

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066
LCB FILE R107-16**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 62B.

1. A clear and concise explanation of the need for the adopted regulation.

Required training of Juvenile Justice Institution staff and supervisors, reporting requirements of training activities, and penalties for failure to report training activities.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by mail and e-mail to persons who were known to have interest in the subject of required training of Juvenile Justice Institution staff and supervisors, reporting requirements of training activities, and penalties for failure to report training activities as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Division of Child and Family Services (DCFS), www.dcfs.nv.gov, mailed to all county libraries in Nevada and posted at the following locations:

Reno Youth Parole Bureau
560 Mill St., Suite 250
Reno, NV 89502

DCFS in Carson City
4126 Technology Way, 3rd Floor
Carson City, NV 89706

Jan Evans Juvenile Justice Center
650 Ferrari-McLeod Blvd.
Reno, NV 89512

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Elko County Library
720 Court St.
Elko, NV 89801

Washoe County Library
301 South Center Street
Reno, NV 89505

Carson City Library
900 North Roop Street
Carson City, NV 89702

Pahrump Community Library
701 East Street
Pahrump, NV 89041

Mineral County Library
110 1st Street
Hawthorne, NV 89415

Tonopah Library District
167 Central Street
Tonopah, NV 89049

Clark County District Library
833 Las Vegas Blvd. North
Las Vegas, NV 89101

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445

Churchill County Library
553 South Main Street
Fallon, NV 89406

A public workshop was held on May 18, 2016, proposing to Adoption of regulations pertaining to Chapter 62B.250 of the Nevada Administrative Code. The purpose of the workshop is to solicit comments from interested persons that may be addressed in the proposed regulations. The minutes of this workshop are attached hereto.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting the Division of Child and Family Services, 560 Mill Street 250, Reno, Nevada, 89502, 775-688-1421. A reasonable fee for copying may be charged.

3. **The number of persons who:**
 - a. **Attended each hearing:** May 18, 2016 – 5; September 7, 2016 – 7
 - b. **Testified at each hearing:** May 18, 2016 – 3; September 7, 2016 – 1
 - c. **Submitted to the agency written comments:** 0
4. **A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.**
5. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

These regulations do not apply to businesses as they regulate government facilities. There are no private facilities that fall under these regulations and so no private business comment was solicited.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

There was no change from the proposed regulation to the adopted regulation. At the public hearing there was no public comment in opposition to the adoption of the regulation. The only comment asked about clarification on how the change might affect local policies. There was no written opposition or suggested changes from the proposed regulation to the adopted regulation language.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must included:

This regulation does not regulate any business. It does regulate facilities for youth. The estimated economic effect on the public may be a marginal increase in facility costs for training materials, supplies, and staff time.

Adverse and Beneficial Effects: The adverse effects on juvenile facilities is the staff time cost spent in training. The beneficial effects include ensuing all facilities housing children have well trained staff and supervisors. The training seeks to enhance the safety and well-being of youth and staff in these types of facilities. In addition, it will set a standard of training statewide to ensure quality staff regardless of geographic location. The training will also make certain that staff are informed of their statutory obligations with respect to evacuation plans and reporting room confinement. The statewide collection of training efforts and annual report will inform agencies, legislators and the public of ongoing efforts to improve the juvenile justice system.

Immediate and Long-Term Effects: Immediately facilities will need to establish training schedules, find training material (which the State intends to assist with), and develop a documentation process that meets the regulatory standards. Long-Term effects include reducing injury or risk to the youth in these facilities and lowered litigation costs for counties. The requirement of training for data collection and Disproportionate Minority Contact seek to give local governments and the state the information and tools needed to have a clear data informed approach of our juvenile justice system and to reduce the Disproportionate Minority Contact that youth have with our criminal justice system.

8. The estimated cost to the agency for enforcement of the adopted regulation.

The estimated cost to the Division of Child and Family Service is approximately 80 hours of staff time a year to compile the yearly report and to assist facilities with connecting them to appropriate training materials throughout the year. The Divisions Program Office can absorb this cost.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency,

There is minor overlap with the Prison Rape Elimination Act (PREA) which is administered by the U.S. Department of Justice. This regulation requires training that is consistent with the requirements of PREA. The overlap is designed to ensure that local facilities are following the PREA guidelines with respect to reporting and investigation sexual misconduct or harassment. Having the overlap could protect local governments from being exposed to litigation for not following the Federal guideline.

- 10. If the regulation included provisions that are more stringent than a federal regulation which regulated the same activity, a summary of such provisions.**

Not applicable.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

No fee is proposed.