

*System of Juvenile Justice in Nevada*



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**STUDY OF THE SYSTEM  
OF JUVENILE JUSTICE IN NEVADA  
ASSEMBLY CONCURRENT RESOLUTION 57**

**BULLETIN NO. 99-11**

**LEGISLATIVE COMMISSION  
OF THE  
NEVADA LEGISLATURE**

**January 1999**



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## **SUMMARY OF RECOMMENDATIONS**

The Legislative Commission's Subcommittee to Study the System of Juvenile Justice in Nevada has developed the following recommendations. The recommendations are based upon:

1. A Recommended Nevada Phased Plan for juvenile justice reform developed by James C. "Buddy" Howell, Ph.D., a juvenile justice consultant who assisted the subcommittee;
2. Testimony presented to the subcommittee at its public hearings;
3. A review of written information and comments provided to the subcommittee; and
4. The experience and knowledge of the members of the subcommittee.

The recommendations that follow are grouped under topical subheadings. In most cases, each recommendation authorizes a "letter of request" to various organizations requesting their assistance and cooperation in completing the "tasks" identified in the recommendation.

### **ASSESSMENT INSTRUMENTS, INTERMEDIATE SANCTIONS AND INTERVENTIONS**

#### ***1. Need for Consistent Placement Instruments***

The committee recommends that the development of: a detention placement instrument; a probation community placement instrument; and a corrections placement instrument be undertaken as a joint effort by the Juvenile Justice Commission, the Juvenile Justice Commission's Work Study Group, and the Nevada Association of Juvenile Justice Administrators. Also that this endeavor include the pursuit of technical assistance from the National Council of Juvenile and Family Court Judges and that a final report containing the completed instruments be submitted to the 1999 Legislature by February 1, 1999.

#### ***2. Need to Create Intermediate Sanctions and Interventions***

The committee recommends that the creation of additional intermediate sanctions and corresponding interventions be undertaken through a joint effort of the Juvenile Justice Commission and its Work Study Group and the Nevada Association of Juvenile Justice Administrators. The effort shall involve technical assistance from the National Council on Crime and Delinquency through cooperation with the National Council of Juvenile and Family Court Judges. Programs administered by the Nevada Army National Guard, including Project Challenge, Camp Walkabout and Friends for Life, as well as programs operated through Youth Service Providers of

Nevada should also be considered in the effort to create additional intermediate sanctions and corresponding interventions.

This task will also involve assistance from the National Council on Crime and Delinquency in evaluating the Community Corrections Block Grant Program, the Transitional Community Re-Integration Program and the Juvenile Justice Data Collection System, all administered by the Division of Child and Family Services, as well as an update of the 1992 National Council on Crime and Delinquency Needs Assessment for Nevada. The committee also recommends a bill draft request with an appropriation for National Council on Crime and Delinquency assistance to update the 1992 needs assessment, to be used in the event other funding mechanisms are not successfully identified. (BDR S-223)

One or two recommendations for alternative sanctions should be completed by November 1, 1998, and submitted to the Division of Child and Family Services, the Department of Administration, Budget Division, and the Legislative Counsel Bureau, Fiscal Analysis Division. The Budget Director shall review the recommendations for possible inclusion in the 1999-2001 Executive Budget and for possible consideration by the 1999 Legislature. The remaining recommended alternative sanctions, the updated National Council on Crime and Delinquency needs assessment and the evaluation of the Division of Child and Family Services' data collection system should be presented to the next interim committee to study juvenile justice to be formed after the conclusion of the 1999 Legislative Session.

Findings on the evaluation of the Division of Child and Family Services' Community Corrections Block Grant Program and the Transitional Community Re-Integration Program should be developed and submitted to the Division of Child and Family Services, the Department of Administration, Budget Division, and the Legislative Counsel Bureau, Fiscal Analysis Division by November 1, 1998, for consideration in preparation of the 1999-2001 Executive Budget.

## **SUBSTANCE ABUSE ISSUES**

### ***3. Assess Existing Drug Treatment Programs***

The committee recommends that a work group be formed consisting of representatives from the Bureau of Alcohol and Drug Abuse, the Division of Child and Family Services, the Division of Mental Hygiene/Mental Retardation, schools, and the Governor's Commission on Substance Abuse, Education, Prevention, Enforcement, and Treatment, to assess existing substance abuse programs for juveniles and their families in Nevada. The assessment shall include substance abuse programs, as well as prevention, education, treatment, and aftercare efforts. The work group should pursue technical assistance through cooperation with the National Council of Juvenile and Family Court Judges.



The work group's final report, or at a minimum, a status report, should be submitted to the 1999 Legislature by February 1, 1999, to allow sufficient time for review and consideration by members of the legislature of the work group's findings and recommendations.

The committee also recommends that the substance abuse component of the Communities That Care program be considered by the Bureau of Alcohol and Drug Abuse for statewide implementation immediately, with the entire program being considered for implementation in the next two year period.

The committee recommends that the Bureau of Alcohol and Drug Abuse seek enhanced funding for substance abuse prevention and treatment efforts and that consideration be given to seek a more equitable balance in the distribution of funding between adult and juvenile programs.

***4. Assess Existing Drug Court Models in Clark and Washoe Counties***

The committee recommends that existing drug court models in Clark and Washoe counties be assessed for their effectiveness and evaluated for possible replication and expansion in other Nevada jurisdictions. Judge Deborah Schumacher, Judge Charles McGee, and Judge Gerald Hardcastle will lead this effort in conjunction with technical assistance from the National Council of Juvenile and Family Court Judges. A report of the assessment shall be provided to members of the 1999 Legislature by March 1, 1999.

**NEW JUVENILE OFFENDER FACILITY**

***5. Complete New Serious and Chronic Juvenile Offender Facility***

The committee recommends that a status report prepared by the Department of Administration and the Division of Child and Family Services on the new secure serious and chronic juvenile offender facility, authorized by Senate Bill 495, approved by the 1997 Legislature, be submitted in conjunction with Recommendation Number 1, regarding the development of the detention placement instrument, the probation community placement instrument, and the corrections placement instrument. The status report should be submitted with the final report on the completed instruments to the 1999 Legislature by February 1, 1999, and include as part of the report the findings from the Tennessee study comparing the operation of privatized and state operated juvenile facilities and findings from similar studies by other states.

## **STATE-COUNTY RELATIONSHIP**

### **6. *Restructure State-County Relationship***

The committee recommends that the Division of Child and Family Services act as the lead agency in a collaborative effort with county governments to develop potential recommendations for a similar model to the Reclaim Ohio Program for Nevada and to also consider restructuring Nevada's state-county relationship. The Division of Child and Family Services will report on formal recommendations to restructure the relationship at the first meeting of the next interim committee to study juvenile justice issues anticipated to be formed after the conclusion of the 1999 Legislature.

## **STATEWIDE GANG SURVEY**

### **7. *Conduct Statewide Gang Survey***

The committee recommends that statewide law enforcement agencies, in conjunction with the Nevada District Attorney's Association and the Nevada Association of Juvenile Justice Administrators assess the extent and nature of both juvenile and adult gang activities in Nevada. This group's review should include the development of recommendations on the apprehension and prosecution of gang members including an evaluation of the effectiveness of Nevada's Racketeer Influenced and Corrupt Organizations (RICO) statutes in prosecuting gang members. The review should also assess prevention and intervention efforts and identify alternative programs that could be implemented to reduce gang membership.

Reasons why at-risk youth either get involved or do not get involved with gangs should be explored. The effort should also include input from youth who were exposed to or involved with gang activity. This input should specifically address intervention and prevention recommendations.

A report on the assessment of gang activity related issues and recommendations on how best to deal with this issue should be completed by February 1, 1999, and should contain as much information as can be gathered and submitted by that date. The report should be submitted to the Director of the Legislative Counsel Bureau for distribution to all members of the 1999 Legislature. A follow-up report containing additional analysis and information should be submitted by October 1, 1999, and presented to the first meeting of the next interim committee to study juvenile justice issues anticipated to be formed after the conclusion of the 1999 Legislature.

## **SCHOOL VIOLENCE AND ALTERNATIVE EDUCATION PROGRAMS**

### **8. *Conduct School Violence Assessment***

The committee recommends that a request be made to the State Board of Education asking that an assessment be conducted of Nevada's school districts on school violence. The survey could poll students, teachers, and administrators, assess security measures and procedures in place, assess gang problems in schools and solicit recommendations to improve security, reduce violence and protect students. The State Board of Education should take the lead role in conjunction with the Nevada Association of Juvenile Justice Administrators and the Juvenile Justice Commission's Work Study Group. Technical assistance should be pursued and obtained from the National Council of Juvenile and Family Court Judges.

The State Board of Education and the Association of Juvenile Justice Administrators, representing both Nevada State Youth Parole and local county probation departments, should be encouraged to develop better communication and cooperation between them with respect to juveniles.

The report on the assessment of school violence should be completed by February 1, 1999, and should contain as much information as can be gathered and submitted by that date. The report should be submitted to the Director of the Legislative Counsel Bureau for distribution to all members of the 1999 Legislature. A follow-up report containing additional information, analysis, and recommendations should be submitted to the first meeting of the next interim committee to study juvenile justice issues anticipated to be formed after the conclusion of the 1999 Legislature.

### **9. *Alternative Programs Offered by Local School Districts***

The committee recommends that a letter be sent to the Nevada State Board of Education asking them to survey all of the school districts in Nevada to determine what types of alternative education programs are available. The survey could possibly be reviewed and considered by the next interim committee on juvenile justice after the 1999 Legislative Session.

Additionally, a copy of the letter should be sent to the chairmen of the Legislative Committee on Education (SB 482, of the 1997 Legislative Session) and the Interim Study on Special Education and Student Discipline (ACR 44, of the 1997 Legislative Session) to inform them of the recommendation approved by the Committee to Study the System of Juvenile Justice in Nevada.

## **DEFERRAL OF ACTION ON COUNTY DISTRICT ATTORNEY STATUTORY AMENDMENTS**

### ***10. Amend the Nevada Revised Statutes per Recommendations from County District Attorneys***

The committee agreed to defer all the amendments to statute recommended by the district attorneys as itemized in Recommendation Number 10 to the district attorneys to follow the normal legislative process. The Legislative Counsel Bureau Legal Division is to prepare a letter to the Nevada District Attorney's Association informing them of the committee's recommendation.

## **STANDARDS OF OPERATION FOR JUVENILE FACILITIES**

### ***11. Consider Developing Standards of Operation for Juvenile Facilities***

The committee recommends that the Association of Juvenile Justice Administrators undertake the development of standards of operation for juvenile detention and juvenile correctional facilities. The term "standards of operation" includes both standards for staff employed in juvenile facilities such as minimum qualifications, training, and educational standards and also operating standards for juvenile facilities. Juvenile facilities are defined as those operated by the state, counties, and privately contracted by them for juvenile correctional care. The Division of Child and Family Services is represented in the Juvenile Justice Administrators group and would ensure that state facilities are included in the study. The Juvenile Justice Administrators shall provide a report to the next interim committee on juvenile justice in the Fall of 1999.

## **JUVENILE OFFENDER MENTAL HEALTH NEEDS**

### ***12. Evaluate Mental Health Needs for the Juvenile Offender Population***

The committee recommends that the Department of Human Resources, Director's Office, function as the lead agency for the Division of Child and Family Services, Mental Hygiene/Mental Retardation, and the Juvenile Justice Commission to complete an across-the-board needs assessment of mental health needs and services for children and youth at both the state and local level. A progress report shall be provided to the 1999 Legislature by March 1, 1999, with a complete report being provided to the next interim committee on the study of juvenile justice. The findings in the report should be based on verifiable data and information.

The committee requested that the report also contain information on how mental health services interface with juvenile justice programs and facilities on both the local and state level, including a review of qualifications of mental health treatment staff in juvenile detention and correctional facilities, and recommended changes and improvements. The report should also contain a review of dually diagnosed

juveniles (delinquent and having mental health problems) to ensure they are being handled adequately.

Regarding the draft memorandum of understanding designed to coordinate the provision of services to families between the Division of Mental Hygiene/Mental Retardation and the Division of Child and Family Services, it is requested that the two divisions jointly provide a status report on the eventual finalization of that document to be provided to the 1999 Legislature by March 1, 1999. The report should indicate how well the agreement is working and if there is anything remaining to be accomplished. Additionally, a review of the status of the separation of juvenile mental health services provided by the Division of Child and Family Services and the Division of Mental Hygiene/Mental Retardation should be examined for effectiveness.

Concerning the evaluation of whether an integrated data system should be developed to track youth across all agencies (both state and local), the committee requests that the Division of Mental Hygiene/Mental Retardation, the Division of Child and Family Services, and the Juvenile Justice Commission assess the current level of compatibility between data processing systems within state and local government relating to the tracking of juveniles.

This assessment should include all major data processing systems including, but not limited to, Statewide Management of Automated Record Transfer (SMART), Unified Nevada Information Technology for Youth (UNITY), Automated Information Management System (AIMS), etc. Recommendations should also be developed on what steps are necessary to make the current data processing systems within state and local jurisdictions more compatible. In addition, the work group could consider the feasibility of developing an integrated data system to track youth across all agencies, both state and local. A report on the work group's activity and progress in this area should be provided in the Fall of 1999 to the next interim committee on the study of juvenile justice.

### **SCHOOL ATTENDANCE, TRUANCY, AND SOCIAL WORKERS IN SCHOOLS**

#### ***13. Evaluate the need to establish truancy centers.***

The committee recommends requesting that the State Department of Education work with the local advisory boards created in each county to review school attendance to identify factors which contribute to delinquency and to also make recommendations concerning programs which are most effective in reducing truancy.

**14. *Should professional social workers be employed by local school districts?***

The committee recommends deferring Recommendation Number 14 to the Interim Study on Special Education and Student Discipline (ACR 44, of the 1997 Legislative Session) which will be considering a similar recommendation at their final meeting and work session.

**FUTURE JUVENILE JUSTICE INTERIM STUDY**

**15. *Should the Committee Recommend a Resolution to Create an Interim Study Committee on Juvenile Justice After the Adjournment of the 1999 Legislature?***

The committee requests a bill be drafted to create an interim study committee on juvenile justice upon the adjournment of the 1999 Legislative Session. (BDR R-224)

**REPORT OF THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE  
TO STUDY THE SYSTEM OF JUVENILE JUSTICE IN NEVADA  
(ACR 57)  
TO THE MEMBERS OF THE 70<sup>TH</sup> SESSION OF THE NEVADA LEGISLATURE**

**I. INTRODUCTION**

The 69<sup>th</sup> Session of the Nevada Legislature adopted Assembly Concurrent Resolution 57 (File Number 152, *Statutes of Nevada* 1997, page 3735) which directed the Legislative Commission to conduct an interim study of the system of juvenile justice in the state of Nevada (Appendix A, page 46). The commission appointed a subcommittee of eight legislators (four members of the Assembly and four members of the Senate) to carry out the provisions of the resolution. Additionally, the subcommittee received Legislative Commission approval to appoint three non-voting advisory members and one alternate advisory member to the subcommittee.

The members of the subcommittee appointed to conduct the study were:

Assemblywoman Jan Evans, Chairman  
Senator Valerie Wiener, Vice Chairman  
Assemblywoman Marcia de Braga  
Assemblyman David Humke  
Assemblywoman Gene Wines Segerblom  
Senator Ernie Adler  
Senator Mark James  
Senator Maurice Washington

Advisory Members:  
David F. Bash III  
Robert Hadfield  
Judge Deborah Schumacher  
Judge Charles M. McGee, alternate

Legislative Counsel Bureau staff services for the subcommittee were provided by Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division; Mark W. Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division; Juliann K. Jenson, Senior Research Analyst, Research Division; Kimberly A. Morgan, Chief Deputy Legislative Counsel, Legal Division; Kevin Powers, Deputy Legislative Counsel, Legal Division; and Reba Coombs, Administrative Secretary, Fiscal Analysis Division.

The subcommittee held six meetings, including a work session, during the course of the study. All six meetings were public hearings held at the Legislative Building in Carson City and were simultaneously video conferenced to the Grant Sawyer State Office Building in Las Vegas. Additionally, the subcommittee split into smaller subcommittees which held a total of four community meetings in Las Vegas, Reno, Carson City and Fallon.

During the course of the interim study, the subcommittee received extensive expert and public testimony regarding the juvenile justice system in Nevada. The subcommittee reviewed numerous laws and programs which outlined the various responsibilities of the state of Nevada's Division of Child and Family Services, Nevada's 17 counties and the juvenile court system in addressing the juvenile justice population. The subcommittee reviewed innovative juvenile justice programs implemented in other states, substance abuse issues involving juveniles, alternative education programs for juveniles, and the relationship between law enforcement and the juvenile justice system.

The subcommittee obtained testimony and correspondence from prominent juvenile justice consultants, concerned citizens, district attorneys, juvenile court judges, juvenile probation officers, police officers, school district representatives, substance abuse prevention and treatment program professionals, and representatives of state juvenile justice and mental health agencies. State and local juvenile justice practitioners contributed information and suggestions throughout the study.

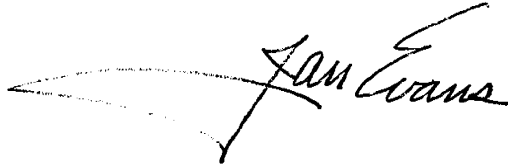
The subcommittee has attempted, in this report, to present its recommendations briefly and concisely. All supporting documents and meeting minutes are on file and available from the Fiscal Analysis Division of the Legislative Counsel Bureau.

The subcommittee wishes to recognize and thank the many individuals who attended and testified at its meetings for their cooperation and assistance in providing valuable information about the juvenile justice system in Nevada (see Appendix Q, page 76).



This report, submitted in compliance with Assembly Concurrent Resolution 57, is transmitted to the members of the 70<sup>th</sup> Session of the Nevada Legislature for their consideration.

Respectfully submitted,

A handwritten signature in black ink, reading "Jan Evans". The signature is written in a cursive style with a large, sweeping initial "J" and a long, horizontal stroke extending to the left.

Assemblywoman Jan Evans, Chairman  
Subcommittee to Study the System  
of Juvenile Justice in Nevada

## **II. OVERVIEW OF THE JUVENILE JUSTICE SYSTEM IN NEVADA**

### **A. INTRODUCTION**

The juvenile justice system in Nevada currently operates as a bifurcated or split system. Generally speaking, the state of Nevada has responsibility for the operation of long-term youth training center facilities and for youth parole and aftercare services. Nevada's 17 counties are responsible for the operation of local detention facilities and county youth camps, probation, and aftercare services. Exhibit 1, which follows, shows how a youth moves through the juvenile justice system and which entity (state or county government) maintains responsibility for the youth as he or she proceeds through the different stages in the system.

Briefly, a youth coming into contact with the juvenile justice system receives an initial evaluation at the county level and is either diverted, without court action, to informal probation, fines and/or community service or placed in community programs or is referred to juvenile court. Dependent upon court action, a youth may be committed to a state-operated training center, a county-operated youth camp or placed on probation. If a youth does not successfully complete conditions of probation, court action may result in the youth being committed to either a state-operated training center or to a county facility.

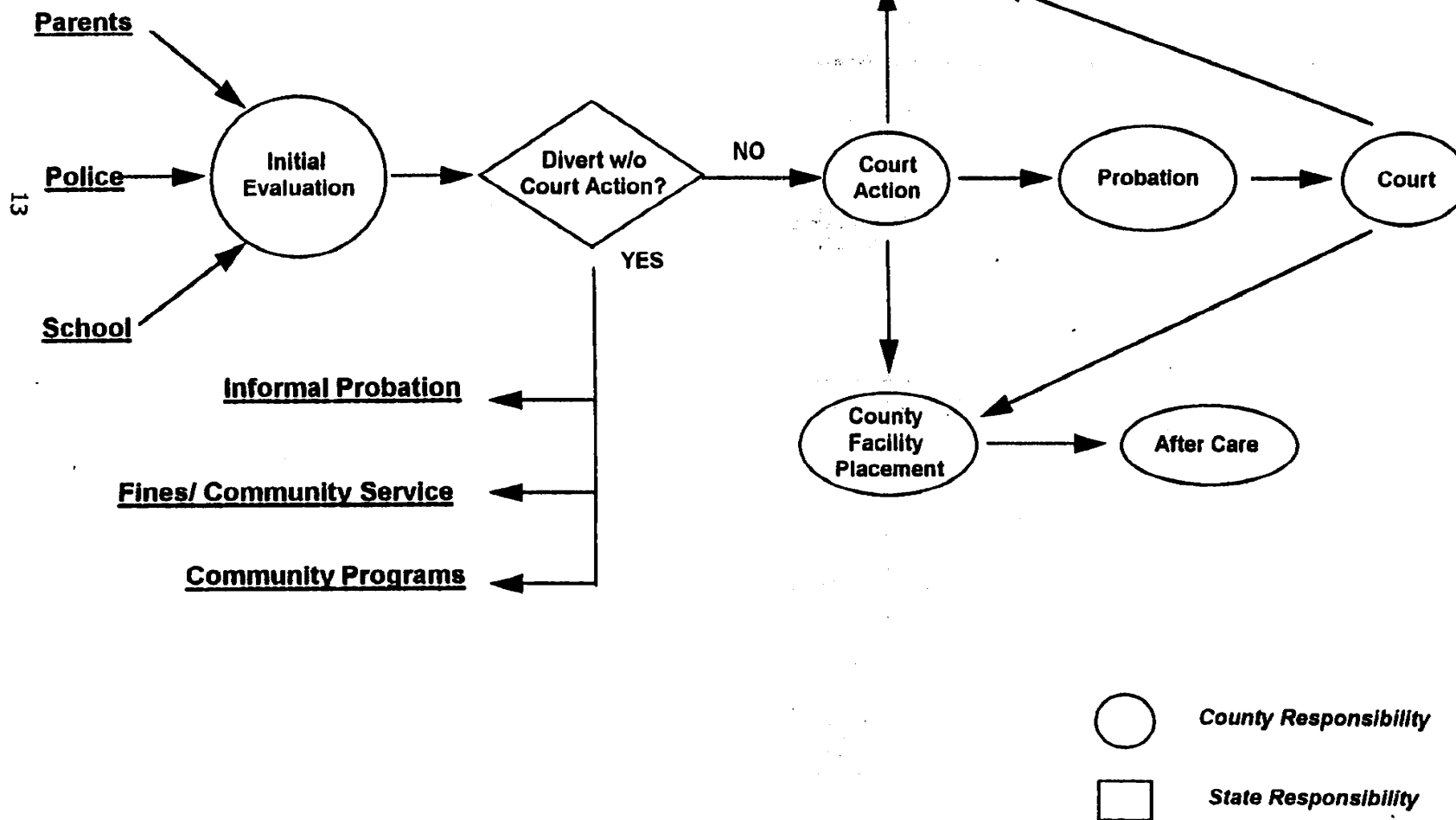
### **B. STATE OF NEVADA'S RESPONSIBILITIES**

The state of Nevada's responsibilities in the juvenile justice system are primarily governed within four areas of the Nevada Revised Statutes: Chapter 62 – Juvenile Courts; Chapter 210 – Juvenile Correctional Institutions; Chapter 213 – Pardons and Paroles (NRS 213.220 through 213.290 address the rehabilitation of youthful offenders); and Chapter 214 – Interstate Compact on Juveniles.

Chapter 62, Juvenile Courts, defines the difference between juveniles and adults, defines the juvenile court's jurisdiction, governs officers and employees of juvenile courts, and addresses county departments of family, youth, and juvenile services. The chapter also details procedures to be used by probation officers and addresses the process of juvenile certification to adult status for certain crimes.

Chapter 210 governs the operation of the state-run Nevada Youth Training Center and the Caliente Youth Center and defines functions of the Youth Parole Bureau in supervising paroled youth from the

# Nevada Juvenile Justice System Flow Chart



state-training centers or from other states pursuant to the interstate compact. Chapter 213 (NRS 213.220 through 213.290) addresses the reduction of commitments to state correctional institutions by strengthening and improving local supervision of youth placed on probation by juvenile and district courts. Chapter 214 authorizes the Interstate Compact on Juveniles and allows youth on probation or parole status to be sent to or received from other states if the parent, guardian, or person with legal custody of the delinquent youth is residing within the receiving state.

The Division of Child and Family Services of the Department of Human Resources provides juvenile correctional services for the state of Nevada.

**1. Nevada Youth Training Center**

The Nevada Youth Training Center in Elko is a 24-hour residential juvenile correctional facility for male youth between the ages of 12 and 18 years who are committed by the state's district courts for correctional care. The facility is "staff secure" and does not employ perimeter fencing. While the facility's rated capacity is 160 beds, the average daily population in FY 1996-97 was 176 and 185 in FY 1997-98. The average length of stay in FY 1996-97 was 7.23 months and 7.97 months in FY 1997-98. The average cost per bed per year was \$31,142 or \$85.32 per day in FY 1996-97 and \$30,733 or \$84.20 per day in FY 1997-98.

The center operates an accredited junior/senior high school program and also participates in interscholastic sports activities in football, basketball, wrestling, track, and cross-country. Vocational programs are offered including welding, basic auto mechanics, landscape/grounds maintenance, and carpentry and woodworking classes. All youth are involved in a counseling program, both individual and in group settings.

**2. Caliente Youth Center**

The Caliente Youth Center is a 24-hour residential juvenile correctional facility for male and female youth between the ages of 12 and 18 years who are committed by the state's district courts for correctional care. The facility is "staff secure," similar to the Nevada Youth Training Center, and does not utilize perimeter fencing. The facility's rated capacity is 140 beds, with 60 beds designated for female offenders and 80 beds designated for male offenders. In FY 1996-97, as well as

in FY 1997-98, the average daily population was 155. The average length of stay for both male and female youth was 7.12 months in FY 1996-97 and 6.86 months in FY 1997-98. The average cost per bed per year was \$26,408 or \$72.35 per day in FY 1996-97 and \$27,083 or \$74.20 per day in FY 1997-98.

The co-educational correctional center contracts with the Lincoln County School District for educational and vocational services for students from seventh grade through high school graduation. Vocational training includes hotel/motel management, landscaping, culinary and graphic arts. Sports activities include basketball, volleyball, softball, football, soccer, swimming, and other intramural activities. The center utilizes positive peer counseling for peer group interaction, which stresses that students listen to the counsel and advice of each other more readily than they listen to adults.

### **3. Nevada Youth Parole Bureau**

The Nevada Youth Parole Bureau provides the aftercare function for youth released from the Nevada Youth Training Center and the Caliente Youth Center. The bureau also provides aftercare for state commitments to the China Spring Youth Camp operated by Douglas County, for youth committed to out-of-state programs, and for delinquent youth who require in-patient mental health treatment. The bureau operates six offices statewide and employs youth parole counselors who work with the paroled youth, the family, and the institutional staff to identify and implement an appropriate treatment plan that will permit successful social adjustment when a youth is returned to the community. Youth parole counselors access contract services for individual and group home foster care placements, substance abuse treatment programs and specialized treatment programs for the emotionally disturbed or sexual offenders, in order to meet the needs of the youth and the family.

In FY 1996-97, 1,050 youth received parole services and 1,125 received parole services in FY 1997-98. The average number of cases per month in FY 1996-97 was 775 cases with 12 parole officers handling an average of 64.5 cases each. The Intensive Aftercare Program (IAP) averaged 101 cases per month in FY 1996-97, with six parole officers averaging 16.8 cases each. In FY 1997-98, the average number of cases per

month was 848, with 18 parole officers averaging 47.1 cases each. (During FY 1997-98, six additional parole officers were phased in, bringing the total to 18 officers who handled non-IAP caseloads.) The Intensive Aftercare Program averaged 118.3 cases per month in FY 1997-98, with six parole officers averaging 19.7 cases each.

The Youth Parole Bureau also administers the Transitional Community Re-Integration Program, approved by the 1997 Legislature, which was designed to relieve overcrowding of local county detention centers. This program added seven new counselor positions and \$1,460,000 in each year of the 1997-99 biennium to purchase 20 contract beds and 40 day programming slots for youthful offenders.

#### **4. Purchased Services**

In addition to the state-operated youth training centers and the Youth Parole Bureau, the Division of Child and Family Services also purchases correctional bed space and community-based treatment services. In FY 1998-99, in the division's Alternative Placement budget account, \$547,500 is available to purchase 15 correctional beds from the Rite of Passage program and \$540,000 is available to purchase 15 correctional beds from the Corrections Corporation of America. The Youth Alternative Placement budget also provides funding to the Spring Mountain Youth Camp in Clark County and the China Spring Youth Camp in Douglas County to assist the counties in caring for youth at the local level.

The division's Child Welfare budget contains funding for purchased placements in group homes, foster homes, and in specialized treatment programs. A total of \$1,987,115 is available in FY 1998-99 for these purchased services. The division's Community Juvenile Justice Programs (Probation Subsidies) budget contains \$200,000 in FY 1998-99 for outpatient services for juvenile offenders. This budget also distributes funding to Nevada's nine judicial districts to assist localities in developing programs designed to accommodate juvenile offenders at the local level and reduce commitments to the state. In FY 1998-99, \$379,996 in federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) funds are available and \$710,680 is available for Community Corrections Block Grants.

In addition to the administration of OJJDP and Community Corrections Block Grant programs, the division also administers the Title V and Challenge Grant programs. The Title V program addresses a community based, risk-focused approach to the prevention of delinquency and problem behavior, while the Challenge Grant program provides funding to various counties to address mental health issues in the juvenile justice system and to the Nevada Youth Parole Bureau for intensive aftercare services.

**5. Data Collection**

The Division of Child and Family Services also administers an automated juvenile justice data collection system as required by NRS 62.420. Assembly Bill 255, passed by the 1995 Legislature, required the Division of Child and Family Services to establish a standardized system and regulations for the reporting, collection, maintenance, and retrieval of juvenile justice information in the state of Nevada. The lack of standardized, comprehensive information concerning the volume, severity, and distribution of juvenile offenders has long contributed to difficulties for legislators and program administrators in developing and implementing interventions and programs to address juvenile crime in Nevada. All counties, state-operated training centers, and the Nevada Youth Parole Bureau are required to participate in and submit data to the data collection system.

**C. Nevada Counties' Responsibilities**

NRS Chapter 62, Juvenile Courts, establishes county juvenile probation departments. Nevada's 17 counties are divided into nine judicial districts:

<b>Judicial District</b>	<b>County</b>
First	Carson City, Storey
Second	Washoe
Third	Churchill, Lyon
Fourth	Elko
Fifth	Mineral, Nye, Esmeralda
Sixth	Humboldt, Lander, Pershing
Seventh	White Pine, Lincoln, Eureka
Eighth	Clark
Ninth	Douglas

**1. Juvenile Court Jurisdiction NRS 62.040**

Except if the child involved is subject to the exclusive jurisdiction of an Indian tribe, and except as otherwise provided in this chapter, the court has exclusive original jurisdiction in proceedings:

- Concerning any child living or found within the county who is in need of supervision because he:
  - Is a child who is subject to compulsory school attendance and is a habitual truant from school;
  - Habitually disobeys the reasonable and lawful demands of his parents, guardian, or other custodian, and is unmanageable; or
  - Deserts, abandons, or runs away from his home or usual place of abode, and is in need of care or rehabilitation. The child must not be considered a delinquent.
- Concerning any child living or found within the county who has committed a delinquent act. A child commits a delinquent act if he violates a county or municipal ordinance or any rule or regulation having the force of law, or he commits an act designated a crime under the law of the state of Nevada, except:
  - Murder or attempted murder or any related crime arising out of the same facts as the murder or attempted murder.
  - If the child has been previously adjudicated delinquent for committing an offense which would have been a felony if committed in this state by an adult and the



child was 16 years of age or older at the time of the alleged offense:

- A sexual assault involving the use or threatened use of force or violence against the victim; or
- Any offense involving the use or threatened use of a deadly weapon or an attempt to commit such an offense.
- Concerning any child in need of commitment to an institution for the mentally retarded.

Exhibit 2, which follows, illustrates the juvenile court process along with corresponding time frames.

**2. Probation Function**

Chapter 62 of the Nevada Revised Statutes authorizes probation functions. It establishes probation departments at the county level and gives them jurisdiction over children in need of supervision and those who have committed delinquent acts (those acts that if committed by an adult would be considered crimes). In addition, one of the purposes of Chapter 62 is to "promote the establishment, supervision, and implementation of preventive programs designed to prevent persons under the age of 18 from coming under the jurisdiction of the juvenile division of the district court."

**3. Probation Officer Duties**

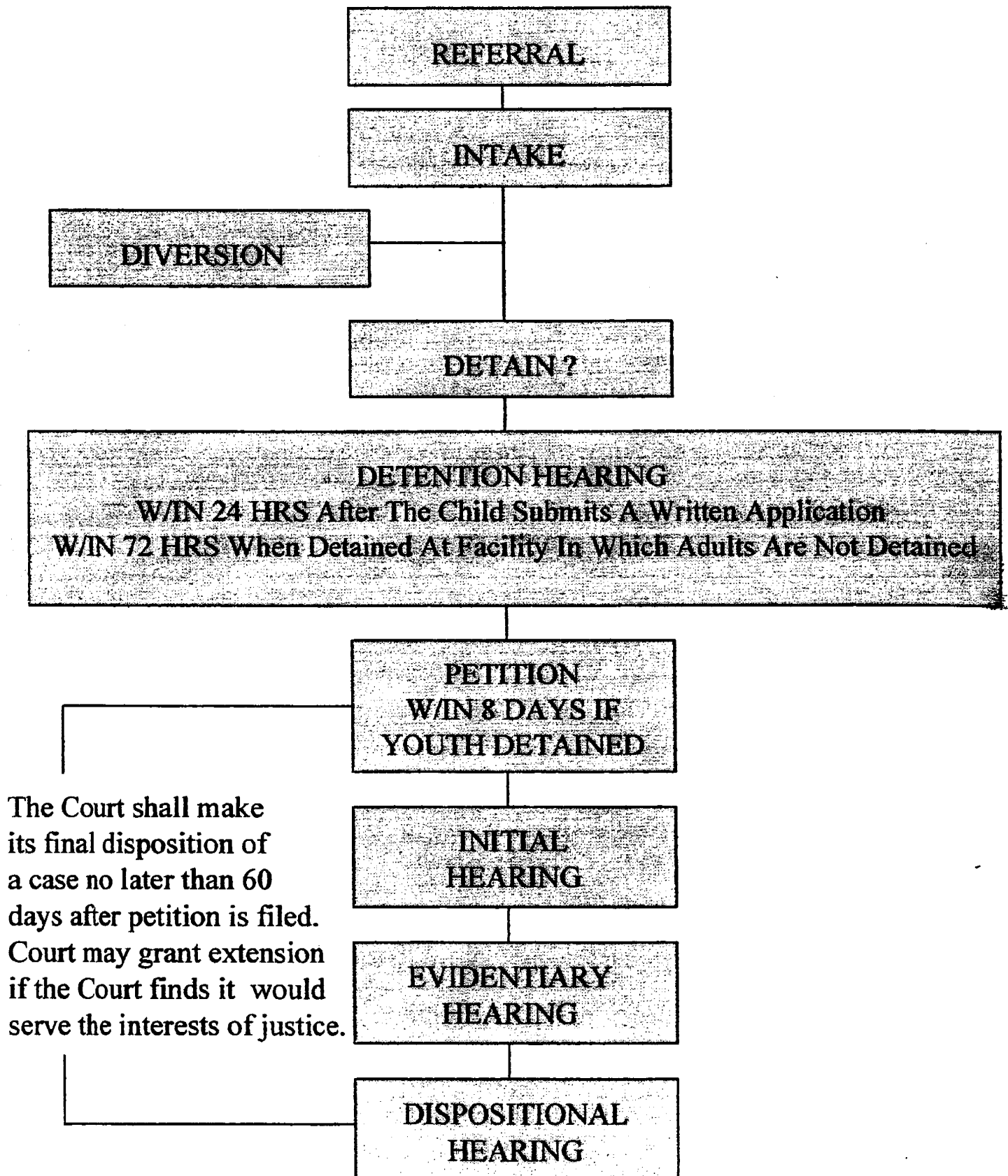
Dependent upon the size of each county, local probation departments differ in their organization and reporting requirements. Chapter 62 delineates these requirements as follows:

In counties of less than 100,000 (NRS 62.120), the probation officer under the general supervision of the judge and with the advice of the probation committee shall organize, direct and develop the administrative work of the probation department and detention home, including the social, financial and clerical work, and he shall perform such other duties as the judge directs.

In counties whose population is more than 100,000, but less than 400,000 (NRS 62.121), the probation officer under the general supervision of the director of juvenile services and with the advice of the committee for juvenile services, shall perform

EXHIBIT 2

# JUVENILE COURT PROCESS



the above-named duties and other duties as the director of juvenile services directs.

In counties whose population is 400,000 or more (NRS 62.126), the board of county commissioners may by ordinance establish a department of family, youth, and juvenile services. The department shall administer the provisions of services relating to the delinquency and the abuse and neglect of children, and may carry out programs relating to the prevention of juvenile delinquency.

It should be noted NRS Chapter 62 also addresses appointment, dismissal, and compensation for probation officers in each of the three population categories.

**4. County Operated Facilities**

Not all counties operate detention centers or facilities. Following, by judicial district, is a brief listing of county-operated facilities, as compiled and reported by the Nevada Association of Juvenile Justice Administrators. Appendix B, page 47 is a listing of typical juvenile probation department programs, also compiled by the Nevada Association of Juvenile Justice Administrators. It should be noted that not all programs are available and provided at each detention center.

Additionally, Appendix C, page 48, is a survey listing juvenile justice programs and services offered by each of the nine judicial districts and by the Nevada Youth Parole Bureau. The survey was completed and compiled by David F. Bash III, advisory member of the ACR 57 subcommittee. Appendix D, page 50, also compiled by Mr. Bash, is a profile of operations for each judicial district for 1997. The profile highlights each district's population, staffing, and personnel resources, workload status, court statistics, program statistics, number of youth receiving various types of services, fiscal statistics, and adolescent substance abuse figures.

***First Judicial District – Carson City and Storey County***

Carson City operates an 18-bed regional juvenile detention center within the Murphy-Bernardini Regional Juvenile Justice Center, designed for 12 male and 6 female beds. The center serves Carson City and Storey County and also has detention contracts with Churchill, Douglas, Lyon, Mineral and Nye counties, the Bureau of Indian Affairs, the U.S. Marshall's

office, and the state of Nevada. The average daily population of the facility was 23.9 in FY 1996-97 and 27.4 in FY 1997-98.

***Second Judicial District – Washoe County***

Washoe County operates Wittenberg Hall, a 68-bed juvenile detention center, designed for 44 male and 24 female beds. The center primarily serves Washoe County, however, on a space available basis, contract holds are accepted from Churchill, Lyon, Mineral, and Nye counties. The average daily population for FY 1996-97 was 67 and 72 for FY 1997-98.

Washoe County also operates the McGee Center, a 24-bed, 24-hour per day, 7 days per week shelter care program for status offenders (runaways, incorrigible behavior, children in need of supervision). Services for both male and female youth include short-term residential care, case management services, educational programs, and referrals to counseling and other programs within the community. Juvenile probation departments in the surrounding counties (Lyon, Carson, Storey, and Douglas) can also access the center. The average daily population in FY 1996-97 was 9.25 and in FY 1997-98, it was 8.8.

***Fourth Judicial District – Elko County***

Elko County operates the Northeastern Nevada Juvenile Center, a 24-bed secure detention facility which opened in May 1997. Of the 24 beds, 18 are for Elko County and 6 are dedicated to the Seventh Judicial District consisting of Lincoln, White Pine, and Eureka counties. Prior to the new facility, Elko County utilized a 12-bed modular unit at the Elko County Jail. In FY 1997-98, the first full year of operation for the new 24-bed detention center, the average daily census was 15.56 youth.

***Fifth Judicial District – Mineral, Nye and Esmeralda Counties***

Mineral County operates a 14-bed staff secure detention facility designed for 7 male and 7 female beds. The average daily census was 9.5 in FY 1996-97 and 11.7 in FY 1997-98.

***Sixth Judicial District – Humboldt, Lander, and Pershing Counties***

The Sixth Judicial District operates Leighton Hall, a 16-bed secure juvenile detention center in Winnemucca. The facility is designed for ten male and six female beds. In FY 1996-97, the average daily census was 13.8 and 12.84 in FY 1997-98.

A new juvenile detention facility is currently planned to be built in Winnemucca. The 24-bed facility is estimated for completion in the fall of 1999.

***Eighth Judicial District – Clark County***

Clark County operates a 112-bed secure detention facility with 88 male and 24 dedicated female beds. The average daily census in FY 1996-97 was 181 youth and 187 youth in FY 1997-98. Clark County also operates the Spring Mountain Youth Camp, an 80-bed facility for males, located approximately 40 miles from Las Vegas, near Mount Charleston. The camp had an average daily census of 79 in FY 1996-97 and 78 in FY 1997-98. Future plans call for an addition of 128 beds to the Clark County Detention Facility and the demolition and subsequent rebuilding of the Spring Mountain Youth Camp. Bed space will be increased from 80 to 100 beds at the camp.

***Ninth Judicial District – Douglas County***

Douglas County operates a 14-bed secure detention facility located in one wing of the adult jail on the Nevada side of Lake Tahoe. The facility, which opened in July 1998, is designed for ten male and four female beds. The average daily census, since opening, has been seven youth.

Douglas County also operates the China Spring Youth Camp, a 40-bed staff secure facility for male youth. The camp accepts placements from all counties within Nevada with the exception of Clark County, who has their own facility at Spring Mountain. In FY 1996-97, the average daily census was 40 and in FY 1997-98, 42.

**III. REVIEW OF JUVENILE JUSTICE ISSUES FROM THE 1997 LEGISLATIVE SESSION**

**A. JUVENILE DETENTION OVERCROWDING**

During the 1997 Legislative Session, the Assembly Committee on Ways and Means and the Senate Committee on Finance encountered

numerous juvenile justice issues in their review of the Division of Child and Family Services' Youth Corrections budgets. The majority of labor in the budget review process was undertaken and accomplished by a joint Human Resources/K-12 subcommittee comprised of members from both money committees.

Perhaps the single most important juvenile justice issue addressed by the money committees during the 1997 Legislative Session was the issue of overcrowding in local county juvenile detention facilities. On March 26, 1997, the Assembly Committee on Ways and Means and the Senate Committee on Finance's joint Subcommittee on Human Resources/K-12 heard testimony on this issue from Kirby Burgess, Director, Clark County Family & Youth Services. Speaking on behalf of the Nevada Association of Juvenile Justice Administrators, Mr. Burgess apprised the subcommittee of the "backup" in local county juvenile detention facilities of youth who had been adjudicated as delinquent and committed to either the state-operated Nevada Youth Training Center at Elko or the Caliente Youth Center. As the state-operated training facilities were operating at or over capacity and were unable to accommodate the transfer of these youth, they remained in local county detention facilities. Mr. Burgess indicated that as of March 1, 1997, 103 youth were "backed up" in detention centers awaiting acceptance into state training facilities. Mr. Burgess testified that the "backup" in detention resulted in severe overcrowding, primarily in the Clark County Juvenile Detention Center and "has exploded from a chronic difficulty into a public safety and financial crisis."

In response to the overcrowding issue, Mr. Burgess reviewed a Nevada Association of Juvenile Justice Administrators' position paper, which proposed corrective options to address this problem. The position paper, dated March 24, 1997, which follows as Exhibit 3, proposed several corrective options, including:

- Community corrections grants to counties to fund diversion programs as an alternative to commitment of youth to the state;
- The purchase of contract half-way house beds for the Nevada Youth Parole Bureau; and
- Continued funding of the Youth Parole Bureau's Intensive Aftercare Program.

# NEVADA ASSOCIATION OF JUVENILE JUSTICE ADMINISTRATORS

## POSITION PAPER ON OVER-CROWDING IN JUVENILE FACILITIES

MARCH 24, 1997

The problem of over-crowding in Nevada's juvenile justice facilities has exploded from a chronic difficulty into a public safety and financial crisis. On March 1, 1997, there were 103 youth in local detention centers waiting to be accepted in to the State Youth Training Centers. In response N.A.J.J.A has formulated the following proposed corrective options to address this problem.

### COMMUNITY BASED ALTERNATIVES

	FY 98 Impact	FY 98 Cost	FY 99 Cost	FY 98 Impact
#1 Community Corrections Grant	27 BEDS	\$1,000,000.00	\$1,040,000.00	27 BEDS To fund County Diversion programs as an alternative to commitment to State
#2 Enhanced Alternative Placement Funds	18 BEDS	\$ 343,325.00	\$ 357,058.00	18 BEDS Contracted Half-way House for Nevada Youth Parole Bureau
#3 Fund State Parole I.A.P. Program	N/A	N/A	\$ 108,496.00	5 BEDS Beds savings FY 98 only, Program funded by Federal Grant in FY 98
	<u>45 BEDS</u>	<u>\$1,343,325.00</u>	<u>\$1,505,554.00</u>	<u>50 BEDS</u>

### INCREASED STATE CAPACITY

#A Fund new R&C Program in leased bldg.	40 BEDS	\$1,014,000.00	\$1,434,000.00	40 BEDS FY 98 is for 9 months operation (Lease @ \$10,000 per month/operations \$90 per day) Las Vegas
#B Fund new R&C Program in leased bldg.	20 BEDS	\$ 507,000.00	\$ 717,000.00	20 BEDS FY98 is for 9 months operation (Lease @ \$5,000 per month/operations \$90 per day) Reno
#C Construct CYC prefab collage	24 BEDS	\$1,004,040.00	\$ 792,111.00	24 BEDS FY 98 includes cost of pre-fab (Operations at \$87.79 per day)
	<u>84 BEDS</u>	<u>\$2,525,040.00</u>	<u>\$2,943,111.00</u>	<u>84 BEDS</u>

### FISCAL IMPACT ON LOCAL JURISDICTIONS OF FAILURE TO IMPLEMENT

COST PER DAY LOCAL DETENTION FY 97	103 BEDS	\$120.00	\$4,511,400.00	FOR 103 BEDS FOR ONE YEAR
COST PER DAY LOCAL DETENTION FY 98	103 BEDS	\$124.80	\$4,691,856.00	FOR 103 BEDS FOR ONE YEAR
COST PER DAY LOCAL DETENTION FY 99	103 BEDS	\$129.79	\$4,879,455.05	FOR 103 BEDS FOR ONE YEAR

**Program Note:** In addition to the 103 youth backed up in detention, State Youth Centers are operating over capacity. There are 31 more youth in NYTC/CYC than they are designed for.

**Total Shortfall: 134 Beds Statewide**

EXHIBIT 3

The paper also proposed a new state reception and classification program in leased buildings and the construction of a 24-bed prefab cottage at the Caliente Youth Center. The total estimated cost of these options was approximately \$8.3 million over the 1997-99 biennium. The position paper also estimated costs of approximately \$9.5 million over the 1997-99 biennium to local jurisdictions if the recommended corrective options were not implemented.

#### District Court Orders

The surfacing of the juvenile detention "backup" and overcrowding issue in late March 1997 was closely followed in early April 1997 by the issuance of district court orders from Clark and Washoe Counties. Appendix E, pages 52-54, is a copy of the order from Washoe County, which directed that no child shall remain in local detention in excess of 30 days after the date of entry of the order committing the child to the Division of Child and Family Services (DCFS) for placement in a state training center. The order, filed on April 8, 1997, indicated that the terms of the order would become effective 60 days from the date of filing, basically giving the state of Nevada approximately two months to prepare for compliance with the order.

#### **B. DIVISION OF CHILD AND FAMILY SERVICES' PROPOSAL TO ADDRESS DETENTION OVERCROWDING**

Following substantial testimony and a review of the district court orders, the subcommittee requested that the Division of Child and Family Services (DCFS) design a solution to the overcrowding problem. In mid-April 1997, DCFS responded to the subcommittee's request to provide a comprehensive plan to address the detention backup and overcrowding issue. The proposal contained three recommendations. The first recommendation requested the implementation of a Community Corrections Block Grant program which envisioned granting \$547,500 to the counties in each year of the 1997-99 biennium, which the counties could utilize to contract with the Rite of Passage program for correctional beds or to fund other diversion programs.

The second recommendation requested the creation of a Transitional Community Reintegration program (TCR). This program, estimated at a cost of approximately \$1.8 million in each year of the 1997-99 biennium, proposed to add eight new FTE staff which would assess, classify, and formulate treatment plans for youth in local detention facilities as opposed to the assessment and classification function performed at the Nevada Youth Training Center once the committed youth arrived at that facility. This proposal also recommended



reducing the average length of stay at the state training centers from 28 weeks to approximately 25 weeks. Intensive supervision would be required for this component and the eight new FTEs requested included three new Youth Parole Counselors to provide intensive supervision and case management for those youth. This recommendation also included funding for contract services to purchase residential beds and day programming slots for youth in this program.

The division's final recommendation requested the transfer of the vacant unclassified Deputy Administrator of Youth Corrections position from the Youth Parole budget to the division's Administrative budget account. Salary costs for this position, historically funded with Office of Juvenile Justice and Delinquency Prevention (OJJDP) funds, would be assumed primarily by the general fund, thereby allowing approximately \$73,000 annually in OJJDP funds to be passed through to the counties (included in the \$547,500 annual block grant funding request).

The division also cited CIP 97-C07 recommended in the 1997-99 Executive Budget that provided \$6,420,198 in general fund support to build a 60-bed high security juvenile correctional facility at Indian Springs in southern Nevada. This additional bed space would assist in relieving overcrowding at Elko and Caliente and allow committed youth to be transferred out of local detention facilities.

It should be noted that county representatives did not favorably receive the original proposal submitted by DCFS. As an example, county representatives testified against suggested funding for counties to purchase correctional beds from the Rite of Passage program. County representatives felt long-term residential confinement was a state responsibility.

#### **C. FINAL LEGISLATIVE ACTION**

After numerous subcommittee meetings, considerable testimony and an agreed upon compromise by DCFS and county representatives, the money committees approved the following budgetary adjustments to address the juvenile detention "backup" and overcrowding issue.

- Youth Corrections Services (Youth Parole) - In FY 1997-98, general fund support of \$1,872,519 was added and \$1,833,876 was added in FY 1998-99 to implement the division's Transitional Community Reintegration program. A total of eight new FTE staff were added to this budget to provide for the assessment and classification of

youth in local detention facilities and to provide intensive supervision of youth released by the training centers. Contract services included \$1,460,000 in each year of the 1997-99 biennium to purchase residential beds and day programming slots.

Also, the vacant unclassified Deputy Administrator of Youth Corrections position was transferred to the division's Administration budget and \$40,000 in OJJDP funding from the position's salary costs was added to the Probation Subsidies budget to be transferred to the counties. A letter of intent was issued to DCFS which recommended that DCFS work with the Juvenile Justice Commission during the interim to determine if juvenile corrections should be placed in a separate division within the Department of Human Resources. A copy of the letter of intent is included as Appendix F, page 55. Appendix G, page 56, is a copy of the Juvenile Justice Commission's response, which did not recommend a separate division of youth corrections. The letter of intent also recommended that if continued federal funding did not materialize in FY 1998-99 for the Intensive Aftercare Program, the division was authorized to approach the Interim Finance Committee for continuation funding.

- Probation Subsidies - This budget was augmented by \$547,500 in each year of the 1997-99 biennium for the division to implement the Community Corrections Block Grant Program with the goal of reducing commitments to the state. Additionally, the Executive Budget had recommended \$364,430 in FY 1997-98 and \$363,180 in FY 1998-99 to be passed through to the counties for intensive outpatient services and in-home electronic monitoring of juvenile sexual offenders. The money committees reduced these amounts to \$200,000 annually, transferring the balance to corrections grants resulting in a total of \$711,930 in FY 1997-98 and \$710,680 in FY 1998-99 being available for Community Corrections Block Grants.

The Legislature also issued a letter of intent directing that DCFS develop criteria for the awarding of block grant funds and that the funds not be used to supplant existing county resources. Additionally, that the division report semi-annually to the Interim Finance Committee on the distribution and use of the funds by each judicial district. A copy of that letter of intent is included as Appendix H, page 58.

- Youth Alternative Placement - The Legislature augmented this budget by \$547,500 in FY 1998-99 to allow DCFS to purchase contract secure juvenile correctional beds from the Rite of Passage program. Assembly Bill 433, Section 2 (Appendix I, page 59) also passed by the 1997 Legislature, appropriated the same amount for the division to be used in the closing portion of FY 1996-97 and through FY 1997-98.

In summary, these actions by the 1997 Legislature totaled approximately \$5.8 million over the 1997-99 biennium. The approval of these various recommendations also resulted in the district court orders issued by Clark and Washoe counties being rescinded.

- Secure Juvenile Facility - The Legislature also passed Senate Bill 495 (Appendix J, page 60) which authorized the Director of the Department of Administration to enter into a contract to finance, acquire and construct a correctional facility for juveniles. While the original Governor's recommendation proposed a 60-bed facility financed with general fund support, the 1997 Legislature removed the general fund appropriation and authorized the Department of Administration to issue general obligation bonds to finance the construction of the new facility. Proposals for the operation of the new facility, including funding, must be reviewed and subsequently approved by the 1999 Legislature. SB 495 allows for either privatized operation of the facility or operation by DCFS. The approval of SB 495 as a privatized facility also expanded the capacity of the facility to 125 juveniles with a core facility design that would ultimately be able to accommodate 250 juveniles. The Legislature also strongly suggested that the facility not be located at Indian Springs, adjacent to an adult prison, but instead that it be located closer to Las Vegas to allow for easier visitation by family members, closer proximity to services and treatment options, etc.
- County Facilities - In addition to the preceding actions, the 1997 Legislature also passed several pieces of legislation which provided general fund appropriations to the counties for various capital improvement projects:

Assembly Bill 464, Sections 1 and 2 - provided \$3,250,000 to Clark County in each year of the 1997-99 biennium for improvements to the Spring Mountain Youth Camp. AB 464, Section 3, (Appendix K, page 63) also provided \$750,000 to Humboldt County for the construction of a juvenile detention

facility and \$1,250,000 to Lyon County, Section 4, for the construction of a regional facility for children.

Senate Bill 497, Section 22 - provided \$532,574 to the Elko County Juvenile Probation Department for the completion of the Northeastern Nevada Juvenile Center in Elko County. SB 497, Section 20 (Appendix L, page 65) also appropriated \$710,000 to the Interim Finance Committee for distribution to Douglas County for the construction of a gymnasium/multi-purpose room at the China Spring Youth Camp.

Appropriations for county facilities totaled \$9,742,574 over the 1997-99 biennium.

#### **IV. FINAL RECOMMENDATIONS OF THE SUBCOMMITTEE**

The following listing of final recommendations approved by the subcommittee is due, primarily, to the assistance received from James C. "Buddy" Howell, Ph.D. The subcommittee owes a great deal of gratitude to Dr. Howell for his support in formulating the potential recommendations considered by the subcommittee. With sponsorship from the National Conference of State Legislatures, the subcommittee was able to obtain Dr. Howell's assistance in developing a "blueprint" for the beginning stages of developing a comprehensive juvenile justice system in Nevada.

Dr. Howell worked at the Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the U.S. Department of Justice for 20 years, primarily as Director of OJJDP's Research and Program Development Division. His work at OJJDP culminated in 1993 with the publication of *A Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders: Program Summary*. Dr. Howell co-authored the *Comprehensive Strategy* publication with John Wilson, Deputy Administrator of OJJDP. Dr. Howell retired from OJJDP in 1995 to pursue his own research and writing, and to work with states and cities on improving their juvenile justice systems.

In preparation for his visit to Nevada, Dr. Howell reviewed a great deal of information, including earlier interim studies on the Nevada juvenile justice system; *A Juvenile Corrections Needs Assessment For The State of Nevada* prepared by the National Council on Crime and Delinquency in 1992; Nevada Juvenile Justice Commission reports including *A Legislator's Guide: Juvenile Justice in Nevada*; pertinent Nevada Revised Statutes; and information on county and state juvenile programs assembled by the ACR 57 subcommittee.

Dr. Howell also conducted a pre-planning meeting in Nevada with legislators, key members of Nevada's county and state juvenile systems, and other subject matter experts. This preparation and effort culminated in an April 1998 presentation by Dr. Howell to the ACR 57 subcommittee to review issues to be considered in developing a comprehensive plan for juvenile justice in Nevada. The resulting product, a Recommended Nevada Phased Plan which follows as Exhibit 4, became the primary blueprint for the discussion, development, and subsequent approval of the subcommittee's recommendations. The plan addressed three time frames: immediate implementation; the next two years; and two to ten years.

## **A. IMMEDIATE IMPLEMENTATION**

### **NEED FOR CONSISTENT PLACEMENT INSTRUMENTS**

The committee heard considerable testimony and discussed, on several occasions, the need for consistent placement instruments at all levels within the juvenile justice system. James C. "Buddy" Howell, Ph.D., during his April 9, 1998, presentation to the committee, recommended that Nevada consider developing consistent placement instruments immediately, to assist in relieving overcrowding in both county detention and state correctional facilities, and to ensure that juvenile offenders are committed to the most appropriate facility or program.

The three instruments recommended for development by Dr. Howell were:

- **Detention Placement Instrument** -- This would result in a consistent instrument, to be utilized by all counties, in deciding whether or not an offender should be detained. It would address questions such as the risk to public safety, does the youth have a safe, secure, and supervised home to return to, has the youth absconded in the past?
- **Probation Community Placement Instrument** -- This instrument would assist in predicting the success of probation and/or a community placement. What would the risk of recidivism be -- low, medium, or high? What type of supervision should be recommended -- intensive, high level or low level? This instrument should be used with a matrix to match up appropriate services/treatment in the community.
- **Corrections Placement Instrument** -- Similar to the detention placement instrument, this instrument would measure risk factors and assist in determining the appropriate level of security for an offender.

## **EXHIBIT 4**

### **RECOMMENDED NEVADA PHASED PLAN (Major Components)**

**Immediately** - for the list of suggestions presented to the committee by Dr. Howell on April 9, 1998, the Committee may wish to answer the following questions in formulating potential recommendations:

- A) Who should undertake this task?
- B) By when should it be completed?
- C) Who, if anyone, should provide technical assistance?

- 1. **Detention Placement Instrument**
- 2. **Probation Community Placement**
- 3. **Corrections Placement Instrument**

- A)
- B)
- C)

- 4. **Create Intermediate Sanctions and Interventions**

- A)
- B)
- C)

- 5. **Assess Existing Drug Treatment Programs**

- A)
- B)
- C)

- 6. **Assess Existing Drug Court Models in Clark and Washoe Counties**

- A)
- B)
- C)

Should an oversight group or committee be appointed to oversee and monitor these efforts?

#### **Next Two Years**

- 7. **Implement Statewide Prevention Program (Communities That Care)** - should this item be moved up before item number 5 above? Testimony at the April 9, 1998, meeting indicated that the Bureau of Alcohol and Drug Abuse could possibly implement this recommendation sooner.

Similar questions can be considered for the items listed for the next two-year period and the two to ten year period.

- A) Who should undertake this task?
- B) By when should it be completed?
- C) Who, if anyone, should provide technical assistance?

- 8. **Determine How to Coordinate Services in a Continuum of Care?**
- 9. **Implement Structured Decision Making Model.**
- 10. **Create Plan Infrastructure.**
- 11. **Complete New Training School.**
- 12. **Create Small Secure Units.**
- 13. **Conduct Statewide Gang Survey.**
- 14. **Implement Management Information System.**
- 15. **Expand Victim Involvement and Services.**
- 16. **Conduct School Violence Assessment.**

#### **Two-Ten Years**

- 17. **Restructure State-County Relationship.**
- 18. **Complete Statewide Prevention Program.**
- 19. **Complete Graduated Sanctions System.**
- 20. **Complete Seamless Continuum of Care.**
- 21. **Complete Aftercare Program.**
- 22. **Implement Gang Incident Tracking System.**
- 23. **Routinize Program Evaluation.**
- 24. **Increase Community Treatment Alternatives.**

The development of these three instruments should also involve the matching of a risk assessment with a needs assessment. Once a risk assessment has determined the proper sanction for an offender, a needs assessment would determine the proper intervention or treatment for the offender. The needs assessment seeks to match up the offender's problems or needs with the proper intervention. Successful development and utilization of these instruments and assessments will also result in a decrease of the "mix" of different offenders.

***Recommendation 1. Need for Consistent Placement Instruments***

Therefore, the committee recommended that the development of: a detention placement instrument; a probation community placement instrument; and a corrections placement instrument be undertaken as a joint effort by the Juvenile Justice Commission, the Juvenile Justice Commission's Work Study Group, and the Nevada Association of Juvenile Justice Administrators. Also that this endeavor include the pursuit of technical assistance from the National Council of Juvenile and Family Court Judges and that a final report containing the completed instruments be submitted to the 1999 Legislature by February 1, 1999.

The committee also recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the above-mentioned organizations. A copy of the letter of request is included as Appendix M, page 67.

Note: In most cases, each recommendation authorized a letter of request to various organizations requesting their assistance and cooperation in completing the task(s) identified in the recommendation. Copies of all letters are on file in the Fiscal Analysis Division and are available upon request.

**NEED TO CREATE INTERMEDIATE SANCTIONS AND INTERVENTIONS**

Dr. Howell recommended that the committee consider the creation of additional alternative or intermediate sanctions in Nevada's juvenile justice system. Dr. Howell spoke of the lack of intermediate sanctions and corresponding interventions between probation at the local level and confinement at the state-operated training centers. Dr. Howell suggested that the creation of more intermediate sanctions would relieve overcrowding pressure on residential facilities while still protecting the community by placing offenders in detention when needed.

Dr. Howell referenced the multi-systemic model, an effective alternative to incarceration by Henggeler and suggested the committee consider training from Henggeler if this model was chosen for implementation. Other examples of intermediate sanctions mentioned by Dr. Howell included drug courts, crisis intervention programs, group homes, and home detention.



On May 20, 1998, the committee agreed that the Juvenile Justice Commission and their Work Study Group, plus the Nevada Association of Juvenile Justice Administrators would be the logical work group to undertake this task. The committee also agreed that the National Council on Crime and Delinquency should be considered for technical assistance through cooperation with the National Council on Juvenile and Family Court Judges.

As part of this task, the committee also discussed the need to evaluate recently implemented Division of Child and Family Services programs approved by the 1997 Legislature, including the Community Corrections Block Grant program and the Transitional Community Re-Integration program. Also that the 1992 National Council on Crime and Delinquency Needs Assessment prepared for Nevada be updated and that a bill draft request with an appropriation be approved by the committee in the event other funding mechanisms are not successfully identified. The assistance from National Council on Crime and Delinquency would also include an evaluation of the Division of Child and Family Services Juvenile Justice Data Collection System authorized by the 1995 Legislature.

The committee also considered requesting that a recommendation of one or two of the most important identified alternative sanctions be developed by Fall of 1998 for possible consideration by the 1999 Legislature, with a comprehensive report and recommended sanctions being completed for the next interim committee after the 1999 Legislative Session.

***Recommendation 2. Need to Create Intermediate Sanctions and Interventions***

The committee recommended that the creation of additional intermediate sanctions and corresponding interventions be undertaken through a joint effort of the Juvenile Justice Commission and its Work Study Group and the Nevada Association of Juvenile Justice Administrators. The effort shall involve technical assistance from the National Council on Crime and Delinquency through cooperation with the National Council of Juvenile and Family Court Judges. Programs administered by the Nevada Army National Guard, including Project Challenge, Camp Walkabout and Friends for Life, as well as programs operated through Youth Service Providers of Nevada should also be considered in the effort to create additional intermediate sanctions and corresponding interventions.

This task will also involve assistance from the National Council on Crime and Delinquency in evaluating the Community Corrections Block Grant Program, the Transitional Community Re-Integration Program and the Juvenile Justice Data Collection System, all administered by the Division of Child and Family Services, as well as an update of the 1992 National Council on Crime and Delinquency Needs Assessment for Nevada. The committee also recommended a bill draft request with an appropriation for National Council on Crime and Delinquency assistance to

update the 1992 needs assessment, to be used in the event other funding mechanisms are not successfully identified. (BDR S-223, Appendix N, page 69).

One or two recommendations for alternative sanctions should be completed by November 1, 1998, and submitted to the Division of Child and Family Services, the Department of Administration, Budget Division, and the Legislative Counsel Bureau, Fiscal Analysis Division. The Budget Director shall review the recommendations for possible inclusion in the 1999-2001 Executive Budget and for possible consideration by the 1999 Legislature. The remaining recommended alternative sanctions, the updated National Council on Crime and Delinquency needs assessment and the evaluation of the Division of Child and Family Services' data collection system should be presented to the next interim committee to study juvenile justice to be formed after the conclusion of the 1999 Legislative Session.

Findings on the evaluation of the Division of Child and Family Services' Community Corrections Block Grant Program and the Transitional Community Re-Integration Program should be developed and submitted to the Division of Child and Family Services, the Department of Administration, Budget Division, and the Legislative Counsel Bureau, Fiscal Analysis Division by November 1, 1998, for consideration in preparation of the 1999-2001 Executive Budget.

The committee also recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the above-mentioned organizations.

#### **ASSESS EXISTING SUBSTANCE ABUSE PROGRAMS**

This subject was discussed in numerous committee meetings due to the high correlation of delinquent youth and their involvement with substance abuse. Dr. Howell suggested the committee consider assessing the existing drug treatment programs to determine which programs are successful in order to maximize financial resources invested in treatment efforts.

In discussing this subject during the May 20, 1998, meeting, committee members expressed concern that this topic should be broadened to reflect *both* drug and alcohol abuse as well as prevention and education efforts, and not be solely limited to assessing drug treatment programs. The committee also expressed concern over the need to enhance resources for prevention and treatment efforts and to seek a better balance of the allocation of resources between adults and juveniles.

The committee also discussed the formation of a work group to undertake these tasks and suggested the group consist of representatives from: The Bureau of Alcohol and Drug Abuse; the Division of Child and Family Services; resource staff from mental health agencies and from schools; and representatives from the Governor's Commission on Substance Abuse, Education, Prevention, Enforcement,

and Treatment. The committee also discussed, per Dr. Howell's suggestion, that technical assistance be obtained from Leslie Acoca, a nationally recognized expert in this field, through the cooperative efforts of the National Council of Juvenile and Family Court Judges.

The committee also discussed the possibility of moving Dr. Howell's recommendation to Implement a Statewide Prevention Program (Communities That Care), from the Next Two Years suggested time frame to the Immediate time frame. The consensus of the committee appeared to favor moving the substance abuse component of the program into the Immediate group of recommendations, while understanding that the *entire* Communities That Care program would be considered for implementation in the next two year period.

***Recommendation 3. Assess Existing Substance Abuse Programs***

The committee recommended that a work group be formed consisting of representatives from the Bureau of Alcohol and Drug Abuse, the Division of Child and Family Services, the Division of Mental Hygiene/Mental Retardation, schools, and the Governor's Commission on Substance Abuse, Education, Prevention, Enforcement, and Treatment, to assess existing substance abuse programs for juveniles and their families in Nevada. The assessment shall include substance abuse programs, as well as prevention, education, treatment, and aftercare efforts. The work group should pursue technical assistance through cooperation with the National Council of Juvenile and Family Court Judges.

The work group's final report, or at a minimum, a status report, should be submitted to the 1999 Legislature by February 1, 1999, to allow sufficient time for review and consideration by members of the Legislature of the work group's findings and recommendations.

The committee also recommended that the substance abuse component of the Communities That Care program be considered by the Bureau of Alcohol and Drug Abuse for statewide implementation immediately, with the entire program being considered for implementation in the next two year period.

The committee recommended that the Bureau of Alcohol and Drug Abuse seek enhanced funding for substance abuse prevention and treatment efforts and that consideration be given to seek a more equitable balance in the distribution of funding between adult and juvenile programs.

The committee recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the above-mentioned organizations.

#### **ASSESS EXISTING DRUG COURT MODELS IN CLARK AND WASHOE COUNTIES**

Dr. Howell recommended that existing drug court models in Clark and Washoe counties be assessed and evaluated for possible replication and expansion in other jurisdictions within Nevada. The committee discussed the relative newness of these programs and the fact that an evaluation of the programs was already underway. The pursuit of technical assistance with the National Council of Juvenile and Family Court Judges was also discussed.

#### ***Recommendation 4. Assess Existing Drug Court Models in Clark and Washoe Counties***

The committee recommended that existing drug court models in Clark and Washoe counties be assessed for their effectiveness and evaluated for possible replication and expansion in other Nevada jurisdictions. Judge Deborah Schumacher, Judge Charles McGee, and Judge Gerald Hardcastle will lead this effort in conjunction with technical assistance from the National Council of Juvenile and Family Court Judges. A report of the assessment shall be provided to members of the 1999 Legislature by March 1, 1999.

The committee recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the above-mentioned individuals.

### **B. NEXT TWO YEARS**

#### **COMPLETE NEW SERIOUS AND CHRONIC JUVENILE OFFENDER FACILITY**

On several occasions, the committee heard testimony regarding Senate Bill 495, approved by the 1997 Legislature, which authorized the Director of the Department of Administration to enter into a contract to finance, acquire and construct a correctional facility for juveniles. SB 495 also allows for the privatized operation of the new facility, which is tentatively scheduled for opening in August 1999. Dr. Howell recommended that Nevada proceed with plans to complete the new facility.

During discussions regarding the new facility, questions were raised about what type of juveniles would be committed to the new facility, versus those that would be committed to the Nevada Youth Training Center at Elko or the Caliente Youth Center. The need for a consistent corrections placement instrument to be used as a tool for committing youth to the proper facility was a part of those discussions.

#### ***Recommendation 5. Complete New Serious and Chronic Juvenile Offender Facility***

The committee recommended that a status report prepared by the Department of Administration and the Division of Child and Family Services on the new secure serious and chronic juvenile offender facility, authorized by Senate Bill 495,

approved by the 1997 Legislature, be submitted in conjunction with Recommendation Number 1, regarding the development of the detention placement instrument, the probation community placement instrument, and the corrections placement instrument. The status report should be submitted with the final report on the completed instruments to the 1999 Legislature by February 1, 1999, and include as part of the report the findings from the Tennessee study comparing the operation of privatized and state operated juvenile facilities and findings from similar studies by other states.

The committee recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the above-mentioned organizations.

### **C. TWO TO TEN YEARS**

#### **RESTRUCTURE STATE-COUNTY RELATIONSHIP**

The committee discussed Nevada's planned participation in a trip to Ohio to attend the Reclaim Ohio Academy. This pilot program was launched in January 1994 and implements a revised funding formula, which provides funding to counties that retain and serve delinquent youth at the local level. If a youth is committed to the State of Ohio, counties must then pay the state for the cost of care. The philosophy provides an incentive to counties to retain youth at the local level and enables families to participate more fully in their treatment.

#### ***Recommendation 6. Restructure State-County Relationship***

The committee recommended that the Division of Child and Family Services act as the lead agency in a collaborative effort with county governments to develop potential recommendations for a similar model to the Reclaim Ohio Program for Nevada and to also consider restructuring Nevada's state-county relationship. The Division of Child and Family Services will report on formal recommendations to restructure the relationship at the first meeting of the next interim committee to study juvenile justice issues anticipated to be formed after the conclusion of the 1999 Legislature.

The committee recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the above-mentioned organizations. The collaborative effort should also include a determination of how to coordinate services in a continuum of care.

#### **CONDUCT STATEWIDE GANG SURVEY**

In discussing this recommendation from Dr. Howell, the committee expressed their concern regarding the escalating gang membership, violence and shootings, the recruitment and utilization of youth in organized criminal gang activity and the fact that this growing problem was not limited to the metropolitan areas of the state, but

affected rural Nevada as well. The committee also discussed the importance of moving this recommendation from the next two year period to the immediate time frame.

The committee discussed requesting recommendations from the Las Vegas Metropolitan Police Department Gang Division, the Clark County District Attorney's Office and the Reno Police Department on how to effectively deal with and prosecute gang members and counter gang activity which could be considered for possible legislation during the 1999 Legislative Session.

***Recommendation 7. Conduct Statewide Gang Survey***

The committee recommended that statewide law enforcement agencies, in conjunction with the Nevada District Attorney's Association and the Nevada Association of Juvenile Justice Administrators assess the extent and nature of both juvenile and adult gang activity in Nevada. This group's review should include the development of recommendations on the apprehension and prosecution of gang members including an evaluation of the effectiveness of Nevada's Racketeer Influenced and Corrupt Organizations (RICO) statutes in prosecuting gang members. The review should also assess prevention and intervention efforts and identify alternative programs, which could be implemented to reduce gang membership.

Reasons why at-risk youth either get involved or do not get involved with gangs should be explored. The effort should also include input from youth who were exposed to or involved with gang activity. This input should specifically address intervention and prevention recommendations.

A report on the assessment of gang activity related issues and recommendations on how best to deal with this issue should be completed by February 1, 1999, and should contain as much information as can be gathered and submitted by that date. The report should be submitted to the Director of the Legislative Counsel Bureau for distribution to all members of the 1999 Legislature. A follow-up report containing additional analysis and information should be submitted by October 1, 1999, and presented to the first meeting of the next interim committee to study juvenile justice issues anticipated to be formed after the conclusion of the 1999 Legislature.

The committee recommended that a letter of request, signed by the committee chair and conveying the committee's recommendations, be prepared and distributed to the appropriate organizations.

**CONDUCT SCHOOL VIOLENCE ASSESSMENT**

***Recommendation 8. Conduct School Violence Assessment***

The committee recommended that a request be made to the State Board of Education asking that an assessment be conducted of Nevada's school districts on

school violence. The survey could poll students, teachers, and administrators, assess security measures and procedures in place, assess gang problems in schools and solicit recommendations to improve security, reduce violence and protect students. The State Board of Education should take the lead role in conjunction with the Nevada Association of Juvenile Justice Administrators and the Juvenile Justice Commission's Work Study Group. Technical assistance should be pursued and obtained from the National Council of Juvenile and Family Court Judges.

The State Board of Education and the Association of Juvenile Justice Administrators, representing both Nevada State Youth Parole and local county probation departments, should be encouraged to develop better communication and cooperation between them with respect to juveniles.

The report on the assessment of school violence should be completed by February 1, 1999, and should contain as much information as can be gathered and submitted by that date. The report should be submitted to the Director of the Legislative Counsel Bureau for distribution to all members of the 1999 Legislature. A follow-up report containing additional information, analysis, and recommendations should be submitted to the first meeting of the next interim committee to study juvenile justice issues anticipated to be formed after the conclusion of the 1999 Legislature.

A letter of request, signed by the committee chair and conveying the committee's recommendations, was prepared and distributed to the State Board of Education, the Nevada Association of Juvenile Justice Administrators and the Juvenile Justice Commission's Work Study Group.

#### **ALTERNATIVE PROGRAMS OFFERED BY LOCAL SCHOOL DISTRICTS**

This subject concerns educational programs offered by local school districts to students/youth who cannot or are not allowed to access traditional educational programs. Youth who have been expelled from school or youth who are incarcerated in detention or in a juvenile facility are examples of youth who might attend or be provided alternative educational programs. The committee discussed sending a letter to the Nevada State Board of Education and asking them to survey all of the school districts in Nevada to determine what types of alternative education programs were available. The survey could possibly be reviewed and considered by the next interim committee on juvenile justice after the 1999 Legislative Session.

#### ***Recommendation 9. Alternative Programs Offered by Local School Districts***

The committee recommended that a letter be sent to the Nevada State Board of Education asking them to survey all of the school districts in Nevada to determine what types of alternative education programs are available. The survey could

possibly be reviewed and considered by the next interim committee on juvenile justice after the 1999 Legislative Session.

Additionally, a copy of the letter was sent to the chairmen of the Legislative Committee on Education (SB 482, of the 1997 Legislative Session) and the Interim Study on Special Education and Student Discipline (ACR 44, of the 1997 Legislative Session) to inform them of the recommendation approved by the Committee to Study the System of Juvenile Justice in Nevada.

**AMEND THE NEVADA REVISED STATUTES PER RECOMMENDATIONS FROM COUNTY DISTRICT ATTORNEYS**

The subcommittee heard testimony and received correspondence from several county district attorneys regarding recommended changes to certain Nevada Revised Statutes. Specifically, the recommended changes to NRS involved photographing juveniles, requirements that law enforcement notify parents or guardians prior to the taking of an evidentiary test, altering criteria for issuance of citations and expanding access to juvenile records.

***Recommendation 10. Amend the Nevada Revised Statutes per Recommendations from County District Attorneys***

The committee agreed to defer all the amendments to statute recommended by the district attorneys as itemized in Recommendation Number 10 to the district attorneys to follow the normal legislative process. The Legislative Counsel Bureau Legal Division prepared a letter to the Nevada District Attorney's Association informing them of the committee's recommendation. A copy of that letter is included as Appendix O, page 71.

**CONSIDER DEVELOPING STANDARDS OF OPERATION FOR JUVENILE FACILITIES**

***Recommendation 11. Consider Developing Standards of Operation for Juvenile Facilities***

The committee requested that the Association of Juvenile Justice Administrators undertake the development of standards of operation for juvenile detention and juvenile correctional facilities. The term "standards of operation" includes both standards for staff employed in juvenile facilities such as minimum qualifications, training, and educational standards and also operating standards for juvenile facilities. Juvenile facilities are defined as those operated by the state, counties, and privately contracted by them for juvenile correctional care. The Division of Child and Family Services is represented in the Juvenile Justice Administrators group and would ensure that state facilities are included in the study. The Juvenile Justice Administrators shall provide a report to the next interim committee on juvenile justice in the Fall of 1999.

A letter of request to the Division of Child and Family Services and the Juvenile Justice Administrators for this project was also recommended.



## **EVALUATE MENTAL HEALTH NEEDS FOR THE JUVENILE OFFENDER POPULATION**

### ***Recommendation 12. Evaluate Mental Health Needs for the Juvenile Offender Population***

The committee recommended that the Department of Human Resources, Director's Office, function as the lead agency for the Division of Child and Family Services, Mental Hygiene/Mental Retardation, and the Juvenile Justice Commission to complete an across-the-board needs assessment of mental health needs and services for children and youth at both the state and local level. A progress report shall be provided to the 1999 Legislature by March 1, 1999, with a complete report being provided to the next interim committee on the study of juvenile justice. The findings in the report should be based on verifiable data and information.

The committee recommended that the report also contain information on how mental health services interface with juvenile justice programs and facilities on both the local and state level, including a review of qualifications of mental health treatment staff in juvenile detention and correctional facilities, and recommended changes and improvements. The report should also contain a review of dually diagnosed juveniles (delinquent and having mental health problems) to ensure they are being handled adequately.

Regarding the draft memorandum of understanding designed to coordinate the provision of services to families between Mental Hygiene/Mental Retardation and the Division of Child and Family Services, it is requested that the two divisions jointly provide a status report on the eventual finalization of that document to be provided to the 1999 Legislature by March 1, 1999. The report should indicate how well the agreement is working and if there is anything remaining to be accomplished. Additionally, a review of the status of the separation of juvenile mental health services provided by the Division of Child and Family Services and the Division of Mental Hygiene/Mental Retardation should be examined for effectiveness.

Concerning the evaluation of whether an integrated data system should be developed to track youth across all agencies (both state and local), the committee requests that the Division of Mental Hygiene/Mental Retardation, the Division of Child and Family Services, and the Juvenile Justice Commission assess the current level of compatibility between data processing systems within state and local government relating to the tracking of juveniles.

This assessment should include all major data processing systems including, but not limited to, Statewide Management of Automated Record Transfer (SMART), Unified Nevada Information Technology for Youth (UNITY), Automated Information Management System (AIMS), etc. Recommendations should also be developed on what steps are necessary to make the current data processing systems within state and local jurisdictions more compatible. In addition, the work group could consider the feasibility of developing an integrated data system to track youth across all

agencies, both state and local. A report on the work group's activity and progress in this area should be provided in the Fall of 1999 to the next interim committee on the study of juvenile justice.

A letter of request was prepared and forwarded to the appropriate agencies conveying the committee's recommendations.

**EVALUATE THE NEED TO ESTABLISH TRUANCY CENTERS**

***Recommendation 13. Evaluate the need to establish truancy centers.***

The committee recommended requesting that the State Department of Education work with the local advisory boards created in each county to review school attendance to identify factors which contribute to delinquency and to also make recommendations concerning programs which are most effective in reducing truancy.

A letter of request was prepared and forwarded to the State Department of Education conveying the committee's recommendations.

**SHOULD PROFESSIONAL SOCIAL WORKERS BE EMPLOYED BY LOCAL SCHOOL DISTRICTS?**

***Recommendation 14. Should professional social workers be employed by local school districts?***

The committee recommended deferring Recommendation Number 14 to the Interim Study on Special Education and Student Discipline (ACR 44, of the 1997 Legislative Session) who will be considering a similar recommendation at their final meeting and work session.

**SHOULD THE COMMITTEE RECOMMEND A RESOLUTION TO CREATE AN INTERIM STUDY COMMITTEE ON JUVENILE JUSTICE AFTER THE ADJOURNMENT OF THE 1999 LEGISLATURE?**

***Recommendation 15. Should the Committee Recommend a Resolution to Create an Interim Study Committee on Juvenile Justice After the Adjournment of the 1999 Legislature?***

The committee requested a bill be drafted to create an interim study committee on juvenile justice upon the adjournment of the 1999 Legislative Session. (BDR R-224, Appendix P, page 73).

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## APPENDIX A

### Assembly Concurrent Resolution No. 57-Committee on Elections, Procedures, and Ethics

#### FILE NUMBER

152

ASSEMBLY CONCURRENT RESOLUTION--Directing the Legislative Commission to conduct an interim study of the system of juvenile justice in the State of Nevada.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislative Commission is hereby directed to conduct an interim study of the system of juvenile justice in the State of Nevada; and be it further

RESOLVED, That the study include, but not be limited to:

1. The uniformity of the administration of the juvenile justice system among the counties of this state and the cost to the counties;
2. The cost to the counties to administer the system of juvenile justice;
3. The use of alternatives to traditional methods of adjudication of children alleged to be delinquent or in need of supervision, including, but not limited to, the use of teen courts and community sentencing panels;
4. The practices and procedures of juvenile courts regarding the assignment of children who are adjudicated delinquent or in need of supervision to facilities for confinement, detention or care;
5. The facilities for confinement, detention or care of children who are adjudicated delinquent or in need of supervision in this state, including, but not limited to, the certification or licensure of such facilities, the capacity and condition of such facilities, the ability of such facilities to provide for the separation of violent and nonviolent children or any other appropriate separation of children in such facilities and the costs associated with the maintenance of such facilities; and
6. The penalties associated with the commission of delinquent acts by children and the application of such penalties; and be it further

RESOLVED, That no action may be taken by the study committee on recommended legislation unless it receives a majority vote of the Senators on the committee and a majority vote of the Assemblymen on the committee; and be it further

RESOLVED, That the Legislative Commission submit a report of the study and any recommendations for legislation to the 70th session of the Nevada Legislature.

## **APPENDIX B**

### **Typical Juvenile Probation Department Programs:**

- Informal probation**
- Deferred Disposition**
- Formal Probation**
- Formal Probation with a Suspended Commitment**
- Detention Center for youth pending disposition in juvenile court**
- Home Detention**
- Detention as Disposition**
- Foster Care Placement**
- Electronic surveillance**
- Community Service Hours**
- Driver's License Suspension**
- Shelter Care placements for runaway youth**
- Probation Supervision including drug testing**
- Victim/Offender Mediation**
- Apology Letter**
- Restitution program**
- Traffic Safety School**
- Hunter's Safety Class**
- Alternative Education Program**
- Adult Education Program**
- Juvenile Offender Community Service Program**
- Juvenile Crime Prevention Class**
- Alcohol and Drug Education Program**
- Tutoring Program**
- Probation recreation program**
- Prison Awareness Program**
- Employment Programs**
- Alcohol and Drug case evaluations and assessments**
- Alcohol and Drug Treatment**
- Parenting Classes/Prenatal Care**
- Individual, group and family counseling**
- Anger Management Classes**
- Life Skills Classes**
- Detention as a disposition**

# JUVENILE JUSTICE SERVICES / PROGRAMS PROVIDED BY JUDICIAL DISTRICT

ATTACHMENT # 1 SORTED SURVEY RESULTS												
(1997 NEVADA SURVEY)												
(NYPB-NEV. YOUTH PAROLE)												
CODES: PROVIDED BY AGENCY (✓), CONTRACT (C), REGIONAL COLLABORATION (R), GRANT (G), BROKER OUT (X)												
TOTAL												
#	JUVENILE DEPARTMENT PROGRAM / SERVICE	1 ST	2 ND	3 RD	4 TH	5 TH	6 TH	7 TH	8 TH	9 TH	NYPB	# OFFERED
1	INTENSIVE SUPERVISION PROGRAMS	G	✓	✓	✓	✓	✓	✓	G	✓	✓	10
2	DRIVERS LICENSE SUSPENSION	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	10
3	DRUG TESTING	✓	✓	✓	✓	✓	✓	✓	C	✓	✓	10
4	RESTITUTION PROGRAM	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	10
5	ALCOHOL & DRUG EVALUATIONS / ASSESSMENTS	C / G	C	X	G / C	G / C	✓	C	C	X	✓	10
6	ALCOHOL AND DRUG EDUCATION PROGRAM	C / G	C	X	✓	G / C	✓	✓	✓	X	G	10
7	ALCOHOL & DRUG TREATMENT	C / G	C	X	G / C	G / C	✓	C	C	X	C	10
8	INDIVIDUAL, GROUP & FAMILY COUNSELING	C / G	G / C	X	C	C	C	C	C	✓	✓	10
9	SECURE DETENTION CENTER	✓	✓	X	✓		✓	C	✓	X	C	9
10	FORMAL PROBATION SUPERVISION	✓	✓	✓	✓	✓	✓	✓	✓	✓		9
11	PROBATION W/ SUSPENDED COMMITMENT	✓	✓	✓	✓	✓	✓	✓	✓	✓		9
12	COMMUNITY SERVICE	✓	✓	✓	G		✓	✓	✓	✓	G	9
13	PARENTING SKILLS CLASSES	✓	✓	X		C	C	C	✓	X	G	9
14	ANGER MANAGEMENT CLASSES	X / G	C	X	✓	C	✓		✓	X	G	9
15	PSYCHOLOGICAL SERVICES / EVALUATIONS	C / G	C	X	C	C	C	C	✓	✓		9
16	COUNTY YOUTH CAMPS	R	R	R	R	R	R	R	✓	R		9
17	SYSTEM OF GRADUATED SANCTIONS	✓	✓	✓	✓		✓	✓	✓	✓	✓	9
18	SHELTER CARE PROGRAM / PLACEMENTS	C	✓	X	G		✓	✓	G / C	X	C	9
19	WORK CREW	✓	✓	✓	G	✓	✓	✓	✓	✓		9
20	TUTORING PROGRAM	C / G	✓	✓	✓	✓	✓	✓	✓		G	9
21	ALCOHOL / NARCOTICS ANONYMOUS PROGRAMS	X	✓	X	C / G	C / G	✓		X	X	X	9
22	INFORMAL PROBATION SERVICES	✓	✓	✓	✓	✓	✓	✓	✓	✓		9
23	DEFERRED DISPOSITION	✓	✓	✓	✓	✓	✓		✓	✓		8
24	CRISIS COUNSELING	✓			C	C	C	C	✓	✓	✓	8
25	DETENTION AS DISPOSITION	✓	✓		✓	✓	✓	✓	✓	✓		8
26	TRAFFIC SAFETY SCHOOL	X	X	X	X		✓	✓	✓	X		8
27	HOME DETENTION / HOME MANAGEMENT	✓	✓	✓	✓		✓		✓	✓		7
28	D.U.I. SCHOOL / VICTIM IMPACT PANEL	X	X	X			C	C	✓	X		7
29	PRISON AWARENESS PROGRAM	✓	✓	✓			X	✓	✓		G	7
NOTE: 3RD JUDICIAL DIST. RETURNS ARE FOR LYON COUNTY ONLY;												

PART 2 JUVENILE JUSTICE SERVICES / PROGRAMS PROVIDED BY DISTRICT												
CODES: PROVIDED BY AGENCY (✓), CONTRACT (C), REGIONAL COLLABORATION (R), GRANT (G), BROKER OUT (X)												
SURVEY REVISED 12/17/97		(1997 NEVADA SURVEY)						(NYPB-NEV. YOUTH PAROLE)				TOTAL #
SPECIAL NOTES: 3RD JUDICIAL DIST. RETURNS ARE FOR LYON COUNTY ONLY;												
	JUVENILE DEPARTMENT PROGRAM / SERVICE	1 ST	2 ND	3 RD	4 TH	5 TH	6 TH	7 TH	8 TH	9 TH	NYPB	OFFERED
30	ELECTRONIC MONITORING	C / G	✓	C	✓				✓		C	6
31	JUVENILE CRIME PREVENTION PROGRAM	✓					✓	✓	G	✓	✓	6
32	GANG PREVENTION / INTERVENTION	X	✓		G				✓	X	G	6
33	NON-TRADITIONAL HOURS: SUPERVISION/SERVICES		✓	✓	✓				✓	✓	✓	6
34	COURT ORDERED PARENT TREATMENT	X			✓	C	✓		✓	X		6
35	EMPLOYMENT PROGRAMS		✓		✓	C	C		✓		✓	6
36	PROBATION RECREATION PROGRAM	✓		G			C	C	✓		G	6
37	RESIDENTIAL SUBSTANCE ABUSE PROGRAM	C / G			G / C	G	✓		C		C	6
38	HUNTER SAFETY CLASSES	X	X	X	X		X			X		6
39	PAROLE / AFTER-CARE PROGRAM					✓		C	✓	✓	✓	5
40	THINKING ERROR / COGNITIVE SKILLS PROGRAMS		✓			C			✓	✓	G	5
41	LIFE SKILLS CLASSES		X	X			✓		✓		G / C	5
42	ALTERNATIVE EDUCATION PROGRAM				X	✓	✓		✓		G	5
43	FOSTER CARE PLACEMENT		✓				✓	C	✓		C	5
44	CONFLICT RESOLUTION CLASSES			X	✓	C			✓			4
45	AFTER-SCHOOL PROGRAM	G					✓		G		C	4
46	MENTORING PROGRAM	✓	✓						✓		G	4
47	SPECIAL SUPERVISION (IE FOR SEX OFFENDER / ARSONIST)						✓		✓		✓	3
48	JOINT LAW ENFORCEMENT TASK FORCE				G		X		✓			3
49	TEEN COURT				✓	✓			✓			3
50	GROUP HOMES							C	C		C	3
51	SUMMER SCHOOL					✓	✓		✓			3
52	COMPUTER ASSISTED INSTRUCTION				X		✓		✓			3
53	VICTIM / OFFENDER MEDIATION								✓	G		2
54	HALF-WAY HOUSE								✓		C	2
55	RESIDENTIAL INDEPENDENT LIVING PROGRAMS								C		C	2
56	DRUG COURT		✓						✓			2
57	WILDERNESS PROGRAM								G / C	✓		2
58	GUARDIAN AD LITUM - CPS CASES						✓		✓			2
59	COMMUNITY SENTENCING PANELS						✓		✓			1
60	SATURDAY SCHOOL						✓					1
61	ADULT EDUCATION PROGRAM								C			1
62	STAFF SECURE DETENTION											0
Total Number of Programs / Services		28	38	33	28	30	44	30	69	35	36	362
SURVEY CONDUCTED BY		DAVID F. BASH III										
E-MAIL: DFB NV@AOL.COM		FAX: (702) 256-7042 TEL: (702) 256-7102										

# NEVADA JUVENILE JUSTICE SERVICES BY NINE JUDICIAL DISTRICTS

## ATTACHMENT # 2

OFFICIAL NEVADA ESTIMATES OF POPULATION FROM NV. STATE DEMOGRAPHER'S OFFICE AUG. 21, 1997

## 1997 PROFILE OF AGENCY OPERATIONS

N / R = NOT REPORTED N / A = NOT APPLICABLE

NINE JUDICIAL DISTRICTS										
1997 CALENDAR YEAR COMPARISONS OF JUVENILE JUSTICE AGENCIES	1 ST	2 ND	3 RD	4 TH	5 TH	6 TH	7 TH	8 TH	9 TH	STATEWIDE
COUNTIES IN JUDICIAL DISTRICT	CARSON CITY / STOREY	WASHOE / STOREY	CHURCHILL / LYON	ELKO / STOREY	MINERAL / NYE / ESERALDA	HUMBOLDT / LANDER / PERSHING	WHITE PINE / LINCOLN / EUREKA	CLARK / CLARK	DOUGLAS / DOUGLAS	ALL / ALL
1997 POPULATION OF DISTRICT	52,782	308,579	52,218	47,219	34,095	29,369	15,800	1,163,207	37,628	1,740,897
% OF TOTAL STATE POPULATION	3.0%	17.7%	3.0%	2.7%	2.0%	1.7%	0.9%	66.8%	2.2%	100%
STAFFING / PERSONNEL (1997)	8	48	5	6	7	8	1	62	7	152
(A) # PROBATION / PAROLE STAFF * FTE	14.5	47	0	12	0	12	0	71	0	156.5
(B) # DETENTION STAFF ** FTE	0	0	0	0	0	0	0	34	17	51
(C) # COUNTY CAMP STAFF FTE	3	0	0	0	25	0	4	N/R	0	32
PART-TIME HOURLY EMPLOYEES (A / B & C)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	68	N/A	68
(D) # CHILD PROTECTION STAFF FTE	0	0	0	0	0	0	0	57	0	57
(E) # CHILD HAVEN SHELTER STAFF FTE	N/R	N/R	N/R	N/R	N/R	N/R	N/R	18	N/R	18
(F) # NURSING & PSYCHOLOGY STAFF	3.5	12	4.8	2	4	4	0	121	2	153.3
(G) # SUPPORT STAFF***	29	107	9.8	20	36	24	5	431	26	687.8
TOTAL STAFFING	* Includes Probation, Work Program, Community Outreach, & McGee Case Managers.				** Wittenberg Hall and McGee Residential Staff			*** AMONG ALL DIVISIONS (A THRU F)		
WORKLOAD STATISTICS (1997)	852	4,894	962	336	525	820	180	18,000	500	27,069
# OF DELINQUENT YOUTH WORKED WITH	N/A	N/A	N/A	N/A	N/A	N/A	N/A	14,000	N/A	14,000
# OF ABUSE / NEGL. YOUTH WORKED WITH	43	41	47	33	65	30	100	75	N/A	48.2
AVERAGE PROBATION CASELOAD (PER P.O.)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/R	N/A	58
AVERAGE PAROLE CASELOAD (PER P.O.)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	28	N/A	28
AVERAGE CHILD PROTECTION CASELOAD	492	1,237	407	N/R	874	294	135	10,113	254	13,806
COURT STATISTICS (1997)	12	N/A	N/A	N/A	N/A	N/A	36	871	N/A	919
# DELINQUENCY PETITIONS FILED	12	N/A	N/A	N/A	N/A	N/A	36	871	N/A	919
# CHILD PROTECTION PETITIONS FILED	25.4	66.9	7.4	16	20	13	0.1	206	4	358.8
PROGRAM STATISTICS (1997)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	132	N/A	132
AVERAGE DAILY DETENTION POPULATION	78	44	40	N/A	425	56	29	122	1	795
AVERAGE PROTECTIVE SERVS. POPULATION	19	15	40	15	48	N/A	3	120	0	260
# YOUTH RECEIVING (DURING YEAR):	26	321	120	8	76	36	0	N/A	121	708
INTENSIVE SUPERVISION	12	28	16	N/A	N/A	8	3	206	120	393
ELECTRONIC MONITORING										
SUBSTANCE ABUSE TREATMENT										
COUNTY YOUTH CAMP PROGRAM										



## NEVADA JUVENILE JUSTICE SERVICES BY NINE JUDICIAL DISTRICTS

OFFICIAL NEVADA ESTIMATES OF POPULATION

NV. STATE DEMOGRAPHER'S OFFICE AUG. 21, 1997

## 1997 PROFILE OF AGENCY OPERATIONS

N / R= NOT REPORTED

N / A= NOT APPLICABLE

RECORDS CORRECTED FEB. 19, 1998

## 1997 CALENDAR YEAR COMPARISONS

## NINE JUDICIAL DISTRICTS

## OF JUVENILE JUSTICE AGENCIES

	1ST	2ND	3RD	4TH	5TH	6TH	7TH	8TH	9TH	STATEWIDE
COUNTIES IN JUDICIAL DISTRICT	CARSON CITY	WASHOE	CHURCHILL	ELKO	MINERAL / NYE	HUMBOLDT / LANDER	WHITE PINE /	CLARK	DOUGLAS	ALL
	/ STOREY	.....	/ LYON	.....	/ ESMERALDA	/ PERISHING	LINCOLN / EUREKA	.....	.....	.....
1997 POPULATION OF DISTRICT	52,762	308,579	52,218	47,219	34,095	29,369	15,800	1,163,207	37,628	1,740,897
% OF TOTAL STATE POPULATION	3.0%	17.7%	3.0%	2.7%	2.0%	1.7%	0.9%	66.8%	2.2%	100%
FISCAL STATISTICS (1997)	.....	.....	.....	.....	.....	.....	.....	.....	.....	FISCAL
DELINQUENCY SERVICES BUDGET	\$ 1,589,706	\$ 7,771,637	\$ 564,141	\$ 1,151,572	N / R	\$ 1,373,400	\$ 50,000	\$ 18,482,410	\$ 858,000	\$ 31,840,866
CHILD PROTECT. SERVICES BUDGET	N / A	N / A	N / A	N / A	N / A	N / A	N / A	\$ 10,582,433	N / A	\$ 10,582,433
ADMINISTRATION & Non Direct Service	N / R	N / R	N / R	N / R	N / R	N / R	N / R	\$ 3,387,159	N / R	\$ 3,387,159
FUNDS FROM FEDERAL GOVT. (QJJD)	\$ 50,756	\$ 154,368	\$ 11,100	\$ 23,700	\$ 20,065	\$ 55,788	\$ 37,000	\$ 318,592	\$ 21,000	\$ 690,369
TOTAL AGENCY BUDGET	\$ 1,640,462	\$ 7,926,005	\$ 575,241	\$ 1,175,272	\$ 20,065	\$ 1,429,188	\$ 87,000	\$ 32,788,594	\$ 879,000	\$ 46,500,527
ADOL. SUBSTANCE ABUSE TREATMENT	(Funded by B.A.D.A.)		.....	.....	.....	.....	.....	.....		B.A.D.A. Funded
OUT-PATIENT TREATMENT	10	30	10	0	6	3	20	22	12	113 SLOTS
DAY / EVENING TREATMENT	0	29	5	0	0	0	0	0	0	33 SLOTS
INTENSIVE OUT-PATIENT TREATMENT	0	19	0	0	0	0	0	17	0	36 SLOTS
RESIDENTIAL TREATMENT	0	7	2	13	0	0	0	10	0	32 SLOTS
DETOX / INTERVENTION	0	0	0	0	0	0	0	10	0	10 SLOTS
TOTAL	10	85	17	13	6	3	20	59	12	224 SLOTS
NOTES: CLARK COUNTY DETOX / INTERVENTION OPEN FOR 8 MONTHS; WHITE PINE (CALIENTE) OUT-PATIENT TREATMENT NO LONGER IN OPERATION										
SURVEY CONDUCTED BY DAVID F. BASH III TEL: (702) 256-7102; FAX: (702) 256-7042; E-MAIL: DFB NV@AOL.COM										

FILED

'97 APR -8 P4 23

JUDICIAL CLERK  
BY V. King  
DEPUTY

IN THE FAMILY DIVISION  
IN THE SECOND JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF THE  
DETENTION OF ADJUDICATED MINUTE ORDER  
JUVENILE OFFENDERS.

WHEREAS, Nevada's Juvenile Justice system is based upon principles of instruction and rehabilitation as opposed to sentencing young offenders to fixed terms of months or years;

WHEREAS, at the time of this writing there are several adjudicated delinquents from the Second Judicial District who are assigned to the Division of Child and Family Services for placement in State-run Training Centers, but who are instead being held for lengthy periods in a local, county-operated pre-trial detention facility (Wittenberg Hall) awaiting placements because space is not available at the Training Centers.

WHEREAS, Wittenberg Hall is a pre-trial detention facility; it is not designed or operated for dispositional programs;

WHEREAS, such post-adjudication detention for protracted periods is

1 deemed to be a denial of due process and is a violation of the constitutional rights  
2 of the adjudicated youth; and

3 WHEREAS, the Wittenberg Hall juvenile detention facility in Washoe  
4 County maintains populations well beyond its design capacities and beyond what it  
5 can safely house, in part because of those youth committed to the Division of Child  
6 and Family Services but held in local facilities;

7 NOW, THEREFORE, exercising the inherent powers of the Court  
8 and its judicial oversight over juvenile cases, the Court hereby makes and enters the  
9 following ORDER which applies to any and all youth who are described above. The  
10 terms of this order shall go into effect sixty (60) days from the date of its filing.

11 **WITNESSETH:**

12 1. The Nevada Division of Child and Family Services will have  
13 fifteen (15) days from the date of the filing of any Order committing a child to the  
14 Division of Child and Family Services to conduct an assessment of the committed  
15 youth and his or her entire family. This assessment may be utilized by the Division  
16 for planning and placement purposes, including decisions as to which training  
17 center or programs under its jurisdiction would be the most appropriate for the  
18 youth. The assessment will also include information useful for post-commitment  
19 placement decisions such as furloughs, paroles, and reintegration into the  
20 community such as might be in the child's and the community's best interest.


21 2. Thereafter, the Division of Child and Family Services will have  
22 fifteen (15) additional days within which to effectuate the placement. No child  
23 whose status is described herein shall remain in the local detention facility for a  
24 period in excess of thirty (30) days from the date of entry of the Order committing  
25 the child to the custody of the Division of Child and Family Services and placed in  
26 state Training Centers.

1                   3. The average length of stay for those youth who are committed to  
2 the Division shall not fall substantially below the average length of stay experienced  
3 by youth prior to the effective date of this order. Nonetheless, the Division of Child  
4 and Family Services shall have the discretion to transfer a youth to another program  
5 under its control or furlough a youth to a local program consistent with the youth's  
6 case plan.

7                   IT IS SO ORDERED.

8                   DATED this 8 day of April, 1997.

9                     
10                  HON. CHARLES M. MCGEE

  
HON. SCOTT T. JORDAN

11  
12  
13                  APPROVED:

14                   
15                  MILLS LANE, CHIEF JUDGE  
16                  SECOND JUDICIAL DISTRICT COURT  
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# Nevada Legislature

July 22, 1997

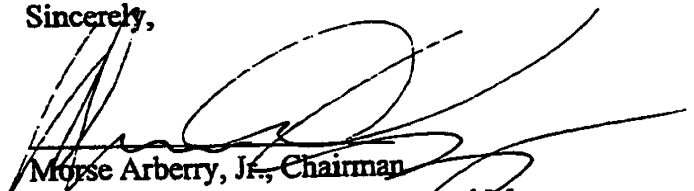
Mr. Steve Shaw, Acting Administrator  
Nevada State Division of Child and Family Services  
711 East Fifth Street  
Carson City, Nevada 89710

Dear Mr. Shaw:

The Assembly Committee on Ways and Means and the Senate Committee on Finance jointly closed the Division's Youth Corrections Services' (Youth Parole) budget by recommending that the Division of Child and Family Services work together with the Juvenile Justice Commission during the interim to determine if Juvenile Corrections should be placed in a separate division within the Department of Human Resources. The money committees expressed their desire that a formal recommendation on this issue should be finalized no later than July 1, 1998. This would allow adequate time for any recommendations to be considered in the Division's budget preparation process for the 1999-2001 biennium.

Additionally, the money committees approved the continuation of federal funding for the Intensive Aftercare Program for fiscal year 1997-98. Testimony before the committees indicated that additional federal funding may become available to continue the program in fiscal year 1998-99. In the event that federal funding for fiscal year 1998-99 does not materialize, the money committees authorized the Division to approach the Interim Finance Committee to request the necessary funding to continue the program.

Sincerely,



Morse Arberry, Jr., Chairman  
Assembly Committee on Ways and Means



William J. Raggio, Chairman  
Senate Committee on Finance

cc: Ms. Willie Smith, Chairwoman  
Juvenile Justice Commission

## APPENDIX G

BOB MILLER  
Governor

STATE OF NEVADA

STEPHEN A. SHAW  
Administrator  
Division of Child and Family Services

CHARLOTTE CRAWFORD  
Director

Department of Human Resources



LARRY D. CARTER  
Juvenile Justice Specialist

FISCAL ANALYSIS DIVISION

DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF CHILD AND FAMILY SERVICES  
NEVADA STATE JUVENILE JUSTICE COMMISSION

711 E. Fifth Street  
Carson City, Nevada 89701-5092  
Telephone: (702) 687-5911 • Fax: (702) 687-6292

June 30, 1998

Assemblyman Morse Arberry  
1330 Virginia City Avenue  
Las Vegas, Nevada 89106-2052

RE: Attached Letter of Intent

Dear Assemblyman Arberry:

The 1997 Nevada Legislature instructed the Division of Child and Family Services (DCFS) and the Nevada Juvenile Justice Commission to review, analyze, and recommend the best placement, organizationally, of the State Youth Corrections Services. Specifically, you asked whether the State's Youth Corrections (youth training centers, youth parole, and juvenile justice specialist functions) should be a separate Division within the Department of Human Resources or continue as a part of the Division of Child and Family Services. The Juvenile Justice Commission sought public, professional, and official input on the merits of these two approaches by conducting noticed public hearings in Reno (December 9, 1997 and February 10, 1998); Elko (February 9, 1998); and Las Vegas (February 11, 1998). In addition, input was solicited and received from the Nevada Association of Juvenile Justice Administrators.

On May 19, 1998, after careful review, the Juvenile Justice Commission voted to recommend that Youth Corrections should remain in the Division of Child and Family Services. Some of the reasons for this recommendation were as follows:

- Greater ability to coordinate and integrate adjunct services within DCFS for Youth Corrections.
- Availability for a greater range of resources.
- Reduction in the duplication of services.
- Centralized leadership and coordination of services for children and their families.

**ASSEMBLYMAN MORSE ARBERRY – LETTER**  
**PAGE 2**


- Ability to take advantage of Federal funds for program initiatives that may not be available to a division focused specifically on corrections (i.e. Title IV E).
- Reduction of "turf" issues.
- Placement in a separate division would remove Youth Corrections from a division administering services to neglected and abused children who are often the same as those involved in corrections.

The Juvenile Justice Commission further recognized as concerns and issues raised during the public testimony that Youth Corrections must be ensured sufficient leadership, standing, and authority to fulfill its mission. Creating a separate division would establish more bureaucracy; however, what is recommended is that department and division heads be held accountable for equitable and appropriate management, staffing, and budgeting of all areas under their supervision. Under the present DCFS leadership, the Commission is optimistic that these goals can be achieved.

In addition to our recommendation for Youth Corrections to remain within the Division of Child and Family Services, the Commission recommends that the 1999 Legislature authorize and fund a new position of Deputy Administrator for Youth Corrections within the Division of Child and Family Services. To accomplish this and other changes believed necessary to ensure that correctional operations are effectively and efficiently administered within DCFS, the Juvenile Justice Commission will be submitting recommendations to the 1999 Legislature for a bill draft modifying the relevant Nevada Revised Statutes.

Thank you for the trust invested in the Commission with this assignment. We remain available to be of service in this and any other matter as you determine appropriate.

Sincerely,

  
Ms. Willie B. Smith, Chair  
Nevada Juvenile Justice Commission

ATTACHMENT

cc: Senator Raggio J. William  
Larry L. Peri, Legislative Counsel Bureau



# Nevada Legislature

July 22, 1997

Mr. Steve Shaw, Acting Administrator  
Nevada State Division of Child and Family Services  
711 East Fifth Street  
Carson City, Nevada 89710

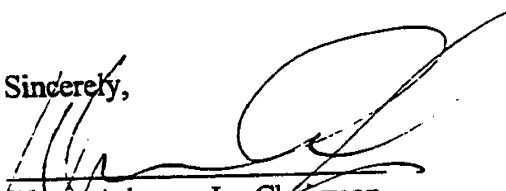
Dear Mr. Shaw:

The Assembly Committee on Ways and Means and the Senate Committee on Finance jointly closed the Probation Subsidies budget account by augmenting the budget by \$547,500 in each year of the 1997-99 biennium for Community Corrections Partnership Block Grants. The money committees also adjusted amounts recommended in the budget for Outpatient Treatment and redirected this funding to the Community Corrections Block grants. In summary, \$711,930 was approved for FY 1997-98 grants and \$710,680 was approved in FY 1998-99 for potential block grant distributions to Nevada's nine judicial districts.

In recommending and approving this funding, the money committees expressed their concern regarding the distribution and use of this funding by the judicial districts. First, it is the intent of the money committees that the Division develop criteria that all judicial districts must meet in order to be eligible for block grant funding. These criteria should include a requirement that Community Correction Block Grant funds be utilized by the judicial districts to supplement, not supplant existing resources. Second, the money committees asked that the Division keep the Interim Finance Committee apprised of how each judicial district has expended the awarded funding. Third, that no portion of the funding be used for the purchase of vehicles.

Therefore, it is the intent of the money committees, that the Division of Child and Family Services report semiannually to the Interim Finance Committee on the distribution and use of the Community Corrections Block funds by each judicial district, commencing in January 1998, for the preceding six-month period. Thereafter, the division shall provide semiannual updated reports to the Interim Finance Committee. Copies of progress reports required by the Division from each judicial district should also be submitted as a part of the Division's semiannual reports.

Sincerely,



Morse Arberry, Jr., Chairman

Assembly Committee on Ways and Means



William J. Raggio, Chairman

Senate Committee on Finance



## **APPENDIX I**

Assembly Bill No. 433-Committee on Ways and Means

### **CHAPTER**

329

AN ACT making appropriations to the Division of Child and Family Services of the Department of Human Resources; and providing other matters properly relating thereto.

[Approved July 8, 1997]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** There is hereby appropriated from the state general fund to the Division of Child and Family Services of the Department of Human Resources the sum of \$983,936 for unanticipated shortfalls in revenue for the Youth Community Services. This appropriation is supplemental to that made by section 20 of chapter 446, Statutes of Nevada 1995, at page 1388.

**Sec. 2.** 1. There is hereby appropriated from the state general fund to the Division of Child and Family Services of the Department of Human Resources the sum of \$547,500 to contract for the purchase of secure residential correctional placements in the community for youths.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1998, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 3.** This act becomes effective upon passage and approval or on June 30, 1997, whichever occurs earlier.

## **APPENDIX J**

Senate Bill No. 495-Committee on Finance

### **CHAPTER**

563

AN ACT relating to juveniles; authorizing the director of the department of administration to enter into a contract to finance, acquire and construct a correctional facility for juveniles; and providing other matters properly relating thereto.

[Approved July 16, 1997]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** As used in this act, unless the context otherwise requires, the words and terms defined in sections 2 to 6, inclusive, of this act have the meanings ascribed to them in those sections.

**Sec. 2.** "Contractor" means a person who has entered into a contract with the department pursuant to the provisions of section 7 of this act.

**Sec. 3.** "Correctional services" includes the following functions, services and activities when provided with regard to the facility:

1. The operation of the facility, including management, custody of juveniles and security;
2. Services for food, medical attention, transportation and sanitation, a commissary and other ancillary services;
3. The development and implementation of systems for classification, management and information and other similar services;
4. Education, training and programs for employment;
5. Counseling, treatment programs and other similar programs; and

6. Physical education and recreational activities.

**Sec. 4.** "Department" means the department of administration.

**Sec. 5.** "Director" means the director of the department.

**Sec. 6.** "Facility" means a facility to provide correctional services to juveniles that is financed, acquired, constructed and operated pursuant to the provisions of this act, including:

1. Any improvement;
2. Any preliminary plan, study or survey related to the plan;
3. The land or the right to the land; and
4. Any furnishings, machines, vehicles, apparatus or equipment used in connection with the facility.

**Sec. 7. 1.** The director may, to the extent of legislative appropriations and authorizations, enter into a single contract to finance, acquire and construct the facility. The contract may include a provision that requires the contractor to provide correctional services for the facility. The provisions of this subsection do not prohibit the department or any other state agency from providing correctional services for the facility.

2. The contract may include an assignable lease or installment purchase agreement for the facility. The lease or agreement constitutes a debt of the State of Nevada in an amount determined by the state board of examiners not exceeding \$20,000,000.

3. Money for the payment of the debt incurred pursuant to this section will be provided for in the annual tax imposed for the payment of the obligations of the State of Nevada from the consolidated bond interest and redemption fund or by other legislative act. The provisions of NRS 349.238 to 349.248, inclusive, apply to the payment of the debt. Any interest on the debt must be paid at least semiannually and the principal must be paid within 20 years after the date the contract is approved by the state board of examiners.

4. Except for debt incurred as provided in subsection 1, all payments of money required by the contract authorized pursuant to the provisions of subsection 1 must be subject to biennial appropriation by the legislature and must not be due and payable unless an appropriation is made.

5. The department may request that proposals for correctional services be submitted and must specify the requirements for the proposal.

6. A proposal submitted to the department must:

- (a) Meet the requirements specified in the request; and
- (b) Set a fixed price for the services offered.

7. The contract to finance, acquire and construct the facility is exempt from the provisions relating to bids set forth in NRS 341.145 to 341.151, inclusive.

**Sec. 8.** The department may not enter into a contract that includes provisions for correctional services unless the contractor provides:

1. Evidence of his qualifications, experience and ability to comply with applicable court orders and correctional standards for juveniles.

2. A plan of indemnification for liability, including indemnity for civil rights claims. The plan must protect the state from all claims and losses incurred as a result of the contract. The provisions of this subsection do not deprive the contractor or the state of the benefits of any law that limits its exposure to liability for damages.

3. Evidence of past performance of similar contracts, including audited financial statements for the past 5 years, and other financial information as requested by the department.

4. Management personnel necessary to carry out the terms of the contract.

**Sec. 9.** The contract entered into pursuant to the provisions of this act:

1. May be entered into for not more than 20 years.

2. Must provide:

(a) Internal and perimeter security to protect the public, employees and juveniles at the facility that is approved by the department.

(b) Discipline for juveniles at the facility in accordance with applicable standards and procedures that comply with the standards and procedures of the department.

(c) Food, clothing, housing and medical care for juveniles at the facility.

**Sec. 10.** The director of the department shall request a supplemental appropriation in the budget of the department submitted to the 70th session of the Nevada legislature for any necessary funding relating to the operation of the facility, if the facility is completed before July 1, 1999.

**Sec. 11.** This act becomes effective upon passage and approval.

---

## **APPENDIX K**

Assembly Bill No. 464-Committee on Ways and Means

### **CHAPTER**

579

**AN ACT making various appropriations for certain facilities for children; and providing other matters properly relating thereto.**

[Approved July 16, 1997]

**THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**

**Section 1.** 1. There is hereby appropriated from the state general fund to Clark County for the demolition of certain old structures and the construction and expansion of the facilities at the Spring Mountain Youth Camp the sum of \$3,250,000 for the fiscal year 1997-1998.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2001, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 2.** 1. There is hereby appropriated from the state general fund to Clark County for the demolition of certain old structures and the construction and expansion of the facilities at the Spring Mountain Youth Camp the sum of \$3,250,000 for the fiscal year 1998-1999.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2001, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 3.** 1. There is hereby appropriated from the state general fund to Humboldt County the sum of \$750,000 for the construction of a juvenile detention facility.

2. Humboldt County may use the money appropriated by subsection 1 only if matching money is provided by Humboldt, Lander and Pershing counties from sources other than the appropriation in subsection 1.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2001, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 4.** 1. There is hereby appropriated from the state general fund to Lyon County the sum of \$1,250,000 for the construction of a regional facility for children for Carson City and Churchill, Douglas, Lyon and Storey counties.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2001, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 5.** 1. This section and sections 1, 3 and 4 of this act become effective on July 1, 1997.

2. Section 2 of this act becomes effective on July 1, 1998.

---

Senate Bill No. 497-Committee on Finance

CHAPTER

655

AN ACT relating to governmental entities; creating the advisory council for prosecuting attorneys and prescribing its powers and duties; authorizing the planning commission of a city, county or region to include in its master plan a provision concerning the acquisition and use of certain land under federal management; requiring the state land use planning agency to cooperate with appropriate federal agencies in developing certain plans or statements of policy; and to prepare and submit a written report to the legislature; repealing the provision that requires the approval of the governor before certain plans or statements of policy of the state land use planning agency are put into effect; providing for the establishment of a program under the administration of the state librarian to provide grants of money to public libraries; requiring the department of human resources to conduct a study of the effectiveness of a system for semiautomated screening of certain medical tests; making various appropriations; and providing other matters properly relating thereto.

[Approved July 17, 1997]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Title 19 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 10, inclusive, of this act.

**Sec. 2.** As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.

**Sec. 3.** "Council" means the advisory council for prosecuting attorneys.

**Sec. 4.** "Prosecutor" means:

1. The attorney general;

**Sec. 16.** 1. There is hereby appropriated from the state general fund to Lincoln County the sum of \$240,000 for the purchase of equipment for the operation of solid waste transfer stations within that county.

2. Any remaining balance of the appropriations made by subsection 1 must not be committed for expenditure after June 30, 1999, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 17.** 1. There is hereby appropriated from the state general fund to the City of Caliente the sum of \$150,000 for the purchase of equipment for the operation of solid waste transfer stations within that city.

2. Any remaining balance of the appropriations made by subsection 1 must not be committed for expenditure after June 30, 1999, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 18.** 1. There is hereby appropriated from the state general fund to the City of Elko the sum of \$190,000 for the relocation and restoration of the Valentine Walther Ranch House and Stage Coach Stop.

2. The City of Elko may expend the money appropriated in subsection 1 only if matching money in cash or in kind is provided by the Elko Chamber of Commerce.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1999, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 19.** 1. There is hereby appropriated from the state general fund to the Carson City Fire Department the sum of \$660,000 for the enhancement of the Northern Nevada Regional Fire Training Facility.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after the completion of the project and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 20.** 1. There is hereby appropriated from the state general fund to the interim finance committee for distribution to Douglas County the sum of \$710,000 for the construction of a gymnasium/multi-purpose room at the China Spring Youth Camp.

2. The interim finance committee shall distribute to Douglas County an amount equal to the actual cost for the work performed up to the amount appropriated pursuant to subsection 1 after it receives a report from Douglas County of the work performed and the actual cost for that work.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1999, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 21.** There is hereby appropriated from the state general fund to the Life Line Pregnancy Assistance and Vocational Training Center the sum of \$200,000 for the continuation of its nonprofit pregnancy assistance, educational and vocational training center.

**Sec. 22.** 1. There is hereby appropriated from the state general fund to the Elko County Juvenile Probation Department the sum of \$532,574 for the completion of the Northeastern Nevada Juvenile Center in Elko County.





## APPENDIX M

# Nevada Legislature

SIXTY-NINTH SESSION

**JAN EVANS**  
ASSEMBLYWOMAN  
District No. 30

**SPEAKER PRO TEMPORE**

### COMMITTEES:

*Vice Chairman*  
Ways and Means

*Chairman*  
Subcommittee on K-12 Education  
Subcommittee on Human Resources

*Member*  
Commerce

August 14, 1998

Mr. Daniel G. Coppa, Chairman  
Nevada Juvenile Justice Commission  
3316 Meadowlands Drive  
Sparks, NV 89431-1447

*Re: Interim Study on Juvenile Justice*

Dear Dan:

Please accept my congratulations on your recent appointment as Chairman of the Nevada Juvenile Justice Commission. It was our pleasure to work with Willie Smith, the previous chairman during the last few months, and I very much look forward to working with you in your new capacity.

As you know, the 1997 Legislature passed Assembly Concurrent Resolution 57 which created the Legislative Commission's Subcommittee to Study the System of Juvenile Justice in Nevada during the interim period between the 1997 and 1999 Legislative Sessions. The interim committee met a total of six times and also held community meetings in Las Vegas, Reno, Carson City, and Fallon. The committee also enlisted the services of a nationally recognized juvenile justice consultant, James C. Howell, Ph.D.

The committee held its final meeting and work session on June 17, 1998, where it considered and passed numerous recommendations. Several of the approved recommendations require assistance from various organizations. As Chairman of the interim committee, I am requesting your assistance in completing work necessary to meet certain objectives identified by the committee.

Specifically, the committee recommended (recommendation number 1) - that the development of: a detention placement instrument; a probation community placement instrument; and a corrections placement instrument be undertaken as a joint effort by the Juvenile Justice Commission, the Juvenile Justice Commission's Work Study Group, and the Nevada Association of Juvenile Justice Administrators. Also that this endeavor include the pursuit of technical assistance from the National Council of Juvenile and Family Court Judges and that a final report containing the completed instruments be submitted to the 1999 Legislature by February 1, 1999.

DISTRICT OFFICE:  
3250 Wilma Drive, Sparks, Nevada 89431

LEGISLATIVE BUILDING:

Mr. Daniel G. Coppa, Chairman

August 14, 1998

Page 2

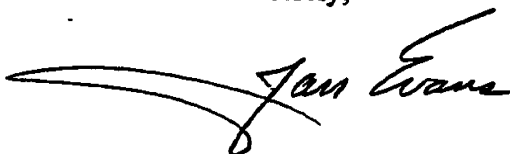
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For your information, I have also enclosed a copy of the committee's work session document which lists the draft recommendations considered by the committee on June 17, 1998. This should be helpful as it contains background information on the draft recommendations. In some cases, modifications or amendments were made to the draft recommendations. The final recommendations will be contained in the committee's final report which will be available later in the Fall of 1998.

The importance of a cooperative effort between the afore-mentioned organizations in meeting the outlined objectives contained in the approved recommendations by the identified date cannot be overstated. Juvenile justice will certainly be an issue addressed by the 1999 Legislature, as well as by the next interim committee which has already been recommended to continue these endeavors after the conclusion of the 1999 Legislative Session.

I would like to take this opportunity, on behalf of the ACR 57 interim committee to thank you for your help in the continuing efforts to improve the juvenile justice system in Nevada. Please feel free to contact me at any time to discuss these issues. Also, if you would like copies of any interim committee documents or other information, please contact Larry L. Peri, Fiscal Analysis Division, Legislative Counsel Bureau. Larry was the lead staff to the interim committee and he can be reached at 687-6821.

Sincerely,



Assemblywoman Jan Evans, Chairman  
ACR 57 Interim Committee on Juvenile Justice

enclosure

cc: Dean Louis W. McHardy, Executive Director  
National Council of Juvenile and Family Court Judges  
Larry Carter, Juvenile Justice Specialist  
Division of Child and Family Services  
(w/enclosure)

## **APPENDIX N**

**SUMMARY**—Makes appropriation to Division of Child and Family Services of Department of Human Resources for preparation of update of report on assessment of need for juvenile correctional facilities and related programs. (BDR S-223)

**FISCAL NOTE:** Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Contains Appropriation not included in Executive Budget.

**AN ACT** making an appropriation to the Division of Child and Family Services of the Department of Human Resources for the preparation of an update of the report on the assessment of the need for juvenile correctional facilities and related programs; and providing other matters properly relating thereto.

**THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**

**Section 1.** There is hereby appropriated from the state general fund to the Division of Child and Family Services of the Department of Human Resources the sum of \$100,000 to contract with a consultant to prepare an update of the report on the

assessment of the need for juvenile correctional facilities and related programs in this state originally completed in August 1992.

**Sec. 2.** Any remaining balance of the appropriation made by section 1 of this act must not be committed for expenditure after June 30, 2001, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 3.** This act becomes effective upon passage and approval.

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
401 S. CARSON STREET  
CARSON CITY, NEVADA 89701-4747  
Fax No.: (702) 687-5962

APPENDIX O

LEGISLATIVE COMMISSION (702) 687-6500  
RICHARD D. PERKINS, *Assemblyman, Chairman*  
Lorne J. Malkiewicz, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 687-6821  
WILLIAM J. RAGGIO, *Senator, Chairman*  
Daniel G. Miles, *Fiscal Analyst*  
Mark W. Stevens, *Fiscal Analyst*

LORNE J. MALKIEWICH, *Director*  
(702) 687-6800



Wm. GARY CREWS, *Legislative Auditor* (702) 687-6515  
ROBERT E. ERICKSON, *Research Director* (702) 687-6525  
BRENDA J. ERDOES, *Legislative Counsel* (702) 687-6530

July 1, 1998

Mr. Brian Kunzi  
President, Nevada District Attorneys' Association  
P.O. Box 1210  
Hawthorne, NV 89415

Dear Mr. Kunzi:

We are writing to you as President of the Nevada District Attorneys' Association on behalf of Assemblywoman Jan Evans, Chair, and the other members of the Legislative Commission's Subcommittee to Study the System of Juvenile Justice in Nevada (Assembly Concurrent Resolution No. 57). On May 20, 1998, and June 17, 1998, the Subcommittee considered legislative proposals submitted by Susan Edmondson, Deputy District Attorney, Washoe County, and Robert Teuton, Chief Deputy District Attorney, Clark County. The Subcommittee was very appreciative of the time and effort that Ms. Edmondson and Mr. Teuton devoted to their legislative proposals, and the Subcommittee also was very pleased to learn from Ms. Edmondson and Mr. Teuton that the District Attorneys of this state and their deputies are genuinely supportive of efforts to improve the system of juvenile justice in Nevada.

After careful consideration, however, the Subcommittee decided not to include the legislative proposals submitted by Ms. Edmondson and Mr. Teuton in the Subcommittee's final report to the Legislative Commission. Instead, the Subcommittee would like to encourage your association to review the legislative proposals submitted by Ms. Edmondson and Mr. Teuton and to consider those legislative proposals as potential bill draft requests for the 1999 Legislative Session. To aid in your consideration of the legislative proposals, we have enclosed the following for your review:

Mr. Kunzi  
July 1, 1998  
Page 2

1. The requests for the legislative proposals as submitted to the Subcommittee by Ms. Edmondson and Mr. Teuton;
2. Several preliminary bill drafts of the legislative proposals as prepared for the Subcommittee by the Legal Division of the Legislative Counsel Bureau; and
3. A copy of the minutes from the meeting held on May 20, 1998, during which the Subcommittee discussed several substantive aspects of the legislative proposals.

The Subcommittee again would like to thank Ms. Edmondson and Mr. Teuton for their efforts and assistance during the course of the study and again would like to encourage the Nevada District Attorneys' Association to give careful consideration to the legislative proposals submitted by Ms. Edmondson and Mr. Teuton.

If you have any further questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Brenda J. Erdoes  
Legislative Counsel

By Kevin Powers  
Kevin Powers  
Deputy Legislative Counsel

By Kim Morgan  
Kimberly A. Morgan  
Chief Deputy Legislative Counsel

Enclosures

cc:

Assemblywoman Jan Evans  
Susan Edmondson  
Robert Teuton

## **APPENDIX P**

**SUMMARY—Directs Legislative Commission to continue study of system of juvenile justice in Nevada. (BDR R-224) .**

**ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to continue the study of the system of juvenile justice in Nevada.**

WHEREAS, The Legislative Commission was directed by Assembly Concurrent Resolution No. 57 of the 69th session of the Nevada Legislature to study specific issues relating to the system of juvenile justice in this state; and

WHEREAS, The study was conducted during the 1997-98 legislative interim and it facilitated a wide-ranging discussion by national, state and local experts that resulted in the development of a comprehensive long-range plan to improve the system of juvenile justice in this state; and

WHEREAS, The study concluded that a second phase of discussion, oversight and consideration of this issue was necessary to ensure a comprehensive approach that will result in meaningful improvements in the system of juvenile justice in Nevada; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislative Commission is hereby directed to continue the study of the system of juvenile justice in the State of Nevada; and be it further

RESOLVED, That the study may include, but is not limited to:

1. A review and evaluation of the recent efforts made by state and local juvenile authorities to adopt and use uniform criteria, methodology and instruments when detaining a juvenile, placing a juvenile in a correctional facility or placing a juvenile on probation or otherwise in the community;
2. A review and evaluation of the system of intermediate sanctions and corresponding interventions for delinquent youth;
3. A review of the results of an updated report on the assessment of the need for juvenile correctional facilities and related programs in this state that was originally completed in August 1992;
4. A review of the evaluation of the Standardized Juvenile Justice Data Collection System of the Division of Child and Family Services of the Department of Human Resources;
5. A review of the use in the juvenile justice system of this state of programs intended to prevent and treat substance abuse, including, without limitation, educational programs and aftercare efforts;
6. An assessment of the desirability of restructuring the relationship between state and local juvenile justice agencies, including the potential to produce a seamless continuum of care;
7. An assessment of gang activity and a review of prevention and intervention efforts;



8. An assessment of school violence in this state;
9. A review of the survey of the availability of nontraditional alternative education programs;
10. An assessment of the uniformity of standards of operation for juvenile detention and juvenile correctional facilities;
11. An evaluation of the results of an assessment of the need for mental health services for the juvenile justice population at the state and local level;
12. A review and evaluation of a proposed integrated data system to track the various interactions that individual youths have with the various state and local service agencies;
13. A review and evaluation of the programs and efforts to reduce truancy in public schools; and
14. A discussion of the desirability of implementing restorative justice programs in this state, including programs involving interaction between the delinquent juvenile and the victim; and be it further

RESOLVED, That no action may be taken by the study committee on recommended legislation unless it receives a majority vote of the Senators on the committee and a majority vote of the Assemblymen on the committee; and be it further

RESOLVED, That the Legislative Commission submit a report of the study and any recommendations for legislation to the 71st session of the Nevada Legislature.

## **APPENDIX Q**

Individuals providing testimony to the committee:

Kathy Bartosz, Bureau of Alcohol and Drug Abuse  
Dr. Carlos Brandenburg, Administrator, Division of MH/MR  
Maureen Brower, WestCare  
Ed Burgess, Nevada Youth Training Center  
Kirby Burgess, Clark County Family & Youth Services  
Rob Calderone, Washoe Juvenile Services  
Larry Carter, Division of Child and Family Services  
Tony Clark, Adjutant General, Nevada Army National Guard  
John P. Comeaux, Director, Department of Administration  
Scott Cook, Chief Juvenile Probation Officer  
Cranford Crawford, Clark County Family and Youth Services  
Ian Curley, Carson City Juvenile Probation  
Susan J. Edmondson, Deputy District Attorney, Washoe County  
Denise Everett, SageWind  
Mary Fairchild, National Conference of State Legislatures  
Betsy Fretwell, Clark County  
Stephen T. Grund, Churchill County Juvenile Probation  
Patrick Hardy, Division of Mental Hygiene/Mental Retardation  
Dr. Mary Foster Haverkamp, Center for Writing and Literacy  
James C. "Buddy" Howell, Ph.D., Juvenile Justice Consultant, Virginia  
Hunter Hurst III, National Center for Juvenile Justice  
Linda Johnson, State of Nevada Employees Association  
Bruce Kennedy, Division of Child and Family Services, Youth Parole  
Bill Lewis, Carson City Juvenile Probation  
Derrick Lopez, Deputy District Attorney, Douglas County  
Gerald H. Mager, Reno, Nevada  
Illona Mager, Reno, Nevada  
Dr. Donald F. McHenry, Clark County School District  
Ernie McKenzie, Carson City School District  
Judge Charles M. McGee, Second Judicial District Court  
Madilyn Maire, Division of Child and Family Services  
Judge Terrance Marren, Clark County Family Court  
Marilynn Morrical, Bureau of Alcohol and Drug Abuse  
Ann Nelson, Governor's Office  
Dorothy North, Nevada Drug Commission  
Stan Olsen, Las Vegas Metro Police  
De Von Porter, Caliente Youth Center

Leonard Pugh, Washoe County Juvenile Probation  
Chief Master Sergeant Ronald Ramoni, Nevada Army National Guard  
Fritz Reese, Clark County Department of Family & Youth Services  
Senior Master Sergeant Lucienne Scoggin, Nevada Army National Guard  
Fernando Serrano, Chief Juvenile Probation Officer  
Steve Shaw, Administrator, Division of Child and Family Services  
Mike Simonsen, Elko County Juvenile Probation  
Alicia Smalley, National Association of Social Workers  
Willie B. Smith, Chairwoman, Nevada Juvenile Justice Commission  
Major Michael Stafford, Nevada Army National Guard  
Chuck Steele, Chief Juvenile Probation Officer  
Bob Teuton, Clark County District Attorney's Office  
Steve Thaler, China Spring Youth Camp