



NEVADA LEGISLATURE

LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE

(Nevada Revised Statutes 218E.705)

SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Nevada Legislature's Legislative Committee on Child Welfare and Juvenile Justice was held on Wednesday, January 24, 2018 at 8 a.m. in Room 4401, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The "Summary Minutes and Action Report," "Meeting Notice and Agenda," meeting materials, and video or audio recording of the meeting are available on the Committee's website at <https://www.leg.state.nv.us/App/InterimCommittee/REL/Interim2017/Committee/1413>. In addition, copies of the audio or video record are available through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835) and may also be available on <http://www.leg.state.nv.us/Granicus/>.

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Daniele Monroe-Moreno, Chair
Senator Patricia Farley, Vice Chair
Senator Pete Goicoechea
Senator Tick Segerblom
Assemblyman John Hambrick

COMMITTEE MEMBER ABSENT:

Assemblyman Ozzie Fumo (Excused)

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Patrick Guinan, Senior Principal Policy Analyst, Research Division
Bryan Fernley, Senior Principal Deputy Legislative Counsel, Legal Division
Michael Morton, Senior Deputy Legislative Counsel, Legal Division
Julianne King, Senior Research Secretary, Research Division

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—OPENING REMARKS

Chair Monroe-Moreno called the meeting to order. She introduced herself and solicited remarks from the members of the Committee.

Vice Chair Farley, Senators Goicoechea and Segerblom, and Assemblyman Hambrick introduced themselves.

Chair Monroe-Moreno introduced the Committee staff and reviewed meeting protocol and housekeeping measures.

AGENDA ITEM II—PUBLIC COMMENT

Norton A. Roitman, M.D., Psychiatric Clinic Director, Caliente Youth Center, Division of Child and Family Services (DCFS), Department of Health and Human Services (DHHS), expressed concern over the number of medically fragile and psychiatrically diagnosed youth in welfare and justice systems. He discussed his participation in the creation of legislation that instituted the informed consent procedure that DCFS now follows. Dr. Roitman questioned the lack of medical oversight in these agencies and expressed worry over the rapid prescription of psychotropic medication to youth whose symptoms stem from institutionalization and past traumas.

Senator Farley agreed with Dr. Roitman and noted that various companies have flourished due to keeping juveniles “sick on paper.” She pointed out the lack of medical oversight needed to determine whether these companies were administering appropriate treatment. She asked Dr. Roitman what type of position should be created to address this issue.

Dr. Roitman suggested the creation of a conflict of interest-free position that would provide quality assurance and consultation to the agency. He advised that the position should not be given to a care provider.

AGENDA ITEM III—COMMITTEE OVERVIEW AND PRESENTATION ON ACTIVITIES OF THE LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE DURING THE 2015-2016 INTERIM.

Patrick Guinan, previously identified, referenced a document containing information on the duties and past activities of the Committee (Agenda Item III).

AGENDA ITEM IV—PRESENTATION ON NATIONAL TRENDS IN JUVENILE JUSTICE

Sarah Alice Brown, Program Director, Criminal Justice Program, National Conference of State Legislatures (NCSL), provided an overview of national trends in juvenile justice reform (Agenda Item IV).

Ms. Brown offered to provide additional resources to Committee members subsequent to the meeting.

AGENDA ITEM V—PRESENTATION BY THE JUVENILE JUSTICE OVERSIGHT COMMISSION ON THE IMPLEMENTATION OF PROVISIONS OF ASSEMBLY BILL 472 (CHAPTER 604, *STATUTES OF NEVADA 2017*)

(This agenda item was taken out of order.)

Joey Orduna Hastings, Cochair, Juvenile Justice Oversight Commission (JJOC), and Kelly Wooldridge, Administrator, DCFS, DHHS, gave a presentation on the Statewide Juvenile Justice Improvement Initiative in Nevada (Agenda Item V A-1). Ms. Hastings discussed the makeup of the JJOC, its policies, and its subcommittees.

Ms. Hastings stated the JJOC would report back to the Committee with its legislative priorities for the 2019 Legislative Session. She noted the work plans from the January meeting of the JJOC were posted on the Commission's webpage.

Subsequent to the meeting, Ms. Hastings provided a document listing the members and explaining the purpose of each JJOC subcommittee (Agenda Item V A-2).

AGENDA ITEM VI—PRESENTATION ON THE CLARK COUNTY JUVENILE ASSESSMENT CENTER (THE HARBOR)

(This agenda item was taken out of order.)

John (Jack) Martin, Director, Clark County Department of Juvenile Justice Services, gave a presentation on the Clark County Juvenile Assessment Center (The Harbor) (Agenda Item VI).

In response to questions from the Committee, Mr. Martin commented on: (1) the average age of children assessed by the Harbor; (2) the role funding played in selecting the Harbor's second location; and (3) the average amount of time the Harbor spends with each child.

AGENDA ITEM VII—UPDATE ON THE DIVISION OF CHILD AND FAMILY SERVICES JUVENILE JUSTICE PROGRAMS, PLANNING, AND IMPLEMENTATION OF RECENT LEGISLATION

(This agenda item was taken out of order.)

Kelly Wooldridge, previously identified, and John Munoz, Deputy Administrator, Juvenile Justice Services, DCFS, DHHS, provided a status update on juvenile justice programs administered by DCFS and the implementation of legislation from the 2017 Legislative Session (Agenda Item VII).

Discussion ensued among Mr. Munoz, Ms. Wooldridge, and the Committee members on the following:

- The differences between parole and probation;
- The nature of crimes that would not result in a juvenile being committed to a correctional facility; and
- The reasons for the increase of juvenile incarceration over a two-year period in Nevada.

AGENDA ITEM VIII—PRESENTATION ON NATIONAL TRENDS IN CHILD WELFARE

(This agenda item was taken out of order.)

Nina Williams-Mbengue, Program Director, Children and Families Program, NCSL, gave a presentation on national trends in child welfare (Agenda Item VIII). Ms. Williams-Mbengue informed the Committee that states have anecdotally reported that the opioid crisis is the reason for the upswing in foster care caseloads and child maltreatment rates.

Upon questioning by Senator Farley regarding the State losing foster families due to feeling threatened by repeated harassment from a foster child's biological parents, Ms. Williams-Mbengue responded that she had not seen legislation on the matter but would forward any information she found to the Committee.

Senator Farley also pointed out that a foster child's extended family is required to seek the permission of a judge before providing funds to the foster child for "normalcy" activities.

Ms. Williams-Mbengue commented that she would research any legislation on that issue as well.

In response to a question from Chair Monroe-Moreno, Ms. Williams-Mbengue explained that H.R. 1 (Family and Medical Leave Act of 1993), 103rd Congress, introduced by United States Representative William D. Ford (D-Michigan), covered paid leave for foster parents.

AGENDA ITEM IX—OVERVIEW OF CURRENT STATE AND LOCAL CHILD AND FAMILY SERVICE PROGRAMS

(This agenda item was taken out of order.)

Reesha Powell, Deputy Administrator, Child Welfare, DCFS, DHHS; Paula Hammack, Acting Director, Clark County Department of Family Services; and Alice LeDesma, Division Director, Social Services, Washoe County, provided the Committee with an overview of current State and local child and family service programs (Agenda Item IX).

Senator Goicoechea stated that he was pleased with the data on the number of foster families in the State's rural counties.

AGENDA ITEM X—PRESENTATION ON JUVENILE JUSTICE-RELATED PROGRAMS

Holly Welborn, Policy Director, American Civil Liberties Union of Nevada (ACLU), gave an overview of the ACLU's most important programs and legislative accomplishments related to juvenile justice. Ms. Welborn explained that ACLU's primary goals for the 2017–2018 Interim are to expand Nevada's membership with the National Juvenile Justice Network and build a State coalition of system-involved youth and their families. She explained that the ACLU's priorities can be placed into one of two categories: (1) sentencing reform; and (2) facility conditions and placement of youth.

Ms. Welborn referenced a letter from the ACLU to Chair Monroe-Moreno and the Committee members (Agenda Item X A-1) and a document that provides guidance to the parole board when considering whether to release individuals sentenced in adult court for offenses committed under 18 years of age (Agenda Item X A-2).

Ms. Welborn stated that one major policy goal of the ACLU is addressing whether juvenile offenders should ever be placed in an adult facility. She referenced letters written by Vanessa Spinazola, the former Legislative and Advocacy Director of the ACLU, to the Board of Prison Commissioners (Agenda Item X A-3) and the Legislative Committee on Child Welfare and Juvenile Justice in the 2013–2014 Interim (Agenda Item X A-4).

Ms. Welborn offered to share a report on juvenile offenders placed in the Lovelock Correctional Center at a future Committee meeting. She referenced a document showing a table of contents of the projects discussed at a meeting with Mike J. Willden, Chief of Staff, Office of the Governor; Richard Whitley, M.S., Director, DHHS; and Ms. Spinazola (Agenda Item X A-5).

Discussion ensued between Assemblyman Hambrick and Ms. Welborn over the concerns of housing violent juvenile offenders with nonviolent juvenile offenders in youth facilities.

AGENDA ITEM XI—PRESENTATION OF CHILD WELFARE PRIORITIES AND ONGOING PROGRAMS

Denise Tanata, Executive Director, Children's Advocacy Alliance (CAA), and Jared Busker, Manager, Government Affairs, CAA, gave a presentation on the child welfare priorities and ongoing programs of the CAA (Agenda Item XI). Mr. Busker added that in the 2017 Session, Senate Bill 257 (Chapter 457, *Statutes of Nevada*) did not pass with a fiscal note, and CAA hopes to acquire funding for the Normalcy for Foster Youth Account in the 80th Legislative Session. He added that the CAA wants to bring back a bill which would have allowed businesses to help pay for their employees' childcare in the next session, as it did not pass in the 2017 Session.

Senator Farley praised the work done by the CAA. She commented that the State does not give enough value to funding extracurricular activities for children in foster care and agreed with the CAA that Nevada's current data system, Unified Nevada Information Technology for Youth, known as "UNITY," is outdated and should be replaced.

AGENDA ITEM XII—PUBLIC COMMENT

Chair Monroe-Moreno called for public comment; however, no testimony was presented.

Patrick Guinan, previously identified, announced the Committee's final three meetings would be held on the following dates: Thursday, April 5, 2018; Wednesday, June 13, 2018; and Wednesday, August 1, 2018.

AGENDA ITEM XIII—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 11:48 a.m.

Respectfully submitted,

Julianne King
Senior Research Secretary

Patrick Guinan
Senior Principal Policy Analyst

APPROVED BY:

Assemblywoman Daniele Monroe-Moreno, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	WITNESS/ENTITY	DESCRIPTION
Agenda Item III	Patrick Guinan, Senior Principal Policy Analyst, Research Division, Legislative Counsel Bureau	Memorandum
Agenda Item IV	Sarah Alice Brown, Program Director, Criminal Justice Program, National Conference of State Legislatures (NCSL)	Microsoft PowerPoint Presentation
Agenda Item V A-1	Joey Orduna Hastings, Cochair, Juvenile Justice Oversight Commission (JJOC)	Microsoft PowerPoint Presentation
Agenda Item V A-2	Joey Orduna Hastings, Cochair, JJOC	Document with JJOC Subcommittee Information
Agenda Item VI	John (Jack) Martin, Director, Clark County Department of Juvenile Justice Services	Microsoft PowerPoint Presentation
Agenda Item VII	John Munoz, Deputy Administrator, Juvenile Justice Services, Division of Child and Family Services (DCFS), Department of Health and Human Services (DHHS)	Microsoft PowerPoint Presentation
Agenda Item VIII	Nina Williams-Mbengue, Program Director, Children and Families Program, NCSL	Microsoft PowerPoint Presentation
Agenda Item IX	Reesha Powell, Deputy Administrator, Child Welfare, DCFS, DHHS	Microsoft PowerPoint Presentation
Agenda Item X A-1	Holly Welborn, Policy Director, American Civil Liberties Union (ACLU) of Nevada	Letter
Agenda Item X A-2	Holly Welborn, Policy Director, ACLU of Nevada	Parole Board Considerations
Agenda Item X A-3	Holly Welborn, Policy Director, ACLU of Nevada	Letter
Agenda Item X A-4	Holly Welborn, Policy Director, ACLU of Nevada	Letter
Agenda Item X A-5	Holly Welborn, Policy Director, ACLU of Nevada	Table of Contents
Agenda Item XI	Denise Tanata, Executive Director, Children's Advocacy Alliance	Microsoft PowerPoint Presentation

The "Summary Minutes and Action Report" is supplied as an informational service. Copies of all meeting materials are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or (775) 684-6827.