the Caliente youth center bureau of the [youth services division of the department of human resources.] *division*. A commitment must not be made to such a private institution until the court has ascertained from the superintendent of the institution that sufficient money is available for such compensation. This subsection does not prohibit the payment of compensation by the Caliente youth center bureau from money appropriated for that purpose to schools outside the state to which female children are committed pursuant to the provisions of NRS 210.580.

2. Notwithstanding any provision made by the law of this state for the support of such children, after [the] *a parent , guardian or other person liable for the support of a child* has been given a reasonable opportunity to be heard, the court [may order and decree that] :

(a) Shall order the parent, guardian or other person to pay, using the formula established pursuant to subsection 6 of NRS 232.215, all or part of the amount expended by the division for the support, care and maintenance of the child. The court may deviate from that formula in a particular case if it determines, based upon specific findings of fact supported by documented evidence, that the formula would be inappropriate in that case.

(b) May order the parent , guardian or other person to pay, in such a manner as the court may direct and within [the parent's] his ability to pay, a sum of money to cover in whole or in part the amount expended by any person or entity other than the division for the support of the child.

If the parent , *guardian or other person liable for the support of the child* willfully fails or refuses to pay [the sum,] *as ordered pursuant to this subsection*, the court may proceed against him for contempt of court.

3. Whenever the court orders [the parent or parents of a child] *a parent, guardian or other person* to pay for the support of a child, as provided in [this section,] :

(a) *Paragraph (a) of subsection 2, the money must be paid to the administrator of the division and deposited into a separate account in the state general fund from which the money may be used only to reimburse the division for the support, care and maintenance of children.*

(b) *Paragraph (b) of subsection 2, the money must be paid to the superintendent or fiscal officer of the institution to which the child is committed.*

4. *As used in this section, "division" means the youth services division of the department of human resources.*

Sec. 2. NRS 125B.080 is hereby amended to read as follows:

125B.080 1. [A] *Except as otherwise provided in NRS 62.321, a court shall apply the appropriate formula set forth in subsection 2 of NRS 125B.070 to:*

(a) Determine the required support in any case involving the support of children.

(b) Any request filed after July 1, 1987, to change the amount of the required support of children.

2. If the parties agree as to the amount of support required, the parties shall certify that the amount of support is consistent with the appropriate formula

set forth in subsection 2 of NRS 125B.070. If the amount of support deviates from the formula, the parties must stipulate sufficient facts in accordance with subsection 9 which justify the deviation to the court, and the court shall make a written finding thereon. Any inaccuracy or falsification of financial information which results in an inappropriate award of support is grounds for a motion to modify the award.

3. If the parties disagree as to the amount of the gross monthly income of either party, the court shall determine the amount and may direct either party to furnish financial information or other records, including income tax returns for the preceding 3 years. Once a court has established an obligation for support by reference to a formula set forth in subsection 2 of NRS 125B.070, any subsequent modification of that support must be based upon changed circumstances or as a result of a review conducted pursuant to NRS 125B.145.

4. Notwithstanding the formulas set forth in subsection 2 of NRS 125B.070, the minimum amount of support that may be awarded by a court in any case is \$100 per month per child, unless the court makes a written finding that the obligor is unable to pay the minimum amount. Willful underemployment or unemployment is not a sufficient cause to deviate from the awarding of at least the minimum amount.

5. It is presumed that the basic needs of a child are met by the formulas set forth in subsection 2 of NRS 125B.070. This presumption may be rebutted by evidence proving that the needs of a particular child are not met by the applicable formula.

6. If the amount of the awarded support for a child is greater or less than the amount which would be established under the applicable formula, the court shall set forth findings of fact as to the basis for the deviation from the formula.

7. Expenses for health care which are not reimbursed, including expenses for medical, surgical, dental, orthodontic and optical expenses, must be borne equally by both parents in the absence of extraordinary circumstances.

8. If a parent who has an obligation for support is willfully underemployed or unemployed, for the purpose of avoiding an obligation for support of a child, that obligation must be based upon the parent's true potential earning capacity.

9. The court shall consider the following factors when adjusting the amount of support of a child upon specific findings of fact:

- (a) The cost of health insurance;
- (b) The cost of child care;
- (c) Any special educational needs of the child;
- (d) The age of the child;
- (e) The responsibility of the parents for the support of others;
- (f) The value of services contributed by either parent;
- (g) Any public assistance paid to support the child;

(h) Any expenses reasonably related to the mother's pregnancy and confinement;

(i) The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction of the court which ordered the support and the noncustodial parent remained;

(j) The amount of time the child spends with each parent;

(k) Any other necessary expenses for the benefit of the child; and

(l) The relative income of both parents.

Sec. 3. NRS 210.180 is hereby amended to read as follows:

210.180 1. A court may commit to the school any person between the ages of 12 and 18 years who is found to be delinquent. Before any person is conveyed to the school, the superintendent shall determine whether adequate facilities are available to provide the necessary care to the person. The superintendent shall fix the time at which the person must be delivered to the school. The superintendent shall accept the person unless:

(a) There are not adequate facilities available to provide the necessary care;

(b) There is not adequate money available for the support of the school; or

(c) In the opinion of the superintendent, the person is not suitable for admission to the school.

2. [The court may order, when committing a person to the care, custody and control of the school, the expense of his support and maintenance be paid in whole or in part by his parents, guardian or other person liable for his support and maintenance. Such payments must be paid to the superintendent, who shall immediately deposit the money with the state treasurer for credit to the state general fund.

3.] The court shall order, before commitment, that the person be given a physical examination, which includes a blood test, test for tuberculosis, urinalysis and an examination for venereal disease, by a physician. The physician shall, within 5 days after the examination, make a written report of the results [thereof] *of the examination* to the clerk of the juvenile court, if there is one, and otherwise to the county clerk of the county [wherein] *in which* the commitment was ordered. Upon receipt of the written report, the county auditor shall allow a claim for payment to the physician for the examination. The clerk of the juvenile court or the county clerk, as the case may be, shall immediately forward a copy of the written report to the superintendent.

Sec. 4. NRS 210.200 is hereby amended to read as follows:

210.200 1. Upon request of the superintendent, a person committed to the school [shall] *must* be accepted by the mental hygiene and mental retardation division of the department of human resources for observation, diagnosis and treatment, for a period not to exceed 90 days.

2. If, after observation, the administrator of the mental hygiene and mental retardation division, upon medical consultation, finds such *a* person to be feeble-minded or mentally ill, [such] *the* person may be returned to the committing court for discharge from the school and commitment in accordance with law to the custody of the administrator of the mental hygiene and mental retardation division.

3. If, after observation, the administrator, upon medical consultation, finds such *a* person to be a sexual psychopath or a defective or psychopathic

delinquent, [such person shall] *the person must* be returned to the school. Upon the written request of the superintendent, the committing court may order *that* any such person be committed to the custody of the administrator of the mental hygiene and mental retardation division or to an appropriate institution outside the State of Nevada approved by the director for treatment. [The] *If such an order is not required pursuant to paragraph (a) of subsection 2 of NRS 62.321, the committing court may order that* the expense of such support and treatment be paid in whole or in part by the parents, guardian or other person liable for the support and maintenance of such person . [in accordance with the provisions of NRS 210.180.] In the absence of such *an* order, the expense of such support and treatment [shall] *must* be paid by the school.

Sec. 5. NRS 210.580 is hereby amended to read as follows:

210.580 1. A court may commit to the school any female person between the ages of 12 and 18 years who is found to be delinquent. Before any person is conveyed to the school, the superintendent shall determine whether adequate facilities are available to provide the necessary care to the person. The superintendent shall fix the time at which the person must be delivered to the school. The superintendent shall accept the person unless:

- (a) There are not adequate facilities available to provide the necessary care;
- (b) There is not adequate money available for the support of the school; or
- (c) In the opinion of the superintendent, the person is not suitable for admission to the school.

Upon the written request of the superintendent, at any time [either] before or after commitment to the school, the court may order commitment to a school outside of the State of Nevada which is approved by the board, or to a private institution within the State of Nevada.

2. [The court may order, when committing a person to the care, custody and control of the school, that the expense of her support and maintenance be paid in whole or in part by her parents, guardian or other person liable for her support and maintenance. Such payments must be paid to the superintendent, who shall immediately deposit the money with the state treasurer for credit to the state general fund.

3.] The court shall order, before commitment, that the person be given a physical examination, which includes a blood test, test for tuberculosis, urinalysis, and an examination for venereal disease by a physician. The physician shall, within 5 days after the examination, make a written report of the results [thereof] *of the examination* to the clerk of the juvenile court, if there is one, and otherwise to the county clerk of the county [wherein] *in which* the commitment was ordered. Upon receipt of the written report, the county auditor shall allow a claim for payment to the physician for the examination. The clerk of the juvenile court or the county clerk, as the case may be, shall immediately forward a copy of the written report to the superintendent.

Sec. 6. NRS 210.650 is hereby amended to read as follows:

210.650 1. Upon request of the superintendent, a person committed to the school [shall] *must* be accepted by the mental hygiene and mental retardation

division of the department of human resources for observation, diagnosis and treatment , for a period not to exceed 90 days.

2. If, after observation, the administrator of the mental hygiene and mental retardation division, upon medical consultation, finds such *a* person to be feeble-minded or mentally ill [such] *the* person may be returned to the committing court for discharge from the school and commitment in accordance with law to the custody of the administrator of the mental hygiene and mental retardation division.

3. If, after observation, the administrator, upon medical consultation, finds such *a* person to be a sexual psychopath or a defective or psychopathic delinquent, [such person shall] *the person must* be returned to the school. Upon the written request of the superintendent, the committing court may order that any such person be committed to the custody of the administrator of the mental hygiene and mental retardation division or to an appropriate institution outside the State of Nevada approved by the director for treatment. [The] *If such an order is not required pursuant to paragraph (a) of subsection 2 of NRS 62.321, the* committing court may order *that* the expense of such support and treatment be paid in whole or in part by the parents, guardian or other person liable for the support and maintenance of such person . [in accordance with the provisions of NRS 210.580.] In the absence of such *an* order, the expense of such support and treatment [shall] *must* be paid by the school.

Sec. 7. NRS 210.760 is hereby amended to read as follows:

210.760 1. Upon request of the chief of the youth parole bureau, a person under his supervision must be accepted by the administrator of the mental hygiene and mental retardation division of the department of human resources for observation, diagnosis and treatment, for not more than 90 days.

2. If the administrator finds, after observation of the person and upon medical consultation, that the person is feeble-minded or mentally ill, the administrator may return the person to the committing court for release from the chief's supervision and further commitment, in accordance with law, to the custody of the administrator.

3. If the administrator finds, after observation of the person and upon medical consultation, that the person is a sexual psychopath or a defective or psychopathic delinquent, the administrator shall return the person to the youth parole bureau. Upon the written request of the chief, the committing court may order the person committed to the custody of the administrator or to an appropriate institution outside the State of Nevada, approved by the director of the department of human resources for treatment. [The] *If such an order is not required pursuant to paragraph (a) of subsection 2 of NRS 62.321, the committing court may order the expense of such support and treatment to be paid in whole or in part by the parents, guardian or other person liable for the support and maintenance of the person.*

Sec. 8. NRS 232.215 is hereby amended to read as follows:

232.215 The director:

1. Shall appoint a chief of the risk management division.

2. Shall appoint a chief of the budget division, or may serve in this position if he has the qualifications required by NRS 353.175.

3. Shall serve as chief of the hearings division and shall appoint the hearing officers and compensation officers, who are in the classified service of the state. The director may designate one of the appeals officers in the division to supervise the administrative, technical and procedural activities of the division.

4. Shall serve as chairman of the state public works board.

5. Is responsible for the administration, through the divisions of the department, of the provisions of NRS 331.182 to 331.186, inclusive, 353.150 to 353.246, inclusive, and all other provisions of law relating to the functions of the divisions of the department.

6. *Shall, after consulting with county agencies that charge parents for the cost of care or services provided to children, adopt regulations establishing a uniform formula, based upon the ability of the parent, guardian or other person to pay, for the amount a state agency may charge a parent, guardian or other person liable for the support of a child for the cost of any care or services provided to the child.*

7. Has such other powers and duties as are provided by law.

Sec. 9. NRS 422.310 is hereby amended to read as follows:

422.310 1. Spouse for spouse and parents for minor children are liable for the support of an applicant for or recipient of public assistance.

2. The welfare division shall investigate the ability of responsible relatives to contribute to the support of an applicant for or recipient of public assistance and shall determine the amount of such support for which [such] *the* relative is

responsible. *If public assistance is provided to a child, the amount of support for which a parent is responsible must be determined pursuant to NRS 425.360.*

Sec. 10. NRS 425.360 is hereby amended to read as follows:

425.360 1. Any payment of public assistance pursuant to this chapter creates a debt for support to the division by the responsible parent, whether or not the parent received prior notice that his child was receiving public assistance. A debt for support created by a payment for assistance under this chapter is an amount equal to the least of:

- (a) The amount of assistance paid;
- (b) The amount due under any court order for support; or
- (c) If there is no court order for support, or if the court order provides that no support is due and the facts upon which the order is based have changed, the amount due [under the formula] *pursuant to regulations* adopted by the division [by regulation] *using the formula established pursuant to subsection 6 of NRS 232.215* or under any written agreement between the division and a responsible parent.

2. The division is entitled to the amount to which a dependent child or a person having the care, custody and control of a dependent child would have been entitled for support and may prosecute or maintain any action for support or execute any administrative remedy existing under the laws of this state to obtain reimbursement of money expended for public assistance. If a court enters judgment for an amount of support to be paid by a responsible parent, the division is entitled to the amount of the debt created by that judgment to the extent of public assistance paid, and the judgment awarded

shall be deemed to be in favor of the division. This entitlement applies but is not limited to a temporary order for spousal support, a family maintenance order or an alimony order, whether or not allocated to the benefit of the child on the basis of providing necessities for the caretaker of the child, up to the amount paid by the division in public assistance to or for the benefit of a dependent child. The division may petition the appropriate court for modification of its order on the same grounds as a party to the action.

3. Debts for support may not be incurred by a parent or any other person who is the recipient of public assistance for the benefit of a dependent child for the period when the parent or other person is a recipient.

Sec. 11. NRS 432.085 is hereby amended to read as follows:

432.085 1. The parents of a child placed in the custody of the welfare division pursuant to the provisions of this chapter or chapter 62 or 432B of NRS are liable to the welfare division for the cost of maintenance and special services provided to the child.

2. The state welfare board shall [, by regulation, establish] *adopt regulations establishing* reasonable schedules , *using the formula established pursuant to subsection 6 of NRS 232.215*, for the repayment of money owed by parents pursuant to subsection 1. [The schedules must be based on the income and other resources of the parents.]

3. The welfare division may waive all or any part of the amount due pursuant to this section if it determines that the parents of the child do not have the ability to pay the amount.

4. If a parent refuses to pay the welfare division for money owed under this section, the welfare division may bring a civil action to recover all money owed with interest thereon at the rate of 7 percent per year commencing 30 days after an itemized statement of the amount owed is submitted to the parents.

5. All money collected pursuant to this section must be deposited with the state treasurer for credit to the state child welfare services account.

Sec. 12. NRS 433.404 is hereby amended to read as follows:

433.404 1. The division shall establish a fee schedule for services rendered through any program supported by the state pursuant to the provisions of this Title. The schedule must be submitted to the commission and the director of the department for joint approval [prior to] *before* enforcement. The fees collected by facilities operated by the division pursuant to this schedule must be deposited in the state treasury to the credit of the general fund, except as otherwise provided in NRS 433.354 for fees collected pursuant to contract or agreement and in NRS 435.120 for fees collected for services to mentally retarded clients.

2. For a facility providing services for the treatment of the mentally ill or mentally retarded, the fee established must approximate the cost of providing the service, but if a client is unable to pay in full the fee established pursuant to this section, the division may collect any amount the client is able to pay.

3. *In determining the fees for which a parent, guardian or other person liable for the support of a child is responsible pursuant to this section, the*

division shall use the formula established pursuant to subsection 6 of NRS 232.215.

Sec. 13. NRS 435.085 is hereby amended to read as follows:

435.085 The administrative officer of a division facility may authorize the transfer of a mentally retarded person to a general hospital for necessary diagnostic, medical or surgical services not available within the division. All expenses incurred under this section [shall] *must* be paid as follows:

1. In the case of a judicially committed mentally retarded person, such expenses [shall] *must* be paid by his parents or guardian to the extent of their reasonable financial ability as determined by the administrator, and the remainder, if any, [shall be] *is* a charge upon the county of the mentally retarded person's last known residence;

2. In the case of a mentally retarded person admitted to a division facility pursuant to NRS 435.010, 435.020 and 435.030, such expenses [shall be] *are* a charge upon the county from which a certificate was issued pursuant to subsection 2 of NRS 435.030; and

3. In the case of a mentally retarded person admitted to a division facility upon voluntary application as provided in NRS 435.081, such expenses [shall] *must* be paid by the parents or guardian to the extent of their reasonable financial ability as determined by the administrator, and for the remainder, if any, the administrator shall explore all reasonable alternative sources of payment.

In determining the amount for which a parent or guardian is responsible pursuant to this section, the administrator shall use the formula established pursuant to subsection 6 of NRS 232.215.

Sec. 14. NRS 435.110 is hereby amended to read as follows:

435.110 1. When any mentally retarded child is admitted to a facility operated by the division at the request of a parent, parents or guardian, [such] *the* parent, parents or guardian shall enter into an agreement with the division providing for the contribution of an amount for the care, support and maintenance of [such] *the* child as determined by the division to be reasonable. In determining the amount, the division shall [give consideration to the ability of the parent, parents or guardian to make such a contribution,] *use the formula established pursuant to subsection 6 of NRS 232.215*, and may excuse the making of any contribution.

2. If the parent, parents or guardian fail or refuse to perform under the terms of the agreement, the division is entitled to recover from the parent, parents or guardian, by appropriate legal action, all sums due together with interest.

3. If the division determines that the parent, parents or guardian do not have the ability to contribute an amount sufficient to pay for the care, support and maintenance of [such] *the* child, but that the estate of [such] *the* child is able to contribute, the division may make application to a court of competent jurisdiction for the appointment of a guardian of the estate of [such] *the* child, if there is none, and for an order requiring [such] *the* guardian to contribute an amount as determined by the court.

Sec. 15. NRS 439.150 is hereby amended to read as follows:

439.150 1. The state board of health is hereby declared to be supreme in all nonadministrative health matters. It has general supervision over all matters, except for administrative matters, relating to the preservation of the health and lives of citizens of the state and over the work of the state health officer and all [local (district,] *district*, county and [city)] *city* health departments, boards of health and health officers.

2. The department of human resources is hereby designated as the agency of this state to cooperate with the duly constituted federal authorities in the administration of those parts of the Social Security Act which relate to the general promotion of public health. It may receive and expend all money made available to the health division by the Federal Government, the state or its political subdivisions, or from any other source, for the purposes provided in this chapter. In developing and revising any state plan in connection with federal assistance for health programs, the department shall consider, among other things, the amount of money available from the Federal Government for those programs, the conditions attached to the acceptance of the money and the limitations of legislative appropriations for those programs.

3. The state board of health may set reasonable fees for the:

(a) Licensing, registering, certifying, inspecting or granting of permits for any facility, establishment or service regulated by the health division . [;]

(b) Programs and services of the division . [;] *In determining the fees for which a parent, guardian or other person liable for the support of a child is responsible for programs and services provided to a child, the state board of*

health shall use the formula established pursuant to subsection 6 of NRS 232.215.

(c) Review of plans . [; and]

(d) Certification and licensing of personnel.

Fees set pursuant to this subsection must be calculated to produce for that period the revenue from the fees projected in the budget approved for the health division by the legislature.

Sec. 16. NRS 442.215 is hereby amended to read as follows:

442.215 1. The administrator of the health division may recover costs of corrective treatment for crippled children from the parents of the child who receives the treatment, pursuant to subsections 2 and 3.

2. The administrator shall investigate the financial circumstances of a parent of a crippled child for whom an application is made to determine whether part or all of the expenses for treatment should be paid for by such parent.

3. The administrator may authorize corrective treatment for a crippled child at state expense when it is determined that the parent of the child is unable to pay the cost of this treatment or any part thereof. A determination of ability to pay and eligibility for payment at state expense must be based on the [following factors:

(a) Resources of the parent, including hospital and medical insurance;

(b) Other available sources of payment, including state aid for medically indigent families;

(c) Estimated cost of care;

(d) Length of treatment;

(e) Household size in relation to income; and

(f) Debts and obligations.] *formula established pursuant to subsection 6 of NRS 232.215.*

4. As used in this section, "parent" means a natural parent or an adoptive parent.

SUMMARY--Establishes program to provide financial aid to counties for services provided to children in need of supervision. (BDR 5-296)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to juveniles; establishing a program to provide financial aid to counties for services provided to children in need of supervision; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 62 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The department of human resources shall establish and administer a program to provide financial aid to the counties of this state, within the limits of any legislative appropriations for that purpose, to pay a portion of the cost for those counties to provide services for the care or rehabilitation of children adjudicated to be children in need of supervision.

2. Financial aid provided pursuant to the program:

(a) Must be used primarily for foster care and the placement of children outside of their homes; and

(b) Must not be used by a county to obtain any additional staff or to replace local funds for existing programs for children in need of supervision.

3. The department of human resources:

(a) Shall adopt regulations for the program which set forth:

(1) The methods by which the department will allocate and disburse available money to the counties; and

(2) Standards for the expenditure of that money by the counties.

(b) May, if a county fails to comply with the standards adopted pursuant to paragraph (a), withhold from the county some or all of the financial aid that would otherwise be disbursed.

(c) Shall not disburse any financial aid to a county until:

(1) Every county of this state agrees to participate in the program; and

(2) The county which is to receive that aid commits itself to the expenditure of twice the amount it is to receive upon services for which money may be expended pursuant to the standards adopted pursuant to paragraph (a).

Sec. 2. This act becomes effective on July 1, 1991.

SUMMARY--Expands authority of juvenile court to commit children to custody of youth services division of the department of human resources. (BDR 5-297)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to juvenile courts; expanding the authority of the court to commit certain children to the custody of the youth services division of the department of human resources; and providing other matters properly relating thereto.

**THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**

Section 1. NRS 62.211 is hereby amended to read as follows:

62.211 1. If the court finds that the child is within the purview of this chapter, except as otherwise provided in subsection 3, it shall so decree and may:

(a) Place the child under supervision in his own home or in the custody of a suitable person elsewhere, upon such conditions as the court may determine. A program of supervision in the home may include electronic surveillance of the child. The legislature declares that a program of supervision that includes electronic surveillance is intended as an alternative to commitment and not as an alternative to probation, informal supervision or a supervision and consent decree.

(b) Commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children, or place him in a home with a family. In committing a child to a private institution or agency the court shall select one that is required to be licensed by the department of human resources to care for such children, or, if the institution or agency is in another state, by the analogous department of that state. The court must not commit a female child to a private institution without prior approval of the superintendent of the Caliente youth center, and must not commit a male child to a private institution without prior approval of the superintendent of the Nevada youth training center.

(c) [Commit] *If the child is 12 years of age or older, commit the child to the custody of the youth services division of the department of human resources for suitable placement in a correctional or institutional facility. The division must notify the parents of the child and the court before transferring a child from one such facility to another.*

(d) *If the child is between the ages of 8 and 12 and, but for the age of the child, the court would have committed the child to the Caliente youth center or the Nevada youth training center, commit the child to the custody of the youth services division of the department of human resources for suitable placement in a public or private institution or agency authorized to care for children . [, if the child is between the ages of 8 and 12, and but for the age of the child, the court would have committed the child to the Caliente youth center or the Nevada youth training center.*

(d)] (e) Order such medical, psychiatric, psychologic or other care and treatment as the court deems to be for the best interests of the child, except as otherwise provided in this section.

[(e)] (f) Order the parent, guardian, custodian or any other person to refrain from continuing the conduct which, in the opinion of the court, has caused or tended to cause the child to come within or remain under the provisions of this chapter.

[(f)] (g) Place the child, when he is not in school, under the supervision of a public organization to work on public projects or a private nonprofit organization to perform public service. The person under whose supervision the child is placed shall keep the child busy and well supervised and shall make such reports to the court as it may require.

[(g)] (h) Permit the child to reside in a residence without the immediate supervision of an adult, or exempt the child from mandatory attendance at school so that the child may be employed full time, or both, if the child is at least 16 years of age, has demonstrated the capacity to benefit from this placement or exemption and is under the strict supervision of the juvenile division.

[(h)] (i) Require the child to provide restitution to the victim of the crime which the child has committed.

[(i)] (j) Impose a fine on the child.

2. If the court finds that the child is a serious or chronic offender, it may, in addition to the options set forth in subsection 1:

(a) Commit the child for confinement in a secure facility, including a facility which is secured by its staff.

(b) Impose any other punitive measures the court determines to be in the best interests of the public.

3. If the court finds that the child is within the purview of paragraph (a) of subsection 1 of NRS 62.040 and has not previously been the subject of a complaint under NRS 62.128 before committing the acts for which the petition was filed, the court shall:

(a) Admonish the child to obey the law and to refrain from repeating the acts for which the petition was filed, and maintain a record of the admonition; and

(b) Refer the child, without adjudication, to services available in the community for counseling, behavioral modification and social adjustment.

A child must not be adjudicated to be a child in need of supervision unless a subsequent petition based upon additional facts is filed with the court after admonition and referral pursuant to this subsection.

4. At any time, either on its own volition or for good cause shown, the court may terminate its jurisdiction concerning the child.

5. Whenever the court commits a child to any institution or agency pursuant to this section, it shall transmit a summary of its information concerning the child and order the administrator of the school that the child last attended to transmit a copy of the child's educational records to the institution or agency. The institution or agency shall give to the court any information concerning the child that the court may require.

Sec. 2. NRS 435.081 is hereby amended to read as follows:

435.081 1. The administrator or his designee may receive a mentally retarded person of [the State of Nevada] *this state* for services in a facility operated by the division if:

(a) He is mentally retarded as defined in NRS 433.174 and is in need of institutional training and treatment;

(b) Space is available which is designed and equipped to provide appropriate care for him;

(c) The facility has or can provide an appropriate program of training and treatment for him; and

(d) There is written evidence that no less restrictive alternative is available in his community.

2. A mentally retarded person may be accepted at a division facility for emergency evaluation when the evaluation is requested by a court. A person must not be retained pursuant to this subsection for more than 10 working days.

3. A court may order that a mentally retarded person be admitted to a division facility if it finds that admission is necessary because of the death or sudden disability of the parent or guardian of the person. The person must not be retained pursuant to this subsection for more than 45 days. Before the expiration of the 45-day period the division shall report to the court its recommendations for placement or treatment of the person. If less restrictive alternatives are not available, the person may be admitted to the facility using the procedures for voluntary or involuntary admission, as appropriate.

4. A child may be received, cared for and examined at a division facility for the mentally retarded for not more than 10 working days without admission, if the examination is ordered by a juvenile court having jurisdiction of the minor in accordance with the provisions of paragraph [(d)] (e) of subsection 1 of NRS 62.211 and subsection 1 of NRS 432B.560. At the end of the 10 days, the administrator or his designee shall report the result of the examination to the juvenile court and shall detain the child until the further order of the court, but not to exceed 7 days after the administrator's report.

5. The parent or guardian of a person believed to be mentally retarded may apply to the administrative officer of a division facility to have the person evaluated by personnel of the division who are experienced in the diagnosis of mental retardation. The administrative officer may accept the person for evaluation without admission.

6. If, after the completion of an examination or evaluation pursuant to subsection 4 or 5, the administrative officer finds that the person meets the criteria set forth in subsection 1, the person may be admitted to the facility using the procedures for voluntary or involuntary admission, as appropriate.

7. If, at any time, the parent or guardian of a person admitted to a division facility on a voluntary basis, or the person himself if he has attained the age of 18 years, requests in writing that the person be discharged, the administrative officer shall discharge the person. If the administrative officer finds that discharge from the facility is not in the person's best interests, he may initiate proceedings for involuntary admission, but the person must be discharged pending those proceedings.