

Steve Sisolak
Governor



Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
Helping people. It's who we are and what we do.



Cindy Pitlock, DNP
Administrator

June 30, 2022

Brenda Erdoes, Director
Legislative Counsel Bureau.
401 South Carson Street
Carson City, Nevada 89701

RE: Senate Bill (SB) 356

Dear Ms. Erdoes,

Please see attached report from the Division of Child and Family Services (DCFS) in response to SB 356 enacted in 2021, which outlines the parameters of a more in-depth study which will be completed and provided to the Committee on or about July 1, 2023.

DCFS is currently in discussions with a potential vendor with the goal of providing a completed study to DCFS with recommendations and costs associated with those recommendations by June 30, 2023.

Should there be any questions, I can be reached at (775) 684-4440 or c.pitlock@dcfs.nv.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cindy Pitlock".

Cindy Pitlock
Administrator, DCFS

cc: Richard Whitley, Director, Department of Health and Human Services
Marla McDade Williams, Deputy Director, Department of Health and Human Services
Shannon Litz, Public Information Officer, Department of Health and Human Services
Madison Huntley, Management Analyst II, Department of Health and Human Services
Priscilla Acosta, Health Program Specialist I, Department of Health and Human Services
Sebastian Iza, Family Service Specialist I, Department of Health and Human Services
Karla Delgado, Social Services Chief I, Division of Child and Family Services

**A report concerning a study on housing of
youthful offenders
Senate Bill 356 (SB 356)**

Prepared for
the Joint Interim Standing Committee on Judiciary on or before July 1, 2022

By
Division of Child and Family Services
Of the Department of Health and Human Services

July 1, 2022

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Executive Summary

This report is prepared by the Division of Child and Family Services (DCFS) in response to Senate Bill 356 enacted June 5, 2021.

Acknowledgements

This report was written by DCFS staff in conjunction with the Department of Corrections (DOC) which currently provides correctional services to youthful offenders convicted as adults who are between 14 and under 18 years of age, and youthful offenders who are between 18 and 24 years of age.

Introduction

During the 2021-2022 legislative interim, the Division of Child and Family Services of the Department of Health and Human Services shall conduct a study concerning the housing of youthful offenders. In conducting the study, the Division shall consult with the Department of Corrections (DOC), and provide information on 1) housing youthful offenders regionally, and 2) developing a new model relating to the housing of youthful offenders in which youthful offenders who are between 18 and 24 years of age, who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released from confinement before reaching 25 years of age.

The study shall include the following for housing youthful offenders regionally:

1. An investigation of the costs of upgrading facilities or new construction.
2. The complexities of entering into a memorandum of understanding between the Department and the Division whereby appropriately trained staff of the Department would, if necessary, be assigned to work in facilities of the Division.
3. Any potential savings in costs at the Department resulting from no longer housing youthful offenders that could potentially be shifted to the Division or to counties.
4. Any other issues relating to budgeting.
5. An analysis of the costs and benefits of implementing the proposal.
6. Any other issues deemed pertinent by the Department or Division.

And for developing a new model relating to the housing of youthful offenders in which youthful offenders who are between 18 and 24 years of age, who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released from confinement before reaching 25 years of age:

1. A review of necessary statutory and regulatory changes.
2. Models from other states.
3. Estimates of expected costs.
4. Any other issues relating to budgeting.
5. An analysis of the costs and benefits of the proposal.
6. Any other issues deemed pertinent by the Department or Division.

Merriam-Webster defines a youthful offender as “a young person (as one within a statutorily specified age range) who commits a crime but is granted special status entitling him or her to a more lenient punishment (as one involving probation or confinement in a special youth correctional facility) than would otherwise be available”¹. However, this definition does not fully capture the definition as will be used by DCFS in this study. DCFS will expand the use of the term “youthful offender” to include 1) under the age of majority who have been convicted as adults, and 2) between 18 and 24 years of age who have been convicted either under or over the age of 18.

PART I - Housing Youthful Offenders Regionally

Regionally means to regionalize, or to house youth where they live or as close to where they live as possible. Research indicates that youth would benefit from placement closer to home. More regionalized placement will increase family involvement and allow facilities to provide vocational training programs that will allow youth job placement opportunities when released.

Nevada is a large state that consists of 109,826 square miles. The state's longest distance from the northwest corner to the southern tip is approximately 600 miles. At the widest point it is nearly 350 miles. It consists of 17 counties ranging in size from 153 square miles for the state capitol of Carson City to over 18,000 square miles for Nye County, one of the largest counties in the United States.

The land mass alone of the state may not allow for youth to be housed within a one-or two-hour drive of the youths' home, especially if those youth reside outside of urban Nevada (Washoe County and Clark County).

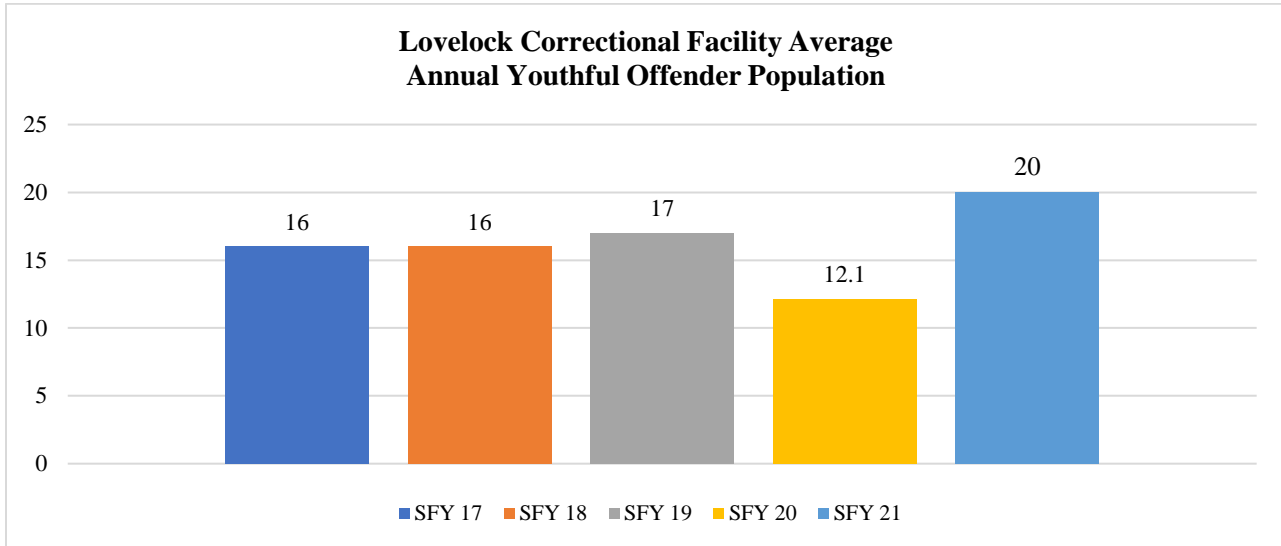
There are currently facilities used for juvenile correctional services in the state which is in Elko (Elko County), Caliente (Lincoln County), and Las Vegas (Clark County). An estimated 73 percent of the state's population resides in Las Vegas. It is reasonable to discern those options for placement should be in Las Vegas.

The first group of individuals to consider for placement review are youthful offenders who are within the Youthful Offender Program at Lovelock Correctional Facility. Males convicted in adult court, who are under the age of majority, are sent to the Youthful Offender Program until they “age out” which equates to turning 18.

The following charts provide 1) average annual population, 2) average days in the program until “age out”, which means reaching the age of majority, and 3) average age at commitment to the Youthful Offender Program.

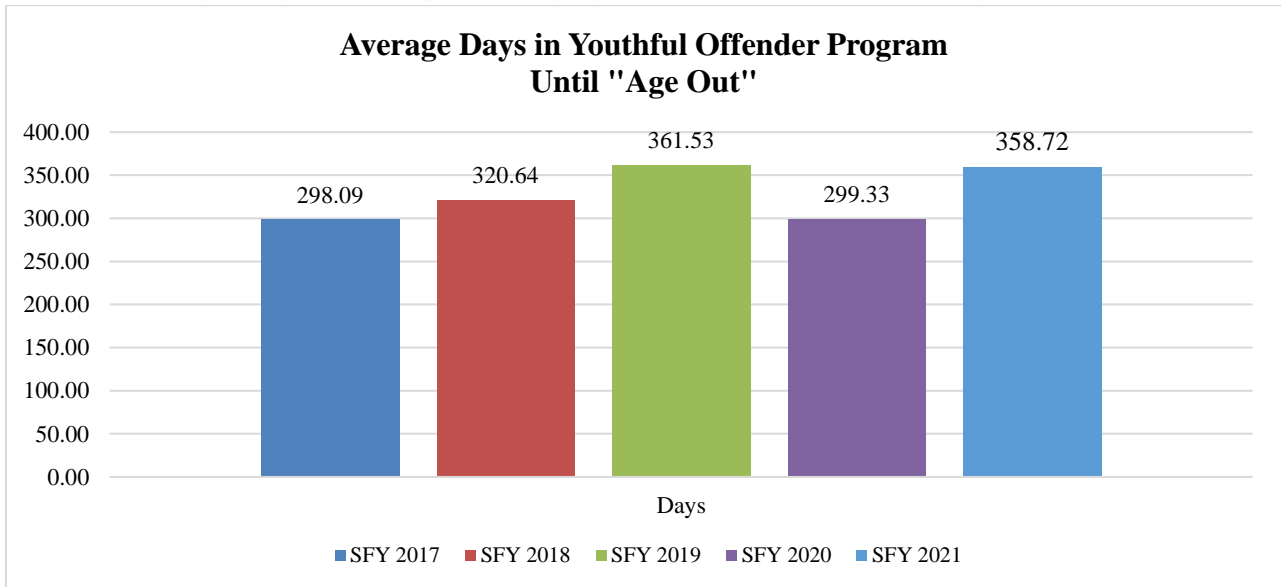
¹ <https://www.merriam-webster.com/legal/youthful%20offender>

Chart 1: Average Annual Population of Youthful Offenders at Lovelock Correctional Facility



- The five-year average monthly youthful offender population is 16.22
- The highest monthly count was 24
- The lowest monthly count was 8

Chart 2: Average Length of Stay prior to Aging out of Youthful Offender Program



- "Age Out" means reaching the age of majority/turns 18 years old
- The five-year average days in placement until 18 is 327.67 days

Chart 3: Average Age (in years) at Commitment to the Youthful Offender Program



- The five-year average age at commitment is 17.02 years of age
- The youngest youth committed was 15.82 years of age
- The oldest youth committed was 17.93 years of age

Currently, the youthful offenders are the responsibility of the Department of Corrections (DOC) as they are considered adults for the purpose of placement. Per NRS 209.301, DOC can transfer any individuals under the age of majority to a state facility. It reads²:

1. *The Department may transfer a person who is a minor and who is confined in an institution or facility of the Department to a state facility for the detention of children if the superintendent of the facility consents to the transfer.*
2. *As used in this section, “state facility for the detention of children” means the Nevada Youth Training Center, the Caliente Youth Center or any other state facility for the detention of children that is operated pursuant to title 5 of NRS.*

With this statute in place, it is possible to house individuals under the age of majority at Summit View Youth Center, with some modifications.

1. An investigation of the costs of upgrading facilities or new construction.

The population at Summit View Youth Center is currently funded at 48 but does have capacity to hold up to 96.

Prior to looking at costs, a determination must be made if the youthful offenders are juveniles or adults because they are convicted of adult crimes. To aid in this determination, it must be noted the Juvenile Justice Delinquency Prevention Act (JJDP) Reauthorization of 2018 does not deem these individuals as adults, but rather as juveniles. The “term “adult inmate” means an individual who has reached the age of full criminal responsibility under applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge, or is

² Nevada Revised Statute 209.301

convicted of a criminal offense, but does not include an individual who, at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law”³.

If the intent of the JJDP is followed in Nevada, the youthful offenders can be integrated into a juvenile facility without the parameters of sight and sound separation which is required of juvenile and adult inmates per the Prison Rape Elimination Act (PREA) and was adhered to at Lovelock Correctional Facility.

- 1) Standard 115.14a “a youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate using a shared dayroom or other common space, shower area, or sleeping quarters, and
- 2) Standard 115.14b “in area’s outside of housing units, agencies shall either 1) maintain sight and sound separation between youthful inmates, or 2) provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

However, under PREA, there are staffing ratio requirements.

- 1) Standard 115.313c “each secure juvenile facility shall maintain staff ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances which shall be fully documented.

Any cost analysis completed does have to include 1:8 waking hours and 1:16 sleeping hour ratios but does not have to factor in sight and sound separation.

Option 1: Increase staffing capacity at Summit View Youth Center (SVYC) located in Las Vegas

Summit View Youth Center is built to house up to 96 males, however it is only funded for 48 males. The cost to house one youth was estimated at \$151,000 per year in 2015. A cost analysis needs to be completed to determine the cost per youth in 2022.

To fund additional beds, the facility would need additional general correctional staff, teaching staff, laundry staff, and kitchen staff. In addition, the facility would need two additional correctional nurses and one charge nurse in the event of 24-hour medical housing of Youthful Offender Program youth.

Lastly, Summit View would need an additional psychiatric caseworker to handle the additional case management functions.

Option 2: New Construction

Summit View Youth Facility has land available for new construction and/or expansion. A newly designed housing model may be built, or a replica of the housing units already there. The new construction would need sleeping quarters, and education and vocational area, indoor and outdoor recreation space, eating area, and programming

³ OJJDP Page 9

space conducive to rehabilitation. The estimated cost to build a replica of a current housing unit was \$20 million in 2015. The cost to build a new facility needs to be analyzed for 2022.

The new facility requires general correctional staff, teaching staff, laundry staff, and kitchen staff.

In addition to general correctional staffing, Summit View would need to add additional correctional nurses and an additional psychiatric caseworker to handle the additional case management functions.

2. The complexities of entering into a memorandum of understanding between the Department and the Division whereby appropriately trained staff of the Department would, if necessary, be assigned to work in facilities of the Division.

Currently, youthful offenders convicted as adults, are the responsibility of the Department of Corrections; the Division has no responsibilities. Per NRS 209.291, a transfer is allowed without a MOU. It reads⁴:

- 1) *The Director may transfer an offender:*
 - (a) *From one institution or facility to another within the Department; or*
 - (b) *To other governmental agencies, in accordance with classification evaluations and the requirements of treatment, training, security and custody of the offender.*
- 2) *The prison sentence of an offender continues uninterrupted while the offender is at the correctional facility to which the offender has been transferred.*
- 3) *Whenever a treaty is in force providing for the transfer of offenders between the United States and a foreign country, the Director may, with the consent of the Governor, approve a transfer as provided in the treaty upon the application of the offender to the Director.*

The following are not addressed by this statute and may require a MOU:

- The transfer of funds allocated to youthful offenders from the Department to the Division is not mentioned in this statute and must be addressed.
- Transportation from a Division facility to a Department facility when the youthful offender reaches the age of majority, and outline of roles/responsibilities of each entity needs to be developed.
- Data and reporting requirements for both the Division and the Department need to be outlined.
- Data/information to be provided from the Division to the Department as part of the transfer of custody, when a youthful offender reaches the age of majority.
- Policies, procedures, and expectations of Department correctional staff transferred to the Division to supervise the Youthful Offender Program Unit need to be outlined.

3. Any potential savings in costs at the Department resulting from no longer housing youthful offenders that could potentially be shifted to the Division or to counties.

Lovelock Correctional Facility must abide by the elements of the Prison Rape Elimination Act (PREA) in regard to sight and sound separation between adult offenders and juvenile offenders. As stated earlier, the JJDPa defines an

⁴ Nevada Revised Statute 209.291

adult as “an individual who has reached the age of full criminal responsibility under applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense, but does not include an individual who, at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law”. This determination means that youthful offenders require sight and sound separation at Lovelock Correction Facility but would not require it at a juvenile facility. In addition, Lovelock Correctional Facility did not have to abide by staffing ratios outlined in the Prison Rape Elimination Act, but a juvenile facility would.

Cost saving may be noticed by the elimination of sight and sound requirements if the youthful offenders were removed. Specific savings would need to be examined to determine exact savings.

4. Any other issues relating to budgeting.

- 1) Training Department staff assigned to a juvenile correctional facility in youthful offender specific training as outlined in [NRS 62B.250](#)⁵ and [NAC 62B.100](#)⁶.
- 2) Training correctional staff assigned to the Youthful Offender Program Unit in Police Officer Standards and Training (POST) requirements.
- 3) Lovelock Correctional Facility does not have legislatively assigned positions for the youth offenders, so staff assigned to this population are used from other areas of the facility.
- 4) Youthful offenders receive roughly four (4) to four and a half (4.5) hours of education Monday through Friday.
- 5) Youthful offenders receive one (1) to one and a half (1.5) hours of mental health programming twice per week which includes series such as Forward Thinking, Getting in Right, Way Safe, Good Intentions Bad Choices, Victim Impact, and Juvenile Moral Recognition Therapy.
- 6) A mental health clinician spends 10 minutes weekly with each youthful offender during rounds and conducts monthly individual sessions that last between 15 and 60 minutes.
- 7) Options need to be explored for females.

5. An analysis of the costs and benefits of implementing the proposal.

- 1) With regards to training Department staff assigned to a juvenile correctional facility in youthful offender specific training as outlined in [NRS 62B.250](#) and [NAC 62B.100](#), a cost analysis needs to be completed. The benefit would be compliance with current state law requiring additional trainings for staff who supervise youth.
- 2) With regards to training correctional staff assigned to the Youthful Offender Program Unit in Police Officer Standards and Training (POST) requirements, a cost analysis needs to be completed. Since this population requires a higher level of supervision to maintain the safety and security of the youth and staff at the facility, POST training of the correctional staff is necessary.
 - a. This may include looking at the group supervisor series versus POST trained correctional staff series. Summit View currently has staff from both series.
 - b. Summit View is currently classified as maximum security for juveniles.

⁵ Nevada Revised Statute 62B.250

⁶ Nevada Administrative Code 62B.100

- c. Consider sight and sound separation between the Youthful Offender Program Unit and the juveniles placed at Summit View.
- 3) With regards to the fact that Lovelock Correctional Facility does not have legislatively assigned positions for the youthful offenders, a cost analysis needs to be completed. Specialized positions need to be created for this population who are POST trained. In addition, additional support staff will be needed to include teaching staff, laundry staff, and kitchen staff. In addition, the facility would need two additional correctional nurses and one charge nurse in the event of 24-hour medical housing of Youthful Offender Program youth. Lastly, Summit View would need an additional psychiatric caseworker to handle the additional case management functions.
- 4) With regards to youthful offenders needing education for roughly four (4) to four and a half (4.5) hours Monday through Friday, a cost analysis needs to be completed. The benefit is youth may be able to earn high school credits, a diploma, a vocational certification, or a high school equivalency.
- 5) With regards to youthful offenders, programming needs and staff to meet those needs, a cost analysis needs to be completed. The benefit is the youth receiving the services needed based on their risk and needs assessment.
- 6) With regards to psychiatric care, a psychiatrist needs to be on staff. A cost analysis needs to be completed. The youth will receive psychiatric care as prescribed.

6. Any other issues deemed pertinent by the Department or Division.

- 1) The potential transfer of state general funds from the Department to the Division to house and provide services to youthful offenders.
- 2) Collaboration with Public Works with regards to building and/or renovations necessary to house these youth.

PART II - Developing a new model relating to the housing of youthful offenders in which youthful offenders who are between 18 and 24 years of age, who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released from confinement before reaching 25 years of age.

Eighteen (18) is the age at which individuals can vote, join the military, and legally buy tobacco products. It is what is referred to as the age of majority. It is also the age at which individuals can go to an adult jail or prison. However, research into the field of brain development emphasize that a human brain continues to develop well into a person 20's, roughly 25 years of age. "This developmental disconnect is sometimes referred to as the 'maturity gap'. It means an 18- to 24-year-old may understand risks involved with certain behaviors yet lack the capacity to resist other pressures or control impulsive behavior".⁷

Some researchers indicate that individuals 18-24 years of age are neither juveniles, nor are they adults. They are somewhere in between.

⁷ NCSL August 2019; page 3

Young adults are different from youth and are generally⁸:

- More cognitively developed.
- Better able to regulate self-control.
- Under less parental supervision.
- More likely to commit serious offenses.

Young adults are different than older adults and are generally⁹:

- Less able to moderate responses in emotionally charged situations.
- Less likely to consider future consequences in decision-making.
- More likely to experience behavioral health disorders.
- More amenable to positive interventions.

Another factor to consider in looking at this age group is the 1990's term "superpredator". This term was made popular in the 1990's and indicated that youthful offenders of color were nothing more than animals who prey on law abiding citizens. The term was coined by an American political science professor John J. Dilulio Jr in 1995¹⁰, and took hold across the country. This perception "disguised as developmental science and resting on pseudo-scientific assumptions that certain children are not children at all"¹¹. Children began to face adult criminal charges through certification and direct file laws passed in states because of this phenomenon. In fact, some children were given life sentences for their crimes.

Between 1992-1997, nearly every state changed its laws to increase penalties for juvenile offenders and facilitate the automatic transfer of children into adult custody. Mandatory minimums replaced discretionary review and the Supreme Court announced that sentencing guidelines need not include rehabilitation measures of any sort¹². Worse, these sentences disproportionately affected youth of color.

Over time, children given these extreme sentences began to appeal and win their cases in the Supreme Court. In 2005, the Supreme Court ruled on *Roper V. Simmons* "that imposing the death penalty for a crime committed while the offender was under eighteen violates the Constitution"¹³. With this decision, and others, states are backtracking and attempting to mitigate the harm the "superpredator" theory caused.

Recently, the Childhood Offenders Rehabilitation and Safety Act of 2021 would raise the age of criminal responsibility in federal court. To take this a step further, the Council of Juvenile Correctional Administrators (CJCA) has taken the position that the "juvenile justice system is the most appropriate system to hold youths accountable and receive age-appropriate and effective treatment and rehabilitation opportunities"¹⁴.

⁸ "Young Adulthood as a Transitional Legal Category: Science, Social Change, and Justice Policy," (2016).

⁹ "Young Adulthood as a Transitional Legal Category: Science, Social Change, and Justice Policy," (2016).

¹⁰ "The Superpredator" (May 2021).

¹¹ "The Superpredator" (May 2021).

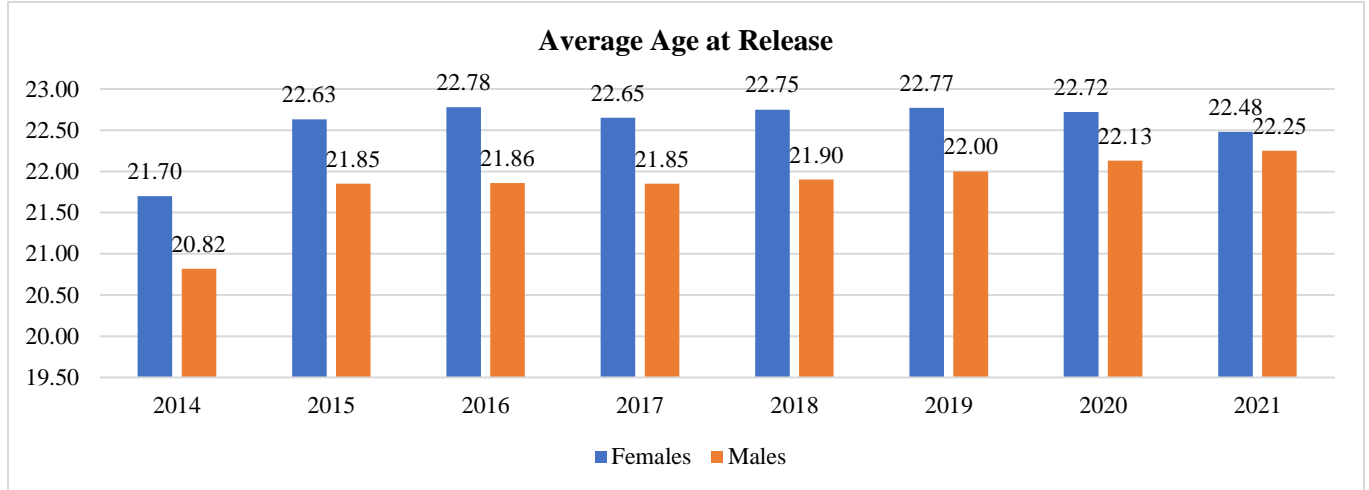
¹² "The Superpredator" (May 2021).

¹³ Locking up Youth Will Adults (February 27, 2018).

¹⁴ CJCA Position Paper (August 2017)

When looking at the age of release from prison in Nevada for the 18 – 24-year-old population, the average age for females is 22.56 and the average age for males is 21.83. These averages are well below the maximum age of this study, which is 24 years of age, and makes this study even more relevant.

Chart 4: Average Age at Release from Prison in Nevada for the 18–24-year-old Population



1. A review of necessary statutory and regulatory changes.

Below are the current regulatory statutes that pertain to this issue that need to be considered for this model.

- [NRS 62B.180](#) Assignment of child to program of education, employment, training, treatment, care and custody by designated staff; review of assignment; denial of request for change in assignment.
- [NRS 62B.330](#) Child alleged or adjudicated to have committed delinquent act; acts deemed not to be delinquent.
- [NRS 62B.335](#) Jurisdiction over adult charged with certain delinquent acts committed as child.
- [NRS 62B.390](#) Certification of child for criminal proceedings as adult.
- [NRS 62B.400](#) Child who escapes or attempts escape from facility for detention of juveniles deemed escaped prisoner; when court may certify such child for criminal proceedings, when deemed delinquent act.
- [NRS 63.210](#) Establishment of department of instruction; programs of study; enrollment of children in public schools
- [NRS 63.240](#) Program to educate children regarding alcohol or substance use disorders.

2. Models from other states.

In 2018, Vermont successfully raised the upper age limit of juvenile court jurisdiction requiring individuals to be tried in juvenile court up to age 20, with some serious offense exceptions. Washington, California, Colorado, Connecticut, Illinois, Massachusetts, and Nebraska are considering the same reforms¹⁵.

Washington State is currently working on a model to raise the age of majority to 19 and raising the age to house youth in juvenile facilities to 22 or 23, based on the circumstances. The model “raises the age limit to remain in

¹⁵ Progress and Promises of Reform. (January 2021).

juvenile facilities up to age 22 for those age 18 at the time of the offense, and to age 23 for those age 19 at the time of the offense”¹⁶.

Washington is proposing this model in part due to the high recidivism rates they have seen for those 22 years of age to 25 years of age. “By providing more effective and developmentally appropriate services, programs and opportunities for older adolescents, Washington has an opportunity to both improve youth outcomes and increase public safety, and, over time, decreasing the state’s criminal justice budget”¹⁷.

California began looking at options for 18 -25-year-olds in 2007. They refer to this population as “Transitional Youth: A term used to identify young adults in the mid to late teens and early twenties who are moving from adolescence to adulthood”¹⁸. California believed that they could reduce recidivism for this age group by implementing a plan to provide additional treatment and services which include, but not all inclusive:¹⁹

- More extensive assessment provided
- Greater emphasis on psychoeducational and supportive approaches
- Higher staff-to-offender ratios
- More staff monitoring and coordination of treatment activities
- Supportive versus confrontational approach
- Emphasis on instruction, practice, and assistance
- More individual counseling provided
- Task assignments more individualized

Vermont was the first state in the country to raise the age of majority to 19 in 2018, effectively keeping 18-year-olds in the juvenile justice system. Further, their plan is to raise the age to 20. This staggered approach will allow the State to work on accommodating the changes and consider additional costs.²⁰

Maryland is rethinking juvenile corrections by closing existing juvenile facilities and expanding others. This is a plan that will be phased in over a five-year period, to be completed by 2027. The goal is to align facilities based on youth population and a “desire to move facilities closer to the communities where youth live”²¹.

In Massachusetts, the legislature created a probation program to better supervise young adults once they have been released from a facility. This enhanced supervision includes age-appropriate guidance and targeted interventions. Probation officers that work with these young adults must have additional training that includes²²:

- Supervising and counseling young adults.
- Psycho-social and behavioral development of young adults.
- Cultural competency.

¹⁶ Progress and Promises of Reform. (January 2021).

¹⁷ Progress and Promises of Reform. (January 2021).

¹⁸ Adult Services Plan: Service 18-25 year-olds. Best Practices. (September 2007).

¹⁹ Adult Services Plan: Service 18-25 year-olds. Best Practices. (September 2007).

²⁰ Progress and Promises of Reform. (January 2021).

²¹ The Baltimore Sun. (November 17, 2021).

²² Progress and Promises of Reform. (January 2021).

- Rehabilitation of young adults.
- Educational programs.
- Relevant community-based services and programs.

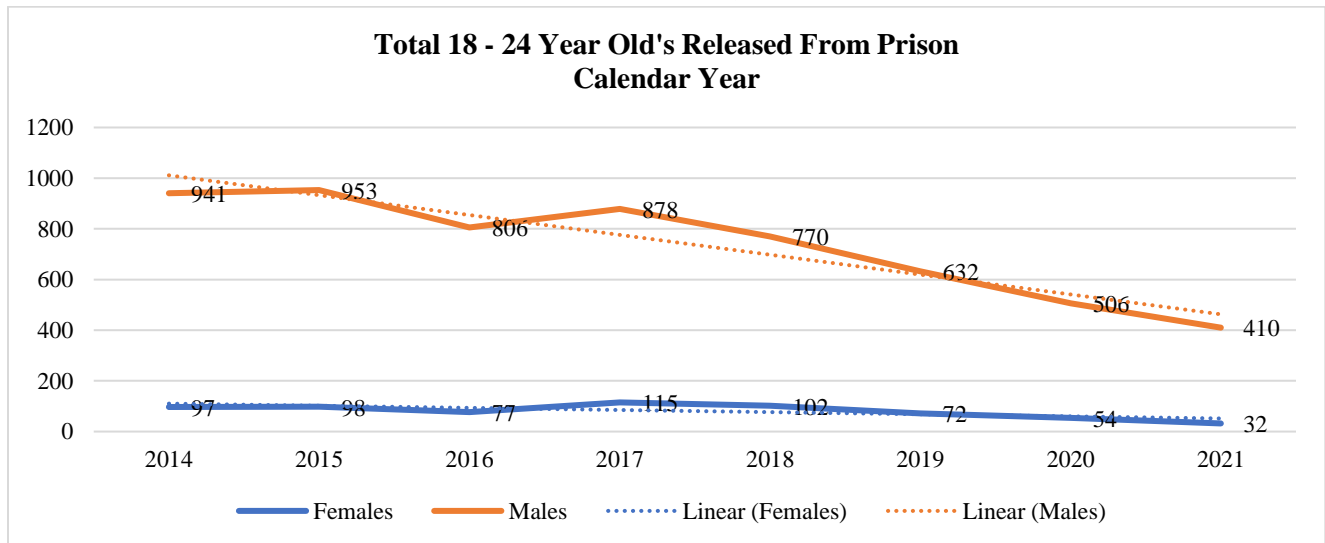
Lastly, several states including Colorado, Florida, South Carolina, and Virginia require youthful offenders to serve their sentences in facilities designed and programmed for young adults that are separate from facilities for older adults.

While looking at models of other states is important, it is difficult to determine the best approach because each state is different in their administration and oversight of the juvenile justice system. Some states are 100 percent state operated while others are bifurcated or even trifurcated. Therefore, state’s forge ahead with their own ideas and strategies because what works in one state may be a disaster in another state. In truth, states are still learning. “State and local governments are laboratories of innovation. As more strategies are tested and data is collected, more insight is gained”²³.

3. Estimates of expected costs.

The options for individuals 18-24 years include either 1) new construction of a facility specifically for this population or 2) repurposing a current facility to fit this population. Based on Chart #1: Estimated Expected Costs by Population, the new or repurposed facility would be large (average for males is 737 and the average for females is 80.9).

Chart 5: Total 18 - 24 Year Old’s Released from Prison by Calendar Year



[NRS 176.01343](#) realigned sentencing laws and began to reduce the overall number of individuals who are incarcerated.

²³ NCSL August 2019; page 5

Estimated expected costs by population:

Option 1: New Construction

The cost to build a new facility needs to be analyzed to include land, facilities, and the number of beds needs for both males and females. The new facility requires general correctional staff, administrative staff, laundry staff, nursing staff, and kitchen staff.

With regards to youthful offenders, programming needs and staff to meet those needs, a cost analysis needs to be completed.

Option 2: Repurpose a Current Facility

The following facilities may be options for repurposing. The security of these facilities needs to be analyzed as a component of the option for repurposing.

- Warm Springs Correctional Facility in Carson City has 512 beds and may be an option for males. This facility is currently staffed for 200 and would need additional staffing to bring it up to capacity.
- Southern Nevada Correctional Center in Jean has 600 beds and may be an option for males. This facility has been closed for a long time and would need significant renovations to become operational.
- Northern Nevada Transitional Housing (NNTH) in Reno has 112 beds and may be an option for females. This facility is currently a soft secure facility.

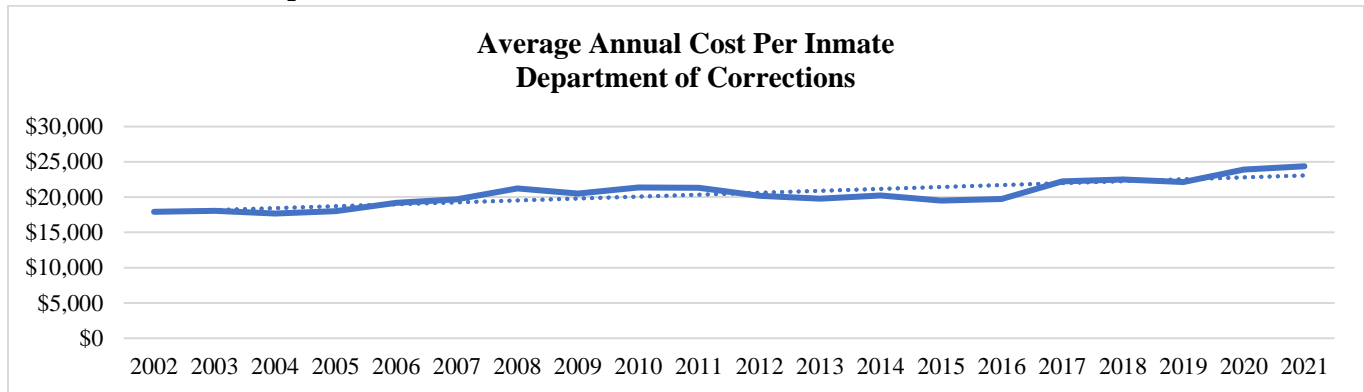
Repurposing facilities requires the current occupants to be transferred and housed in another location. An evaluation of population needs to be completed to determine if other facilities can absorb the current occupants of Warm Springs and the Nevada Restitution Center to repurpose those facilities for the 18–24-year-old population.

There are currently no options that are co-ed.

4. Any other issues relating to budgeting.

The Department of Corrections spent \$24,371 per inmate in SFY 2021, and an average of \$20,486 per inmate over the previous 20 years.

Chart 6: Annual Cost per Inmate



Further, a determination needs to be made on if these youth will stay under the Department of Corrections or move under the Department of Health and Human Services, Division of Child and Family Services. A transfer of youth must also include a transfer of funds.

5. An analysis of the costs and benefits of the proposal.

- 1) With regards to the 18–24-year-old population, a determination of staff to youth ratio needs to be made and included in a cost analysis. The benefit of established ratios directly affects youth outcomes. The lower the staff to youth ratio; the better the outcomes.
 - a. The ratio for those in juvenile facilities is 1:8 during waking hours and 1:16 during sleeping hours which follows the requirements of the Prison Rape Elimination Act (PREA).
 - b. The ratio for those in adult facilities is not specifically outlined in Nevada Revised Statutes.
- 2) A determination of staff training requirements needs to be made regarding supervision of the 18–24-year-old population. Will the staff require training to mirror current adult training requirements or juvenile training requirements as outlined in [NRS 62B.250](#) and [NAC 62B.100](#). Once determined, a cost analysis needs to be completed.
- 3) With regards to training correctional staff assigned to the 18-24-year-old population in Police Officer Standards and Training (POST) requirements, a cost analysis needs to be completed. Since this population requires a higher level of supervision to maintain the safety and security of the youth and staff at the facility, POST training of the correctional staff is necessary.
- 4) With regards to the 18–24-year-old population, programming needs and staff to meet those needs, a cost analysis needs to be completed.
- 5) The current risk and needs assessment utilized in the juvenile justice system is not validated for individuals 18 years of age or greater. Some type of risk and needs assessment must be identified and implemented to determine programming needs. The benefit is the youth receiving the services needed based on their risk and needs.
- 6) With regards to psychiatric care, a psychiatrist needs to be on staff. A cost analysis needs to be completed. The youth will receive psychiatric care as prescribed.

6. Any other issues deemed pertinent by the Department or Division.

- 1) The potential transfer of state general funds from the Department to the Division to house and provide services to youthful offenders.
- 2) Collaboration with Public Works with regards to building and/or renovations necessary to house these youth.

Summary

The term “youthful offender” in this study includes 1) under the age of majority who have been convicted as adults, and 2) between 18 and 24 years of age who have been convicted either under or over the age of 18. This study uncovered the following:

- 1) Nevada has no placement options for females under the age of 18 who have been convicted as adults, but they are placed at Florence McClure Women’s Correctional Facility once they turn 18
 - a. Average population in this category is 2
- 2) The only placement option for males under the age of 18 who have been convicted as adults in the Youthful Offender Unit at Lovelock Correctional Facility, but are placed in general population at a Nevada correctional facility once they turn 18
 - a. Average population in this category is 15
- 3) Eighteen- to 24-year-old individuals are blended into Nevada correctional facilities.
 - a. Average population for males in this category is 737
 - b. Average population for females in this category is 80.9
- 4) The 20-year average cost per inmate is \$20,486

Summit View Youth Center has the structural capacity to house the male Youthful Offender Population that is currently housed at Lovelock Correctional Facility. There is land/space available on the Summit View Youth Center Campus to build a new facility or series of facilities. A current cost analysis of new construction on the campus needs to be completed. This solution does not address females who are housed out of state until they reach 18 years of age. Once the youth (male or female) reach the age of 18, they are transferred/moved to general population within a state correctional facility.

Summit View Youth Center is not an option for the 18–24-year-old males, as the number in 2021 alone was 410. Either a new facility needs to be built or a current facility, large enough to address the population, needs to be repurposed.

There are currently no options that are co-ed, and few options for females.

This report outlines various options that can be pursued. Although each individual item could be further detailed for cost estimates, it may be useful for the Legislature to provide further direction on a preferred option to ensure cost-effectiveness and efficiency in time spent pursuing options that are more realistic for the State of Nevada.

Resources

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2. The Campaign for the Fair Sentencing of Youth. (May 2021). *The Superpredator*. <https://cfsy.org/wp-content/uploads/Superpredator-Origins-CFSY.pdf>
3. Chief Probation Officers of California. (September 2007). Adult Services Plan: Service 18-25 year-olds. Best Practices. <https://www.cpoc.org/sites/main/files/file-attachments/bestpractice18-25.pdf?1501709111>
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5. Emerging Adult Justice Project. (January 2021). Progress and Promises of Reform. ejjustice.org
6. National Conference of State Legislators. (August 2019). *Youth Adults in the Juvenile System*. https://www.leg.state.nv.us/App/NELIS/REL/81st2021/ExhibitDocument/OpenExhibitDocument?exhibitId=50811&fileDownloadName=SB%20356_%20NCSL_Young%20Adults%20in%20the%20Justice%20System.pdf
7. Nevada Revised Statutes. <https://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/index.html>
8. Nevada Administrative Code. <https://www.leg.state.nv.us/nac/chapters.html>
9. Elizabeth S. Scott, Richard J. Bonnie, and Laurence Steinberg. (2016). *Young Adulthood as a Transitional Legal Category*. Science, Social Change, and Justice Policy, 85 Fordham L. Rev. 641
10. Office of Juvenile Justice Delinquency Prevention (OJJDP). (December 2018). *Juvenile Justice Delinquency Prevention Act Reauthorization of 2018*. <https://ojjdp.ojp.gov/publications/JJRA-2018>