

**MINUTES OF THE
LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE
(Senate Bill 3, 2009 Session)
December 1, 2009**

The first meeting of the Legislative Committee on Child Welfare and Juvenile Justice (Senate Bill 3, 2009 Session) was held at 9:00 a.m. on December 1, 2009, at the Grant Sawyer State Office Building, 555 East Washington Avenue, Room 4412, Las Vegas, Nevada. The meeting was videoconferenced to the Legislative Building, 401 South Carson Street, Room 3137, Carson City, Nevada.

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Sheila Leslie, Chair
Senator Valerie Wiener, Vice Chair
Senator Barbara Cegavske
Senator Allison Copening
Assemblyman John Hambrick
Assemblywoman April Mastroluca

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT IN LAS VEGAS:

Rex Goodman, Program Analyst, Fiscal Analysis Division
Donna Thomas, Secretary, Fiscal Analysis Division

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT IN CARSON CITY:

Nicholas C. Anthony, Senior Principal Deputy Legislative Counsel
Sara L. Partida, Principal Deputy Legislative Counsel

EXHIBITS:

[Exhibit A:](#) Meeting Packet and Agenda

[Exhibit B:](#) Student Credit Recovery, Summer Program, Final Report, China Springs Youth Camp/Aurora Pines

I. ROLL CALL

Chairwoman Leslie called the meeting of the Legislative Committee on Child Welfare and Juvenile Justice to order at 9:08 a.m. A quorum was present.

II. OPENING REMARKS – Assemblywoman Shelia Leslie

Chairwoman Leslie welcomed the committee members present in Las Vegas and noted the meeting was the first of four meetings of the Legislative Committee on Child Welfare and Juvenile Justice. She thanked the members for being present at the meeting and appreciated their attendance. She welcomed legal staff from the Legislative Counsel Bureau present in Carson City. Chairwoman Leslie said she was honored to be the Chair of the committee, which was a regular legislative statutory committee for the first

time. She noted that many of the committee members and people present in the audience were aware of the history of the committee. There were numerous interim committees and subcommittees that focused on child welfare and juvenile justice issues dating back to before she was a legislator. She indicated that Assemblywoman Jan Evans was the chair of the Legislative Commission's Subcommittee to Study the System of Juvenile Justice in Nevada in 1997, and every session since there was some version of the child welfare and juvenile justice committee until last interim when the committee was put in the Legislative Committee on Health Care, which Senator Wiener chaired. She noted that Senate Bill 3 came from the Legislative Committee on Health Care during the 2008 interim and was passed by the 2009 Legislature making a statutory committee, which meant the committee would regularly meet every interim, like the Legislative Committee on Health Care Committee and the Legislative Committee on Education. She noted that may seem like a small achievement from the outside, but for children in Nevada it was a huge achievement because it elevated the issues in child welfare and juvenile justice to that same important level. She said it was a big fight, but were successful and the bill received broad bipartisan support. Chairwoman Leslie said there were many legislators that believe the child welfare and juvenile justice issues were worthy of the attention and there was a need for an interim committee to focus on the issues on a regular and ongoing basis.

Chairwoman Leslie welcomed staff and introduced Rex Goodman, Program Analyst, Fiscal Analysis Division. She noted that many of the issues confronting children have to do with fiscal matters and she appreciated Mr. Goodman's expertise on the issues. She added that she had never had Fiscal staff as the lead staff for an interim committee. In addition, she introduced Donna Thomas, secretary for the committee. She announced Legislative Counsel Bureau legal staff present in Carson City, Nicolas Anthony and Sara Partida, and noted that in the past she often had to beg for legal staff for interim committees. She has previously worked with both of the attorneys and appreciated their efforts. Chairwoman Leslie introduced the committee members and said she would allow them to make opening remarks.

Vice Chairwoman Wiener commented that when she was a freshman the Senate asked for a study committee on juvenile justice as one of her bills. She noted that appearing before what was now the Legislative Operations Committee was a challenge and experience because leadership was present, and it did not fair well in the Senate that the Assembly was listening, so they took the bill word for word and made it an Assembly study. Assemblywoman Jan Evans chaired the committee and her passions were extraordinary and her commitment tireless. Even though she was the vice chair and able to chair the committee while Jan Evans was sick, Vice Chairwoman Wiener never missed a meeting and set the stage for all the members to do their work in these areas. She said that Chairwoman Leslie has been an extraordinary voice on these issues since the beginning and looked forward to working on the critical issues the committee would deal with. She was thrilled for the interim study committee and now energy could be put in doing the work needed for children and juveniles. She thanked Chairwoman Leslie for her efforts to get them to this point and she looked forward to serving on the committee.

Senator Cegavske said it was a pleasure to serve on the committee and thanked Chairwoman Leslie for her leadership on the child welfare and juvenile justice issues. She and Chairwoman Leslie shared a common goal in what they wanted to see accomplished regarding the child welfare and juvenile justice issues.

Senator Copenig said it was a pleasure to be a member of the committee. She noted that 2009 was her first session and this was her first time serving on a committee. She has a passion for the welfare of children and disclosed that she served on the board of Child Focus, which was a non-profit organization that helps children in the state foster care system. She indicated that Child Focus also manages the Step Up program, so the funds that go to children aging out of the system were managed by Child Focus. Senator Copenig was proud to be on the board of Child Focus and excited to be a member of the committee.

Assemblywoman Mastroluca said she was excited to be a member of the committee; child welfare and juvenile issues were near and dear to her heart and she was passionate about the issues. She has worked on bills as an advocate in the community before she was a legislator, especially around the areas of foster care and child welfare, and looked forward to expanding the education she has already received during her first session of the Legislature.

Assemblyman Hambrick stated that he was looking forward to the activity of the committee and hoped some of his experiences of the past 35 years on the Commonwealth of Virginia Youth Services Board and Juvenile Court Board, and his current assignment as chairman of the Nevada's Juvenile Justice Commission would be helpful and useful for this interim committee.

Chairwoman Leslie thanked the committee members for their comments. She stated that the committee had a good combination of experienced legislators with the same goals in mind. She noted that a conscious decision was made regarding the newer legislators for the committee. Especially with term limits, there was a need to have more advocates for the juvenile justice and child welfare issues. Chairwoman Leslie said she was the only non-Clark County legislator on the committee and would be attending the meetings in Las Vegas. In addition, there were fewer meetings this interim due to the budget situation of the state and the committee would only meet four times. She noted that time was set aside later in the meeting to discuss future meeting dates. She anticipated meeting in February, April and June. Even though the committee was allowed to meet through August, it was better to complete the work of the committee by early summer so staff had time to write the bulletin and prepare any budget work needed.

In addition, Chairwoman Leslie said the agenda for the meeting would be large and she expected the meetings to last the entire day. However, she anticipated to be out of today's meeting by 1:30 p.m. because of the scheduled tour of Summit View Youth Correctional Center (SVYCC). She believed the last time many committee members were at SVYCC was when it opened. Currently, SVYCC had a new Superintendent. The meetings would be more informal during the interim than during a legislative session and time was allowed for comments from the agencies and public.

Chairwoman Leslie said that input was important and she welcomed the agency representatives and child welfare advocates attending the meeting in Las Vegas and Carson City. In the future, she hoped to hear testimony from youth and parents, because it was a good opportunity to look at the issues in depth, which resulted in recommendations for the 2011 Session.

Chairwoman Leslie asked the secretary to indicate that all the members were present at the meeting.

III. PRESENTATION ON LEGISLATION AND LETTERS REQUESTED BY THE INTERIM STUDY ON THE PLACEMENT OF CHILDREN IN FOSTER CARE AND STATUS OF REGULATIONS PROMULGATED PURSUANT TO SENATE BILL 356 (2007 Session)

Mr. Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, provided an update of the recommendations from the 2007-09 Interim Study of the Placement of Children in Foster Care. He noted that there were 11 recommendations from the committee, 5 of which were turned into bills or concurrent resolutions by the 2009 Legislature. The other 6 recommendations from the interim study were letters to the appropriate agencies or organizations requesting particular action.

Mr. Goodman explained the recommendations that required legislative action:

Recommendation No.1 – Propose a resolution articulating the importance of the child welfare agencies in developing a practice model that focuses on a child-centered safety approach. In addition there were sub categories of the recommendations:

- Assess disproportionality in the Nevada child welfare system and develop a strategy to address the issue, which included ongoing data collection.
- Identify targets to reduce the number of youth in foster care and track reduction efforts and services.
- Implement a structured risk and safety assessment tool.
- Emphasize the need for Child Protective Services (CPS) services to investigate the validity of allegations of abuse or maltreatment before removing children from their homes.

Mr. Goodman stated that Recommendation No.1 was folded into Senate Concurrent Resolution No. 4, which was passed by the Legislature and advised the participation of the child welfare agencies in accomplishing these goals. In addition, language was added by the Senate Health and Education Committee to urge the agencies to study and assess the prescription and administration of psychotropic medications to children placed in their custody, which was also addressed in Assembly Bill 364.

Recommendation No. 3 proposed an interagency committee to evaluate and strengthen collaboration among community agencies, partners and the child welfare system. He noted as part of that collaboration the interagency committee was tasked to review the language of NRS 432B and associated regulations to ensure they were aligned with

current child welfare practice. He noted those were actually two separate topics during the 2007-09 interim study and there were a multitude of committees, task forces and informational groups that met on a wide variety of child welfare and juvenile justice issues. It was proposed that an interagency committee be established to streamline that effort and look at the regulations in NRS 432B, which was a topic of concern as well. The interagency committee would begin during the 2009-10 interim and its first annual report would be provided to the Director of the Legislative Counsel Bureau, who would provide it to the appropriate legislative committees, to begin effective with the 2011 Session. Recommendation No. 3 became Senate Bill 344 with nearly identical language as the recommendation and was approved by the Legislature and the Governor and was effective July 1, 2009.

Recommendation No. 5 of the interim study created a mechanism for prioritizing access to services provided by the Division of Welfare and Supportive Services for families involved in the child welfare system. Mr. Goodman stated that the intent of the recommendation was to provide the services that the Welfare Division provides to families, such as mental health, drug abuse, substance abuse and aftercare and outreach programs, and prioritize those services for families whose children were removed through CPS, so those services could run concurrently with the time the child was removed from the family, so time was not lost and the reunification of those families could happen more quickly. He noted that Recommendation No. 5 was introduced as Senate Bill 343, and there was discussion and an amendment to the bill that addressed the need to make the provision of services by the Welfare Division equitable among all citizens in the state. Federal law required those services to be provided equitably and there was some concern that prioritizing those services for one group, such as the families involved with child welfare, could become inequitable and could be in violation of federal law. There was an amendment to the bill that authorized the Department of Health and Human Services to also modify the state Medicaid plan to provide priority treatment for these families, and as long as the state Medicaid plan was approved by the federal authorities, then it became acceptable to provide these services as a priority to these families. He noted that the Division of Welfare and Supportive Services was tasked with that and the bill was approved by Legislature and signed by the Governor and effective July 1, 2009.

Recommendation No. 7 from the interim study proposed legislation to support a policy change to expand the relative definition in NRS 432B.480 and 432B.550 from the third degree on consanguinity to the fifth degree of consanguinity, which expanded the number of relatives or distant relatives that got preference in child welfare placements so that any distant relative could come before the court and request that placement. He noted that recommendation was introduced as Senate Bill 342, and was passed by the Senate and Assembly and approved by the Governor with an effective date of July 1, 2009.

Recommendation No. 8 was the final recommendation from the interim study to become a legislative action and proposed legislation to support a policy change to remove the age requirement for the kinship care program administered by the Welfare Division. The recommendation was introduced as Senate Bill 341. The bill ran into some difficulty as the fiscal impact was determined to be \$12.7 million for the

2009-11 biennium. That estimate was based on the assumption that many of the relative custody cases that were currently participating in the non-needy caretaker program through the Welfare Division would likely change to the kinship care program if the age requirement was removed, because the kinship care program provides a higher monthly reimbursement rate for those placements. Therefore, the bill did not pass because of the current fiscal environment in the state.

Concluding, Mr. Goodman indicated that four of the five interim committee recommendations were considered as legislative actions and passed; Senate Bill 341 was not passed. He noted there were six other recommendations of the interim study that were brought forward as letters to the agencies and he invited agency representatives to provide status reports on any of the items and recommendations of the interim study, as well as any status reports from the four legislative actions that were approved in the five months since the end of session.

Chairwoman Leslie recognized Senator Parks, who was attending the meeting in Las Vegas. In addition, she recognized Judge Frances Doherty, Second Judicial District, attending the meeting in Carson City, and Judge William Voy, Eighth Judicial District, attending the meeting in Las Vegas. She welcomed them and appreciated their attendance at the meeting.

Diane Comeaux, Administrator, Division of Child and Family Services (DCFS), Department of Health and Human Services (DHHS), commented that she specifically would like to address the requirement of DCFS to develop a future funding plan. She noted that DCFS had many meetings prior to the 2009 Legislative Session to develop a future funding plan; four attempts were made in developing that plan, which were unsuccessful. She noted that the counties did not want to participate based on the uncertainty of what was going to happen during the 2009 Legislative Session. She indicated that some things were passed during the 2009 Session that had to do with future funding or fixing that part of the problem, and language was added to the appropriations and authorizations bills that if there was savings in the state budget, it could be used for placement prevention or for front-end services. Although the amount was limited, some flexibility was given to be able to do that and the future funding issue was significant for the child welfare agencies and was an issue that needed to be addressed. Although, DCFS tried to combine the system so it was no longer bifurcated, with the funding being bifurcated and a very strong "Chinese Wall" between what the money could be spent on, it made it very difficult at the accounting level to manage that. Also, if they were able to get savings in the state budget, they were not able to reinvest it in the front-end and it was not a financial incentive to keep children from coming into foster care. Ms. Comeaux said it was an issue that DCFS thought needed to be addressed. She indicated that she and Thomas Morton, Director, Clark County Department of Family Services, had an opportunity to attend a conference in Texas, Court Improvement Project, to assist the courts to achieve prompt permanency for children, and a number of states indicated that they had a Child Welfare Commission, which was comprised of legislators, representatives from the Executive Branch, as well as members from the county commissions in the larger counties, which in Nevada would be Clark County and Washoe County, to handle these types of things. She believed that a committee similar to that would be able to better address the future

funding issue because it was very difficult to address it at their level. She reiterated that four attempts were made and a lot of work was put into developing a future funding plan, but it gets stopped either at the Governor's Office or during the legislative session.

Thomas Morton, Director, Clark County Department of Family Services, echoed what Ms. Comeaux stated in her presentation. He noted he has only been in his position since the summer of 2006 and has been part of the four attempts to develop a future funding plan. He believed as policy makers there needed to be a conversation between legislators and county commissions, because both bodies were responsible for policy formulation and more importantly, for appropriating funds toward a common goal. Although, the administration of child welfare services were integrated in Clark County and Washoe County, they still somewhat act from a physical living standpoint, as though the blood flow to the top half of the body and the blood flow to the bottom half of the body comes from separate sources and can not cross in the middle. Unfortunately, the oxygenation of blood happens in the lungs, which was in the top half. He noted that his main point was that the whole concept of front-end and back-end was a moot and historical point for the agency to function as an integrated whole and as an internal system that handles children and families from the point of initial referral through adoption and independent living the entire life of the case. Mr. Morton said there needed to be a concept of how, not only the child welfare agencies, but the entire child welfare system, which involves a network of community services, should be constructed and financed in Nevada and that from a policy framework needed to be a decision reached jointly by the policymaking bodies in Nevada.

Chairwoman Leslie asked if there were other states with a good example of the structuring model for flexible funding. Mr. Morton replied that he has been asked that question in various capacities for 30 years and his response was that some states did some things better than others. However, there were 11 states that were county-administered and state-supervised, which varied significantly in how they do that, for example, New York, California, Minnesota, Wisconsin, North Carolina, Ohio and Pennsylvania. He noted that the arrangements were vastly different, for example, most of the funding for child welfare at the county level in Pennsylvania was state and federal funded, and there was very little county money involved. In contrast, it was the opposite in other states.

Chairwoman Leslie said it was an interesting idea and if that was something they wanted the committee to pursue, she asked him to think about the structure and the roles and responsibilities. She thought the topic of structuring of flexible funding could be discussed at a future meeting.

Kevin Schiller, Director, Washoe County Department of Social Services, concurred with the comments of Ms. Comeaux and Mr. Morton. He said that behind that model of structuring of flexible funding, what the real numbers were, his jurisdiction tried to reallocate or reinvest in front-end services through a timely family decision making model, so as a child comes into care or has the potential to come into care, they have restructured some physicians that facilitate meetings with families and support systems. He said if they took a snapshot a year ago versus today, the foster care rolls were down approximately 12 percent. He believed the child welfare agencies wanted to move in

the direction of creating some flexibility in how they utilize the funds across the state and reinvest and start tackling some of the outcomes and engage some of the front-end practices away from a system where traditionally child welfare was driven from the foster care perspective, moving in the direction of not being foster care focused and trying to focus on early intervention and how to access services.

Concluding, Ms. Comeaux said that DCFS had the opportunity to do a service array assessment, which was completed in Clark County, nearing completion in Washoe County, with the rural counties assessments being done in the near future. She noted that the committee would hear a lot about service array in the upcoming months, especially during the legislative session, and it was one of the biggest areas of concern from the Child and Family Services Review (CFSR). In addition, there were concerns regarding the lack of services in the child welfare and the juvenile services areas. She indicated that some assessments were done and she would be happy to discuss the assessments at a future meeting.

Chairwoman Leslie questioned whether Recommendation No. 5 from the interim study to amend the Medicaid plan to give priority services to children in the child welfare system has happened. She questioned if there was a projected date for a public hearing on the how the plan would be amended. Ms. Comeaux replied that the amendment was in the process and it took a long time to amend the Medicaid state plan. She was unsure of the projected date for the public hearing; however, she could provide that information to the committee.

Assemblyman Hambrick asked Ms. Comeaux if there were any meetings planned for the development of a future funding plan. Ms. Comeaux said that the child welfare agencies were required to produce a future funding plan four concurrent sessions. They were successful in getting a plan developed and presented in three of the four sessions; however, not successful in getting them passed. She indicated the child welfare agencies got everyone together during the last interim to see whether people were willing to participate and move forward on the issue, and based on the economic conditions there was concern with what would happen during the legislative session with budget cuts. She noted the child welfare agencies made an agreement at their level that during the budget building process for the 2011 Legislative Session, to look at a portion of combined funding, specifically looking at the administrative component and management staff. Even that was bifurcated as some positions were paid for in the county budget and some were paid for in the state budget. The IT positions, payroll personnel, accounting, managers at all levels, and the quality assurance was bifurcated as well. Ms. Comeaux said the child welfare agencies were planning to provide a recommendation to put all that information into a cost pool and then allocate it between the two budgets, so that at least they had a shared funding in the administrative component as a start.

Assemblyman Hambrick commented that the committee and the Legislature needed input from the child welfare agencies and even though things were not financially stable at this time, the recommendations would be a good guide during the 2011 Legislative Session.

Senator Cegavske thanked the counties for allowing Mr. Schiller to be part of the United Methodist Social Ministries, Fostering in Faith. She was the chair of Fostering in Faith and the county was part of the monthly meetings. They were able to meet to reconnect children to their birth parents, which has helped with the reactive attachment disorder in children. In addition, training was provided and received so well that they had to use the churches in the community at no cost. She indicated there were teachers, social workers, foster parents and a host of people that were able to attend the training. Senator Cegavske said the efforts of the county embracing the community and the people that wanted to help in the area were appreciated.

Chairwoman Leslie thanked Senator Cegavske and said the issue could be put on the agenda for a future meeting, along with some of the creative child welfare practices that the state has been improving on in recent years.

IV. PRESENTATION ON FINDINGS OF THE RECENT FEDERAL CHILD AND FAMILY SERVICES REVIEW (CFSR) OF NEVADA'S CHILD WELFARE SYSTEM

Ms. Comeaux noted that the Child and Family Services Review (CFSR) measures a total of 45 items related to safety, permanency and well being. Within the 45 items there were 23 performance indicators, which make up the 7 outcomes, and 22 systemic factors, which were listed on page 25 of the meeting packet ([Exhibit A](#)). She noted the CFSR was a two-stage process consisting of a statewide assessment and an onsite review of child and family service outcomes and program systems. The state provided data and the child welfare agencies looked at whether or not there were strengths, or if the child welfare agencies believed that was an area needing improvement and that goes to them in advance of coming out to do the onsite review. She noted that the onsite review consisted of reviewers from the Administration for Children and Families (ACF) that team up with state reviewers to look at a number of cases. In the current CFSR, 62 cases were reviewed, including 22 cases receiving in-home services and 40 foster care cases. The period under review was from April 1, 2008, to September 4, 2009. In Clark County, 26 cases were reviewed and 18 cases were reviewed in Washoe County and Carson City.

Moving to the preliminary outcomes, Ms. Comeaux said the actual draft CFSR report comes from the federal government. Once received, the child welfare agencies had two weeks to talk to the federal government about any technical corrections they needed to make, and then the report would be final after the corrections were made. The report would be posted on the federal government website, as well as the Nevada Department of Health and Human Services, Division of Child and Family Services website. The state then has until March 1, 2010, to submit its Program Improvement Plan (PIP) to address the areas of concern.

Moving to page 29, [Exhibit A](#), Ms. Comeaux said the preliminary outcome findings included, first, no maltreatment recurrence, and Nevada's measurement was 93.6 percent, slightly below the national standard of 94.6 percent. On the second preliminary outcome, no maltreatment in foster care; Nevada was ranked 99.6 percent, and the national standard was 99.68 percent.

Ms. Comeaux stated outcomes for reunification timeliness and permanency, the state was at 152.8 percent, very well considering the national standard was 122.6 percent. However, she noted that the adoption timeliness was an area of difficulty – the state outcome was 83.1 percent and that national standard was 106.4 percent.

Chairwoman Leslie asked how a national standard could be more than 100 percent. Mr. Morton replied that the standards should not really be percents and there were complicated algorithms to calculate the scores. He believed the scores should be in numerical figures that result from the algorithms and were really not percents.

Chairwoman Leslie said from a common sense point of view it was hard to understand and wondered the best outcome a state would receive if it was perfect. Mr. Morton said that looking at reunification timeliness in comparison to other states under review during this period; Nevada ranked number 1 and was the best. However, there were four measures that make-up the composite and one of the reasons that Nevada was the best was because the state had a high rate of removals and quick return of children, which raised the question of could removals have been prevented in the first place. For the children that stay beyond 12 months, the reunification rate was lower than the national standard, so it was very complicated.

Senator Cegavske asked if the number of children could be provided in the review instead of percentages. Mr. Morton said there were numbers behind the scores and believed they were accessible from ACF or calculable by the state. Therefore, at some level it was possible to provide the numbers for how each score was calculated.

Senator Cegavske said it made more sense to see the numbers and wondered the rationale for the percentages. Mr. Morton believed it was important to note that the period under review for the data was April 2007 through March 2008, and hypothetically the state might be doing better now, but virtually all the resources created in Clark County by the county commission and the Legislature had not been deployed until near the end of the review period, so the opportunity to make substantial improvements during this one-year period was limited.

Senator Wiener noted that she has served on interim study committees that dealt with child welfare and the concerns of families. She questioned the method used to determine the 63 cases selected for the CFSR.

Mr. Schiller replied that cases for the CFSR were randomly selected and the federal government essentially worked with the Statewide Automated Child Welfare Information System (SACWIS) to randomly select the cases, which were categorized between in home cases and out-of-home cases. To respond to Senator Cegavske, Mr. Schiller said that the use of numbers instead of percentages becomes critical when looking at a

total of 63 cases across the state, the statistical relevance of that and reviewing the data with different outcomes. The reality was how they input the child welfare data in the state database allows them to pull the data so there was a number of how many children were in foster care, how many children were entering foster care and exiting. He noted the reality was it was a random selection and relatively small.

Senator Wiener questioned how 62 cases were determined for the review and was it driven by the federal government. Ms. Comeaux replied the number of cases was driven by the federal government. She said a number of states have brought up the issue that it was not a statistically valid sample, but to do the amount of work the federal government did to review to each specific case in order to get a valid sample, there was roughly 5,000 children in foster care and a valid sample would be much larger than 62 cases.

Chairwoman Leslie commented that it was hard to interpret the data, but what they wanted to get from the report was where the state needed to improve. She said to see that Nevada was ranked number 1 in something good was unusual, so the ranking by state was often a good way to gauge how the state was doing as well.

Continuing with her presentation, Ms. Comeaux referred to page 31, [Exhibit A](#), which displayed the percentage of strength in each of the performance outcome areas and items in the CFSR listed by area. She would mainly address the statewide numbers, but indicated that the rest of the information was located on the page. She noted that 95 percent or above meant the state was in substantial conformity, but 90 percent or more meant that the area was rated as a strength. So if a 90 percent was achieved the federal government assumed it was a strength, but not necessarily in substantial conformity.

Safety Outcome 1: Children are first and foremost protected from abuse and neglect. The statewide percent strength was 72 percent. She noted the number represented the cases the federal government looked at and they ranked each of the areas whether a strength or not and averaged that number.

Safety Outcome 2: Children are safely maintained in their home when possible and appropriate. The statewide percent strength was 49 percent. This outcome specifically talked about service array – the services available to the families to keep them safe in their homes.

Permanency Outcome 1: Children had permanency and stability in their living situations. The state ranked very low, only 27 percent. The most significant area of concern was in the adoptions. The federal government noted a couple of things – the goal of reunification was not changed in a timely manner to adoption, so the workers were not working toward adoption, whether or not they met the standard for the 24 months.

In addition, delays were noted in timeliness of termination of parental rights (TPR), continuance or delays without compelling reasons, delays in the TPR being filed and backlog in the courts. Also, long delays in turnaround from other states for Interstate Compact on the Placement of Children (ICPC) cases, those adoptions that they were

trying to work with other states on and a number of those states were not timely in submitting the information back to the state. There were a number of cases where that ended up being the issue to include whether or not there were caseworker visits in a timely manner. She noted that when the Administration for Children and Families (ACF) was out they talked to the child welfare agencies in great length about their ability to try to help Nevada to get the other states to comply more. And as the economy gets worse, the child welfare agencies were starting to see more and more delays in the ICPC cases, the placements, and the caseworker visits.

Senator Cegavske asked if out of state children were incarcerated in Nevada but from another state, or were the parents from out of state. Ms. Comeaux replied that had to do with the children with out of state relatives as a potential placement and they wanted to send them out of state or have identified resources or next of kin.

Ms. Comeaux said that other states sent children to Nevada as well, and the child welfare services did the monthly visits and home studies before the children were placed. Child welfare services would go out to the home to make sure it met all the safety requirements before a child could be placed there. She said Nevada did the same things for the other states that they were doing for Nevada when they wanted to place a child out of state.

Chairwoman Leslie asked if the other states measured how well Nevada was doing when the state had to do an ICPC. Ms. Comeaux replied they do not; however, the state kept statistics on that and whether or not they were meeting that in a timely manner, and she could share those statistics with the committee. She noted that when the child welfare agencies met with the ICPC staff, the state was approximately 90 percent in compliance with the timeliness of getting the information to the other states. Chairwoman Leslie said it seemed like the state of Nevada did better for other states than the other states did for Nevada. She asked if the ICPC placements of children were mainly with California. Ms. Comeaux replied that California was a significant issue for the state because most of the children were going to California, although there were issues with other states, which affected Nevada's ranking.

Mr. Schiller added that one area the committee might want to focus on at future meetings in relation to the timeliness issue of adoption and out of state placements, for example, when a child was placed in a relative home in California and the child welfare agencies move to finalize the adoption, one thing that has occurred particularly with the economic shift in the last 18 to 24 months, was that Nevada's cases have shifted to the bottom and the California cases were being prioritized. In addition, there were the impacts of fees and other issues that delayed the adoption. Mr. Schiller noted that NRS Chapter 127 essentially required that to finalize an adoption in another state, the child had to be a resident in that state and finalized in that state and the adoption could not be finalized in Nevada pursuant to the statute. For example, California could finalize an adoption in California for a child placed in Nevada. Therefore, the state might want to look at a statute change so Nevada could finalize adoptions within Nevada for an out of state placement.

Chairwoman Leslie said the committee would look at the issue and try to have some testimony from child welfare judges at a future meeting. She asked if that was something the federal government suggested that Nevada look at. Ms. Comeaux replied that the federal government did not specifically look at Nevada's statute; however, she agreed it contributed to Nevada's poor ranking in adoptions.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children, which received an overall ranking of 59 percent. Ms. Comeaux noted there were some areas where Nevada ranked high. Placing siblings together was definitely a strength, along with proximity for foster care placements, and both were ranked at 100 percent. Ms. Comeaux said the state had difficulties in the relationship of the child in care with parents, more specifically the fathers, and there was great difficulty maintaining the relationships with the fathers.

Chairwoman Leslie said that item 16 under Permanency Outcome 2, page 32, relationship of child in care with parents – Washoe County received a 100 percent, so 100 percent of the time of the cases the federal government looked at were rated a strength. She indicated that Clark County was rated 21 percent, and the rural counties were rated 25 percent. Chairwoman Leslie wondered if the statewide figure was weighted with the number of cases in each group, because obviously most cases came from Clark County. Ms. Comeaux said that Chairwoman Leslie was correct and 36 cases came from Clark County.

Mr. Morton stated that in the Clark County case sample the biggest criticism had to do with maintenance of a relationship with fathers. There were a large number of cases in which the father and mother were not cohabitating or still married, or the father was not involved with the child. Looking at the items in the instrument it gives equal weight to maintenance of relationships with fathers and the stability of the population and nature of population in Clark County makes the maintenance of contact with the fathers more challenging. On the other hand, Mr. Morton said it was probably fair to say the county may have not made diligent efforts to contact fathers and make sure they were involved in cases.

Chairwoman Leslie said it was interesting to look at the statistics for the different regions, because she was not sure that Clark County was much different from Washoe County. In addition, traditionally the rural counties were thought to be more stable and people did not move around as much, although that might not be true. Chairwoman Leslie thought just seeing the disparity raised some questions.

Ms. Comeaux continued and said that Well Being Outcome 1 showed a 30 percent rating on strength. There were a couple of areas that were challenges for the state – caseworker visit with the child and caseworker visit with the parent. However, since the time under review, the state saw significant improvements in those areas and caseworker visits were monitored on a regular basis.

Well Being Outcome 2: Children receive appropriate services to meet their educational needs, received a 95 percent rating. She noted that caseworkers were very diligent in ensuring children's Individualized Education Plans (IEPs) were followed and their educational needs were being met.

Senator Cegavske said there was a bill that ensured if a foster child wanted to stay at a particular school and was doing well in that school, they were allowed to stay there even though they might be in a foster care home in another zone. The school district did not have to transport the child and that the foster care parents or someone else could transport the child to the school.

Mr. Morton replied that there were two factors in Clark County that influenced that – the school district's willingness or lack thereof to transport children to a school in another zone. From past experience, Mr. Morton said that does not always happen and school districts were willing to pay for the bus transportation to get the children to the school, but there was no alternative transportation. In addition, it was dependent on the foster parent's willingness to transport the child across zones to a different school. He agreed with Senator Cegavske that the intent was there, but the implementation lagged behind the intent.

Senator Cegavske said when looking at the criteria for Well Being Outcome 2 – children receive appropriate services to meet their educational needs, and the 95 percent ranking received for Clark County, she wondered if the educational services referred to just an IEP. Ms. Comeaux replied that rating was not just for an IEP and one of the things the federal government did not look at was whether or not the districts were meeting their test scores. She indicated that the federal government did not want to evaluate the education system as part of the review and was looking at whether or not the caseworkers and foster parents were ensuring that children's educational needs were met based on what they had control over. Another part of the criteria of the review was whether or not children were kept within their same school district, not specifically the school, but within their district. In Clark County, all of Las Vegas was a single school district, so most children are kept in their same district in the Las Vegas area.

Chairwoman Leslie commented that was an advantage for Nevada, because Nevada had fewer school districts when compared to other states.

Mr. Morton added that although the case sample was from January 1, 2009, to September 30, 2009, once the case was selected the review considers the entire case history, so if there was a case opened in 2004 that was still open during the period of selection, that school was not only evaluated on what happened during that nine months, but what happened going back. He indicated there were several instances in debriefing with the federal reviewers, where it was observed that if they looked just at the most recent history there was improvement, but the entire history of the case was considered in the overall rating.

Well Being Outcome 3: Children receive adequate services to meet their physical and mental health needs, which was an area of concern with a 70 percent ranking. Ms. Comeaux stated there were wait lists for services, especially mental health or

behavioral health services, and there was a real need for more specialized services that support the child home visits and reunification.

Turning to page 33, [Exhibit A](#), Ms. Comeaux said the federal government talked a lot about the strengths and a good foundation for the state Program Improvement Plan (PIP), which included:

- Improved collaboration between the state and counties through decision making groups and other mechanisms.
- Quality improvement system in place to review cases.
- Noted improvement in reducing the number of children entering Child Haven.
- Noted improvement in recruitment in foster homes and use of relative homes in some jurisdictions.
- Implementing new CORE training for staff.
- Support and training through foster and adoptive parent associations.
- Supreme Court engaged in children's issues, with an active Court Improvement Commission.
- Some activities for advocates for children in the Legislature.
- Use of the Otto Huth scholarship fund for a Nevada college, which was a trust fund set up for children aging out of the foster care system.
- DCFS collaboration with Children's Justice Act and Citizen's Review Panel.

Strengths noted:

- Timely responses to reports often exceeded time frames.
- Timely face-to-face contact with children.
- Good collaboration with law enforcement.
- Emergency Response Team in Clark County.
- Human Services Support Specialists for in home cases in Washoe County.
- Good initial safety and risk assessments in Carson City and Washoe County.

Safety Concerns:

- Concerns regarding the severity of cases being assigned to Differential Response (DR). Ms. Comeaux noted that this particular item would not be in the final report, because although there were cases referred to DR, the areas of concern were beyond that and maybe the child came into custody after that.
- Delays moving reports from intake to investigation.
- Hotline issues in Clark County. Ms. Comeaux noted that this issue would not be listed in the final report. Looking at the improvements made over the last year, the issue was addressed and data was kept on how quickly the calls were answered.
- Inconsistency in applying results of risk and safety assessments to drive case plans and decisions, which was an issue noted statewide, not in just one particular area.
- Lack of broad service array to prevent placement is not evident statewide.
- Need to improve home service programs.

Strengths in permanency:

- Permanency Outcome 2 was showing a lot of promise. Very good family-centered practice.
- Good work in keeping children placed in close proximity to community, and in placing sibling together, or with relatives.
- Focus improvements on engaging the fathers in visitation, building parent/child relationships through engagement in activities, re-visiting relatives. Engaging fathers was an issue that the state needed to look at.

Permanency concerns:

- Biggest challenge for the state is timeliness to permanency.
- Lowest rated item is adoption at 5 percent strength – well below standard at 83.1 percent, and the standard was 106.4 percent.
- Need to change goals in a timely manner; concurrent planning not being utilized.
- Delays in timeliness to TPR.
- Work toward adoption seemed to stop while the staff was waiting for TPR, which was noted statewide.
- Long delays in finalizing adoptions.
- Delays in agency not filing timely ICPC requests for out-of-state placement and untimely responses from other states.
- Not using guardianship as a permanency goal.
- Need to re-visit Other Permanency Plan Living Arrangement (OPPLA). She indicated that this was a permanency goal for the older youth, and once a decision was made for permanency, staff were not going back and relooking at that.
- Independent Living (IL) services not consistent and youth were not aware of what was available.

Well Being Strengths:

- Good work by agencies in assessing educational needs and advocating for educational services.
- Medical passport being utilized in Clark County.
- Basic medical needs and specialized medical services being provided.
- Foster parents and relatives were key partners in ensuring educational, medical and mental health needs were being met.
- Co-location of clinical staff was very helpful in ensuring assessments and services.

Well Being Concerns:

- Need to ensure consistent assessments of children, parents, foster parents.
- Child and family team meetings was noted as a strength, but also noted was that not in all cases were those occurring, or occurring as frequently as they should be.
- Quality and frequency of caseworker visits is a challenge; need to see all children in the home.
- Wait list for key services. The need for tailored, specialized services such as sexual abuse treatment, grief counseling, services to support trial home visits/reunification.
- Challenges/barriers with Medicaid system. The most significant was the difference between children in foster care enrolled in fee for service and once they return

home, they then go into a managed care organization, which completely changes their access to services.

- Disconnect between what is happening in services. Need to clearly direct at assessing and building parental capacity.

SYSTEMIC FACTORS

Statewide Information System Strengths:

- Statewide Information System has one requirement.
- UNITY can track status, demographic characteristics, location, and goals for children in placement. Ms. Comeaux said there was some question about what ended up getting reported in the actual reports when a goal was updated.
- While UNITY may meet this requirement, acknowledge that staff report great difficulty in using UNITY and navigating the system. So an assessment was done with a grant from the Casey Foundation to do an assessment, which would be discussed during the upcoming legislative session. She indicated that Casey Foundation worked with staff to determine how long it took to input a case and to navigate each of the screens and they found that staff spent about 80 percent of their time navigating the system as opposed to inputting the data. In addition, on average an experienced user would have to put in approximately 16 hours a week of data entry time in order to keep all the case notes and case information current. Therefore, the child welfare agencies were looking at making some significant changes to the UNITY system and making it Web portal, bringing up only the specific screen needed to do the data entry instead of navigating through the system. Ms. Comeaux noted that DCFS was working on a Technology Improvement Request (TIR) for the next legislative session to try to resolve that issue.

Quality Assurance Strengths:

- Quality Assurance has two requirements.
- The state must have standards in place to ensure children are provided quality services.
- Implement a quality assurance system, which was rated a strength initially; however, Ms. Comeaux thought they would look at that because in the original statewide assessment a number of things were rated as a strength that came very different in the actual review. She believed that part of that was the difference in the sample that was pulled, and neither were statistically valid samples, so they had to look at a better way to improve that so that since they were working toward the federal outcomes and the child welfare agencies needed to ensure that the state's quality assurance system really looked at what the same outcomes would be looking at.

Training Strengths:

- Training has three requirements related to staff training.
- State has implemented new CORE training for all staff.
- Local agencies utilized Parent Resources for Information, Development and Education (PRIDE) or Massachusetts Approach to Partnerships in Parenting (MAPP) to train foster and adoptive parents.
- No ongoing formal training curriculum or supervisory training.

- Need to continue to strengthen initial training in some specialized areas, including the Indian Child Welfare Act.

Case Review System:

- System has five requirements.
- Area of strength related to period review and permanency hearings appear to be occurring timely, but stakeholders note concern of quality. In addition, they noted as far as the delay in adoptions, although the court hearings are occurring in a timely manner, they felt the court could push harder on moving children to permanency.
- Areas of concern related to engaging parents and children in the case files; filing the TPRs in accordance with Adoption and Safe Families Act (ASFA) timeframes.
- Court Improvement Commission was working on training related to notice/opportunity to be heard, which was mostly focused toward the foster parents.

SYSTEMIC FACTORS

Service Array Concerns:

- Service array has three requirements, which was identified as the most concerning challenge in Nevada.
- Strengths include – Differential Response, Family Unification Program in Clark County.
- Major gaps were noted including preventative services/alternatives to detention, substance abuse treatment, accessibility to quality mental health services, transportation, educational supports, housing, post-adoption and quality therapeutic homes.

Licensing and Recruitment Concerns:

- Licensing/Recruitment has five requirements.
- Strengths include having licensing standards in place and standards are applied to all homes and use of cross-jurisdictional resources to facilitate placements for waiting children.
- The concerns included diligent recruitment that reflect ethnic and racial diversity of children in placements and criminal background clearances and the amount of time it took to get the information back from the Department of Public Safety (DPS).

Senator Cegavske asked if the child welfare agencies were ensuring that family members were screened for security clearance, because in the past children were released to family members before they were screened.

Mr. Morton replied that issue has been addressed and there was confusion when children would be taken for protective custody and when the family was making informal interfamilial arrangements for the immediate safety of a child. However, that was clarified with staff and he has not received a post placement notification in months, which he would receive when someone had violated that principle.

Senator Cegavske questioned the timeframe for a background check; how long did it take and was it the same process as someone applying for a license for gaming or Techniques of Alcohol Management (TAM) card for alcohol awareness training.

Mr. Morton replied that the process for background checks varied. If an immediate relative placement was made in Clark County, a scope clearance and Child Abuse and Neglect Tracking Systems (CANTS) clearance was done, in addition to a National Crime Information Center (NCIC) clearance and they had purpose Codes X authorization, which allowed them to do an instant name base check in the FBI system. In addition, the child welfare agencies collect fingerprints which were submitted for an actual print clearance and that was where the delay could occur, although it was better and previously Clark County waited eight to ten weeks to get fingerprinting back. Mr. Morton said that some of the background checks would clear with high priority in two to three weeks, but that number was still limited by DPS, so in many cases Clark County waited six to eight weeks to get the final clearance. Mr. Morton noted that was not a problem from a licensing standpoint as the period of licensing of a foster family would take longer than that, and children were not placed in unlicensed families except with relatives as authorized by NRS. He added the child welfare agencies would still get an instant name base check through NCIC.

Senator Cegavske said the problem with the instant name base check was when someone changed their name or used different names. She believed the fingerprinting process was more helpful, because there were always people that tried to work around the system.

Mr. Schiller echoed Mr. Morton's process and added that the X Code component, which allowed the child welfare agencies to do an immediate background check through NCIC, answered a lot of the concerns of Senator Cegavske. However, where they run into issues was when they were doing diligent search and had a relative two months into a case and wanted to move a child into that appropriate home. The way the federal government had defined it for the purposes of the X Code, it had to be essentially an emergent circumstance causing somewhat of a delay. However, Mr. Schiller believed in most cases with the X Code, they were required to do fingerprints within a very short period of time, and he was not aware of any people misidentified in the process.

Ms. Comeaux referred to page 40, [Exhibit A](#), that displayed what was working and the areas that needed continual attention. She noted that the model court initiative in Clark County was a significant area of strength and Washoe County had a model court for sometime and now moved that to Clark County. She stated that Judge Cynthia "Dianne" Steele, Clark County Family Court G, was very excited about the model court process and was working hard to ensure it was implemented in Clark County and there were outcomes based around the process.

Ms. Comeaux said the areas for continued attention were:

- Service array was the most significant area that needed continued attention.
- Child welfare agencies needed consistency in practice and protocols, such as the use of child and families teams, which was noted as a strength in some cases, but not in all.
- Utilizing risk and safety assessments to drive case planning and decision-making was a strength in some cases and in other cases was not.
- Understanding barriers for the adoption program and streamlining improvements
- Linking case review results and data to training improvements.

- Improving in home service program and resources to prevent removal.
- Further development of internal and external relationships between the agencies and state, and between the agencies and all other state entities that help support them.

Chairwoman Leslie sensed that the CFSR was better than the previous review conducted in 2004. Ms. Comeaux replied that Linda Mitchell, Administration for Children and Families (ACF), was very positive at the significant changes that she saw in Nevada, most specifically, the improvement that have occurred in Clark County over the last few years. Ms. Mitchell indicated there was a strong foundation to build from to see significant improvements, which they did not feel at the previous review. Ms. Comeaux agreed the CFSR results were better; however, it would not appear better when comparing the previous and current review, because the way the sample was pulled was changed, the sample size was changed, and the percents for a strength were changed. The federal government intentionally raised the bar because they wanted to start seeing more significant improvements. Therefore, Ms. Comeaux said it was a better review than the 2004 CFSR.

Chairwoman Leslie asked why child deaths were not part of the CFSR review. She said that there was some controversy recently in the press about the data and how it was misinterpreted. Ms. Comeaux replied that child deaths were not part of the CFSR review. The child death and reporting requirements were Child Abuse and Prevention and Treatment Act (CAPTA) requirements and CAPTA was not a piece that the federal government looked at as a part of the CFSR. The other thing noted as far as CAPTA goes was around representation for children, which was noted in CFSR report, but it was not specifically included in the report. Ms. Comeaux was notified that once PIP was submitted, the federal government would send the child welfare agencies a letter that the state had to be in compliance with CAPTA as well, and would have to do a PIP specifically around the issue of child deaths.

Chairwoman Leslie had some concerns that there were too many child deaths in the state. She hoped to include a presentation at a future meeting on what the state was doing about child review of deaths, what was working, and what the state was doing about child death prevention. In addition, Chairwoman Leslie asked about substance abuse and its affect on the time to permanency. Working in the drug court, she was aware that it took some time to turn that around and was that taken in account in the CFSR because the state did not do well in that category.

Mr. Schiller replied that in drug court it could take as long as 18 months before there was actually an impact in some cases. And the issue of co-occurring disorders tends to “rear its head” more and more significantly, and there was the substance abuse and mental health issue, which was like the “chicken or the egg.” He would tie it to the review from the perspective of services and service array and where the child welfare agencies were trying to go with the PIP. Getting into timeliness for permanency, for example, if someone had a methamphetamine addiction and was struggling with mental health issues along with the other gamut of services, the reality was they could be on a concurrent plan for 24 months, so they were trying to reunify and look at alternative permanency plans at the same time, and resources specific to adult substance abuse,

in-patient treatment and co-occurring treatment tend to be biggest service barrier to getting the timeliness piece moving and getting access to services faster. He believed one issue in the CFSR was that the substance abuse component tends to continue to be an issue for the child welfare agencies.

Chairwoman Leslie said the services needed were big ticket items and the child welfare agencies scored low in the area of service array. She asked if the child welfare agencies were preparing a plan of how to deal with the service array problem in the state.

Ms. Comeaux stated that the child welfare agencies were preparing a plan and it was an area of focus in the PIP. She indicated that the ACF was helping the state look at areas to target first, and look at where other states have seen success. The issue of service array was a significant issue for Nevada, and the whole thing could not be fixed, but services and having those available to the family was very significant.

Ms. Comeaux noted another issue that was significant in moving toward timeliness was the length of time it took to get an assessment for substance abuse treatment; it took as long as six months in Clark County to get substance abuse assessments.

Chairwoman Leslie was not aware of a lack of people to do the assessments in Washoe County and usually the problem was the wait time to obtain the treatment.

Mr. Morton replied that he was not sure of all the providers for assessments in Clark County. He noted that the county worked closely with Bridge Counseling; currently the wait time for an assessment was approximately 2 1/2 to 3 months.

Chairwoman Leslie said there were many people that could do assessments and asked Mr. Morton why he was confined to using only one provider. Mr. Morton responded that Clark County used community counseling and some people had issues with some of the providers and the results of their assessments. Generally, Mr. Morton stated that regardless of what provider Clark County used, there was usually a two month or more wait for an assessment and some period after that before treatment begins. In addition, Mr. Morton said this was an interesting area of conflict because the Adoption and Safe Families Act (ASFA) time clock and drug treatment time clock obviously do not match. A compounding issue was what appears to be an increasingly litigious front-end of the system with defense counsel advising parents not to participate in case plans until the case goes to trial and was resolved. So the ASFA time clock starts with removal and it would take six months to eight months to resolve the trial phase of the case, and then the whole process started over after eight months into the twelve months in terms of filing. He noted that obviously the court does not have to terminate parental rights, but he has been hearing from child welfare staff that the wait time has increased significantly.

Chairwoman Leslie believed that was an issue that could be looked at because there were a lot of unemployed certified substance abuse counselors in northern Nevada that would move to southern Nevada to do assessments. She believed there might be more

to the situation because she believed it should not be a hard to get counselors for assessments.

Mr. Schiller believed that a clear distinction when dealing with mental health assessments for parents for substance abuses, was in most cases they were non-Medicaid funded, so from a jurisdictional difference the counties had contract services, and \$1.3 million was spent on the county side trying to support that assessment phase of the case and there were a lot of providers based on that contract service piece. He noted that the inpatient piece tends to be the biggest hole for the child welfare agencies when it comes to the substance abuse side. Because Clark County was moving toward a model court, with the model court and public defenders there was an impact as a system getting those assessments, and they had buy-in to getting those quickly for their clients' benefit, so they could work on the reunification services.

Chairwoman Leslie commented that made sense because if they were wasting three months waiting for an assessment, meanwhile the parents were still using and the time clock was ticking, it was harder to reunify the family. She noted it was an interesting area that needed some attention and could be fixed.

Mr. Morton added that in contrast to Washoe County, Clark County has zero purchase of service dollars for community-based services; so on a proportional basis to population, if Clark County was equivalent to Washoe County the county would have approximately \$8 million instead of zero.

Chairwoman Leslie added that Washoe County had the benefit of putting in county dollars.

Assemblywoman Mastroluca said that the CFSR showed issues with children aging out of the foster care system and wondered if that was proportional throughout the state, or more of a Clark County or Washoe County issue. Ms. Comeaux replied that the concerns around children aging out of the foster care system was a statewide and national issue, so there was a lot of training available in that area, maybe not looking at permanency as a placement option for the children, but looking more toward permanency as whether children could be connected with a long-term person that would provide guidance. Ms. Comeaux added that independent living and dealing with the older population was a statewide problem.

Assemblywoman Mastroluca said the CFSR showed that many children were not aware of the services available and wondered how the child welfare agencies could spread the word that money was in place since 2003 for children aging out of foster care system. She said if the children were in the system, the counties should have access to the children to inform them of the services available.

Mr. Schiller stated that from the statewide and local perspective the primary issue was twofold; early intervention – the children were in the system and how they get them involved. At the same token, in some cases the child welfare system made the children an orphan and often there was resistance. Mr. Schiller said the state was trying to

focus on a full audit of the Another Planned Permanent Living Arrangement (APPLA) case load through the Casey Foundation, which would provide a statewide perspective. At the local level, the counties were trying to impact children at 15 years of age for a transitional plan. In addition, the counties were trying to partner with the Children's Cabinet in northern Nevada to increase the impact at an earlier age because they do not necessarily represent the system, but a worker would, coming from the child welfare site. He noted this was a very significant and challenging area because of the dynamics it presents and the state needed to do a better job. Mr. Schiller believed the child welfare agencies concurred that making sure they impact that population, and how it was impacted, was much about approach as it is about the services, and the issue was how to apply the funding in a practice model at a global level.

Ms. Comeaux added that the funding was in place for children aging out of the foster care system and the child welfare agencies had seen a lot of good outcomes based on that, but it was limited to children who have aged out of the system, not to children that were preparing to age out. Therefore, the child welfare agencies really needed to work with the children up to 15 years of age, because those children did not have access to those funds. Ms. Comeaux said that was definitely an area of concern and the child welfare agencies would bring forward a bill draft to get that changed along with the plan on how to better utilize those funds.

Senator Cegavske referred to page 43 that displayed the key concerns regarding the lack of foster homes able to meet the needs of children and youth with challenging behaviors. She noted that she was happy to have Dave Courvoisier, Anchor, KLAS-TV, Channel 8 Eyewitness News, on the Board of Fostering in Faith. She noted his frustration when he puts a child on television and was flooded with calls, people fill out the applications, and it takes two years to become a foster parent. She hoped to get a report on the timelines at the next meeting and was informed by Mr. Schiller that the timelines have gone down. She questioned the process and why it took so long for people to go through the process of being a foster parent.

Mr. Morton responded that he was aware that was a major issue since the time of his employment in Nevada. In addition, at that time there was enough staff dedicated to recruitment and responding to people, which was a voicemail that people accessed and maybe never came out of. He noted that the 2007 Legislature created a number of positions to improve the process, which he believed had improved substantially. He indicated that he did not hear the complaints currently that he heard in the same way back in 2006 and early 2007, but he was sure there were some issues. Mr. Morton said there were still resource issues and the licensing staff caseload in Clark County was four times the national standards; just for re-licensing homes, he had staff responsible for 120 homes, and obviously the high work loads created delays. Another issue was the county ran into problems of information not coming back in a timely way; sometimes it was the parents or lack of follow through from the county. In terms of getting a placement, he was aware of instances where people were licensed and sort of got lost and generally when they come to him the county found placements for them. Prior to his employment in the state, Clark County created almost 200 or more so called "fast-track" adoption homes. He noted that maybe ten children a year involve expedited termination of parental rights and he did not understand the strategy of creating such a

huge pool of people for such a small number of children, but a lot of the frustrations during that period of time came from those families and he believed there were mixed messaging in the recruitment activity of the department, which created the illusion that there were a lot of children immediately available for adoption. Generally, Mr. Morton noted that it took approximately ten weeks for families to complete the training and hopefully the license would be complete within two weeks after training. Currently, another resource issue was the number of staff available to do the training; there was a waiting list of 175 people that were deferred to January for training, because the counties entire training capacity was currently used up in current session of the MAPP program. Mr. Morton believed this would become an increasing challenge going forward; currently Clark County had 80 unfilled positions due to the budget issues and cost containment, which was approximately 12 percent of Clark County's total workforce. In addition, he was looking at less money in the future and it would be a challenge going forward as to how the county maintained a adequate response. He noted that Clark County has done a good job of getting the phone to ring and people wanting to become foster parents; however, the capacity to respond after that has become a problem.

Senator Cegavske added that the Fostering in Faith group wanted to go to the community churches and ask people to become foster families, but the reason they have not done that was because of the concern about the length of time and where the real need was.

Senator Cegavske asked how the state and counties worked together on these issues. She wondered if the representatives from the counties and state believed there was cohesiveness between them, because there were children that really needed the leadership in the state. In addition, she asked the representatives if there were specific areas where the committee could help.

Mr. Schiller replied that he had been in Washoe County Department of Social Services for many years, and as a division director he had a lot of communication with the state office. He complimented Diane Comeaux, Administrator, Division of Child and Family Services and said she been a great leader since she has taken over. He noted that every two weeks there was a phone call that involved Ms. Comeaux, Mr. Morton, Patricia Hedgecoth, Rural Region Manager, and himself to discuss important child welfare, juvenile justice issues in the state. One of the primary strategies they discussed was how to improve services when the resources were shrinking. The child welfare agencies were focusing on the funding piece, how services could be funded differently, and how they could impact practice across the state, because Clark County was different than Washoe County and they were trying to focus on what the core was going to look like and how the child welfare agencies could learn from each other. Mr. Schiller said there was transparency with the child welfare agencies, they communicated well, and were focusing on the issues. He believed there were two levels – the child welfare agencies working on the county systems, and the Legislature that was impacting funding on a global level, but if he brought it down to their expertise in child welfare; he believed the counties were partnering with the state at almost every level. In addition, he believed the state and Legislature were reaching out to the child welfare agencies to see how they could assist, what they could process, and what could

be done differently. He noted that when Ms. Comeaux presents the PIP component, the last time around there was upwards of 26 policy shifts, and it was the most overwhelming process he had been through outside of the CFSR review, and just since the review they have received the draft report and they have already met on a PIP. Most of what came out of the review was not a surprise to the child welfare agencies. He noted that the key to the PIP was not to take on 400 action items, but to take action on 100 items they do well to have an impact. He believed that was one of the key communication components that he saw happening and the agencies have already met, have leverage points, and looked at the game plan versus the last go around where there were multiple meetings and he felt like they were working in circles, so he believed the child welfare agencies were in a much better place.

Mr. Morton stated that he was told that Abraham Lincoln once said, "If you only look for the bad in people, you will surely find it," and in his first period of time in Nevada, that was the way he felt and experienced with DCFS. Rarely, if ever, did he hear the words how they could help. However, in fairness to DCFS, at the time of integration it appeared they had no experience in a state-supervised county-administered arrangement, and they did not look to other states to get advice as to how it might work. Since the change in administration at DCFS, it has turned around 180 degrees and he saw DCFS as an ally, there was open communication, access and he could talk directly with Ms. Comeaux.

Ms. Comeaux agreed with Mr. Schiller and Mr. Morton and there was better communication between the child welfare agencies. She believed one area where the state could do a better job in communicating was with the other partners in the community, and stakeholders; she believed they were definitely moving toward that. Ms. Comeaux said the CFSR tried to pull the community together to look at that, and during the time of the CFSR the child welfare agencies were good at pulling the community together, but not necessarily good at keeping the community informed throughout the process, talking to them about what the child welfare agencies were doing, and making the community a part of that. Ms. Comeaux believed that everyone has worked very hard in improving the communication between the state and the counties, and really tried to work more collaboratively to resolve problems rather than sitting in an oversight role dictating what should be done.

Senator Cegavske said she would like to be informed of the community outreach programs and have that information on the state Legislature website, so everyone was aware of what the state was doing and the resources available in the community.

Senator Wiener requested the number of children aging out of foster care system in a year and if the success of the children were tracked. She wondered if some of the children ended up in homeless youth groups. She believed that population was lost, they become faceless people and there was a sense of abandonment for many as well. Senator Wiener thought there was still a lot of work to be done even if it meant taking another look at the money for transitional use.

Chairwoman Leslie said the issue of children aging out could be put on the agenda for a future meeting because of the interest on the specific topic. She agreed that the aging out of foster children needed to be revisited to see what was working, what was not, and maybe recommend some changes.

Assemblyman Hambrick asked if there was anything the committee or community-based groups could do to help the process, such as a list of priorities, so when the child welfare agency became involved in a case, there was a check list of the requirements that were met and people were not frustrated with the system.

Mr. Morton replied that Clark County changed the preparation of program from PRIDE to MAPP. In fairness to PRIDE, the county did not implement it well and there were people lecturing to groups of 50 to 60 foster parents, which lead to a lot of intellectualizing about what the experience was going to be about. He noted that in the MAPP program the groups were limited to fewer than 30 people, it was more interactive, and there was a lot of role play and discussion and he thought people were getting a sense of the challenges they were facing as a result of the changes made. At the same time it was easy to say the state was facing a population of more difficult children. Mr. Morton thought that one of the areas that the child welfare agencies failed miserably at in the CFSR was placement stability. He believed the state would show improvement more recently in that because in Clark County every child began in Child Haven, so automatically the child had two placements and they were only allowed two, the third becomes a non-qualifying event. However, at the same time, Mr. Morton said he was seeing a lot of families who were new and get new children, and it was not quite what they expected and the county received an immediate or 10-day notice. Therefore, what was needed was the ability to wrap services and supports around foster families. He noted the child welfare agencies were looking at an interesting program that was used in the District of Columbia, called the Mockingbird Society, which was clusters of foster parents that were purposely put together, a social network, to support each other and meet in groups periodically. So he believed there were ways the child welfare agencies could partner with communities to help create support networks for families. In addition, there were two groups change in the Children Services Guild, who for the last 40 years for the Guild, have been very positive in supporting children in Child Haven, but this community has thought primarily of only children in Child Haven, and some of the groups were disappointed that there were no longer children in Child Haven for them to help. He informed those groups that all the children come through Child Haven; however, the children do not stay long; they were still there, need clothes and other things, and both groups redefined their mission and were doing things more broadly that support foster children.

Assemblyman Hambrick supposed each generation thought children have changed, but he believed that technology changed not children.

V. PRESENTATION ON ISSUES FACING NEVADA'S CHILD WELFARE AGENCIES

Ms. Comeaux directed the committee to page 41, [Exhibit A](#), which displayed the primary strategies for developing the PIP. She noted that the child welfare agencies have already met to look at the primary strategies for developing a PIP and a kickoff meeting was scheduled with the stakeholders to start the process more formally. She indicated that a number of areas were identified that they were going to focus on, and the PIP would be significantly different than the previous one, and the ACF learned from the last round of the CFSR. There were 400 action items in the last PIP, and they met all of the action items and requirements, but did not necessarily see significant improvements based on those. The ACF was looking at narrowing the focus and instead of having one or two action items for every single area, the ACF wanted the child welfare agencies to have more broad areas to focus on and that would make improvements in more areas.

Primary strategy in the CFSR: Strengthen and reinforce safety practices throughout the life of the case.

Mr. Schiller said he would briefly discuss the primary areas for the Washoe County Department of Social Services - assessing safety and trying to be timely in that. He indicated the key to safety planning was intervening with the resources and doing it timely, either prior to a placement or immediately following the placement. In collaboration with the state and Clark County, Washoe County was currently working and continuing to develop a safety practice model. One of the key components of the model was to initially focus on safety planning upon immediate intervention – what they were assessing, how to mitigate the issues seen, and move forward. Currently, the key issue was how to do that through the life of a case, how to assess safety in the foster home, and what was the tool utilized to assess safety in the foster home. In the case of permanency, they were working on case planning but they were asking what were they also assessing and how were they assessing the safety as they move through the case so that the child be reunified timely. Mr. Schiller said the county was working with National Resource Center in collaboration with the state to work on those issues.

Mr. Morton said that in his view two sets of statutes were created – criminal statutes for the purpose of sanctioning behavior considered anti-social in the largest society and the civil statutes for the purpose of controlling factors and protecting children, but at the same time providing supports to families to enable children to be safe in those families. In that regard, Mr. Morton believed one of the weaker areas of the strategy overtime was that the child welfare agencies have done very assertive work to intervene in an attempt to take immediate protective action. However, going back to the service array issue, there was a lack of services that were designed around building protective factors in families, and the whole strengthening families initiative nationwide was about five protective factors. The threat of serious harm could be eliminated, like substance abuse or improved mental health without improving a caregiver's capacity to actually protect and nurture a child. For children to be safe in the long term caregivers had to be able to nurture and protect the children and it was that capacity that was most important and a huge part of the service array that was missing. He noted there were substance abuse

services and services to intervene to separate children from families, but less to build parental capacity. Mr. Morton said when he looked at the end of the child welfare agencies involvement and reviewed cases, one of the largest areas that he believed the child welfare agencies were missing the boat on was building those protective capacities within families. Ultimately, the child welfare agencies were not concerned only about the safety of the children today, but concerned about the safety for the rest of the child's age of minority. Mr. Morton stated the child welfare agencies were working on an internal initiative to align a lot of the processes around the five protective factors and to look from their point of engagement around how they assess and identify those needs and how to build those capacities, not only in parents but in children, because children were more vulnerable when they have developmental issues. Another issue was how the child welfare agencies have improved the child's social and emotional development so the children were less stressful to their caregivers, which did not mean that they blame them for their maltreatment, it is just a reality that maltreatment was an interaction. Certain children were more vulnerable because of difficult issues, such as mental health issues in very young children, which was another area that the child welfare agencies were not adequately addressing.

Patricia Hedgecoth, Rural Regional Manager, Division of Child and Family Services, added that because of their rural location and servicing 15 counties, the supervisors were key in providing the training of the child welfare workers, and the child welfare agencies needed a better focus in terms of being able to provide that information on an ongoing basis to the supervisors to pass on.

Primary strategy in the CFSR: Preserving connections and strengthening relationships.

Mr. Schiller commented that from the perspective of sibling relationships and kinship relationships, the key area was from the beginning and the intervention of the case and identifying the connections and continuing to identify those connections. He believed the key for the casework practice, was caseworker visits and how they follow-up on that, follow-up with extended family, and how to maintain visitation and connections. An example in Washoe County would be in a traditional sense, a child was placed in a foster home, a visitation plan was set up, and a focus was professionalizing the foster parents and training them to assist with visitation. He noted the child welfare agencies were accountable as an agency for that, but the agencies have never really professionalized it and looked at how they approach visitation. Another challenge with sibling connections and contacts were the resources – a sibling rate was approved during the 2009 Session, which would have an impact on the disparity between higher level of care providers and regular foster care. As the county moved forward with the issue, he believed the biggest component was trying to shift their practice and the system to evolve so they impact that population, create placements together, and how to maintain that connection with limited resources, which he believed was through community-based resources, agencies, foster parent and relatives. Mr. Schiller indicated that over half of the placements in foster care were with relatives, which he said was like killing two birds with one stone, because the relatives could be empowered to assist with the process if the child welfare agencies provided the proper practice.

Mr. Morton stated that 8 percent of children in Clark County were African-American, and 32.8 percent of the children in foster care were African-American. While he believed that Clark County did a good job of placing African-American children with relatives and maintaining a continuity of broader concept of family, it seemed like Clark County separated African-American children from their birth families at a higher rate and kept them in care longer than with other children. Mr. Morton said he recently ran a report on the higher level of care children in Clark County, which were children with an Serious Emotional Disturbance (SED) diagnosis, and he believed they would see the same oddly disproportionality of children with a diagnosis of SED, which should not be resulting from economic and poverty factors. When he looked at the children that had more than 10 placements, with one child actually having 53 separate placements in the last 72 months, the children were virtually all African-American children. Therefore, stability of placement was another issue in terms of maintaining connections and it was an area where the child welfare agencies performed the worst in all of the indicators.

Mr. Morton noted that another issue, which was also a national issue, was that the child welfare agencies have not been good in engaging absent fathers or non-custodial fathers. He believed the child welfare agencies needed to become more assertive about locating the fathers and involving them in the case plan and decision making of their children. He noted it was easy if just thinking about the protective situation to focus only on the mother, especially in single-parent families.

Ms. Hedgecoth said that the Rural Regions have started to initiate long distance supervision and had supervisors in Elko, Fallon, Carson City, and other rural areas to supervise the outlying areas. In addition, Webcams were being installed allowing face-to-face visits with employees, as well as children in care to provide sibling visits during inclement weather or lack of transportation. In addition, as part of the CFSR piece, the Rural Regions have started using the LexisNexis software program to locate absentee fathers, because often there would be three fathers in a family as opposed to only one, and many of those fathers were not in the same locations making visitation as issue as well.

Primary strategy in the CFSR: Improve the timeliness and appropriateness of permanency planning for children and youth across the life of the case.

Mr. Schiller said the most significant piece for improvement in the CFSR was timeliness and appropriateness of permanency planning for children and youth across the life of the case. He commented that issue was as much agency as it was systemic, and he believed if the child welfare agencies were in compliance in this category it was like the difference between a Porsche and Yugo, in terms of how the system operates. If the engine was operating correctly that would impact timeliness of whatever the permanency plan was going to be.

Mr. Schiller said the Washoe County was increasing their percentage of relative placements and with the increase in the percentage they should be able to impact the number, because they were not essentially recruiting for homes. There were children in the alternative permanent placement in many cases, and he believed the secondary piece of that was looking at how to impact that from an alternative permanency plan.

He indicated that the Adoption and Safe Families Act (ASFA) requires the preferred alternate to reunification as adoption, and secondary to that was guardianship, so one of the pieces that the child welfare agencies could approach and were collaborating with the state on was how to access subsidized guardianship as the permanency plan, and if the children were with relatives in many cases, the agencies would be able to provide a subsidy, which was eligible for federal IV-E dollars similar to an adoption subsidy to support that home. He noted that the money could be from a shift from the subsidy caseload from an adoption subsidy to subsidized guardianship caseload, but the timeliness of that could be impacted because it was easier to facilitate the guardianship based on the fact that the child did not have to be free for adoption.

Mr. Schiller said another piece of the timeliness issue was that Washoe County was a senior model court collaborating with partners. For example, a public defender that was representing a parent in the system was paralleled to a bad divorce case; the public defender was representing the adult so the child was caught in the middle. So one of the key areas Washoe County was trying focus on was how to partner with the public defender to look at how to improve the services and timeliness.

Senator Cegavske commented that there were foster or adoptive parents that did not need the state subsidy, and have told her it was harder to get out of the subsidy than it was to receive it.

Mr. Schiller replied that he did hear that comment in his jurisdiction, and the challenge he typically faced in Washoe County with guardianships tends to be around how they support the family with the relatives so they could take on care of an additional child. He believed there were exceptions where that was the issue, but he did not see it as a barrier to finalizing adoptions.

Mr. Morton said that this was an area where the child welfare agencies, courts, District Attorney's offices, and conflict counsel had to work together to make things happen in a timely way for children. If that does not happen, children stay in care longer, and in Clark County he had approximately 1,500 children in foster care that have been in care more than 18 months. He noted that ideally he would like to see no child in foster care longer than the average summer vacation, but that was not the reality. Mr. Morton said that Clark County was working diligently with the District Attorney's office and the courts to deal with their own backlog and working with DCFS to improve UNITY so they could better track progress toward adoption. He believed that in the future, Clark County would improve in this area. Ultimately, he thought there had to be a systemic commitment to permanency and recognize that time in the life of a child was different than the time in our lives, therefore every delay was significant. In addition, Mr. Morton said data suggests that every change of caseworker extends the life of a case by three months and every change of placement extends the life of case by two to three months, so to the extent there was instability in the workforce and instability in the care system, that lengthened the life of the case and the amount of time the child spends lacking the emotional stability of a permanent family relationship.

Ms. Hedgecoth said that the Rural Regions were focusing on the adoption processing roles. She indicated that changes were made in the last state fiscal year and 50 adoptions were finalized, which were being serviced out of the Carson City office rather than each rural office. She noted that every time there was a vacancy in the rural office, the independent living and adoption services go to the end of the line, which has made a difference, so the Rural Region was currently looking at its licensing process. Ms. Hedgecoth said that unlike Mr. Morton, the Rural Region was waiting for the phone to ring and she did not have many foster homes in the process and was looking at a recruitment effort for the Rural Regions.

Primary strategy in the CFSR: Strengthen child welfare supervision and middle management skills.

Mr. Schiller said strengthening child welfare supervision and middle management could be captured in one easy statement, traditional supervision as thought of in terms of decision making, does not apply in child welfare. He believed the major area identified was that middle management was the key to having any success in any of the outcomes and although the state did not have a statewide standardized supervision core training as for workers, DCFS and Clark County were working with the National Resource Center and had consultative supervision training from national experts. The National Resource Centers met with middle managers and supervisors to discuss how to make consultative decisions with each unit and staff.

Mr. Morton said that strengthening child welfare supervision and middle management skills was an area that Clark County was concentrating on in the last three years. Clark County has worked with two national consultants; Jess McDonald, former director of the Illinois Department of Children and Families; and Constance Flower, an area administrator, on working with the middle management core around clarifying expectations of middle managers and supervisors. He noted that one of the observations was that Clark County had huge inconsistency in the application of decision criteria across supervisors, units and managers, and whether it was a ball or strike depends not on the strike zone, but on the umpire in this particular scenario, which was undesirable. Mr. Morton said with funds from Casey Family Programs, Clark County contracted with a national consultant for supervisory training, to train supervisors in an eight-day program to build a foundation in basic supervisory skills. Mr. Morton noted that ultimately the quality of the system depends greatly on the quality of front-line supervision and there was only so much that they could tell from data-driven quality assurance (QA) – they could tell whether something was done, but not how well it was done. The front line of quality assurance in child welfare were front line supervisors and the extent to which they do that well or not makes a huge difference in safety permanency and well being of children.

Ms. Hedgecoth noted that the Rural Regions were building a quality assurance in training units so that they could receive their information not only from the central office, but also themselves in terms of then having a focus place for the supervisors to call to get information.

Primary strategy for the CFSR: Expand service options and create flexibility for services and supports to meet the needs of children and families.

Mr. Schiller stated that Washoe County had a wide expansion of services of contract providers, which helped them in the area. He noted that Washoe County was collaborating with their juvenile services sister agency in Washoe County to develop a mental health service delivery system so they could jointly meet the needs of children in one system, because many children start in the child welfare agency and merge into the juvenile justice agency. He noted that Washoe County was trying to collaborate with community providers, called Medical Home, lead by Judge Frances Doherty, and as a child came into the child welfare or juvenile justice system they had a home with a primary care doctor and medical care management. In addition, Mr. Schiller said the higher level of care and treatment care as it relates to child welfare and juvenile justice, from a mental health perspective, services were needed to adequately access and provide services and intervene adequately with all partners in a case – services for parents, children, relatives, or helping a foster parent cope, which would have an impact on the number of children going out of state for treatment and reduce the children coming out and lower the level of care for children. He noted that the child welfare agencies constantly struggle with how to reduce the level of care.

Mr. Morton commented that Congress was going to take up child welfare finance reform after the health care reform occurs in Congress. He noted that since he has been in Nevada, he has not seen much activity at the state level and legislative level and involvement in what was happening in Congress around the number of child welfare bills, and he urged the committee that this was the time to get involved with other states. Mr. Morton stated that current federal financing drives children into placement, which then drives children toward the part of the system the state financed. If the child welfare agencies wanted to preserve families and get children to permanency faster and particularly prevent children from experiencing the trauma of separation, it required a different financing strategy. He said it was interesting to note that the CFSR covers huge parts of the child welfare system that the federal government does not fund, therefore, the state was being held accountable for a forced to action plan around, and conceivably fiscally sanctioned in areas that the federal government does not finance, which he thought should be a grave concern for the Legislature and county commissioners.

Ms. Hedgecoth said that she discussed core managers in the Rural Regions and the main concern were drug testing evaluations, drug treatment, and mental health services.

Chairwoman Leslie thanked the presenters and said the committee had the benefit of the recent CFSR. She thought it was helpful if the committee spent time reviewing the CFSR and the problem areas, as well as the strengths, and what the committee could do to help in the areas of weakness. Chairwoman Leslie remembered the charts from the previous CFSR, which were hard to read because of the format. She noted that there would be three additional meetings for the committee and she wanted to include these issues on each agenda.

Ms. Comeaux stated that DCFS would provide a more high level presentation, similar to the format of the report presented today. She noted that DCFS would inform the committee of the types of strategies the child welfare agencies come up with and where they were in the negotiation of the PIP. In addition, the child welfare agencies put together a data team, so once they figured out the strategies they would determine how they would monitor success and bring forward the data.

Chairwoman Leslie asked DCFS to include the financial reforms, because there could be an opportunity with the help of Senator Reid to have an impact and she did not want to overlook that opportunity.

Ms. Comeaux said the child welfare agencies have sent a number of letters to Senator Harry Reid specifically addressing the reforms and the impact of those reforms on Nevada, which she would be happy to share with the committee.

Judge Frances Doherty, Second Judicial District Court, Washoe County, thanked the committee for the opportunity to provide testimony at the meeting. She said her presentation would be brief, and she hoped to have a more substantive presentation at a future meeting on some of the ideas and topics raised in the area of juvenile justice. With respect to the presentations at the meeting, Judge Doherty said she would like to commend Ms. Comeaux, Mr. Morton, Mr. Schiller, as well as the representative from the Rural Region, and as a family judge in the state of Nevada she had the sense that the DCFS, in particular, was working exceedingly hard with minimal resources to address significant areas of concern in the CFSR, and concerns raised by the counties and judges on a daily basis. She noted that the relationship with the DCFS at both the state and county level has been very cooperative and she commended the representatives for all their hard work.

Continuing, Judge Doherty stated that the opportunity that the Legislature has given the state of Nevada by allowing an ongoing committee on juvenile justice and child welfare to exist in the state was significant. She noted in her work in the area of children's services, issues have been raised and there have been substantive debates and often changes in the laws that have materially affected the best interest of children in Nevada. However, Judge Doherty noted that the ever challenging problem was the dialogue, and it has been a two year dialogue, and the dialogue on the needs of children was an ongoing dialogue, so with the interim committee there was great hope for continuity and integration of discussion and ability of the state to address ongoing needs. In the area of juvenile justice, Judge Doherty said the points she would like the committee to keep on their list of priorities included access to health care by children in the juvenile justice system, seamless integration of services between child welfare and children in the juvenile justice system. The ability of the Legislature to address and effectuate change through a review of their statutory provisions that identify priorities in services that support children, for example, the method and manner in which the state of Nevada was able to effectuate change for juveniles with mental health issues who enter the juvenile justice system. With the stroke of the legislative pen, they were able to accomplish the evaluation of every child for mental health challenges that enter detention centers, which was a significant service to the children of the state. They were able to identify early and immediately address outstanding mental health issues that were often

unnoticed throughout the course of their interaction with children. Judge Doherty said there was a policy statement at the beginning of NRS Chapter 62, which identified priorities of the Legislature in addressing children in the juvenile justice system and their welfare. That policy statement may want to be updated to reflect a preference by the Legislature to ensure that the services delivered evidence-based practices with outcomes that were reviewed by the Legislature to ensure that the services provided are targeted, are racially un-biased, and have outcomes that could be evaluated as the counties report to the Legislature each session on both their needs and accomplishments.

In the area of juvenile research, Judge Doherty said the Legislature would be presented with information over the course of the committee's life, as well as the legislative session. She indicated that science was changing and recognized that juveniles develop differently; juveniles look like adults much earlier than they were able to think like adults, and that science may need to be integrated into some of the policies, practices and statutory provisions with respect to how we incarcerate and consequent juveniles, both in the child welfare and juvenile justice system, as well as in mandatory certification provisions. With that and the integrated relationship in the area of identifying Medical Homes for children in court-ordered supervision, and cooperative efforts in creating a seamless mental health system at the county level for children in child protective services care and juvenile justice oversight, she offered any remaining time afforded to her to representatives from the juvenile justice program in the Department of Juvenile Probation in Washoe County, Carrie Steward and Joe Haas. In addition, Judge Doherty said that Cathy Barlow, Saint Mary's Healthcare, accompanied her to the meeting, and her presence was indicative of a community-wide commitment to healthcare access for court-supervised children. She noted that children who enter the state institutions, either in foster care placement, detention or other institutional placements were generally, with some kinks, able to access Medicare support and services, but those kinks expand and become chains that could not be broken, and often children were released from those facilities and needed ongoing treatment. She noted they have de-escalated the need of a child's ongoing residential treatment care to community based services, but the interruption and Medicaid funding or Medicaid providers from fee for service to managed care created roadblocks that could re-escalate or increase the child's reentry into institutionalized care or foster care. Judge Doherty noted that Ms. Comeaux, Chuck Duarte, Division of Health Care Financing and Policy, and Cathy Barlow, Saint Mary's Healthcare, and health department representatives were working to ensure that eligibility for court-supervised children becomes a seamless system of Medicaid support from the time the child was institutionalized through the time they were in the community. Currently, that was not the state of affairs, but was the goal of the local committee and hopefully that would have impact statewide in the long run. In addition, they hoped to create and truly honor the concept of Medical Home for children who receive services either in community-based programs or in institutions, while they were court supervised and keep that Medical Home throughout the child's exposure to the court services. Judge Doherty said the people with private insurance could largely rely on a provider who could triage their healthcare needs with various experts and come to some unified decision making in their healthcare. However, children receiving Medicaid and court supervision services do not have that luxury and there was no provider triaging their

care, and if lucky, there was a social worker paying extra attention to the child's medical needs, or a probation officer who was tracking the child. Judge Doherty said that was an insufficient and very porous system of ensuring children had the care they need and the type of care they wanted all children in Nevada to have.

Concluding, Judge Doherty hoped the committee would listen to presentations today and at future meetings regarding the concept of Medical Home for Medicaid children and eligibility barriers being eliminated from court-supervised children, because if the state fails in its efforts, children would continue to bump up against barriers, not receive appropriate treatment and reenter institutionalized care, which was the highest cost of services the state can afford as opposed to a more appropriate community-based type of plan. Judge Doherty appreciated the opportunity to present her concerns at the meeting.

Chairwoman Leslie thanked Judge Doherty for her presentation. She liked Judge Doherty's focus on integrating the children in the child welfare and juvenile justice systems because often they were the same children, yet the two systems were separate. Chairwoman Leslie said that anything the committee could do to help Judge Doherty's efforts to melt those systems together and better serve children and families was something the committee was interested in working with them on.

Judge William Voy, Eighth Judicial District Court, Clark County, Nevada, stated that he was assigned to the juvenile delinquency calendar and Judge Cynthia Steele, who was unable to attend the meeting, was assigned to the abuse and neglect calendar. He noted that Senator Cegavske asked a question about cooperation or level of communication between state and counties, which he would like to briefly address. Judge Voy believed that the communication should be between the elected officials, and too much of the communications that occurred in the area was between a county commissioner and a bureaucrat, or a legislator and a bureaucrat, and seldom do the elected officials communicate with each other to work through the priorities and communicate directly on the needs of the children in Nevada.

Judge Voy said to address the other issue relating to juvenile justice and the communication between the state and Clark County in his experience was lacking. He stated that things occurred at the state level that the counties were informed of after the fact, and he believed that issue could definitely be improved upon. Judge Voy noted that Medicaid was a large issue and whenever First Health or whoever was up for contract renewal for administrator of Medicaid, he often received calls from the attorney representing First Health to see if there were problems or complaints, and the users of the system, the people in the front lines trying to access Medicaid benefits on behalf of children to get them placed in treatment centers or outpatient services had problems with the system and how First Health manages the Medicaid funds for the state. He noted that often there was a lack of communication between First Health, Nevada Medicaid and the people in the system trying to implement Medicaid. Judge Voy suggested the Legislature convene a forum of the people that use the system when the contract was up for renewal to hear the complaints and problems so they could be addressed, because the court system experienced an enormous delay in getting children placed into mental health treatment placements because of the issues.

In addition there were issues trying to get First Health to override a denial when public safety was being jeopardized unless the child was placed in a circular placement for example. Judge Voy indicated that an expedited system was needed for handling approval or disapproval for services for children in detention, whether outpatient or inpatient services, which had to be in place before a child was released. He said that request for approval was treated like any other request for approval for a Medicaid placement and he wondered why the request for services was not expedited in 24 hours, rather than the 5 business days it took to receive an answer back while the child was sitting in detention.

Judge Voy stated another area of concern was the lack of mental health services, which still existed and was not getting any better. In addition, he wanted to share an example that occurred recently regarding Nevada Youth Parole and his concerns for public safety and whether the state was doing the right thing for children. Recently, he was in court on a Monday morning and needed information on a case, which the parole officer in his court could not answer. Judge Voy called Nevada Youth Parole to find out the supervisor who was handling the case to get the information needed and was told there were only two parole officers on duty that day, which included the supervisor. Judge Voy said that one of the two officers was in his court in the morning, and the other parole officer was in his court all afternoon, and that was for all of Clark County. The rest of the officers were on annual leave, furlough or somewhere else, which was not in the best interest of the children being supervised, and definitely not in the best interest of public safety in Clark County. Judge Voy said the caseloads were tremendous, and there were good officers that did not have the time to work with children like expected; there was a lack of services, which were woefully inadequate compared to the services that were provided to children on probation with the county. In addition, Judge Voy said some of the other decisions made with the budget issues that have occurred were jeopardizing public safety, which was the youth parole, caseload, capacity, furlough days of officers, which created greater shortages and lack of supervision. In addition, institutions have taken a hit, for example, organized sports programs in Elko were cut, which were a key part of the behavior modification module. Judge Voy commented that he had a list of issues that were unfortunately in his budget and he was unsure how those problems could be solved.

Concluding his presentation, Judge Voy reiterated that the main areas of concern were the lack of services and funding for youth parole, high case levels, mental health services, and Nevada Medicaid.

Chairwoman Leslie thanked Judge Voy for his testimony and said the issues he raised at the meeting were very important. She noted that Judge Doherty also mentioned the issues with Medicaid and she believed the committee would choose that issue as an agenda item for a future meeting to see what can be done to make that system work better, because it was clearly a problem for the children throughout the state and was about using existing resources to make the system work better. In addition, the issue of trying to improve services desperately needed in a time when the revenue was declining was a difficult issue and it was important to get the concerns on record. Chairwoman Leslie appreciated the presenters and the committee would be taking up the juvenile justice issues later in the meeting.

Assemblywoman Leslie called for a brief recess at 11:53 a.m. The meeting was reconvened at 12: 04 p.m.

VI. PRESENTATION ON ISSUES FACING NEVADA'S JUVENILE JUSTICE SYSTEM

Larry Carter, Assistant Director, Department of Juvenile Justice Services (DJJS), Clark County, introduced the other representatives from the juvenile justice system attending the meeting; Scott Shick and Carey Stewart in Carson City, Fritz Reed, Director, DJJS present in Las Vegas. In addition, Steve Thaler, China Springs/Aurora Pines was attending in Las Vegas. Mr. Carter said that he was also a member of Nevada Juvenile Justice Commission, and current president of Nevada Association of Juvenile Justice Administrators.

Mr. Carter began his presentation by thanking the committee for allowing him to provide testimony at the meeting on behalf of the Nevada Association of Juvenile Justice Administrators. Mr. Carter believed that modern juvenile justice in Nevada could be summed up in probably two eras: 1960 to 1987, and in the 1960s there was the development of the current training centers, and some of the probation departments became more formalized and growing across the state. In 1987, Nevada became a participant in compliance with the federal Juvenile Justice Act (ACT), and became fully compliant in 1988 and 1989. Pre-1987, and before compliance of the Act, Nevada Youth Training Center had a 160 males in the program and was often overcrowded. Caliente Youth Center had 140 beds of all girls, and that center was often overcrowded and many of the girls at that time were status offenders. Mr. Carter noted that post 1987, and in compliance with the Act, things were changed in the state of Nevada. Also, growth in many of the rural counties created additional needs. In 1979, Carson City developed a detention center, free-standing away from adult jails and other counties started coming on line. During the 1990s, with the help of the Nevada Legislature, Elko, Winnemucca, Hawthorne, Silver Springs and Douglas County developed their own juvenile centers or a co-located facility. The addition of China Springs/Aurora Pines started in 1987, with China Springs and later Aurora Pines and expansion or new construction occurred in the Jan Evans Center, Washoe County, along with expansion in Clark County around 2000. In addition, the creation of Summit View and other historical points started happening between the mid-1990s and early 2000s. Programmatically, the loss of probation subsidies in the early 1990s created some issues, which were reformulated in 1997 when he was a state employee with the Community Correction Partnership Block Grant. Mr. Carter said that also in the 1990s, through the state juvenile justice programs, and the Nevada Association of Juvenile Justice Administrators, juvenile justice started moving toward best practice approaches and evidence-based approaches in the way they viewed things and got rid of some of the more arcane and archaic type programs.

Continuing, Mr. Carter noted that in 1993, Nevada was second to Washington D.C. for youth in custody, which some people may view as a strong point because Nevada was doing something with children; however, he viewed it as a negative aspect that there were too many children in custody for inappropriate reasons. Although the rate of children in custody since 1993 had improved dramatically, by 2003 the state had not

made much progress and the detention rate was still fourth in the country. Mr. Carter said the juvenile justice system tried to improve, and the detention rate from year 2003 to 2006 dropped from the fourth worst to eighth worst rate, so the juvenile justice system continued to make progress and he was sure once the data was available for 2007 to 2008, the rate would also be different. In addition, the 2006 data showed one very significant thing in the way they dealt with children – in 1993 the detention rate was approximately the second in the country and the overall commitment rate and in custody rate was second. Currently, the in-custody rate for the state of Nevada was down to 20th in 2006, total in-commitment rate was 24th worst national rate, so the state was almost at the median; showing differences in the way the juvenile justice system was dealing with children.

Mr. Carter believed the child welfare agencies would continue to see improvements after the 2007 through 2009 national data comparisons are available, but unfortunately, being three or four years away and with the change in employees, some may not be able to recognize the continued improvement.

Chairwoman Leslie asked Mr. Carter if he had any of the data presented in a written chart or a prepared document so the committee could have it for their records. Mr. Carter replied that the data was taken from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) website.

Chairwoman Leslie asked if the juvenile justice administrators could compile a simple chart with the key indicators so when the new data was available after the Juvenile Detention Alternative Initiative (JDAI) the committee could have a comparison. Mr. Carter said that he would provide a bulleted, timeline chart of the changes in the data.

Continuing, Mr. Carter stated that the most significant thing in the post 2000 and modern era was the beginning of the involvement with JDAI, which would be presented later in the meeting.

Mr. Carter stated that currently Washoe County and Clark County were pilot sites involved in the JDAI; Elko and Douglas County were officially joining, so approximately 95 percent of the state population were involved in JDAI. Other jurisdictions, although not formal participants at this time, have embraced and included many elements of the JDAI in the way they practice. Mr. Carter said this has resulted in dramatic changes in the state institutional populations. He noted that in 1995, during the gap when there was not a probation subsidy or Community Correction Partnership Block Grant, the commitment rate for boys was 5.5 per thousand and by 2008 the commitment rate dropped to 2.1 per thousand, which was 61.8 percent decrease in the rate of commitments to the state training centers. The girl's population went from 1 per thousand to .4 per thousand, and there was a high of 1.2 per thousand around the year 2000, a 66.67 percent reduction in the rate of commitments. He noted that the 1995 rate would have equated to 946 boys being committed to the Nevada Youth Training Center in 2008; instead of that 393 boys were committed. Therefore, by the change of policies and efforts in practice at the local level, because new commitments were basically driven at the local level, those efforts dropped the boy's commitment rate

from 946 boys in 2008 down to an actual of 393 boys statewide. For the girl's population, Mr. Carter said that 176 would have been committed at the same rate as 1995; instead 73 girls have been committed to state custody. He noted that JDAI has saved Clark County millions in the last several years and as a result of the implementation of JDAI and they were able to close the Zenoff Hall and operate in the eight newer units in Clark County Detention Center and bring them up to adequate staffing levels, which would have cost approximately \$3 million per year to keep the facility operating over and above what they would have been doing with staffing shortages and utilization of part-time hourly positions. Since 2006 when the detention facility was closed, Clark County saved approximately \$3 million a year just in detention operational costs.

Concluding his presentation, Mr. Carter noted that JDAI was misconceived as solely letting children out of detention but the state has reduced the number of children in Clark County that were detained by approximately eight to ten percent. However, the JDAI has improved core processing times, expedited services, shortened lengths of stay and improved conditions of confinement for youth. Mr. Carter was proud of the juvenile justice efforts in Nevada and they were meeting the challenges as they were being presented in a productive fashion. Often, the juvenile justice systems were stretched thin, but they were handling the community needs. However, there were still some glaring needs and concerns and the need of mental health services expressed by Judge Doherty and Judge Voy, and the detention centers becoming quasi mental health facilities because there was no other place for the children were major concerns. Many children with mental health issues were placed in detention centers solely because of a delinquent act and those facilities were not equipped to deal with children with severe mental health issues. In addition, those children were prone to further decomposition of their mental issues as a result of being placed in detention for long periods of time while trying to secure placement, which further increases the risk to youth. Mr. Carter said that delays in services create dangerous situations for the most fragile youth and often the juvenile justice system has to provide 24-hour coverage, 7 days a week, one-on-one at the University Medical Center for severe mental health children while waiting to get a placement for them, which often takes 7 to 10 days. Mr. Carter noted that this not only placed a burden on the juvenile justice system, but sometimes the children were youth parole cases and youth parole had to help provide that service in a joint effort.

Concluding, Mr. Carter said the lack of community-based wraparound services drive residential treatment center placements that were often out of the area, and those were not always conducive to long-term results in providing long-term benefits to the youth. Another issue that he did not think was discussed enough at the meeting was substance abuse. Currently in Clark County, there were less than 25 beds available for residential substance abuse treatment for teen substance users, and only two of the beds were designated for girls. He noted that many treatment centers would rather provide services for the boys and not deal with specific girls' issues. Youth camps and state facilities, which were correctional placements, become the facilities of choice for substance treatment and they do not have the programs and were not designed to deal with substance abuse treatment and should not be utilized that way. The ability to continue to do community-based service and have wraparound services were also challenged during the current fiscal economic time, and the juvenile justice system lost

its evening reporting center in Clark County because some tough choices had to be made. Mr. Carter stated that the juvenile justice system continued to try and strengthen mental health services wherever possible and needed residential placements and places for children with mental health issues.

Chairwoman Leslie commented that 25 beds for residential substance abuse treatment seemed absurd for Clark County. In addition, there were no beds in Washoe County for substance abuse treatment. Mr. Carter clarified that he meant there were less than 25 beds for residential substance abuse treatment statewide, not just in Clark County.

Chairwoman Leslie asked if anyone from DCFS was going to address the report, the Juvenile Service Strategic Plan that was included in the meeting packet from Fernando Serrano, Deputy Administrator, Juvenile Services, DCFS. Ms. Comeaux replied that report located on page 47, [Exhibit A](#), was an informational item. The two areas that DCFS wanted to specifically discuss as far as needs or significant concerns was the substance abuse and mental health services for children.

Ms. Comeaux said another concern of DCFS was gang involvement and the issues on how to handle children with gang involvement when they were sent to the correctional facilities. She noted that training for staff at the correctional facilities on dealing with youth involved in gangs was needed, especially since the children were in such close proximity.

Chairwoman Leslie said that issue jumped out at her when she read the report in the meeting packet. In addition, officer safety in the correction facilities with children involved in gangs was a concern, along with parole programs for youth on parole.

Ms. Comeaux commented the officer safety was also a huge concern for DCFS and was something they were trying to deal with more internally.

Chairwoman Leslie directed the committee to the Juvenile Services Strategic Plan located on page 47, [Exhibit A](#). She encouraged the members to read the plan because there was more detail in the report then the committee had time to go review in the meeting. She noted it was interesting information and she may ask DCFS to come back and give a progress report next year.

Mr. Carter added that with the increased population over the last 30 or 40 years in Nevada, and the fact that the number of children in state correctional placements has decreased meant that the juvenile justice system was doing a lot of low-level things better at the community-based level, but consequently the Nevada Youth Training Center and Caliente were getting children with more chronic issues. Not necessarily that those issues were exponentially growing more than the population, but that was the type of children the centers were currently getting. He noted that the staff at Spring Mountain Youth Camp often wished they had the children they used to, and his response was that the children that they used to get did not need to be in a six-month correctional placement program just because they cut school or got caught drinking and there were other things for those type of children. He noted that was not going to

happen again and the child welfare agencies had to adapt and change the needs of what they had.

Chairwoman Leslie said that was an issue of hers for many years and those facilities were not used appropriately and staff was not properly trained. Also, she had concerns whether they were able to provide adequate services in the rural areas for the children that were sent there.

Carey Stewart, Acting Director, Washoe County Juvenile Services, commented that the evolution of the juvenile justice system in Nevada was significant, and when he was probation officer, the officers thought they were doing case management when they gave a child on probation a set of terms of probation. He noted that officers were good at telling the children what not to do, and if they did not do that, or did things they were not supposed to do the officers utilized detention. Mr. Stewart stated that over the course of time the juvenile justice system has become much more refined in how they work with children in Washoe County and Clark County with the implementation of JDAI. He noted the core concept of the JDAI was eliminating the unnecessary use of detention, but it was alternative initiative. He noted that some of the areas of concern in Washoe County was a lack of resources at a community level to work with children to keep them in their schools, and with their families, and apply those resources at the most critical time, the children would fail and when they fail they would enter into detention and continue to fail until they ended up in the state institutions. Mr. Stewart said the money that was allocated from the state to the counties in the form of the Community Correction Block Grant funding was utilized very effectively throughout the state – in Clark County, Washoe County and the rural areas, and the concern was that the funding sources needed to continue so the children could stay in their communities, and if the juvenile justice system was successful at the community level, then the state would never see those children in state institutions. In addition, another area of major concern indicative in the data in Washoe County from when the core concepts of the JDAI were implemented in January 2005, in 2004 in Washoe County there were 93 youth committed to state institutional care, and of the 93 youth, 47 percent were children of color. In 2008, the total commitment rate to state institutions in Washoe County was 55 children; however, 74 percent of those children committed to state institutional care from Washoe County were children of color. Mr. Stewart noted that even though they have seen very significant reductions in the utilization of detention and also state correctional beds, there still was a major issue facing the juvenile justice systems, which was the impact the systems had on children of color. He indicated there was a disproportionate minority confinement and contact work group through the initiative in Washoe County, and they were finding that by the time the youth enter the detention facility, there was a portion of those children that were hard to slow down and they had patterns of behavior that were well established, and even though the county utilized resources to slow down those behaviors, unfortunately, at times they were ineffective. Therefore, Mr. Stewart believed the juvenile justice system needed to look at how they could become even more preventive in the schools and in mental health and substance abuse treatment to apply not only to all of the children, but children of color.

Concluding, Mr. Stewart said he looked forward to further analyzing not only in Washoe County, but statewide, what the juvenile justice system could do to really “stem the tide” of the disproportionate minority commitment and confinement.

Scott Shick, Juvenile Services, Douglas County, and representing the rural juvenile probation departments across the state, stated that the job of any rural administrator was to build on the foundation of what was before them. He believed that the juvenile justice administrators in the rural locations have built a strong foundation of detention reform and community-based programming in sync with Dan Cope, Kirby Burgess, Leonard Pugh, and Scott Cook, many years ago, and the rural counties’ obligation to build on a foundation of what works and keep children closer to home, schools, doctors, and mental health agencies, which has been accomplished. He noted that he would provide a template from the rural counties at the next meeting that provided an indication of the reduction in detention and commitments in those counties and how the increase in community-based services have made an impact with respect to outcomes. In addition, Mr. Shick reiterated that there was a multi-disciplinary activity in the rural locations in respect to staffing of children, and it was almost like an obligation because those children were in the smaller communities and social services was involved, child welfare, mental health, juvenile services, child protective services and the local multi-disciplinary coalitions to staff children to avoid duplication of services. He stated that these activities make sure children were getting strategically to services as needed and that outcomes have increased as a result of those kind of activities in the rural communities and showed that collaboration of all state and county agencies as they present in that particular rural community. Mr. Shick noted that the efforts of Fernando Serrano, Deputy Administrator, Juvenile Services, has been instrumental in the recent successes over the last five years in the collaboration between the counties the state, and recognizing where the hot points were, and what was needed to do to address juvenile activity at the state and county level. He said that the doors were open to parole children in the communities as needed and there was an open dialogue that Mr. Serrano incorporated in Nevada Association Juvenile Justice Administrators in his strategy and planning, which the rural counties appreciated and he believed they would come to conclusions a lot sooner than if done on an independent level.

Concluding, Mr. Shick emphasized that the lack of resources perpetuates involvement in the criminal justice or juvenile delinquency system for children aging out of the foster care system, and he had particular cases in Douglas County where the youth ended up in jail as a result of aging out of the foster care system. Mr. Shick was aware that Kirby Burgess, former Director, Clark County Department of Juvenile Justice Services, was passionate about the issue of children transitioning out of the foster care system and on the street basically homeless and becoming incarcerated in the adult criminal justice system. Mr. Shick said it would be good for the juvenile justice system and child welfare agencies to collaboratively look at the resources and how they could team up to address those children and their basic needs as far employment, medical care, and housing. Mr. Shick noted that the Adam Walsh Child Protection and Safety Act of 2006, which is sex offender registration reporting, under the workgroup in the Attorney General’s Office, and juvenile justice administrators had a position on that which they would like to present at a future meeting. He noted they would be working with Judge Doherty in Washoe County on recommendations in order to shape that

legislation so it would not have a negative impact on the children, but also protect the community in cases of juveniles that need to report and based on their disposition and background as far as sex offenders.

Chairwoman Leslie said that staff would make a note of his request for a presentation on the implementation of the Adam Walsh Child Protection and Safety Act at a future meeting.

Dr. Joe Haas, Psychologist Administrator, Washoe County Department of Juvenile Services, stated that detention, although necessary for community safety, in many cases was harmful to the well-being and future of youth. Also, detention was infinitely more harmful to youth with trauma related and mental health conditions. Dr. Haas said that the tragic situation that faces youth with disruptive mental health disorders in the community was that often they had to be detained in order to access Medicaid as a means of being placed in higher level or residential treatment centers. He noted this was the equivalent of putting children in a situation where they were harmed or made worse in order to get access to the cure, and Medicaid was only in effect when youth were placed and was terminated when youth return home, which made preventative care and aftercare placement difficult. He noted that it was necessary to get eligibility and to focus on intensive community treatment as opposed to placement in residential treatments or community group homes. He noted that could be as simple as getting better at expanding their efforts to get eligibility for the programs that they qualify for and also to enhance their abilities in the system in their work with Medicaid to help youth rapidly switch between benefits program as their eligibility changes and this ensures that their care would not be disrupted. For example, when children get out of Residential Treatment Centers (RTC's) often they would have to wait as long as 30 to 45 days to get switched from the type of Medicaid that children who were in the care and custody of a public agency received and then back on to the Medicaid in the community. He added that the juvenile justice services were optimistic that working with the state authorities, Ms. Comeaux, and Mr. Duarte, that they would be able to look at some of the artificial barriers that could make care most efficient. In addition, Dr. Haas said to look further at barriers for select groups of children that may need to be placed in the state outpatient treatment facilities to address barriers that were prohibitive from state facilities taking managed care Medicaid and Nevada Checkup as a means of reimbursement. For the most part, nearly all of the children can and should be treated in the private sector; however, the most severe children often switch between benefit packages and then to indigency, where the state really has been incredibly helpful to the juvenile justice services. He added that DCFS has shown the juvenile justice services unprecedented level of collaboration in Washoe County and statewide as they look to develop a system of care, both for the state and to develop pilot programming for children in need of intensive home-based services to avoid placement, detention and costly residential treatment facilities.

Continuing with his presentation, Dr. Haas stated that there were evidence-based programs in place in the state that were accessible to youth in the child welfare system, the wraparound service, and the juvenile justice services were impressed with the wraparound program in Washoe County and were working with the state to expand that through in-kind contributions for Washoe County to increase the access for youth in

parental custody and may not have Medicaid so they did not have to enter detention and residential treatment. Also, Dr. Haas said the state was in dire need of Medicaid funding for substance abuse and then linking that treatment program for substance abuse with mental health treatment, because 50 percent of mental health children seemed to have substance abuse issues, and 50 percent of the substance abusers tend to have mental health conditions. In addition, they work with SAPTA in their grant program at Quest Counseling to address those issues, but he echoed that there were zero beds for inpatient treatment, which could often be helpful in stabilizing children to get them back into the community. Dr. Haas has also recommended expanding efforts on low-cost but high-impact evidence-based practices and keeping an eye toward some of the more expensive but highly impactful evidence-based practices, such as multi-systemic therapy. He noted the juvenile services knew what practices helped, such as multi-dimensional family therapy, which was an intensive family-based program, and aggression replacement, which was a low-cost but highly effective group that made a change to the lives of children and demonstrate that they could do so.

Dr. Haas thanked the committee for their time and for their focus on the important issue of substance abuse treatment, as well as mental health treatment within the juvenile justice and child welfare system.

Chairwoman Leslie thanked the presenters and noted that they identified some issues for more exploration by the committee. She asked the presenters to review the strategic plan for anything that needed to be presented to the committee in advance of the upcoming session that would take a statutory change. For example, Chairwoman Leslie noticed that there was one sentence in the plan about developing standards for juvenile detention centers and the need to establish standards on the statewide level that ensures compliance with the federal Juvenile Justice and Delinquency Prevention Act (JJDP). She asked for help identifying the broader issues like Medicaid reform in child welfare and any statutory issues that they thought the committee could help with in the upcoming session.

Senator Wiener noted that she has heard several times about the model of not bringing children into an institution or detention care for ten days when that was the only way the children could qualify for Medicaid. She asked if there was any information as to what kind of support would be in the home, because many of the population overlaps with the foster care needs that the social service needs span broadly into the juvenile justice arena, and often there was not family support for the types of services that they were discussing. She questioned the reality of children being able to stay in the home if there was not family support in that home.

Mr. Carter agreed with Senator Wiener and said that was a dilemma the juvenile justice system faced – not only because the lack of resources in the community, but when they send children to remote residential treatment centers, there was no follow up and aftercare associated with that, so there may be a child that has done well and made progress in a residential treatment center, but then return to the same home with the same problems that existed before treatment.

Dr. Haas replied that what they found when they bring technology like wraparound programming to children was that they could impact more families by the engagement strategies, where they bring families and their supportive network that was natural in their environment together, and do a plan that can work toward getting children back home. Also, in the integration with child welfare, if there was a very true situation where a family was not able to work for a variety of reasons to care for their children, then he believed the juvenile justice services were looking at more child welfare dependency issues. Dr. Haas noted that he continually saw families that were very surprising in their abilities to make changes and to reintegrate their children. Although he has been in the system long enough to not be a “rosy” optimist, but he thought that there was a lot more work to be done in that area to really provide sound evidence-based practices that help children stay with families, or in their community in the least restrictive level of care with the least amount of services. He noted they were sometimes restrictive in terms of where the children live or type of settings that they live in, but that could be a goal as well.

VII. PRESENTATION ON THE STATUS OF SYSTEM CHANGES THAT RESULTED FROM THE CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT (CRIPA) INSPECTION PERFORMED AT NEVADA YOUTH TRAINING CENTER IN FEBRUARY 2002

Chairwoman Leslie referred the committee to the Summary of Systemic Changes relating to the United States Department of Justice (DOJ) review dated November 18, 2009, page 67 ([Exhibit A](#)).

Erica Olson, Superintendent, Nevada Youth Training Center, Division of Child and Family Services, DHHS, stated that the scope of the DCFS response to the Civil Rights of Institutionalized Persons Act (CRIPA) investigation, which occurred February 2002 at the Nevada Youth Training Center (NYTC) was far reaching, primarily in the areas regarding development of consistent programming and expectations concerning the treatment and support of youth in their care and custody. In addition, development and implementation of a system of quality assurance to have external eyes coming into the facility and assessing their performance, not only based on interviews with staff and students, but based by the presentation of standardized documentation, which the agency has moved to catching everything from room confinement to use of force, the enhancement of their staffing ratios to 1:10 and 1:16 during overnight hours, development of an expectation for annual training and training of all new employees when they come into work at the facility prior to assuming responsibility for youth. The training specifically addresses in its content, not only the safety and security of the facility, intervention processes at lesser levels, it also reflects on the issues that were raised by the Department of Justice in their findings of excessive use of force and conditions of confinement, not meeting constitutional requirements.

Ms. Olson said additional actions include the enhancement of the mental health counselor ratio of 1:25, development of a standardized cognitive behavior program, and embracing Thinking for a Change in 2005 and continuing forward with it. Other actions included development of a training harness for all three facilities addressing use of force, conditions of confinement, expectations for staff behavior in terms of their

relationship with youth, use of force – the conditions under which force or confinement could occur, setting expectations for staff in terms of disciplinary actions that may result in inappropriate or excessive use of force, or violating conditions of confinement, and developing consistent internal practices. Ms. Olson stated that the Legislature funded a position of investigator for two of the facilities and that investigator was a trained and qualified individual whose specific responsibilities were to evaluate every use of force based on policy compliance, the necessity of use of force, and to present that weekly to a panel of mental health counselors, representatives from the head group, which was the middle manager-supervisor, and also to the educational department because the facilities operate as independent high schools as part of their programming.

Ms. Olson noted that it was so critical in bringing the piece of reformation to NYTC and to juvenile justice system throughout the state of Nevada and that open and blunt dialogue as to the performance of their staff without fear of retaliation and without hesitation because they felt some level of constraint with not be honest in their reporting. The same principle was applied to the development of grievance procedures for all three facilities, protection for youth filing grievances or complaints from retaliation from adverse treatment based on their complaints, free access without any constraints from staff and no pre-conditions for filing those complaints. Ms. Olson said that as a result of the investigations from the Department of Justice and as a result of the memorandum of understanding (MOU) and their work toward substantial completion of those measures, the rest of agency followed suit in developing statewide policies regulating and mandating standardized practices throughout the three facilities. Ms. Olson noted that process has reduced their isolation as a facility, forced them to participate on a statewide level with their other sister facilities and with probation departments across the state. Ms. Olson said they were looking at data-driven performance measures for the NYTC and have agreed internally as to the measures they believed a facility should be measured on, which do involve areas critical to quality of life. She stated the overall work and the scope of work was immense and staff responded at NYTC very positively to receiving the necessary training to make them more effective managers and counselors for youth, enhancing their mental health services, and bringing Dr. Mark Armerding aboard, having contracted psychiatric services at the other facilities also enhanced the services that they bring to the board for children in their care.

Chairwoman Leslie asked if Dr. Armerding was a contract employee. Ms. Olson replied that Dr. Armerding was a contract psychiatrist for NYTC with a clinical practice one day a month, during which he does mediation management, evaluation, and assessment of new youth. In addition, Dr. Armerding assists with the issues of youth having difficulty in programs, provides treatment advice, and works with the Superintendent on these quality of life issues from his view within the facility.

Chairwoman Leslie said it was good to hear there was a qualified psychiatrist at the facility on regular basis. She believed in was a huge improvement for NYTC. She remembered an audit done by the Audit Division of the Legislature with noted issues at both facilities regarding medication management and making sure youth were getting the right medicine and wondered if those problems were addressed.

Ms. Olson responded that the medication management issues have been substantially addressed within NYTC and at the other facilities. She noted that NYTC had an ongoing training program and review by nursing staff to determine the effectiveness of the measures they were using and they reflect the quality of those practices based on the actual outcome for medication errors.

Chairwoman Leslie looked forward to the audit review and hoped those issues were fully addressed.

Chairwoman Leslie asked if everything in the Summary of Systemic Changes report was actually happening, and was not an aspirational report, but an actual report of what the practices were. Ms. Olson replied that it was an actual report of the practices at the facilities.

Chairwoman Leslie asked if the committee could obtain a copy of the quarterly monitoring reports. She was interested in the number of use of force reports and what the report looked like. Ms. Comeaux replied that the monitoring reports were available and could be provided to the committee.

Jamie Killian, Superintendent, Caliente Youth Center, DCFS, DHHS, said that Ms. Olson did a good job of addressing the issue and said the recommendations were implemented at each of the facilities accordingly.

Chairwoman Leslie asked about the morale of the staff at the juvenile justice services. Ms. Olson replied that certainly furlough days were difficult; however, everyone has pulled together on that particular issue and staff worked to provide the same level of services to the youth as provided prior to implementation of furlough days.

Ms. Comeaux added that staff has done a tremendous job in trying to implement a very difficult program, and added to the difficulty of the furlough days was the policy of no overtime allowed during that two week pay period of the furlough day. She noted that unlike the Department of Corrections, where there was additional staff to cover posts and vacancies, DCFS used overtime to cover vacancies and things like that, so it was very stressful trying to balance that, which caused a lot of difficulty for staff and therefore caused some morale issues.

Chairwoman Leslie appreciated the fact that the child welfare agencies found solutions to operate state facilities with the furlough days. She believed the intent of the Legislature was not to just cut salaries but give state employees something back for the cut in pay.

VIII. PRESENTATION ON JUVENILE JUSTICE PROGRAM ENHANCEMENTS FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Jamie Killian, Superintendent, Caliente Youth Center, DCFS, DHHS, stated that Summit View Youth Correctional Center, Caliente Youth Center, Nevada Youth Training Center, as well as the China Springs Youth Camp in Douglas County, were able to implement

significant enhancements in the summer of 2009 due to the American Recovery and Reinvestment Act (ARRA) funds. She indicated that a total of \$413,000 was divided between the four programs and based on the proposals that were submitted to the Governor's Workforce Investment Board, each of the facilities utilized the funds primarily for purchases of specialized equipment and supplies and the students were able to gain and develop new skills, as well as be exposed to technical and mechanical equipment and processes. Ms. Killian said that enhancements were made at the Caliente Youth Center in four primary vocational program areas, which included landscaping/construction trades, culinary arts, clothing and embroidery or textiles, and welding. She said that with the landscape and construction trades program, Caliente Youth Center became an on-campus beautification project, which included the removal of some of the existing shrubs around the campus buildings and replacing them with more appealing landscape requiring less upkeep. In addition, the students also participated in classroom instruction on construction trades as it relates to erecting a greenhouse in order to grow the plants for this particular project. Ms. Killian stated that some of the plants would also be sold to the community and a gardening program would be implemented as part of this program.

Moving to the culinary arts program, Ms. Killian said that purchases were made to equip a classroom with supplies and equipment that provides the ability to assimilate an actual commercial kitchen and restaurant, and students were provided instruction in the creation and preparation of various culinary cuisines. Ultimately the students would have the opportunity to service meals to various clientele, including students, guests and also for formal functions.

In the clothing and embroidery program, Ms. Killian noted key purchases were a digital embroidery machine, quilting machine and various sewing equipment and supplies, which enabled the students to learn skills that would help them be successful once they leave the facility and actually have a trade that was marketable for employment.

Concluding her presentation, Ms. Killian said that through the welding program they were able to purchase metal and other supplies in order to teach the students how to perform basic and advanced welding techniques, which was a highly marketable skill in construction trades. As noted in the meeting packet, Ms. Killian said they were able to provide the enhanced vocational instruction to approximately 87 students throughout the summer school, the goal was 94, and with discharges and releases they were able to reach 87 students. She noted that the good thing about the program was that they would be able to continue the programs with the enhancements that they were able to make and it would be available for all the other students coming to the facility.

Ms. Olson stated that Nevada Youth Training Center operates a year round school – Independence High School, and used a great deal of project time looking at how to enhance already operating programs. The committee selected landscape arts and horticulture for a turn-key operation teaching youth curriculum that would assist them in managing everything from plant production, greenhouse operation, and irrigation systems through actual retail point of sale. One of the goals in the landscape/horticulture program was assisting older youth that were returning either as credit deficient without having received their adult diploma, which youth that had a great

deal of difficulty in the job market because of different barriers for them, looking at horticulture as an entry into the job market for them. Also for the campus overall, as a part of their community service practice, in enhancing their program they participated in development of the Peace Park in Elko, which was a multi-religious meditation garden, and youth were able to participate as part the ARRA summer project in assisting developing that project. In addition, the students were assisting on an ongoing basis. Ms. Olson said they were delivering a curriculum which teaches youth safe management of everything from tools and equipment, to projecting costs for a particular planning or design of a landscaping project, through plant production and management of multiple greenhouse systems. For the culinary arts program, the program was enhanced by looking at teaching youth to produce and serve meals other than normal institutional meals and get that level of training to assist them in moving to the restaurant industry in the community or hospitality industry.

Continuing, Ms. Olson said the healthy forest initiative was different and new and the fire program did not continue forward because of a rule change with the federal government, so they looked at an opportunity for the youth to learn how to develop trails, look at erosion abatement, reseeding projects and were looking at it as training skills that would give them an opportunity as entry level forest service employees. In addition, they were looking at tying their greenhouse project into the healthy forest initiative project by raising seedlings for the forestry service for some of the reforestation projects throughout the state.

Concluding, Ms. Olson said that the Nevada Youth Training Center was appreciative of the funds and believed they were very productive. In addition, they also looked forward to being even more productive in the community with the landscape program and was intending to donate to some of their sister agencies, school programs, and town plants for their landscapes.

Mira Vucicevic, Superintendent, Summit View Youth Correctional Center (SVYCC), DCFS, DHHS, said that SVYCC spent their ARRA funding on the horticulture/landscaping program. The program involves cultivating a grass field that can sustain sports activity by the SVYCC population. She said that the youth manually removed the old field surface, prepared the ground and laid sod. Ms. Vucicevic stated that the previous field caused a number of ankle injuries when the youth played on the field, or when staff tried to respond to emergencies across the field. She noted that the sod arrived every other day so the youth could do the work under the supervision of the Clark County School District teacher, Mr. Diyan, who the committee will meet later on their tour of SVYCC. She noted that the lesson plan training objectives were located on page 77, [Exhibit A](#). Ms. Vucicevic noted that the youth suddenly and mysteriously developed an allergy to dirt, and staff combated that by giving them masks, and towards the middle of the project the youth found the enjoyment of doing a hard day of work and accomplishing something. She said the youth were proud of the field and there was some real investment in the work that they did, so the money was well spent. Ms. Vucicevic stated the work started in the summer school program and the horticulture program would be ongoing and the youth would be taking care of the facility grounds.

Moving to the culinary art program, Ms. Vucicevic said that money was not received in time to start the academic portion of the program, which would be run in groups by the group supervisors on the unit, instead of in the classroom. The youth were already working in the kitchen and learning skills, and hopefully they would tie that into a safe serve certification and a certification they take upon release. In addition, the youth would serve the committee members when they arrive for the tour. The kitchen supervisor treats the duty, which went from a custody situation work detail to a learning experience and the kitchen supervisor treated the youth like a boss at work, and the youth had to show up on time, look like they were ready to work, and then had to deliver. She noted the academic and certification program would be implemented very soon and the program was ongoing and now that they had the curriculum, they could continue delivering the program to the youth.

Ms. Vucicevic said the green industry program was the brain child of the principal, which he came up with on the spur of the moment when they could not deliver the HVAC program because they could not find an instructor willing to teach those skills to that particular age group of boys. The green industries program would start with the upcoming school term and the curriculum for that was fabulous and it opened youth eyes to green industries and the jobs available, particularly since they walk by the solar panel field at the Air Force Base on a daily basis.

Moving to building maintenance, Ms. Vucicevic said while the building maintenance program was active previously, they now had the equipment to really give the facility a good scrubbing and teach the youth what it meant to do the job. The Clark County School District teacher does the curriculum, and the lesson plan and the learning objectives in the classroom were presented on page 78, [Exhibit A](#). She noted that part of the program that used to be a work detail was supervised by the group supervisors of SVYCC, and the youth actually cleaned the bathrooms with new equipment with an eye toward H1N1 when cleaning and sanitizing the facility. In addition, there was carpet cleaner and industrial equipment for vacuuming and regularly cleaning the facility.

Ms. Vucicevic said the civic leadership program was run by Clark County District School teacher Mr. Foote, and he previously ran the program, but now had the equipment to do a real thorough job. She noted that one of the elements of the equipment was the challenge program and SVYCC partnered with one of his ex-students, who was running a challenge program and did not want to pay to store the equipment for the program such as the walls that the youth climb over and rope climbing gear, so the youth used it on a regular basis. In addition to the leadership training, Mr. Foote instills a healthy respect for others and the youth by teaching them to practice polite communication skills and building on educational, physical and social skills. One of the products the youth were working on was a community facility newsletter to focus on the success the youth were having in the program. She indicated that the lesson plan goals were located on pages 79 and 80, [Exhibit A](#). Concluding, Ms. Vucicevic said that \$91,608 was spent of the \$104,000 awarded to the state and they were very grateful for the funding. She said that seeing the changes in the youth lifted the spirits and morale of staff. She stated that when she arrived at the SVYCC, staff requested vocational training for the youth, and she was able to inform staff that DCFS was already working on that and was waiting for the funding to make it happen, which pleased staff.

Steve Thaler, Director, China Springs/Aurora Pines, started his presentation by thanking Odalys Carmona, Department of Employment, Training and Rehabilitation, who was instrumental in helping get the project through. He stated that her support was amazing and appreciated. In addition, he thanked Ms. Comeaux and Mr. Serrano and noted that Ms. Comeaux planted the seed in March 2009 when Senator Horsford was touring China Springs and she invited him to think about vocational training because of the possibility of stimulus funding. He thanked DCFS for including China Springs/Aurora Pines in the effort because it was truly a collaborative effort. Mr. Thaler noted that he has participated in many conference calls with DCFS, Mr. Serrano and Ms. Killian, Caliente Youth Center, and they worked through the available ARRA funding, which was a wonderful experience. Mr. Thaler stated that the ARRA funding allowed him to bring back a program that was cut, which was the summer school program and the funding allowed the program to be enhanced with a greenhouse. He referred the committee to the handout, Student Credit Recovery, Summer Program, Final Report, China Springs Youth Camp and Aurora Pines, [Exhibit B](#). He explained that there has been a lot of talk about going “green” and the greenhouse project was something the youth could do in a short amount of time – take a plant and grow it and that is what China Springs/Aurora Pines wanted to focus on. With the ARRA funding, they were able to employ seven teachers from July 20, 2009, to August 18, 2009, teaching four different core courses – Math, English, Construction Technology and Horticulture, and with the focal point being the building of the greenhouse, they tied in all of those courses together; English, how to fill out an application; typing skills; mathematics, which included the use of rulers and tape measures.

Mr. Thaler shared a story and said an 18 year old male recently came to the facility from Washoe County and was put in charge of the program. The student already had his high school diploma, so there was not much China Springs could do because he had already been through school and had his diploma, so he immediately tasked this student as the project supervisor and he walked him through how to build the greenhouse. Mr. Thaler said that it took him two weeks to figure out how to construct the greenhouse, and when this student looked at the plans, he took the plans back to his dorm and was immediately started showing the other students what needed to be done. Mr. Thaler said that 64 students participated in the construction; 55 students received a quarter credit and the reason that not all 64 students received the quarter credit was because youth come and go through the program, so some left early and did not have enough seat time to earn the credit. Mr. Thaler said he was extremely happy that the majority of the students working on the project received the quarter credit. The students were able to construct the greenhouse and were currently growing 400 small house plants. Mr. Thaler believed it was going to be a great project in the future and they have already collaborated with a local nursery that wanted to use China Springs, liked they used Douglas County High School, to grow hanging plants and beautify the town.

Mr. Thaler thanked the Legislature for approving the funds and DCFS for including China Springs/Aurora Pines in this worthwhile adventure, which helped China Springs/Aurora Pines immensely.

Chairwoman Leslie said they needed to thank their federal partners for providing the funds in the first place. She noted it was an excellent use of stimulus funds and the training of the youth combined with improving the facilities, like the grass at the SVYCC, was very nice.

IX. PRESENTATION ON THE STATEWIDE IMPLEMENTATION OF JUVENILE DETENTION ALTERNATIVE INITIATIVE (JDAI) REFORMS

Chairwoman Leslie stated that due to time constraints, the committee would not hear any presentations for Agenda Item IX; however this item would be placed on the next meeting agenda allowing more time for the issue.

X. DISCUSSION OF FUTURE MEETING DATES AND FUTURE AGENDA ITEMS AND TOPICS

Chairwoman Leslie asked for input on future meeting dates and referred to the calendar on page 123 of the meeting packet, [Exhibit A](#). She hoped to have the next meeting in February and asked the committee to inform staff of the dates they were unavailable that month. In addition, the committee would meet in April and in June. Chairwoman Leslie asked for ideas from the committee on future meeting topics because after the testimony today, the committee needed to focus on the areas where they thought they could make enough progress to have a report for the 2011 Legislative Session with items to recommend that would make a difference. She noted that Senator Parks was in attendance and asked him if he wanted to offer any suggestions or had comments. She said that Senator Parks contacted her recently about the Juvenile Justice Subcommittee, which he chaired, and rather than creating another committee, she thought he might have some ideas on how both committees could collaborate effectively.

Senator Parks, Senate District No. 7, thanked Chairwoman Leslie for the introduction. He noted that Senate Bill 113 was passed during the 2009 Session, which put into statute two subcommittees to the Advisory Commission on Administration of Justice; the Subcommittee on Victims of Crime and the Subcommittee on Juvenile Justice. He noted that at the recent Advisory Commission on the Administration of Justice Steering Committee discussion centered on the fact that they did not want to overextend Legislative Counsel Bureau staff and did not want to create replication of activities, so he thought the committee could coordinate their efforts to see how they could achieve desired goals without duplication of efforts. Senator Parks asked for input or suggestions from the committee that might satisfy the requirements of the Child Welfare/Juvenile Justice Committee, as well as the Subcommittee on Juvenile Justice.

Chairwoman Leslie asked Senator Parks what areas the Subcommittee on Juvenile Justice was particularly interested in pursuing. Senator Parks replied that the Subcommittee on Juvenile Justice was interested in dealing with the policy issues relative to the specific criminal aspect of the juvenile justice program. At this time, Senator Parks said the subjects were broad and could be interpreted in a number of

ways, so he did not think any decisions had to be made on the specific topics at this point.

Chairwoman Leslie said she would entertain that request in the interest of saving time. She asked if the issues could be identified to see where the overlap was. Senator Parks said he wanted to speak to the members of the Advisory Commission on the Administration of Justice because there was definitely a difference of opinion on the issues at the last committee meeting.

Mr. Shick commented that he was a member of the Subcommittee on Juvenile Justice, which was the oversight committee for the Administration of Justice in the state, and the Nevada Association of Juvenile Justice Administrators were bringing forth the same issues in respect to juvenile detention reform, alternative initiatives, community-based services, and the Adam Walsh Act. He noted those issues were a common theme throughout the process in those committees, as well as coming before this committee with the same issues and trying to keep consistency on the issues for the rural and urban areas.

Chairwoman Leslie said it sounded like there was a lot of overlap and the same issues he talked about today would be the same issues he would be presenting to the other subcommittee.

Senator Parks said that Senate Bill 113 was Senator Horsford's bill; however, Assemblyman Horne was the current chair of the Advisory Commission on the Administration of Justice Steering Committee.

Senator Cegavske requested that the committee look at the community resources and how they could ensure everyone was aware of the services available in both northern Nevada and southern Nevada. In addition, she requested a list of the resources with their contact information.

Assemblywoman Mastroluca requested that the committee look the issue of children aging out of the foster care system, how that system could be improved, and how more access to information could be provided to youth that were aging out. In addition, she hoped the committee could look at the issue of the relationship between the county child protective services, District Attorney, and court system and who the district attorney represented – parent, child or the county. She believed that issue was something that the committee needed to clear up because she heard it caused things to slow down in the court system, and everyday a child could not be moved to permanency was another day that they risk losing a child.

Senator Copeney requested that Child Focus be included at a future meeting when dealing with the issue of children aging out of foster care, because they were the administrators of the Step Up program and believed they could offer some insight as to what was working well. Also, she requested a presentation on an outreach project called The Community We Will. She was aware that Mr. Morton was working with the Casey Foundation, to fund the program to bring leaders in the community together to address the foster care system to prevent children from entering into the foster care

system in the first place, but then once they were in the system, how they could improve processes. She noted it was amazing program and thought the committee could benefit from hearing from them.

Chairwoman Leslie said she recently heard about the Fostering Connections Act, and there were some issues where the state laws may need to be changed to be in compliance with the act. In addition, there seemed to be a growing trend that every child in the CPS system needs a lawyer and she had had requests from people in the community to consider looking into that issue. Chairwoman Leslie noted that she was the only state legislator on the National Commission on Children and Disasters, which included 10 people, including psychiatrists and people from across the county, and she learned that there was a requirement for the child welfare system to have a disaster plan; however, there was no requirement in the juvenile justice system for a disaster plan. She noted there was a lot of variety in the different child welfare agencies for what the plan looked like and whether it was actively practiced with the emergency preparedness people. At a recent meeting, there was a report that looked at what happened in the juvenile justice system after Hurricane Katrina in Louisiana, which was an interesting and devastating report about what happened with the children in state and local custody and how underprepared even a state that experienced hurricanes on a regular basis was. She had some commitments from some national experts on children and disasters, specifically with child welfare and juvenile justice getting prepared for those types of disasters.

Senator Wiener added that recently the Nevada Youth Legislature worked on their bill draft requests and were concerned about the exploitation of children for illicit sexual activities, which fell into both the child welfare and juvenile justice system. She noted it was a huge challenge in the state and there was a great passion among the youth regarding the issue. Speaking on behalf of the Nevada Youth Legislature, Senator Wiener noted that if the youth had to opportunity they would have liked to be a participating body and she hoped the committee could look at the issue.

Chairwoman Leslie commented that Judge William Voy, Las Vegas, has done a lot of work on that issue and the exploitation of children was a growing concern. She thanked the committee for the list of topics they would like to address at a future meeting.

XI. PUBLIC COMMENT

Chairwoman Leslie reminded the committee of the scheduled tour of Summit View Youth Correctional Center after the meeting. She was aware the youth have been working to ensure the facility was ready for the visit and thought it would be an enlightening experience.

Chairwoman Leslie asked for public comment. Being none the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

Donna Thomas, Committee Secretary

APPROVED:

Assemblywoman Sheila Leslie, Chairwoman

Date: _____

Copies of exhibits mentioned in these minutes are on file in the Fiscal Analysis Division at the Legislative Counsel Bureau, Carson City, Nevada. The division may be contacted at (775) 684-6821.