MINUTES OF THE
ADVISORY COMMISSION OF THE
ADMINISTRATION OF JUSTICE’S
SUBCOMMITTEE ON JUVENILE JUSTICE

April 7, 2008

The meeting of the Advisory Commission on the Administration of Justice’s Subcommittee on Juvenile Justice was called to order by Senator Steven A. Horsford, Chair, at 9:09 a.m. on April 7, 2008, at the Grant Sawyer State Office Building, Room 4401, 555 East Washington Avenue, Las Vegas, Nevada, and via simultaneous videoconference at the Legislative Building, Room 3137, 401 South Carson Street, Carson City, Nevada, and the University of Nevada Reno, Getchell Library, Room 9, Reno, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SUBCOMMITTEE MEMBERS PRESENT (LAS VEGAS):

Senator Steven A. Horsford, Clark District 4, Chair
Teresa Lowry, Chief Deputy District Attorney, Juvenile Division, Clark County
Catherine Cortez Masto, Attorney General
Susan Roske, Chief Deputy Public Defender, Juvenile Division, Clark County
Cheryln K. Townsend, Director, Juvenile Justice Services, Clark County

SUBCOMMITTEE MEMBERS PRESENT (CARSON CITY):

Pauline E. Salla, Juvenile Justice Specialist, Community Juvenile Justice Program, Division of Child and Family Services, Health and Human Services
Scott Shick, Chief Juvenile Probation Officer, Douglas County
Ryan Sullivan, Chief Deputy Public Defender, Washoe County Public Defender’s Office
Jo Lee Wickes, Chief Deputy District Attorney, Juvenile Division, Washoe County District Attorney’s Office

SUBCOMMITTEE MEMBERS PRESENT (RENO):

Mike Pomi, Director, Juvenile Services, Washoe County

SUBCOMMITTEE MEMBERS ABSENT:

Judge Frances Doherty, Second Judicial District Court, Family Court Division, Washoe County
Philip Kohn, Public Defender, Clark County
Daniel Prince, Deputy Administrator, Division of Child and Family Services, Health and Human Services
Judge William O. Voy, Family Division, Eighth Judicial District Court, Clark County
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STAFF MEMBERS PRESENT:

Angela Clark, Secretary
Sandra K. Small, Secretary

CHAIR HORSFORD:
This is the first meeting of the Subcommittee on Juvenile Justice appointed by Justice James W. Hardesty. This Subcommittee has been appointed to look specifically at issues pertaining to juveniles and recommend to the Advisory Commission on the Administration of Justice ways to reduce juvenile delinquency and the number of juveniles entering the judicial system, as well as community-based strategies to stem the incarceration rate. Today the Subcommittee will hear a report from Ms. Townsend and Mr. Pomi on some of the activities of the Nevada Association of Juvenile Justice Administrators (NAJJA), which met in Reno last month. The Subcommittee will discuss a list of potential topics, develop a strategy regarding which topics the Subcommittee will cover, then determine when and who should present information on these topics. The Subcommittee has until early July 2008 to do its initial work and make recommendations to the Commission. The Commission will then begin preparing its report for the 2009 Legislative Session. The Subcommittee will continue to meet after August 2008.

MS. TOWNSEND:
Mr. Pomi, Mr. Shick and I are members of NAJJA. Earlier this year, NAJJA provided the Nevada Juvenile Justice Commission with three priorities needed in Nevada: mental health services, alternatives to detention and after-care and re-entry. In the past, NAJJA has provided elected officials and other stakeholders a white paper on juvenile justice issues. NAJJA intends to do the same this year. When NAJJA met on March 26, 2008, our intent was to establish future goals. Our focus is on community safety, emphasizing the partnerships between communities and various stakeholders to achieve that goal. We focus on family and community and doing the best we can with the resources available. Other focuses are behavior change and accountability. A strategic plan was not finalized at the March meeting.

The Juvenile Detention Alternatives Initiative (JDAI) should be a focus through the Annie E. Casey Foundation. Washoe and Clark Counties are replication sites. Many of the rural counties are performing strategies associated with JDAI. We have an interest in becoming a Statewide site for JDAI. It would be unique because there is no Nevada agency such as other jurisdictions have.
ATTORNEY GENERAL MASTO:
Would you give the Subcommittee some background on JDAI and the Annie E. Casey Foundation?

MS. TOWNSEND:
Washoe and Clark Counties are in the fourth year of replication and have seen dramatic changes. There have been accomplishments in the reduction and use of detention, the development of alternatives to detention, building partnerships with other system agencies to improve case processing and, recently, reducing racial disparity.

Girls and gender-specific programming for special detention populations have been looked at in both the north and the south. Washoe and Clark Counties continue to have JDAI coordinators. Clark County funds its position. The continued financial support from the Foundation is for technical assistance and travel. Mr. John Rhodes works with both sites; we will invite him to a future NAJJA meeting to provide education to ensure we all understand what a commitment to detention reform means. NAJJA is not only looking at detention reform. There is need for secure care in all parts of Nevada. We are looking at making better decisions regarding detention. For instance, when a regional facility is to be developed, we need to determine an objective risk assessment instrument everyone agrees to use before building begins.

Recently, the Annie E. Casey Foundation published *Beyond Detention Reform*. This publication looks at the impact of commitments to state facilities, the development of community alternatives, reducing utilization of out-of-home placement, building community wrap-around services for the family and reducing racial disparities throughout the entire system.

The steps we need to take are:
1. Invite John Rhodes to a future meeting.
2. Work with the Casey Foundation in conducting an assessment.
3. Identify the level of commitment to this kind of reform.
4. Implement the eight strategies: collaboration, database decision making, objective admissions, alternatives to detention, case processing reforms, special detention cases, reducing racial disparities and conditions of confinement.

Generally, we have a commitment to all of those strategies. Throughout the State, work has been done in many of these areas. It has not just been done by JDAI.

The second area of commitment for JDAI is to establish a committee to look at evidence-based program models. In a time of limited resources, there is a need to invest
wisely. We need to be clear on the results to be achieved, then invest in programs to help us achieve those results not only in public safety but also behavior change and support. The rural counties submitted a position paper stating their unique challenges and philosophies, and where JDAI should place its focus. Urban and rural areas have the same challenges, but with unique implementation issues. There is a need for research on existing programs servicing youth in Nevada. There is no evidence to determine if programs work.

Scott Shick and I are co-chairing a committee looking at evidence-based program models, including the work being done in the State of Washington. Washington has done a lot of research on the costs and benefits of investing in programs such as functional family therapy, multi-systemic family therapy, wrap-around services, multi-dimensional treatment and foster care. Washington has calculated the benefit of crime reduction and positive impacts on victims. Washington is now using the program in adult corrections. They recently looked at expanding and building more prisons. A certain amount of incarceration gives a certain reduction in crime, but there is a point of diminishing returns in the investment. Washington is seeing a greater impact on reduction in crime due to certain evidence-based programs in the juvenile justice system and in some early childhood and family intervention. They are building a combination of investment in additional prison construction and an investment in the juvenile justice system to achieve a larger reduction in crime.

JDAI is looking at out-of-state residential placements. Many children in the child welfare, juvenile justice and mental health systems are going to out-of-state residential placements. We want to track those and make sure the children receive good placements and the placements are reviewed. We are looking at alternatives to residential placements. There are specialized cases where out-of-state placement is cost effective.

JDAI is working on a shared definition of recidivism for the juvenile justice system.

MR. POMI:
Washoe County held a Latino youth symposium with a follow-up scheduled for July 14, 2008. Washoe County, using grant funding, is implementing a model court through the National Council to begin in the next month, which will work on case processing time. The JDAI coordinator is funded by the county as of January 2008. We all struggle with drug and alcohol treatment for youth. The north does not have enough capacity to serve those youths.

MS. TOWNSEND:
The areas of particular need in evidence-based models are mental health, substance abuse, youth with co-occurring disorders, family services and juvenile sex offender treatment.
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MR. SHICK:
Mental health is a key issue for the rural areas. It is difficult to sustain mental health services. After-care, re-entry, education and academics are key solutions for juveniles in our State. If we can guarantee the juvenile can catch up on credits and continue in the high school or vocational certification system, we can avoid the adult correctional system.

CHAIR HORSFORD:
Are there areas the Subcommittee members can address in the next few months which will not duplicate JDAI’s efforts?

MS. TOWNSEND:
There are opportunities for JDAI to offer support to the Subcommittee, such as strategies for obtaining funding to provide alternatives to placing juvenile offenders in juvenile detention facilities. Underlying all the issues related to services and evidence-based program models is the method for insuring funding for services for juvenile offenders, including community-based treatment programs for mental health and substance abuse.

MR. POMI:
We are presenting information on “Ready for Life” on May 22, 2008, in northern Nevada. We polled the prison system to see how many juveniles moved to the adult system. There is difficulty in acquiring that information. Statistics are available for youths certified as adults. We will probably need State intervention, through the Attorney General or you, to formalize a study of that population. Our initiative is helping to decrease the juvenile population in State commitments, but we cannot determine that information with adult placements.

MS. TOWNSEND:
The certification of juvenile offenders to be tried as adults is an area for study with respect to racial disparity. JDAI has worked with the Hayward Burns Institute to determine if the disparity is due to the offense or other factors.

CHAIR HORSFORD:
Agenda Item III is a list of potential topics for future meetings. Two or three additional topics were just added based on NAJJA discussion. Are there other topics the Subcommittee would like added to this list? After the Subcommittee adds suggested topics, we will prioritize the list and determine if there are resources for presentations to the Subcommittee to help us arrive at recommendations within our allotted time frame. Perhaps each member could tell the Subcommittee his/her role with the juvenile justice system and offer two or three topic areas.
MR. POMI:  
Community-based treatment programs, Item E on the agenda, are our biggest need for mental health and substance abuse. We battle disparity over confinement in northern Nevada and over-representation with Latino male youth. We continue to address these issues and need additional help. I will be doing a leadership program, which will be sponsored by the Casey Foundation, on over-representation of Latino youth. The Foundation will provide assistance. We hope to bring information for the Statewide initiative. Gender-specific programming is important. We have reduced our reliance on detention and expanded shelter care. Girl’s Circle is available Statewide. Almost every jurisdiction has been trained. As a State process, we are addressing girls much differently than we did before. We have seen some success.

CHAIR HORSFORD:  
Regarding racial disparity and over-representation of Latino youths, who collects the data? Is the data accurate, and does it contain the needed elements?

MR. POMI:  
Each juvenile justice jurisdiction forwards that information to the Division of Child and Family Services.

MS. SALLA:  
Data from each county has been received. The information is ready for release. We are currently analyzing the data and creating a narrative to support each county and Statewide progress with disproportionality. The narrative will be ready for release at the end of May.

CHAIR HORSFORD:  
Would it be useful to give a presentation on disproportionality to the Subcommittee on that information at the end of May when the narrative is complete?

MS. SALLA:  
Yes, it would be appropriate. Disproportionality is an item I would like to discuss with this Subcommittee. The Juvenile Justice Programs’ Office supports finding additional funding for community-based programming. Along with the Juvenile Justice Commission, we support evaluating the juvenile justice system and finding additional programming that seems to be lacking throughout the State.

CHAIR HORSFORD:  
Are there elements of disproportionality to focus on, such as child welfare or sentencing comparisons?
MS. SALLA:  
I am also interested in the gender-specific programming. The information received from the counties identifies the number at every point of contact; from arrest to referrals to delinquent youth placed on probation. The Subcommittee will see how individuals are tracked through the system. Alternative and additional funding for programming is also important.

MR. SHICK:  
Funding for alternative programming is a concern. I have a passion for residential programs and evidence-based practices. Education, credit recovery, ability to communicate and reconstituting the family relationship are all important. If we have residential programming in Nevada with excellent after-care and re-entry systems, we can avoid duplication of offenses. Strength-based programming, academic achievement and mental health are my suggested topics.

CHAIR HORSFORD:  
Are there models for either credit recovery or second-chance high school that incorporate education with alternatives to detention?

MR. SHICK:  
Yes. There are after-care, evening reporting or day reporting models. Any model is as good as the people managing the model. NAJJA could provide that information. Education and the ability to function in the community, including career development, would accomplish a lot.

ATTORNEY GENERAL MASTO:  
Are all of the assessment tools dealing with juveniles standardized?

MS. TOWNSEND:  
Each jurisdiction does risk assessment; however, it is not standardized. There are risk assessment tools for detention. There is not a standard statewide probation risk and needs assessment tool.

ATTORNEY GENERAL MASTO:  
This is an opportunity to address standardization. I would like to add this issue to our list of topics.

MS. WICKES:  
The topic of minority over-representation should include the type of criminal offense. Is there disproportionality within classes of crimes? For instance, are there significant arrests or certification issues with regard to Latino males? Can we look at how classes of crimes are
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dealt with to understand if the disproportionality relates to the type of crime? Can we determine the number of people in prison for offenses committed prior to 18 years of age?

MS. SULLIVAN:
Methods or strategies for engaging families could be a topic for the Subcommittee. It is disappointing when a juvenile receives a good residential placement, learns tools and then returns to the same family situation. If the family has not been getting support or engaged in the juvenile’s counseling, the juvenile returns to the family rules.

MR. SHICK:

MR. POMI:
We do a MAYSI (Massachusetts Youth Screening Instrument) on all youth who enter detention statewide. Mental health data is available for discussion with this group to determine prevalence and need. We have made recommendations to the Attorney General with the methamphetamine study group. We could do the same for mental health using our MAYSI data.

The Subcommittee should look at educational outcomes. For example, Washoe County implemented a transition program tracking youth exiting back to their home school. Washoe County wanted to ensure our youth were in the home school and, if not, in a structured education placement for credit recovery. We have data on this program. The Subcommittee could discuss this as a best-practice to implement Statewide.

MS. TOWNSEND:
For several years Nevada has invested in the Community Partnership Block Program (CPBP) in order to reduce the need for increased State programming. Data from these programs could be discussed to see if there are ways to achieve a greater impact from the CPBP.

MS. SALLA:
The Community Juvenile Justice Program provides the Interim Finance Committee with a biannual report of the Community Corrections Partnership Block Grant which includes outcomes and data. The information could be made available to this Subcommittee.

MS. LOWRY:
Could someone expand on Item F on the Agenda, “adjudication of juvenile offenders based on the offense”?
CHAIR HORSFORD:
The suggestion is to determine if age, ethnicity or other factors affect how youth are treated for the same type of crime.

MS LOWRY:
The District Attorney’s Office in Clark County has extensive certification data for the last couple of years. We have data on age, race, offenses, prior record and, certification, and we have tracked the outcome in the adult criminal justice system.

I propose the Subcommittee address the effects of the Adam Walsh Child Protection and Safety Act. The outcome is significant and farreaching. Girls' issues, especially sexually-exploited girls, and the overlap between the juvenile justice system and the child welfare system could also be addressed.

ATTORNEY GENERAL MASTO:
The Attorney General’s (AG) Office is looking at the effect of the Adam Walsh legislation. My intent is to bring together the many people looking at this topic. Once we have the information, we could make a presentation to the Subcommittee regarding the AG’s understanding of the legislation. I expect there will be a need for changes during the next Legislative session.

MS. ROSKE:
I would like to look at sexually-exploited youth and the impact of the Adam Walsh legislation on juveniles. Another important issue is truancy. Truancy has an impact on juvenile offending, but it is inappropriate to have truancy in the juvenile justice system.

MS. LOWRY:
When Clark County’s JDAI group initially did a site visit to Portland, a model site, the DA’s office there was surprised truancy was in the juvenile justice system. Truancy is a significant concern for law enforcement, and they have statistics showing the truancy rate has significant impact on the crime rate. There are some fairly successful programs in the middle schools in Clark County that could be considered. Truancy is a significant issue and a gateway into the juvenile justice system.

CHAIR HORSFORD:
There is a nexus between the drop-out rate and adult offenders. The Subcommittee could include truancy and drop-outs as a topic of discussion.
MR. POMI:
Could we do a “Ready for Life” presentation to this Subcommittee? It has a lot of data collected throughout the State.

CHAIR HORSFORD:
Yes.

MR. SHICK:
The interface between the juvenile justice system and the Department of Education should also be discussed. Youth have the right of re-entry into the school system.

MS. TOWNSEND:
The reason we have so many topics to consider is because the juvenile justice system becomes the default system when services are not available for mental health or children have multiple problems. The Subcommittee needs to consider what to do for children and how best to do that without defaulting to the juvenile justice system. One of the things leading children into the adult prison system is violent offenses. At some point, we need to consider violence prevention and gang prevention. This goes beyond the scope of the juvenile justice system, but if we want to impact the demand for capacity in the adult prison system, we need to invest in prevention.

CHAIR HORSFORD:
The Subcommittee has developed approximately 21 topic areas. I will send each Subcommittee member a survey to prioritize the 21 topic areas. The subcommittee has little time and resources. Justice Hardesty is serious about acting on our recommendations in the full Commission and proposing them in the 2009 Session. We can definitely do something about the top three to five topics. The Subcommittee could have three or four meetings before June, during which we could have a presentation on at least the majority of these topics. The Subcommittee will then develop recommendations and forward them to the Commission.

MS. TOWNSEND:
Some of these topics will overlap. We probably will not be able to cover all of the topics in three or four meetings. If the Subcommittee covers the top three to five priorities and develops recommendations in those areas, it would be a significant accomplishment.
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MR. POMI:
Three or four meetings should work because there will be overlap. As we narrow the topics
with some of the data already available and with the use of work groups, this schedule should
work.

MR. SHICK:
Three or four meetings would be excellent.

CHAIR HORSFORD:
The Subcommittee will have one meeting before the end of April, two in May and one in
June. In June the Subcommittee will take action on the recommendations. Presentations to
the Subcommittee will start with the highest-rated topics. If there are areas we are unable to
cover by June, the Subcommittee will continue to meet once we have direction from Justice
Hardesty. I will ask members of the Subcommittee, for instance the Attorney General who
has knowledge of the juvenile impact of the Adam Walsh legislation, to submit presentations
which may or may not be included in the topic areas. The survey will ask each Subcommittee
member in which areas he/she can contribute resources. The Subcommittee will also be
surveyed for future meeting dates.

There being no further business to come before this Subcommittee, the meeting is adjourned
at 10:07 a.m.

RESPECTFULLY SUBMITTED:

Sandra K. Small, Secretary

APPROVED BY:

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Senator Steven A. Horsford, Chair

DATE:_______________________
## EXHIBITS

**Committee Name:** Advisory Commission on the Administration of Justice’s 
**Subcommittee on Juvenile Justice**

**Date:** April 7, 2008  
**Time of Meeting:** 9:09-10:07 a.m.

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