



NEVADA LEGISLATURE
LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY
THE JUVENILE JUSTICE SYSTEM
(Assembly Concurrent Resolution No. 18, File No. 92, *Statutes of Nevada* 2003)
SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Nevada Legislative Commission's Subcommittee to Study the Juvenile Justice System was held on November 7, 2003, at 9 a.m. in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/Session/72nd2003/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

SUBCOMMITTEE MEMBERS PRESENT IN CARSON CITY:

Assemblywoman Sheila Leslie, Chairwoman
Assemblyman Bernie Anderson
Assemblyman John C. Carpenter

SUBCOMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Terry Care
Senator Valerie Wiener

SUBCOMMITTEE MEMBER ABSENT:

Senator Maurice E. Washington

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Nicolas C. Anthony, Senior Research Analyst, Research Division
Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division
Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division
Joel C. Benton, Deputy Legislative Counsel, Legal Division
Lucinda Benjamin, Senior Research Secretary, Research Division

CALL TO ORDER AND OPENING REMARKS

- Chairwoman Sheila Leslie called the meeting to order, welcomed the audience and subcommittee members, and explained that this subcommittee is a continuation of two earlier studies begun by the late Assemblywoman Jan Evans and continued through the efforts of Senator Valerie Wiener.

OVERVIEW OF A.C.R. 18 STUDY AND TIMELINE

- Nicolas C. Anthony, Senior Research Analyst, Research Division, provided the subcommittee with an overview of A.C.R. 18 ([Exhibit B](#)) and reviewed the subcommittee's timeline for future meetings (see [Exhibit C](#)).

PUBLIC COMMENT

- Ms. Willie Smith, Deputy Administrator, Division of Child and Family Services, Department of Human Resources, provided information on the status of Summit View Youth Correctional Center, which is scheduled to be reopened in early 2004 as a state-operated facility with educational services provided by the Clark County School District. A tour of the facility will be scheduled for mid-April, 2004.
- Kirby Burgess, Clark County Department of Juvenile Services, informed the subcommittee the National Council on Juvenile Justice Conference is scheduled for March 28 through 31, 2004, in Las Vegas. Mr. Burgess provided information on the risk assessment tool currently being tested by probation officers in Clark County. The Clark County model is based on best practices in the area of assessing the risk of juvenile sex offenders and is being validated to become a part of a national model. Mr. Burgess offered to provide a progress report on the assessment tool validation to the subcommittee next year.
- Richard Siegel, American Civil Liberties Union, requested issues regarding minority youth be placed on a future agenda. Mr. Siegel referenced a national peer review study conducted by Clark County and requested the subcommittee examine the services provided by public defenders to juveniles in the court process.

REVIEW OF A.C.R. 57 AND A.C.R. 13 PAST INTERIM STUDIES

- Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division, reviewed the recommendations from two earlier subcommittees concerning the juvenile justice system established by A.C.R. 57 (File No. 152, *Statutes of Nevada 1997*) and A.C.R. 13 (File No. 139, *Statutes of Nevada 1999*). Please see [Exhibit D](#) and [Exhibit E](#) for details.
- Assemblyman Bernie Anderson stated the subcommittee must also examine the fiscal issues to ensure that the juvenile justice system receives appropriate funding.
- Larry D. Carter, Juvenile Justice Programs Chief, Juvenile Justice and Delinquency Prevention Act (OJJDP), Division of Child and Family Services and staff of the Nevada State Juvenile Justice Commission, presented an overview on the following topics:
 1. Progress on Implementation of Placement Instruments and Performance-Based Standards;
 2. Study of Diversion, Intervention and Aftercare Programs;
 3. Continued Evaluation of Youth Gangs and Gang Reports Summary (together with the Silver State Juvenile Detention Association);
 4. Study of Minority Over-representation in the Juvenile Justice Summary (Senate Bill 232, Chapter 462, *Statutes of Nevada 2001*);
 5. Issues to be studied by the Statutory Committee on Juvenile Justice;
 6. Reports of the National Center for Juvenile Justice Study Results; and
 7. Expansion of the State of Nevada Juvenile Justice Commission.

Mr. Carter notified the subcommittee that the State of Nevada recently received \$35,000 to examine gender-specific issues which should positively affect recidivism. Based on 2001 to 2002 gang surveys, there was a small decrease in gang activity in rural areas. Please see [Exhibit F](#) for detailed information of Mr. Carter's presentation.

- Assemblyman John C. Carpenter expressed the need to use teleconferencing to enable communication between

youth at the Elko and Caliente youth centers and their families--a service that he said may be available through Nevada's Department of Transportation or Division of Forestry offices. He offered to contact the offices regarding teleconferencing capability.

- Leonard J. Pugh, President, Nevada Association of Juvenile Justice Administrators, and Director, Washoe County Department of Juvenile Services, addressed the detention placement issue. Mr. Pugh provided information on the risk assessment instrument used by counties statewide to reduce the percentage of placements and the length of stay. Please see [Exhibit G](#) which contains detailed information on:

1. Need to Continue Refinement and Implementation of Placement Instruments.
2. Continued Creation of Intermediate Sanctions.
3. Recommendation that Teachers Be Placed in Detention Homes.
4. Detention Homes on Jail Grounds.
5. Authorization of Court to Place Parole Violators in Detention.

In response to a question from Assemblyman Anderson regarding statewide representation policies for youth in correctional facilities, Mr. Pugh stated he would request a report from administrators of detention homes in Nevada on what procedures are currently being used. He will report to the subcommittee at the next meeting.

- Chairwoman Leslie stated future agenda items would include (1) confidentiality, (2) educational services provided by correctional facilities, (3) independent state oversight for detention facilities, (4) youth representation and individual rights in the juvenile justice system, and (5) other state's models of a Bill of Rights for Children. She also requested an update on the Civil Rights of Institutionalized Persons Act (CRIPA) and the civil rights investigation.
- Mary Ann Woolley, Vice President, Silver State Juvenile Detention Association, addressed the lack of sharing confidential information prior to 1998. Ms. Woolley indicated that "The Silver State Juvenile Detention Association (SSJDA) was formed in 1998 to provide Juvenile Detention Administrators with the opportunity to establish standards for program, personnel, and physical plant requirements for juvenile detention facilities." Please see [Exhibit H](#) for detailed information of Ms. Woolley's presentation.
- Albert L. Crosby, Manager, Detention Services, Clark County Department of Family and Youth Services, and President, Silver State Juvenile Detention Association, submitted a presentation titled "Detention Gang Committee Update, Southern Nevada Community Gang Task Force, October 28, 2003." Mr. Crosby stated the Southern Nevada Community Gang Task Force has "enhanced the effectiveness of OJJDP's Comprehensive Gang Model in three primary areas: Gang Prevention; Gang Intervention; and Gang Suppression." Please see [Exhibit I](#).

Assemblyman Bernie Anderson questioned what opportunity for representation youth have in the juvenile justice process. Ms. Woolley and Mr. Pugh explained the process used in Washoe County; however, the subcommittee noted that the issue may require further study.

- Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division, presented an overview of Title 5 of *Nevada Revised Statutes* (NRS) and the reorganization of Chapter 62 of NRS as amended by Senate Bill 197 (Chapter 206, *Statutes of Nevada 2003*). Ms. Lang explained that during codification items may get moved to different locations in NRS. Please see [Exhibit J](#). She also submitted [Exhibit K](#), "Title 5 Juvenile Justice (Organized According to Section Number in Senate Bill 197)" which identifies the new and the old NRS sections changed by S.B. 197. [Exhibit L](#), is titled "Title 5 Juvenile Justice (Organized According to Codified NRS Number 197)" Please see Exhibits J, K, and L for detailed information of Ms. Lang's presentation.

PUBLIC COMMENT

- Judge Frances M. Doherty, District Court Judge, Family Division Second Judicial District Court, offered suggestions to the subcommittee for possible agenda items and her services to work on these issues:
 1. Using a statewide protocol for representation of children in court proceedings and instituting a Bill of Rights for Children.
 2. Continuing established educational plans for children in detention.
 3. Coordinating simultaneous services for children in detention to reduce the redundant application requirements for families of these children when applying for services.
 4. Reviewing the certification process and statutory revisions.
 5. Obtaining a report on the national movement in juvenile justice by the federal government to eliminate agencies that are the voice of children at the federal level.
 6. Examining blended sentencing, ages of juveniles certified, and where children are detained when certified in the juvenile justice system.
- Judge Cynthia Dianne Steel, Family Division, Eighth Judicial District Court, asked the subcommittee the purpose of certification of juveniles as adults for certain crimes and echoed Judge Doherty's request for the subcommittee to address this issue. She also asked the subcommittee to examine the matter of children in detention facilities turning 18 years of age while awaiting adjudication. Judge Steel offered her services to the committee to address these issues.
- Kim Hernandez, Parents Encouraging Parents (PEP), described an example of a child in the juvenile justice system. She stated Nevada's process in determining where a child is placed needs to be examined and suggested parents and detention staff be included in decisions for placements in facilities. She stated Hispanic and African-American children are singled out, and their parents are unable to assist them. She was able to help her child by being a member of PEP. Ms. Hernandez stated parents should be on boards, forums, and committees that establish policy concerning the placement process.
- Brian Burke, Attorney, Disability and Advocacy Center, stated he worked as a juvenile public defender in Pennsylvania for three years and offered to contact the Juvenile Court Judges Commission in that State to identify a possible speaker for the Subcommittee's future meetings.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1:20 p.m.

Respectfully submitted,

Lucinda Benjamin
Senior Research Secretary

Nicolas C. Anthony
Senior Research Analyst

APPROVED BY:

Assemblywoman Sheila Leslie, Chairwoman

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda”.

[Exhibit B](#) is Assembly Concurrent Resolution No. 18, File No. 92, *Statutes of Nevada 2003*.

[Exhibit C](#) is a document titled “Interim Study on Juvenile Justice (Assembly Concurrent Resolution No. 18, File No. 92, *Statutes of Nevada 2003*) Overview and Timeline,” provided by Nicolas C. Anthony, Senior Research Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is a document titled “Recommendations of the A.C.R. 57 Subcommittee,” provided by Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau.

[Exhibit E](#) is a document titled “A.C.R. 13 Recommendations (2001 Report),” prepared by Nicolas C. Anthony, Senior Research Analyst, Research Division, Legislative Counsel Bureau, and presented by Larry Peri, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau.

[Exhibit F](#) is a document titled “Division of Child and Family Services Youth Correctional Services Response to A.C.R. 18 Request for Information, November 7, 2003,” provided by Larry D. Carter, Juvenile Justice Programs Chief, Juvenile Justice and Delinquency Prevention Act, Division of Child and Family Services, Department of Human Resources.

[Exhibit G](#) is a document titled “N.A.J.J.A. Nevada Association of Juvenile Justice Administrators,” provided by Leonard J. Pugh, President, Nevada Association of Juvenile Justice Administrators.

[Exhibit H](#) is a letter from Al Crosby, President and Mary Ann Woolley, Vice President of the Silver State Juvenile Detention Association and a document titled “NAJJA/SSJDA Peer Review Manual,” produced by the Nevada Association of Juvenile Justice Administrators and the Silver State Juvenile Justice Detention Association.

[Exhibit I](#) is a document titled “Detention Gang Committee Update Southern Nevada Community Gang Task Force October 28, 2003,” provided by Albert L. Crosby, Manager, Detention Services, Clark County Department of Family and Youth Services.

[Exhibit J](#) is a document titled “Title 5 Juvenile Justice,” provided by Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau.

[Exhibit K](#) is a chart titled “Title 5 Juvenile Justice (Organized According to Section Number in S.B. 197),” provided by Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau.

[Exhibit L](#) is a chart titled “Title 5 Juvenile Justice (Organized According to Codified NRS Number),” provided by Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library by [e-mail \(www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm\)](mailto:www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.
