

**MINUTES OF THE
ADVISORY COMMISSION ON THE
ADMINISTRATION OF JUSTICE'S
SUBCOMMITTEE ON JUVENILE JUSTICE**

May 13, 2008

The meeting of the Advisory Commission on the Administration of Justice's Subcommittee on Juvenile Justice was called to order by Senator Steven A. Horsford, Chair, at 9:31 a.m. on May 13, 2008, at the Grant Sawyer State Office Building, Room 4401, 555 East Washington Avenue, Las Vegas, Nevada and via simultaneous videoconference at the Legislative Building, Room 3137, 401 South Carson Street, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SUBCOMMITTEE MEMBERS PRESENT (LAS VEGAS):

Senator Steven A. Horsford, Clark District 4, Chair
Teresa Lowry, Chief Deputy District Attorney, Juvenile Division, Clark County
Daniel Prince, Deputy Administrator, Division of Child and Family Services, Department of Health and Human Services
Susan Roske, Chief Deputy Public Defender, Juvenile Division, Clark County
Cheryl K. Townsend, Director, Juvenile Justice Services, Clark County
Judge William O. Voy, Family Division, Eighth Judicial District Court, Clark County

SUBCOMMITTEE MEMBERS PRESENT (CARSON CITY):

Judge Frances Doherty, Second Judicial District Court, Family Court Division, Washoe County
Mike Pomi, Director, Department of Juvenile Services, Washoe County
Scott Shick, Chief Juvenile Probation Officer, Douglas County
Ryan Sullivan, Chief Deputy Public Defender, Washoe County
JoLee Wickes, Chief Deputy District Attorney, Juvenile Division, Washoe County

SUBCOMMITTEE MEMBERS ABSENT:

Philip Kohn, Public Defender, Clark County
Catherine Cortez Masto, Attorney General

OTHERS PRESENT:

Howard Skolnik, Director, Department of Corrections
Captain Mark E. Woods, Division of Parole and Probation, Department of Public Safety
Bernard W. Curtis, Chief, Division of Parole and Probation, Department of Public Safety

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Carey Steward, Division Director, Early Intervention, Juvenile Services, Washoe County
Pauline E. Salla, Juvenile Justice Specialist, Community Juvenile Justice Program, Division
of Child and Family Services, Department of Health and Human Services
M. Alexis Kennedy, PhD, Assistant Professor, Department of Criminal Justice, University of
Nevada Las Vegas
Lieutenant Karen Hughes, Vice Section, Las Vegas Metropolitan Police Department

STAFF MEMBERS PRESENT:

Angela Clark, Deputy Administrator, Legal Division, Legislative Counsel Bureau
Olivia Lodato, Secretary

CHAIR HORSFORD:

The Subcommittee has a quorum and is in compliance with the Open Meeting Law.

CHERYLN K. TOWNSEND MOVED TO APPROVE THE MINUTES OF THE
APRIL 7, 2008, SUBCOMMITTEE MEETING ON JUVENILE JUSTICE.

DANIEL PRINCE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR HORSFORD:

The Advisory Commission on the Administration of Justice is reviewing the Nevada justice system including sentencing and programs to help improve the recidivism rate. There have been several site visits to the Department of Correction's (DOC) institutions. We have heard presentations on needs relating to mental health, substance abuse and health care related issues for individuals in the Nevada correction's system. This Subcommittee was developed to look at issues pertaining to juveniles involved in the justice system. Each member of the Subcommittee brings knowledge and expertise to share. We will attempt to move the discussion along and avoid repetitive information. The Subcommittee's goal is to submit to the Commission a set of recommendations no later than the end of June or early July 2008. The Commission will forward recommendations for action to the Executive Branch, the Legislature or the courts.

Today is the first of three meetings. We will hear a number of presentations. I hope there will be questions to spur the type of dialogue needed to arrive on a set of recommendations.

JUDGE VOY:

I understood this Subcommittee is to look at juvenile justice issues in light of how they may impact or cross over into the adult system. Many of the issues listed on the agenda are of interest to me.

CHAIR HORSFORD:

The Subcommittee will consider the juveniles you refer to and strategies to improve juvenile justice in general. The issues on corrections are economic in nature. Without changes, based on the projections we have received from Dr. James Austin, there could be a 62 percent increase in the rate of incarceration between now and 2017. This Subcommittee has an opportunity to see what strategies could be supported or investments made to lessen the projected growth and, in the long term, decrease the number.

The Subcommittee will hear a discussion on the certification of juveniles as adults.

MS. WICKES:

Due to Washoe County's procedures, it is not possible for this District Attorney's Office to accurately track juveniles who commit an offense prior to their 18th birthday who, because they meet the statutory exclusions of juvenile court, are automatically sent to the adult criminal system. Washoe County refers to this procedure as automatic certification. Other parts of the State refer to this procedure as "direct file." The information I am providing the Subcommittee does not include automatic certifications. Between 2000 and 2007, the Washoe County District Attorney's Office filed 54 motions to certify juveniles to the adult criminal system. I reviewed in depth the filings of 2006 and 2007. Over the last eight years, we have filed an average of seven motions annually. In 2006, two motions to certify were filed. Two individuals were charged with two counts of battery with a deadly weapon and one count of assault with a deadly weapon; one of the individuals was 17-years 3-months old when he committed the offense; his codefendant cousin was 16-years 10 months old. There was an incident on the school bus the day prior and a physical altercation occurred the day in question. The two youth retrieved a gun and fired into a crowd. They hit two people and pointed the gun at a third person. As a result of the motions to certify and the District Attorney working with the defense attorney, an agreement was reached with the assistance of an adult criminal District Attorney. The youth agreed to the certification. The court granted certification. The older youth was placed on probation. At his second revocation hearing his probation was revoked and his prison sentence was imposed. The second youth failed to appear at one of his adult hearings; a bench warrant was issued; according to family members, he has left the country.

In the year 2007, ten motions were filed to certify youth. The youngest was 16-years 7-months old at the time of the offense. Three of the youths were within 30 days of their 18th birthday. The criminal charges included home invasion, robbery, robbery with a deadly weapon (the most prevalent offense) and attempted robbery. One youth was charged with six counts of robbery with a deadly weapon and two counts of discharging a fire arm into an occupied vehicle. Of the ten motions, documents provided by defense counsel, discussions with defense counsel and the acting head of youth parole, the District Attorney withdrew two of the motions based upon an analysis of appropriateness. The remaining eight motions were either granted by the court after a contested hearing or in concurrence with the youth. One youth was sent initially to boot camp; his probation has been revoked and his prison sentence imposed. Of the eight certified, three youth were placed on probation; one has failed to appear and a bench warrant issued; one is pending sentencing. Four of the eight youth were sent to prison either as a result of their initial sentence or as a result of revoked probation.

Under local court rules, once a petition has been filed, if we are going to file a motion to certify, we must file and serve the motion within 30 days of when the petition is filed. As a prosecutor, if there is a case we are considering certification, 30 days is not a lot of time to adequately gather all of the information I would like to have prior to determining if certification is appropriate. In one of these cases, it took months for the defense attorney to gather all the information to be considered. We strive, in Juvenile Justice Services, to move as quickly as possible. I am not advocating slowing the process. I would rather do the job the right way rather than the fast way. Sometimes it is not possible to do it the right way when trying to do it the fast way. There is no ability to learn enough about the youth, the family, the circumstances, police reports, witnesses and their statements. The issues are complex when filing a motion to certify. There are times a prosecutor files a motion to certify to protect the time frame. We do everything possible to assist the defense attorney in securing information. It is my preference to have psychological evaluations of the youth being certified. The defense attorney and the youth must be willing to undergo this evaluation. Most youth certified involve robbery or robbery with a deadly weapon. There were two counts of battery with substantial bodily harm. For the most part, we strive to make sure the youth certified are age appropriate, are facing extremely serious alleged crimes or delinquent acts. We look at their history in juvenile court and any other information available. I have been with the District Attorney's Office for 8 1/2 years. The youngest person we have certified in that time was 15, close to 16. He asked his friend to hand him a gun to clear a jam. He fired at a person and hit an innocent bystander. We take weapons seriously. Not all certifications involve weapons, but many do.

MS. TOWNSEND:

Do you file for certification in every case a gun is used?

MS. WICKES:

No. We look at the age of the child and the circumstances. We had a 14 year old who went to a school, fired some shots, hit one person and another with shrapnel. We did not move to certify this person. If we moved to certify in every case a gun is used, the numbers would be much higher.

JUDGE VOY:

What are the "30 days" you refer to?

MS. WICKES:

Under the local rule, if we are going to file a motion to certify, we must do so within 30 days of filing the petition.

JUDGE VOY:

There is time then to look at subjective criteria about the offense and child before making a final decision.

MS. WICKES:

That is correct.

MS. LOWRY:

How long do you typically take to determine whether or not to certify?

MS. WICKES:

If we are considering certification, we meet as a team to discuss the known information from juvenile probation and youth parole. We calendar reminders once a week or more to be certain the motion, if filed, is filed on time. The amount of time varies depending upon the amount of information we have regarding the juvenile in question.

MS. LOWRY:

Are you getting psychological evaluations, drug tests results and out-of-state records before making the decision to request certification?

MS. WICKES:

Usually, no. Sometimes we have prior existing psychological evaluations in the file. Often we must make the decision without that information. The court does sometimes order psychological evaluations when requested at detention hearings. Once the defense attorney knows certification is an issue, they may ask the court to rescind the order or suspend it until they can make an informed decision about whether they are willing to have the client

undergo a psychological evaluation. We are often making decisions with less information than we would like to have.

JUDGE VOY:

What do you base your decision on?

MS. WICKES:

We look at the alleged delinquent ac.; prior delinquent history, prior services and environmental circumstances. We gather all the information we can to make a decision. There are times it would be better to have more information, but we have the time constraint. In the two cases where the motion was withdrawn, I knew at the time the motions were filed we may not proceed because the prior history indicated mental health issues. The motion was filed to protect the 30 days. We do not file these motions lightly. I do not like to withdraw them, but I will continue to do so where appropriate.

CHAIR HORSFORD:

Would you elaborate on the local court rule? Who determines the rule? How long has it been in place?

MS. WICKES:

The local court rules were written by the judges and approved by the Supreme Court. There are several people here today who are serving on a committee with Judge Voy. We are working on procedural rules for juvenile delinquency. There are areas in Nevada Law which do not clearly delineate procedure in delinquency cases. A local court rule simply specifies if a motion to certify is going to be filed it must be filed within 30 days of when the petition is filed. I do not know how long the rule has been in existence.

MS. LOWRY:

There are significant differences in how Clark County approaches these issues due partly to Clark County's participation in the Juvenile Detention Alternatives Initiative (JDAI) as well as the significant volume we experience in reference to violent firearms cases. I am addressing only certifications. I am not addressing those cases which do not fall within our jurisdiction, murder and attempted murder; nor am I addressing the direct files, which are youth who are 16 with a prior felony and commit either violent sexual assault or crimes involving a firearm. My discussion will involve the two types of certifications we deal with: presumptive certification and discretionary certification. The minimum threshold is 14 and a felony offense. There is a long line of Nevada case law, going back at least 20 years, stating our approach in these certification cases. Unlike our approach in other juvenile cases, the emphasis is not on the best interest of the juvenile; the interest in these cases falls squarely on the public's interest in safety and accountability. These cases have the biggest impact on

victims and the community. Their impact is significant although the volume in relation to the number of cases we prosecute is small.

Historically and up to 2007, certification cases make up about one percent of the District Attorney's total cases. Fourteen years ago, these statistics were kept in two year periods. From June 1994 to June 1996, there were 209 certification cases filed. The population in Clark County was about one million. In 2007, with the population at two million, our District Attorney's Office handled approximately 13,000 cases. Of those, 143 motions for certification were filed. The District Attorney's Office has been a member of the JDAI since its inception in Clark County. We agreed to voluntarily expedite the filing of the charging document. We have 8 days by statute but are filing the charging documents for in-custody youths within two to three days. The in-custodies involve certification cases. We have expedited those cases. In order to determine whether the statutory mitigators are applied, we must have the court-ordered psychological evaluation, court-ordered drug testing evaluations and the records from other states and jurisdictions to determine the significance or length of prior history. We file a certification motion, if the age meets the threshold of 14 and if the offense is a violent sexual assault or involves a firearm, understanding we will then go through the process with the court making those orders and the Department of Juvenile Justice doing, as required by statute, a full investigation. Then a determination is made whether or not it is appropriate to withdraw the motion to certify and handle the case in the juvenile system. In 2007, 143 certifications were filed and 83 youth were certified. Their ages ranged from 14 to 19.

There is a presently a gap in the law the Subcommittee should look at and address. For instance, a youth commits a violent sexual assault at 17 and is not arrested because he was not found. When he was 21 he committed a new sex offense. When arrested and booked in the adult detention center, the old arrest warrant for sexual assault came to light. Under the current law, neither system had the ability to prosecute him for the assault committed at 17. The juvenile and adult systems did not have jurisdiction. The case could not be addressed.

In 1997, the Legislature narrowed the presumptive certification cases from deadly weapons to firearms. The statute continues to allow for exceptional circumstances such as mental health, mental retardation, drug and alcohol addiction and emotional and behavioral issues. We continue to look at those mitigators.

One of the concerns expressed is the certification of younger offenders. In 2007, of the 143 cases filed, nine were 14-years of age. Of the nine, five were withdrawn by the District Attorney's Office, two were denied by the courts and two were certified. Here is a profile of one of the two 14 year olds certified: He had no prior record; he terrorized the southwest valley in a crime spree lasting weeks; he was charged with 23 counts including multiple

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counts of robbery with a firearm, victim over 60; battery with intent to commit robbery, victim over 60; discharging a firearm; larceny from the person; discharging a firearm at or into a motor vehicle; and multiple counts of kidnapping. Bail was set at almost \$500,000.

CHAIR HORSFORD:

I would like the statements of Ms. Wickes and Ms. Lowry submitted to the Committee and made part of the record and possibly the executive summary.

MS. TOWNSEND:

What percentage of youth certified are placed on adult probation and within one year have probation revoked and are sent to prison?

MS. LOWRY:

The Clark County District Attorney's Office does track the adult outcomes of certified youth. The adult criminal justice system often takes years to resolve cases. Some outcomes are unknown. I do not have the statistics but can do an analysis for those with resolutions.

MS. WICKES:

In Reno, in 2006-2007, three defendants initially placed on probation; two have been revoked to date.

MS. TOWNSEND:

What is the average time to resolve cases in the adult system? Are the youth held in jail or released on bond?

MS. LOWRY:

I do not have that information. Judge Voy tracks that information.

JUDGE VOY:

In January of 2004, my first case as a juvenile delinquency judge was a certification case involving a young man under the influence who killed his three best friends. I started collecting statistics at that time and followed the cases to the adult system. I was also concerned about the lack of services for girls, which is later on this agenda.

In 2004, there was an interim legislative subcommittee on juvenile justice. Mr. Robert W. Teuton, currently a Clark County Deputy District Attorney, Juvenile Division, and I looked at the end result of certification: public safety. A 15 year old in the adult system with a chance of probation or prison time is not a good option. Statistically, there is a 75 percent recidivism rate for juveniles in the adult prison system, if they survive.

Are those receiving probation reoffending as adults? Mr. Teuton and I agreed there must be a better solution. We proposed looking at the mandatory certification cases, make an exception within that group and devise a long-term juvenile program taking the youth out of the community for a period of time. Six months at Elko is not sufficient for public safety purposes. We proposed an 18-24 month program placing the child in a juvenile facility similar to Elko, preventing them from being institutionalized in the adult system. That proposal was not implemented. I would like this Subcommittee to look at alternatives for a long-term structured residential custodial status for juvenile offenders who are subject to certification, in order to keep them in the juvenile system. The primary goal is to take them out of the community for a sufficient period of time and work with them to change behavior patterns and mind sets. You cannot change a child's behavior in six months. It takes time to have sustained change.

My law clerk is finishing the 2005 and 2006 certification statistics for Clark County which should be ready for the next meeting.

In 2005, there were 128 certifications filed. The juvenile system retained 59 and 65 certifications were granted. Of the 65 certifications, 31 received probation in the adult system averaging 45 months, 22 received incarcerations from 33 to 102 months and 4 were sent to boot camp. Of the 31 receiving probation, 12 who remained in-state have been reincarcerated on new offenses and probation has been revoked. We do not have records for those who moved out-of-state.

In 2006, 155 certifications were filed. The juvenile system retained 53 youth and 102 certifications were granted. Of the 102 certifications, 37 received probation in the adult system, six received other sentencing such as boot camp, 50 received terms of incarceration (a minimum of 24 months) and 2 received life sentences. Of the 37 receiving probation, 7 have been reincarcerated on new offenses and eight we do not know where they are. In 2006, there were also 47 youth direct files resulting in 149 youth certified as adults.

I will provide the Subcommittee with copies of information including case numbers, age at time of sentencing, number of previous petitions and type of charges. You will also receive additional information on cases certified. For instance, the adult system releases the first time offender; if in the juvenile system, the youth would be kept in a detention center and committed to a youth facility thereby protecting the community. The adult system takes forever when an offender is in the release status so, typically, the youth reoffends. Since the previous offense has not been adjudicated in the adult system, the youth is back in the juvenile system and may be recertified. There is a disconnected train between how the juvenile system treats high-end offenders and how the adult system treats the same type of offender. If the court is going through the process of certifying a youth offender, the adult

system better react or allow the juvenile system to work with the youth and design programming to keep the offender out of the community for a longer period of time.

I am urging this Subcommittee to consider making a recommendation to modify the current statute to allow the discretion of the juvenile judge to keep youth in the juvenile system with programming balancing the needs of the public and the child.

When making the decision to certify a youth, there are two possibilities: probation in the adult system or a prison term. We know the odds and statistics when they go to prison. Probation provides a meeting once a month with a probation officer, a urinalysis, work questions and admonishment to stay out of trouble. When a child is placed on adult probation or paroled out, what services are provided? Are they the same services provided to adults or something different? Why are we bothering to send a child into the adult system if something different isn't done with them? When Ms. Crawford was running the prison system, there was a youthful offender program in Jean. It was a great idea but a major mistake was made when it was finally filled. The idea of keeping a separate facility for the youthful offender was an excellent idea. When a youthful offender is placed in the High Desert State Prison (HDSP) they come out walking the walk and with the lingo and attitude of the institutionalized. When youth were placed in the Jean facility, they did not fill it one by one; they transferred existing youth from adult facilities. Those youth were already institutionalized; the damage done. The chance of the offender becoming a productive member of society is less than 25 percent. When I visited Summit View, a juvenile offender facility in North Las Vegas, the kids were still kids. They had not been institutionalized. I went to Jean the same day; it was a prison; it felt unsafe. I encourage you to rethink the idea of a youthful offender's prison.

MS. LOWRY:

The court has discretion in the discretionary certifications. You have asked for more discretion in the presumptive certifications, the vast majority being firearms cases.

JUDGE VOY:

Discretion for the youth who is a straight A student, never any problem, always goes to school, intact supportive family, goes to church then goes out one night meeting up with others and next thing he knows there is a robbery with a gun involved. These are the youth with a low-risk level of future offending. The statute says this youth is certifiable but the youth with serious issues such as mental health or substance abuse remains in the juvenile system even though there is a higher risk to reoffend. The good youth who makes a mistake and will probably never reoffend is placed in the adult system. There is no way the judge, with the existing statute, can save him.

MS. LOWRY:

With the presumptive certifications and giving the courts more discretion, would you be looking at giving the court the ability to have determinate sentencing so the consequences and the adjudication in the juvenile system is meaningful as it pertains to the firearms cases?

JUDGE VOY:

Especially with the firearm cases, we would also have the youth placed in a long-term program. Recently I sent a child to the Silver State Academy, a private youth facility in Yerington, Nevada. The Rite of Passage agreed to put together an 18-month program for this youth as a test to determine if the program would work and to see what the youth would do over that period of time. I am suggesting the State provide the funding to either contract or change programming in Elko or other facilities, to keep a youth for a long period of time, with a commitment from the district attorney's offices and law enforcement to agree to try this solution. Law enforcement and the district attorneys do not like six months in a youth camp for a robbery with firearms. In the adult system the youth would do 24 months. Instead, place the juvenile in a juvenile program for 18 months and retain jurisdiction until the youth is 21 years of age. We proposed this alternative for youth otherwise falling under the presumptive certification classification not all types of delinquent cases.

MS. LOWRY:

Would the discretion of the court be increased sentencing options within the juvenile system to include determinate sentencing?

JUDGE VOY:

Yes.

MR. POMI:

Some of the things we are learning through research with juvenile justice include: The time frame does not matter with youth; it is a maturation and developmental process. A 24-month sentence can in some ways be of value. We are looking for cognitive restructuring. Youth reach that at different times and phases in their life. We should look at the best evidence based programming if we are going to implement changes in sentencing and discretion.

JUDGE VOY:

I agree with you. The problem is balancing the offender and public safety. The district attorneys and law enforcement want the youth out of the community for more than six months.

MR. POMI:

I agree. The discussion should look at best practices. Public safety can be achieved with strong wrap-around services in the juvenile justice model. We do not have enough contact with youth. We have the ability, with JDAI being prevalent in the north and the south, to influence that type of contact. I would like to leave more brochures on brain development for the Subcommittee. The 18-25 year old is the toughest and most violent person to deal with due to maturity. Housing them together is a mistake. The youth have no adult influence to show them the right way to go. It is our responsibility to teach with the best practice and research we have. I support you. I hope the discussion will lead us to less time, to be determined by the experts at the facility, with the best research evidence to bring our youth back into the community while safeguarding the community.

JUDGE VOY:

That will never happen unless the other side of the house concurs. Law enforcement and district attorneys need assurances the youth will be out of the community for a period of time.

MS. TOWNSEND:

A lot of research has been done regarding the 16-24 youthful offender. Much of the focus has been on brain development. We have to invest in public safety in both the short-term and long-term. Other jurisdictions have gained support from law enforcement by ensuring there is an investment in evidence-based programs demonstrating reductions in felony recidivism. Another challenge is balancing the investment to reduce incarceration in the adult system while making sure we make appropriate investment in our juvenile system. Research shows investment in incarceration and treatment is the effective combination.

CHAIR HORSFORD:

Is there any consideration for establishing a specialty court for juveniles falling within the certification process? Judge Voy is saying if the juvenile system had the resources to change behavior, a different result would occur from putting them into an adult system which results in a hardened criminal. The burden of the adult system may result in a lesser sentence for the certified youth.

JUDGE VOY:

The specialty court is a great idea. I will discuss it with other judges. There are varying results depending upon the court where a case is tried.

MS. LOWRY:

There is currently a specialty court with the state parole youth. Has that impacted recidivism?

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JUDGE VOY:

We had the reentry court for youth coming out of state institutions funded by grants. They would come to court every month and discuss how they were doing with their case plan. The grant ran out. There was no information about the end result. The adult system has a reentry court. There could also be a district attorney assigned to the specialty court.

CHAIR HORSFORD:

You would tie the support for a specialty court to a strategy to help reduce the number of juveniles ending up in the adult system.

JUDGE DOHERTY:

The level of commitment to community safety and meeting the interests of the children is a high priority. I would like to reserve time at Monday's meeting for a discussion of the nation-wide research which shows success for the children we are referring to. The utilization of best practices through established research has allowed us to benefit the communities we serve in a more effective way than we have done in many years. Placing children in the adult system has terrific challenges including: Exposure to sexual assault eight times more than adult inmates; having weapons used against them at a 50 percent higher rate than adults; having suicide rates eight times higher than adults; and higher recidivism rates than children similarly situated in the juvenile system. We are appropriately challenging ourselves by looking at this topic. My concern is we have many innovative ideas. We must be cautious not to embrace good ideas in an expedited manner. Good ideas may be innovative and effective methods of responding to problems, but when dealing with juveniles and juvenile crime, good ideas need substantive basis. I am concerned about determinate sentencing in any component of the juvenile system without more debate on the topic. It is an area Juvenile Justice Services has previously and still acknowledges as ineffective for responding to the decriminalization and recovery of youth in the criminal justice system. We need more debate. The Subcommittee should not rush to recommendations, but utilize this as a thoughtful process by which we move to a better system, both in the juvenile and adult courts.

CHAIR HORSFORD:

I may follow-up with you to determine how we can have a full discussion on the determinate sentencing debate. The Subcommittee will hear Item III.B of the agenda.

HOWARD SKOLNIK (Director, Department of Corrections):

If you could figure out a way to have no one under the age of 25 in the prison system, I would be grateful. Today we have 327 individuals who were 17 or younger at the time of their offense. On June 4, 2007, we had 142 offenders 17 or younger. Sixteen of the offenders

are categories C, D and E; the rest are category A and B of which 120 are category A felons. These individuals are not children in the traditional sense.

The Jean facility is scheduled for closure July 1, 2008. When Jean was opened as a youthful offender facility, we had only youthful offenders there. We had rates of incidence of violence and problems exceeding all the other institutions in this State. When 100 older offenders were placed in the Jean facility, the incident rate declined. We are talking about individuals who are incarcerated, many for life, an average of 12 years. In many ways the Jean facility was not to protect the youth, but to protect the older inmates. The younger inmates gang up on older inmates; steal their stores, beat them and act up within the population. They were difficult to control. Due to budget reductions, we will be moving the Jean inmates to the High Desert State Prison as a separate population. The education program will move from the Southern Nevada Correctional Center to High Desert State Prison in portable classrooms. There will be two separate schools, one for the general population and one for the youthful population. There are eight female youths in the system. The majority (278) of the youths come from Clark, 33 from Washoe and 8 from Douglas Counties. The majority of the inmates are in medium custody, 79 are in close custody and 18 in maximum custody at Ely, probably serving life without parole or death sentences. There are 12 in minimum security. This is not a population coming to us the first time they get into trouble.

JUDGE VOY:

Do you believe the youthful offender program is flawed because it did not work until you included an older population? Jean was intended to be filled with noninstitutionalized youth, not youths who had already been institutionalized.

MR. SKOLNIK:

Unless you send us 600 inmates under the age of 18 all at one time, there is no way to fill an institution without inmates coming from another institution. If you wanted to open an institution with a few inmates we could do that, but I do not believe the taxpayers would approve.

JUDGE VOY:

You are correct.

JUDGE DOHERTY:

What differences existed within the Jean environment which were dissimilar with respect to programming or staff ratio.

MR. SKOLNIK:

Jean has a substantially better funded and larger educational program than any other facility. It is one of the reasons we have worked with Clark County to move the educational program intact. It is one of the reasons why all of the inmates in school at Jean are still at Jean. We will not move them until the school year is completed. We have provided other programming. Jean has the highest ratio of caseworkers. It was designed and staffed as a programming institution. We gave up a number of correctional officer positions in the budget to provide additional programming and staff. The problem was a population with security threat groups or gang affiliations prior to coming into the institutions which, to some degree, attempted to regroup without leadership. The leadership was older and at other institutions. There was a vying for power and leadership; violent youth being violent youth. When we brought in some of the older inmates, about 50-60, the institution settled down. There were expectations put on the inmates to get along, behave and participate in the programs.

JUDGE DOHERTY:

Would the Subcommittee benefit by having a list of the programs provided at Jean?

MR. SKOLNIK:

I will provide a list. There were heavy substance abuse programs. There were over 600 substances abused by the 337 youth. There was a clear pattern of substance abuse in their backgrounds. All of them had either sex or violence involved in their offense. We are not talking about someone who stole a car for the first time and was sent to prison.

MR. POMI:

Could you design a program based upon your expertise for the youthful offender?

MR. SKOLNIK:

Vocational training is a significant portion of the educational component provided by Clark County. Certification in auto mechanics was a product of that program. There were a number of vocational programs. I would not put youth in the Department of Corrections. That is not what we are trained to do or are skilled at. We did the best we could with the staff designated and provided additional training through the National Institute of Corrections (NIC). The vast majority of our population comes to us via a long road existing prior to their becoming adults. They have gone through other systems and alternatives before the Department of Corrections sees them. If I were to design something, people under 18 would not be part of the adult prison population.

MR. POMI:

There is a lot of research. One of the programs, Bill Strickland's Manchester Bidwell Project in Pittsburg, takes 18 to 40 year olds who are disadvantaged, poor, criminals, drug abused

and puts them through a world-class educational program. We have a work group trying to integrate that model in Washoe County. If we are to impact this population we need to think outside the box and give resources to alternatives which do not include incarceration. The Manchester facility is beautiful; a Frank Lloyd Wright building, respectful and educationally enhancing. The people there do not receive any social needs. The people receive a vocational educational program guaranteeing an adult living wage. These are the variables to decrease the adult prison population and decrease the reliance on institutional care.

CHAIR HORSFORD:

Is there an evaluation of the youth facility at Jean?

MR. SKOLNIK:

There is only anecdotal follow-up. The Department of Corrections could provide the number of incidents and the decline in incidents after moving in the older population. I am not sure that is relevant to the Subcommittee. The Department of Corrections received a young man in the early 1990s. He was 14, weighed about 85 pounds, about 5'6", blond and blue-eyed. He walked the prison yard like he owned it; everyone was scared to death of him. They called him "Charlie" as in Charlie Manson. There are some folks who do belong in an adult facility at an early age because that is probably where they should spend the rest of their life.

JUDGE DOHERTY:

In the early 1990s, the entire country was identifying children such as the one just described. We have come a long way from referring to our group of children with super-predator descriptions. We are not here to isolate a characteristic and apply it to a body of children. We all know our responsibility is community safety, secondly our responsibility is rehabilitation. We will get to a point where we are more advanced, statutorily perhaps, than we are now.

MS. TOWNSEND:

When Jean opened there was some specialized training provided to staff regarding working with people under age 18. Is there ongoing specialized training for staff?

MR. SKOLNIK:

Unfortunately, training is one of the weakest areas in the Department of Corrections. To the degree we can, we will be moving the staff trained with the youthful offenders to the High Desert State Prison. I joined the Department of Corrections in 1987 when our annual training expenditure was \$5 per year per employee. That has been substantially improved. We provide basic training and not staff development. Our ongoing Correctional Employee Refresher Training (CERs) is oriented toward how to handle inmates in the general population to make sure skills are maintained so everyone is safe. Our ability to provide the training you describe and we absolutely should have, does not exist. We are working with the

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Department of Personnel to develop a program for the Department of Corrections. It is a 2 1/2 year project and will not solve immediate needs. In spite of all the budget reductions, one of the commitments I have made to our staff is we will not cut training.

MR. POMI:

During the last legislative session I heard some discussion on the adult side for training hosted in Douglas County by NIC. It would be good to have a system of care. Clark County provides a different level of training. We need consistency in thinking regarding re-entry. It is important to me that we are consistently speaking the same language and doing the same programming.

MR. SKOLNIK:

The NIC has been removed from the 2009 budget. Unless there is a change through Congress, that source of training for the Department of Corrections will no longer exist as of October 2008.

JUDGE DOHERTY:

What percentage of your budget is training? How has the percentage changed in the last several years?

MR. SKOLNIK:

The Department of Corrections is in the process of taking the preservice training program, which was four weeks and is currently six, up to 15 weeks to include field training which we have not done for years. We require 28 hours of CERs for our custody staff. We require training for all of our staff to maintain Peace Officers' Standards and Training (POST) certifications. The training provided is practical hands on training. We do not teach communication skills. I was quoted in *Governing Magazine* as saying in Nevada we promote and pray.

BERNARD W. CURTIS (Chief, Division of Parole and Probation, Department of Public Safety):

I have been with the Division of Parole and Probation 22 days. Mr. Woods is a 24-year veteran. He has the expertise at this table.

There are currently fifty individuals on adult parole or probation who entered parole or probation before 18 years of age. Four individuals entered the program in 2005, 12 in 2006, 21 in 2007 and 13 in 2008. At this rate, there will probably be 28 individuals under 18 entering the program in 2008. Two individuals entered the program at age 14, 7 at age 15, 14 at age 16 and 27 at age 17. Forty-eight of these individuals are on probation; one is on parole

and another came to this State from another location. Nine are from northern Nevada, the others are from southern Nevada. Sixteen of the 50 have gang related backgrounds. Crimes involved: One burglary victim 65; nine battery with a deadly weapon; seventeen robbery with a deadly weapon; two assault with a deadly weapon; one voluntary manslaughter with a deadly weapon; two attempted robbery with a deadly weapon; two burglary with deadly weapons; one murder with a deadly weapon; two battery with substantial bodily harm; one kidnap; two coercion and sexual assault; one open and gross lewdness; four lewdness with children under age 14; one discharging a firearm into a dwelling; and one grand larceny with a deadly weapon.

There have been 15 reports indicating violations of parole or probation and no revocations with this group of 50 individuals.

JUDGE VOY:

Do you have the number of revocations for the children assigned to adult probation over the course of the last five years? I have the statistics for 2005, 2006 and 2007 showing those sent to adult probation and subsequently revoked.

CAPTAIN MARK E. WOODS (Division of Parole and Probation, Department of Public Safety):

The information Mr. Curtis provided is for the 50 currently under our supervision. For Parole and Probation to determine the number of juvenile offenders over the last five year whose parole or probation have been revoked would require a hand search.

JUDGE VOY:

Does Parole and Probation do anything special with juvenile offenders on probation or do they receive the standard adult services?

MR. WOODS:

No. P&P supervises at a level determined by a risk and needs tool. Many of the needs of the juvenile are the same as adults: They need to find a job, get an education and need counseling. Resources are lacking in this department.

MS. TOWNSEND:

Is the risk and needs tool validated for people under 18 years of age?

MR. WOODS:

The 2007 Legislature provided funds to have the risk and needs tool evaluated. The Wisconsin model tool was validated. I do not know if it was validated for juveniles.

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MS. WICKES:

The 50 people currently on probation or parole entered the system before they were 17 years of age. Are individuals close to age 17 when they committed a crime included in this group?

MR. WOODS:

The individuals included in the group of 50 entered the Parole and Probation caseload prior to 18 years of age.

Parole and Probation has close to 20,000 adult offenders being monitored.

JUDGE VOY:

We have hand-tracked the juveniles we certified as adults. I know exactly how many entered and their disposition. I know the number placed on probation over the last three years and the ones revoked due to new offenses, etc. We track by the number of juveniles who commit a crime before 18 years of age. By the time the individual goes through the adult process they may be over 18 before getting to P&P. Is there a way for P&P to determine, by looking at the date of offense, if the individual was a juvenile? That might change the number you are reporting to this Subcommittee. We are attempting to determine the success or failure of certified juvenile offenders.

MR. WOODS:

Parole and Probation would have to query by date which would bring up every crime. If Parole and Probation could get your list and the one from Washoe County, we could cross check our lists.

JUDGE VOY:

Yes, I will get you the list with the adult case numbers so you can provide the results to this Subcommittee.

MR. WOODS:

We can do that.

MR. PRINCE:

Is there any effort to assign the caseload of younger offenders on probation supervision to one or two officers?

MR. WOODS:

Currently there is a staffing problem in Las Vegas which does not make it feasible to assign all youthful offenders to specific staff. Normally the ratio would be 70 offenders to one officer.

MS. WICKES:

What types of supervision differences are determined by the risk and assessments tool for low- and high-risk needs.

MR. WOODS:

Parole and Probation has a pilot program for intensive supervision using global positioning services. Minimal risk is supervised through mail and sees P&P personnel once every six months rather than every three months. The minimal risk individual is compliant; they program the way they are supposed to. As the risk increases, there may be monthly contacts at the office, home visits and checks with counselors and employers. Higher risk individuals are assigned an officer with a 30:1 ratio who makes contacts in the field as well as collateral contacts. There is also the house arrest program where the individual wears an ankle bracelet.

Whatever contact level, if the need is to find a job or counseling, whether they are on GPS or minimum supervision, we will do what we can, such as set them up with employers or counseling.

JUDGE VOY:

What is the contact level for the fifty individuals on your list?

MR. WOODS:

None of them are on global positioning services. They are on house arrest, intensive supervision and general supervision. None of them are at the minimum supervision level. All offenders are re-evaluated every six months. They can move to different levels of supervision.

JUDGE DOHERTY:

Mr. Skolnik believes youth should not be in the Department of Corrections. How do you feel about Parole and Probation supervising juvenile offenders?

MR. WOODS:

We are all in this together. Our primary mission is to protect the public. The offenders have a need. If the offender does not respond positively to parole and probation, the court needs to remove the offender from society. In my experience, the youthful offender is across the board. Some will respond positively, others do not. Parole and Probation's biggest issue, with both adults and youth, is the lack of resources. Parole and Probation can determine what a person needs. If the resource is not available, you pray the person does not mess up.

JUDGE DOHERTY:

What are the unique challenges for the younger group?

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MR. WOODS:

Self esteem is a problem due to a lack of education. Some of these individuals are not old enough to get a job.

MR. CURTIS:

Family is also important. Some of these youth come from completely dysfunctional or non-existent families. They generally have not had the presence of two parents.

CHAIR HORSFORD:

The Subcommittee appreciates Parole and Probation working with Washoe and Clark Counties and the rural areas to coordinate youth cases to reflect the number and success of parole and probation.

JUDGE VOY:

I would like this Commission, or a new commission, to develop recommendations for change.

CHAIR HORSFORD:

There needs to be deliberate action. I agree with Judge Doherty, Mr. Pomi and others that we need to know what we are doing. There are times when we invest in programs or initiatives without understanding the end result. This Subcommittee can be helpful in elevating the discussion to the full Commission then possibly the Legislature. On the local level, the item may need to be taken to the Southern Nevada Regional Planning Coalitions Committee on Youth since they have direct input regarding regional issues. We need a consensus on the action we want to take and the outcome desired. Is it evidenced based; are there measurable bench marks and how to evaluate? I get frustrated because we invest in things without expecting a return. We never know if something works. We need an evaluation showing why something works and why it is a better investment than other alternatives.

The Subcommittee will now hear Items IV and V on the agenda.

MS. TOWNSEND:

One of the challenges for the Subcommittee, while we tried to coordinate the presentation of this data, is it all looks different. We can work with legislative staff to put the information into a format depicting the whole State. We are looking at the adjudication statistics due to some of the issues brought up at the last meeting, particularly, for example, the Washington Model. There is a lot of concern regarding youth moving into the adult system. Washington State saw diminishing returns on investment by continuing to build more prisons and has found investing in the juvenile justice system produces less demand for adult incarceration

and greater public safety in terms of outcome. Hopefully the statistics presented today will guide us to better investments.

In Clark County in 2007, there were nearly 27,000 referrals as indicated in "Referral Statistics. ([Exhibit C](#)) Twenty-seven percent of the referrals are African-American youth; thirty-eight percent are Latino and thirty-one percent are white. The top twenty offenses in the last four years are shown. ([Exhibit C](#)) Some of these offenses are not the ones you would typically think of for the juvenile justice system. The number one reason for referral to the JJS in 2007 was truancy followed by battery, curfew and petty larceny. The number one reason for a felony referral to the juvenile justice system in Clark County is burglary. Twenty-eight percent of the referrals are female, 72 percent are males.

Dispositions by charge are indicated. ([Exhibit D](#)) The information is shown by general category of offense, formal probation, parole revoked and placement at Spring Mountain Youth Camp. Seventy-six percent of the commitments to the Division of Child and Family Services (DCFS) were youth of color, either African-American or Latino. Formal probation for youth of color is 67 percent. Of those placed on formal probation, over 70 percent committed either a gross misdemeanor or misdemeanor offense. The kinds of things JJS might do based upon risk and need for those youth might be different than what we were anticipating.

Clark County Juvenile Justice Services also looked at certification data. ([Exhibit E](#)) About 87 percent of the certifications and direct file are youth of color. The Clark County Juvenile Justice System has been working with the Hayward Burns Institute and has found dispositions are offense driven as youth move further into the system. There are other factors influencing dispositions. Programming in the juvenile justice system can demonstrate different results in the progression of youth moving deeper into the system.

MR. POMI:

The Subcommittee has received "Washoe County Juvenile Services Adjudications by Gender." ([Exhibit F](#)) The number of adjudications were reduced in 2007 because Washoe County did more through the Juvenile Detention Alternatives Initiative dealing with misdemeanor offenders, self sanctioning and other diversionary programs. Washoe County continues to struggle with Latino male youth being over-represented in the system as well as, by percentage, African-American youth. Washoe County had a second annual youth symposium hosted by Judge Doherty to address this growing problem. The largest population represented in the JJS is Caucasian and Latino. The makeup is: Latino 30 percent; Caucasian 64 percent; African-American 3.1 percent; and Native American 2.2 percent.

Male adjudications by event severity are shown. ([Exhibit G](#)) The overall numbers are down due to the reduction in misdemeanors. The felony and gross misdemeanor offenses continue to escalate. Female adjudications indicate felony and gross misdemeanor and misdemeanor offenses have gone down. Adjudications by offense type are also shown. Traffic offenders are no driver's license or driving under the influence. The Senate Judiciary Committee passed the domestic battery law to give us some weight in dealing with youth and may show continued reduction as indicated by the "person" offense. Male Certifications by Race ([Exhibit H](#)) are all youth of color.

MR. SHICK:

The aggregated information from the rural counties (Carson City, Churchill, Lyon, Douglas, Elko, Esmeralda, Mineral, Nye, Eureka, Lincoln, White Pine, Humboldt, Lander and Pershing Counties) is shown in "Juvenile Referral and Adjudication Reports by Rural Judicial Districts." ([Exhibit I](#)) The five-year Juvenile Justice Data Collection Report was completed for 1999 to 2003. The 2003 to 2007 average population in the rural regions was 42,303 for 8 to 17 year olds. The average referral rate to Juvenile Court was 4,231 (10 percent of this age group), average arrest rate was 1,158 (3 percent), average placements in secured detention was 852 (2 percent), average petition rate was 1,674 (4 percent), average adjudication rate was 1,269 (3 percent), average cases resulting in probation placement were 944 (22.2 percent), average cases resulting in secured confinement was 4 (.09 percent) and the average certified to adult status was 2 (.04 percent).

The offenses from 2003 to 2007 were status at 27 percent, followed by property, alcohol, crimes against person, drugs, public order, technical violations and weapons charges. The adjudicated offenses are based on five separate judicial districts' data. Rural probation departments are similar in their referral and adjudication rates. Drugs, alcohol, person, probation violations and property crimes lead the rates in any rural jurisdiction. The order and frequency of referrals or adjudications may change on a year-to-year basis, but the change is not significant. Also included are graphs depicting this five-year (1999-2003) accumulation of data. I believe similar information will be available for the five-year period ending 2008.

MS. TOWNSEND:

Some jurisdictions are looking at how misdemeanor offenses are handled and the options available. Does Washoe County have any results for the change in policy related to sole sanctioning?

CAREY STEWART (Division Director, Early Intervention, Juvenile Services, Washoe County):

We have seen some initial changes in how we are case managing our misdemeanors, therefore you see a reduction in the number of youth adjudicated. We will continue to have misdemeanors placed on probation. With a better common sense approach, we have been able to reduce the misdemeanors. We have determined that the youth put on probation and given high end services two to three years ago, before the Juvenile Detention Alternatives Initiative, were misdemeanor non-compliant offenses. It is a difference in how we allocate resources, especially for the compliance officers who supervise the adjudicated offenders.

MR. SHICK:

I did not aggregate the information on race, but it is available for the rural jurisdictions.

CHAIR HORSFORD:

Is it clear through all three of these reports which of the offenses are misdemeanors?

MS. TOWNSEND:

The data is not clear. We could make a presentation to the Subcommittee looking at that issue.

MS. WICKES:

If possible, could recidivism information be included in future reports? Are sole sanctions and interventions reducing the number of victimless crimes or delinquent acts? Of particular concern are children with drug and alcohol issues in terms of counseling, drug testing, etc.

MR. POMI:

That information can be provided for Washoe County.

MS. TOWNSEND:

Clark County can also provide that information. We track for one year following completion of sanctioning.

The Subcommittee has received a copy of "Programs Available for Adjudicated Youth & Gender Responsive Programming" (Clark County). ([Exhibit J](#)) The focus is a restorative justice approach trying to hold youth accountable, to offer decision-making skills, repair the harm done and to address specialized needs such as substance abuse. There are additional programs for girls and families.

The evidence-based program, MET-CBT 5, is an individualized approach to engage youth and family in treatment and do other things in a brief group setting. There are two individual and three group sessions. The therapist must follow a prescriptive type of intervention with

the adolescent. We continued this program after the pilot. We have a 95 percent compliance and participation rate. It has not been used enough to determine long term results. Other jurisdictions have experienced a 50 percent reduction in substance use during the first year and an additional 25 percent after that. Substance abuse is one of the areas we need to pursue.

Functional Family Therapy is a pilot program in a high minority referral area served by the Stewart Probation Center. The program delivers functional family therapy in the home. In other jurisdictions, this model has demonstrated an 18 percent felony recidivism rate with high-risk juvenile offenders. The initial results are good. We hope to continue this program. In the area of substance abuse with co-occurring disorders, family behavioral therapy is a collaborative effort of WestCare, the University of Nevada, Las Vegas and SAPTA. It is an intensive out-patient service model which has demonstrated good results.

The Spring Mountain Youth Camp has been a viable outcome driven program with a focus on education and skill development. It has demonstrated an 85 percent success rate with moderate and high-risk youth. An after-care program was instituted last year in collaboration with the school district to provide a transition counselor, family therapist and intensive supervision with connections between the treatment center and the community. This is the type of model we want to see replicated, particularly for moderate and high-risk youth.

Promising gender programming in Clark County includes GirlsCircle. It is appropriate for girls aged 13 through 18. We have community partnerships for prevention and early intervention. It is offered through intake as an alternative. There are several probation groups and it is being offered at the detention center. Outcomes will be tracked.

Clark County has implemented an evening reporting center which is an alternative to detention.

Many of the community-based treatment programs are funded through Medicaid. Most of those services are only available when a youth is placed out-of-home on a fee-for-service. If we are going to rely on this model, we need to find ways to rely on it and use it to invest in programs along with the complete continuum of service. I recommend fee-for-service for youth in the juvenile justice system whether they are in-home or out-of-home placements. It would allow a greater investment in wrap-around services proven effective for this population. Investments in evidenced-based programming will help reduce the demand later for adult responses.

CHAIR HOSFORD:

Is it appropriate to schedule a field trip to get a sense of these programs?

MS. TOWNSEND:

Some of these programs probably lend themselves to field trips more than others. Talking to some of the people delivering the services and who work with youth and families could be helpful to identify what they see as the issues. Presentations by youth and families who have experienced some of these programs could be helpful. Some of the programs, because they are nonresidential, are difficult to see in a field trip.

MR. PRINCE:

The Subcommittee could include the Caliente Youth Center where we have some rigorous programming for female offenders.

JUDGE DOHERTY:

A detention center in either Clark or Washoe County should be toured.

CHAIR HORSFORD:

How are these programs funded, how many youth are being served and what is the need?

MS. TOWNSEND:

The programs in Clark County are generally funded through county general revenue. Clark County is currently investing over \$2 million in out-of-home care and the purchase of non-residential services. The Nevada Juvenile Justice Commission has invested about \$250,000 in some of these programs. It has been helpful for pilot programs and to demonstrate viability. The needs are not close to being met. These programs are effective but are not to scale based on the needs of the community.

MR. STEWARD:

Washoe County has provided the Subcommittee with "Programs Available for Adjudicated Youth and Gender Responsive Programming." ([Exhibit K](#))

Washoe County started out 25 years ago with the work program for youth, still the only accountability-based program. Youth going through court and adjudicated receive a set number of hours required on the work crew. A misdemeanor results in 64 hours on the work crew, gross misdemeanor is 80 hours and a felony is 96 hours. Fidelity-based and evidence-based programs provide potential programs for the betterment of youth.

Two years ago Washoe County partnered with the California Institute of Mental Health through the Juvenile Detention Alternatives Initiative and the Walter S. Johnson Foundation to bring in aggression replacement training. The program is designed to eliminate or reduce aggressive acts. Our instructor is one of the leading instructors on the West Coast as far as adhering to this model. The HOPE program was designed in response to legislative changes

related to domestic battery offenses. The law changed the aspect of detention for youth and opened the doors to programming. The aggression replacement program was modified and HOPE was developed for all domestic battery referrals. By adhering to this model between July 1 and December 31, 2007, those participating have not committed another aggression related offense. We need to be able to show the programs are valuable and viable for the youth.

The gender competent programming in Washoe County is challenging and exciting. We are learning what gender competency is and the type of programming which should be offered to girls. GirlsCircle training has recently been received and has been incorporated in early intervention and prevention efforts as well as in the detention facility and for girls on probation. Washoe County will be involved in a study by the GirlsCircle developers. Recently Washoe County participated in Practical Academic Cultural Education (PACE), a philosophy about how juvenile justice systems deal with girls. Instead of being offense specific in programming, the girl is treated in regard to the trauma, victimization and the girls' different learning styles.

MS. LOWRY:

Does Clark County have anything similar to the work program used in Washoe County?

CHAIR HORFORD:

How are these programs funded in Washoe County? How many youth are serviced? Is the need being met?

MR. POMI:

The majority of funding is through Washoe County. We had a one-year demonstration grant from the Walter S. Johnson Foundation which required a commitment from Washoe County for ongoing support for the program. Washoe County has capacity and need issues especially in the area of dual diagnosis mental health and substance abuse. If we could infuse more funding and expand capacity we could serve more youth. The evidence would show the incarceration rates to the state system would decrease. There has been a reduction in girl commitments this year. Washoe County has had no commitments to Caliente Youth Center so far this year. There is no demand now to reopen the two closed cottages at Caliente. Those funds could be distributed throughout the State to increase evidence-based programming.

CHAIR HORSFORD:

The programs mentioned by Clark and Washoe Counties are nationally based evidence programs. Are the programs being evaluated for effectiveness and implementation?

MR. STEWARD:

Washoe County works with the aggression replacement training program developers. Information from every class we teach is sent to the program developers so they can be sure we are adhering to the model. We are developing data tracking to determine the effectiveness of the programs.

JUDGE DOHERTY:

The Family Division in Washoe County oversees the Department of Probation. All of the initiatives we have identified, and those existing prior to the Juvenile Detention Alternatives Initiative, are continuously evaluated because the focus is to no longer be a court or division using good ideas to intervene in the lives of children. We use research and evidenced outcomes to determine whether or not effectiveness exists. These programs are in line with high standards and Washoe County will continue to do that with existing and new programs.

MR. SHICK:

The yearly average of 1,200 adjudicated youth served by the rural counties will need evidence-based programming. The juvenile justice administrators in the rural areas are challenged with establishing best practices and sustaining them. The programs are listed in "Programs Available to Juveniles Who are Adjudicated." ([Exhibit L](#)) Drug and alcohol programs and residential programming are described. Drug courts are effective in the rural jurisdictions. Day reporting centers are another aspect which reduce the need for detention and reintegrate youth into the community and hold them accountable to their terms of probation. Academic and credit recovery programs are essential to success identity and positive self-regard. Mental health programs are a challenge everywhere in the rural jurisdictions though they do exist. One of the biggest challenges in our frontier regions is to sustain mental health practitioners on a consistent basis to treat families and individuals, co-occurring disorders and everything else going along with mental health challenges in the juvenile population. Some programs are evidence based and grant funded. The majority of the programs are general fund. There is alternative programming: Activity based programming, gender specific programs and cognitive behavioral programming. Boys Council, the equivalent of GirlsCircle, specifically for young men struggling for resiliency in the system, is going to be trained in the fall. These programs are the backbone of our system. We need to sustain funding allowing a change to evidence-based best practices. Data is available on outcomes and will be made available at a later date.

CHAIR HORSFORD:

The Subcommittee will follow-up with recommendations on sustainability and capacity building based upon these three presentations. We need to determine how to leverage funding with other systems such as education or workforce.

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The Subcommittee will hear a presentation on racial disparity and sentencing comparisons, Item 6 on the Agenda.

PAULINE E. SALLA (Juvenile Justice Specialist, Community Juvenile Justice Program, Division of Child and Family Services, Department of Health and Human Services):

The Subcommittee members have received a copy of "2007 Federal Disproportionate Minority Contact (DMC) Statistics." ([Exhibit M-1](#)) ([Exhibit M-2](#)) ([Exhibit M-3](#)) ([Exhibit M-4](#)) ([Exhibit M-5](#)) ([Exhibit M-6](#)) ([Exhibit M-7](#)) ([Exhibit M-8](#)) ([Exhibit M-9](#)) ([Exhibit M-10](#)) ([Exhibit M-11](#)) ([Exhibit M-12](#)) ([Exhibit M-13](#)) ([Exhibit M-14](#)) ([Exhibit M-15](#)) ([Exhibit M-16](#))

This is raw data. We are in the process of analyzing and evaluating each judicial district's information and hope to have a narrative form available in two to three weeks. We are meeting with chief probation officers in those districts to determine their programming, support needs for technical assistance, etc.

The disproportionate minority contact information is the result of the 2005 Senate Bill (SB) 232 which requires each county submit annual data on juvenile crime. The disproportionate minority contact is one of the four core requirements of the Juvenile Justice Act. The Juvenile Justice Program's Office submits an annual report to the Office of Juvenile Justice and Delinquency Prevention. The disproportionate minority contact report allows the State to identify the areas where disproportionality occurs and allows jurisdictions to evaluate their systems and develop effective programming. The federal funding formula for the Title 2 grant is tied to the disproportionate minority contact report. The Federal Government selects three areas in Nevada. This year Clark County, Washoe County and Carson City were selected. We must report the data on those three jurisdictions and the types of programming used to address the issues.

The Federal government uses the Relative Rate Index (RRI) to identify the point of contact to determine disproportionate minority contact issues. Ten data elements are measured for the youth population in each jurisdiction. juvenile arrests, referrals to juvenile court, cases diverted from the system (which is alternative handling), cases involving secure detention, cases with petitions filed, delinquent findings, placement on probation, secured confinement or transfer to adult court. The relative rate index is a way of comparing rates of juvenile justice contact experienced by different groups of youth. Typically, an arrest rate for a racial group uses a measure of their arrests for the numerator and a measure of the population for the denominator.

The Department of Child and Family Services created a template this year for each jurisdiction's reports and collects data. The Carson City information indicates the ten points

measured. Items in red indicate DMC issues at that point of contact to the Office of Juvenile Justice Delinquency Prevention (OJJDP). The data for each minority group is broken down by jurisdiction. Churchill County's RRI indicates disproportionality for juvenile arrests, cases petitioned, delinquent findings and probation placement. Clark, Douglas, Elko, Eureka, Mineral, Nye, Pershing, Washoe and White Pine Counties had some disproportionalities. Our office has been working with some of the small rural areas to collect the data and build a database. There was some disproportionality in Humboldt County for juvenile arrests and referrals to juvenile court. No disproportionate minority contact issues were identified in Lander or Storey Counties. Lincoln County included its data with the Seventh Judicial District and will be reported separately next year. We are working with Lyon County to develop a database to capture disproportionate minority contact data.

The Department of Child and Family Services is analyzing data to determine if disparities are offense specific. In the rural areas, one minority youth arrested several times could throw the relative rate index into disproportionality. It is also necessary to take into consideration if there is new a judiciary, sheriff, police chief or director of probation because it changes the culture of a jurisdiction. In these cases we are attempting to provide technical assistance and education.

After the 2007 raw data was complete, it was presented to the Minority and Gender Committee of the Nevada Juvenile Justice Commission in May 2008. It was agreed to identify what training could be developed or provided to different points of contact to help reduce the disproportionality. The Department of Child and Family Services has identified some effective curriculum utilized by other states and different experts in the field who could provide technical assistance to the Subcommittee. There has been an initial discussion with the Peace Officer Standards' Training to see if we could work with them. Clark and Washoe Counties have evaluated data and developed programming to address the over-representation of minority youth. Clark County continues to work with the Burns Institute. Over 100 staff and stakeholders were trained in 2007 and will double in 2008. Washoe County implemented the Altos Program in 2008 to provide programming to Latino male youth. The first Washoe County Latino Symposium was held in June 2007 and brought together different stakeholders in the community to address disproportionate minority contact concerns.

The disproportionate minority contact is important to the Nevada Juvenile Justice Commission and the Juvenile Justice Program Office. We want programming to be cost effective, evidence based and provide youth the services they need.

JUDGE DOHERTY:

Could you tell us the most effective way to use this information?

MS. SALLA:

The raw data is good to identify the point of contact in each jurisdiction. When the narrative is available, with a comparison to last year's disproportionate minority contact data and the programming addressed, the information will be easier to digest.

MS. WICKES:

Did juvenile services or juvenile probation provide the disproportionate minority contact data provided by the counties?

MS. SALLA:

That is correct.

MS. WICKES:

Is youth parole, which supervises the youth in their counties, also required to provide information?

MS. SALLA:

Not for the disproportionate minority contact report to the Federal Government. We could start tracking the youth parole information.

MS. WICKES:

If a youth on parole is arrested and booked into the local detention facility, is it recorded by juvenile services?

MS. SALLA:

Yes, it is.

CHAIR HORSFORD:

When is the youth symposium in Washoe County?

JUDGE DOHERTY:

The symposium is July 14, 2008. There will be local and national speakers. We are planning breakout groups to address issues from a professional affiliation component as well as the community.

CHAIR HORSFORD:

I attended training in Dallas where I was able to see a presentation by the Burns Institute. They use a comprehensive approach to this issue. Has the disproportionate minority contact report been evaluated by the Burns Institute or other resources?

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MS. SALLA:

The report I submit annually to the Office of Juvenile Justice and Delinquency Prevention is an update of what the counties have accomplished in the last year and a three year plan and goals. The report I submit has not been evaluated by the Burns Institute.

MS. TOWNSEND:

The Burns Institute did review Clark County's disproportionate minority contact submission to the State. However, they asked us for additional information which was analyzed to give Clark County a better sense of what we need to do next.

CHAIR HOSFORD:

The Department of Child and Family Services reports what is required by the Federal Government.

MS. SALLA:

That is correct. The report is still in the process of being reviewed by the Office of Juvenile Justice and Delinquency Prevention. The Office of Juvenile Justice and Delinquency Prevention is encouraging us to go to evidence-based programming. It will be a requirement in next year's application.

CHAIR HORSFORD:

I would like a presentation by the Burns Institute tied to the disproportionate minority contact report to give an assessment beyond what is required. If there are other areas we should be looking at, we need to hear it from experts who have worked on this issue and can help us think through best practices in other states and how they have approached the problem. We need to analyze the disproportionate minority contact raw data and determine how to make it useful for the courts, juvenile justice and policy makers.

MR. POMI:

Clark County received a grant through the Burns Institute. Washoe County has applied for, and is being considered for, a Burns evaluation of disproportionate minority contact.

MS. TOWNSEND:

Clark County's agreement with the Burns Institute concludes in three days. I had coordinated an appearance before this committee to speak generally about what the Burns Institute has done and their experience in other jurisdictions. I would not be able to commit the time Clark County has purchased for an analysis of state data. The Nevada Juvenile Justice Commission is looking at ways to bring in technical assistance.

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MR. PRINCE:

An analysis by the Burns Institute would work nicely with the Minority and Gender Subcommittee.

CHAIR HORSFORD:

Would you provide a timeline of when it would be appropriate for a presentation by the Burns Institute regarding these broad issues and any other policy recommendations we should consider as a follow-up to SB 232.

The Subcommittee will now discuss information regarding the adjudication of juveniles by geographic location. The intent is to follow-up on the process the Commission on the Administration of Justice has utilized with Dr. Austin to answer certain questions. How can we map the offenses committed by juveniles by geographical location to visually depict where the youth reside or where the offenses are committed? Are there community-based alternative resources in the high needs areas? Are the communities underresourced in their ability to respond based on the needs of juveniles. Are there other public safety considerations?

MR. SHICK:

We can take the accumulated data and ask the regional juvenile justice administrators to pinpoint that particular information and place it on a map for the Commission's evaluation.

MS. SALLA:

The Department of Child and Family Services would help with the juvenile justice data. I just received training on the Socioeconomic Mapping and Resource Topography (SMART) system through Office of Juvenile Justice and Delinquency Prevention which will generate reports.

MR. POMI:

Zip codes entail a larger geographical area. I would prefer voter precincts. Does that capability exist for this study? If we want to narrow down where the youth are coming from and the type of offenses, zip codes do not provide valuable information.

MS. TOWNSEND:

We all want to do more data analysis by mapping, whether it is by precinct, school attendance area or other possibilities. The challenge will be the data available and if it can be run by address or only zip code. Mapping by zip code where the juvenile resides gives Clark County an initial look at the data. We do look deeper by school attendance area. The first attempt will probably need to be by zip code then dig deeper to the degree possible.

CHAIR HORSFORD:

Use of the basic maps Dr. Austin was able to put together may be necessary. They depict where the greatest issue of crime is conducted. Overlaying the statistics on poverty, dropouts and juvenile justice helps locate where the issues are. Dr. Austin was able to quantify, by zip code, the amount of revenue expended on corrections. It was interesting to see back-end investment versus amounts which could have been spent on prevention, intervention and alternatives to detention.

MS. TOWNSEND:

It may be helpful if all members of the Subcommittee had a copy of the report to which you are referring.

CHAIR HORSFORD:

Ms. Clark, please provide that information to all the members of the Subcommittee.

ANGELA CLARK (Deputy Administrator, Legal Division, Legislative Counsel Bureau):

Yes, I will.

CHAIR HORSFORD:

Ms. Salla will do the first run and with the use of Dr. Austin's maps we can decide what additional work needs to be done.

MS. SALLA:

I will see what can be run by our database and will bring that information to the Subcommittee. No reports from this database have been run by zip codes.

MS. TOWNSEND:

If they have data on a state-wide basis, another resource may be Applied Analysis which has done recent analysis for DCFS and is doing things in terms of youth work force development and education.

CHAIR HORSFORD:

I will ask Dr. Austin and Justice Hardesty to see if they can assist in any way. This issue will be on the next agenda.

The Subcommittee will now hear a presentation on sexually exploited youth, Item 8 on the Agenda.

M. ALEXIS KENNEDY (Ph.D, Assistant Professor, Department of Criminal Justice, University of Nevada Las Vegas):

The Subcommittee has received a copy of "Sexually Exploited Youth." ([Exhibit N](#)) Sexually exploited youth is a narrow population affecting large numbers. Prostitution is a juvenile justice issue because most prostitutes start as children. The United States Department of Justice says 12 to 14 is the average age of entry into prostitution and pornography in the United States. Federally, these youth are referred to as "domestic minor sex trafficking victims." The federal human trafficking act has been expanded to include all prostitution, pornography and stripping activity by any child under the age of 18.

Last summer I did a rapid assessment for Shared Hope International under a grant from the Department of Justice to look at juvenile prostitution in ten cities. This assessment is available on my website or on the Shared Hope website. The key findings were not surprising to people in Las Vegas. Las Vegas is a major destination for children involved in prostitution. Las Vegas has been described as the epicenter of prostitution in North America by vice officers in other cities. Mapping information shows fifty to sixty percent of the youth being arrested in Las Vegas are from other jurisdictions, such as California and Arizona. Reno faces similar issues. Nevada is attracting children from all over the United States to work in prostitution. Some of the numbers in this report are contentious. Lieutenant Hughes would disagree with the outreach number estimates partly because it is difficult to distinguish between juveniles and adults working in prostitution and because the count, conducted in May 2007 during the NBA games, came from an outreach effort by four different nongovernmental organizations in Las Vegas. We can agree an average of 100 to 150 juveniles are arrested every year. We work with other states to determine how to treat and place youth. Las Vegas and Reno lack preventative programs to deal with the high-risk sexual environment we live in. We do not address the risk factors we have: Access to alcohol or the 24/7 gaming environment. I interviewed some girls at Caliente, most were from Reno, who expressed it is a tough city with many risks and temptations in a cash environment. We need to address the issue at the preventative level to reduce the number arrested and engaging in survival sex and sex for items. The Rapid Assessment found professionals in the criminal justice system are good at identifying the issues behind juveniles involved in prostitution. They are well trained. The investigative juvenile vice officers (I-Team) in Las Vegas understand the trauma, history of sexual abuse, role of the pimp and all the difficult issues. The solution has been, for a juvenile working the streets, to arrest and try to get them out of prostitution. By arresting them, we are criminalizing them which runs us afoul of the federal definition of "victims." Children involved in prostitution are being held longer than children arrested for other crimes. Prostitution is a misdemeanor. They are pleaded down to providing false information or other minor offenses. They are being held in detention, either because they must be placed in another jurisdiction, for time to gather information on pimps or

traffickers, for material witness holds or to keep them away from their pimp for a few days. We do want to break the bond with pimping and help children out of prostitution. It is a problem because there is a critical lack of appropriate services and programming for sexually exploited children. WestCare outreach program, which existed last year, has ceased operations. There is no programming in the community or detention centers where the youth can talk about their issues and prostitution. In the first half of 2007, 13 percent of the girls in Caliente were adjudicated on prostitution charges. This year, when talking to the girls, they were not necessarily adjudicated for prostitution, but are involved in prostitution. We need to determine how to talk about this issue even when not arrested for prostitution. Prostitution is a common theme among youth in Nevada. The system struggles with holding girls and boys for their protection and enable the prosecution of pimps and traffickers, but recognize their victim status. Often they are in the juvenile justice services because if they adjudicated as delinquents they have access to Medicare and can be pulled out of their homes. There is a group in Las Vegas working on a protective safe house; ideally a diversion facility so the youth will not be in a juvenile detention center. Las Vegas has institutionalized sexism and is a difficult community to grow up in. Girls do not know where to go for help or to talk about their issues.

LIEUTENANT KAREN HUGES (Vice Section, Las Vegas Metropolitan Police Department):

The Las Vegas Vice Section is a covert unit and is one of the largest in the country. We do nothing but prostitution-related investigations and enforcement unlike other police departments which also get involved in gambling and other venues. We have been involved in "stop turning out child prostitutes" (S.T.O.P.) since the early 1990s when we realized the youth getting into prostitution were victims. We have interviewed these youth for many years. In the last four or five years we have been involved in a national initiative, through the Federal Government, entitled Innocence Lost. We work in a cooperative effort with the FBI and other national law enforcement agencies to identify and locate youth involved in prostitution. A vast majority of them are girls. We had two boys last year and none this year. We work to get them out of the life, to provide resources and aftercare and to gain their cooperation in a pandering case. We have had success in those arenas. We work with the Department of Justice and the FBI. The FBI, through the National Center of Missing and Exploited Children, put together an Innocence Lost database which law enforcement can use and share information helping in the prosecution of pimps and identifying the girls involved in this life. The girls are transient. Las Vegas is a large track the girls come to. In 2007 we identified 157 youth, 2 of which were boys, from other jurisdictions. The oldest was 17 and the youngest 11 years of age. Seventy-six were local youth, 81 from other jurisdictions. They travel with pimps and are schooled and familiarized with traits to be successful in prostitution including being able to identify themselves as adults. It is difficult when we do proactive law

enforcement, to identify a child. Las Vegas teams are trained in enforcement, looking for prostitution on the streets and hotels. The internet is becoming a huge area for advertisement. We use many resources to address those types of venues. The investigations that come as the result of arresting a juvenile, is specialized to one team in the unit, the I-Team. They work specifically with exploited youth and have for many years. The team is attuned to the complexity of the issues. We are always trying to find a way to get the youth out of the life. In 2008, to date, we have identified 44 exploited youth, all girls, the youngest 13 years old. No one can put a number on the number of youth out there. We have a significant issue in Clark County with prostitution. The Las Vegas Metropolitan Police Department is committed to making an impact to identify exploited youth, pull them out of the life style and look for different ways to rescue them. We also have an investigative team for human trafficking. The rest of the unit does enforcement.

MS TOWNSEND:

Do you have a racial breakdown of the arrests?

LIEUTENANT HUGHES:

In 2007, 45 of the 157 were white, 93 were black, 15 were Latino, 2 were Asian and the rest were classified as other, probably of mixed race.

JUDGE DOHERTY:

What is the frequency of the person reoffending?

LIEUTENANT HUGHES:

In 2007, 25 of the 157 were repeat offenders.

DR. KENNEDY:

My statistics indicate 10 percent of domestic traffic minors are repeat offenders, the majority of which are detained and held.

JUDGE DOHERTY:

What national programs would you bring to Nevada?

DR. KENNEDY:

The Little Wanderers Program in Boston has a prevention curriculum. For the Safe House, a group visited Alberta, Canada to look at their legislation because they interact with the children, not as delinquents but as sexually exploited children in need of protection. It is a family services protection hold, not a mental health hold or a delinquency hold. It is an ideal model because when you arrest these youth, put them in handcuffs and call them delinquents,

it is an extra trauma in addition to the circumstances they face. A lot of the youth live in horrific situations, turning 5 to 15 tricks a night, substance abuse and mental health issues.

LIEUTENANT HUGHES:

We use most frequently, Children of the Night out of southern California. Dr. Lois Lee runs the program which is a walk away facility. The girls want to get out of the life of prostitution. I can call Dr. Lee at 2 a.m. because we have identified a 13 year old who is not ready to get out of the game, we can send her. But, the girl will either recruit the other girls for her pimp or will walk away. We have some complex issues with that program. We need to have the right youth to send to Children of the Night. The Safe House being considered locally will probably provide an environment for therapeutic services and other resources and maybe identify those willing to get out of a life of prostitution. Then Dr. Lee's facility would be a long-term care alternative. She provides health, schooling on the facility and other resources. The facility is privately funded. It is successful. We have used them for many years.

DR. KENNEDY:

I have received positive feedback on GirlsCircle. We need to provide a safe environment to talk about prostitution and related issues. We need support in the community for the family and drop in places so youth, who are no longer part of the criminal justice system, can visit when they run into a friend still in the trade or see their pimp. It is about creating a family support for these children and being available when they regress or need support.

MR. PRINCE:

Caliente Youth Center, which faces significant challenges in developing specific programs, is embracing GirlsCircle programming and other programs dealing with victimization and self-esteem. We have four mental health counselors who work one-on-one with the young women.

DR. KENNEDY:

The girls I interviewed identified the Sexual Abuse Survivor Group in a positive way. However, they felt they could not talk about their commercial sexual exploitation and, if they could not identify abuse, they could not attend this group. Having a similar group where the girls can talk in a safe environment would be beneficial.

MR. PRINCE:

We would appreciate you staying in touch with the facility and providing us with your expertise.

CHAIR HORSFORD:

Why did the WestCare program end?

DR. KENNEDY:

Part of the reason was the lack of security and part was due to high staff turnover. The senior WestCare people understood the issues. However, it is difficult for nonprofits to retain low-level staff. Lack of training resulted in not treating the girls as well. A bond with the girls was not created.

It is difficult to lockup youth or take away their rights, but other programs indicate the youth need separation and time to sleep in a normal bed, to realize they do not have to work or answer to their pimps.

CHAIR HORSFORD:

An issue is the disparate length of stay when they are treated as delinquents rather than victims. What do you recommend to help?

DR. KENNEDY:

There have been some changes. The girl's expeditor at the detention center in Las Vegas has reduced the amount of time girls are detained by realizing quickly whether or not the girl will be a witness in a case against her trafficker. Perhaps there will be a legislative change so the youth can be under a child protective custody.

CHAIR HORSFORD:

Prostitution is a crime, which is why the youth is arrested. Why isn't the child welfare system involved in the front end?

DR. KENNEDY:

The child welfare system is overwhelmed. Much of their work relates to a family member offending against a child.

MS. TOWNSEND:

In many jurisdictions, there is a lot of work to have the youth served through child protective services and shelters. Dallas uses shelters to serve these youth. Part of the challenge in Clark County has been an interest in having the young people in a secure environment until a decision is made on how to assist with prosecution of the adult. There is no other victim we place in a detention center while someone is being prosecuted. It is a complex situation. We are working with child protective services to see how we might better work together to serve these youth. One of the other challenges is, many of these young people, especially those from other states, are running away from placements in the child welfare system. A fairly large percentage of youth, particularly from California, are in the foster care system. There are interesting dynamics about child welfare and delinquency. It is not a lack of willingness

on the part of the child protective service system to work with these youth; there are other issues to be considered.

MS. WICKES:

Is there something in the intake process or in the risk and needs assessment which might indicate which girls may be involved in prostitution even though they were not arrested for prostitution?

MS. TOWNSEND:

If the referral is made through Vice, if the young woman is arrested by a patrol officer, if there is a suspicion of prostitution or if it is a prostitution related offense (such as minor in a gaming establishment, providing false identification, curfew violation of minor on the strip), we work with Vice to identify if a hold should be placed on this youth. It is one of the overrides in the risk assessment instrument. We do not hold youth due to their sexual activity.

DR. KENNEDY:

Youth know if they talk about prostitution they could be held longer.

MS. TOWNSEND:

In Clark County, for the last few months, twice a month we do an in-depth interview with every girl in detention on that day. This has helped build a significant database of the girls – not just girls engaged in prostitution. They are asked questions regarding their relationships, including their families. Most of the girls will not identify they are engaged in prostitution. They will say they have boyfriends who are much older, twenty or thirty years older. We do not make a referral to Vice. We are simply trying to get a better picture of the young women in the detention center and how to serve them.

JUDGE DOHERTY:

Point of entry has much to do with where the children end up. Point of entry for these girls is on the street by arrest as opposed to child welfare where point of entry is related to the parent's home. The juvenile justice services has been responsible for, and inadequate in, addressing the holistic component of these particular groups of children. Whether it is abuse at the hands of parents or institutionalizing a child for purposes of testimony, it is abusive. I hope this topic stays high on the priority for review. We can be better and have specific language for addressing the problems.

CHAIR HORSFORD:

Once these girls are identified by the system what additional services would help them change their behavior?

DR. KENNEDY:

This is a difficult group to help. Prostitution is similar to an addiction. People will be in prostitution, get out and go back in, repeatedly. This group needs room for failure which we do not give juveniles in other areas. Even though we may find them foster placement, get them into treatment, get them off drugs, help them get their GED and get them a job at Java Juice, we have to be realistic about the world they come from: How much cash they make in a night, the traumatic bond they have with their pimp, the fact the pimp will have a hold over them three or four years later if they run into each other at the mall. Sometimes it is about building the bond and giving them the freedom to fail and know there will still be resources available. We need resources not only available while being held as a delinquent, but in the community. They need to know they are not throw-away children. We need to recognize how difficult it is to survive in Las Vegas, Reno or anywhere there is an aggressive group of adults who come to town and hit on anyone who walks by. We set them up in a strange high-risk situation, expect them to return to childhood and forget the attention they get through prostitution. We need to support them by talking about the issues, realities and the good and bad about prostitution. A lot of peer support is important. We need an open door in the community and not have to rearrest to reenter treatment.

CHAIR HORSFORD:

We need the system to not abuse them as others have abused them. This situation has been brought to our attention; we have an obligation to do something about it. Before the Subcommittee submits our final recommendations in June, if there are specific recommendations, please make them available.

MS. KENNEDY:

Support for the Safe House is important because it is a diversion program. The school boards are asking for help with prevention. Nevada Partnership for Homeless Youth is talking to homeless youth using survival sex; they are not identified as prostitutes. Twenty-eight percent of the Clark County population is under 18 years old living in a sexualized city with billboards and ads which adults tune out. The community must figure out how to give a counter-positive message to youth who do experiment in this adult playground. Prevention to keep youth from being arrested and pulled into the criminal justice system for doing something upsettingly common is important.

MS. TOWNSEND:

Has the Little Wanderers Massachusetts curriculum been used as a prevention tool in any of the schools?

DR. KENNEDY:

It was prevention for at-risk youth so there is no reason it could not be run in schools.

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MR. POMI:

Have you separated out-of-jurisdiction girls? Would the Safe House be for Clark County girls or would it include girls until they are relocated? For relocations, is there a seamless way to set up services in order to provide services but not be a liability to the Nevada taxpayers?

MS. KENNEDY:

These youth are from out of jurisdiction, but if they are placed back in Los Angeles and return to Las Vegas and are arrested again, traditionally they are sent to Caliente. The Safe House would be for all girls. We have held onto girls longer knowing if we have not made the right connection in their home jurisdiction and just put them on a bus back, they will be in Las Vegas within 24 hours, as soon as the pimp can pick her up. We do not want to spend our resources on out-of-jurisdiction youth, but if we do not, they will be back in Las Vegas the next day. There is more conversation with the domestic minor's sex trafficking grants resulting in knowledge of new programs. Oakland is opening a new safe house.

No members of the public have come forth to present testimony.

The next meeting will be May 19, 2008. If you are a presenter, if possible, please provide materials in advance. The May 19 meeting should focus on specific recommendations which the Subcommittee must prioritize.

There being no further business to come before this Subcommittee, the meeting is adjourned at 2:33 p.m.

RESPECTFULLY SUBMITTED:

Sandra K. Small, Secretary

APPROVED BY:

Senator Steven A. Horsford, Chair

DATE: _____

EXHIBITS

Committee Name: Advisory Commission on the Administration of Justice's
Subcommittee on Juvenile Justice

Date: **May 13, 2008**

Time of Meeting: **9:31 a.m.-2:33 p.m.**

	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Cheryl K. Townsend	Clark County Referral Statistics (gender and race), 2004-2008
	D	Cheryl K. Townsend	Clark County Dispositions by Charge, 2007
	E	Cheryl K. Townsend	Clark County Certifications, 2004-2007
	F	Mike Pomi	Washoe County, Juvenile Services Adjudications by Gender and Race, 2005-2007
	G	Mike Pomi	Washoe County, Adjudications by Offense Severity, 2005-2007
	H	Mike Pomi	Washoe County, Male Certifications by Race
	I	Scott Shick	Juvenile Referral and Adjudication Reports by Rural Judicial Districts
	J	Cheryl K. Townsend	Clark County, Programs Available for Adjudicated Youth & Gender Responsive Programming
	K	Carey Steward	Washoe County, Programs Available for Adjudicated Youth and Gender Responsive Programming
	L	Scott Shick	Rural Counties, Program Available to Juveniles Who are Adjudicated
	M	Pauline Salla	2007 Federal DMC Statistics
	N	M. Alexis Kennedy	Sexually Exploited Youth