



**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 second meeting of the Nevada Legislative Commission's Subcommittee to Study the Juvenile Justice System was held on January 15, 2004, at 9 a.m. in Room 2135 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](http://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](mailto: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  
Senator Maurice E. Washington

**SUBCOMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Senator Terry Care  
Senator Valerie Wiener

**LEGISLATIVE COUNSEL BUREAU (LCB) 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 committee members, and explained the committee is open to new agenda items and suggestions.

**APPROVAL OF NOVEMBER 7, 2003, MINUTES**

The subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN CARPENTER MOVED FOR APPROVAL OF THE MINUTES OF THE SUBCOMMITTEE TO STUDY THE JUVENILE JUSTICE SYSTEM'S NOVEMBER 7, 2003, MEETING IN CARSON CITY, NEVADA. THE MOTION WAS SECONDED BY SENATOR

CARE AND PASSED UNANIMOUSLY.

## **UPDATE ON PROGRESS OF SUBSTANCE ABUSE TREATMENT RECOMMENDATIONS FOR A.C.R. 13 (FILE NO. 139, *STATUTES OF NEVADA 1999*) INTERIM STUDY**

- Maria Canfield, Chief, Bureau of Alcohol and Drug Abuse (BADA), Department of Human Resources (DHR), gave an update on recommendations from the A.C.R. 13 (File No. 139, *Statutes of Nevada 1999*) Study of System of Juvenile Justice in Nevada and progress in enhancing the following services to adolescents:
  1. Update on prevention and treatment services to juveniles;
  2. Replacement of existing treatment client data system with WEB Infrastructure for Treatment Services (WITS) system;
  3. Assessment of drug treatment programs and reporting for the redesigned Substance Abuse Prevention and Treatment (SAPT) Performance Partnership Block Grant (PPG);
  4. Participation in pilot study of WITS to meet mandates of Government Performance and Results Act of 1995 (GPRA); and
  5. Assessment of treatment programs and implementation of a developmental model.

Ms. Canfield's testimony indicated that the recommendations from A.C.R. 13 are being followed. Please see [Exhibit B](#) for details of Ms. Canfield's PowerPoint presentation. Ms. Canfield also submitted a set of BADA's 2003 Needs Assessment and seven Strategic Plans (Exhibits B1 to B8). Please see [Exhibit C](#) for detailed information on the course catalog developed by the Center for the Application of Substance Abuse Technologies at the University of Nevada, Reno. Two documents on substance abuse prevention program operating and access standards were also provided by Ms. Canfield ([Exhibit C1](#) and [Exhibit C2](#)), and also two exhibits containing lists of certified prevention and treatment programs in Nevada ([Exhibit C3](#) and [Exhibit C4](#)) were provided.

## **UPDATE ON CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT (CRIPA) REPORT AND STATUS OF CORRECTIVE ACTION PLAN**

- Michael J. Willden, Director, DHR, provided updates on corrective measures implemented by DHR; the Civil Rights of Institutionalized Persons Act; and the progress of signing a Memorandum of Understanding (MOU) with the United States Department of Justice. The MOU addresses: (1) staff to youth ratios for day and night shifts, (2) orientation of youth and families regarding a grievance filing process, (3) formation of an Incident Review Team, (4) child protection service (CPS) reporting and investigation, and (5) quality assurance standards. Mr. Willden stated quarterly reports are made to the federal government and reported that the Summit View Youth Correctional Center will begin accepting juvenile placements on Monday, January 26, 2004.
- Jone M. Bosworth, Administrator, Division of Child and Family Services (DCFS), DHR, stated the Division has met with staff to address the issue of effective coordination and use of funds. Often children in the juvenile justice system have been involved with alcohol and drug abuse and come from very troubled and complex backgrounds. The Division's goal is to inform them at an early age, as young as 15 years old, that funds are available to them. Additionally, Ms. Bosworth recommended that it is imperative that all records, including school, child protective services, mental health, et cetera, should follow the child throughout the system. She added that legislative direction may be needed. Please see [Exhibit D](#) for detailed information of Ms. Bosworth's presentation.

## **PRESENTATION ON CONTINUUM OF CARE; INDIVIDUAL NEEDS; AFTERCARE AND REINTEGRATION; MENTAL HEALTH COMPONENTS; SUBSTANCE ABUSE TREATMENTS; EDUCATIONAL SERVICES; AND RECENT STUDIES AND UPDATES**

- Leonard J. Pugh, President, Nevada Association of Juvenile Justice Administrators, and Director, Washoe County Department of Juvenile Services, presented a letter to Assemblywoman Sheila Leslie from Larry D. Carter, on behalf of the Work Study Group, containing future agenda recommendations. The Work Study Group was created by the Nevada Juvenile Justice Commission pursuant to the federal Juvenile Justice and Delinquency Prevention Act of 1974 and is comprised of juvenile justice experts, including District Court judges, juvenile probation officers and State juvenile justice professionals. Mr. Pugh presented the Work Study Group's recommendations including:
  1. Increased collaboration and coordination between youth-serving agencies including sharing of existing resources and braided-funding formulas with more wraparound programs.
  2. Targeting directions for implementing strategies for over-representation of incarcerated female, ethnic, and racial minority youth;
  3. Identifying unmet educational needs of youth involved in Nevada's juvenile justice system; and
  4. Developing specific approaches, community-based programs, and alternative placement programs to meet the mental health and substance abuse treatment needs of juveniles and their families at the community-based and youth correctional training facility levels;

Mr. Pugh stressed the theme of greater collaboration throughout his testimony. He informed the subcommittee that the number of Hispanic youth referrals has increased, and the Washoe County Department of Juvenile Services is working with other community agencies to address the issues involved for the initial referral. He expressed concern about limited access to intervention services and reiterated the need for an expansive system of services. In response to an inquiry, Mr. Pugh will compile information on the number of youth that require alternative educational settings in Washoe County. Please see [Exhibit E](#) for detailed information on Mr. Pugh's presentation.

- Kirby Burgess, Director, Clark County Department of Juvenile Services, provided information about the importance of early intervention for substance abuse and provided an overview of the *Substance Abuse Legislative Position Paper* (please see [Exhibit E1](#)). The Department has seen an increase in alcohol and substance abuse in rural and urban Nevada. He stated it is also important to increase coordination between juvenile service providers to use funds effectively. In response to an inquiry, Mr. Burgess will compile information on the number of youth that require alternative educational settings in Clark County.
- Theresa M. Anderson, Deputy Administrator, Northern Region, DCFS, presented a position paper titled "Education and the Juvenile Justice System," (please see [Exhibit E2](#)). Ms. Anderson explained that it is difficult for school districts to address all social ills of youth, especially in rural areas where children who display delinquent behaviors at early ages have a lack of alternative education programs to address their needs. She recommended increased collaborative planning between teachers, parents, and alternative education administrators, and teacher training in pro-social behaviors. Lastly, Ms. Anderson recommended that the subcommittee review the State of Wisconsin Department of Public Instruction alternative education program model.
- Willie Smith, Deputy Administrator, Youth Correctional Services, responded to an inquiry of whether youth are self reporting or whether evaluation instruments are administered to gather information on alcohol and drug use by juveniles. She explained a self-reporting instrument was administered at the Nevada Youth Training Center in Elko, Nevada, which revealed that 80 percent of the youth dealt with alcohol and substance abuse prior to their placements at the Center. At the Caliente Youth Center a screening test was administered which revealed similar percentages.
- Judge Frances M. Doherty, District Court Judge, Family Division Second Judicial District Court (Washoe County), presented a position paper titled "The Unmet Needs of Youth with Mental Health and Co-occurring Disorders in the Juvenile Justice System," (please see [Exhibit E3](#)). Judge Doherty explained in Washoe County the process involves gathering all files for every child that enters the juvenile justice system in an effort to get to know the child and the family. Judge Doherty stated that the most critical component is the

absence of special education continuity for children in the juvenile justice system. Substance abuse, education, and mental health issues need to be addressed within a treatment plan that travels with the child through the juvenile justice system. The groups requiring higher levels of care need to be evaluated and be diverted out of the juvenile justice system, if necessary. She stated it also involves balancing the civil rights of the child and family and confidentiality which can affect the disposition of a case. Finally, Judge Doherty recommended that the State of Nevada examine the Massachusetts model of youth mental health screening at intake.

- Judge Cynthia Dianne Steel, District Court Judge, Family Division Eighth Judicial District (Clark County), stated gathering files for each child would be an “overwhelming” task in Clark County due to limited staffing and resources.

Additionally, it should be noted that the Work Study Group presented documents for the record on education and assessment in the juvenile justice system: (1) *An Assessment of the Nevada Juvenile Justice System Final Report*, (2) Governor’s Summit recommendations and final report, (3) Juvenile Justice Commission’s Work Study Group 2002 Report, (4) Clark County, Washoe County and Rural Mental Health 2002 Annual Plans, (6) a gender-specific services plan, (7) information on race, ethnicity and economics in Nevada’s Judicial Districts for 2003, (8) education and delinquency prevention, (9) mental health needs of young offenders, and (10) juvenile detention reform. Please see [Exhibit E4](#) to [Exhibit E15](#) for detailed information on these documents.

## **PRESENTATION AND UPDATE ON REQUESTED INFORMATION FROM NOVEMBER 7, 2003, MEETING**

- Nicolas C. Anthony, Senior Research Analyst, Research Division, LCB, updated the committee on the status of his research to identify a juvenile bill of rights. Mr. Anthony stated that it does not appear that Nevada or any other states have established a formal juvenile bill of rights. However, he stated that staff will continue to work with Judge Doherty to address this topic at a future meeting.
- Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division, LCB, submitted an opinion letter from the Legal Division. The letter indicates that a privilege for communications between a parent and child during a juvenile proceeding does not appear to exist in Nevada. Additionally, the letter highlights other states, including Idaho, Massachusetts, and Minnesota which provide for a child and parent privilege. Ms. Lang also responded that in the opinion of the Legislative Counsel, a child in Nevada is afforded a constitutional right to an attorney during delinquency proceedings. Please see [Exhibit F](#) for detailed information on Ms. Lang’s presentation.

## **PUBLIC COMMENT**

- Sherrada James, Executive Director, Nevada Indian Commission, requested the Commission be placed on a future subcommittee agenda to discuss juvenile justice issues affecting tribal communities in Nevada.

## **ADJOURNMENT**

Mr. Anthony provided to the subcommittee information on the National Council on Juvenile Justice Conference scheduled for March 28 to 31, 2004, in Las Vegas, Nevada. There being no further business to come before the subcommittee, the meeting was adjourned at 1 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 a PowerPoint presentation submitted by Maria D. Canfield, Chief, Bureau of Alcohol and Drug Abuse (BADA), Department of Human Resources (DHR).

[Exhibit B1](#) is a cover letter dated December 17, 2003, to Nicolas Anthony, Senior Research Analyst, LCB, from Maria C. Canfield, Chief, BADA, with an enclosure titled “2003 Needs Assessment,” dated November 2003.

[Exhibit B2](#) is a report titled “Injecting Drug Users Special Population Strategic Plan 2001,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit B3](#) is a report titled “Adolescents Special Population Strategic Plan,” dated March 2001 and provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit B4](#) is a report titled “Pregnant & Parenting Women Special Population Strategic Plan 2001,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit B5](#) is a report titled “Tuberculosis and HIV/AIDS Special Population Strategic Plan 2001,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit B6](#) is a report titled “Substance Abuse Evaluation Strategic Plan 2001,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit B7](#) is a report titled “Substance Abuse Treatment Strategic Plan 2001,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit B8](#) is a report titled “Substance Abuse Prevention Strategic Plan 2001,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit C](#) is a booklet titled *Substance Abuse Treatment and Prevention Course Catalog January - June 2004*, provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit C1](#) is a document titled “Substance Abuse Prevention Program Operating and Access Standards,” for Workforce Development, Availability and Funding of Services, Service Delivery, Public Education, and Program Evaluation provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit C2](#) is a document titled “Substance Abuse Prevention Program Operating and Access Standards,” containing the progressive set of standards to implement the American Society of Addiction Medicine Patient Placement Criteria for Fiscal Years 2006 to 2009 provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit C3](#) is a list titled “Bureau of Alcohol and Drug Abuse Certified Prevention Programs 1/14/04,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit C4](#) is a list titled “Bureau of Alcohol and Drug Certified Treatment Programs – January 14, 2004,” provided by Maria D. Canfield, Chief, BADA, DHR.

[Exhibit D](#) is a memorandum dated January 9, 2004, from Jone M. Bosworth, Administrator, Division of Child and

Family Services, DHR, with a document titled “Update on Civil Rights of Institutionalized Persons Act Report (CRIPA) and Status of Corrective Action Plan.”

[Exhibit E](#) is a letter dated January 9, 2003, to Assemblywoman Sheila Leslie, Chairwoman, from Larry D. Carter, Juvenile Justice Programs Chief, Juvenile Justice and Delinquency Prevention Act, DCFS, DHR, on behalf of Nevada’s Juvenile Justice Commission’s Work Study Group providing recommendations for agenda items.

[Exhibit E1](#) is a document titled “Substance Abuse Legislative Position Paper,” from the Juvenile Justice Commission’s Work Study Group presented by Kirby Burgess, Director, Clark County Department of Juvenile Services

[Exhibit E2](#) is a document titled “Education and the Juvenile Justice System,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E3](#) is a document titled “The Unmet Needs of Youth with Mental Health and Co-occurring Disorders in the Juvenile Justice System,” provided by Judge Frances M. Doherty, District Court Judge, Family Division Second Judicial District Court

[Exhibit E4](#) is a report dated April 30, 2001, and titled “An Assessment of the Nevada Juvenile Justice System Final Report,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E5](#) is a document titled “Governor’s Summit On Juvenile Justice – Consultant Observations, Recommendations, and Conclusion,” submitted by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E6](#) is a Final Report titled “The Governor’s Summit On Juvenile Justice: Building An Alliance For Nevada’s Youth,” dated December 8, 2003, provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E7](#) is a report on the status of the juvenile justice system in Nevada dated March 28, 2002, requested by the Chief of Staff, Office of the Governor, from the Nevada Juvenile Justice Commission Work Study Group.

[Exhibit E8](#) is a report titled “Clark County Mental Health Consortium First Annual Plan, August 2002,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E9](#) is a document titled “Rural Mental Health Consortium First Annual Plan for Mental Health Services,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E10](#) is a plan titled “Washoe County Mental Health Consortium Annual Plan – Revised Version August 9, 2002,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E11](#) is a document titled “Providing a Promising Future for Nevada’s Girls: A Statewide Gender-Specific Services Plan,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E12](#) is a report dated August 2003, titled “Race, Ethnicity and Economics of Juvenile Referrals in Nevada’s Judicial Districts,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E13](#) is the Coalition for Juvenile Justice 2001 Annual Report titled “Abandoned in the Back Row – New Lessons in Education and Delinquency Prevention,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E14](#) is the Coalition for Juvenile Justice 2000 Annual Report titled “Handle with Care – Serving The Mental Health Needs of Young Offenders,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit E15](#) is a document titled “Pathways to Juvenile Detention Reform – The JDAI (Juvenile Detention Alternatives Initiative) Story - Building a Better Juvenile Detention System,” provided by the Juvenile Justice Commission’s Work Study Group.

[Exhibit F](#) is a letter dated January 12, 2004, to Assemblywoman Sheila Leslie, Chairwoman, from Joel C. Benton,

Deputy Legislative Counsel, and Risa B. Lang, Principal Deputy Legislative Counsel, Legal Division, LCB, regarding parent and child communication disclosure privilege and a child's constitutional right to an attorney.

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 online at [www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm](http://www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.