

MINUTES OF THE MEETING OF
THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE
TO STUDY THE SYSTEM OF JUVENILE JUSTICE IN NEVADA
(ACR 57)

Held at the Legislative Building, Room 1214
401 South Carson Street, Carson City, Nevada
December 11, 1997

The second meeting of the Legislative Commission's Subcommittee to Study the System of Juvenile Justice in Nevada (created as a result of Assembly Concurrent Resolution 57), was held at 9:00 a.m. on Thursday, December 11, 1997, at the Legislative Building in Carson City, Nevada, and was simultaneously teleconferenced to the Grant Sawyer State Office Building in Las Vegas, Nevada.

SUBCOMMITTEE MEMBERS PRESENT:

CC Assemblywoman Jan Evans, Chairman
LV Senator Valerie Wiener, Vice Chairman
CC Senator Ernest A. Adler
LV Senator Mark James
CC Senator Maurice Washington
CC Assemblywoman Marcia de Braga
CC Assemblyman Brian Sandoval
LV Assemblywoman Gene Wines Segerblom

SUBCOMMITTEE MEMBERS ABSENT:

None

ADVISORY MEMBERS PRESENT:

David F. Bash III
Robert Hadfield
Judge Deborah Schumacher

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Reba Coombs, Secretary
Larry L. Peri, Senior Program Analyst
Kimberly A. Morgan, Chief Deputy Legislative Counsel

Kevin Powers, Deputy Legislative Counsel

Juliann Jenson, Senior Research Analyst

Mark Stevens, Fiscal Analyst

Gary Ghiggeri, Deputy Fiscal Analyst

ATTENDING IN CARSON CITY:

Kathy Bartosz, Bureau of Alcohol and Drug Abuse

Sherry Blackwell, Budget Division

Liz Besmears, Department of Human Resources, Director's Office

Ed Burgess, Nevada Youth Training Center

Rob Calderone, Washoe County Juvenile Probation

Anne Cathcart, Senior Deputy Attorney General

John P. Comeaux, Budget Division

Geoff Dornan, Nevada Appeal

Susan J. Edmondson, Deputy District Attorney, Washoe County

Denise Everett, SageWind

Bobbie Gang, Nevada Women's Lobby

Martie Graham-Jones, Family Support Council

Stephen T. Grund, Churchill County Juvenile Probation

Dr. Mary Foster Havercamp, Center for Writing and Literacy

Bruce Kennedy, Division of Child and Family Services, Youth Parole

Christopher Koch, Youth Parole

Bill Lewis, Carson City Juvenile Probation

Stephanie Licht, Elko

Derrick Lopez, Deputy District Attorney, Douglas County

Gerald H. Mager, Reno, Nevada

Illona Mager, Reno, Nevada

Kathy McClain, Clark County Manager's Office

Thomas Maroney, Clark County Citizens Advisory Committee

Marilynn Morrical, Bureau of Alcohol and Drug Abuse

Dorothy North, Nevada Drug Commission

Stan Olsen, Las Vegas Metro Police

De Von Porter, Caliente Youth Center

Leonard Pugh, Washoe County Juvenile Probation

Fritz Reese, Clark County Department of Family & Youth Services

Cy Ryan, Las Vegas Sun

Lori Schweinfurt, Youth Parole

Fernando Serrano, Chief Juvenile Probation Officer

Steve Shaw, Division of Child and Family Services

Willie B. Smith, WestCare, Inc.

Charles Steele, Lyon County Juvenile Probation

Bob Teuton, Clark County District Attorney's Office

ATTENDING IN LAS VEGAS:

Bob Ensworth, Treatment Options

Betsy Fretwell, Clark County

William R. Holland, Unity Life Care

Linda Johnson, State of Nevada Employees Association

Joe Krieger, Treatment Options

Dena Wells, Choices Unlimited

EXHIBITS:

Exhibit A- Meeting Notice and Agenda

Exhibit B- Attendance Roster

Exhibit C- Informational Meeting Packet (on file at the Research Library)

Exhibit D- Supplemental Informational Meeting Packet (on file at the Research Library)

Exhibit E- Presentation by Fernando Serrano

Exhibit F- Juvenile Court Dispositional Report from Gerald Mager

Exhibit G- Testimony Presented by Dorothy North

Exhibit H- Report of Findings from Mary Foster Havercamp, Ph.D.

Exhibit I- Working Definitions of Restorative Justice from Fritz Reese

1. ROLL CALL.

Chairman Jan Evans called the meeting to order at 9:18 a.m. The roll was called by the secretary and it was noted a quorum was present.

2. REVIEW OF NOVEMBER 4, 1997, DRAFT MEETING MINUTES.

Chairman Evans remarked a vote would not be taken today to approve the lengthy minutes of the first meeting as the members would need an opportunity to go through them for any additions or corrections. A vote would be taken next meeting to approve the minutes.

3. PRESENTATION REGARDING INNOVATIVE JUVENILE JUSTICE PROGRAMS IN OTHER STATES.

Juliann Jenson, Senior Research Analyst with the Legislative Counsel Bureau Research Division commented historically, juvenile justice policy had oscillated between rehabilitative and punitive approaches to manage young offenders. Policy and practice in the 1970s and 1980s emphasized individual treatment for young offenders in non secure community-based programs. An increase in violent youth crime during the past decade had renewed interest in punishing delinquent youth. As a result, juvenile justice policy had moved to the center of public attention and political debate in recent years. Increases in youth crime, stories of frustrated parents seeking help for their troubled children, and criticisms of juvenile justice programs have led to demands for change in the way young offenders were charged, punished and treated. In short, public concern about juvenile crime appeared to be at an unprecedented high.

It was important to note this renewed interest in juvenile justice policy generally, and in highly punitive interventive measures, specifically, which had occurred even though evidence indicated prevalence rates for most types of juvenile offending had remained relatively stable over the past two decades. Ms. Jenson called attention to a recent article dated October 3, 1997, in the Reno Gazette-Journal which indicated violent teen crime dropped 9.2 percent. Further, the majority of these crimes committed by adolescents were property offenses such as theft and vandalism. Violent crimes still made up a relatively small percentage of all juvenile crime.

Research indicated the strength of the juvenile justice system lied in its ability to balance policies of prevention, rehabilitation, and punishment. History suggested that reform based on any one of these policies was ineffective. It appeared the needs of all troubled youth should be considered as policy changes in the juvenile justice system. Such a comprehensive approach was becoming the trend in many states.

The National Conference of State Legislators (NCSL) had compiled a research guide which comprehensively addressed juvenile justice. This guide was intended to be a primer for lawmakers on the major topics, issues, and programmatic successes involved in the juvenile justice arena today. Ms. Jenson indicated the guide could be found in Exhibit C, at page 4. The guide was broken down into six different categories:

Prevention in Early Childhood. Research had indicated that most successful programs in this area of prevention provided support to families in addition to early education services. An example of a prevention program was included-- Healthy Start, which targeted families at risk of child abuse and neglect.

Another program worth mentioning was in North Carolina called Smart Start. This was an early childhood initiative for children from birth to age five that supported a variety of community-based services including child care, preventive health care, and parenting information. Additionally, Families First in Michigan provided home-based counseling to families at-risk of losing a child to foster care due to abuse and neglect.

The next category was ***Interventions for Youth at Risk.*** Legislatures were increasingly shaping policies which addressed the warning signs of delinquency. A delinquent peer group was the strongest predictor of delinquency. Other factors may be family involvement in crime, academic failure and disinterest in school, child abuse and family violence.

Successful programs to address youth at risk included extensive agency collaboration. For example, family

resource centers such as the ones in Minnesota, Nevada, and Tennessee linked prevention services more directly with communities, neighborhoods, and schools. An example of a national program that had been effective was Big Brothers/Big Sisters of America — a structured mentoring program which matched volunteer adults with youth.

State legislators were also emphasizing truancy prevention efforts, which recognized the strong link between school attendance, academic success and reduction in juvenile crime. A number of states even denied driving privileges to youth who were habitually truant. Curfews were also gaining attention at the state level, and a number of states had passed laws encouraging locally established curfews for juveniles.

Ms. Jenson called attention to the next category -- ***Graduated Sanctions in Juvenile Justice***. Graduated sanctions provided swift and sure punishment when a youngster first committed a crime followed by progressively tougher sanctions if he or she continued to offend. Graduated sanctions provided a range of community-based options appropriate for most juvenile offenders while reserving secure care for the small percentage of violent offenders. These programs moved from least to most restrictive. Few states had statutorily provided means for applying different levels of sanctions and treatment as part of a structured, comprehensive juvenile justice program. However, successful programs could be found in communities across the country which incorporated an aspect of this graduated sanctions approach.

A specific example of a successful program for high risk youth was the Choice Program in Baltimore, Maryland. This program was an intensive, home-based program that addressed the problems of such youth in the context of their families and communities.

For more serious and violent crimes, the Family and Neighborhood Services project in South Carolina was an example of a nonresidential program based in a community mental health center. This program worked with each juvenile in the context of his or her family, school, peers and community. Day reporting and boot camps were also used as intermediate sanctions for some serious violent offenders.

In sum, Ms. Jenson said graduated sanctions attempted to provide appropriate punishments for the least to the most dangerous juvenile offenders to better hold the offender and the system accountable.

Juvenile Detention and Corrections. Confinement options generally included those in detention or reception centers, training schools, ranches, camps and farms. As was known, confinement remained a major component of the juvenile justice system. Today, more youths than ever were incarcerated.

Some states were focusing incarceration options on the most serious offenders and provided varying levels of housing options, ranging from maximum to minimum security. Oregon offered several levels of juvenile corrections facilities and the inmates were transferred from one level to another depending upon the progress made. Correctional programs were also becoming more specialized. Research had shown the most effective secure corrections programs provided individualized services for a small number of participants. For example, Washington state had a program for juvenile sex offenders.

After-care was stressed as being extremely important. Juveniles who had been incapacitated were in particular need of aftercare to support re-entry into the community. For example, the Texas Youth Commission operated an "independent living program" that provided pre-release and transition assistance for those juveniles returning to the community from secure confinement.

The next category was ***Treating Juveniles Like Adults***. Recent changes in some state laws had enabled more juveniles charged with serious, violent offenses to be transferred to the adult courts. As a result, a larger number of youths were being sentenced as adults and incarcerated in adult prisons. Dissatisfied with the choice between juvenile and adult systems, some states had recently developed "third tier" or intermediate systems. These systems attempted to blend adult punishments with appropriate youth treatment. Colorado had a third tier system operated as part of the adult system and as a sentencing option for juveniles charged with certain crimes. Offenders who cooperated with and completed the regimented program may advance to community supervision within 6 years. Otherwise, they returned to court for adult sentencing. Some states, such as Arizona and Nebraska, were opening

specific facilities in the adult corrections system which incorporated youth oriented programming.

The last section of the guide addressed *Emerging Issues in Juvenile Justice*, continued Ms. Jenson, and briefly discussed holding parents responsible. Many states, Nevada included, were strengthening laws to hold parents civilly or criminally accountable when juveniles committed crimes.

Another emerging issue was opening juvenile records and proceedings. There was a move in many states to open records and proceedings and allow for fingerprinting of some juvenile offenders. Traditionally, a juvenile's criminal records were off-limits to most agencies and the public, but nearly half the states in recent years had enacted legislation to open certain records and provide for sharing of information between other agencies, and sometimes with victims and the public.

The third issue was restorative justice. This was a philosophy to balance offender retribution with victim and community reparation which would be discussed more in depth later at this meeting.

Aftercare was another issue that was gaining momentum in the juvenile justice system. There was a growing knowledge about the importance of aftercare for juveniles as part of sanctions and treatment.

The last issue was juveniles and firearms. States had prominently included access to and possession of firearms when addressing juvenile crime and violence.

In conclusion, Ms. Jenson said as was known, one of the most pressing issues facing state legislatures today was how to respond to juvenile crime. Nevada was not alone in struggling with an effective strategy to balance immediate "get tough" policies with prevention efforts. However, Nevada was in the fortunate position to learn from other states. Lawmakers had more information today than ever about this topic. The problem was sorting through it in a meaningful fashion.

This NCSL guide provided an excellent overview of what was happening in juvenile justice systems across the nation. Family and community involvement, inter-agency collaboration and cooperation, a range of sanctions and treatment options, and availability of programs in non-residential settings appeared to be what research supported as successful components for a comprehensive system. In sum, it appeared that successful programs focused on the needs of individual as well as the child's social networks and they used a comprehensive array of interventions rather than relying on a single approach.

Chairman Evans explained there was a national movement toward changes in the juvenile justice system. As had been pointed out by Ms. Jenson, the Department of Justice specifically, OJJDP (Office of Juvenile Justice and Delinquency Prevention), had offered to help fund planning with the states through NCSL. In fact, she said a three day session in San Diego had just been concluded. Chairman Evans explained she and Senator Washington had attended the excellent meeting and clearly, the move was toward comprehensive planning rather than trying to fix parts of the system without looking at the whole. Everything in the system must work, i.e., all the parts of an automobile must work together before it can be driven. If there was a malfunction along the way, the car would stall. Chairman Evans contended Nevada must look at long range, comprehensive planning. NCSL had offered, and on behalf of the state, she and Senator Washington had accepted their invitation for some technical assistance which would be planned for a future meeting.

In late February, Chairman Evans remarked there would be a national teleconference, through the Department of Justice and NCSL to all the states that wished to participate. Clearly, she felt that would be in Nevada's best interests to participate in the teleconference.

A couple of things which had been emphasized in that meeting was there was so much to do which required comprehensive planning and comprehensive participation. If anyone thought the legislature or local government could simply go in and fix the problem, it was not going to happen. There was not enough in the terms of resources. The communities themselves, families, churches and all the community-based organizations would

have to participate and understand they had some responsibility for making a new juvenile justice system work. Indeed, she felt that would be the direction the committee was heading.

Bringing the committee's attention to Ms. Jenson's comment about states using the adult court system for adjudicating youthful offenders, Chairman Evans said this seemed to be a great concern that there was a shrinkage of the authority and responsibility in the juvenile courts. The juvenile courts were getting less youths and the adult courts were getting more. She contemplated the long-term implication of having more and more youngsters going through the adult system and being treated as adults. The jury was still out on that issue and no one had a definitive answer, but there was a concern about the shrinkage of the juvenile court's jurisdiction.

Chairman Evans complemented Ms. Jenson on the excellence of her report. She called attention to the NCSL article, *A Legislator's Guide to Comprehensive Juvenile Justice*, and said in a very few pages, this article had said a lot about the good components of a good system. She strongly urged the members to read through the article if they had not already done so.

4. UPDATE ON SECURE JUVENILE FACILITY AUTHORIZED BY THE 1997 LEGISLATURE (SB 495) AND UPDATE ON PROPOSAL TO HOUSE YOUTHFUL OFFENDERS AT THE FORMER NEVADA WOMEN'S CORRECTIONAL CENTER.

Chairman Evans called attention to tab D of Exhibit C, a report on the update on the secure juvenile facility authorized by the 1997 Legislative Session, and some changes and modifications at the former Women's Correctional Center. She said Mr. Comeaux had been invited to provide a status report on those two items.

John P. "Perry" Comeaux, Director of the Department of Administration, said he had not prepared a formal presentation, however, he referred to Exhibit C, pages 40 and 41 which were documents provided by his office to indicate the status of the secure juvenile facility. A time line had been provided which indicated that it was his department's intention to proceed with a request for proposal.

Chairman Evans requested Mr. Comeaux to step back and explain the progression of the recommendation regarding the secure facility. What had been proposed by the Governor was not what was finally recommended by the legislature. Because she served on the Assembly Ways and Means Committee, Chairman Evans was aware of what transpired, but not everyone else had that information on the outcome.

Mr. Comeaux explained prior to the last legislative session, the state Department of Administration recognized the critical need for a secure juvenile facility in the state of Nevada. The administration proposed such a facility in the Capital Improvement Program (CIP) and that facility was proposed to be constructed as other state facilities were constructed. For example, the state Public Works Board would have negotiated for the construction of that facility. It had been proposed to the legislature to locate that facility in the vicinity of the Southern Desert Correctional Center at Indian Springs. The idea was to physically separate the juveniles from the adults at Southern Desert Correctional Center but be able to share some services and perhaps some facilities. During the course of the legislative session, it was determined for reasons unknown, that funding would not be included in the Capital Improvement Program. Instead, SB 495 was passed which very similar to SB 278 from the 1993 or 1995 session which authorized the "privatized" acquisition, construction and operation of an adult female correctional facility in southern Nevada. SB 495 was very much like SB 278, there was one notable difference, however, said Mr. Comeaux. SB 495 authorized the acquisition and construction of a secure juvenile facility and made optional the privatized operation of that facility. Basically, authority was provided under SB 495 to negotiate directly with a company to have constructed and through a long-term lease arrangement, make available to the state a secure juvenile facility in southern Nevada. The privatized operation of that facility could be included in the contract as well.

There was no appropriation of any kind provided for this facility. Permissive language was in the legislation which stated that if the facility was completed before July 1, 1999, the director of the Department of Administration could seek a supplemental appropriation from the 1999 legislative session to start utilizing the facility.

Mr. Comeaux said that request could entail an appropriation to begin making the lease payments on the facility itself and would have to include some type of appropriation for the operation of the facility, either through an agreement with a private vendor to operate the facility or for the state to operate the facility itself. This was basically the background to the present situation.

The two pieces in the information packet (Exhibit C), at pages 40 and 41, explained Mr. Comeaux, included a proposed time line for the acquisition of this facility. The time line proposed to have an RFP (request for proposal) issued, evaluate the responses and then negotiate with one or more of the respondents to that RFP. It had been intended to have the RFP ready for disbursement at the end of this month. This deadline could roll over into the first few days of January, but work was progressing on the RFP. Advertisements would be run until the end of January, followed by a series of pre-proposal conferences with the respondents to discuss their proposals. Vendor input would be responded to and the formal public opening of the bids would take place approximately February 12, 1998. The evaluation period would run until the end of February to evaluate the proposals and then negotiations would begin around March 1. Those negotiations were anticipated to take one month to complete.

Mr. Comeaux said the proposal for the institution could be finalized between April 2 and May 15, ending with a contract. The construction period would run from May 1, 1998, through April 1, 1999. This was a very quick construction time, which was obviously the advantage to handling this facility on a privatized basis. Once a contract was in place, the construction could proceed fairly quickly. This was learned from the privatized women's institution, a 500-bed facility constructed in approximately one year or slightly less.

Mr. Comeaux observed the state would learn from its mistakes in contracting for these privatized institutions. He requested an opinion from the department's deputy attorney general with relation to the flexibility provided by SB 495 in terms of acquiring and operating the facility. Some of the lessons learned from the women's facility was there were a number of things which could have been done better, and it was the intention to do them better on this privatized juvenile facility. These issues largely had to do with financing options, because the state found itself boxed into a corner with the women's institution and that situation would be avoided this time.

The Attorney General's office was going to work with Mr. Comeaux very closely, not just on the contract, but on the RFP which would lead to the contract. It would be very complex in order to give the state a great deal of flexibility in terms of what was being asked of the potential vendors. The contract would be left very flexible in terms of the construction of the facility and the state's potential subsequent ownership of the facility, the size, and certainly the operations. Mr. Comeaux pointed out one of the areas of emphasis for the Division of Child and Family Services (DCFS), of course, was to include in the RFP the types of programs which would be required at the facility, and heavy emphasis would be placed on these programs.

Senator Adler inquired if a location for the facility had been established. Mr. Comeaux said at this point a location had not been set. One of the things being written into the RFP was for the vendor to propose sites. To his knowledge, Mr. Comeaux said no site had been zeroed in on. In response to Senator Adler's comment about the facility being close to a prison, Mr. Comeaux noted with a privatized vendor, he believed there was a restriction on the use of the land which would preclude the facility from being built next to a prison.

Chairman Evans pointed out there had been very stiff reluctance to put the facility adjacent to the prison at Indian Springs. There had been some success in locating land in Las Vegas adjacent to the new armory. The money committees had felt this was good for another purpose in that the site was closer to town, easier to staff, and especially good for the kids and their families in terms of visitation and support. She said attention had been redirected from Indian Springs to the other parcel of land which was owned by the state. This issue was now if a private company was building the facility, it would not be built on state land. She inquired if the vendor would have to locate private property to purchase.

Mr. Comeaux replied he was also unsure as to how the project would proceed. That was one of the items the Attorney General's office was helping to work out. In the initial opinion from the Attorney General, concentration was focused mainly on financing options and he did not believe the land issue had been addressed at this time. Discussions had been held in terms of the state's flexibility on the site of the facility. Mr. Comeaux felt there

would be some problems on any parcel of state land which was under consideration to be used to build a private facility. However, Mr. Comeaux assured the committee he would be working with the Attorney General's office to ensure there would be no problems. Chairman Evans suggested State Lands be contacted for help as well.

Judge Schumacher referred to the previous comment about families being able to visit the children. She said it was not just of question of visitation, it was absolutely known the effectiveness of programs when families were involved with the juvenile while the juvenile was in custody. This was very significant to the successful outcome of the program. It was not just a matter of visiting and keeping in contact, but truly related to the effectiveness of the facility's program. Chairman Evans said clearly that was part of the discussion during the session because of the importance of reintegration of the child with family and community.

Senator Adler commented if most of the county ordinances were reviewed, not only did they make it difficult to locate juvenile facilities in counties, but these facilities were absolutely prohibited under most zoning ordinances. In fact, most states completely zone juvenile group homes, aftercare facilities, etc., right out of their communities. It was a matter of fact an aftercare facility could not be zoned in Carson City, it was illegal to do so. This was a real dilemma; how to provide aftercare for juveniles if it was illegal to have a facility under the zoning ordinance.

Senator Adler also said he had spoken to Pam Wilcox at State Lands, there was still a statute which made the citing of state facilities subject to local zoning. The counties have not made an issue of this zoning, but the statute was still on the books. Both these issues could create planning problems in the future and should be reviewed. Senator Adler did not feel the counties should be forced into this situation, but on the other hand, when specific ordinances were in place which prohibited a facility from being located in a county, that was also a problem. There must be some middle ground. Chairman Evans pointed out as had been said earlier, the communities had a stake in juvenile issues and should be brought in.

Mrs. Segerblom reminded Mr. Comeaux of the troubles with VOA (Volunteers of America) because the state owned the buildings and still they privatized the children's home. She asked if the same people who owned the facility would be running it. Mr. Comeaux responded his interpretation of SB 495 was that it was very permissive. It could come to pass that the same people who build the building would operate it, as was the situation with Corrections Corporation of America at the privatized women's facility. On the other hand, Mr. Comeaux said he felt SB 495 could be interpreted to allow the state to handle the facility otherwise. One company might build the facility, and another operate it, or the state could operate the facility itself. He felt the state had all the flexibility necessary in the bill.

Mr. Comeaux expressed his concern about entering into any agreement with caution because the legislature would have to be approached for the funding. There had not been a great deal of debate, but there had been serious reservations on the part of some members of the money committees about privatizing the operations. Whatever was put together would have to give the state the flexibility to continue with the lease agreement on the facility itself, or bail out of any operating agreement the state may have as a result of non-appropriation. However, definite concrete recommendations would be made to the legislature when asking for the amount of funding necessary and then see what happened. Mr. Comeaux did not feel the issue of operation was in any way, shape or form settled in the 1997 legislature and was something which would have to be addressed in 1999.

Chairman Evans said as Mr. Comeaux had correctly pointed out, there was no hearing, there was little discussion on the facility. In fact, the entire issue was decided in the last 48 hours of the 1997 Legislative Session. There were a lot of unanswered questions about the facility, and the chairman said she herself had a long list.

Senator Adler said the facility had been discussed last session and was an issue which had not been finished. However, when a facility grew to more than 15 or 20 beds, the state had no jurisdiction or licensing or inspection requirements for that facility, i.e., the Division of Child and Family Services could not go into the facility to see if it was being properly operated. That was a problem which should be reconsidered. A bill had been introduced, but there was a lot of controversy between the state and the counties and the legislators, so the bill never passed. Nevertheless, Senator Adler felt there needed to be some licensing and standards for these facilities, especially if they were privatized, because if not, the only control the state had was over basic health and safety inspections.

Mr. Comeaux pointed out that was exactly the type of situation the state must be careful to provide for in an operating contract. Mr. Shaw of the Division of Child and Family Services had made it very plain that his real focus would be on programs. Mr. Comeaux commented he felt a lot of attention would be paid to any operating agreement and the contract would provide for inspections and standards.

Senator Adler indicated he was very concerned about this issue, because a private company could bid on the facility, and if it was just a lock-up facility, it could be done quite cheaply because the staff costs could be reduced. However, if these kids were in the juvenile system and had not been certified as adults, they would be released soon and needed intensive educational programs, vocational training, parenting, alcohol and drug counseling, etc. Additionally, the staffing ratios should be fairly high in dealing with this type of offender so a dangerous kid would not be turned loose on the street.

Mr. Comeaux revealed the deputy attorney general had pointed out the contract for the women's prison was only approximately 40 pages long instead of the 1,000 pages that it probably should have been and the state may spend the next 20 years regretting the shortness of the contract. The deputy may have been exaggerating the 1,000 pages, but the detail provided in any operating agreement entered into by the state would be extremely critical. That was a lesson learned with the women's institution and the juvenile facility should be much more successful.

When closure was reached on this issue, Chairman Evans said she had asked for a listing of the companies and the kinds of operations which were in existence, because there were a number of companies who do this contracting for correctional facilities of various kinds. She said she was looking for some similarities to compare. The information, understandably not exhaustive, did not list any facilities from these companies exactly like the one the state wished to have built and operated. There were various kinds of holding facilities, treatment centers, detention centers, etc., but at that time there was no secure juvenile facility as had been discussed, which gave pause for consideration.

In addition to the work with the Attorney General's office, which she commended, Chairman Evans inquired if some technical assistance was required, possibly a consultant to help with financing. This was the era of creative financing and was changing every day. There were many things which were available, but remained unknown unless someone was working in the area of financing. She was concerned the state be able to get the best deal. Chairman Evans referred to the comments on programming and what the facilities would be like, she indicated it would be in the state's best interest to obtain some expertise to help fashion this contract. It was imperative to put together the tightest possible contract and in order to do so, the right questions must be asked as this is a very specialized issue. She expressed concern that if this specialized help was not utilized, the state would be shooting in the dark.

Senator Adler pointed out he was aware of another RFP which was under consideration. The state of Colorado had a \$54 million RFP for a juvenile facility in operation and he suggested the appropriate people in Colorado be contacted. Chairman Evans thanked Senator Adler for bringing this to the committee's attention and stated this was something which should be investigated further.

Mrs. de Braga asked if there were specifics in place outside local ordinances which related to the type of area the facility should be located in, what the requirements were for the location, what type of other businesses or areas the facility could or could not be close to. Mr. Comeaux said he was not aware of any specifics or whether the matter had been discussed at this point. This may be a detail which the Public Works Board had begun to discuss because they would be helping with this project. Mrs. de Braga felt this would be an important component of these contracts, to find the best possible location for this kind of facility.

Senator Wiener indicated she had a concern relating to the adult populations. She sponsored a bill which had been passed in the final hours of the legislature which related to therapeutic communities, i.e., drug treatment in prison. This treatment would be available to those who were getting out of the system and aftercare as a condition of parole. It was known the juvenile population was growing in terms of drug abuse. She was concerned about the ability of this facility to address segregated populations for particular programs which required segregation because that would require a different kind of facility. When therapeutic treatment was offered, the population

must be segregated so as not to mix those in treatment and those who were not. She was aware this would add to the cost, but it was a substantial concern and she would like the issue addressed with great fervor because of her concerns with drug problems among youth. This was a construction requirement which she would like to see implemented.

Chairman Evans remarked this would become a design question in terms of layout of the building, what kinds of areas or spaces would be allotted specifically for substance abuse treatment, educational space, vocational activities, etc. Senator Wiener commented the issue would be design as well as privatization of the operations and would require special staffing to implement that type of program. Chairman Evans agreed to the necessity of having the right type of people working with these juveniles.

Chairman Evans called attention to the proposed time line and asked Mr. Comeaux in light of the magnitude of the work ahead, if he felt the facility could stay on track. Mr. Comeaux replied affirmatively. As he indicated, the RFP and any resultant contract would be very complex and there would always be the chance of running into stumbling blocks here and there. However, at this point, he felt this was a reasonable time frame.

The chairman inquired about the team which had been assembled to work on the RFP. Chairman Evans assumed the Department of Administration, the Department of Human Resources, DCFS, and the Attorney General's office were included. Mr. Comeaux commented the Public Works Board was also involved as well as State Purchasing. The legislature approved establishing a new contracting unit in Purchasing last session which was designed to concentrate on contracts for services. That unit was now up and running and they would be cutting their teeth on this project. Chairman Evans inquired if the capacity was available to pull in special expertise in terms of programming, suitable design and financing options. She felt the state's internal team participants made a lot of sense, however, Chairman Evans was concerned there was no specialized expertise on the team.

Mr. Comeaux remarked he did not recall bringing in special expertise on design and programming. However, the Attorney General's office had recommended expertise be brought in to handle financing and the way to pay for those services would be to build their fees into and be paid for from the proceeds of the financing which resulted from the work performed. As he had pointed out earlier, no appropriation at all was made for this project. If it was determined that contracted services would be required for design or programming, a determination would have to be made how to pay for those services.

Chairman Evans indicated she would not belabor the point at this time, but these concerns and questions would be addressed at a later time. There was so much at stake, the project must be done right. Mr. Comeaux agreed 100 percent. Chairman Evans said she knew there were some additional questions and suggested that Mr. Comeaux plan on presenting a status report on this project at the next meeting of the Interim Finance Committee. Mr. Comeaux indicated he would plan on attending.

Chairman Evans asked Mr. Comeaux to continue with the update on the use of the former Nevada Women's Correctional Center. Mr. Comeaux responded his report would be very brief. When Larry Peri of the Fiscal Analysis Division queried him about this item, Mr. Comeaux indicated he had drawn a complete blank, as this was unfamiliar territory. However, he had spoken to Bob Bayer, Director of the Nevada Department of Prisons. Mr. Bayer stated his plan was to utilize the converted women's institution in Carson City as a therapeutic community, and nothing else. The juveniles who were adjudicated as adults would all be housed at that facility with the rest of the therapeutic community. Mr. Bayer said he had made no provision for and had no plan to physically segregate the juveniles from the adults. Basically, through the prison's classification process, adult individuals would be identified who would be housed at the facility as well as juveniles adjudicated as adults. If any problems developed with anyone classified into that institution, that person would be moved.

Chairman Evans inquired who would be classifying the juveniles assigned to this facility. Mr. Comeaux responded he had been informed by Mr. Bayer that every juvenile adjudicated as an adult would be housed at the former women's prison. Therefore, there would not be a classification determination, every juvenile would be housed there. It would be the adults who would be classified into that therapeutic community. Chairman Evans asked if there was any idea of the numbers under consideration. Mr. Comeaux answered he did not have any

figures, but he could get that information from Mr. Bayer. Chairman Evans asked Mr. Comeaux to contact Mr. Bayer as much more information would be needed, and then asked Mr. Bayer to contact Gary Ghiggeri of the Fiscal Analysis Division. She asked if this information could be compiled before the next Interim Finance Committee so that a presentation could be made. Mr. Comeaux said he would take care of this request and added that Mr. Bayer had volunteered to discuss this with the committee or anyone else who was interested.

Chairman Evans supplemented the background information presented by Mr. Comeaux about the secure juvenile facility by saying the original proposal had been for 60 beds. During the session, after some research, it appeared if the 60 beds were ready on that day, the facility would be full. Therefore, there was discussion about building a facility which would be overcapacity on the day it opened. The committees then decided to increase the number of beds to 125, with plans and design which would allow for future expansion to 250 beds. She wanted to ensure the facility under discussion by Mr. Comeaux was indeed 125 beds and not 60 beds. Mr. Comeaux said that was correct, with the capacity to expand to 250 beds.

Chairman Evans thanked Mr. Comeaux for his presentation and indicated the hearing would move forward to agenda item E which related to drug and alcohol issues related to the juvenile offender population. She said the presenters had been specifically asked to not only describe the programs in existence, but to help the members understand the assessment process, prevention, treatment and aftercare.

5. DISCUSSION OF DRUG AND ALCOHOL ISSUES RELATED TO THE JUVENILE OFFENDER POPULATION: ASSESSMENT, PREVENTION, TREATMENT AND FOLLOW-UP CARE.

Chairman Evans called attention to Exhibit D, the supplemental information packet provided to the committee.

1. Steve Shaw, Administrator, Division of Child and Family Services, Department of Human Resources

Mr. Shaw said it was his understanding the committee wished to focus today on drug and alcohol abuse in youth corrections. Therefore, he introduced members of his staff who were experts in that area to make the major part of the presentation. Mr. Shaw introduced Bruce Kennedy, Chief of the Youth Parole Bureau, who would give some information on the initial assessments of juveniles with reference to drug and alcohol abuse. Ed Burgess, the Superintendent of the Nevada Youth Training Center in Elko, would discuss the programs in Elko. De Von Porter, the acting Superintendent at the Caliente Youth Center, would speak of the programs in Caliente. Between these three people, Mr. Shaw commented there was 87 years of experience in state government. Ed Burgess came to work for the state in 1960 in Elko and was now working with the kids of parents who had been through Elko, and at times, grandkids. Therefore, he had dealt with three generations of graduates from the Nevada Youth Training Center. He also said Mr. Kennedy had 25 years with the state as did Mr. Porter.

Chairman Evans announced one of the key reasons for this part of the hearing was that some time should be spent focusing on substance abuse. Not only in Nevada but everywhere, there was a high correlation between kids getting into trouble and drug and alcohol use. This was an effort to explore better ways to divert juveniles from substance abuse in the first place and secondly, what types of programs were in place and their effectiveness.

Bruce Kennedy, Chief of the Nevada Youth Parole Bureau, said he would begin by discussing assessments which were currently being done on youth. By January 1, 1998, assessments will be done on all youth prior to their arrival at a training center. These reports would be prepared by four mental health counselors assigned to Youth Parole. Two of these counselors were stationed in Las Vegas, one in Reno and one in Fallon to cover the rural areas. The assessments included:

- Committing offense information;
- The most serious offense;
- Prior offense history;
- Prior placement and program information, including information about how the youth's adjustment was to those

program areas;

- Risk Assessments;
- Family information, where did the youth live and with whom;
- Family issues such as substance abuse within the family;
- The youth and family's attitude toward treatment; and
- The family's strengths and the youth's strengths.

With reference to substance abuse, Mr. Kennedy explained they look at:

- Drugs used by the youth;
- Age of first use;
- Methods used, such as smoke, drink, snort or shoot needles;
- Frequency of use;
- Last date of use;
- Youth's perception of use; and
- Youth's drug of choice.

Using this information and the assessments, recommendations were made for institutional placements such as at the Nevada Youth Training Center, the Caliente Youth Center or other programs such as Corrections Corporation of America or Rite of Passage. Also included, Mr. Kennedy noted, were recommendations made for community placement once the youth was released on parole status. In Attachment A of Exhibit D, there was a complete assessment package which listed all the information gathered on each youth who was committed to the state for correctional care.

Chairman Evans referred to the four mental health counselors and asked what were their caseloads. Mr. Kennedy responded these counselors did assessments on all youth committed. In Clark County, there were approximately 20-23 youth per month committed; in Washoe County there were 10-15 youth committed and in rural Nevada, approximately 8-10 youth committed each month. Chairman Evans inquired in terms of present staffing, for this assessment purpose, if the staffing was adequate. Mr. Kennedy replied the program was still in the pilot project stage and he was unsure if the staffing would be adequate or not. He believed there would be some problems in the rural areas because the one mental health counselor had a lot of territory to cover, just the travel time alone was a burden.

Calling attention to the date of January 1, 1998, for the assessment program to be fully operational, Chairman Evans inquired how the assessments had been handled currently and in the past. Mr. Kennedy explained assessments were currently being done; however, assessments had not been done on a number of youth who had been backed up in detention prior to October 1. Previously, the assessments were completed at the training centers; however, with the new program, these assessments would be done in the community.

Mr. Shaw interjected the date January 1 had been set for full implementation to determine the effectiveness of the program. He thought the staffing would be adequate, but in January, more would be known. One advantage would be the ability to connect with the family and bring them into the assessment process. When the assessment was done at the institution, obviously, that aspect was lacking. The new program had some strengths on its face, whether the staffing pattern was adequate, more would be known after January and probably into February.

Senator Adler commented it appeared from the materials provided to the committee, not every youth received drug and alcohol counseling. However, the screening process revealed approximately 90 percent of the youths had a drug or

alcohol problem. He asked why treatment was not provided to 100 percent of the youth. Mr. Kennedy answered 90 percent of the youth had used drugs and alcohol, but not necessarily all 90 percent had a serious problem. Senator Adler pointed out it was possible the parents had a serious problem or the juvenile would have a serious problem after release and he felt treatment should be provided to all youth. Senator Adler said the assessment was a valuable tool, but on the other hand he asked why not offer a treatment program to every kid. The odds of the youth or their parents not having a problem or the youth not having a problem upon release was almost nil, based upon the data presented to the committee. Mr. Kenney responded he believed Mr. Burgess would answer in more depth, but youth committed to the youth training centers did receive drug education, whether or not they needed *treatment*, he emphasized.

Senator Adler pointed out if data was received through the assessment process which indicated the families and kids had problems, he asked if consideration would be given to universal treatment. Mr. Kennedy replied affirmatively. Using the new assessment process, it was the intent to work with families and have them in treatment while the youth was at the training center.

Senator Washington said he would assume with the assessments, the counselors would be able to pinpoint more accurately any related problems such as heavy substance abuse problems, experimental stages of drug usage or a related drug problem with family members. Using this assessment program, it would be possible to triage where the problem actually was. At certain ages children and/or youth began to experiment with drugs and as they grew older, the youth become more addicted or moved out of the experimental stages. The 90 percent figure was rather skewed, Senator Washington commented, the juveniles were all lumped together in one percentage group where they were all determined to have drug problems, without specifying the severity of the problem. The new assessment program would help determine the exact range. Mr. Kennedy agreed.

Mr. Bash observed the issue of families receiving treatment had been passed over rather quickly and requested Mr. Kennedy address three areas in terms of families receiving treatment.

- How successful was the ability to compel parents to receive drug treatment or substance abuse treatment if needed;
- What is the availability and accessibility of that treatment if families had been identified as needing treatment; and
- Were funds available to pay for indigent parents who were unable to pay for private substance abuse treatment.

Mr. Kennedy replied when it was realized a parent had a drug or alcohol abuse problem, it was recommended they attend groups such as AA (Alcoholics Anonymous) or NA (Narcotics Anonymous) as there were no funds available through the state to help these parents. With reference to the success of recommendations for treatment, like many things, if the person saw a need for treatment, they would follow through. It was difficult convincing the person they possibly had a problem and should be involved in treatment. The court had not been ordering parents into treatment.

Chairman Evans asserted she would like to stay with that subject for a moment. Mr. Bash had made a very important point as his question to Mr. Kennedy was if parents could be compelled to attend treatment; Mr. Kennedy had responded treatment was recommended only. Chairman Evans asked if this was the extent of the approach today. Mr. Kennedy responded with reference to compelling parents to attend drug and alcohol abuse counseling, a great deal depended upon the individual situation. Oftentimes parents wanted their kids home after serving their time in the training center, and in that case, the parents were told they must be involved in the treatment program. However, some parents were told their child would not be returned to the home unless they were involved in treatment, and the parents had been known to say, great, find someplace else for the child to live. Basically, trying to compel parents into treatment varied according to individual circumstances. Mr. Shaw added the answer to the question was no, the agency did not have the ability to legally compel parents into treatment, only the courts could do so.

Judge Schumacher remarked the legal ability to compel parents into treatment was available. The legislature amended the statute to include significant others in the household who may not be related by blood to the child. This had been considered by a number of other states to be progressive because the portrait of the modern family was frequently an adult in a parental role who was not related to the child. In the present situation, the utilization of assessments occurred

after the court's involvement. Traditionally, the child was sentenced and turned over to the state and there had not been a process whereby after the problem was recognized, the court ever saw the family again. Perhaps it was time to discuss this situation because the statutory authority was in place to compel a parent to enter into any program. The statute was incredibly broad and could include drug treatment or any other treatment program identified. The authority was there but the practice had been sentencing and then assessment; thereafter, the court never saw the family in order to utilize the power to compel treatment.

Chairman Evans expressed her surprise upon hearing Judge Schumacher's statement. Senator Washington reiterated that after sentencing was pronounced, the assessment was done on the juvenile; therefore, the court may not have any idea what the circumstances were in that family relationship prior to sentencing. Judge Schumacher replied certain assessments were generally done in order to sentence appropriately. However, the assessment as described by Mr. Kennedy was done after the court had committed the child to the Division of Child and Family Services. In Washoe County, full family assessments had not traditionally been done due to the lack of funding and resources. There were some exceptions, and occasionally it was obvious additional work needed to be done with the family. Nevertheless, her previous statement was true of most children, one assessment would focus on the child's needs at the time of sentencing and then the broader assessment as described by Mr. Kennedy would come after the court had committed custody of the child to DCFS. There were times, however, when the court had real concerns about a child and could request a hearing when the child was paroled, but this was an exception. The traditional flow of the case was away from the court to the state.

Judge Schumacher restated the law existed to order parents into treatment and the court could be asked to enforce that order. However, in her jurisdiction, she had never been asked for such an order.

Senator Washington referred to the comment about lack of funding and resources for family treatment and asked if funding was provided for assessments to be done prior to sentencing, and should more assessments be performed to obtain an overall picture of the juvenile and the family makeup. Judge Schumacher responded if that was the direction taken, she suggested careful consideration be given to the possibility of delaying the child's sentencing. If a family assessment could be done timely, there would be no quarrel; however, even when in depth assessments were needed and private resources were utilized, it had often delayed sentencing more than desirable. Care should be exercised. Senator Washington remarked the idea was not to delay sentencing, but to get an overall picture with reference to care after sentencing and after parole to ensure the child stayed out of trouble.

Judge Schumacher said it was clear to her that the legislators who enacted this law anticipated the court's help might be needed to compel parents to make the changes they needed to make for the sake of the child, but the law had not been utilized.

Chairman Evans declared this was a weak link in the process which deserved a red flag.

Mr. Bash requested some clarification from Judge Schumacher because the same dynamic existed not only for kids who had been committed, but when a youngster came to the court and was placed on probation; then the probation officer discovered the family had extensive problems. This same dynamic existed within county services, county camps and county probation. Judge Schumacher remarked the practice of asking the court for orders had not been followed and in most of these cases, it could legally have been done.

Senator Adler inquired if the state sent the court an assessment report after the child had been committed, and could the court then bring the parents back in to impose some type of conditions after the fact. For instance, if Mr. Kennedy had seen a particularly bad assessment of the family, could that report be sent to the court and the court could then order the family to appear and sanctions could be imposed at that point. Judge Schumacher responded she did not think the law precluded such action. Senator Adler commented that even after sentencing, those serious reports could be identified and forwarded to the judge to keep the judge informed. At that point, the judge could review the report and correct the situation. Judge Schumacher replied she believed this could legally be done. However, she felt there might be better ways to get that information and the parents before the court, but legally, she did not see a reason why that could not occur, only that it was not now occurring.

Mr. Hadfield asked that as a follow-up to this discussion, would it be possible to verify the practice in each judicial

district. He stated he had been directly involved in juvenile matters for years, but in previous days, as part of the presentence investigation, most of the information was developed then. Mr. Hadfield said he felt it was rather odd that a system was in place where a child was sentenced by the court prior to determining the family situation which may have contributed to the behavior which resulted in a sentence by the court. He commented he would be interested in knowing if this was a common practice throughout each judicial district whereby the assessment was not developed prior to the sentencing.

Judge Schumacher clarified that she had not suggested that juvenile services in Washoe County did not develop some of this information. This assessment was different than the one described by Mr. Kennedy. Nonetheless, she stood by the statement that the court was not usually asked for orders with respect to the parents. She felt the juvenile probation officers attempted to work with the families, but it had truly been the unusual case where there had been court follow-up with the families and she thought a lot of that was related to lack of resources. Juvenile services stretched its budget to cover the services needed for the child and Judge Schumacher felt juvenile services would need to be differently funded if they were expected to broaden that service. In her experience with the officers, Judge Schumacher pointed out the folks on the front line absolutely recognized the necessity of compelling parents into treatment. It was not a situation where the problem was unknown, but was very closely tied to a lack of resource issue.

Mr. Bash commented Judge Schumacher's observation was astute. He remembered very vividly that when he entered the system some 30 years ago, the practice was a very comprehensive and thorough report was generated by the probation department before disposition. The practice had evolved over the last few years and now a number of youngsters go for disposition based primarily upon the circumstances of their offense, without the probation department ever having an opportunity to do an assessment. Those completed assessments were usually not in depth or very comprehensive. In Clark County, for example, a large number of cases go directly from plea to disposition without that intervening evaluation.

Judge Schumacher remarked in Washoe County, the practice had swung back to an assessment of every child. What Mr. Bash had stated was true even as recently as two years ago, but now an assessment was written whether or not it was used in court, to better plan for the child.

Chairman Evans requested Kevin Powers, Deputy Legislative Counsel, to follow up on Mr. Hadfield's query about the practice in each judicial district and how it was handled. She felt this would be very instructive. There were different approaches and not to say that one approach was right, but a great deal could be learned from the respective jurisdictions. This whole issue was very pivotal -- where the assessment happened in the process, how much was known and how much that was taken into account at an early stage of the process.

In light of Mr. Bash's questions posed earlier, Chairman Evans inquired what was the process when working with parents and families to refer them to AA or NA or other similar programs. Mr. Kennedy responded he had not been totally accurate in the beginning. There were additional programs which were available in Clark County and other parts of the state such as WestCare which ran adult detox programs. There was a booklet available which parole officers used that could identify programs for adults and/or parents.

Mr. Kennedy said oftentimes when a parent was ordered by the court and forced to enroll in drug and alcohol abuse programs, as Hunter Hurst had said at the last meeting, this approach usually failed. If someone was made to do something they did not want to do, he questioned whether the person would follow through and take the message to heart. The person must want to change and want to fix their family problems.

Chairman Evans referred to Mr. Bash's question about how this treatment would be paid for. She assumed there were many cases where a person was referred to a private program and could not or would not pay for the treatment. The problem was recognized, treatment was recommended, but there was no follow-up to ensure the person actually took action to get help. Mr. Kennedy said on an individual case-by-case basis, the parole officers follow-up to make sure the family was receiving help and to monitor what was happening in the family. There were programs which operated as private, non-profit ventures and operated on a sliding scale so parents could afford treatment. Obviously, there were other programs which they could not afford.

Chairman Evans asked if the parole officer found the family was not getting help, what happened next. Mr. Kennedy responded the officer would continue to try to encourage the family to get help, but if the family was so dysfunctional they could not realize their activity was detrimental to the youth's placement, alternative placement would be found for the youth which was appropriate. Chairman Evans commented in terms of reintegration with the family, the parole office would recognize this was not a home environment where that youngster could be placed, either on probation or upon release from a juvenile facility, and would be placed into a group facility or foster home. Mr. Kennedy indicated that was correct.

Senator Washington referred to the previous discussions about following-up with the family and the lack of resources, and suggested the parole officers were probably stretched fairly thin. It would be interesting to know what the case loads were and what kind of numbers the officers were dealing with when discussing assessments of youth and their family situations. It did not matter when the assessments were done when parole officers were stretched thin, the result would still be inadequate to deal with the problem. Senator Washington acknowledged his summarization may be inaccurate, but he asked for some further enlightenment about the parole officers and their case load. Mr. Kennedy responded the current case load, both institutional and youth on the street, averaged about 50/50 and varied according to the number of youth released to the street. Currently, the average case load was 69 youth for each parole officer.

Chairman Evans inquired what was the national standard, and whether Nevada rated high or low. Mr. Kennedy said he did not know, but he could get that information. He thought the standard was approximately 23-24 cases per parole officer on the street. Chairman Evans observed Nevada was triple the national average.

Mr. Bash stated his expertise was not in the area of substance abuse, so as the substance abuse programs were explained later in the day, he would very much like to have the question of involuntary parents addressed. He understood that the traditional thinking was that people must hit bottom before receiving treatment and that someone could not be forced to have treatment. However, he understood that approach had changed and in effect now the bottom was raised. In other words, conditions were created which would motivate these people into treatment rather than waiting until the person acknowledged they needed help. A situation was created by intervention so the person had to acknowledge the need for help. He would like to hear from the substance abuse professionals whether there was hope to deal with people as involuntary clients and whether that should be a strategy to be utilized rather than waiting until the person was ready to receive treatment.

Senator Adler said he had heard a crime expert from Oregon in another committee hearing who presented a detailed summary on people coming out of prison; the recidivism rate was identical for those who were court ordered and those who voluntarily entered treatment programs. This expert said he had no data to suggest there was any difference between the two groups. The reason was because no one went to alcohol or substance abuse counseling voluntarily. Either the court ordered the person to go or they were forced by family members or other circumstances; i.e., the wife threatened divorce, the child said he would leave home, the threatened loss of a job, etc. In summary, every person in counseling had been leveraged in, whether by a judge or by someone else; there was little difference. However, this summary related to adult offenders who had been sentenced to prison, not juveniles.

Judge Schumacher indicated she ran a juvenile drug court and the treatment providers from northern and southern Nevada supported the same story, exactly as Senator Adler has suggested. The new studies showed if a person was ordered into treatment or entered voluntarily, the outcome was the same. When the treatment providers presented their testimony today, Judge Schumacher asked that they describe what the treatment consisted of in terms of intensity and duration. She was somewhat concerned when Senator Adler spoke of treating everyone, there might be such a small amount of treatment provided as to be ineffective. As she did not know exactly what was being provided, she would appreciate learning whatever the providers could offer.

Senator Washington said he would like to return to the issue of the parole officers case loads of 69 youth. He was concerned that after sentencing and after the youth was released on parole, whether the youth received a continuum of care. He said he was unfamiliar with a parole officer's job description and what it entailed, but he would like to know how the officer handled those 69 cases. The senator stated he was aware each individual was different, but were the officers making home visits, going to classrooms, making sure the juveniles were going to school and to their treatment programs, etc.

Chairman Evans commented Senator Washington had a good question. She directed her attention to Mr. Kennedy and inquired if he could elaborate for Senator Washington. Chairman Evans also called attention to Exhibit D and commented there was quite a bit of information under tab 1. Mr. Kennedy responded he would like to clarify the case load of 69 youths per officer. That number represented both parole and institutional cases combined. For example, a parole officer in Reno currently had 50 youth on the street and 34 youth in the institution for a case load of 84. Another parole officer in Las Vegas who had a specialized sex offender case load had 19 cases on the street and 26 cases in the institution for a combined case load of 45. When an average figure was mentioned, it was an average of the total parole and institutional cases. With reference to the duties of parole officers, Mr. Kennedy said some of that information could be found in Exhibit D under tab 1.

Mr. Bash said nationally most of the professional organizations have steered away from using case load as an indicator of anything. Work load had been determined to be more relevant and the reason was because case loads varied in terms with what was being done with each case. A case load requiring intensive supervision would be different than one requiring standard supervision. Work load could be measured in other ways than by the parole officer, for example, mental health counselors had been added and were taking some of the responsibility of the parole officer who had initially done the home evaluation. When the work load of a system was reviewed, whether a probation or parole department, attention must be diverted from the average case load and concentrated on what was being accomplished within the subgroups. In each of those areas, there were some standards in terms of how many sex offenders should be in one officer's intensive case load versus how many kids with standard supervision. Work load was the model being used nationally and numbers were no longer being cited for case load because the figures were irrelevant.

Chairman Evans said there were more questions, but she felt when the balance of testimony was presented today, she felt many of the questions would be answered. She asked Mr. Shaw to introduce the next speaker.

Ed Burgess, Superintendent of the Nevada Youth Training Center in Elko, explained the alcohol and drug abuse program at the youth training center in Elko was class certified by the Bureau of Alcohol and Drug Abuse as a prevention, intervention and education program. It was not termed or classified as a treatment program. Mr. Burgess said his staff consisted of five alcohol and drug abuse counselors who were certified by the Bureau of Drug and Alcohol Abuse (BADA). One of the five positions was a grant position which was funded through BADA and that position devoted full time to an alcohol and drug abuse education and counseling program.

As had been pointed out by Mr. Kennedy, the training center was in a transition process of doing the assessments in the community which had previously been done in the centers. Mr. Burgess said the assessments received thus far from the community were much superior to what had been generated in the past because the mental health counselor had access to the family and the child and they could put together a much more comprehensive evaluation than from the parole or probation officer's summary and the tests which had been administered at the institution. This community assessment was a real plus and once these evaluations were in full swing, it would enable the centers to develop better programs in all areas, not just alcohol and substance abuse.

Previously, Mr. Burgess explained, upon the commitment for all male youth, they were coming to the training center in Elko. Approximately 21 days would be spent in a reception and classification program. While in that program, substance abuse issues were addressed by administering a variety of testing instruments to measure the severity of the problem the child may be experiencing. Tests such as the SASSI (Substance Abuse Subtle Screening Inventory) were used as well as the Minnesota Multiphasic Personality Inventory-Adolescent (MMPI-A) as the major instruments in determining the substance abuse level along with other problem areas.

Based upon the information received from these tests, children would be assigned into individualized programs. Each child had a written program with specific goals. If he fit into the substance abuse category, he could be placed into a substance abuse and counseling education class. This was an assigned class such as mathematics, language or any other programs which were part of the curriculum. This program had a study guide and an instructor and Mr. Burgess remarked he would be happy to provide copies of the study guide to the committee if they wished. Children were assigned to the centers for a minimum of six weeks and provided with educational credits as well as grades. If the child completed the assignment, they could be passed out of the center in six weeks. If not, they would continue on for an additional six weeks in the program.

Mr. Burgess commented individual counseling could be an assignment which one of the other substance abuse counselors on staff would address on an individual basis. Part of the curriculum was education as to the dangers of continued use of psychoactive drugs, relapse prevention counseling, HIV and AIDS education counseling thinking errors, development of positive values and overcoming denial. On any given day at the center, there were between 90-100 kids who were exposed of some form of drug counseling or education. Earlier, it had been said that 90 percent of the kids received in the center had experienced or experimented with drugs and/or alcohol. Those kids probably did not need treatment. They did get some education, but not as formally as those who had been identified as having a problem.

Some pre and post tests were done based on the MMPI-A findings and the goals assigned. Mr. Burgess said the students basically showed improvement in self-esteem, understanding problems associated with substance abuse, and development of an overall healthier perception of self in relationship to others. The program format which was used or emphasized was basically two approaches. One was the AA or NA approach, the 12-step program. Additionally, people were trained and could provide education and therapy in the Rational Recovery (Addictive Voice Recognition Technique - AVRT) program in dealing with substance abuse. The basic differences, Mr. Burgess explained, was the AA model recognized alcoholism as a disease, Rational Recovery recognized that substance abuse was a willful act and that the individual was in control of his behavior and had a choice.

Mr. Burgess commented over the last five years, FY 1991-92 through FY 1995-96, 1,050 kids had passed through the BADA program. Of those, 169 or 16 percent had been revoked through the court systems to the center for law violations. In most cases, the violations were directly or indirectly related to drug offenses or drug activities. Once a child had been through the training program, a determination was made if he was ready to go back into the community. Working with the parole counselors, some children were identified as being cleared and not needing further intervention in the way of education, counseling, or inpatient treatment. Some of the kids were recognized as being in need of outpatient care, and were referred for individual placement in residence programs for treatment. The parole officers followed up on the recommendations made from the center and an appropriate program was negotiated for the placement of the child after he was released from the center.

Senator Washington asked for an explanation of the methodology behind Rational Recovery. Mr. Burgess responded he was not an expert in this area, but this was a fairly recent method which had been developed. Mr. Kennedy interjected that Rational Recovery, also known as Rational Emotive Therapy or Addictive Voice Recognition Therapy, used cognitive techniques to dispute irrational beliefs. It stressed the youth's capability to control his or her own destiny and the techniques were designed to induce the youth to critically examine his or her personal beliefs and behaviors. The principles teach self accountability. Youth were not asked to rely upon a higher power to cease their dependency as in the 12-step methods. Youth tended to want to be in control of their lives and this approach gave them that ability. Rational Recovery was a good tool to work with other types of problems, such as sexuality, social acceptance and other youth issues because the youth was taking control and understood he was in control. The youth must understand the voice which said he wanted another drink or that he should do some bad thing that the youth was in control of that voice. The books and literature referred to this voice as the "beast." The youth must be in control and this program taught self control.

Senator Washington referred to the 37 years Mr. Burgess had worked at Elko, and his comments about the children of parents and sometimes grandchildren who had been seen at the center. He said his question was two-fold; one, what was the drug of choice and whether it had changed during Mr. Burgess' tenure. Secondly, Senator Washington commented something must be wrong if there was a propensity to see three generations at Elko. This was alarming as the cycle had not been broken, and he asked if Mr. Burgess would share his thoughts on the matter.

With reference to the drug of choice, Mr. Burgess explained over the years, drug usage started with LSD and other mind altering drugs, such as marijuana. As the kids became more informed, they abandoned other drugs and usage was predominantly marijuana and related products. Most recently, an increase had been seen in chemical drugs, methamphetamine and speed on the streets, as well as cocaine. Currently, there were also very limited amounts of heroin.

Referring to the sons of those who had attended the center in years past, there had been a few. It did not, in Mr. Burgess' opinion, represent a significant problem. With reference to the third generation of youth, there had only been two or

three kids who had gone through the center and he did not feel there was a significant problem there either. He believed in most cases, the cycle was being broken.

Mr. Shaw called attention to Exhibit D at page D-2, a survey of drug use by institutionalized youth versus the general population of youth in high school. There were some very significant differences. For instance, marijuana usage was approximately 73-74 percent in the institutions and the general population usage was 24-25 percent. Without drawing any conclusions, Mr. Shaw felt that was a startling conclusion that institutionalized youth use over twice as much marijuana. Cigarette usage was about the same; alcohol usage was approximately 13-14 percent more than in the general population; and methamphetamine usage was over double in the institutions.

Senator Washington commented he read an article some weeks ago regarding heroin use by youth in Texas where there were 12-14 related deaths. The writer indicated that heroin usage was on the increase again, not through intravenous use, but by snorting and smoking, and the drug was purer. Mr. Burgess responded at this point they had not encountered much heroin usage, but if it was available, it was only a matter of time. Senator Washington said these were children of very affluent parents from well-respected neighborhoods.

Mrs. de Braga inquired if parents were involved either by being identified as being part of the problem or in the recovery process. Mr. Burgess replied yes. Parents were often identified as being part of the problem and in need of treatment. As part of the counseling program, youths were instructed how to live with parents who were users and abusers. The parent could not be changed, but they could help the kid learn how to deal with the parent.

Mr. Bash pointed out he was aware of the difficulty of being asked to answer a complex question in an off-the-cuff, quick way and therefore he was not asking for a response to his question today. A tool had been provided to the committee which would be beneficial if reviewed before the next meeting. Some research had been presented which spoke of successful programs and five different variables or factors had been identified as contributing to positive outcomes versus negative outcomes. This constituted a good report card in identifying the strengths and weaknesses of the system. He asked if it would be possible to take a look at the state juvenile justice system substance abuse programs in light of these questions and to address those questions as more philosophical or broad-based system questions rather than individual program questions. He felt this would help gain important insight into the system and what direction it should go.

Mr. Shaw asked if Mr. Bash could be more specific, if his question related to the counties and the state or the state only and if the administrative support should be measured. Mr. Shaw agreed this would be a very telling tool. Mr. Bash replied he was looking at the issue as broad-based as possible, not at the county level, they could do their own analysis, but at the state level. Administrative support would include legislative support, community support, and not be narrowly defined. He would be interested in whether the programs were getting the broad-based support needed from the communities, sister agencies, the legislature, and the executive branch. Mr. Shaw inquired if a position paper following these guidelines would be acceptable. Mr. Bash remarked that would be extremely telling and very beneficial to the committee.

Chairman Evans stated Mr. Burgess did not have to answer her question right now, but as part of the Mr. Bash's request, she would like to know Mr. Burgess' evaluation of the programs and the approaches currently in use. In other words, the programs sounded good and made sense, but did they really work in terms of effectiveness. Was there an evaluation as to their success and how could that mechanism be proven.

Senator Adler directed his question to Mr. Burgess. He asked if it would help that when a kid was sent to Elko, in every case, should the parents be ordered by the court into parenting classes; possibly addressing substance abuse and other issues. If a youth was sent to Elko, he would guess in 95 percent of the cases there were issues in the family concerning parenting which needed to be addressed. Also, if the parents refused to go to parenting classes, that would be an indicator that an alternative placement should be considered once the youth was finished with the program in Elko.

Mr. Burgess said through the new method of family assessments done by the counselors in the community, those areas could be identified as to whether the parents needed counseling, parenting skills or treatment themselves. These issues could be emphasized at that point. Some kids do come from good families and sometimes not. However, he answered yes to Senator Adler's question. If the problems were identified at the assessment level, it would be appropriate to

recommend parenting classes because the assessments would become more refined and the problems could be identified.

Senator Adler commented if the parents' problems were identified before the youth was returned to the family and the parents ordered into treatment, if that would be a rational way to proceed. Mr. Burgess answered affirmatively and said this was done frequently now, even with parole. If a problem was identified in the institution, the parole officer was contacted and they would pursue the issue with the family.

Chairman Evans remarked this was a very important issue, but to keep in mind there was a great deal more testimony to be heard in the committee today. Mr. Shaw introduced De Von Porter, the acting superintendent at the Caliente Youth Center.

Mr. Porter said he would like to focus on the differences between the programs at Caliente and Elko. When a student entered Caliente, he became a member of one of 14 processing groups which functioned 7½ hours every week the entire time the student was assigned to Caliente. These programs were cognitive and behavior-based, and there were shades of therapeutic community in the process as well. The students were never out of their small community; they had a group of maybe 10-11 students and the youth remained with that community the whole time they were assigned to the institution, unless their behavior was so bad the youth was returned to Elko.

There were 66 females and 88 males assigned to Caliente, the normal population. Mr. Porter said each one of the students received drug and alcohol treatment, and there were 12 different problem areas where a student could focus. One of these areas was drug and alcohol and in the first four months of this year, 22 percent of the group process time was spent on that subject. The program was intensive. The 14 group leaders had an enormous amount of experience and some of them had been running the group for 15-20 years. Individual counseling was provided for those youths who needed it; however there was only one doctor providing that counseling. Mr. Porter addressed Senator Washington and said the students had received approximately 51 minutes per week of drug and alcohol education. An in depth record had been kept for the last two years so there was a record of the counseling taking place. Quality was an issue which was more difficult to measure whether a student was successful or not. With reference to using the recidivism rate as a method of measuring success, Caliente was at approximately 14-18 percent.

Mr. Porter said the students were taught the same types of skills in many areas besides drug and alcohol. Training included a challenge to the youth's beliefs and they were taught they were capable of making sound decisions either by themselves or in the group process, particularly when related to drugs and alcohol. Seeing the perspectives and ideas of others really helped the students learn to control their lives. Relationships were discussed and how alcohol or other drugs could destroy a relationship. At this age, relationships were of utmost importance and there were other students in their own group talking specifically about how they would respond to a friend if he had a drug or alcohol problem.

Alcoholic families had been discussed and Mr. Porter commented a large percentage of students came from many generations of drug abuse. The new assessment which was being put into place would give a good picture of the level of abuse and would give real depth to the family's abuse patterns. The counselors really try to teach that there were other role models and the youth did not have to abuse alcohol because his parent was an alcoholic. Mr. Porter said there was an effort to teach their students about media because it appeared that drug use was common; however, in Colorado, 85 percent of all adults and youth never partake. In addition to the group process, there were two pilot programs where various different methods were tried; i.e., relapse prevention models. The offense and abuse cycles were discussed to determine triggers. Caliente Youth Center had a comprehensive program and Mr. Porter encouraged the committee members to visit.

Chairman Evans commented the programs at Caliente contrasted those at Elko and probably worked better given the different population. One of the tasks of this committee would be to determine what worked and what did not work. The programs would be evaluated to ensure the best possible results.

Mr. Porter remarked in discussing programs which worked, there had been some studies done on various programs. In 1989, the University of Connecticut School of Medicine conducted a study as to the types of therapy and what really worked. The outcome was that people with low cognitive functioning worked best with the cognitive behavioral

approach such as Rational Emotive Therapy or Rational Recovery, a break off of Rational Emotive Therapy. Thinking errors were addressed and the person was able to reform their thought process, which was a cognitive approach. It appeared to work for those who were less adaptive. For those who were more adaptive, an interactive approach appeared to work well. There was a difference between the boys and the girls at the institutions. The girls functioned at a much higher level and in the group process, there was work on support, emotions, relationships and other things which the younger boys did not understand. As a result of the study which took place, in 1991 or 1992, a program called "Match" was conducted which showed that treatment worked.

Chairman Evans reiterated the ability to track youngsters was a key element. One indicator was the recidivism rate and it was very hard to make concrete statements about the successfulness of a program. This was a different problem in terms of data collection and reporting through the various levels.

Judge Schumacher referred to testimony which described a six-week module in Elko and what was described in Caliente amounted to 51 minutes a week for drug and alcohol treatment. It was assumed by the court and the public defenders that sending youth to either of these two institutions was the equivalent of providing drug education, but not drug treatment. The level of treatment provided had not accorded with her understanding of treatment needs for a person with a serious problem who could be assisted in less than one hour per week. Mr. Shaw responded he understood the 51 minutes per week provided at Caliente was for specific substance abuse treatment in addition to 90 minutes or more per day which was spent in the group process dealing with issues including substance abuse.

Senator Washington referred to the assessment procedure and asked if there was a problem with sharing of information and assessments interdepartmentally so the youth could be dealt with accurately and to ensure the assessments were forwarded to the appropriate county agencies, the family courts and the juvenile justice system. If multiple assessments were made and no information was being shared or there was a confidentiality problem, efforts were being duplicated and the issue was not really addressed. That issue had arisen with the Department of Parole and Probation where information was not shared and there was a lack of communication.

Mr. Shaw responded the legislature had given the Department of Human Resources the authority to share information within the divisions and that was being done. Additionally, a joint process with the Welfare Division had been embarked upon through a four-state grant with Utah, Colorado, New Mexico and Nevada to help develop the TANF (Temporary Assistance to Needy Families) portion of the assessment. This would be implemented in northern Nevada, including Carson City and Reno jointly with the Welfare Division to determine what needed to be done with the assessments to bring the TANF program to success. Additionally, the same four states received a grant to deal with domestic violence, substance abuse and mental health issues. In terms of sharing information with the counties, Mr. Shaw pointed out the state was at the rear end of the process. The counties handled the front end of the programs providing the bifurcated system.

2. Fernando Serrano, President, Nevada Association of Juvenile Justice Administrators.

Mr. Serrano noted he was the Chief Juvenile Probation Officer for Humboldt, Lander and Pershing counties and he was before the committee today as President of the Nevada Association of Juvenile Justice Administrators in the hopes of giving some perspective on the county level. He thanked the committee for their interest and looked forward to working with the committee to improve the system.

The topic of today's hearing was of great interest to Mr. Serrano as he began his career in the substance abuse field. His first job was with Pat's Place, an alcohol detox unit on the second floor of the mental health institute, which he understood was still run by the Northern Nevada Substance Abuse Council. As others could attest, if someone wanted to start a career in the substance abuse field, a detox unit was as good as any place to start. At that time, Mr. Serrano said he experienced working with clients going through hallucinations, DTs, seizures, etc. While he was certainly concerned about the welfare of all the patients, what particularly bothered him then was when he was working with a patient who was his own age, just out of college. Mr. Serrano commented he distinctly remembered lying on the floor holding a patient's head to ensure the patient did not injure himself during a seizure. He had asked himself then and still asked today what lead to that situation, what factors were involved, what issues could have been addressed. He felt that was a critical issue and when discussing the juvenile population, this was a situation he would like to see youth avoid. Mr.

Serrano related he then became a substance abuse counselor with the Intertribal Council of Nevada and certainly that provided some experiences which he still drew on now in developing juvenile programs in the juvenile justice system. Nevertheless, it was the lessons and experiences working in a detox unit which had driven him.

As a final point of introduction, there must be recognition of the issues which juveniles were now experiencing. This had been touched on earlier, but Mr. Serrano wanted to elaborate further. There had been discussion of peer pressure, family pressures, school pressures, but sight could not be lost of substances abuses. In the 1960s and 1970s, the THC content in marijuana was 4-6 percent. Due to cultivating techniques, depending upon which study was used, the THC levels were now as high as 14 percent. Mr. Serrano mentioned methamphetamine and said a lot had been seen in rural Nevada, so he could only imagine what was seen in the Las Vegas area. He said he had been pleased to see the usage of crack cocaine drop, but at the same time, two factors — the lower cost and longer duration of the effects of methamphetamine were a concern.

There were no real surprises, Mr. Serrano explained, when earlier this week Clark County officials indicated that 20 percent of their bookings were under the influence when they entered juvenile detention. Also, Clark County's paperwork indicated that 80 percent of their youth were either directly or indirectly involved in substance abuse. In reviewing rural Nevada statistics, those percentages were very close to what the state as a whole was seeing. Was substance abuse treatment worthwhile, Mr. Serrano wondered. He felt that was a legitimate question, but a better question was whether the programs and methods to deal with an issue which affected over 80 percent of Nevada's youth were worthwhile.

Chairman Evans indicated this subject would be discussed further, and not confined to today's hearing, because some very important issues had been brought up. As there were so many who needed to present testimony, Chairman Evans said what would be helpful for the committee at this time would be a discussion from Mr. Serrano's perspective and that of his colleagues which simply focused on the topic of assessment, prevention, treatment and follow-up care in the various judicial districts. The committee had heard from the youth training centers and Youth Parole, and she was particularly interested in the county level.

Mr. Serrano said he would like to discuss the procedure when a youth was first brought into the system, substance abuse assessments, and whether the assessment became part of the juvenile's case file or record. He commented his remarks today would be a compilation of the results of a survey sent out to all the districts, primarily the six judicial districts, but addressed many programs were statewide.

There were two primary means in which a substance abuse issue would come to the attention of county officials. One was if the minor was arrested for a substance abuse related offense; i.e., minor consumption, minor possession, possession of drug paraphernalia, etc. The second would be if a minor came to the attention of the county authorities for a totally unrelated offense, but during the course of assessment, substance abuse issues were brought forward. For example, Mr. Serrano explained, if a burglar was arrested and as the assessment was done, it was found he was an alcoholic or addict.

With reference to differences from the state, Mr. Serrano stated the single biggest difference between the way the state and county operated centered around the first-time offender. Whereas, by the time a minor was committed to the state, the minor had already been through a number of programs and it was very clear there could be substance abuse issues. However, at the county level, the first time minor in possession was handled a little differently. Mr. Serrano referred to Exhibit D, under tab 2, page 3 which was Carson City's response to the committee's question. This procedure was followed nearly statewide, so by briefly discussing this response, the committee could get an idea of statewide practices.

When looking at the first offense for minor consumption, the minor's drivers license could be suspended for 90 days or the right to apply for a license was suspended for 90 days. Since the county started suspending drivers licenses, there was almost no referrals to the juvenile court for minor consumption in and of itself. Granted, there could be times where a burglary, sex offense or under the influence case could also be involved, but minor consumption was more and more rare. The drivers license suspension was one thing juveniles understood. With reference to previous discussions about truancy, Mr. Serrano stated that when drivers licenses were removed earlier this year for truancy, although it was too early for any long term data, initial results were positive in their effect.

For the second offense, the juvenile was looking at 6 months suspension of their drivers license or a delay of 6 months to apply for a license. Also, referrals were made for community work crews, substance abuse treatment, substance abuse education, etc., and a continuum started.

Mr. Serrano stated with reference to what was done with the juvenile, and whether treatment was provided internally or through purchased services, the assessment done in his district was the SASSI (Substance Abuse Subtle Screening Inventory). However, other instruments were also used to assess. In the great majority of instances, this assessment was done before the dispositional hearing. The findings of the assessment formed the foundation for the treatment plan and formed the foundation of what would be recommended for the minor when the judge received the assessment. In the great majority of cases, the judge had the assessment made available to him and those findings were included as recommendations.

Calling attention to the parenting issue, Mr. Serrano said court ordered treatment for parents was very common in his part of the state. With reference to purchased versus in-house services, Mr. Serrano commented one of the strengths resulting from the survey around the state was that probation departments really did a good job in accessing local services and maximizing what services were being provided at the local level. There was always room to increase and improve, but there were some good things happening. In the northern half of Mr. Serrano's district, some excellent work was being done with juveniles in the substance abuse field by Dorothy North of the Nevada Drug Commission. In the southern half, Kevin Quint with the Churchill Council was also doing excellent work. These programs were both BADA funded and Mr. Serrano felt his district was very fortunate. He reiterated no one agency had all the answers or could do the job alone. Agencies must work hand in hand and he considered the BADA representative Hector Reyes a member of his staff. Mr. Reyes became very involved in the programming, including the parenting program, and had provided input and advice which lead to the implementation of that program.

In Humboldt, Lander and Pershing Counties, Mr. Serrano remarked with the help of school counselors, parenting programs had been developed with excellent curriculum, first rate counselors and usually 0-5 people attended the program. As part of this BADA program, the families were court ordered into the program and the district had taken full advantage of those orders. The revision in the NRS to give judicial districts the authority over parents was Mr. Serrano felt, and not to appear overly dramatic or to exaggerate, a landmark piece of legislation. Using marketing techniques and court orders of parents, two parenting sessions had been held under this grant and 20 attended the first session and 18 the second session. Mr. Serrano said he was very pleased with those attendance records. Granted, however, if roughly one-half to one-third of those parents had not attended, a warrant would have been issued for their arrest.

With reference to the effectiveness of ordering parents into programs, Mr. Serrano felt exposure to the kinds of programs available was effective. He had found it interesting that parents did not feel they had to attend programs, but when they did, and although they complained a judge or probation officer had forced them to go, they were early for the classes and the assignments were done on time. This did not apply in all cases, however, but court ordering parents could be very effective.

Calling attention to in-house services in Mr. Serrano's district, all probation staff members were certified by BADA or were in the process of certification. This was strongly encouraged in the district. Many of the assessments were done in-house, although Vitality Center was utilized and their branch offices, as well as the Churchill Council. With reference to follow-up care after termination, Mr. Serrano said as the youth came closer to termination, there was a process identified as "closure." This meant probation would begin to wind down, counseling began to wind down. The juvenile was informed at that time if anything came up after termination, the juvenile should be free to call for help. In a rural community, there was an opportunity to develop that kind of relationship. The case loads varied from 25 to 30 per probation officer, which provided the luxury to develop those kinds of relationships.

A common theme in all the responses received from districts statewide was there was no formal follow-up after termination since the legal authority to do so was not in place. Mr. Serrano reminded the committee that even when probation ended, counseling did not end. If there were concerns, the counselor could get in touch with the probation department or the probation officer may informally try to check on the family. Likewise, attendance at AA or other groups did not end. However, Mr. Serrano repeated, there was no formal follow-up since there was no legal authority.

As a prelude to the fourth question regarding the effectiveness of treatment programs, Mr. Serrano commented that perhaps this issue could be over-analyzed. Regardless if this was an academic program, substance abuse program, or mental health program, Mr. Serrano contended it was his opinion he was in the business of restoring hope. He fully believed that if hope could be restored in the youth he was working with, in many cases the grades and substance abuse issues would take care of themselves. Certainly programs were needed to provide the youth with tools, but if hope could be restored, Mr. Serrano felt the youth would be well on his way. That was a central theme he wanted to convey throughout this process.

Referring to Exhibit E, Mr. Serrano pointed out the contents were included in the overall packets, but this had been included for brevity. First, "What Works?" was the skillful use of the court's authority to bring about positive change through referrals and close supervision. Many times the court was taken for granted. The juvenile court had tremendous authority in making recommendations which affected the lives of the families the probation officers worked with. With that authority went a tremendous responsibility that what was being recommended was indeed in the best interests of the minor and would bring about the desired results. This issue went back to the assessment, the assessment was critical, nevertheless, there was always room for growth.

As a brief aside, Mr. Serrano said Washoe County had an assessment instrument for misdemeanor offenders which was very good and covered family, school, drug use, suicide, etc. There was a more formal instrument for those who had committed gross misdemeanors and felonies.

Next on the list of what worked was something collectively referred to as early identification and intervention, continued Mr. Serrano.

Senator Adler indicated he had a question concerning a drug or alcohol problem in the family when the assessments were done. He inquired if the counselor was likely to get a straight answer from the juvenile on those family issues. If the youth knew he was headed for Elko, he might be more apt to tell about his family rather than protecting them from embarrassment. Senator Adler was interested in when the most accurate information could be obtained from the youth. Mr. Serrano responded that many times when a referral was made, no matter how comparatively minor or serious the offense, that was often a symptom of a much greater issue. Many times the initial offense was a simple shoplifting charge and as the assessment progressed, there were a number of other issues which developed. It was more common to see parents who were hurting and very emotionally distraught over what was happening to their child and were all too often willing to share much more than asked. As had been previously stated directly or indirectly, the juvenile court often saw offenses which were a symptom of a greater issue. The staff and professionals used systems designed to try to catch some of these other symptoms. Generally speaking, however, Mr. Serrano said the family issues do surface, maybe not at once, but after awhile.

Continuing, Mr. Serrano said strong family support and involvement together with the NRS Chapter 62 which enabled the court to order parents to participate in treatment was another part of what worked. In most districts, Mr. Serrano understood court ordering of parents was a common tool.

Additionally, close or intensive supervision was an important issue. Referring to page 2 of Exhibit E, Mr. Serrano pointed out the commitment rate in the Sixth Judicial District was very low. Many times, the district would send 10 youth per year to a state facility, where a district of similar size may send closer to 40-50 youths. The reason for the low commitment rate was utilization of close supervision. Credit should be given to the county commissioners because in Humboldt, Lander and Pershing counties, the commissioners had stepped to the plate on this issue. As a result, each officer had an average case load of 25 or as high as 30.

Senator Adler asked if more resources were put into parenting classes, alcohol and drug abuse classes at the community level, more probation officers or other supervisory personnel added, and if closer tabs could be kept on the youth and their families, if the commitment rate to Elko and Caliente could be reduced. Mr. Serrano replied he did not think there was any question that the best way to dramatically reduce the number of commitments would be to implement a program as just stated by Senator Adler. It was no accident that when intensive supervision was utilized in Washoe County before the subsidy was cut, their commitment rates had lowered. After the subsidy cuts, the commitment rates increased. Clark County officials had testified that with intensive supervision, commitment rates had also gone way

down. Mr. Serrano observed he did not view this as dealing with just juvenile issues but with family issues and he was very excited about the court ordered parenting classes.

Senator Adler remarked the additional supervisory personnel would have to be in conjunction with mandatory parenting classes. Mr. Serrano agreed, it was a package deal. The issues presented by families were not neatly packaged, it was not just simply the juvenile had a school problem or there was only a family issue. Many times there was an academic problem, the juvenile was way behind in school, and there was a substance abuse problem. One of the trends Mr. Serrano had seen as the years went by, was parents had a drug problem equal to and many times worse than the minor.

Chairman Evans indicated the committee would like to break for lunch and asked that questions be held until Mr. Serrano had an opportunity to finish his presentation before more questions were posed.

Referring to Exhibit E, page 2, Mr. Serrano said his purpose of presenting this page did not relate to detention in and of itself, but some of the things which worked. During the last 11 fiscal years, Lander County had committed five youth to the Nevada Youth Training Center. Even by far the largest county in the district, Humboldt County, had committed 21 kids in 11 years. In the last eight fiscal years, seven youth had been committed to the Caliente Youth Center from Humboldt County. During the last eight years, Pershing County had committed only 4 kids. Mr. Serrano reiterated these low commitment rates did not happen by accident.

Just as importantly within the probation realm, much had been done in this area. Mr. Serrano said he would be grossly misleading the committee if he did not indicate that while the district was pleased with the low commitment rates, the Bureau of Alcohol and Drug Abuse deserved just as much credit for the low rates as the probation officers. The mental health officers in the district deserved just as much credit. The school districts through their alternative education programs and the commitment they had made to correctional education programs deserved just as much credit as the probation officers because it was a collective effort. There was a lot of talk about the judges, and the probation officers, but much credit went to the BADA representatives, Dorothy North, Kevin Quint and others. If the rates were to be kept at these levels, all these agencies deserved credit for working together.

Exhibit E, page 3, listed the juvenile department programs. Referring to assessments, Mr. Serrano said in order to be as effective as possible, the assessment tool must expand to the whole family and all issues involved. These programs covered many different areas including substance abuse, mental health, education and accountability issues. Although this page represented the programs in the Sixth Judicial District, a similar sheet could be put together by many of Mr. Serrano's counterparts in the state. There were a lot of first rate programs in place, which were a variety of in-house and purchased services. Frankly, from a logistical standpoint, it was easier to do in-house programs, but many times from a fiscal standpoint the district would have to rely on the local alcohol and drug counseling office, mental health, etc.

Mr. Serrano said the alternative education program deserved some credit in restoring hope in juveniles. Many kids had fallen way behind academically and had no chance to graduate with their classmates, if they could graduate at all. The alternative education program was two-fold. One, it helped the youth gain a GED or alternative diploma, and two, through intensive one-on-one help, enabled the youth to catch up with their classmates, return to the high school and walk down the isle to receive their diploma. In a nutshell, Mr. Serrano declared, restoring hope.

With reference to recommendations, Mr. Serrano said he believed a comprehensive approach with family, school, mental health, and physical health issues as used in Washoe County was a good program. Families must be treated in totality. The probation chiefs were nearly unanimous in the survey as to the need for increased residential beds. It made sense if 80 percent of the minors in the system were presenting substance abuse issues, then not all of them needed to be committed to Elko or Caliente. If a way could be found to increase prevention monies, that would probably be the best single investment the state could make. There had been prior testimony about the cost of housing a minor at Elko or Caliente as compared with the minimal cost of prevention. If this situation were run like a business, there would be more funds on the prevention side than on the treatment side. If some mechanism could be found to expand the number of treatment facilities, Mr. Serrano did not feel he was going out on a limb by saying if the number of treatment beds were radically increased, there would be a substantial drop in the number of youth going to Elko or Caliente. Those treatment beds, as had been stated in prior testimony, would cost a fraction of what correctional beds cost.

Senator Washington called attention to the number of youth which had been committed to state facilities over the last

few years. He commended Mr. Serrano on this excellent record and his praise of BADA was noted. However, there was an entirely different problem in Reno and Las Vegas. BADA had a presence in those communities, but they were almost nonexistent, while the number of committed youth increased because of drug usage. The senator indicated he was aware of certain situations with youth who had gone to treatment programs and had continued to use drugs or sell drugs after release. When asked if the youth had been to a treatment program, most times they said they had been through a BADA certified program, but still returned to the street and ended up being committed to Elko or Caliente. Although he was impressed with Mr. Serrano's numbers, the youth in the urban areas and especially the minority population numbers continued to escalate and BADA had not made an impact. This was an area of great frustration for Senator Washington.

Responding to Senator Washington, Mr. Serrano indicated he would like to address a couple of issues. He did not mean to suggest the overall issues in rural and Clark County would be the same, but he felt it was important to note that Kirby Burgess, the Director of Clark County Family and Youth Services, and he had spoken on this issue at length on several occasions. What had been found was there were some similarities when the core issues surfaced. The issues concerning lack of self worth, identity, lack of belonging, were some of the issues which might lead a minor into delinquent or perhaps gang-related behaviors. Many of these core issues existed whether the minor lived in Lovelock or North Las Vegas. With reference to BADA programs in Clark County, Mr. Serrano commented he had no knowledge as his career had been in northern and rural Nevada.

One additional comment said Mr. Serrano, was when he was working in Mineral County, he had the pleasure of working with Kathy Bartosz of BADA. What had impressed him was her willingness to come to Hawthorne (from Carson City) to help while he was the chief probation officer in Mineral County. There might be a false impression that BADA was a bureaucracy where a request for proposal may or may not be funded; but this was clearly not the case. Ms. Bartosz was willing to come to Hawthorne, Hector Reyes was willing to come to Winnemucca (from Carson City) and had a very integral part in developing the parenting program.

Briefly, Mr. Serrano had mentioned substance abuse treatment. The youths housed at Leighton Hall Juvenile Detention Center were taken to 5-7 AA meetings per week, and they have psychological evaluations, substance abuse evaluations, etc. It was important for the committee to know that he had spoken to the chief probation officers in those five counties who were working to open a facility in Silver Springs. One of the things he was most excited about was the commitment of those administrators to substance abuse related programming at the Silver Springs facility. He could say with every confidence given the numbers being seen, if there was no local substance abuse programming, the commitments to state facilities would skyrocket. Some programming had just been initially implemented at the juvenile detention center in Elko, so the concept was expanding and based on prior experience, Mr. Serrano said he was very excited about the results which would be seen.

Senator Washington said he did not intend to lash out at Mr. Serrano or BADA, but there were different circumstances in the respective communities, although he agreed the core issues were still the same, self worth, self esteem, family relationships, etc. He noted there had been some religious affiliations or churches which had expressed interest in working in aftercare markets or after drug treatment cases. A few had come to Senator Washington and asked how they could become a part and participate in these aftercare programs to help youth. There had been a frustration level which had been indicated to Senator Washington that certain pastors and religious leaders could not obtain BADA certified counselors or become BADA certified. There was a willingness in the community to help, but there was a frustration level on how to help.

Chairman Evans thanked Mr. Serrano for his presentation and reminded the committee the reports from the different judicial districts were in the supplemental packet, Exhibit D. She encouraged the members to review these reports to become familiar with who was doing what in each district. She thought it would be helpful to have a side-by-side comparison between the nine judicial districts. Even though the reports were all together, it was easy to forget what was discussed in the First Judicial District by the time the reader came to the Fourth Judicial District. This was not to say or suggest the districts should necessarily all be identical, but the programs must be effective. Consistency and continuity must exist among the programs and a determination made if there were some holes which needed to be plugged.

Chairman Evans asked Ms. Jenson as the research staff member for the committee to prepare a matrix for the two big counties, side-by-side. She asked that a different matrix be prepared comparing the other judicial districts so the

programs could be seen all together rather than individually. She asked Mr. Serrano to work with Ms. Jenson in the preparation of these matrixes. The committee would have a better feel on a statewide level as to what was and was not being provided in the various programs.

Directing his attention to Mr. Serrano, Senator Adler commented he really appreciated the job Mr. Serrano had done. One item which was particularly gratifying to the legislature was that Mr. Serrano followed through with programs. Senator Adler thought Mr. Serrano's district was the only one in the state which had enforced the state's truancy law that was recently passed and the parental responsibility laws. He appreciated Mr. Serrano's efforts because that was the intent of the legislature to have those statutes implemented.

Mr. Serrano indicated he appreciated the senator's comments and he assured the committee he would keep them posted on how the program was evolving. His final comment was to express his appreciation of the chair's comment about the programs not having to be identical to work effectively and local strengths and resources could be tapped into. He had been born and raised in rural Nevada and had spent most of his career in rural Nevada. Sometimes there was a misnomer between urban and rural Nevada. Each county in the state had its own personality and strengths and community standards which could be tapped for resources. The ideal scenario would not be an identical one, but to obtain the maximum out of local resources.

Chairman Evans stated this discussion had been very helpful in terms of when a youngster touched the juvenile justice system. There would be more questions to others about early detection, prevention, and intervention programs and other systems which may be able to identify kids who appear to be getting off track. In subsequent hearings, the schools would be asked to make a presentation to see if young people could be identified before they were arrested and taken into custody for whatever violation. Clearly, teachers and school counselors were confronting some of these issues every day and early detection of substance abuse and other issues was something which must be explored. Any agency in the community, whether a social service agency, community based group, church or others were in this situation together. Steps must be taken outside the juvenile justice system as well and the issues addressed before the child got even as far as juvenile probation.

Chairman Evans reiterated notification would be received from the NCSL about the national teleconference in late February, which she and Senator Washington heard about just recently. She felt the committee would want to participate in this teleconference and she would obtain the date and time; the duration of the program was said to be approximately 1½ hours. It would be decided whether to participate in this teleconference in conjunction with the next meeting or do it separately.

Chairman Evans indicated consultants would be invited to participate in a minimum of a one-day workshop which would not be held in this hearing format. The committee/ hearing format was not conducive to good discussion and dialog. The committee as well as others must have an opportunity to sit around the table to talk and exchange information.

Prior to this workshop, Chairman Evans felt the committee needed to make a greater effort in community outreach. The hearings were all public and it was clearly understood anyone could attend the hearings, but that still was not enough. Chairman Evans asked the members to do some homework sometime in mid to late January; i.e., go into the community and visit as many state and local sites as possible, detention centers, youth parole, community organizations, county organizations and anyone who worked with juvenile issues. If the committee members had not already visited some of these sites, Chairman Evans strongly encouraged them to do so and talk with those in the industry. This was not to be a formal visit, but to be done on each member's own time in their own area. Many parts of the state were represented by this committee and the members should become familiar with what was in their own area and the facilities in Elko, Caliente, China Spring and Spring Mountain.

Additionally, Chairman Evans explained the committee would break into work groups. In Las Vegas, she asked Senator Wiener to take charge of the Clark County legislators, and to feel free to invite adjacent southern Nevada counties. She referred to Exhibit C, tab B at pages E-12 and E-13, the flow charts provided by Mr. Shaw about the juvenile justice system and the juvenile court process. She asked everyone in their own areas to reach out to not only state and local agencies, but to the community as a whole and the court system. The local outreach groups should go through this

process and determine what the agencies and communities considered the strengths and weaknesses of the system, and help identify the areas which needed improvement. At page E-14, there was a list of typical juvenile probation department programs. Some of these programs had already been discussed in the committee; however, not every jurisdiction had every program. The question was how restitution was handled, alternative education programs, certainly alcohol and drug programs, tutoring programs, employment programs. Chairman Evans requested the members obtain local input in evaluating the juvenile justice processes and system in their respective judicial districts and/or adjacent judicial districts. Chairman Evans said she would like to work through Mr. Hadfield's office in terms of contacting local entities and making them aware of the committee's intentions.

In Clark County and southern Nevada, Chairman Evans said the members would be Senator Wiener as the chair of that group along with Senator James, Mrs. Segerblom and Mr. Bash. She asked Ms. Jenson to provide staff support for the southern Nevada community outreach meeting.

Chairman Evans asked Ms. de Braga to focus on her judicial district and/or adjacent districts and staff support would be provided to her. Chairman Evans requested Senator Adler do the same in his community. The dates for these outreach meetings would be set according to each group's individual schedules, Chairman Evans said the meetings would not be coordinated through her. In Washoe County, Chairman Evans appointed Mr. Sandoval, Senator Washington, Judge Schumacher, and herself to the group. She advised Mr. Hadfield he could participate in Carson City or any other area he wished as he spent a great deal of time around and about the state.

In terms of the specific information which should be gathered, who the members should be talking to and what they hoped to accomplish would be provided individually by Chairman Evans. She indicated she would provide some guidelines which were just that, guidelines. She asserted what the committee members should be trying to do was community outreach, trying to draw more people into the discussion than were presently involved. This would not happen unless a time was set aside to send invitations across the board for participation. Some suggested groups to contact would be provided, but by use of the media, Chairman Evans hoped the committee could reach beyond traditional thinking. She said it would be desirable to have more than just state and local agencies. People from treatment homes, foster care, the PTA, churches, and schools should be contacted to provide a greater sense of how the community viewed juvenile justice and what their concerns were. Their concerns may be very different than what had been discussed in this committee. Chairman Evans suspected in some cases, the state may be quite far afield in terms of how juvenile justice was viewed and what the community thought juvenile justice was all about. The committee must absolutely have this perspective, emphasized the chair.

This community input was being requested to provide experiences and help the committee evaluate all the things which had been laid out in the packet provided to the committee (Exhibit C). The effectiveness of the programs should be discussed with the front line dealing with youth -- school counselors, probation counselors, substance abuse counselors, etc. They should be asked to help evaluate the effectiveness of those programs and the members should be prepared to report back to the committee.

Chairman Evans commented *A Legislator's Guide to Comprehensive Juvenile Justice* which was distributed by the NCSL in conjunction with OJJDP and provided by Ms. Jenson in Exhibit C should be used as a tool to help formulate questions and it should be reviewed thoroughly before going into the field.

Chairman Evans reiterated she would help the members, staff support would be provided, but she was relying on the members to take the lead in their own communities. The chairman commented she had a special request for Mrs. Segerblom which was to investigate the community mediation program in Boulder City. She would in particular like to know more about the program and when the group convened in southern Nevada, she asked Mrs. Segerblom to bring in some people from Boulder City to describe how the programs worked, how it was put together and their successes on the subject of restorative justice. If that was the direction the state decided to go, they could build on some knowledge from Boulder City. Mrs. Segerblom indicated her agreement and would include Henderson as well.

Senator Adler asked if staff could provide some information to the committee. Earlier he had mentioned different funding formulas for education for delinquent kids. In California, he believed a factor of 1.46 for the DSA (Distributive School Fund) was used which they were then allowed to fund over a 250 day school year rather than 180 days. He asked

if some information could be obtained because the funding was utilized to provide vocational training which was not done in Nevada due to lack of funding.

Senator Washington mentioned that Senator Rawson had put on a conference approximately one and a half years ago which dealt with mediation by peers in local high schools. He wondered if more information could be found about that conference to see if the programs were working and how effective they were. Possibly that concept could be utilized in the comprehensive program on restorative justice. Chairman Evans commented that was a great idea and suggested this issue be discussed with the schools when the outreach hearings were held.

The committee reconvened after a lunch break and Chairman Evans informed them that Ms. Jenson was distributing a video tape entitled *Restoring Justice* produced by the Presbyterian Church (U.S.A.). She asked the committee to review this video carefully. Mr. Bash brought the video to her attention and she had been very impressed with what it had to say. There would be a presentation today on restorative justice to introduce the concept to the committee and further discussion would be held in the future.

8. PUBLIC TESTIMONY.

Chairman Evans said due to travel constraints, she would grant a request for some public testimony to be taken at this time and the committee would then return to the agenda. She recognized Gerald H. Mager and Illona Mager, and asked them to come forward to present their testimony.

Mr. Mager remarked both he and his wife were victims of juvenile crime and he preferred to say they were also victims of the system. The juvenile crime they were victims of was the death of their 17-year-old son on Valentine's day of 1996, by another juvenile. The crime was multifaceted, no drivers license, extreme felony reckless driving, and the driver had illegal drugs in his system. The boy who was driving, Brian, was picked up in October of 1995 for possession of narcotic paraphernalia and being a runaway. Washoe County Juvenile Services put him through a life skills, alcohol and drug education class and a prison tour. They did not charge Brian with a felony, they did not remand him to a court hearing, but handled him informally. An assessment was not done, or if they did, it was incompetent. Had juvenile services done an assessment, they would have found out Brian had been a daily drug user for two years at that point. Brian was handled informally, he was cut loose with no follow-up, no assessment, no treatment and four months later he killed Mr. and Mrs. Mager's son. He had admitted to the court that his largest drug use was in November and December after his arrest in October.

Mr. Mager said he felt Washoe County Juvenile Services was equally responsible for the death of their son as Brian was. If they had done what they should have done, Mr. Mager said his son would be alive today. He declared juvenile services should never handle a case informally, especially when it could and did include a felony. Not only does this lack of follow-up have an affect on such people as Mr. Mager and his wife, but it circumvented AB 176, which required a conviction if the person was in possession of or use of alcohol, drugs and other substances. There were other certain sanctions involved which required a conviction. If the cases were handled informally, juvenile services had totally circumvented what the legislature had placed into law.

According to a letter dated December 5, 1997, from Washoe County (Exhibit D, tab 2), Mr. Mager said the county was still handling these cases in the same manner, even after what had happened to his family. However, Mr. Mager said he had been told today that the county was no longer handling cases this way, juveniles were put through an assessment. Although a juvenile may not be taken to court, his drivers license would be removed, etc. The county was still not taking juveniles to court to be convicted and fall under the laws passed by the legislature. If in fact the county was doing something different than itemized in this letter dated only six days ago, Mr. Mager felt the person who was in charge of the department did not know what he was doing and this was a very scary situation, in his opinion.

Mr. Mager commented the story got worse. When Brian was arrested for the death of the Magers' son, he had no drivers license, felony reckless driving, he had an involuntary manslaughter charge and when his drug test came back positive, there was no felony charge for drug usage. Mr. Mager said he did not know why, but the juvenile probation officer in her report (Exhibit F) called this an "unfortunate accident." Mr. Mager contended this was a lot worse than an unfortunate accident. The probation officer continued to indicate that in his felony reckless driving, Brian was doing 45-50 miles per hour. She obviously did not read the Washoe County Sheriff's Office investigation report which stated a

minimum possible speed for the severity of that accident and with their measurements and tests, was at 55-61 miles per hour. Minimum speed, emphasized Mr. Mager, which was ignored by the probation officer. The boy at this point was still denying any addiction to drugs, even though he admitted to years of abuse even while being evaluated by Dr. Richard Weiher.

Brian was Steven's friend, Mr. Mager stated. Steven had had a drug problem, but Mr. Mager said Steven had not gotten by without accountability. Juvenile services certainly did not apply any meaningful accountability or sanctions or treatment in October. Mr. Mager felt this was absolutely necessary in these cases, the treatment was needed, but so was meaningful accountability. Mr. and Mrs. Mager were driving their son to NA meetings and Brian was going with him before the accident occurred. Among other things which juvenile services stated in their report was:

Although no one can actually say that they know what the Magers are going through, it is this Officer's belief that Brian, himself, is dealing with a loss. The Magers lost their son and that will never change, however, Brian, not only lost his best friend, but his careless actions are the cause of losing his best friend. Brian will live the rest of his life knowing that his recklessness took somebody's life.

It was as if to say his loss was greater than ours, Mr. Mager declared. He called attention to Exhibit F and said this was an official juvenile probation report to the court. Their recommendations for this crime did not include any serious sanctions. Juvenile services wanted probation for this crime, reviewable within 90 days. They wanted Brian to go to NA meetings instead of a serious in-house treatment program for a person who had been on drugs for three years. A treatment program would have been more appropriate, Mr. Mager noted. Juvenile services wanted Brian to attend school. Was that not required of good kids, questioned Mr. Mager. Only now did they require random drug testing. Mr. Mager said this was entirely too late. Juvenile services recommended search and seizure, impact panels. Mr. Mager did not believe anyone should go to an impact panel *after* they had already killed someone, it should be reserved for people who got DUIs before hurting anyone.

Another recommendation was to purchase a tree and plant it in a location of the Magers' choosing. Mr. Mager remarked he was sorry, but a tree was not the answer. Steven was their only child, they would have no grandchildren, and a tree could not replace them. Brian was also requested to participate in a speaking program. The only sanction Brian received was he could not obtain a drivers license. Mr. Mager commented Brian did not have a drivers license at the time of the accident. Drivers licenses were removed now just for possession, much less killing someone. Juvenile services only asked for a 9-month suspended sentence, reviewable in 90 days. Restitution was recommended for the damage to the car, which did not belong to Brian. No restitution was requested for Steven's funeral expenses or the ongoing counseling sessions, nothing for the Magers.

Mr. Mager said this probation report was an absolute kick in the teeth. Juvenile services did have a problem; there was a serious problem in Washoe County. They could not differentiate between minor crime and serious crime, nor what to do with juvenile crimes. No proper assessment was done at the time needed, court was avoided all too often and no conviction obtained. Mr. Mager said the story got worse.

The Magers attended a plea hearing and found out what this report would say. Mr. Mager said he spoke to the district attorney and it was recommended he speak to Leonard Pugh, the supervisor at juvenile services. Mr. Pugh did not write the report and Mr. Mager said he had been told Mr. Pugh could change the report if necessary. The Magers made an appointment to see Mr. Pugh on August 24 of that year. They expressed their concerns to Mr. Pugh, who told the Magers he had not seen the report. The probation officer was on vacation and when she returned, he would talk to her, review the report and get back to the Magers. It seemed at that time that Mr. Pugh was agreeable and compassionate, but he never got back to the Magers, until they reminded the district attorney. Finally, on Friday, December 6, 1996, with the sentence hearing on Monday morning, Mr. Pugh contacted the Magers. By that time, it was known Mr. Pugh did not agree with the Magers as he had waited so long to get back to them.

Mr. Mager attended the meeting with Mr. Pugh alone and Mr. Pugh proceeded to tell him he agreed with the report. There was no malicious intent. Malicious intent or not, Mr. Mager commented, a serious crime was committed. There was certainly intent to take the drugs, certainly intent to drive the vehicle. These were choices people make, valid conscious choices. Those two felonies combined to cause the death of our son, Mr. Mager said. He always thought the

commission of a felony causing a death was murder, but not to juvenile services. As Mr. Mager continued to question Mr. Pugh, it became somewhat of an argument at that point and Mr. Mager was told that Steven had, in a round about way, been responsible for his own death because he got in the car. Needless to say, Mr. Mager was extremely angry and he vowed not to let the matter go, and he would not let it go until changes were made which required juvenile services under penalty of sanctions of their own for not following the laws passed by the legislature. Juvenile services must do certain things and cannot be allowed to handle things informally. There had to be mandatory, meaningful sanctions, accountability for the juvenile who committed the crime, and accountability by juvenile services. As far as Mr. Mager was concerned, juvenile services committed a crime here with no accountability. They could not be allowed to make these decisions on their own in Washoe County, they did not know how.

Mr. Mager declared he was so appalled by this case. He agreed with the testimony this morning about accountability and treatment in an escalating manner. The juveniles in Washoe County considered juvenile services a joke, a lot of sound and fury signifying nothing. Mr. Mager contended the juveniles thought it a rite of passage if they were arrested and sent to juvenile services because nothing happened to them. If a juvenile was placed on probation, the probation officer threatened them with certain accountability and sanctions if they broke probation. If the juvenile broke probation, the threats were not followed through. This was a classic parenting tool -- do not threaten without following through. Mr. Mager reiterated juvenile services in Washoe County did not follow through.

Mr. Mager said he was flabbergasted by this treatment, he was disgusted and angry and was in front of this committee in the hope that something meaningful would be passed to order juvenile services to do what they were supposed to do. He said it was unbelievable that when Brian was arrested, he had no credits in his senior year, no credits in his junior year, and juvenile services could not decide what to do with him. Mr. Mager exclaimed he held juvenile services equally responsible for the death of his son as he did Brian.

Mrs. Mager pointed out her husband was just as emotional about this situation as he had been almost two years ago when the accident happened. She said she had gone into the community and affiliated herself with MADD (Mothers Against Drunk Driving) and tried to make some changes because she had no faith in the system any more.

Being frank with the committee, Mrs. Mager said her son had started using drugs when he was in middle school, the 8th grade. When she found the paraphernalia in the house, she called Children's Cabinet to ask what to do. They suggested she call the police. She and her son had been through counseling privately, tutoring, through the school counselors and there had been behavior problems. She had not realized the problems were so serious and had become drug abuse. Mrs. Mager said she called the police and at the time juvenile services had not taken the problem lightly. Her son was placed under house arrest, he was given a list of friends he could not associate with. After waiting 2-3 months to go to court, he was placed on formal probation. That was a tool for Mr. and Mrs. Mager to use to be consistent and give consequences to their son for his actions if he continued to use drugs, which he did. The only way probation could act efficiently was if it was possible to get the cooperation of the parent involved. The parent must feel that juvenile probation was their ally not their enemy.

From the moment she found the drug paraphernalia, Mrs. Mager felt she was losing her son. Mentally, when a teenager turned to drugs and was not responding to the series of penalties which were set forth, the parent started to grieve and almost felt as if they had lost their child. There were days when she felt she had lost her son, but that was not the reality she now faced. Because during the worst of that time she had hope. There was no hope for her son now.

When it had been discovered Brian had been driving the car and all the circumstances involved, Mrs. Mager revealed at first her heart had gone out to him. She did not think clearly enough to realize this was not a no-win situation. Brian was alive and he won because as long as he was alive, he could make choices and he was responsible for his life. She felt the purpose of juvenile services and all the facilities should be to assist parents in fighting for that child's life to be a productive and functioning adult and not in the state prison in Carson City. Her son had one of the thickest juvenile folders in Wittenberg, she was told, because his probation officers always felt there was hope for him and they were always willing to put him through program after program in an attempt to try and help him.

Mrs. Mager told of her son being sent to China Spring and she and her husband participated in that program. Before being sent, her son had not been coming home at night, he had tested positive for drugs while on probation, and he was

acting out at home. They had to fight to finally have him committed to China Spring. When he went, the program was very successful for him. The counselors worked with the family, which was a very, very important component. The parents were allowed to visit on Sundays after the first month to see their child and were notified if the child was sick in order to take him to emergency care. Counselors were accessible while the child was there. China Spring taught the child responsibility, self-esteem and that he must earn his way back into the family. Any family who was dealing with a drug-abusing teen was traumatized. Mrs. Mager said honestly there were times when she did not want her son home because their home life was a nightmare, but after her son came home from China Spring, he was much better. She did not feel there was the support mechanism within the school districts to accommodate kids who had been in a detention facility where they did not have exposure to drugs and their friends. Frequently, the kids in Wittenberg had attention deficit disorder, which her son had.

Mrs. Mager remarked the school district had a certain amount of responsibility, the families had a responsibility, the juvenile services had a responsibility, and the legislature had a responsibility and everyone must do their job. If parents were resistant, Mrs. Mager heard today the courts had the legal authority to order parents to counseling as they had been ordered. The counseling and drug programs must include the families. After her son finished at China Spring, he started using drugs again after about six months. Brian and Steven's other friends were also using drugs. Brian had told the Magers that Steven did not want to go back to using, but it was made easy by his friends.

Steven was sent to the residential drug rehabilitation program at St. Mary's in Reno. This was a very good program. Steven was counseled and the family was included one day a week where they worked together. That was one of the most important parts. After the six-week program, there were meetings once per week with a parent group and a teen group where the stresses of having a recovering teen back in the home was discussed as there were still issues to be addressed. Mrs. Mager said all these things come into play with drug use and acting out teenagers and the risky behavior which went along with drug use. Brian was not charged with a DUI because they were told his drug level was low. Mrs. Mager said her point was not the drug level. Rehabilitation programs pointed out that normal risky behavior by teens was enhanced when they were using drugs. She believed it was this enhancement of Brian's risky behavior which caused him to make the wrong choices several times that day. If at any one time, he had made the right choice, her son would be alive today.

Mrs. Mager said she had spoken to the Reno Police Department's boot camp. The boys and girls who had graduated from that boot camp had a relapse and were not faring so well, so it had been decided to have another session and invite MADD, SageWind, and others to give talks to the kids to help them realize early where their future may be going if they did not understand they needed to make a change. These kids were young, between 13 and 15 years. When they heard the story of Brian and Steven and asked what had happened, they also asked where Brian was now. Mrs. Mager revealed that was one of the hardest things she had to answer because seven months in Elko and two years without a drivers license seemed so insignificant when they could see the pain she was in and all the suffering that had gone on since the tragedy of that Valentines Day.

Everyone had a responsibility, Mrs. Mager continued, and the kids were listening and measuring. They all knew that if the authorities were lenient, they would just get a slap on the wrist and they could go on. She pointed out to them that Brian's father loved him, but he did not know how to reach out for help and he turned his back when he knew there was a situation in the home that needed to be addressed. His father did not know how to get help. Those were the people Mrs. Mager wanted to reach. In school district meetings, she had heard there were high school programs which were trying to avoid parent contact when doing their student assessment programs for suspected drug use in the classroom. They wanted to avoid the parent because they did not want the headache and the teen was saying he would not participate if his parents were told. Someway the information must be gotten out that all of us have to work together, Mrs. Mager insisted. Parents have to understand that they must work with the system.

Mr. Mager added he and his wife had been at the legislature to support AB 176, and a comment by one of the assemblymen prior to their testimony was "what are we trying to do, make it too hard on the kids?" Mr. Mager said he did not want to make it hard on the kids, but they must be hard on the kids who commit crimes. He did not mean arbitrarily, but treatment must be included if drugs were involved. Almost every child who went into juvenile services had an underlying drug or alcohol problem. That being the case, there must be a meaningful, strong accountability the first time they went into the system. Mr. Mager pointed out he did not mean incarceration, but they must have

something which would affect them along with the treatment, so they do not want to go back. Avoiding assessment, avoiding court, slaps on the wrist even on the first offense was not sufficient. He got the impression from juvenile services that Brian's case was being treated almost as a first offense. Excuse me, Mr. Mager asserted, Brian killed someone, he killed our son. Juvenile services determined Brian was not a threat to the community. Mr. Mager pointed out Brian was a threat to everyone on the highway that day, he was a threat to his son and the other two passengers in the car. To send him back to the street without any accountability, he was still a threat to the community. Washoe County Juvenile Services did not see the case that way.

Mr. Mager asked that this situation be remedied. It was too late for them, but if the problems were not remedied, more children would be killed.

Chairman Evans thanked both Mr. and Mrs. Mager for their presentation. She and others who lived in Washoe County had seen the stories in the newspaper and it had been a horrific experience for the family. Chairman Evans expressed her sorrow at the situation. Although their experience unfortunately could not be undone, she thanked the Magers for coming forward and said they would do their very best to look into the situation and hopefully make some changes which would not let something like this continue.

Mr. Mager suggested the committee talk to victims of juvenile crime in preparing their final proposal for correcting the system. Chairman Evans responded that was an excellent suggestion in terms of the community meetings which would be held in January. She said an effort should be made to hear from both sides, the youngsters themselves, their experiences and observations, who had been through the system, and the parents and victims.

1. Marilyn Morrical, Chief, Bureau of Alcohol and Drug Abuse, Department of Employment, Training and Rehabilitation.

Chairman Evans recognized Ms. Morrical and asked that Dorothy North join Ms. Morrical and Ms. Bartosz at the witness table.

Ms. Morrical indicated her presentation would be in two parts. As the questions were framed by staff, a request had been made to address both prevention and treatment issues. She said she would be speaking to the treatment end of the spectrum and Ms. Bartosz who had been with the bureau and developed prevention programs since their inception in Nevada, would be talking about prevention activities.

First, Ms. Morrical said she would like to give a brief overview of the bureau's activities and funding. In the last year, FY 1997, BADA funded just a little over \$7 million worth of treatment services. Four million dollars was in federal dollars and the balance from state general fund dollars, except for a \$640,000 amount which came from the excise tax revenues and was allocated for treatment. Of the programs funded, approximately 12 percent of the funding dollars was actually dedicated specifically toward adolescent programming and 7 percent of the individuals seeking treatment were adolescents, 18 years or younger.

Within the packet of information (Exhibit D), data had been provided on all funded treatment programs. Adolescent treatment funding had been separated out on page 2 and totaled \$849,376 which was dedicated specifically to adolescent care. Page 3 listed the total amount of all the programs funded by BADA. Ms. Morrical said it should be noted while looking at the amount of funding provided by BADA, basically all the funded programs also received funding from other sources, either to a larger or smaller extent. The treatment program representatives who had been invited to speak had the ability to obtain insurance reimbursement if a client did have insurance. What was represented on page 3 was just the amount of dollars contributed by BADA to those programs.

Ms. Morrical remarked earlier it had been asked what were the primary drugs of choice for adolescents. The current client data indicated marijuana was the number one drug of choice at 51 percent for adolescents. Methamphetamine was at 23 percent, which Ms. Morrical said was very scary. Methamphetamine had some very significant side effects. In addition to the initial high which an individual got with this drug, when the person came off the drug, there were some significant paranoid reactions and reactions which looked like an acute psychiatric episode. Not only was the high usage of the drug a potential problem, but when the person was off the

drug, there was up to a two-week time frame where the person could experience some significant paranoia and psychiatric-appearing problems which could in and of themselves create significant problems. That 23 percent usage level by adolescents was a real disturbing number. Additionally, the methamphetamine on the street was almost 100 percent pure, which meant it was far more potent than the user expected it to be. Therefore, the potential for overdose was tremendous.

Chairman Evans called attention to Exhibit D, at page 2 under tab 3, the total amount of \$849,376 which had been dedicated for adolescent treatment. She asked what portion of need that amount funded. Ms. Morrical responded they were just completing their needs assessment data for the state and admitted she did not have a good handle on the needs yet, the raw data was just being analyzed. What was known was that 19.1 percent of the entire population in the state, according to the needs assessment, was chemically dependent and in need of treatment, not just using drugs. All the statistics indicated that adolescents abuse at a comparable rate to adults. Therefore, it could be assumed that percentage of adolescents needed treatment, not just prevention or intervention services. Chairman Evans commented it appeared that of the more than \$7 million in total treatment funding, only \$850,000 was being allocated for adolescents. Ms. Morrical agreed that amount was clearly not enough. Treatment for adolescents was a newer phenomena than for adults and the treatment programs had established funding sources over time. As adolescent programs grew, new dollars were used to fund those new programs. The mix was not adequate.

Chairman Evans said she would not dwell on these numbers for now, but she felt the fiscal side was extremely important, not only the amount, but how it was divided between adolescents and adults. The issue would have to be revisited in the future. Ms. Morrical pointed out when the needs assessment was completed, the funding issue would be targeted in 1999, when the data was completed.

Chairman Evans asked to move on to the criteria used by BADA to evaluate the results of prevention and treatment programs. She requested Ms. Morrical focus on how BADA monitored or measured the success of programs administered by the subgrantees. Ms. Morrical responded there were several ways to measure programs. The programs were required to submit information to the client data system and they were able to self-evaluate the prognosis of the client at the time of discharge. That rating was reported in the client data system. Beyond that, an independent outcome study was being conducted through the Center for Applied Sciences at the University of Nevada, Reno (UNR) and that outcome study currently looked at a number of factors at three months post treatment to provide data. There was no adolescent-specific independent study being done currently, due to the difficulty of trying to figure where the monies should be placed. Should a significant amount of dollars be placed into outcome measures which was very costly, or should those dollars be put into treatment. The agency was continually in a "Catch-22" situation.

Chairman Evans stated she understood, however, if funding was put into treatment and if the treatment was not effective, then those dollars were not well spent. Ms. Morrical agreed that was correct. There were other mechanisms used rather than outcome studies. Accreditation visits were done with the programs to ensure they maintained minimum standards of care. On-site technical assistance and monitoring visits were made to the programs and Ms. Morrical said she wanted to ensure the programs funded by BADA complied with the standard set forth for effective treatment based on national outcome data. There were a number of program elements which must be present to address adolescent treatment effectively. This data was obtained from the Center for Substance Abuse Treatment technical assistance manuals and they identified such things as the treatment services specifically geared toward adolescents, not a mixed population of adolescents and adults. The treatment, level of care and length of stay was individualized to that person as no one type of treatment worked for all kinds of clients. The program should be integrated and have a family component, which was a very strong piece of the program. The cultural issues should be addressed in treatment programs, as mentioned by Senator Washington.

Ms. Morrical remarked necessary components were included within the treatment programs in order to be funded. The AA and NA programs were assumed by people to be a component of the treatment program. In fact, AA and NA were not defined as treatment, and BADA would not fund those programs. The reason being that AA and NA were wonderful support or adjunct programs for some individuals, less so often for adolescents than adults. The programs were run independently of a treatment program, so while AA may be an adjunct to treatment, it was not

treatment itself. Chairman Evans said the funding would be an ongoing concern as she felt probably more than \$7 million was needed for treatment. Specifically, however, Chairman Evans wanted to know what the state was getting for the \$7 million investment. Ms. Morrical agreed with Chairman Evans and in approximately two months, much better data would be available.

Senator James agreed this funding issue should be looked at carefully. This issue was incongruous to him since he had heard that 90 percent of all kids going into correction programs were drug abusers and some other significant percentages were addicted and required major treatment. It was such a terrible problem, and kids became addicted faster to drugs and alcohol than adults. However, such a small percentage of the total funding for treatment was going to juveniles. Senator James conceded this was only one funding source, but it appeared completely incongruous. He wondered if it was the fault of the state in that the legislature had not funded the programs due to a lack of understanding of the need.

Secondly, Senator James wondered why so much less money was going to Las Vegas as opposed to the rest of the state. Just looking at sheer population numbers, there must be more kids in need of treatment in southern Nevada, but fewer slots were being funded in different programs. He inquired if there were just fewer programs in Las Vegas or was there some other reason for the inequitable funding pattern across the state.

Ms. Morrical called attention to the number of providers in one location as opposed to another location. She explained when a funding opportunity presented itself on an annual basis, an RFP (request for proposal) was issued and the program was funded based on the applications which were received and the dollars available. There had been fewer responses from Clark County in the past based on that system of funding. However, the method of funding was being changed as of January 1, 1999, to a system which utilized a NOFA (notice of funding announcement) which asked for presentations based on what BADA had determined to be the needs in the state on a geographic basis, and the program's ability to provide those services. She expected the funding to be redistributed significantly based on that process.

To follow-up, Senator James said he would like an explanation of the discrepancy between adult and child funding. He also felt the programs should be located near the families to the extent possible so there could be an effort to "knit" the family back together as part of the treatment. That would not be possible if the juveniles were sent all across the state. Ms. Morrical agreed with the senator.

Senator James reiterated his question about the funding discrepancy. Ms. Morrical replied this funding was provided based upon the amount of requests received from existing providers who responded to the RFP. It was more difficult to provide adolescent treatment, and many people did not have the expertise or did not want to provide that difficult level of treatment. Formerly, Ms. Morrical said she had opened and run the treatment program at St. Mary's Medical Center in Reno. An adolescent program was far more intensive than an adult program and took a very special kind of person to work with juveniles. There was not a plethora of providers coming forward to do adolescent treatment and this would be something which must be developed.

Senator James felt this was a very important issue and the state had not made the commitment, because the legislators had not made the commitment, to the serious need for drug treatment for kids. Drugs were the root of the problem with juvenile justice. He stated it was startling to him that marijuana was the drug of choice among adolescents and asked what marijuana did to them and how did the treatment differ from other drug addiction. In response, Ms. Morrical explained briefly that marijuana altered judgment, the ability to make decisions and choices, as do all other drugs. She pointed out marijuana was listed as the primary drug of choice, but almost every adolescent treated was going to have a combination of substances, with alcohol being one of the other substances they were involved with. These adolescents were not treated for any one substance in a program, they were treated for alcohol and drugs, and the approach was that none could be used because they were all mind-altering substances which decreased the ability to make good choices. Marijuana had a longer term of effect, commented Ms. Morrical, in that it stayed in the body for approximately 30 days for adults. It was slightly less in adolescents because of their low body fat.

Senator Wiener said she wanted to be accurate in her assessment and said she had heard testimony late in the last

session when discussing young people driving under the influence of alcohol and taking various responsible steps toward punishing those children. During that testimony, she recalled it would take 15 weeks of daily drinking to create an alcoholism problem. She asked if there was any data on that testimony because it was very profound and persuasive for the arguments to pass that piece of legislation. Ms. Morrical responded she was not familiar with that particular piece of testimony, but she could look for the information. However, she said some people would be alcoholic or drink alcoholically from their very first drink and that progression as described by Senator Wiener did not necessarily hold true for all individuals. What was known was the younger a person started using alcohol or other drugs, the more likely he would become an alcoholic or drug addict in need of treatment. Senator Wiener referred to the discussion about body fat and inquired if drug addiction occurred more rapidly in general terms the younger a person started using drugs. Ms. Morrical responded that was true.

Mr. Bash indicated he was concerned about the response to an earlier question and he wanted to ensure he had not misunderstood. In response to Senator James' question about the allocation of resources to the Las Vegas area, he heard that under the current system of allocations for juveniles which was very inadequate now, the solution would be to reallocate current allocations to juveniles and put more funding into programs in the south as opposed to the north. Ms. Morrical commented that was incorrect. What she had intended to say was that the existing funds were reallocated in total, the allocations must be based on the needs assessment data which would be by information received from the counties.

Mr. Bash pointed out testimony had been received earlier that BADA was supporting a substance abuse treatment/education program at the training center in Elko. He asked what was being done at the Caliente Youth Center or what was planned for the future in terms of the same program. Ms. Morrical said earlier this year, BADA had funded a position through Vitality Center who worked with the Caliente program. There was a problem with that individual and that position had been discontinued. BADA was in discussions with DCFS now to determine what could be done with the program at this point.

Senator Washington referred to Ms. Morrical's discussion about the qualifications for adolescent treatment centers, and said he had an opportunity to visit SageWind and speak with the director of that program. He asked what the qualifications were for an adolescent treatment center. He indicated he did not need an answer at the moment, but asked if the information could be submitted in writing for others who wished to become involved in adolescent treatment. Additionally, Senator Washington asked for the per bed cost for a substance abuser and how much of that cost would be funded by BADA. Again, he did not need this information now, but asked that it be submitted in writing.

Secondly, Senator Washington pointed out marijuana was the drug of choice, but he felt rock cocaine had a tendency to generate more dollars, it was easier to sell, more lives were lost from its use. He had seen from the ages of 15 to 21, many more violent crimes were associated with rock cocaine. He asked if there was any data to support this theory. When dealing with juvenile justice and juvenile crime, the more violent and heinous crimes were usually associated with rock cocaine, gang activity, territorial carving. This issue had been skirted and he viewed rock cocaine as the drug of choice in terms of the quantities sold and distributed. In addition, an increase or growth in gang activity had been noted from outlying areas, many from those moving from California and the migration of gang activity. Senator Washington said he had brought this subject up because he had an opportunity to discuss this with a couple of inmates who had told him that rock cocaine was being sold by juveniles and was readily available. He wanted to know if this was information was widely known, if anything was being done about it. Ms. Morrical indicated she could pull together the information from the client data system and the program reports prepared for BADA.

Chairman Evans said she would like to reassure Senator James that when she said she was not going to dwell on the issue of allocation of money, she meant that in the context of today's hearing. Clearly, the issue must be revisited and a lot of time would be spent on the subject of substance abuse and was one of the reasons so much time had been allocated today. There was a problem out there and this was just an introduction and a way to identify some of the key issues which would have to be revisited.

Referring to Exhibit D, at page 5 under tab 3, Chairman Evans said the last statement was of concern, "until such

time as there are funds to perform a study without taking money away from treatment, outcome data is limited to reports from the programs themselves." She said that situation would be revisited and as much as possible would be put into direct services, but clearly, if the state did not know what it was getting for the amount of money being spent, nothing would be gained. The entire subject would have to be revisited to ensure those dollars were being used effectively.

With reference to the question on the gaps or shortcomings in prevention and treatment programs, Chairman Evans said Ms. Morrical had listed several in Exhibit D, as well as a number of items which could improve the delivery system, and asked her to highlight those items.

Senator Washington asked that while discussing delivery systems, if Ms. Morrical could tell about aftercare treatment programs for adolescents and how they were working with parole and probation in that area. One of the items brought up by Mr. Mager during his testimony was intensive supervision, intensive probation and making sure the adolescent was held accountable not only during, but after the treatment was provided. Ms. Morrical replied when she finished her presentation, the actual providers of adolescent treatment were scheduled to speak and they could address his question at that time. However, clearly, in the program she worked with at St. Mary's, it was a given that from the moment a person entered the program, the parent signed a release which allowed an ongoing ability to talk to and work with the probation or parole officer and there was strong interaction throughout the process. Each of the program providers could address that issue with reference to their programs. Senator Washington said that would be a satisfactory way to proceed, but there was a concern based on Mr. Mager's testimony.

Ms. Morrical added that one of the issues which she had identified clearly as a gap in services was that services were only provided in eight of Nevada's 17 counties. It was truly an issue for doing family therapy and doing some of the intensive community work which was needed if children had to travel long distances to attend a treatment program. On the other hand, at times there was value for getting a child out of his or her current environment where their peers were gang members. On an individual basis, there was a need to identify whether it was appropriate for that child to be treated in the home setting where the family could be part of the treatment process or whether the child should be moved to a different location.

Only in Fallon and Reno, Ms. Morrical continued, was the full continuum of care available in a treatment setting. SageWind in Reno had intensive, outpatient day treatment, and residential care. Fallon had those components, but within different locations. Otherwise, the services were fairly scattered and not as comprehensive as they needed to be. The other piece of the issue was that 80-90 percent of adolescents who were chemically dependent had parents who were themselves using alcohol or drugs, and were abusive, either verbally, physically, or sexually. At the very minimum, these parents were totally non-supportive of the treatment process. A dramatic gap in service was a safe living environment for those children who would not necessarily need to be in the intensity of residential care, and over a long period of time could step down to lower levels of care. However, to go home to an abusive family was not an acceptable option for those children. A safe living environment was not something BADA had the capacity to fund under the federal grants in anyway as it did not meet any of the federal requirements, but it was certainly a need.

Chairman Evans said Ms. Morrical was right, one of the things which would be done in future meetings would be to focus on that issue. Just the substance abuse was a high correlate of delinquency. Additionally, good data could be found across the country that abuse and neglect were high correlates of delinquency.

Senator Washington said if there was an abusive situation, he assumed the county general services would play a part in handling abusive situations in child placement as well as DCFS and their foster parent program. He did not know if BADA had any working arrangement with that agency or program and he asked what the relationship between them was. Senator Washington said that information could be provided at a later meeting.

Ms. Morrical suggested some very basic things could be done to improve the system. Most of the kids who came to treatment did not have clothing other than gang-related or drug and alcohol-related clothing. Even access to something as simple as appropriate clothing which did not trigger gang acting out or drug flash backs was an

issue. Transportation to and from treatment was an issue, along with safe living environments. Access to positive role models was very important. As had been heard throughout this hearing, justice mandated for the parents as well as the kids in one way or another to participate in treatment. As a former treatment provider, Ms. Morrical said almost no one showed up in treatment because they had woken up today and said they were tired of using. There was always a hammer, and the greatest myth which had been circulated about substance abuse treatment was there must be motivation for the treatment to work. Conversely, it was the hammer which helped the treatment work. It got the person to treatment and it was then the staff's responsibility to get the person's attention and provide the tools to make better choices in life. For the most part, that was the process of treatment. First, working through the anger that someone forced the person to treatment, and then ultimately working through the relationship and giving the person the tools so they could go on being clean and sober and productive citizens. Justice mandate was a critical component for juvenile offenders. Sixty percent of the kids in treatment programs were referred by the juvenile justice system. Therefore, for 60 percent of those kids, there was a strong arm which could be used. On the other hand, using self reports by programs of clients' prognosis with adolescents, 34 percent showed no improvement by the program's evaluation at the time the person left treatment. Eighty percent of those kids who showed no improvement was because they were non-compliant with the treatment program and acting out. Those kids needed to be reincarcerated when they did not have compliance with the treatment plan. The greatest indicator from all the national studies of success was the length of time in treatment, the longer the person was in treatment, the more effective the staff, the better paring of treatment to individual needs, the better the results. When cooperation could be obtained through different players, the parents, the juvenile justice system, the schools and employers, if appropriate, all of those people could together put pressure on the child to obtain compliance with the treatment plan which made for better outcomes.

Ms. Morrical explained she would have to leave the hearing for another commitment, but she would be willing to take any written questions and answer them at future sessions. Chairman Evans thanked Ms. Morrical and said she would be back with more questions.

Mr. Sandoval called attention to Table 6 in Exhibit D, under tab 3, which related to the treatment outcome at the time of discharge. He said the percentages were vague and asked what was meant by no improvement, great improvement, fair improvement and good improvement. Ms. Morrical said there were parameters for these outcomes which were federally defined and was part of the federal client/data system which Nevada was a part of and all programs must report into. She said those parameters could be provided to the committee.

Mr. Sandoval inquired why someone would be discharged without improving. Ms. Morrical said it was often not by choice. If the child continued to act out after being given many chances, they were told this was their last chance, either behave appropriately and work within the program, or the child would have to be returned to Wittenberg Hall, China Spring, etc. Often, it was a mutual decision with the probation or parole officer. Sometimes, the parents pulled the child out of treatment so essentially, the child was leaving against medical advice. Those released with no improvement usually were due to circumstances beyond the treatment program's control.

Chairman Evans thanked Ms. Morrical for her presentation and recognized Kathy Bartosz of BADA who would address the subject of prevention.

Ms. Bartosz called attention to the handouts with her letter in Exhibit D, behind tab 3. She asked the members to follow along with her as she discussed the charts and then she would be happy to answer questions afterwards. Referring to the Prevention Continuum Road Map, Ms. Bartosz said initially the goal was to delay experimental or initial use of drugs. The further usage could be delayed in a person's life, the less likely that person would develop problematic use patterns. If that was not successful and the person went on seeking use or engaging harmful use, there was a need for intervention as opposed to prevention. The next step would be treatment and relapse prevention. The cycle went full circle as a number of good prevention programs also served as good relapse prevention efforts.

The question was asked how to determine a good prevention program, and Ms. Bartosz commented that had been learned over a period of time. In the 1960s, parents needed to tell their children about the harmful effects of drugs.

This was water off a duck's back in terms of prevention with regard to drug and alcohol abuse. The scare tactics employed in the 1960s really did not work. A lot of times, people's experiences with drugs were positive. The drug did what they thought it would do, made them feel light-hearted, more talkative if inhibited, so there are other very positive messages about drugs. Many people in our society do not have a drug and alcohol problem, they have a drug and alcohol solution. The scare tactic message was being counter-balanced by what was really going on, and the kids were seeing this in a very loose sort of way. In the past, Ms. Bartosz explained the military did some extensive research and discovered that people did not really get in touch with their own feelings of mortality and death until around the age of 25 years. When officers were brought into classrooms to show graphic photos of Jane Mansfield's car accident, it really did not impact the kids in terms of internalizing the situation and recognizing the same thing could happen to them.

The next step was to try being more accurate with information. Ms. Bartosz said graphs and diagrams were designed to show what crack cocaine, for instance, would do, what marijuana would do. This tactic was used with sex education, and it certainly had not stopped the incidence of pregnancy. Just having accurate information did not provide people with the motivation to make healthy choices, it just provided information.

In the late 1970s, it was the sign of the times to employ life skills programs, effective education which focused on how a person felt, how to communicate with each other, the inner child syndrome. This would make this child whole and help him make good decisions. That in and of itself did not work either.

Ms. Bartosz said the movement then went to healthy alternatives in the early 1980s, which was still used extensively today. That strategy worked well when employed correctly, sports programs, arts and recreation, etc. There were certainly those students who would have failed school if they had not been forced to stay in school in order to play football. However, this program worked because the child was kept attached to school which was good prevention. Prevention money had not been received in Nevada until the 1980s, and at that time, in 1983, the tough DUI law was put on the books and had some ramifications. The anti-smoking/anti-tobacco movements were coming around at that time as well and had to do with policies.

Ms. Bartosz said she had been happy to hear the chairman strongly supported community involvement, collaboration and outreach. That was what prevention was - it was not just the parents or the programs, children were raised in families, neighborhoods and communities. Everyone must come to the table and be a part of that effort. This should include those people without children who were role models whether they wanted to be or not. If a child in your neighborhood was acting inappropriately, it was Ms. Bartosz's opinion that neighborhood adults should look at what kind of role model they were portraying. Everyone had a role when it came to children.

The comprehensive strategy was where the state was now. With the exception of the scare tactics, all these other prevention strategies should be looked at carefully. Ms. Bartosz explained prevention provided the motivation, the opportunities and the support which was needed to make some healthy choices. All three must be utilized or there would be no prevention program. The prevention programming today was built around risk factors. Children had risk factors which could affect them negatively and help support future drug use. The research tried to divide the risk factors into four areas; family, school, community and peers. For example, family management problems were part of a family risk factor; low expectations of a child was a family risk factor. Ms. Bartosz commented this was not rocket science, but common sense. The risk factors as outlined in Exhibit D, behind tab 3, were things most people wanted for their children.

In reducing risk factors, Ms. Bartosz stated there were certain things which should be built up in children as well. These were called protective factors and the key systems were the same, family, community, school and peers. There were certain protective factors which research had overwhelmingly shown that if these factors were bolstered in a child, if the child did become involved with drugs or alcohol, the likelihood would be increased that the child would not advance beyond experimental usage.

Ms. Bartosz questioned what limited the implementation of these prevention programs. She explained the first limitation was funding. BADA received a little over \$1 million through the substance abuse block grant; Safe and Drug Free Schools contributed \$500,000; Title IV-A provided \$98,000; and the state general fund contributed the

generous amount of \$42,000. This \$42,000 was earmarked and must be spent only for the purpose for which it was requested. It had been requested for after school programs, latch key services and other high risk areas. This state funding paid for approximately 98 kids statewide.

BADA was also limited by what the federal government allowed the funding to be spent on. Six categories were recommended and BADA was encouraged to participate in all of these categories; information dissemination, prevention education, alternative activities, problem identification and referral, community-based process, and environmental which included advertising practices, etc.

Ms. Bartosz called attention to a chart which had been put together in conjunction with the Legislative Counsel Bureau (Exhibit D, tab 3, pages 8-11. The chart showed how Nevada ranked nationally on a variety of areas which were affected by drug and alcohol abuse. This was another challenge to prevention in the state, as could be seen by the statistics, Nevada was very far behind in many areas.

Senator Adler referred to the chart and asked how the rating system worked. Ms. Bartosz replied 1 would be high in that particular area and 50 would be low. For example, the first area had to do with arrest rates for DUI in 1995, per 100,000, Nevada ranked 34th, which would be on the better side of that figure. In that instance, there was a positive figure. Ms. Bartosz agreed, but some of the low figures were not good. For instance, under the health areas on page 9, the best Nevada ranked was at 10th in the death rate by AIDS. All the other health areas, including the percentage of mothers receiving late or no prenatal care, Nevada was ranked at 2, which was not a good score. Nevada was 7th in teen birth rates. The death rate from drug induced deaths was 2, which was not good. The Nevada death rate by suicide was number 1, which was also not good.

Ms. Bartosz called attention to page 10 and pointed out a statistic which was most interesting. The first figure, the juvenile custody rate in 1991 per 100,000 juveniles, Nevada ranked first in the nation. She said Larry Carter had told her he had 1995 statistics and Nevada had dropped to number 3. Ms. Bartosz indicated she did not know if that drop was a result of other states incarcerating more juveniles or if Nevada was incarcerating less. She asked the members to compare that figure with the last one concerning juveniles, the admissions of juveniles to alcohol and drug abuse treatment programs, Nevada ranked at 47th.

There was great concern, Ms. Bartosz commented, when she heard that a national expert (Hunter Hurst III) spoke in front of the committee and talked about treatment not being all that effective, but that prevention intervention was good. Theoretically speaking, the cake could not be taken apart, this was a continuum of care, all the ingredients must be in place. This would include communities, people, and a spectrum of services. If the sugar was pulled out of the cake because the flour was better, this did not make a good cake. She encouraged the committee to listen to the providers of treatment who would be speaking after her presentation to understand why resources must be put into treatment.

Referring back to the statistical chart, Ms. Bartosz called attention to Nevada being number one in high school drop out rates. Additionally, in the per capita expenditures for state-supported alcohol and other drug abuse treatment programs, Nevada ranked 43rd. Nevada was also 43rd in state-supported alcohol and drug abuse prevention programs. Neither of these figures was good, Nevada was not a poor state.

With reference to the funding method for prevention programs, Ms. Bartosz said an RFP was sent out and the applications were scored internally. A team of outside reviewers then scored the applications. The information was then compiled and reviewed; a certain amount of money must be spent toward certain ethnic groups, cultural awareness and cultural sensitivity must be maintained. The funding must be disbursed geographically so that it worked well taking into consideration many factors. A program which worked well in Las Vegas and scored very highly would have to be considered in conjunction with 12 other programs which provided the same services. A variety of factors must be taken into consideration when the prevention programs were funded. When funded, the programs were accredited and BADA had recently gone to the United Way's standards of excellence accreditation process to ensure that agencies were operating in a solid foundation before funding was awarded. At least one site visit must be made to every program, and most programs called for many site visits. Every quarter, the program

must submit an activity report telling exactly how the funding was being expended so a flow could be maintained with what had been initially requested. A monthly financial report was required, an annual monitor and an evaluation plan was built into the original proposal which must be submitted to BADA when completed.

The outcome of funding for this last cycle was set out on pages 13 and 14 and had been broken out by the name of the program and the amount of money received. The third column reflected the judicial district number and the program category referred to the sheet on page 7, the federal program categories.

Despite the fact that very little money was received from the federal government, which Ms. Bartosz said was due to Nevada's small population, and literally no participation from the state general fund, BADA had still be able to produce seven nationally recognized exemplary programs in five years. That was more than California or New York had recognized. All these programs were not based on other state exemplary models, but created by Nevadans and that was why they were unique and received recognition. Three of those programs were created by juvenile probation offices who were represented in the room today. If the committee wanted to hear what was working and working well in juvenile justice systems, Ms. Bartosz suggested the committee not venture too far from home. There were some excellent, creative, innovative programs which existed in Nevada. She was ashamed to say, however, that as an agency, BADA did not have the money to replicate these programs, but the programs had been replicated in other states. She said she would be happy to provide additional information on those seven programs. Chairman Evans said she would like that information provided.

Chairman Evans referred to page 6 of the handouts discussed by Ms. Bartosz, the prevention funding available through BADA. Under the Safe and Drug Free Schools, she asked if the amount of \$515,000 was DARE (Drug Abuse Resistance Education) money. Ms. Bartosz responded it was mandated that 10 percent of Drug Free School funding must go toward a program which was a law enforcement education partnership. This funding used to be mandated for DARE programs, but the mandate changed two years ago. The funding could now be used for police athletic programs or other programs which demonstrated participation on the part of law enforcement with the schools. Now, only approximately 10 percent of BADA money went toward DARE.

Chairman Evans said one of the things which occurred in the budget hearings on the education budget last session were parents coming forward to criticize the DARE program. The parents did not want the state to support DARE as they felt the program did not work, and they had provided various reference materials. Chairman Evans said this criticism was fairly recent and very pointed, and asked what was the situation. Ms. Bartosz said DARE was as specific as any other program and was only as good as the person delivering the program. She said there were some officers, especially in the rural counties doing the DARE program, where every kid looked up to the officer and felt he was wonderful. Ms. Bartosz felt the program was successful in community by community. In a large community like Washoe County, DARE was one of the most visible programs and was the one which came to mind most often. In that respect, the program was very successful and kept the idea of keeping kids off drugs in the public eye. Whether or not it was successful with kids, the idea was to keep the continuum in place and provide follow-through programs in middle school and high school years, after the initial program in 6th grade. However, that was true of any program.

Chairman Evans said that had been part of the criticism, the program had been just a one-shot message and there was no continuity or reinforcement. Ms. Bartosz referred to page 16 of Exhibit D, where there was a discussion about the problems in evaluating prevention programs and was the crossfire which DARE had found itself in. There were several complications in evaluating prevention programs. The first was that children's environments were not as easily controlled as white laboratory rats. These were children and it was impossible to identify every single variable in a child's life which negatively or positively impacted him. If the child made daily trips after school to talk with grandma next door, if grandma did not come up in the conversation somewhere, she would not be considered in the evaluation of the child; however, she might be the critical piece. That was the first complication. Ms. Bartosz said the second complication was there was no silver bullet. The DARE program and other after-school programs could be provided, such a football, but if the child's parents were dysfunctional, there may be problems with drug abuse later. There must be a whole consortium of efforts going into any one child, which could be very different for the next child.

Ms. Bartosz said the definition of an effective prevention program to some people would not include a person who was incarcerated at 25 years of age, but was clean until he was 20. Defining an effective prevention program was a tough call. The last measure of a prevention program was the use of longitudinal studies. For instance, it would include the evaluation of a person who had been through the DARE program as a child to determine if it had any effect. This was not a simple task as Nevada was a highly transient state and tracking people was a very complicated process. Additionally, when a longitudinal study was performed, it was taking the study's word whether a person was using drugs, which made the data questionable. There were a lot of variables which complicated tracking prevention programs.

BADA was able to track programs by returning to the risk factor. If a program was targeted at the reduction of truancy rates, it would increase the child's likelihood of being drug free. That was easy and could be measured by looking at the truancy rate before the program and after, by going back to those risk and protective factors and not trying to measure whether the child was using drugs or not using drugs. However, it was reasonable that if a child was attached to school, they would be less likely to use drugs and alcohol later on, therefore, measurements could be taken as to how good of a job was being done keeping children in school. Again, this was a common sense approach and it was less expensive to work from this frame of reference.

Senator Washington called attention to the longitudinal studies. Like many parents, he said he did not care about the longitudinal studies or the numbers. All he wanted to know was if there was a decrease in the use of drugs and crime. Was the money from the taxes he paid being used effectively and efficiently so there was a downward spiral in usage and crime. If DARE was part of that downward spiral, he would support the program. If PTA was a part, he would support that program. Senator Washington said he felt at times it was a mistake to try to do all these studies which became too intrusive into a parent's life. He and the chairman had learned at the NCSL conference on juvenile justice that between the hours of 3 p.m. and 5 p.m. was when most juvenile activity took place, whether it was drug usage, pregnancy, or juvenile crime. Obviously, this was because most parents were at work and there was no supervision when the juveniles got out of school. In putting together prevention programs, he suggested that indicators or other red flags be looked at carefully to try to thwart some of these activities. Ms. Bartosz agreed completely with Senator Washington, and said that was the reason the prevention programs were funded the way they were.

Chairman Evans thanked Ms. Bartosz for her testimony. Ms. Bartosz pointed out Dr. Mary Havercamp was present in the audience and she asked for the committee's indulgence so Dr. Havercamp could explain an exemplary program at China Spring which was critical to the committee's work. Chairman Evans stated she would like to recognize Dorothy North first and then Dr. Havercamp could give her presentation after Ms. North.

Dorothy North, Chairman of the Commission on Substance Abuse Education, Prevention, Enforcement and Treatment, stated that many of the things she intended to discuss in her presentation had already been brought before the committee, and presented her written testimony (Exhibit G). One of the concerns which came up with every group discussing public policy, Ms. North said, was that people took a very myopic view of problems. They wanted to look at one drug, one segment of the population, one issue, one magic bullet. The problems were not that simple. Ms. North agreed with Ms. Bartosz and remarked the problem was a continuum.

Ms. North said she had been providing treatment and prevention services to kids in Nevada since 1979 and she had been doing so for a long while with adult money because there was no money to treat kids. Therefore, the kids were given first priority and treatment was provided for them. That population had changed significantly since 1979, there was no question. She, as well as others, tended to look at an age group and think that because kids were younger, there could not possibly be serious addictions to drugs and alcohol because of their age. Ms. North said that might have been true at one time, but it certainly was not true anymore. She was now seeing kids of 12 and 13 years of age who had been using drugs actively and were actively involved in crime to support a drug habit since the age of 8. The idea that with a certain age group of kids, prevention and education would be sufficient to deal with the problem. Unless an assessment was done on each individual child and each individual family, adequate services would not be provided to these kids.

The systems to triage did not work very effectively, Ms. North commented. If the family resource centers were

considered, they provided excellent places to provide services. However, the funding was limited to a certain number of services. If a family was referred from the court for parenting classes, but that family had members who needed to be assessed and triaged for treatment of alcohol and drug problems, there was no money to allow for that treatment. There was an assumption that if there was a problem, the family could be sent for parenting classes, and that would take care of the problem. However, the problem was the entire family system was dysfunctional.

Since the first drug commission report was published in 1991, it had been recommended that prevention programs be used in pre-school through 12th grade statewide. Nevada did not have anywhere near that ability or funding to be able to do so. Something was being done differently in each school district, prevention programs used with different age groups, a little here and a little there in the hope that some of the information would take. Ms. North emphasized this was not the way to do the job. There was no continuum, if the programs started early enough, there would be too little too late with the kids. If kids were not caught in the safety net of prevention programs and school programs and other programs to identify risk factors, at some point there must be some intervention to pick them up in an alcohol or drug treatment system or some other intervention which would keep them out of the adult criminal justice system. This same dialogue was at the back end of the system where adult offenders were incarcerated and the question was why did these adults continue to go in and out of the adult system. These were the same people, just 10 or 15 years later.

Ms. North commented she talked to school districts about how serious it was to overlook the keg parties on the weekends. People just comment that it was a rite of passage for juveniles. However, the same child, when he became 18 years old, now had a police record and after a couple felonies, was on his way to being incarcerated as an adult. She wondered where the system was when this child was working his way up to this incarceration. Society wore blinders as to what was happening.

Kids treated at the Vitality Center came from every part of the state, from every social/economic group and from every ethnic group. Those kids were returned to the community and aftercare was set up with providers which was done before the child left the center. The child was given a time, a place and a person to contact. The aftercare was set up through a discharge summary and that appointment was made before those children left treatment. Considering the program pulled from every part of the state, that was absolutely the best which could be done. The good news was the center treated a lot of kids and they had a pretty high success rate. The bad news was that the waiting list went into weeks and months because there were so many kids, they could not be brought into treatment. Ms. North remarked this spoke to some of the things discussed by Ms. Bartosz about Nevada's dismal record for funding things which might keep these kids out of the adult justice system. Too little too late, she conceded.

Ms. North referred to the discussion about adolescent treatment and why there were so few who were willing to provide treatment. She said there were not too many staff who were willing to have kids get in their faces and call them all kinds of names, and threaten acts of violence. This was a frequent occurrence in the first few days of the first few weeks of treatment, especially adolescent boys. There were not too many people who would put up with property destruction, which was very common, acting out, threats of violence and all the other kinds of things which happen in treatment programs and in juvenile justice facilities. This did not happen the whole time a kid was in the system, but it could certainly be expected in the beginning with a lot of these kids. These treatment programs cost a lot of money. Ms. North said it took more money to treat adolescents than it did to treat adults because the treatment was more staff intensive. Treatment required more supervision, a better quality of staff and required people with specialized skills.

Ms. North stated the alcohol and drug treatment piece of the pie was critical. At every level, there must be qualified and certified people by the state of Nevada to provide alcohol and drug assessments. A lot of places were doing assessments on adolescents where the people meant well, but their limited training meant they were not qualified to do an adequate assessment of an alcohol and drug problem.

Chairman Evans inquired what Ms. North meant when she said Nevada had a lot of places where unqualified people were doing assessments. Ms. North responded that was true in the juvenile justice system. She added the

testimony provided the committee during these hearings showed there were differences from system to system in how the assessments were done. Some places felt it was very important that the staff was certified by the state and qualified to do assessments. In other places, there were one or two certified staff members, but 150 or 180 kids which needed help. The same thing happened in the adult justice system. More qualified people were needed to do these kinds of assessments.

Ms. North called attention to shift work. There were a lot of families who would very much like to provide well for their children. However, there were families with two wage-earners who could not afford immunizations for their children until they were forced to do so when the kids started school. The families did not have insurance because they could not afford to buy it, there was no child care because it was either not available or if available, it was not affordable. This was a practice that resulted in a lot of unsupervised children. Ms. North had told her staff for years they were in business in the adolescent and adult programs of raising other people's children. There was some truth to that. There were kids in treatment who would take the sheets off the bed because they had never slept in sheets before and did not know what they were. The kids took the mattress pad off the bed because they thought it was a blanket. Referring to Maslow's hierarchy of needs regarding food, clothing and shelter, Ms. North said there were some very basic needs which must be resolved before the alcohol and drug problems were addressed.

Ms. North observed when parenting classes were held and parents were invited, the only parents who came without being forced to were the good parents. There had been a discussion this morning with reference to the judicial system mandating parents to attend classes. She contended that was a very good policy. Families needed to be court-ordered to participate with their children in parenting and treatment because most parents would not attend unless forced to, especially the families of the children who come into this system.

Ms. North explained she had people who deposited their children in treatment and not only would not participate in family programs, but would not even come and get the child when the child successfully completed treatment. This was the reality of the issue. It was not that the child did not do well in treatment, or that the child did not want the parents to be involved, there was no hammer to force the family to become involved. She referred not only to the families with an alcohol or drug abuser, but families who had two working, responsible appearing, career-minded adults who may very well be earning six figures. However, it was not their problem, it was the kid's problem.

Ms. North said the whole picture must be reviewed as there was a tendency to over-simplify and shortchange some areas. She pointed out Senator James had asked a very good question about why so little funding had been put in place for kids. It was very simple, for approximately five seconds the issue was on the national radar screen so everyone can see the issue, but then suddenly, the issue changed and there were more important things to consider than treatment for children. This was not an issue which could be "quick fixed." There was a new generation of children coming up every single day and kids had very short term memory. If they were told something last year, they would not remember unless they were told the same thing this year.

Ms. Bartosz was correct in her statement that drug and alcohol use was a solution for a lot of kids, not a problem. Ms. North pointed out if these kids were told of the terrible things which would happen to them ten years from now, it would not make a big impression because their life experiences up to now showed them there was not a lot the kids cared to live for. Ms. North said she would not belabor the point, but she chaired the gang hearings for the Governor a few years ago. One thing she had never forgotten was when chairing the hearings in Washoe County, there was a young man who was asked why he was so cavalier about his life and why was he not worried that he might get killed in a drive-by shooting or that something awful might happen to him. The young man replied that his mother worked three jobs to support five children. He said his mother would be better off if she had one less mouth to feed.

This was the reality of some of the kids living in Nevada. Ms. North commented with all the economic prosperity in the state, not everybody's life was being improved. Additionally, not all these children came from families who cared. There were two pieces to this denial; there were families who cared deeply about what happened to their children, but they were frequently the last ones to know the problem was alcohol and drugs. It was not because

the families did not try to find out, it was because these kids, just like other people with alcohol and drug problems, go to great lengths to hide the problem. The problem was not being identified by the schools, counselors or anyone else.

In closing, Ms. North said she had spent nine legislative sessions talking about some of these same issues. The state of Nevada still did a miserable job kicking in the state's fair share of general fund or any other dollars to match the federal money used to address these problems, especially in a state that had 19.1 incidence and prevalence, which was virtually twice the national average of alcoholism and drug addiction, and in a state which was doing very well economically. In terms of what Nevada's future would look like, the state must take a serious look and make a serious investment in some things which would prevent some of this problem up front rather than continue to deal with the situation at the back end. The state needed tough sanctions and needed to be tough on crime. Some people should be incarcerated and not let out. However, a lot of people were incarcerated, both in the juvenile justice and adult justice systems, but they were not provided adequate programs in the juvenile system and there were virtually no programs at all in the adult system. The state still did not give these systems enough funding. There were too few dollars in the justice system, the treatment system, the prevention system. There was a need to reassess how the state looked at the whole system and start to put some funding where the future of Nevada was going to be — in the citizens who were going to grow up and run this state.

Ms. North said she was more than willing to work with the committee and she would do anything she could as chairman of the Drug Commission to help make the recommendations which came out of this committee viable. She offered to work with the legislators to support this legislation during committee hearings at the next session to ensure passage. Chairman Evans thanked Ms. North for her presentation. Ms. North had been a long-time advocate and had helped educate the members on this difficult subject. The chairman said she was counting on Ms. North to persevere with the committee. Ms. North indicated she would and urged the committee members to support their recommendations before the money committees.

Senator Adler stated he agreed with Ms. North; however, part of the problem was the legislature sometime passed laws which were not enforced. For example the truancy law was passed which was very strict and required schools to refer chronically truant kids to the police who in turn contacted juvenile parole and probation. Additionally, there were some good sanctions in an effort to get kids to attend school. Senator Adler said he had met with some Carson City officials this morning and he had been told the officials did not want to cite parents of elementary school kids because the parents were getting angry when they were sent letters telling them their kids had many unexcused absences. Obviously, it was the parents who had held the kids out of school and when these kids entered middle school, the problem was worse, there was more truancy, more drug involvement and more crime. That was frustrating for legislators because it was intended that the law would be taken seriously and would be enforced in an attempt to deal with some of these problems. In fact, it appeared only Humboldt County was actively enforcing the law.

Ms. North commented one of the problems with the legislature and a state as small as Nevada, was there was not great communication between state policy makers and policy makers on a local level. Senator Adler agreed. Ms. North remarked unless everyone worked together from the state to the county to the city level, the school boards and everyone else involved with these kids, it would not make any difference how many laws were passed, because they would not be enforced.

Chairman Evans thanked Senator Adler for bringing up this issue. She said she was unaware of the problem but would now visit with her school district in Washoe County.

Chairman Evans acknowledged Dr. Mary Foster Havercamp and asked if she could summarize her report for the committee. Dr. Havercamp commented she and others at the China Spring Youth Camp had designed a prevention program where the impact had been very positive. (See [Exhibit H](#)). This program was in line with the fact that school performance was still the strongest association factor with illegal behavior. Given that premise, she said the program had been designed to reduce a negative risk factor such as academic failure and promote a protective factor such as academic success. This was a three-pronged program which was in addition to the four-level program at the China Spring Youth Camp.

Dr. Havercamp explained the three-level program included academic success, which she was directly responsible for. Also, the parenting classes were held which worked not only with parents, but upper level residents. There was also a very strong vocational program with the idea that once the residents were released from the China Spring Youth Camp, it would be possible to obtain part-time jobs while attending school. There were three variables in this program, Dr. Havercamp reiterated, improved academic success, improved parenting and help for the residents to work more effectively in the home when released from camp and to obtain jobs.

Dr. Havercamp referred to Exhibit H which addressed two six-month studies where the residents, upon entering the camp, were given the TABE test, the Test of Adult Basic Education. Based on those findings, their camp and after school programs were designed. Upon release, the residents were given a post-test, which was also the TABE. Dr. Havercamp explained using the academic success program, the residents had improved their academic performance statistically at the .01 level, which suggested these improvements could not have occurred by chance.

The research now would cover recidivism rates and Dr. Havercamp indicated she was working with the Department of Language and Culture at the University of California, Berkeley, where she was conducting research as an outside faculty member about the variables affecting recidivism. She knew this was a good three-pronged program and she was now trying to learn whether the same kinds of success variables would carry over into the home community upon release using one and two year factors. Dr. Havercamp said she hoped by the end of the next BADA-funded program, some of those figures would be available. Quality of instruction was also being reviewed in addition to time on task. The students were divided into groups of two and attended either 42 hours of instruction or less or 44 hours of instruction or more. She would try to determine if there would be a difference in academic performance in terms of time and task. The data supported that variable as well. The time on task and the quality of programming influenced the statistically significant findings. These findings held not only for mathematics but for reading comprehension, and spelling.

Dr. Havercamp said she was also looking at the transformational nature of writing as a deterrent to delinquency. That simply meant that there were inmates who were writing wonderful pieces which get at the problems they had during their youth and how these young men might avoid some of the same pitfalls. By writing, these young men addressed decision making as it related to good choices and negative choices and how writing, as a result of that discussion, processed that information at different levels. What was hoped was that the same findings would carry through in terms of decreases in recidivism.

Senator Adler stated he had spoken to some of the kids at the China Spring Youth Camp and he was not surprised about the positive results from this academic program because for all real purposes, a lot of youth were not even going to school. The fact they were being made to go to school, he imagined there would be some very positive results in academic achievement and change in behavior. Dr. Havercamp responded success bred success. Suddenly, someone's negative perception toward school could be changed into a positive because the youth knew he could be successful academically, vocationally or have some different skills when he returned home. She would like to think that failure turned to success would carry through for the residents.

Mr. Bash inquired if the program currently included elements for aftercare when the youth was released back to probation or parole. Dr. Havercamp replied starting in January, she would be exploring variables which would affect aftercare. There was an individual in place who would be working with residents who had been perceived to be high risk. However, she would prefer that Steve Thaler, the director of the China Spring Youth Camp, address anything pertaining to the camp as she was a guest at the camp.

Senator Washington commented in the continuum of care, the aftercare program should be reviewed. Although this subject had been discussed extensively today, he knew some youth who had come out of China Spring and while they were there, they did very well, but when they were released from those surroundings, there was no discipline and they went back to the same environment and diminished very quickly. The aftercare in the continuum of care really must be looked at carefully.

3. Willie Smith, Vice President, WestCare, Inc.

Ms. Smith pointed out WestCare was located in Las Vegas and she was responsible for resource development which meant her job was to maintain current funding and look for new funding streams to supplement the public dollars which were awarded to the agency. Additionally, Ms. Smith said she had worked for a number of years as a youth parole counselor so she was familiar with the juvenile justice issue from that perspective. She also chaired the Governor's Juvenile Justice Commission and in that role, she was responsible for helping to allocate approximately \$800,000 from the federal government throughout the judicial districts in Nevada.

Ms. Smith's presentation (Exhibit D, tab 4) was prepared by the clinical staff at WestCare. She explained she would be providing some information on the background of the agency and some of the philosophies they believed in with reference to adolescent and adult programs as well as the continuum of care offered by WestCare. At the end of her presentation, Ms. Smith commented she would address some issues of great interest to the committee, aftercare and follow-up.

WestCare had been in operation for approximately 25 years, Ms. Smith pointed out, and over that time, they had developed a fairly extensive continuum of care in Clark County. Currently, ten distinct programs were operated in Clark County, all of which were accredited by the Bureau of Alcohol and Drug Abuse, some of which received partial funding from that bureau. There was one program in Nye County and a program which was sited in Mojave Valley, Arizona. The significance of that was that program services kids from Laughlin, because it was 25 minutes from Laughlin versus 1½ hours from Las Vegas. There was a wonderful agreement in place operating that program which Ms. Smith said she would describe later.

The staff at WestCare consisted of 15 counselors certified by BADA, and three of the administrators were certified program administrators as well. All of the clients who came to the programs could come from two sources, one through the community involvement center, which was basically the intake and assessment arm. These clients were screened for their treatment needs and if they were eligible, it was decided which one of WestCare's continuum of services was most appropriate. In addition to the center, clients came via two programs, adolescent youth shelter and the adolescent detox program, as well as the adult detox programs which do 24-hour intake and assessment on an emergency basis; people could walk into those programs and receive services on demand.

Approximately 77 percent of WestCare's clients were indigent, Ms. Smith stated, and about 30 percent were females. While the programs were cost-effective, with referrals to WestCare's detox programs, the cost to the taxpayer was far less than referring them to the University Medical Clinic for detox. For those who were suitable for a medical-monitored social detox program and those youngsters referred to the youth shelter, this was far more cost effective than housing youngsters in the detention facility. Additionally, it was legal to house some of the status offenders with WestCare and not in the detention facility.

Ms. Smith contended the philosophies at WestCare were to promote public/private partnerships and they had been extremely successful in doing that, especially in Clark County. In the past they had worked with the City of Las Vegas and currently they worked not only with Clark County, but with San Bernardino County and Majove County in Arizona and the Fort Majove Indian Tribe around the tri-state area. WestCare had been very successful in providing services for status offenders in that area.

None of the clients who came to WestCare were turned away because of an inability to pay. The clients either received services at no charge, which was possible because of the money allocated via federal sources and state and local sources or they were assessed a fee based on a sliding scale. Ms. Smith said WestCare did not use any form of pharmacological interventions in their treatment; i.e. no methadone or any other types of medications in their drug treatment. Additionally, she felt it was important to point out WestCare operated smoke-free properties. Clients nor staff were allowed to smoke on the properties and this was a critical monitoring issue with which they were having some success.

Ms. Smith referred to the continuum of services offered by WestCare and she called attention to the list of programs at page 6 of Exhibit D, which showed the number of slots currently funded by BADA.

The first program offered by WestCare was the youth shelter, which provided prevention as well as intervention services. It was a 22-bed facility and children between the ages of 10 and 18 were served. The youngsters had a very

short-term stay at the shelter, few of them stayed more than two weeks. While in that program, the youth were assessed for substance use or abuse. Regardless what their assessment revealed, every youngster participated in drug and alcohol groups throughout the day. Crisis intervention sessions were held with the parents while their children were in the program. They had been very successful, Ms. Smith related, with approximately 85 kids completing the intervention program prior to leaving. The program was recently accredited by BADA, as well.

The statistics offered by Ms. Smith were from 1996, all the information for 1997 had not been tallied as yet, and she wished to give a complete year of statistics. In this particular program, in 1996, WestCare served 1,397 children, 59 percent were females and 41 percent were males. The majority were Caucasian with 19 percent African American and 17 percent Hispanic. Ms. Smith felt those figures were representative of Clark County for both those special populations. The average age of youngsters who accessed the program was about 15 years and the majority of referrals came from law enforcement. Las Vegas Metropolitan Police dropped youngsters at this particular program 24 hours per day.

This program had the most sophisticated data collection and analysis system in place because when WestCare entered into operating shelter services for runaway and homeless youth with the federal government approximately nine years ago, Ms. Smith said they had implemented what was called the federal runaway homeless youth management information system. WestCare was required to enter information on every youngster who accessed the program and slept at the center. That system would generate the kinds of data which could be seen on the chart included in Exhibit D.

Ms. Smith felt it was important to point out the boys who accessed the long term residential program showed some of the same kinds of social problems and concerns as youths in the shelter. However, there was no tracking system in place which could formalize this information, but statistics could be printed out. She called attention to the chart entitled "Percentage of ERHYS Youth Reporting Selected Substance Abuse Problems," it could be seen that most of the youngsters were indicating that beer and wine were their drugs of choice, approximately 74 percent. Next on the list was cigarettes and then marijuana, which had been discussed earlier along with alcohol as the primary drugs of choice for adolescents. The very lowest on the chart was using a needle to inject illicit drugs, which was less than 10 percent.

The next chart related to self-reported problems by adolescents. WestCare statistics were compared to national statistics. Ms. Smith pointed out that youth substance abuse was reported by approximately 38 percent of the kids at WestCare; additionally, approximately 15 percent reported family substance abuse. The major problem indicated by these youngsters had to do with family conflict. Over 80 percent reported they were coming from families where there were problems. On that continuum, it would include violent behaviors, sexual abuse, physical health issues, and lack of social skills which were troubling over 1,000 of these adolescents who accessed this program in 1996.

Ms. Smith indicated she would next discuss a very special program, the Adolescent Civil Protective Custody and Detoxification Program. The program just opened in October of 1997 and had been in the making over 10-11 months. It was a collaboration with Clark County Family and Youth Services, law enforcement and UMC (University Medical Center). Those entities came to WestCare because they knew WestCare was operating the Adult Civil Protective Custody Detox program and asked if WestCare could do something for adolescents as well. The reason was that Metro was taking kids to UMC and having 4-6 hours down time. It was hoped WestCare could provide detox services for youngsters who did not need to be in the hospital.

Discussions were entered into and in planning for this program, it was discovered that the program was the only one of its kind in the nation which offered social modeled, medically monitored detox for adolescents. Nevada was on the cutting edge if the program was successful, which Ms. Smith expected. There was one other program in Berkeley, California, but it was hospital-based, not a free-standing community-based program such as this one.

Ms. Smith commented that so far 15 children had been serviced in this program and 100 percent had been successful. It was anticipated a much larger number of youngsters would go through the program. The briefings had not yet been done with Metro substations because part of the money allocated to operate this program was allocated for some facility rehabilitation efforts which was still being done. She said it was desirable to delay briefing the substations until the program was completely up and running and the program could handle the expected influx of youngsters.

The program offered 14 beds at this time. There was space for 21 adolescents in the program; however, Ms. Smith said

only enough funding had been received to open 14 beds. It was important to point out the sources of that funding which did not appear in Exhibit D. Primarily to help Kirby Burgess from Clark County Family and Youth Services receive \$138,000 from the law enforcement block grant, BADA put \$100,000 toward staff for that program and the Ed Byrne Memorial Foundation added \$270,000 to the program and approximately \$30,000 of matching funds from Clark County. This funding gave WestCare \$538,000 to open 14 beds to operate the program.

Ms. Smith observed that of the 15 youngsters who had accessed the program, 40 percent were female and 60 percent males. Caucasians represented 74 percent, 13 percent Hispanics, 13 percent Native Americans and no African Americans. Senator Adler inquired why there were no African Americans. Ms. Smith responded she thought it was because the program was new. In the adult civil protective detox program, 24 percent of those clients were African American. She would expect the youth to be representative of the population when the program was up and running.

The average age of youngsters who had accessed the program had been approximately 15 years. Eighty percent of the referrals had come from law enforcement and 20 percent had been referred by family and friends. Ms. Smith called attention to a pie chart in Exhibit D, which showed the drugs of choice. Forty percent was alcohol and 20 percent marijuana, with 26 percent methamphetamine.

Chairman Evans stated she was aware the program was new, but in part of the presentation, there was a mention of assessments and referrals. She asked how long were these adolescents typically in the detox process. Ms. Smith replied there were two phases of the program, both fairly short. The civil protective custody would last from 12-24 hours and that was until the youngster was stable. This could be longer because as the committee had heard, adolescents had less body fat and it sometimes took them longer to detox or there may be some other complications. That phase could be up to a day or two.

The detox phase would last anywhere from 5-7 days. The whole focus during that detox phase, the actual treatment phase, was providing education, identifying problems for the youngsters while they were there and making sure that every youngster and their family left with some referrals for on-going treatment. Ms. Smith said they tried to have at least two family sessions during that five-day period when the adolescent was substantially detoxed and was able to engage in some type of rational treatment/interaction.

Chairman Evans noted the referrals and asked who was responsible for monitoring and following-up. Ms. Smith responded law enforcement did not monitor; the follow-up would be left to WestCare. This was a problem in the system in that there was not enough staff to follow-up with the kids. They were referred to other treatment programs, but staff was not available to monitor on a long-term basis whether or not the adolescent attended those programs and how long they attended.

Ms. Smith continued there was a system in place which started just a few months ago where WestCare would be sending out questionnaires to determine what programs these adolescents were in and the staff would follow-up. What had been found in other WestCare programs which had been operating longer, was that it was difficult to track some of the young people who accessed the programs. When staff had been able to make contact, it had been a paper/pencil process, not a computerized process. Therefore, the formalization of the follow-up piece was one of the things Ms. Smith had listed as a weaknesses in the system which needed to be shored up.

Chairman Evans reiterated that 100 percent of the youth had been successful, i.e., successful in getting through this period when they were with WestCare, a relatively short period of time. Clearly, there was concern as to what occurred in the aftermath of release. Ms. Smith added WestCare only had the basic ability in all their programs to reveal how the adolescent had done in WestCare and what percentage did well.

Senator Washington referred to aftercare, and commented that juvenile parole and probation may be able to offer that type of service. The senator wondered if when youth were picked up for intoxication and brought to the center, the youth must be part of the juvenile system or had gone through a hearing. Ms. Smith said that was not necessarily so. If a youngster picked up by law enforcement was currently on parole or probation, WestCare did notify the parole or probation officer that the youngster had been brought in and what was being done. WestCare did follow-up in that system and worked closely with parole and probation.

Senator Washington mentioned the public/private partnerships working together, and observed if the resources were available to enhance or improve the staff at parole and probation to work with WestCare, it would be a better utilization of resources and efforts to provide the care. Possibly, this would be an avenue which could be explored.

Ms. Smith commented the senator's point was well taken. With Clark County Family and Youth Services, there was follow-up with civil protective custody, if a youngster came in under this program from youth services, youth parole or from DCFS. However, for those children who came from family or friends, the staff made efforts to call, but there was insufficient allocations of staff on a full-time basis to dedicate to tracking those people. The doors were always open for them to come back, and some did come back and some called WestCare for follow-up help if needed or just to let the staff know how they were doing.

The next program, Ms. Smith explained, was the Colorado River program which served Laughlin youngsters who needed intervention for emergency shelter, either because they had run away or had family problems. That program was designed similar to the shelter in Las Vegas where every youngster went through a substance abuse assessment. Prevention was also utilized as well as intervention for those who needed it. Anyone who needed treatment must be referred out because that program was not treatment-focused.

In addition to those adolescent services, there was an Hispanic outreach project which was funded by BADA. It was a school based program which was now working in three schools in Clark County, Sunrise Acres Elementary School, William Orr Middle School and Quannah McCall Elementary School. The time period for this program was December 1996 through February 1997. During that period of time, approximately 150 youngsters participated in the program. An employee of WestCare actually went to the schools and participated in classroom work with those youngsters and on occasion, participated in community-types of activities with the children who participated in that program. Those children were aged 6-12 years.

In Ms. Bartosz's testimony, she had pointed out some evaluation pieces which were required in prevention programs. The WestCare system was getting on line to provide her with the data she would need at the end of this program. The program was designed based on the school year. Approximately 70 percent of the kids participating were female and 30 percent were male. As expected, 92 percent were Hispanic, however, a few African Americans and Asian Americans were served when they happened to be in the classrooms with the children in those three schools previously identified.

Ms. Smith indicated with reference to treatment, WestCare offered a long-term 16-bed residential program for adolescent males, which was located at Harris Springs Ranch at Mt. Charleston. This program was 90 days in duration and was operated in a therapeutic community where the client/family structure was stressed along with confrontation and a hierarchy structure where clients moved up the system, starting at a low level. Youngsters at this level were referred to as "crews" in the family system and they could move up to "camp supervisor." These were clients who were at a high enough level where they took on more and more responsibility for actually operating the different systems around the program.

In 1996, 62 boys were served in that program, aged 13-18 years. Their primary drugs of choice were marijuana, alcohol and inhalants. Most of the children who accessed that program were between 16-17 years of age. On the client data system which must be submitted to BADA, 55 percent of those youngsters actually completed that program at Harris Springs Ranch. Some of the youngsters left the program before completing the 90-day period of time; however, they were not categorized in the completion category which was reported to BADA.

In terms of race and ethnicity, Ms. Smith said 74 percent of the youngsters who accessed that program were Caucasian, 11 percent African American and 10 percent Hispanic. Clearly, African American and Hispanic youngsters were under-represented in that particular treatment system. There could be a number of reasons, including referral sources or parents choosing not to access that treatment opportunity as well as public relations issues on the part of WestCare. Ms. Smith noted that public relations had been listed as an area which the entire system could do better in. The primary referrals for the boys' residential program came from the juvenile justice system, at 63 percent, and 22 percent coming from child welfare, with the balance from other sources throughout the community.

Ms. Smith said there was a small out-patient program which was located in Nye County at Pahrump. This was a 20-slot program for youngsters, but they would serve people up to the age of 21 because of the nature of that rural community.

In 1996, the program served 20 youngsters, but they had expected to serve more. Part of the issue of utilization in 1996 was the program had just been accredited and funded in January of 1996, and there was a period of several months prior to full accreditation before the program would be in full operation.

Ms. Smith felt this was a program which would lend itself to in-home treatment versus having the youngsters get to where the counselors were because transportation was a tremendous problem for young people in that community. The program was not sited on the main street in Pahrump and the counselor operated the program out of a mobile office which was 4-6 miles off the main street. Young people had difficulty in getting to the counselor on their own; therefore, there would be a proposal for in-home treatment. In fact, in-home treatment was becoming an innovation in adolescent treatment and from what she had heard, this had been successful in other states.

In that program, 45 percent of the youngsters had been female and 55 percent had been male; 68 percent were Caucasian. Given the nature of that rural community, Ms. Smith felt those percentages were fairly representative with 16 percent Hispanic. This was an older group of adolescents with the average age around 17 or 18 years. The majority of referrals came from the juvenile justice system in the community.

Chairman Evans brought the committee's attention to page 18 of Ms. Smith's presentation in Exhibit D, "Strengths of Substance Abuse Treatment and Prevention in Nevada." There were five things listed which Chairman Evans felt were very much worth reviewing:

- Therapeutic community facilitates recovery by providing a 24-hour structured life for clients and a support network.
- Peer assistance in support of recovery can have positive results.
- The use of commencement and graduation ceremonies has increased the self-esteem of participants and, in turn, facilitated their recovery.
- Crisis hotlines and the agglomeration of services minimize the trauma and confusion experienced by youth as they receive services.
- The cultural, age, and gender diversity of prevention and treatment staff reduces barriers to communication and comprehension.

Chairman Evans said this information would be very helpful in the community outreach meetings the chairman had instructed the members to participate in. At page 19, Ms. Smith had listed deterrents to the success of substance abuse treatment and prevention:

- The court system, on occasion, orders treatment which is inappropriate for the needs of the client.
- Opportunities and programs to develop positive leisure time and social skills as an alternative to youth substance abuse need to be increased.
- Funding constraints impair the ability of programs to recruit, hire and retain well trained, highly educated staff. Most basically, the number of staff is limited due to funding, resulting in far fewer staff members than are needed to meet the individual needs of clients through decreased client staff ratios. Additionally, programs are constrained in the amount of professional training opportunities they can offer to ensure staff are kept abreast of the latest techniques and knowledge.
- Minimal funds for staff also reduces the ability of programs to hire data collection analysts, who can provide the quality of information needed to rapidly refine and develop programs to best meet client needs.
- There is a lack of strong aftercare and relapse prevention for adolescents.
- Treatment options for those concurrently suffering from drug addiction and mental health problems (i.e., the

dually diagnosed) need to be enhanced and expanded.

- Women and girls have few treatment options. In particular, there is a deficit in the number of programs which meet the unique needs of single females.
- At present, few community support programs exist to facilitate the ongoing recovery of clients after discharge, i.e., employment, family counseling, parent training, and health care.
- Few programs exist which serve the specific needs of the economically, culturally, and physically disadvantaged. As a result, the few programs which serve these populations are overwhelmed by demand.
- There is a need for consistent public relations concerning treatment and the fact treatment does work.

Clearly, these were red flags which should be revisited and addressed, commented Chairman Evans. These two lists could be utilized in the community meetings to discuss the same strengths and problem areas. She asked the members to go over these two lists carefully as they were well laid out.

Mrs. Segerblom asked where the headquarters was for the Colorado River program, in Laughlin, Kingman or Needles. Ms. Smith responded the facility itself was located in Mojave Valley, Arizona, which was approximately a 25-minute drive from Laughlin. The management and administrative office for that program was located in Las Vegas at the WestCare administrative offices. A staff person was located in Mojave Valley and known as a regional administrator and was in charge of that property.

Chairman Evans said Ms. Smith's presentation had been excellent, not only the presentation but the quality of information submitted, and it had been very helpful to the committee.

In closing, Ms. Smith she was somewhat disappointed in WestCare because they had not been able to pull the files and tally up statistics for the committee on follow-up outcome data. She would like the committee to know she had a full-time person now on staff who was responsible for ensuring there was some quality improvement in gathering this type of information. As that information was gathered, if the committee needed further help, she would be happy to make another presentation or mail the information. Ms. Smith also wanted to give her clinical staff credit for developing the list of strengths and the areas which must be looked at more carefully.

Ms. Smith called attention to the public relations segment from the list of deterrents and said that treatment really does work. She did not feel that had been discussed very much until it was time for the legislature to convene and budget requests were made, or something had gone woefully wrong as with the Magers who testified earlier. She felt consistent publicity about the work of WestCare was important.

Ms. de Braga referred to the list of deterrents, specifically the lack of treatment options for women and girls. When the data was compiled, she asked if the disparity between treatment programs for men and women would be available. Additionally, she wondered if there was any ethnic disparity. Ms. Smith said those issues could certainly be looked at. However, she commented that most substance abuse treatment programs, including juvenile justice programs, historically were designed initially for men and then women came into the system and were placed in the same programs. It was known that females needed a different approach to treatment, so Ms. de Braga's questions could certainly be looked into.

Ms. de Braga pointed out in the programs offered by WestCare, there were some where there were significantly more women than men. It would be helpful to know how serious the disparity was. Ms. Smith called attention to the adult programs, the program at the Harris Springs Ranch and the transitional program in Las Vegas. A small grant via the Attorney General's office for domestic violence had been awarded to hire a person who would focus on substance abusing women who were also victims of domestic violence. There were some groups and some outreach work for that particular population.

1. Denise Everett, Executive Director, SageWind

Ms. Everett explained SageWind was a private, non-profit treatment center for adolescents and young adults in Reno, Nevada. Ms. Everett mentioned that SageWind was one of two private, non-profit, long-term treatment centers for adolescent females in the state of Nevada. She had been working at SageWind for the last 3½ years and to her knowledge there had not been an open bed in four years. The eight beds at SageWind were consistently full and there was always a waiting list. Recently, a private, non-profit, long-term treatment center for adolescent boys was opened with seven beds. The facility was full before the doors were opened, and there was a waiting list.

Referring to her report (Exhibit D, tab 6), Ms. Everett said that 68 percent of SageWind's referrals were from some branch of the juvenile justice system. This was not to say the other 32 percent of clients were not connected, it just meant the juvenile justice system was not their primary referral. The second largest referral source was short-term treatment programs. Very often, children would go into a treatment center where it was discovered they needed more than two or three weeks of treatment and hence would be referred to SageWind by the treatment center. The in-house figures were closer to 80-85 percent of the children referred to SageWind were connected somehow to the criminal justice system.

Ms. Everett stated SageWind offered a continuum of services which started with the least intensive, the prevention project which occurred primarily in high risk elementary schools in the Washoe County School District. There were two full-time prevention personnel. Research indicated that consistent long-term prevention programs were more effective than short-term programs with no follow-up. That fact had been borne out in her experience in the Washoe County School District.

SageWind had an out-patient program which was designed for adolescents and young adults so it went from ages 13-24. Young adults had issues more similar to late adolescents than they would have with someone in their 40s who was entering recovery. Also, some adolescent programs did not accept clients over the age of 18 and some adult programs did not accept clients under the age of 21. Therefore, there was a dearth of services available for that particular age group. The intensive out-patient and out-patient programs both specialized in that age range, explained Ms. Everett.

The day treatment program could accommodate up to 20 clients, generally males and females, aged 13-18. Ms. Everett commented education was extremely important in the programs for day treatment and residential treatment. SageWind was a site for Washoe High School and was allocated a teacher. As was known, the drug and alcohol issue with adolescents in Nevada had grown and the treatment slots had not to any great extent. Some of SageWind's programming had been expanded, but there were difficulties obtaining additional allocations for teachers to assist in providing an adequate and appropriate education for the clients in the system. Many of these clients had issues such as fetal alcohol syndrome, were fetal drug effected, and had attention deficit hyperactivity disorder. There were many issues surrounding the educational piece that at some point in time should be discussed while working with the school district.

Ms. Everett remarked there were a series of books on treatment improvement protocol which were published by the Center for Substance Abuse Treatment. An entire list of what they considered to be essential components of an adolescent inpatient program were contained in her presentation in Exhibit D. It was the belief of SageWind that through help at one level or another and in collaboration with other agencies, that the best possible services be provided to their clients holistically.

Washoe County Health District had a teen health mall and the SageWind staff provided assessment and educational services to them and they provided health services to SageWind's clients. There was also a BADA-funded health nurse who would do mandatory tuberculosis testing with the children and voluntary HIV testing. There were a lot of collaborative efforts within Washoe County to best provide the most comprehensive services to the clients.

Ms. Everett called attention to the difficulty of trying to access outcomes. One of the things which all funding sources required was a measure of accountability. Subsequently, she had to meet or exceed certain performance standards, whether that money came from the Bureau of Alcohol and Drug Abuse, United Way, community development block grants, Edward M. Byrne Memorial Foundation, or anyone else. Generally, the abstinence figures were used in addition to credits earned in school. Very often, children had either been on the streets, behind grade level and missing massive amounts of credits; therefore, school was a huge piece of the pie. This was why one of the ways children were tied into the system and success was built was through their academics.

Also, SageWind looked at family involvement, Ms. Everett explained. The family track was a huge piece and oftentimes it was the family system which needed help and assistance which was as important as education. It was impossible to take one piece out of the pie, fix it and put the piece back and then hope it all worked.

Two years ago, SageWind began conducting telephone follow-up interviews and as this was self-report information, that had to be taken into consideration. Ms. Everett pointed out the pieces she found most interesting to write were the gaps in treatment and prevention services in Nevada and the suggestions to improve prevention and treatment delivery systems. (These concerns were laid out in full in Exhibit D, but have been summarized here for convenience.)

Gaps in Treatment and Prevention Services in Nevada Include:

- Drug and alcohol treatment programs for juveniles are extremely scarce in Nevada, there is a need for additional residential openings.
- There are no non-profit services available for children younger than 13.
- Dually diagnosed children have a difficult time accessing help.
- Adolescents who have been expelled from school cannot gain access to education while in treatment.
- Outreach to minority or non-mainstream communities is difficult. Most non-profit programs do not have a budget for advertising or public relations.
- There are no half-way houses in northern Nevada to provide support for adolescents in the early days of recovery or when clients were forced to return to a home where alcohol and drugs were used.

Suggestions to Improve Prevention and Treatment Delivery System:

- A state plan for addressing and coordinating prevention efforts.
- Improvement in the quality and quantity of medical education in substance abuse.
- Expanding funding for:
 - Additional beds/services/programs
 - Ongoing treatment and prevention program evaluation
 - Treatment and prevention program outcome studies
 - Additional staff for BADA
 - Technology: computers, software, fax machines, etc.
 - Materials: books, videos, pens, notebooks, etc.
- Focus on drug and alcohol reduction rather than complete abstinence; focus on positive actions, behavior and better grades.

Ms. Everett stated one of her biggest concerns dealing with kids had been mentioned previously which was having a half-way house for adolescents who were from an inappropriate home environment. She had found no place which was suitable for these children. Some adolescents were in treatment for a very long period of time because *there was no place to send that child* Ms. Everett emphasized. She could not send a 15-year-old girl out to the street. There was no appropriate foster home, both mom and dad were long gone and there was no place to put this child. Oftentimes when foster or group homes were found which were appropriate placements for these adolescents, that particular place did not have the training or capability or even the desire at times to figure out how to work with a kid in the early days of

recovery. These kids would act out, relapse was part of the recovery process and they needed a lot of support. Ms. Everett said these homes often did not want to engage in the aftercare process and parents at times became jealous of the attachment to a counselor.

If there was an opportunity to work with these kids, have them in treatment, step-down their level of care, have them in a safe, nurturing and protected environment, continue their education, and train them to be employable, there could be continued success with these children. Ms. Everett remarked there had been kids in the intensive out-patient program who had showed up to go to a job interview in bare feet, with holes in their jeans and chewing gum. Some children in the residential program needed to be taught to use silverware.

Ms. Everett pointed out she had been in the field approximately 10 years and had worked with both adults and adolescents. It was absolutely true, she reiterated, that working with adolescents was much more intensive.

Ms. Everett stated she would be delighted to provide whatever other information the committee may need from SageWind. She commented she was very invested in this process and would provide any assistance or information.

Clearly, Chairman Evans conceded, Ms. Everett's last couple of comments brought more red flags to the committee's attention. These issues had been discussed time and again, as the children progressed, went through the program, did better, and then upon release, there were no good homes, foster care or other places for them to go. There were not many alternatives available.

Senator Washington noted that DCFS ran the foster care program. It might be interesting to gather WestCare, SageWind, and some of the county agencies together to provide a continuum, including a step-down program, a group home or certain foster parents who had been trained in these areas. It could be possible the state could step to the table and fund these programs. Some of this was being done in the bifurcated system, and Senator Washington thought the state could take it one step further.

Ms. Everett declared SageWind had a very good relationship with DCFS and there were contracts in existence to offer treatment services. Just recently, SageWind had begun doing reintegration programs with kids who were transitioning out of the youth training camps at Caliente and China Spring and back into the community. These youth and their families could come to SageWind to obtain counseling intervention during the day in order to be able to transition back into a successful place in the community. These kids were then not just dropped out of China Spring and expected to perform successfully with no support. This was a new program which had been started and there were great hopes for that type of process. Ms. Everett agreed totally there needed to be continued public/private partnership.

Senator Washington commented the state could play a role and it was an avenue which needed to be explored. Additionally, Senator Washington indicated he had an opportunity to visit with Ms. Everett at SageWind and they were in the process of purchasing some property. Ms. Everett interjected SageWind was in negotiation with the Catholic Diocese to lease with the option to purchase the monastery property on South McCarran Boulevard which the monks vacated during the flood last year. This parcel consisted of 14 acres on the river and was perfect for a treatment center. Ms. Everett said she was working with the Bureau of Licensure and Certification and there were other things which must be done before the agency could move. However, this move would afford the opportunity to expand services as she had staff working out of the trunks of their cars as there was no place to put another desk.

Chairman Evans announced she would hold Juliann Jenson's presentation because of time constraints for the next meeting as there were two more important presentations which she would like to cover today.

6. DISCUSSION OF THE RELATIONSHIP BETWEEN NEVADA LAW ENFORCEMENT AGENCIES AND THE JUVENILE JUSTICE SYSTEM.

Chairman Evans pointed out she had requested the law enforcement agencies to give some highlights from their perspective on juvenile justice. She recognized Robert W. Teuton, Chief Deputy District Attorney, Clark County Juvenile Division.

Mr. Teuton said he was before the committee both on behalf of Clark County and also for Ben Graham who

represented the Nevada District Attorneys Association. Mr. Teuton introduced Derek Lopez, Deputy District Attorney from Douglas County, and Susan J. Edmondson, Deputy District Attorney from Washoe County.

Mr. Teuton indicated he intended to prepare some written testimony to present, but had been unable to do so. However, in the interest of time, he would rather keep his remarks brief. He had been asked by Mr. Peri to discuss the various statutes and discuss the relationship between law enforcement and the juvenile justice system. Most of those particular statutes dealt with how a law enforcement agency made a referral, either by citation or arrest.

There were two sections of the statute which would bear looking at; one was NRS 62.175 (citation statute) which presently limited citations in juvenile matters to misdemeanor offenses. There may be an appetite to expand that statute to where the offense and offender were looked at more closely rather than the classification of the crime as being a misdemeanor, gross misdemeanor or felony.

The second proposed legislative change, Mr. Teuton remarked, would be in the dissemination of juvenile records. Currently, NRS 62.360 basically required juvenile records be maintained confidentially and could only be opened on a case-by-case basis to any person who could convince a judge he had a legitimate interest in accessing those records. By definition, police agencies had a legitimate interest in accessing the records of delinquent juveniles to find the outcome of cases. In Clark County there was a different section of the statute which authorized the director of juvenile court services basically to release information to anyone at anytime, at his sole discretion. This had provided law enforcement agencies with access to juvenile records.

To make the statute more explicit, an amendment should be made to NRS 62.360 so that law enforcement had clear access similar to NRS 432B, where law enforcement had access to and shared information about complaints or incidents of abuse and neglect.

In general, Mr. Teuton felt there was not a great dichotomy in the relationship between law enforcement agencies and juvenile justice administrators or practitioners. By and large, law enforcement was considered to be very supportive of the efforts of the juvenile justice system. He could cite instances of collaboration where not only law enforcement arresting agencies and probation officers, but the juvenile and adult divisions in the Clark County District Attorney's office had collaborated in particular problem areas, for example, juvenile prostitution.

Generally, the frustration law enforcement had with the juvenile justice system had been heard today, the lack of resources. In Clark County, the situation was very frustrating because of the detention issue. Those juveniles who repeatedly committed felony offenses, but had not yet gone to court and therefore could not be detained, was due in part to the backlog of cases sitting in the detention facility. Mr. Teuton indicated there were also some frustrations in the CHINS (Children In Need of Supervision) arena where law enforcement picked up children and took them to a facility, but there was no follow-up. On occasion, Mr. Teuton had seen printouts where there would be 12-16 reports of a child having run away from home and yet other than the fact the report was made, and the child eventually returned home, there was no service provided either to that juvenile or to those parents who looked to the juvenile justice system for that type of service.

After talking to Sue Edmondson, Mr. Teuton pointed out the practices varied between Washoe and Clark counties. In Washoe County, the court system would get involved with CHINS and would detain kids. In Clark County, because there was no separate facility for a CHINS kid to be detained, the county would not take on the liability. In one instance where the county did, a kid who refused to go to school was sexually assaulted during the weekend time period he was in the detention facility. The way this detention facility was structured, populations of youth could not be segregated according to risk and the purpose for that incarceration.

Overall, Mr. Teuton asserted it was a frustration over lack of resources. There may be some particular statutes which Ms. Edmondson would like to see amended, but overall, law enforcement was very supportive of the goals of the system.

Chairman Evans stated those two statutes would definitely be reviewed and the CHINS issue would also be reviewed. She believed the facility Mr. Teuton had referred to in Washoe County was the McGee Center, and there was not a comparable facility in Clark County. Mr. Teuton answered in Clark County there was a contract

with WestCare for law enforcement agencies to take children directly to WestCare. Operationally, in Washoe County juvenile probation officers were assigned to the McGee Center and in Las Vegas the officers were not assigned.

Senator Adler inquired if there was a truancy center, such as the one in Carson City where police picked up kids and dropped them at the center. Mr. Teuton replied negatively, but he reflected one must look at how business was done in Clark County. A school zone could be violated from 5:30 in the morning until 7:30 at night because some schools were in double session or triple session. It was very difficult, absent identification indicating a child was supposed to be in school, which would allow the law enforcement officer to verify that a child was in fact truant.

Senator Adler pointed out in Los Angeles, the children were provided different colored cards so the officer could make a determination when the officer stopped a child. He understood the program had been successful in Los Angeles.

Mr. Teuton commented the idea of a truancy center was worthwhile, but there were some significant operational problems. Mr. Teuton had heard Senator Adler's comments early in the day about the problems in Carson City, but in Las Vegas nothing had been done either. One of the concerns was on any given day 400 kids were truant from the eight high schools, and the court system would do nothing but hear truant cases. Senator Adler said he understood, but the studies from Los Angeles also showed the daytime burglary rate would drop 40 percent.

Although Mr. Teuton had been a great supporter of Senator Adler's bill, when these bills were passed, there were costs of implementation which the county, school district and district attorney were not necessarily able to pay. Senator Adler remarked he had suggested to Carson City they could have one officer go out on Monday nights to issue citations on the most serious offenders and the court could reserve two hours a week to hear those serious cases, suspend drivers licenses and issue fines. That action would get enough of a message out that the other kids would not want to take a chance. Senator Adler did not feel that all 400 kids should be cited, but enough resources should be allocated so there was some enforcement. Not everyone got a speeding ticket who deserved one, but when some people were, a driver would not be as willing to speed.

Mr. Teuton said his office had been working diligently on the truancy issue, and the plan was to implement a program in January, a new school district policy on attendance, to start enforcement at targeted schools and to work through operational problems. Senator Adler said he appreciated the efforts in Clark County. One thing he would like to see was for schools to stop giving students an "F" for the day if they did not show up for the day. That practice went against the state's ability to try to graduate kids. As everyone was aware, Nevada had the largest drop-out rate in the country.

Derek Lopez, from the Douglas County District Attorney's Office, concurred with Mr. Teuton. The relationship between law enforcement and juvenile justice administrators was very good in Douglas County. Unlike Clark and Washoe counties, because Douglas County was very small and the court system was covered by the local paper, a good deal of information was known by a large portion of officers just from the newspaper. The ability to share information by an amendment to NRS 62.360 would be helpful because every so often, the paper made a mistake in reporting consequences or outcomes on cases. If that access was easy, it would certainly help the officers. Overall, the relationship was good and he was unaware of any difficulties which would need statutory changes to improve that relationship.

Sue Edmondson, the juvenile prosecutor in Washoe County, said she was before the committee on behalf of the Washoe County District Attorney's office and Washoe County law enforcement agencies. She felt there was an excellent working relationship which did not need statutory assistance. Between probation, law enforcement and the district attorney's office, she thought they did a tremendous job of cooperatively working toward the best for the community and juveniles in the community.

Ms. Edmondson recommended two legislative changes, the first was to NRS 62.350(4) regarding photographs. Currently, police did not have the ability to obtain a court order to use photographs for lineups. If two words were changed from "limit inspection" to "limit use," the problem could be resolved and photographs of kids who had

been arrested could be used in lineups.

The second suggested change would be to NRS 484.383(8) which added a section requiring parents to be notified before an evidentiary test was done with respect to DUI cases. She understood parents should be involved, but for example in a death case like the Magers suffered, a parent might not be notified, a test might be taken and someone may be able to convince a court there was some constitutional basis for notification before and the test would not be valid. Although the section did not give the parents any rights to do anything, she could see that might create a problem. There was no reason for that portion to be in the statute, it was not required in any other type of criminal arrest. Notification after the fact would be fine, but the system was set up to suffer loss in the ability to prove critical DUI cases.

There were two other things Ms. Edmondson wished to address. She said there was good news about truancy in Washoe County. They had done what the legislation had directed them to do; they had established a board to develop the protocol for issuance of citations which met at least weekly. Proceedings had been instituted and citations had been issued, and one young man had been sent on two occasions to Wittenberg for not following law enforcement's recommendations. Additionally, Ms. Edmondson said protocols had been developed, and it was hoped they would be in place by the end of January. She felt very confident they would be accomplishing a great deal in developing protocols.

Ms. Edmondson briefly addressed the Magers' situation. She explained the reason a DUI was not charged was because there was no scientific evidence to support that the use of marijuana was not the cause or relationship for the death. Ms. Edmondson said she and the Magers had spent many, many hours together and they still talked frequently by phone. She considered their relationship was very positive. The sentence received by Brian Peaden was the one requested by the Magers, although they certainly had to jump through a number of hoops to make it happen. Nevertheless, the Magers were aware the scientific evidence was the reason the DUI was not charged.

Senator Washington commented the photograph line-up issue had been discussed last session. The bill passed out of the Senate and was amended in the Assembly, however, it did not pass the Assembly. He felt this was a good idea and he had sponsored the bill. Senator Washington indicated he would try again getting the bill passed.

Chairman Evans indicated the recommendations to change the NRS would be reviewed by Mr. Powers in the Legal Division of the Legislative Counsel Bureau. If the committee decided it would like to make these changes part of the recommendation, law enforcement would be contacted and their input appreciated.

Mr. Teuton added he would be participating and offered his help and suggestions in terms of the purposes of this committee in fulfilling their responsibilities. On another note, he had forgotten to note Sgt. Albert Salinas was present in Las Vegas, and wondered if Sgt. Salinas wished to add any remarks today. Senator Wiener relayed that Sgt. Salinas agreed with the previous testimony and had nothing additional to add to the record.

Mr. Lopez contended the committee should be at ease with regard to the truancy issue in Douglas County. A truancy review board had been established and a panel was in place which met monthly with the parents and the truants. Senator Adler inquired when the citation system would start; Carson City had indicated they would get to the citation system sometime in January as would Washoe County. Mr. Lopez estimated it would be relatively soon, after the truancy review board to set up protocols, Douglas County had held its first truancy review panel meetings with parents and children. The practice which had been in place beforehand was adopted to work with the new legislation. There had been a significant reduction in habitual truants from the time the number of trancies became a concern and when the review panel was established. The drop off of trancies after the panel was formed was enormous. The initial decision had been made under the protocol to see if that drop off continued and then cite those juveniles who continued with habitual truancy after the review panel. The panel provided a forum where the juvenile with his parents would explain the reasons for the trancies, iron out the problems and then citations would be issued if the trancies continued.

Senator Adler called attention to the elementary school truants and the fact there would be more problems down the line if not addressed now. Mr. Lopez noted it was the intention to charge the parents of elementary school truants with an educational neglect type of charge. Senator Adler pointed out if the children were charged as a

three-time truant, the parents would be responsible for the fine according to the statute.

7. OVERVIEW OF RESTORATIVE JUSTICE AND ITS IMPLEMENTATION IN NEVADA.

Chairman Evans reminded the committee they had received a video earlier today on restorative justice and recognized Leonard Pugh and Fritz Reese and indicated they had been asked to set the stage for this issue. Restorative justice would be revisited after this initial presentation.

Fritz Reese, Manager of Juvenile Probation for Family and Youth Services in Clark County, commented he and Leonard Pugh from Washoe County had been involved with a team from Las Vegas and northern Nevada and attended a restorative justice symposium in Albuquerque, New Mexico. This team was doing regional symposiums around the country to try to take the message of restorative justice to people who were involved in policy making and formation within their individual departments statewide and with states all around the country.

Mr. Reese pointed out some information had been provided in Exhibit C, behind tab G, which was a good overview and after the tape was viewed, he felt this would provide the committee with a good understanding of restorative justice. Additionally, Mr. Reese provided Exhibit I, which among other things contained information from the symposium.

Briefly, rather than crime being considered something against the state, restorative justice was a principle which considered crime as something against the violation of people and their relationships in the community. Mr. Reese said he had found it very interesting the connection with the community and the galvanization of a relationship with juvenile justice and the community was so important. That was one of the major tenants of restorative justice.

In order to best serve the committee, Mr. Reese said he and Mr. Pugh would like to briefly discuss what they were doing with reference to restorative justice. In southern Nevada, Mr. Reese stated there was a victim assistance/victim witness officer who was the conduit through which victims were contacted and she was their avenue to attend court hearings, etc. This was a mechanism whereby anytime there might be a possible victim to a crime, a letter was sent out in an attempt to contact the victim and give them an opportunity to respond. The victim was also informed of their rights to be present. Mr. Reese indicated a pilot program in southern Nevada had also been championed where they worked through neighborhood justice to put together a mediation program.

Mr. Reese said this program had been in place for almost one year and with the collaboration of neighborhood justice, they trained private citizens in terms of being mediators, which was facilitated through neighborhood justice social services. The citizens were trained to work with juvenile services. Three charges had been utilized, battery, destruction of private property and malicious destruction of private property. The victims were provided with an opportunity to meet with the offenders and even negotiate some type of restitution or community service or whatever the victims might be interested in.

He had recently met with neighborhood justice, Mr. Reese indicated, along with the referees and the judge in terms of expanding the program to include felonies, such things as burglary and car thefts. What had been found through restorative justice was that crime appeared not to have a face. Somehow, the system neglected to have the victim in the forefront and involved in the process. It had been found through research and the pilot program that there seemed to be much more of a sense of responsibility taken by the juvenile when he or she was involved in mediation. There was actually a face attached to the car which had the paint scraped off with a can opener or a face to the person they had struck. The victims felt they had an opportunity to be involved, not just on paper; however, the majority did not take advantage of going to court and making a presentation. Nevertheless, the victims felt they had somehow connected and they had some kind of restorative feeling in terms of what they had done. In fact, the victims had meted out probably much less retribution in terms of the sentence than the court would have. Offenders had been sentenced to such things as community service at the victim's church.

Mr. Reese commented there was also an established work program which was institutionalized within the department. This program had full-time staff where community contracts or community service work crews were taken out to earn money and that money was put into what was effectively a pot where the youths could turn those hours into money for the victim. Therefore, the offender could not use the excuse he did not have the ability to pay and as opposed to mom and dad spending money from their checkbook, this program was making the offenders responsible to turn community

service hours into monies for the victim.

Leonard Pugh, Assistant Director Responsible for Court Services, at the Washoe County Department of Juvenile Services, stated at the last committee meeting, Mr. Calderone described that as a department, juvenile services had recently gone through a major reorganization. This was an 18-month process which involved 17 staff members. Approximately 13 months ago, the department began implementing some of the changes made as a result of the restructuring. During the planning process, the balanced approach and restorative justice principles were used as the framework for decisions made regarding the county's service delivery system.

Victims, the community, and offender accountability issues were discussed at length. As a result, Mr. Pugh indicated the department decided to create a separate position to better serve victims in Washoe County. This position was originally called a victim coordinator position, but had recently been renamed to restorative justice specialist. At the same time, some probation officer responsibilities had been changed and three community connectedness officers had been created.

With reference to the restorative justice specialists, Mr. Pugh explained their primary responsibilities included assisting victims, making them aware of their rights and options, keeping them up-to-date as to the progress of their case and what would happen. The specialist would also accompany the victim to court if the victim chose. One of the long-range goals which had not yet been achieved, was the development of an active victim/offender mediation program. Along with the program would be the recruitment and training of volunteers to serve as mediators. The specialists would also be coordinating community service projects for kids to participate in.

Mr. Pugh commented the community connectedness officers had responsibilities which included the development of stronger ties with the community by developing employment sites, positive community service projects and recruiting mentors, tutors, and volunteers to work with youth in the regions these officers resided. One example of the program was that last summer, the community outreach worker and the community connectedness officer worked in conjunction with the Sun Valley Community Center. Kids who participated in that program went to the senior citizens center who, prior to this, had complained about kids being around the center, etc. The kids painted the center, worked hand-in-hand with the senior citizens and consequently, the seniors then reached out to the kids and invited them to participate in some of the programs the seniors provided as well as encouraging the kids to do some community projects in their homes and neighborhoods. There was connection and the goal of the program was to build on those successes.

Additionally, Mr. Pugh explained another change was made in that every case plan now was required to address the following areas of community protection, victims, accountability, competency development, community connectedness and family strengthening.

Some of the programs and services provided included a monetary restitution program, community service work program, basic positive community service sites set up in agencies or other county-operated programs. There was an employability training/ graffiti removal program where kids participated in a classroom setting which reviewed employability skills and how to properly prepare for a job interview, how to conduct oneself at a job interview, how to address greeting skills, listening skills, etc. The program also included budgeting and other financial issues. In addition, on Saturdays, the kids went into the community and painted over graffiti which had been identified by the Reno Police Department or other law enforcement agencies. Through Job Opportunities in Nevada, the kids were paid a stipend for the work they completed, Mr. Pugh remarked.

There was also a basic skills program which taught offenders social skills, conflict resolution, and decision making. These were among 19 different skills which were offered in the curriculum. The parents were surveyed prior to the kids participating in the program and the parents assessed what they thought their child's skill ability was in those areas. Upon completion, the parents completed another survey and then follow-up was done for six months to ensure the kids were still exhibiting the skills they were taught. The benefit to this skills program, Mr. Pugh observed, would be more confident kids who were more successful in areas such as employment and relationships with law abiding adults, and therefore less likely to see the community as faceless.

Mr. Pugh said there was another similar program for a different population of kids which dealt with changing directions. This was more of a self-awareness program which taught kids to identify their own personal assets, how they could utilize those assets and then how to set appropriate and reachable goals, so again, they would become more successful.

On a side note, the department made referrals to two impact panels which the department collaborated and worked closely with. There was a probation officer who served on the DUI task force and a DUI victim impact panel was operated for juveniles. This panel was at times held in the community and other times in Wittenberg Hall. The kids who were in custody participated in the program as well as kids from the outside.

Recently, Mr. Pugh indicated, the department starting working with a new group of volunteers on a homicide education and intervention program. These were victims of people who had died as a result of violent crimes or had been greatly injured as a result of violent crimes and was modeled after the MADD DUI impact panel.

Mr. Reese added that victim awareness classes had been identified as a program Clark County wished to pursue. It was interesting the California Youth Authority had established those classes and one of the requirements for a youth going through that institution was to participate in a number of victim awareness classes as well as sitting on the victim impact panels as had been described by Mr. Pugh.

Mr. Reese mentioned the legislature had been great when it came to funding the Freedom Program and currently, those victim impact classes were now being offered beginning the first of January.

Chairman Evans drew attention to Mr. Pugh and referred to the use of community mediators and whether that was a specific task. Mr. Pugh remarked what was being attempted at this point in time was to recruit volunteers and then train them in the art of victim offender mediation. These volunteers would then be used in connection with the program to provide that service to victims in the future. At the present time, there was no system in place. On occasion, the adult victim offender mediation program had been utilized which was operated through the District Attorney's office and the Victims of Crime office. The department wished to develop their own program and make it more expansive to deal with more victims.

Chairman Evans agreed that was an important component, using community volunteers, especially if they went through extensive training by professional mediators. The volunteers would not be trained in-house, but by professionals who had the expertise to train. She understood there was a minimum of 40 hours of training. Mr. Pugh indicated that was correct and although the program had been identified, it had not yet been implemented. Initially, there was training required for the person who had been put in that position by the department, and how she was in a position to develop training for the volunteers. Again, Mr. Pugh remarked, it was important these people were trained appropriately in how to deal with victims in order to make them feel they were part of the process and more restored than they had been in the past.

Chairman Evans said another point which had been emphasized was that a program such as this really extended resources, because volunteers were not being paid to conduct these mediation sessions. There was so much to be done and the state and local communities would never have all the resources needed. This was a way to greatly expand personnel. Mr. Pugh indicated his total agreement. There had been some successes in other areas using volunteers. For example, last year the entire female basketball team from UNR served as mentors to at-risk females who were involved with the department. Sierra Pacific Power Company had provided volunteers who worked with kids with learning disabilities. Mr. Pugh stated he would like to build on those successes to address this very critical part of the program.

Chairman Evans commented that even though this issue was being discussed at the end of the day and only a small amount of time was being allocated for restorative justice, the committee would be coming back to discuss this program in more depth. Chairman Evans said she was keenly interested in the program and she felt there was a lot of untapped potential. The fact that both counties had come forward with programs which could be expanded was very encouraging. She emphasized more would be heard on the subject in the future, because there was enormous potential to change directions from the strict punishment and retribution model, as described in the video as "tail 'em -- nail 'em — jail 'em," and getting off that track. Restorative justice used volunteers which was different than paid law enforcement staff. This community person helped, cared and could come together with the offender and victim to discuss what it meant to the victim and family to be victimized. A negotiated contract was developed with fines and community service, rather than a punishment being imposed on the offender, who must buy into the contract. She emphasized she had been very impressed from some of the outcomes of this program.

Senator Adler asked if either Mr. Reese or Mr. Pugh used teen courts or any other program of that nature. In response, Mr. Reese said yes and he had just met a gentleman who was doing research for Japanese television who wanted to look at Clark County's teen court. This gentleman wanted to replicate the program and do some education issues in Japan. The teen court had been running for approximately 3-4 years and there was a probation officer who coordinated the program. Referrals were received from the school district and referrals were screened through an intake department, which made recommendations for teen court. Obviously, the offender must agree to participate, but there had been a great deal of success.

Senator Adler mentioned in some states youth who were offenders were required to serve a couple of turns on the court as part of the program. Mr. Reese replied that format had been utilized and was provided as an option for the offender. There were numerous youth who were still with teen court who had come in as offenders.

Chairman Evans thanked Mr. Reese and Mr. Pugh for their presentation and inquired if there was any public testimony from either Carson City or Las Vegas who wished to speak. There was none.

The chairman indicated the next hearing would be held in February, but the date had not yet been selected. She said the committee would be notified of the next hearing date as well as the date of the NCSL teleconference.

There being no further business before the committee, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

Reba Coombs, Secretary

Approved:

Assemblywoman Jan Evans, Chairman

Date: