

**PROPOSED REGULATION OF THE
DIVISION OF CHILD AND FAMILY SERVICES OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R024-20

December 21, 2020

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-15, NRS 62H.200.

A REGULATION relating to juvenile justice; revising certain requirements relating to the reporting of information contained in the standardized system for collecting and analyzing information concerning juvenile justice; requiring a juvenile court or local juvenile probation department to report the name or address of a child to the Division of Child and Family Services of the Department of Health and Human Services under certain circumstances; revising provisions relating to the publication of certain information by the Division; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of Child and Family Services of the Department of Health and Human Services to establish a standardized system for the reporting, collection, analysis, maintenance and retrieval of information concerning juvenile justice in this State. Existing law also requires the Division to adopt such regulations as are necessary for the establishment of the standardized system, including requirements for the transmittal of information to the system. (NRS 62H.200) Existing law requires certain information to be collected, categorized and maintained by the system. (NRS 62H.210) Existing regulations prescribe requirements for the reporting of information to the system using codes for the transmittal of information. (NAC 62H.100-62H.450) **Section 15** of this regulation eliminates these reporting requirements and **sections 5 and 6** of this regulation establish new reporting requirements. **Section 5** also requires the Youth Parole Bureau of the Division, each juvenile court, each local juvenile probation department and the staff of each regional facility for the treatment and rehabilitation of children to furnish to the Division any data requested by the Division concerning performance measures for determining the effectiveness of the juvenile justice system.

Existing regulations require each juvenile court and local juvenile probation department and the staff of the youth correctional services to submit periodic reports to the Division. (NAC 62H.550) **Section 14** of this regulation changes the reporting period to annually and requires that the report include: (1) the total number of children over whom the juvenile court has jurisdiction

at each stage of the juvenile justice system; (2) certain information relating to rates of recidivism and the use of individualized case plans for children released on parole or over whom the juvenile court has jurisdiction; and (3) the total number of children convicted in the adult criminal justice system.

Existing regulations require each juvenile court and local juvenile probation department to: (1) assign a unique identification number to each child referred to the court or department; and (2) attach to each identification number a code for the county in which the court or department is located. (NAC 62H.100) **Section 9** of this regulation removes the requirement to attach a code for the county to an identification number. Existing regulations require each juvenile court and local juvenile probation department to maintain a list that correlates the name of each child referred to the court or department with the child's unique identification number and to maintain the confidentiality of each child's name and address. (NAC 62H.520) **Section 11** of this regulation requires a juvenile court or local juvenile probation department to report the name or address of a child to the Division: (1) if the child is committed to the custody of the Division; or (2) for the purpose of analyzing data relating to juvenile justice.

Existing law makes the Division responsible for analyzing the information contained in the standardized system for reporting information concerning juvenile justice and developing reports from that information. (NRS 62H.200) Existing regulations provide for: (1) compilation by the Division of certain information concerning juvenile justice; and (2) publication by the Division of a report of the information, organized into certain categories, once each year. (NAC 62H.540) **Section 13** of this regulation: (1) removes the prescribed categories for such a report; and (2) clarifies that the report will be published on an Internet website maintained by the Division.

Sections 7, 8, 10 and 12 of this regulation make conforming changes as a result of the changes to the reporting requirements made by this regulation.

Section 1. Chapter 62H of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *“Arrest” has the meaning ascribed to it in NRS 171.104.*

Sec. 3. *“Gender identity or expression” has the meaning ascribed to it in NRS 651.050.*

Sec. 4. *“Status offense” means a delinquent act which would not be a crime if committed by an adult.*

Sec. 5. 1. *The Youth Parole Bureau, each juvenile court and local juvenile probation department and the staff of each regional facility for the treatment and rehabilitation of*

children shall, for each child discharged from parole or over whom the juvenile court has terminated its jurisdiction, as applicable, report to the Division, in the form prescribed by the Division, the following information:

- (a) The information described in NRS 62H.210;*
- (b) The identification number assigned to the child pursuant to NAC 62H.100;*
- (c) The date on which the child was referred to the Bureau, court, department or facility;*
- (d) The gender identity or expression of the child;*
- (e) Whether the household in which the child resides is at, above or below the federally designated level signifying poverty;*
- (f) The last grade successfully completed by the child and whether the child received a high school diploma or successfully completed the high school equivalency assessment selected by the State Board of Education;*
- (g) The assessed risk level of the child determined using the validated risk assessment tool selected by the Juvenile Justice Oversight Commission pursuant to NRS 62B.610 at the time of referral or commitment pursuant to NRS 62E.520 and at the time the child was discharged or jurisdiction was terminated, as applicable;*
- (h) The mental health screening score of the child determined using the validated mental health screening tool selected by the Juvenile Justice Oversight Commission pursuant to NRS 62B.610 at the time of referral or commitment and at the time the child was discharged or jurisdiction was terminated, as applicable;*
- (i) Whether the child was placed in a home or committed to an agency or institution and, if so, the type of home, agency or institution in which the child was placed or to which the child was committed, if applicable;*

(j) Whether any disciplinary action was taken against the child while the child was paroled or placed in a home or committed to an agency or institution and, if so, the type and number of such actions;

(k) Whether any programs or services were received by the child, and, if so, the types of programs or services received, including, without limitation:

(1) Services for mental health, including, without limitation, counseling for groups of parents on issues relating to raising a family;

(2) Services for special needs, including, without limitation, counseling on managing anger; and

(3) Education, counseling or treatment for a substance use disorder;

(l) The most serious delinquent act or status offense:

(1) With which the child was charged on referral;

(2) Set forth in any petition filed regarding the child pursuant to NRS 62C.100; and

(3) Of which the child was adjudicated delinquent or to which the child pleaded guilty;

(m) Whether the child was referred based on a new arrest or a violation of the terms of probation or parole;

(n) Any administrative charge made against the child; and

(o) Whether the child was detained, and, if so, the date on which the child was detained and the date on which the child was released from detention.

2. The Youth Parole Bureau, each juvenile court and local juvenile probation department and the staff of each regional facility for the treatment and rehabilitation of children shall submit to the Division the information required by subsection 1:

(a) For each child discharged from parole or over whom the juvenile court terminates its jurisdiction between July 1 and December 31, on or before the immediately following June 1; and

(b) For each child discharged from parole or over whom the juvenile court terminates its jurisdiction between January 1 and June 30, on or before the immediately following December 1.

3. Upon request, the Youth Parole Bureau, each juvenile court and local juvenile probation department and the staff of each regional facility for the treatment and rehabilitation of children shall furnish the Division with any data requested by the Division concerning performance measures for determining the effectiveness of the juvenile justice system.

4. For the purposes of this section, the jurisdiction of a juvenile court over a child is terminated when the child is:

(a) Committed to the custody of the Division; or

(b) No longer under the supervision of the juvenile court or any probation officer or parole officer.

5. As used in this section, “adjudicated delinquent” means found by a juvenile court to have committed a delinquent act.

Sec. 6. 1. *Each local juvenile probation department that operates a local facility for the detention of children shall, on or before the 15th day of each month, for each child who committed a status offense and was detained in the facility during the immediately preceding calendar month, report to the Division in the form prescribed by the Division:*

(a) The initials of the child, identification number assigned to the child pursuant to NAC 62H.100 or case number of the status offense;

(b) The date of birth of the child;

(c) The gender identity or expression of the child;

(d) The sex of the child;

(e) The race of the child;

(f) The date and time at which the child was detained in the facility;

(g) The date and time at which a detention hearing was held;

(h) The offense with which the child is charged; and

(i) Any prior adjudication of the child.

2. In addition to the information required by subsection 1, the report must include, for each child who committed a status offense who was detained for more than 24 hours:

(a) Whether the detention was made based on a determination that the child:

(1) Is a ward of the federal court or held pursuant to a federal statute;

(2) Has run away from another state and a jurisdiction within that state has issued a want, warrant or request for the child; or

(3) Is accused of violating a valid court order;

(b) If the detention was made based on a determination that the child violated a valid court order:

(1) An explanation of why the local juvenile probation department determined that the valid court order was violated; and

(2) Documentation demonstrating why the child could not be placed in a less restrictive setting;

(c) The date and time at which the determination was made to detain the child for more than 24 hours; and

(d) The date and time at which the child was released from the facility.

Sec. 7. NAC 62H.010 is hereby amended to read as follows:

62H.010 As used in ~~[NAC 62H.010 to 62H.550, inclusive,]~~ *this chapter*, unless the context otherwise requires, the words and terms defined in NAC 62H.020 to 62H.050, inclusive, *and sections 2, 3 and 4 of this regulation* have the meanings ascribed to them in those sections.

Sec. 8. NAC 62H.030 is hereby amended to read as follows:

62H.030 “Delinquent act” means any act ~~[designated a crime under Nevada Revised Statutes,]~~ *listed in subsection 2 of NRS 62B.330* other than a traffic offense. ~~[, with which a child or an adult may be charged.]~~

Sec. 9. NAC 62H.100 is hereby amended to read as follows:

62H.100 1. Each juvenile court and local juvenile probation department shall assign ~~[a nine-digit]~~ *an* identification number to each child referred to the court or department. The identification number must be unique to the child. ~~[When reporting to the Division, the juvenile court and local juvenile probation department shall report the identification number and attach to it one of the following codes for its county:~~

Code	County
01C	Carson City
01S	Storey
02W	Washoe

Code	County
03C	Churchill
03L	Lyon
04E	Elko
05M	Mineral
05N	Nye
05E	Esmeralda
06H	Humboldt
06P	Pershing
06L	Lander
07E	Eureka
07L	Lincoln
07W	White Pine
08C	Clark
09D	Douglas

2. If a child who has previously been assigned an identification number pursuant to this section is referred to a juvenile court other than the court that assigned the previous number, the juvenile court shall assign a new identification number to the child and report to the Division all identification numbers previously assigned to the child.

Sec. 10. NAC 62H.500 is hereby amended to read as follows:

62H.500 The provisions of ~~[NAC 62H.010 to 62H.550, inclusive,]~~ *this chapter* do not prohibit the collection and reporting of information that is not required to be collected and reported by those provisions.

Sec. 11. NAC 62H.520 is hereby amended to read as follows:

62H.520 ~~[Each]~~ *1. Except as otherwise provided in subsection 2, each* juvenile court and local juvenile probation department shall maintain:

~~[1.]~~ *(a)* A list that correlates the name of each child referred to the court or department with the child's unique identification number.

~~[2.]~~ *(b)* The confidentiality of each child's name and shall not report the name or address of any child to the Division.

2. A juvenile court or local juvenile probation department shall, upon the request of the Division, report the name or address of a child to the Division:

(a) If the child is committed to the custody of the Division; or

(b) For the purpose of analyzing data relating to juvenile justice.

Sec. 12. NAC 62H.530 is hereby amended to read as follows:

62H.530 A state agency which provides information to the Division pursuant to ~~[NAC 62H.010 to 62H.550, inclusive,]~~ *this chapter* may obtain any information collected pursuant to ~~[NAC 62H.010 to 62H.550, inclusive,]~~ *this chapter* from the ~~[central office]~~ *Juvenile Justice Programs Office* of the Division . ~~[in Las Vegas, Nevada.]~~ The information will be ~~[stored on computer and will be]~~ provided to a requesting agency electronically . ~~[by modem or on a diskette.]~~

Sec. 13. NAC 62H.540 is hereby amended to read as follows:

62H.540 The Division will compile the information received by it pursuant to ~~NAC 62H.010 to 62H.550, inclusive,~~ *this chapter* and will publish *a report of the information on an Internet website maintained by the Division* once in each calendar year . ~~and once in each fiscal year a report of the information, organized into the following categories:~~

~~—1. The ages of the children:~~

~~—(a) Who are first referred to the system of juvenile justice in this State.~~

~~—(b) Who are committed to a regional facility for children.~~

~~—(c) Who are committed to a center for youths that is administered by the State.~~

~~—2. The race or other ethnic background of the children.~~

~~—(a) Who are first referred to the system of juvenile justice in this State.~~

~~—(b) Who are committed to a regional facility for children.~~

~~—(c) Who are committed to a state center for youths that is administered by the State.]~~ *The report will include, without limitation, the information reported pursuant to NAC 62H.550.*

Sec. 14. NAC 62H.550 is hereby amended to read as follows:

62H.550 ~~[H.—Each]~~ *On or before December 1 of each year, the Youth Parole Bureau and each* juvenile court and local juvenile probation department shall, ~~[for each quarter of each fiscal year:~~

~~—(a) Report]~~ *for the immediately preceding year, submit* to the Division ~~[the information required by NAC 62H.010 to 62H.550, inclusive, for each child referred to the court or department whose case is closed or wardship terminated during the quarter; and~~

~~—(b) Submit such information electronically or manually to the Division no later than the 15th of the month following the close of each quarter.~~

~~—2. The staff of the youth correctional services shall, for each month:~~

~~—(a) Report to the Division the information required by NAC 62H.010 to 62H.550, inclusive, for each child committed to or otherwise placed in the custody of the Division whose case has been closed or wardship terminated during the month by the Nevada Youth Training Center, the Caliente Youth Center, or the Youth Parole Bureau of the Division; and~~

~~—(b) Submit such information electronically or manually to the Division no later than the 15th of the following month.]~~ *on a form prescribed by the Division a report that includes, as applicable:*

- 1. The total number of children over whom the juvenile court has jurisdiction at each stage, including, without limitation, referral, arrest, adjudication, out-of-home placement and formal probation placement, disaggregated by race, sex and gender identity or expression;*
- 2. Whether a child released on parole or over whom the juvenile court has jurisdiction has engaged in recidivism during each of the 3 years after the date on which the initial arrest, citation, referral, adjudication, commitment or placement in an out-of-home facility occurred;*
- 3. The overall rate of recidivism for children released on parole or over whom the juvenile court has jurisdiction;*
- 4. The overall percentage of case closures for children released on parole or over whom the juvenile court has jurisdiction;*
- 5. The total number of individualized case plans developed pursuant to NRS 62E.507, 62E.525 or 213.1078 for children released on parole or over whom the juvenile court has jurisdiction; and*
- 6. The total number of children convicted in the adult criminal justice system.*

7. For purposes of subsections 2 and 3, a juvenile court or local juvenile probation department shall measure recidivism by tracking when a child with an arrest, citation, referral, adjudication, commitment or placement in an out-of-home facility is:

(a) Arrested or rearrested;

(b) Referred or rereferred;

(c) Adjudicated or readjudicated;

(d) Committed or recommitted;

(e) Found to be in violation of probation or parole; or

(f) Convicted by a court to which a child was certified pursuant to NRS 62B.390 or 62B.400.

Sec. 15. NAC 62H.110, 62H.120, 62H.130, 62H.140, 62H.150, 62H.160, 62H.170, 62H.180, 62H.190, 62H.200, 62H.210, 62H.220, 62H.230, 62H.240, 62H.250, 62H.300, 62H.310, 62H.320, 62H.330, 62H.340, 62H.350, 62H.360, 62H.370, 62H.380, 62H.390, 62H.400, 62H.410, 62H.420, 62H.430, 62H.440, 62H.450 and 62H.510 are hereby repealed.

TEXT OF REPEALED SECTIONS

62H.110 Date of birth and age of child; date of referral. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division the date of birth and age of each child referred to the court or department and the date of the child's referral.

62H.120 Gender. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division the gender of each child referred to the court or department using the following codes:

<u>Code</u>	<u>Gender</u>
01	Male
02	Female

62H.130 Race. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division the race of each child referred to the court or department using the following codes:

<u>Code</u>	<u>Race</u>
01	White: Having origins in any of the original people of Europe, North Africa or the Middle East.
02	Black: Having origins in any of the black racial groups of Africa.
03	American Indian or Alaskan Native: Having origins in any of the original people of North America and maintaining a cultural identification with those people through tribal affiliation or community recognition.

- 04 Asian or Pacific Islander: Having origins in any of the original people of the Far East, Southeast Asia, the Indian Subcontinent, the Pacific Islands or Samoa.
- 05 Hispanic: Having origins in any of the original people of Mexico, Puerto Rico, Cuba, Central America or South America.
- 06 Mixed: Having origins in more than one of the races set forth in codes 01 to 05, inclusive.

62H.140 Composition of household. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division the composition of the household in which each child referred to the court or department resides using the following codes:

<u>Code</u>	<u>Composition of Household</u>
01	Both parents present.
02	Only one parent present.
03	Relative or guardian present.
04	Institutional setting.
05	Family foster home or group foster home.
06	Child living independently.

62H.150 Most serious delinquent act. (NRS 62H.200)

1. Each juvenile court and local juvenile probation department shall report to the Division the following information for each child referred to the court or department:

- (a) The most serious delinquent act with which the child is charged on referral;
- (b) The most serious delinquent act which is set forth in any petition filed regarding the child;

and

(c) The most serious delinquent act of which the child is adjudicated delinquent or to which the child pleaded guilty.

2. The court and department shall report the information required by subsection 1 using the codes for delinquent acts set forth in NAC 62H.160 to 62H.190, inclusive.

3. If any delinquent act required to be reported pursuant to subsection 1 is for:

(a) An attempt to commit a delinquent act, the code must be followed by the letter "A."

(b) Conspiracy to commit a delinquent act, the code must be followed by the letter "C."

(c) An offense which would be a felony if committed by an adult, the code must be followed by the letter "F."

(d) An offense which would be a gross misdemeanor if committed by an adult, the code must be followed by the letter "G."

62H.160 Codes for reporting delinquent acts committed against persons. (NRS

62H.200) The following codes for delinquent acts committed against the person must be used:

<u>Code</u>	<u>Delinquent Act</u>
01	Manslaughter (NRS 200.040). Voluntary manslaughter (NRS 200.050).

- 02 Involuntary manslaughter (NRS 200.070).
- 03 Sexual assault (NRS 200.366).
- 04 Statutory sexual seduction (NRS 200.368).
- Incest (NRS 201.180).
- 05 Pandering (NRS 201.300 to 201.340, inclusive).
- Prostitution (NRS 201.354, 201.358 and 201.360).
- Solicitation of a minor to engage in acts constituting a crime against nature
(NRS 201.195).
- 06 Open or gross lewdness (NRS 201.210).
- Indecent or obscene exposure (NRS 201.220).
- Lewdness with a child under 14 years of age (NRS 201.230).
- 07 Robbery (NRS 200.380).
- 08 Battery with a deadly weapon (paragraphs (e) and (g) of subsection 2 of NRS
200.481).
- Battery with intent to commit a crime (NRS 200.400).
- Mayhem (NRS 200.280).
- Assault with a deadly weapon (paragraph (b) of subsection 2 of NRS
200.471).
- 09 Battery (paragraphs (a) to (d), inclusive, and paragraph (f) of subsection 2 of
NRS 200.481).
- Assault (paragraphs (a) and (c) of subsection 2 of NRS 200.471 and NRS
200.490).
- 10 Kidnapping (NRS 200.310 and 200.359).

- False imprisonment (NRS 200.460).
- 11 Abuse, neglect, or endangerment of a child (NRS 200.508).
Harassment (NRS 200.571).
Stalking (NRS 200.575).
- 12 Discharging a firearm at or into a structure, vehicle, aircraft or watercraft
(NRS 202.285).
Aiming a firearm at a human being or discharging a weapon where a person
might be endangered (NRS 202.290).
Willfully poisoning or adulterating food, water or medicine (NRS 202.170).
Possession of a firearm when under the influence of alcohol, a controlled
substance or other intoxicating substance (NRS 202.257).
Discharging a firearm in or upon public streets (NRS 202.280).
Discharging a firearm out of a motor vehicle (NRS 202.287).

62H.170 Codes for reporting delinquent acts committed against property. (NRS

62H.200) The following codes for delinquent acts committed against property must be used:

<u>Code</u>	<u>Delinquent Act</u>
13	Larceny (NRS 205.220).
14	Burglary (NRS 205.060). Invasion of the home (NRS 205.067). Burglary with explosives (NRS 205.075). Possession of an instrument with burglarious intent (NRS 205.080).

- 15 Trespassing (NRS 207.200).
- 16 Unlawful taking of a vehicle (NRS 205.2715).
- Receiving or transferring stolen vehicles (NRS 205.273).
- Injuring or tampering with a vehicle (NRS 205.274).
- 17 Arson (NRS 205.010 to 205.030, inclusive).
- Use of explosives to damage or destroy property (NRS 202.830).
- Bomb threats (NRS 202.840).
- Unlawful possession of explosives in a state building (NRS 202.810).
- 18 Malicious mischief (NRS 206.005 to 206.330, inclusive).
- 19 Theft (NRS 205.0832).
- Receiving, possessing or withholding stolen goods (NRS 205.275).
- 20 Fraudulent conveyances (NRS 205.330).
- Sale or removal of goods subject to a security interest by a debtor in
 possession of the goods without the consent of the secured party (NRS
 205.335).
- Sale or creation of a security interest in personal property subject to a
 security interest or lien without informing the purchaser or secured party
 (NRS 205.340).
- Destruction or removal of personal property upon which a security interest or
 lease exists (NRS 205.345).
- Removal or sale of property to defraud creditors (NRS 205.350).
- Fraudulent sale or concealment of personal property after an action is
 commenced or a judgment is rendered (NRS 205.355).

Knowingly receiving a fraudulent conveyance (NRS 205.360).

Fraudulently selling real estate twice (NRS 205.365).

Swindling (NRS 205.370).

False written statements to obtain property or credit (NRS 205.375).

Obtaining money, property, rent or labor by false pretenses (NRS 205.380).

Obtaining a signature by false pretenses (NRS 205.390).

False representation concerning title to property (NRS 205.295).

Fraud by the bailee of an animal (NRS 205.400).

Falsifying accounts (NRS 205.405).

Improper use of an insigne (NRS 205.410).

Collecting for benefit without authority (NRS 205.415).

Use of a false permit, license or diploma (NRS 205.420).

Publishing a false statement to affect market price (NRS 205.440).

Defrauding the proprietor of a hotel, inn, restaurant, motel or similar establishment (NRS 205.445).

Personating another (NRS 205.450).

Personating another same as stealing (NRS 205.455).

Preparation, transfer or use of false identification regarding a person under 21 years (NRS 205.460).

Possession or sale of a document to establish false status or identity (NRS 205.465).

Unlawful acts regarding computers (NRS 205.4765).

Unlawful interference with or denial of access or use of a computer, system or network (NRS 205.477).

Forgery by creation, alteration or deletion of data (NRS 205.481).

False statement to procure the issuance of a credit card (NRS 205.680).

Obtaining or possessing a credit card or an identifying description of a credit card or account without the consent of the cardholder (NRS 205.690).

Sale or purchase of a credit card or an identifying description of a credit card or account (NRS 205.710).

Sale of identifying information on a telephone calling card (NRS 205.715).

Obtaining control of a credit card as security for a debt (NRS 205.720).

Forgery of a credit card (NRS 205.740).

Unauthorized signing of a credit card or a related document with the intent to defraud (NRS 205.750).

Fraudulent use of a credit card or an identifying description of a credit account (NRS 205.760).

Possession of incomplete credit cards or equipment to produce credit cards (NRS 205.790).

Receiving property or services obtained by the unlawful use of a credit card (NRS 205.800).

Forgery of conveyances, negotiable instruments, stock certificates, wills and other instruments (NRS 205.090).

Other acts constituting forgery (NRS 205.095).

Making, uttering or possessing with the intent to utter a fictitious bill, note or check (NRS 205.100).

Forgery of an instrument purporting to have been issued by a corporation or state (NRS 205.105).

Uttering forged instruments (NRS 205.110).

True writing signed by a wrongdoer's name or the name of a person not in existence (NRS 205.115).

- 21 Violation of a county or municipal ordinance or a rule or regulation by a child living or found within the county which would be a crime if committed by an adult (NRS 62B.330).

62H.180 Codes for reporting delinquent acts involving controlled substances. (NRS 62H.200)

1. The following codes for delinquent acts involving controlled substances must be used:

<u>Code</u>	<u>Delinquent Act</u>
22	Trafficking in controlled substances: Schedule I substances except marijuana (NRS 453.3385).
	Trafficking in controlled substances: Schedule II substances (NRS 453.3395).
	Unlawful possession for sale of substances classified in schedule III, IV or V (NRS 453.338).

- 23 Unlawful possession of a controlled substance not for purpose of sale
(NRS 453.336).
- 24 Trafficking in controlled substances: Marijuana (NRS 453.339).
- 25 Offer, attempt or commission of an unauthorized act relating to a
controlled or counterfeit substance (NRS 453.321).
Substitution of a substance in an unlawful transaction.
Unlawful acts relating to distribution of certain controlled substances
by registrants and use of an unauthorized registration number and
possession of signed blank prescription forms (NRS 453.331).
Unlawful possession for sale of substances classified in schedule I or II
(NRS 453.337).
- 26 Opening or maintaining of a place for unlawful sale, gift or use of a
controlled substance (NRS 453.316).
Unlawful acts relating to imitation controlled substances (NRS
453.332).
Unlawful acts relating to recordkeeping, inspections and knowingly
keeping or maintaining a place where controlled substances are
unlawfully used (NRS 453.326).

2. If code 22, 23, 25 or 26 is reported, it must be followed by one of the following codes denoting whether the controlled substance possessed, used or sold was cocaine, cocaine base, a methamphetamine, lysergic acid diethylamide or heroin:

<u>Code</u>	<u>Controlled Substance</u>
(a)	Cocaine or cocaine base
(b)	Methamphetamines
(c)	Lysergic acid diethylamide
(d)	Heroin

62H.190 Codes for reporting delinquent acts committed against public peace and law and order. (NRS 62H.200) The following codes for delinquent acts committed against public peace and law and order must be used:

<u>Code</u>	<u>Delinquent Act</u>
27	<p>Sale or furnishing of an alcoholic beverage to a minor (NRS 202.055).</p> <p>Preparation, transfer or use of false identification regarding person under 21 years of age (NRS 205.460).</p> <p>Sale, gift or disposal of liquor in the capitol (NRS 331.190).</p> <p>Sale of liquor within a half mile of an institution of the Department of Corrections (NRS 212.180).</p> <p>Furnishing intoxicant to a person lawfully confined in a jail or a detention facility (NRS 212.170).</p>
28	Disturbing the peace (NRS 203.010).

Assembling to disturb the peace or to commit an unlawful act (NRS 203.020).

Provoking a commission of the breach of peace (NRS 203.030).

Publishing matter inciting the breach of peace or other crime (NRS 203.040).

Affray (NRS 203.050).

Unlawful assembly (NRS 203.060).

Rout and riot (NRS 203.070).

Armed association (NRS 203.080).

Disturbing meeting (NRS 203.090).

Offenses in public conveyances (NRS 203.100).

Forcible entry and detainer (NRS 203.110).

Criminal anarchy (NRS 203.115).

Criminal syndicalism (NRS 203.117).

Commission of an act in a public building or an area interfering with the peaceful conduct of activities (NRS 203.119).

29 Possession, manufacture or disposition of a short-barreled rifle or a short-barreled shotgun (NRS 202.275).

Manufacture or importation of a dangerous weapon; possession or use of a silencer or a dangerous weapon; carrying a concealed weapon without a permit (NRS 202.350).

Sale or possession of tear gas bombs or weapons which are not permitted under NRS 202.370 to 202.440, inclusive (NRS 202.380).

Furnishing a weapon, facsimile, intoxicant or controlled substance to a state prisoner (NRS 212.160).

Use or possession of a firearm by a child under age of 18 years (NRS 202.300).

Drawing a deadly weapon in a threatening manner (NRS 202.320).

Changing, altering, removing or obliterating a serial number of a firearm (NRS 202.277).

30 Aiding or concealing the escape of an inmate (NRS 63.610).

Rescuing a prisoner (NRS 199.100).

31 Acts or omissions constituting contempts (NRS 22.010).

Refusal to obey an order of the court (NRS 35.240).

Disobedience as a witness (NRS 50.195).

Resisting a public officer (NRS 199.280).

Intimidating a public officer, public employee, juror, referee, arbitrator, appraiser, assessor or similar person (NRS 199.300).

Preventing or dissuading a witness or victim from reporting a crime or commencing prosecution (NRS 199.305).

Criminal contempt (NRS 199.340).

Failure to appear after admission to bail (NRS 199.335).

Perjury and subornation of perjury (NRS 199.120).

Destroying evidence (NRS 199.220).

Preventing or dissuading a person from testifying or producing evidence (NRS 199.230).

Bribing or intimidating a witness to influence testimony (NRS 199.240).

Bribery of a judicial officer (NRS 199.010).

62H.200 Most serious status offense. (NRS 62H.200)

1. Each juvenile court and local juvenile probation department shall report to the Division the following information for each child referred to the court or department:

(a) The most serious status offense with which the child is charged on referral;

(b) The most serious status offense which is set forth in any petition filed regarding the child;

and

(c) The most serious status offense of which the child is adjudicated delinquent or to which the child pleaded guilty.

2. The court and department shall report the information required by subsection 1 using the following codes:

<u>Code</u>	<u>Status Offense</u>
32	Deserts, abandons or runs away from his or her home or usual place of abode (paragraph (c) of subsection 1 of NRS 62B.320).
33	Habitual truancy by a child who is subject to compulsory school attendance (paragraph (a) of subsection 1 of NRS 62B.320).

34 Violation of a county or municipal ordinance or a rule or regulation by
a child living or found within the county which would not be a
crime if committed by an adult (NRS 62B.330).

35 Habitually disobeys the reasonable and lawful demands of his or her
parents, guardian, or other custodian, and is unmanageable
(paragraph (b) of subsection 1 of NRS 62B.320).

36 Purchase, consumption or possession of an alcoholic beverage by a
minor (NRS 202.020).

Minor loitering in a place where alcoholic beverages are sold (NRS
202.030).

False representation by a minor to obtain intoxicating liquor (NRS
202.040).

3. If code 35 is reported, it must be followed by one of the following codes denoting
whether the violation concerned gaming, tobacco or a curfew.

<u>Code</u>	<u>Subject Matter</u>
(a)	Gaming
(b)	Tobacco
(c)	Curfew

4. As used in this section, “status offense” means:

(a) A delinquent act as defined in NRS 62B.330 which would not be a crime if committed by an adult;

(b) An act indicating a child is in need of supervision pursuant to NRS 62B.320; or

(c) An offense with which only children may be charged because an element of the offense is the status of age.

62H.210 Most serious traffic offense. (NRS 62H.200)

1. Each juvenile court and local juvenile probation department shall report to the Division the following information for each child referred to the court or department:

(a) The most serious traffic offense with which the child is charged on referral;

(b) The most serious traffic offense which is set forth in any petition filed regarding the child;
and

(c) The most serious traffic offense of which the child is adjudicated delinquent or to which the child pleaded guilty.

2. The court and department shall report the information required by subsection 1 using the following codes:

<u>Code</u>	<u>Offense</u>
37	Driving under the influence of an intoxicating liquor or a controlled substance (NRS 484C.110 and 484C.430).
38	Failure to stop at the scene of an accident involving death (NRS 484E.010). Failure to stop at the scene of an accident involving damage to a vehicle or property (NRS 484E.020).

62H.220 Administrative charge. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division any administrative charge made against a child referred to the court or department using the following codes:

<u>Code</u>	<u>Administrative Charge</u>
39	Hold the child for proceedings in a juvenile court in another judicial district.
40	Issuance of a bench warrant for the arrest of the child for a violation of any condition of probation.
41	Violation of a condition of parole after institutionalization in a regional facility for children or violation of a condition of probation which does not constitute a crime.
42	Violation of a condition of parole set by the Youth Parole Bureau of the Division which does not constitute a crime.

62H.230 Detention; dates of admission and release. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division whether a child referred to the court or department was detained and if so, the month, day and year the child was admitted to detention and the month, day and year the child was released from detention.

62H.240 Disposition of referral. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division the disposition of the referral of each child using the following codes:

<u>Code</u>	<u>Disposition</u>
01	Transferred for trial as an adult upon certification by the juvenile court (NRS 62B.390).
02	Proceeding filed directly in district court with no juvenile proceeding.
03	Prosecution deferred for the child to satisfy a condition set by the court.
04	Released from detention and from further court proceedings and transferred to the jurisdiction of a public or private institution or agency.
05	Unconditionally released or referred to receive services on a voluntary basis.
06	Imposition of a fine, costs, restitution or a requirement to forfeit the tools of the crime, but no requirement for supervision.
07	Assigned to the local juvenile probation department for probation.
08	Placement in a regional facility for children or a facility for the detention of children that is administered or financed by the county, that has locked or continually monitored exits and that monitors and restricts the daily movements of the children placed in the facility.

- 09 Placement in a regional facility for children or a facility for the detention of children that is administered or financed by the county, that does not have locked or continually monitored exits and that monitors the daily movements of the children placed in the facility on a random basis only.
- 10 Assigned to a group or family foster home or other residential placement.
- 11 Assigned to the custody of the Division.
- 12 Given a single sanction, the satisfaction of which releases the child from all further involvement in the system of juvenile justice in this State.

62H.250 Disposition of petition. (NRS 62H.200) Each juvenile court and local juvenile probation department shall report to the Division:

- 1. Whether a petition is filed regarding a child referred to the court or department and, if so, the date of the petition; and
- 2. The disposition of each petition filed using the following codes:

<u>Code</u>	<u>Disposition</u>
01	Child adjudicated delinquent and made a ward of the court.
02	Child found not guilty and the petition dismissed with prejudice.

- 03 Adjudication deferred until the child has satisfied a condition imposed
 by the court.
- 04 Child adjudicated delinquent and committed to the Division for
 correctional care.
- 05 Petition was dismissed because the child accepted a plea bargain on
 another petition.
- 06 Petition was dismissed after the child satisfied a condition of the
 court.

62H.300 Most serious delinquent act or offense. (NRS 62H.200) The staff of the youth correctional services shall report to the Division the most serious delinquent act or offense which resulted in a child’s placement in the custody of the Division using the appropriate code set forth in NAC 62H.160 to 62H.210, inclusive.

62H.310 Date of placement in and release from facility. (NRS 62H.200) The staff of the youth correctional services shall report to the Division the date a child is placed in a facility by the Division and the date he or she is released.

62H.320 Placement. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information on the placement of each child committed to or otherwise placed in the custody of the Division using the following codes:

<u>Code</u>	<u>Placement</u>
01	Placed with the Nevada Youth Training Center Bureau.

- 02 Placed with the Caliente Youth Center Bureau.
- 03 Placed pursuant to NRS 62E.520 and 63.440 for psychiatric services or other residential services for mental health.
- 04 Placed in a residential treatment program for children under 12 years of age.
- 05 Placed in a private facility pursuant to NRS 63.440.

62H.330 Education received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding the education received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or while on parole using the following codes:

<u>Code</u>	<u>Education</u>
Academic education	
01(a)	High school education.
01(b)	Junior high or middle school education.
02	Special education.
03	Classes required for a general equivalency diploma.
Vocational education	
04(a)	Classes on operating and programming computers.
04(b)	Classes on learning the trade of construction.

- 04(c) Classes on learning the trade of food service.
- 04(d) Classes on learning to work on motor vehicles.
- 04(e) Classes on learning the trade of graphic design.
- 04(f) Classes on learning the trade of an electrician.
- 04(g) Classes on learning the trade of the hotel industry.
- 04(h) Classes on learning the trade of landscaping.
- 04(i) Classes on learning how to repair and work on small engines.
- 05 Tutoring.
- 06 Screening and assessment to determine learning difficulties and needs for education.
- 07 Other education services.

62H.340 Vocational training received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any vocational training received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Vocational Training</u>
08	General vocational training.
09	Training to update employment skills.
10	Training to develop new employment skills.
11	Other vocational services.

62H.350 Services for mental health received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any services for mental health received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Services for Mental Health</u>
12	Counseling on general mental health issues, administered on an individual basis.
13	Counseling on general mental health issues, administered on a group basis.
14	Counseling on mental health issues affecting a family.
15	Counseling and support from peers on general mental health issues.
16	Training or therapy received for the development of cognitive skills.
17	Counseling on mental health issues common to sex offenders.

62H.360 Services for special needs received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any services for special needs received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Services for Special Needs</u>
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- 28 Treatment for drug or alcohol abusers, administered on an individual basis.
- 29 Treatment for drug or alcohol abusers, administered on a group basis.
- 30(a) Treatment received from “Narcotics Anonymous.”
- 30(b) Treatment received from “Cocaine Anonymous World Services.”
- 30(c) Treatment received from “Alcoholics Anonymous World Services.”
- 30(d) Treatment received from “Rational Recovery Systems.”

62H.380 Training in social skills received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any training in social skills received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Training</u>
31	Training in the skills of communication and interaction.
32	Training in the skill of interacting with peers.
33	Training in the skill of parenting for teenagers.
34	Training in the skill of living independently.
35	Training on dealing with persons of different cultures.
36	Other training in social skills.

62H.390 Medical education or services received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any medical education and services received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Medical Education or Services</u>
37	Education on the risk of exposure to and infection with the human immunodeficiency virus and contraction of the acquired immune deficiency syndrome.
38	Education on avoiding health complications.
39	General medical services.
40	Education on dealing with the effects of sexual abuse.
41	Education on dealing with the effects of domestic abuse.

62H.400 Training on understanding position of victim of crime. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any training on understanding the position of a victim of crime received by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Training</u>
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- 42 Training on empathizing with the victim of a crime.
- 43 Training to be aware of the effects of an act of crime.
- 44 Other training regarding sensitivity towards victims of crime.

62H.410 Activities. (NRS 62H.200) The staff of the youth correctional services shall report to the Division information regarding any activities engaged in by a child committed to or otherwise placed in the custody of the Division while in a placement facility or on parole using the following codes:

<u>Code</u>	<u>Activities</u>
45	Recreational or athletic programs.
46	Community service.
47	Time served as a volunteer for the forestry crew of the Bureau of Land Management.
48	Time served as a volunteer for the fire crew of the Division of Forestry of the State Department of Conservation and Natural Resources.

62H.420 Date of placement on and termination of parole. (NRS 62H.200) The staff of the youth correctional services shall report to the Division the date a child committed to or otherwise placed in the custody of the Division is placed on parole and the date the child's parole is terminated by a court.

62H.430 Other services received or activities required. (NRS 62H.200) In addition to the information required by NAC 62H.320 to 62H.410, inclusive, the staff of the youth correctional services shall report to the Division if any of the following services were received by or activities were required of a child committed to or otherwise placed in the custody of the Division while on parole, using the following codes:

<u>Code</u>	<u>Services</u>
49(a)	Services of a foster home.
49(b)	Services of placement pursuant to a contract with the Division.
49(c)	Treatment for substance abuse.
49(d)	Treatment for problems with mental health.
50	Participation in community services.
51	Referrals for employment opportunities.
52	Assistance in locating housing for a family.
53	Payment of restitution to the family of the victim.
54	Counseling for groups of parents on issues related to raising a family.
55	Treatment for mental health issues common to persons who have committed a specific offense, administered through a program offered during the day outside of an institution.
56	Specialized services performed by a private entity which has a contract with the Division to perform the services.
57	Testing for general medical problems.

62H.440 Level of intensity of services received. (NRS 62H.200) The staff of the youth correctional services shall report to the Division the level of intensity of the services received by a child committed to or otherwise placed in the custody of the Division from parole officers while on parole using the following codes:

Code	Level of Intensity
58(a)	Intensive
58(b)	Standard
58(c)	Minimal

62H.450 Nature of discharge. (NRS 62H.200) The staff of the youth correctional services shall report to the Division the nature of the discharge of each child from the custody of the Division, using the following codes:

<u>Code</u>	<u>Nature of Discharge</u>
Positive Termination	
01(a)	Employed and living independently.
01(b)	Attending school and living with parents or guardians.
01(c)	Attending school, employed and living independently.
01(d)	Employed and living with parents or guardians.

- 01(e) Attending college or trade school and living on the campus of that school.
- 01(f) Completion of all conditions of parole and living with parents or guardians.
- 01(g) Completion of all conditions of parole and living independently.

General Termination

- 02(a) Living with parents or guardians and there has been no subsequent arrest, but there has been a technical violation of parole.
- 02(b) Child is at least 18 years of age, is living away from home, has not been subsequently arrested for a felony, and did not complete the educational or work program, or both, required pursuant to NRS 63.730.
- 02(c) Child is at least 18 years of age, is living with parents or guardians, has not been subsequently arrested for a felony, and did not complete the educational or work program, or both, required pursuant to NRS 63.730.

Negative Termination

- 03(a) Arrested as an adult and a court proceeding is pending regarding the arrest.

03(b) Child did not complete the educational or work program, or both, required pursuant to NRS 63.730 and is not amenable to services provided by the system of juvenile justice in this State.

03(c) Child is absent without leave at the time of termination.

Death

04(a) Death by natural causes.

04(b) Death by accident.

04(c) Death by suicide.

04(d) Death by homicide.

62H.510 Proper method for reporting information. (NRS 62H.200) Each juvenile court and local juvenile probation department which reports information pursuant to NAC 62H.010 to 62H.550, inclusive:

1. On paper and not by electronic or computer transmission shall report the information on a form provided by the Division of Child and Family Services.
2. Electronically shall report the information in the format required by the Division of Enterprise Information Technology Services of the Department of Administration or in any other format required by the Division of Child and Family Services.