



**DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)  
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)  
JUVENILE JUSTICE PROGRAMS OFFICE (JJPO)**

**Juvenile Justice Delinquency Prevention Act  
Title II Formula Grant Program**

**NRS 62B.640**

**NRS 62H.225**

**And**

**NRS 62H.320**

**2019 Governor's Annual Report – Completed March 2020**

Prepared by:

Leslie Bittleston, MSQA

Social Services Chief

Division of Child and Family Services -Juvenile Justice Programs Office

4126 Technology Way, 3<sup>rd</sup> Floor

Carson City, NV 89706

Phone: 775-684-4448

[lbittleston@dcfs.nv.gov](mailto:lbittleston@dcfs.nv.gov)

## Table of Contents

<b><u>Executive Summary</u></b> .....	4
<b><u>SECTION I:</u></b> Juvenile Justice and Delinquency Prevention Act & Title II Formula Grant Program.....	8
Federal Oversight of the Core Requirements .....	9
Youth Demographics and RED Contact Point Data.....	10
Referral and Diversion Trends.....	13
Arrest Trends.....	18
Recidivism.....	21
Direct File/Certified Youth.....	23
State Statutes on Direct File and Certification.....	25
Secure Juvenile Detention.....	25
Secure Confinement/State Custody/Correctional Placement.....	27
JJDPA Additional Core Requirements.....	28
Deinstitutionalization of Status Offenders (DSO).....	29
Separation of Juveniles from Adult Offenders (Sight and Sound Separation) .....	32
State Compliance.....	33
Removal of Juveniles from Adult Jails and Lockups (Jail Removal) .....	34
Title II Formula Grant (Charles Grassley Juvenile Justice and Delinquency Prevention Program) .....	35
<b><u>SECTION II:</u></b> Juvenile Justice System Trends and Performance Measures.....	38
Quality Assurance Reviews.....	38
Juvenile Sex Offender Data.....	42
Achievements over the last year.....	45
Assessment and Case Planning.....	45

<b><u>SECTION III:</u></b> Juvenile Justice System Enhancements and Recommendations.....	47
Data Management System Enhancements.....	47
State Statue Review Recommendation.....	47
Appendix A.....	48
Appendix B.....	49
Appendix C.....	51
Appendix D.....	52
Appendix E.....	55
Appendix F.....	57
Appendix G.....	58
Appendix H.....	60
Appendix I.....	61

## **Executive Summary**

**Introduction:** The Nevada Juvenile Justice Oversight Commission (JJOC) is providing the following annual report to inform stakeholders of the progress made with juvenile justice activities over the last year in accordance with NRS 62B.640 which requires a report on the compliance with evidence-based standards and analysis of performance measures.

The JJOC is responsible for carrying out both federally mandated and state-mandated functions which makes up Nevada's juvenile justice system. This system includes the administration of a fair and balanced process for youth as they move towards the deep end of the system (correctional facility placement) and the assurance that juveniles are safe within the system.

Over the last year, and in addition to **compliance with evidence-based programs and performance measures**, the JJOC has identified several areas consistent with their Strategic Plan that were focused on: **Data, Assessment and Case Planning, Placement, and Outcomes**. Several significant developments have occurred over the last year that the JJOC would like to highlight.

**Data:** In late 2017, the JJOC approved a uniform, electronic juvenile justice case management system statewide, Tyler Supervision. Currently, the Division of Child and Family Services (DCFS) state facilities and youth parole; and all 15 rural counties are fully integrated within this new system. Clark County is expected to implement this system by the end of February 2020. Washoe County is expected to implement this system in Spring 2020.

This new juvenile justice case management system allows the state and the counties to collect and monitor the same data as the youth moves through the juvenile justice system. However, the case management system is not a statewide system, rather small individual systems throughout the state and counties. DCFS has initiated data sharing agreements with all 17 counties, with 16 counties having already approved that agreement. These data sharing agreements will allow DCFS staff to pull data reports directly from each individual county system in order to aggregate data statewide. Once all 17 counties have implemented the system, these data sharing agreements will be activated.

**Assessment and Case Planning:** In early 2018, the JJOC selected the Youth Level of Services/Case Management Inventory (YLS/CMI) as the statewide risk and needs assessment in accordance with NRS 62B.610(3)(a). After this selection, DCFS personnel worked to solidify a contract authorizing Nevada the use of the copyrighted YLS/CMI with the developer, Multi-Health System.

In 2019, all staff statewide were trained in the use of the YLS/CMI. As of August 2019, all DCFS and county staff were trained in the use of the tool by trainers with the National Youth Screening and Assessment Partners.

The YLS/CMI is an evidence-based tool that assesses the risk and need areas of a youth and shall guide the service delivery type that is best suited for the individual youth. The YLS/CMI is completed on a youth before disposition, while a youth is on probation or parole and while in a correctional facility. This tool shall also inform juvenile justice administrators and the courts on the best options for an individual youth.

In mid-2019, the JJOC selected a uniform case plan template which shall be used for both community supervision and state facility placement. The Plan shall address the high and moderate risk and need factors identified in the YLS/CMI.

Currently, the YLS/CMI has been fully implemented statewide per NRS 62B.625(1)(a). DCFS is working with the vendor of the juvenile justice case management system to make both the YLS/CMI and the case plan available to all users.

Placement: The Nevada Revised Statute was updated in 2017 mandating that specific findings be made by the court before they can send a youth to a state facility (NRS 62E.505). Specifically, the juvenile court must find that alternatives do not exist in the community to satisfy the youth's needs or those community resources have been unsuccessful; and that the child is a public safety risk based on their risk of reoffending as determined by the risk assessment (YLS/CMI) and their delinquency history. The implementation of the YLS/CMI has only strengthened this law in that most of the youth sent to a state facility are of a high risk/need level that cannot be addressed in the community. Court orders now must address the elements of NRS 62E.505 prior to commitment to a state facility.

Outcomes: The YLS/CMI was fully implemented in all Nevada counties in August 2019. DCFS has put processes in place to assess the committing YLS/CMI to the release YLS/CMI to evaluate the effectiveness of youth's time in a state facility. Data is expected to be available in April 2020.

The next step in assessing outcomes is to compare the committing YLS/CMI to the final YLS/CMI completed by youth parole prior to termination of parole. Data on this outcome is not expected until later in 2020.

Compliance with Evidence-Based Programs: All five (5) required facilities, including DCFS correctional facilities and county youth camps, received a quality assurance review in 2019. For three of those facilities, the data provided a baseline due to it being the initial review, while two of the facilities were reviewed for the second time in 2019. These reviews utilized the Evidence-Based Correctional Program Checklist (CPC) which is a tool developed by the University of Cincinnati Corrections Institute (UCCI) for assessing correctional intervention programs.

The CPC is divided into two basic areas: capacity and content. The capacity area is designed to measure whether a correctional program has the capability to deliver evidence-based interventions and services for offenders. There are three domains in the capacity area including: Program Leadership and Development, Staff Characteristics, and Quality Assurance. The content area includes the Offender Assessment and Treatment Characteristics domains and focuses on the extent to which the program meets certain principles of effective intervention, namely risk, need and responsivity (RNR) principles.

Across these five domains, there are 73 indicators on the CPC, worth up to 79 total points. Each domain, each area, and the overall score are tallied and rated as either Very High Adherence to evidence-based practice (EBP) (65% to 100%), High Adherence to EBP (55% to 64%), Moderate Adherence to EBP (46% to 54%), or Low Adherence to EBP (45% or less). It should be noted that all five domains are not given equal weight, and some items may be considered not applicable in the evaluation process.

The overall average score for 2019 across all five facilities is 45.64, representing the low end of moderate adherence to evidence-based programs. It should be noted that this evaluation is based on the ideal program and the higher the total adherence score, the greater the program is able to reduce recidivism. When the program has met a CPC indicator, it is considered a strength of the program. When the program has not met an indicator, it is considered an area in need of improvement. For each indicator in need of improvement, the evaluators construct a recommendation to assist the program's efforts to increase adherence to research and data-driven practices. The JJOC is responsible for overseeing facility improvement plans in relation to these quality assurance reviews.

Performance Measures: The JJOC approved two documents in 2018 that outline a series of performance and outcome measures that will provide an analysis of the juvenile justice system in Nevada. These documents are the *FY 19 Scorecard and Performance Summary* and the *FY 19 – 23 Strategic Plan*. These documents outline youth specific indicators and general system performance.

For instance, the state intends to begin to report on system performance overall with the following measures:

- The rate of recidivism;
- Supervision levels of youth on formal probation/parole;
- Percent of families in the system at or below poverty;
- Percent of youth in the system with a case plan;
- Percent of youth in the system with family engagement in creating a case plan; and
- Percent increase/decrease of juvenile arrests, adjudications, and violations or parole/probation.

In addition, the state intends to provide a report card of juvenile specific indicators such as gender, age, race, family poverty level, educational background, assessed risk level and types of services provided.

The state is not yet able to provide data on the newly identified system performance measures or the youth specific measures as reporting mechanisms are still in process.

Overall performance measures currently available indicate the following:

- The counties divert roughly 50% of all referrals;
- Greater than 60% of all referrals to the juvenile justice system originate with local law enforcement;
- Less than one percent of all initial arrests end up in a state facility;
- Greater than 65% of youth in the system are males; and
- The greatest racial and ethnic disparity is seen at the deep end of the system (commitment to a state facility and certification to adult criminal court).

Partial data collected (includes data from 7 Nevada counties) indicates the following:

- Roughly 52% of youth arrested have only one biological parent in the home while 30% have both biological parents in the home. The remaining youth are housed with a relative/guardian, in an institutional setting, or in a group home/foster home type setting.

Partial data collected (includes data from 5 Nevada counties) indicates the following:

- Roughly 42% of youth arrested indicate they households are at or below poverty.

The following report contains data for Federal Fiscal Year (FFY) 2019 presented in a manner that aligns with both the Juvenile Justice and Delinquency Prevention Act (JJDP A) and the Juvenile Justice Oversight Commission. Data is gathered in a manner that satisfies both requirements.

## **SECTION I: Juvenile Justice and Delinquency Prevention Act & Title II Formula Grant Program**

In 1974, the U.S. Congress created the Juvenile Justice and Delinquency Prevention Act (JJDPA). The JJDPA guarantees four core protections to America's youth when they become involved in the juvenile justice system.

The four core protections of the JJDPA are:

- **Deinstitutionalization of Status Offenders (DSO):** Juvenile offender who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.
- **Adult Jail and Lock-up Removal:** This requirement focuses on removing juveniles from adult jails and detention facilities.
- **Sight and Sound Separation:** This requirement ensures that accused and adjudicated delinquents, status offenders, and non-offending juveniles are not detained or confined in any institution where they may have contact with adult inmates.
- **Racial and Ethnic Disparities (RED):** Formerly known as the Disproportionate Minority Contact (DMC), this requirement focuses on helping states address and eliminate racial and ethnic disparities within the juvenile justice system.

JJDPA was reauthorized in 2002, however it expired in 2017. On December 13, 2018, Congress passed H.R. 6964, the Juvenile Justice Reform Act of 2018 (the Act), with overwhelming bipartisan support. Changes included:

- **Racial and Ethnic Disparities (RED):** The reauthorized act changes the Disproportionate Minority Contact (DMC) requirement to focus on Racial and Ethnic Disparities (RED). Requires that states collect and analyze data on racial and ethnic disparities. Requires states to determine which points create RED, and establish a plan to address RED.
- **Jail Removal & Sight and Sound Separation:** Under the reauthorized act, youth held in adult jails, including those charged as adults, must be removed to juvenile detention centers no later than three (3) years after the date of enactment. States are required to ensure sight and sound separation and jail removal for youth awaiting trial as adults. This protection previously applied only to youth being held on juvenile court charges. An exception continues to exist for cases where a court finds, after a hearing and in writing, that it is in the interest of justice.

Nevada, through the Division of Child and Family Services, has participated in the JJDPA since the 1980's through a series of Executive Orders by the Governor. The last revision signed on December 1, 2017 was Executive Order 2017-21.



The Title II Formula Grant which has been renamed the Charles Grassley Juvenile Justice and Delinquency Prevention Program through the Juvenile Justice Reform Act of 2018, provides funding for the state authorized under the JJDP. This funding supports Nevada's efforts to improve outcomes for troubled youth who have entered the juvenile justice system and methods that may prevent further immersion in the system.

The Nevada Juvenile Justice Oversight Commission (JJOC) which was established in 2017, by then Governor Brian Sandoval also serves as the State Advisory Group (SAG) as defined in Title II of the JJDP. The JJDP requires that each SAG continuously analyze delinquency prevention and intervention programs and policies. This analysis then serves as the basis of the comprehensive strategic three-year plan and annual updates.

In addition to Title II of the JJDP, the JJOC also serves as an oversight commission per Nevada Revised Statute (NRS) 62B.600 through NRS 62B.645 and provides for the establishment of an evidence-based program resource center (Appendix G); requires the juvenile court to make certain findings before committing a youth to the custody of a state facility; requires the implementation of a risk assessment and mental health screening; revises provisions regarding the release of information of youth in the juvenile justice system; requires policies and procedures relating to responses to a youth's violation of parole; and includes processes for parole revocations.

### **Federal Oversight of the Core Requirements**

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) annually monitors states' compliance with the four core requirements (protections) through a required "Compliance Report". This comprehensive report provides OJJDP with information regarding the state's monitoring system as well as compliance with each compliance standard.

OJJDP staff review the report in its entirety and issue findings via a formal letter to the state, signed by the OJJDP Administrator. The letter either confirms the state is in full compliance or it outlines the deficient areas. For oversight on this mandated requirement, the JJOC reviews and approves the annual Compliance Report submitted by the State to the OJJDP. Nevada received a letter from OJJDP indicating full compliance with the four core requirements for the previous compliance year (2018) in June 2019. DCFS will submit the 2019 Compliance Report by February 28, 2020, which is equivalent to the Federal Fiscal Year (FFY) of October 1, 2018 through September 30, 2019.

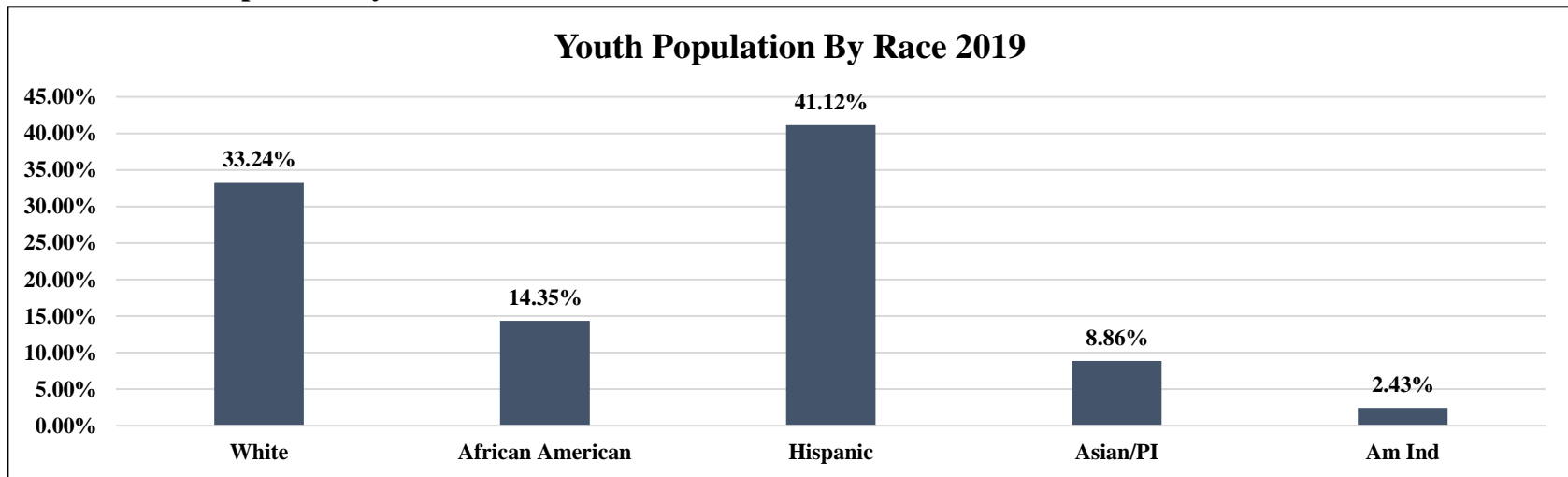
## **Youth Demographic Data and RED Contact Point Data**

In order to assess RED in any jurisdiction, the demographics of the jurisdiction must be outlined for comparison. The EZAPOPOP website ([www.ojjdp.gov/ojstatbb/ezapop/](http://www.ojjdp.gov/ojstatbb/ezapop/)) estimates that the total population in Nevada as of December 1, 2019, was 2,998,039. Twenty- four 24 percent of the total population consisted of youth ages Zero – 17. The EZAPOPOP website was further utilized to break down racial and ethnic background, by county, for youth ages Zero - 17.

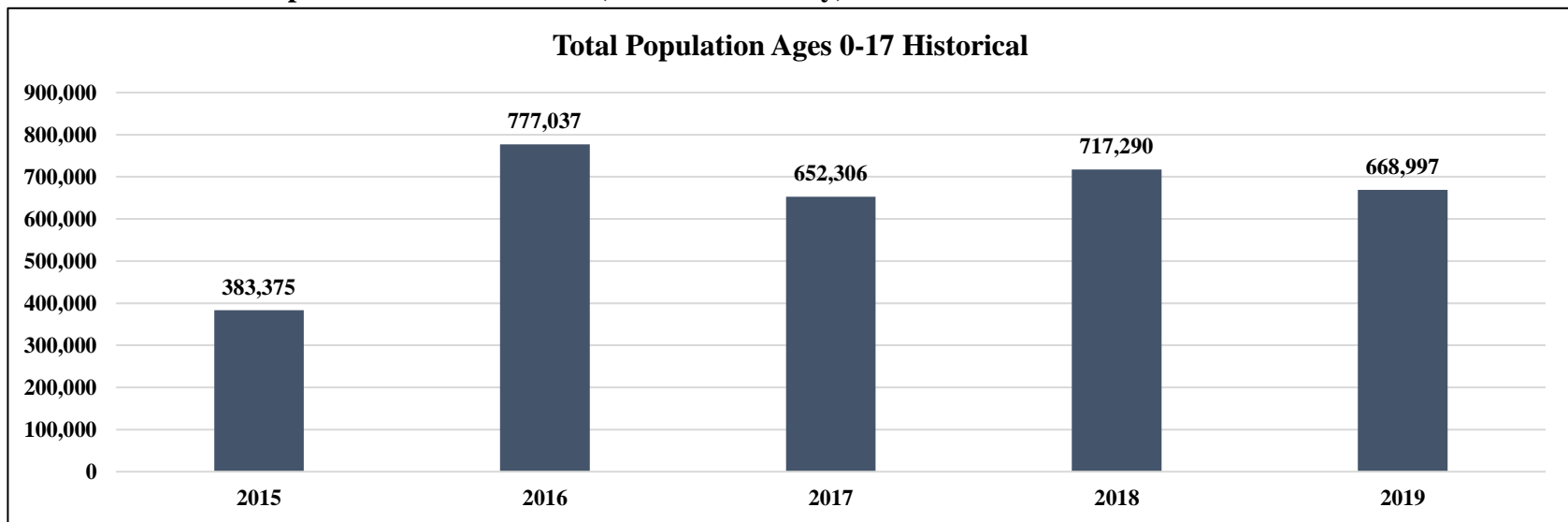
**Table 1: Youth Ages Zero – 17 by County**

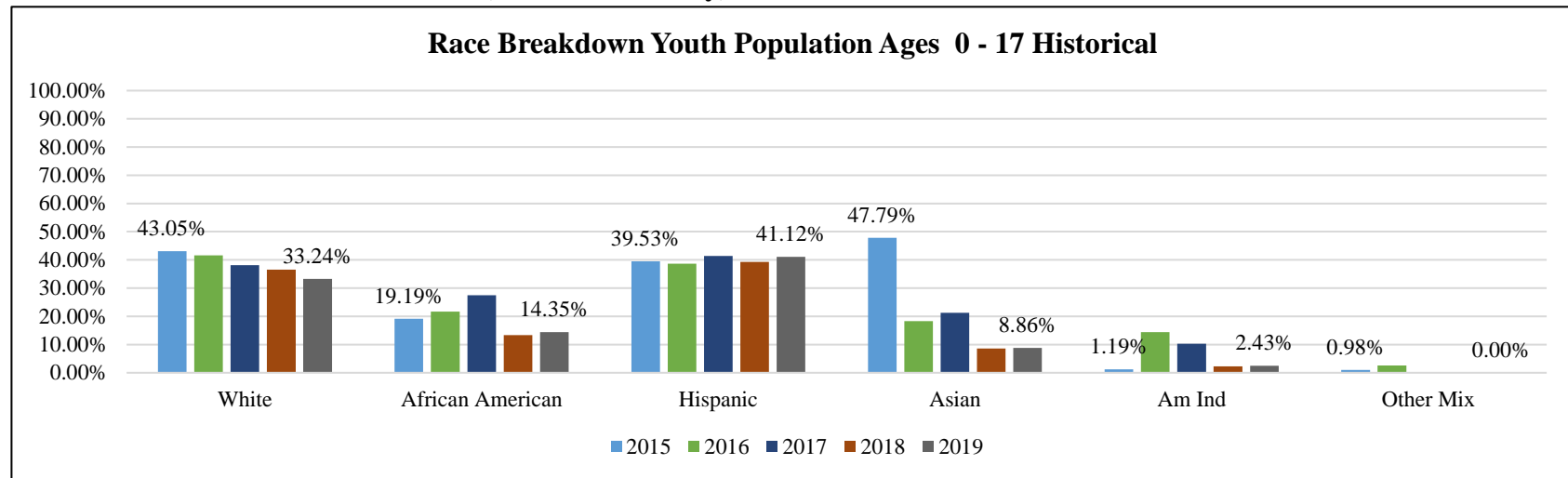
County	Total Youth	White	Black	Hispanic	Asian/PI	Am Ind	All Minor	Percentage Minority	Males	Females
Carson	11243	5540	331	4525	327	520	5703	50.72%	5704	5539
Churchill	5574	3412	292	1254	213	403	2162	38.79%	2873	2701
Clark	517629	140726	91572	224035	52289	9007	376903	72.81%	264237	253392
Douglas	7917	5321	184	1879	182	351	2596	32.79%	4122	3795
Elko	14298	8064	328	4508	253	1145	6234	43.60%	7397	6901
Esmeralda	126	62	12	41	0	11	64	50.79%	65	61
Eureka	476	375	14	66	4	17	101	21.22%	247	229
Humboldt	4537	2420	106	1655	58	298	2117	46.66%	2302	2235
Lander	1482	863	36	446	17	120	619	41.77%	735	747
Lincoln	1031	864	26	105	9	27	167	16.20%	550	481
Lyon	11946	7378	460	3178	283	647	4568	38.24%	6177	5769
Mineral	888	341	64	195	37	251	547	61.60%	468	420
Nye	7618	4749	391	2078	208	192	2869	37.66%	3859	3759
Pershing	1086	569	39	366	10	102	517	47.61%	551	535
Storey	486	383	17	60	19	7	103	21.19%	230	256
Washoe	100776	46719	4942	38580	7085	3450	54057	53.64%	51681	49095
White Pine	1884	1221	72	377	37	177	663	35.19%	941	943
<b>Total</b>	<b>688,997</b>	<b>229,007</b>	<b>98,886</b>	<b>283,348</b>	<b>61,031</b>	<b>16,725</b>	<b>459,990</b>	<b>66.7%</b>	<b>352,139</b>	<b>336,858</b>
<b>Percentage</b>		<b>33.3%</b>	<b>14.3%</b>	<b>41.1%</b>	<b>8.8%</b>	<b>3.5%</b>			<b>51%</b>	<b>49%</b>

**Table 2: Youth Population by Race 0 – 17 Years**



**Table 3: Historical Population and Race Data (Five Year History)**



**Table 4: Historical Race Breakdown (Five Year History)****Table 5: FFY 2019 Juvenile Contact Point Data by County**

County	Total Youth	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Diverted
Carson	11243	546	248	248	5	1	369
Churchill	5574	597	279	272	5	0	234
Clark	517629	11,602	5491	2471	179	60	7010
Douglas	7917	418	33	78	1	1	418
Elko	14298	390	329	207	2	0	41
Esmeralda	126	0	0	0	0	0	0
Eureka	476	4	1	0	0	0	1
Humboldt	4537	408	87	55	3	0	82
Lander	1482	83	8	8	1	0	49
Lincoln	1031	13	1	0	0	0	0
Lyon	11946	693	81	81	2	0	365
Mineral	888	23	3	3	0	0	17
Nye	7618	282	267	35	7	1	105
Pershing	1086	57	12	12	1	0	7
Storey	486	14	3	3	0	0	11
Washoe	100776	3,315	1441	855	38	2	1442
White Pine	1884	164	30	12	1	0	26
<b>Total</b>	<b>688997</b>	<b>18609</b>	<b>8314</b>	<b>4340</b>	<b>245</b>	<b>65</b>	<b>10177</b>

Less than three 3 percent of the overall youth population in Nevada touches the criminal justice system at the front end, with roughly one1percent of the total referrals entering the deep end of the system.

Males make up roughly 67percent of all youth in the juvenile justice system using referrals as a baseline measure.

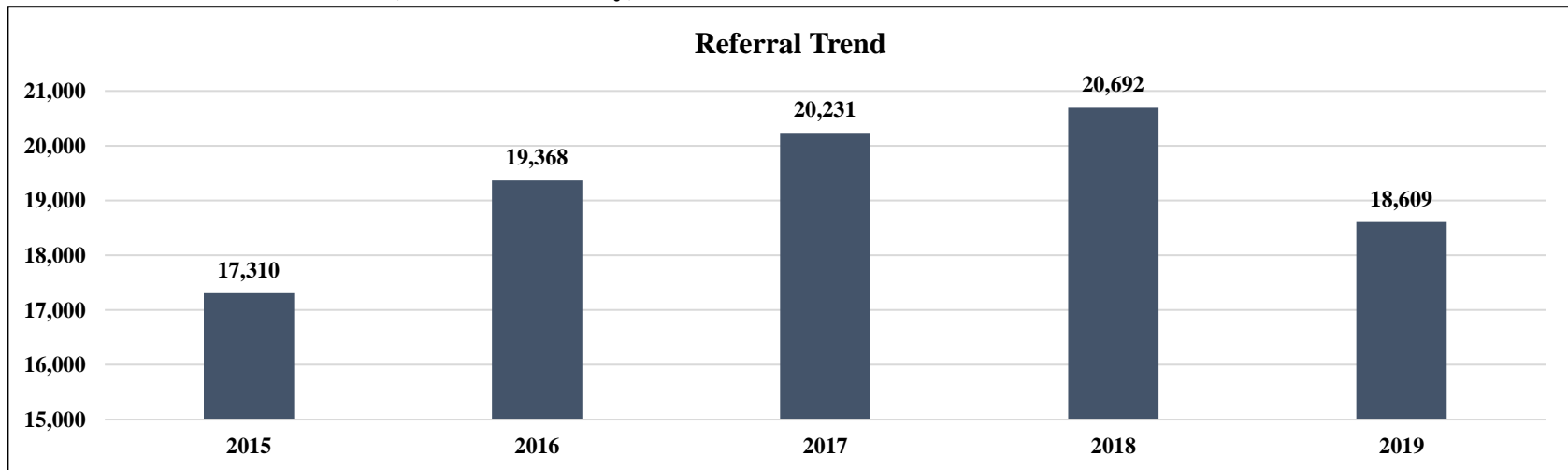
**Table 6: Contact Point Data by Gender**

	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Diverted
Males	12425	5991	3215	186	59	6751
Females	6184	2323	1125	59	6	3426
Total	18609	8314	4340	245	65	10177

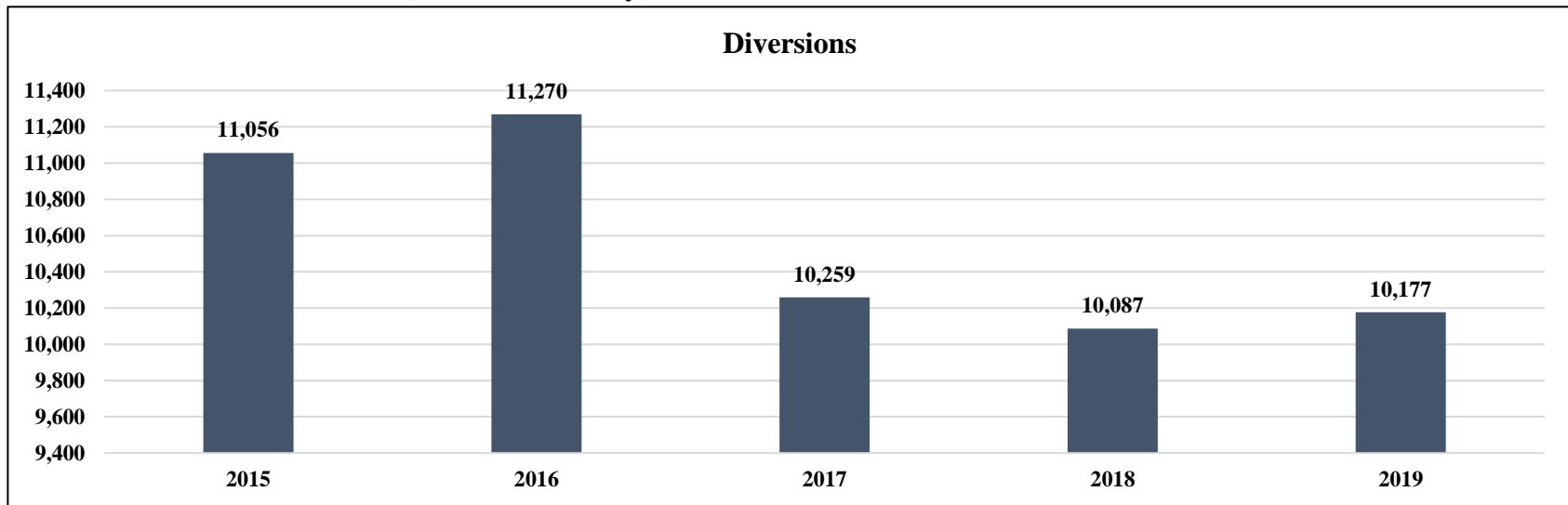
**Referral and Diversion Trends**

Youth encounters in the juvenile justice system are usually done through some type of referral, the point in time when a child is brought to the attention of the system of juvenile justice in the State and an official record is opened to document the child's case. According to a study on youth.gov, the overall rates of referrals are declining nationwide; however, Nevada has fluctuated down and up over the past few years with a slight decrease from 2018 to 2019.

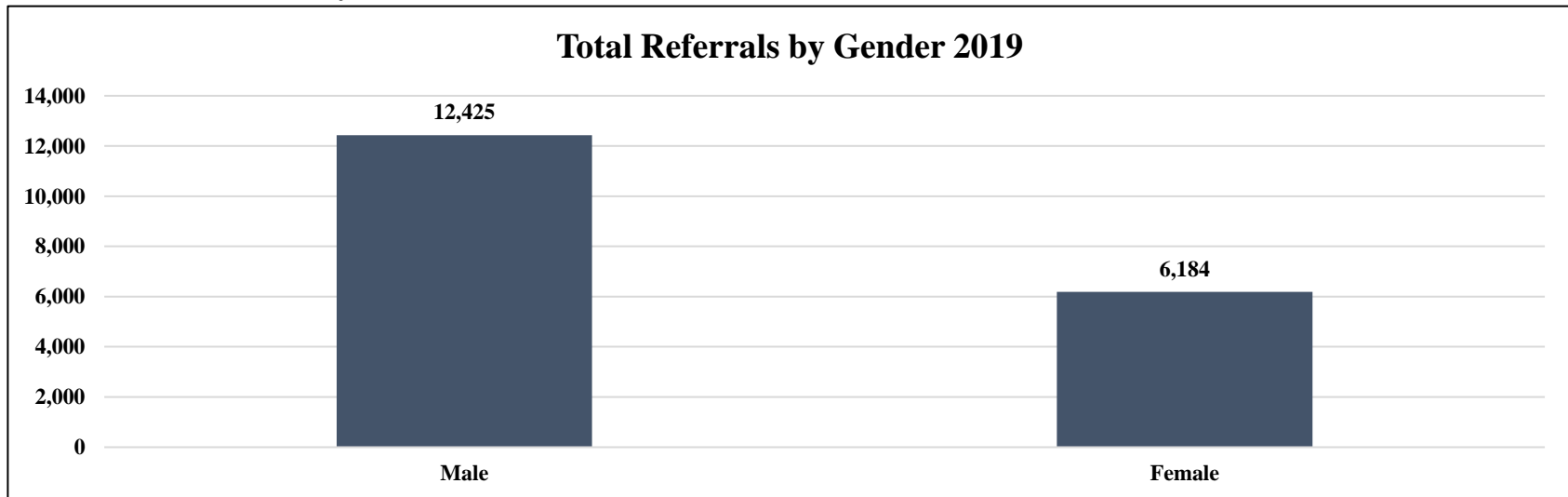
**Table 7: Historical Referrals (Five Year History)**



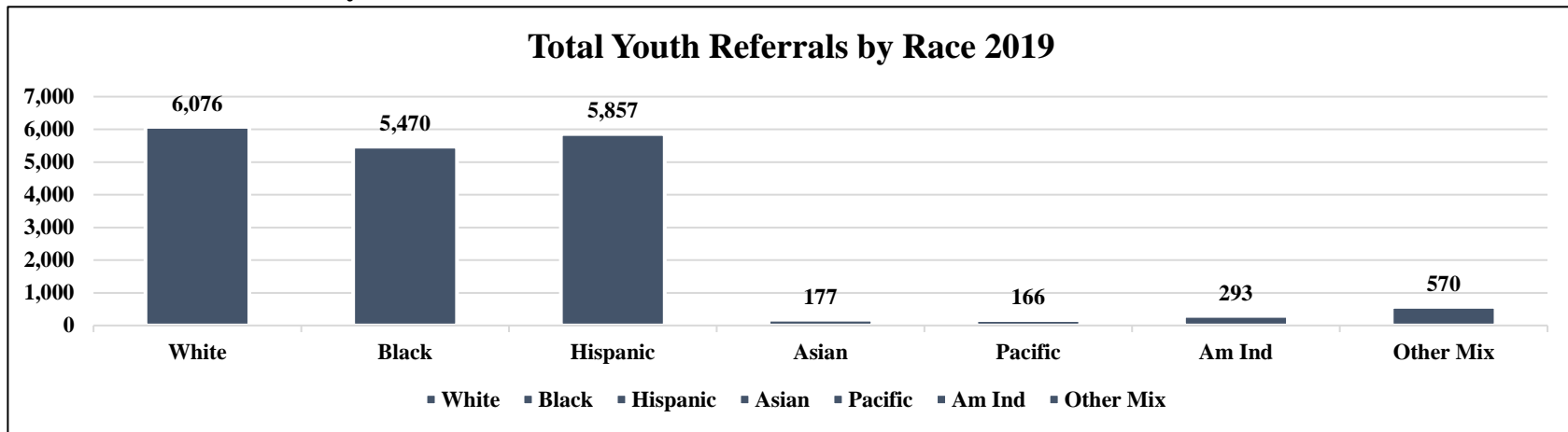
**Table 8: Historical Diversions (Five Year History)**



**Table 9: 2019 Referrals by Gender**

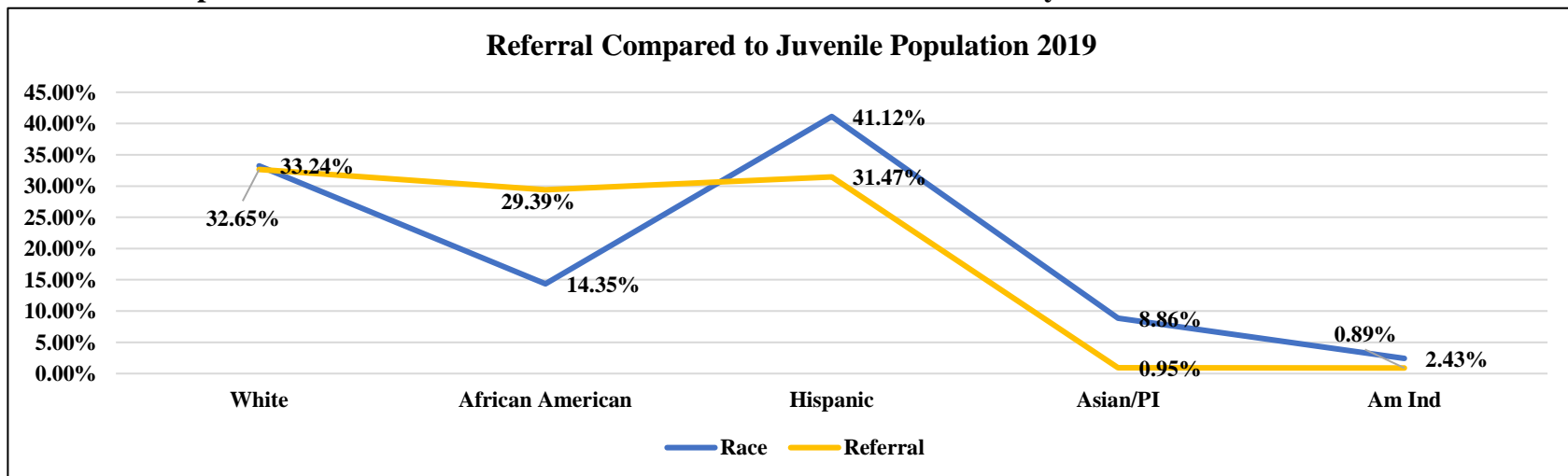


**Table 10: 2019 Referrals by Race**

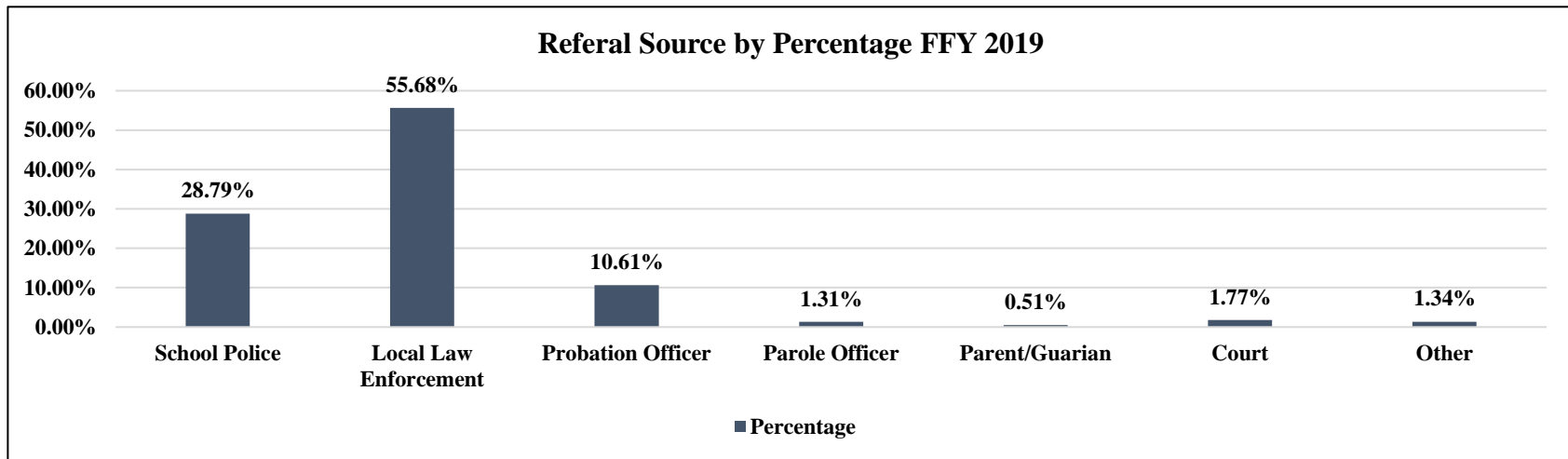


White youth make up 33 percent of the total youth population and 32 percent of the total referrals. Hispanic youth make up roughly 41 percent of the total population and 31 percent of the total referrals. African American youth make up 14 percent of the total population and 31 percent of the total referrals.

**Table 11: Comparison of 2019 Race Breakdown and 2019 Referral Breakdown by Race**



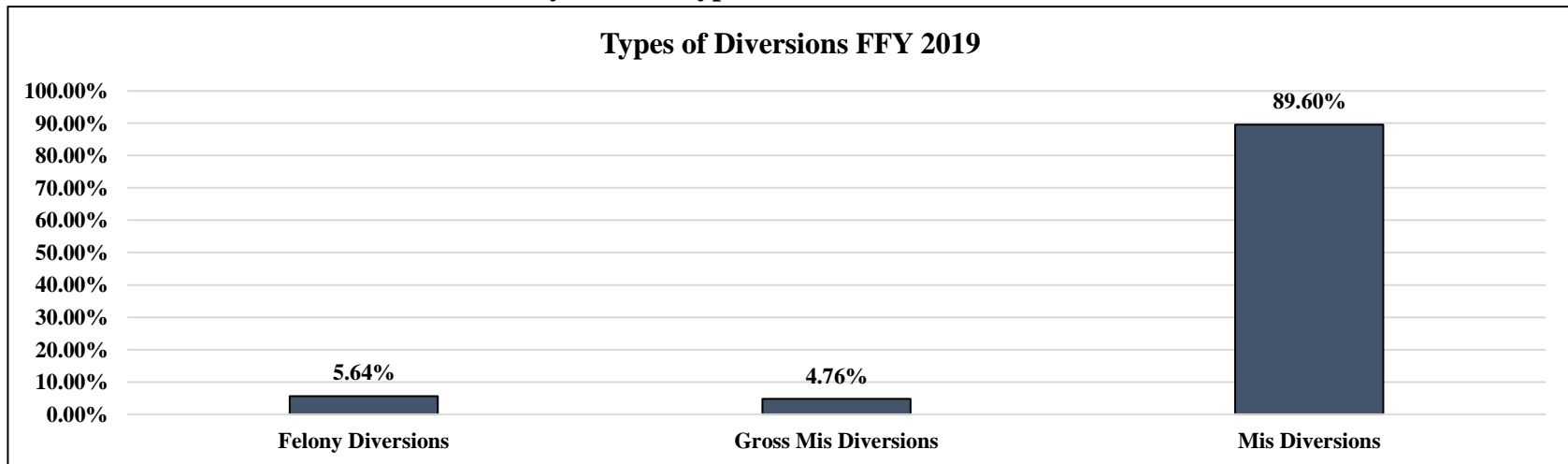
**Table 12: 2019 Breakdown of Referral Source**



Diversion:

Diversion is designed to hold youth accountable for their actions while avoiding formal court processing or submerging youth deeper into the juvenile justice system.

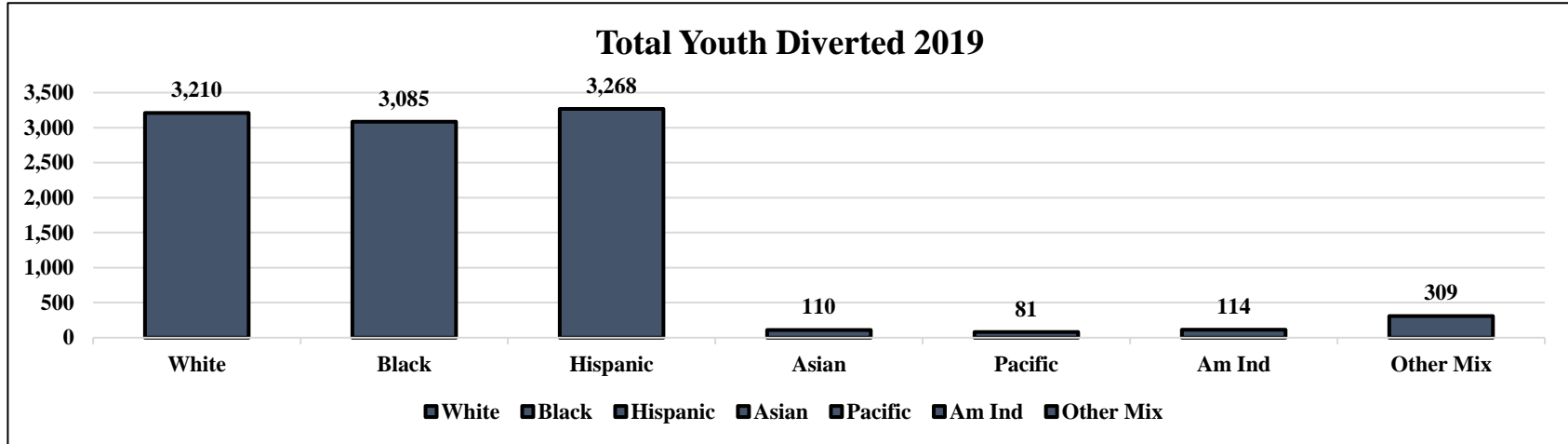
**Table 13: Breakdown of 2019 Diversions by Offense Type**





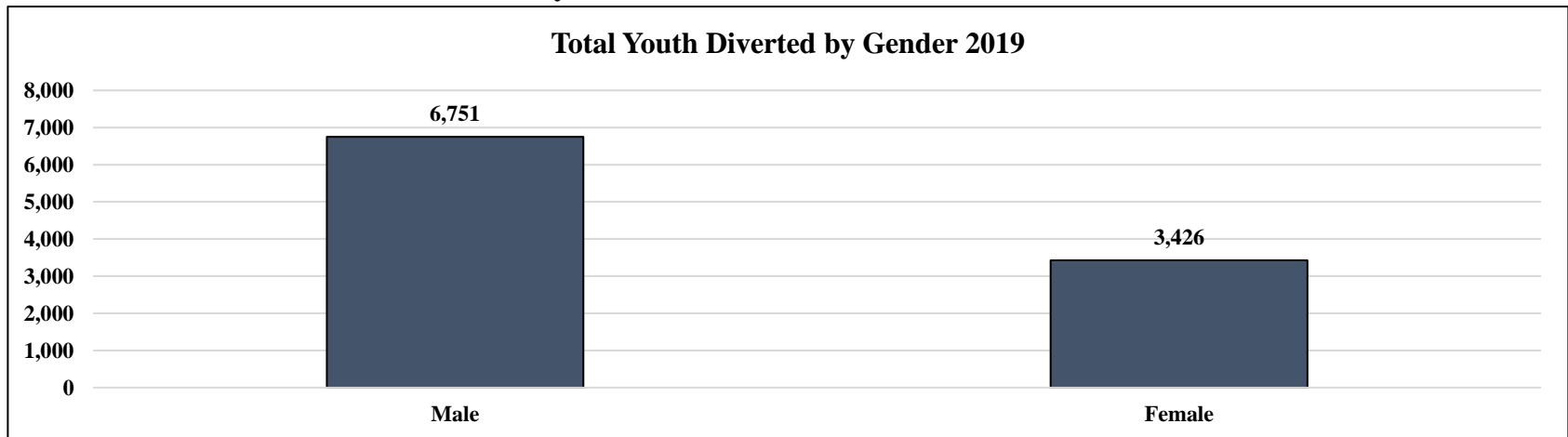
Local jurisdictions diverted close to 55 percent of all referrals. The above chart indicates what types of charges were diverted from the system.

**Table 14: Breakdown of 2019 Diversions by Race**



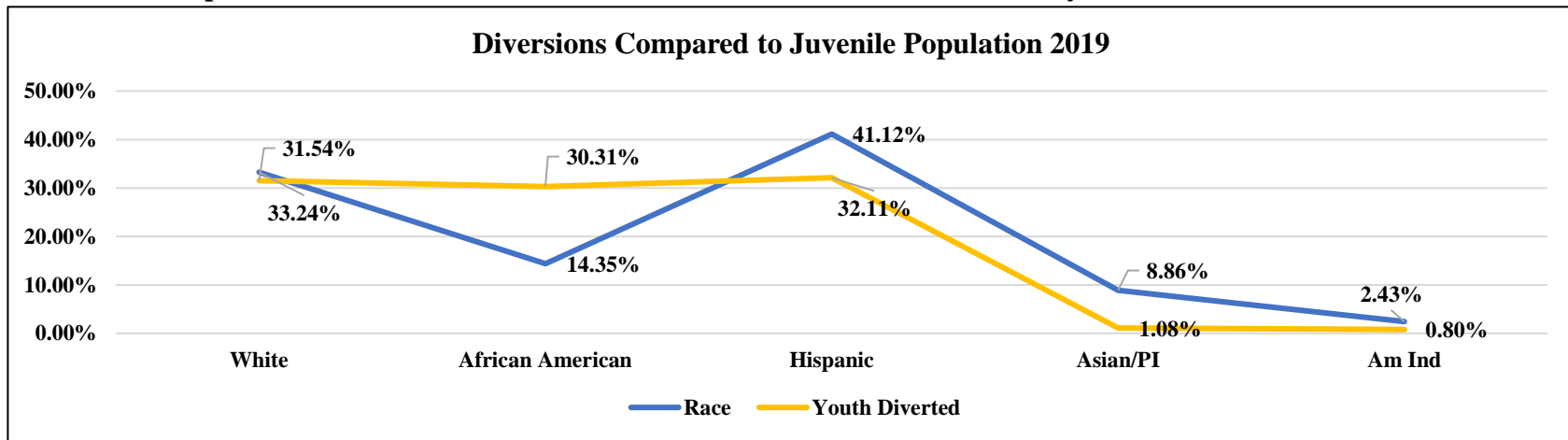
There were 10,177 diversions from the system which represents slightly less than 55 percent of all referrals to the system.

**Table 15: Breakdown of 2019 Diversions by Gender**



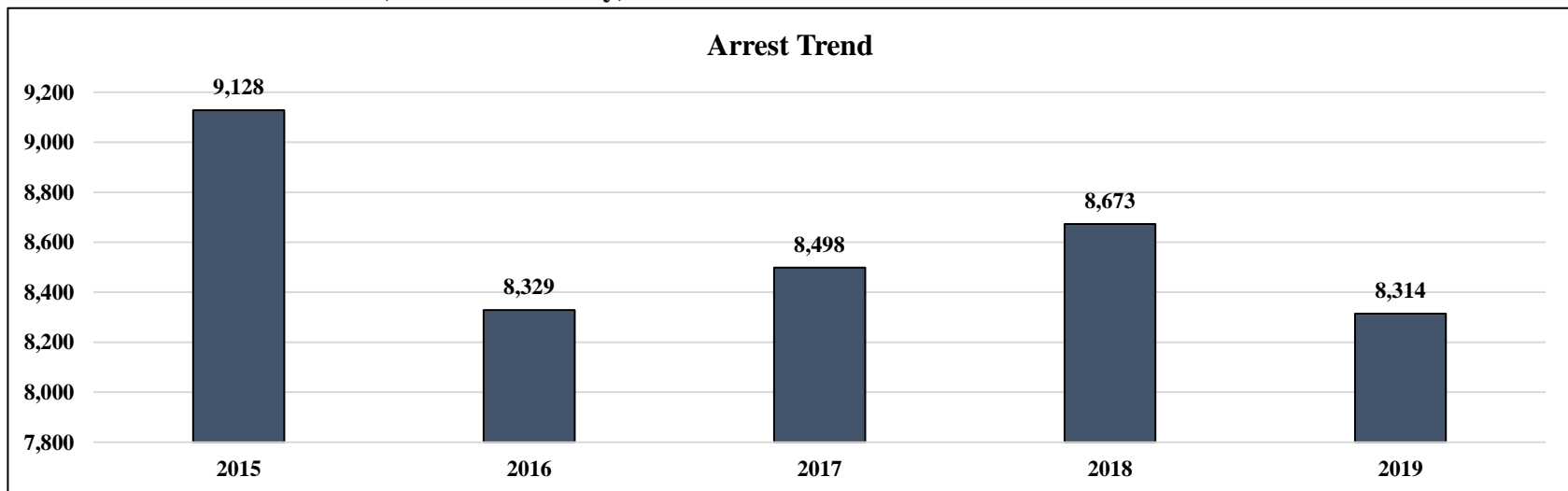
60 percent of all referrals are male

**Table 16: Comparision of 2019 Race Breakdown and 2019 Diversion Breakdown by Race**

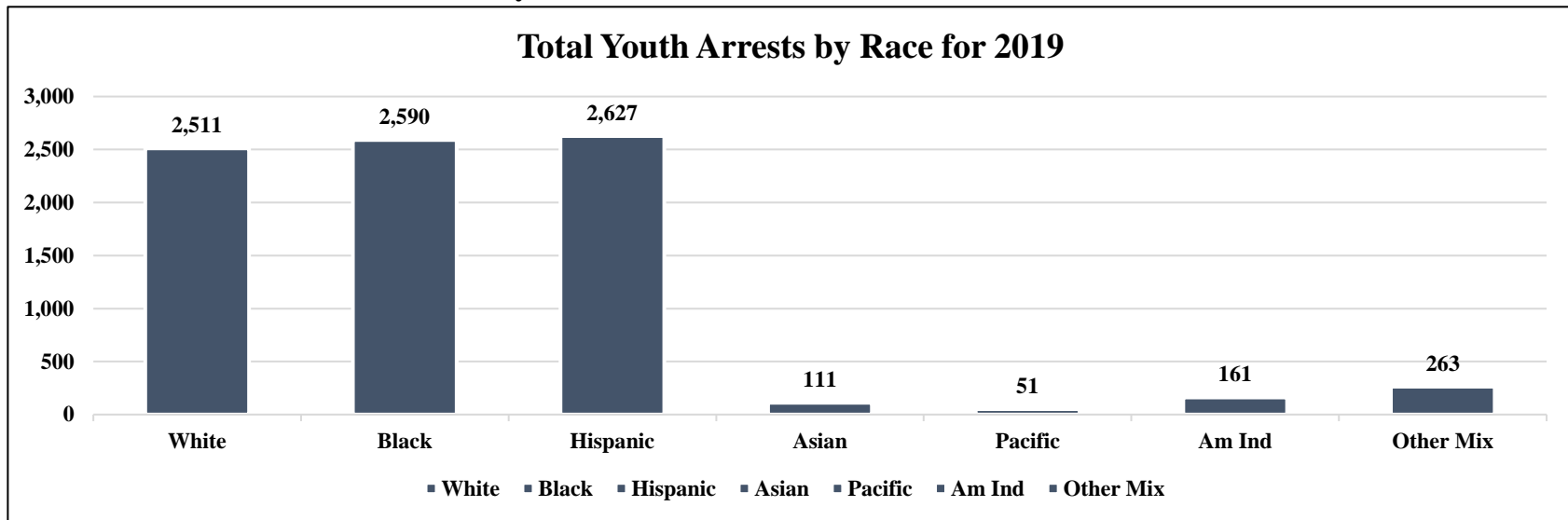


**Arrest Trends:**

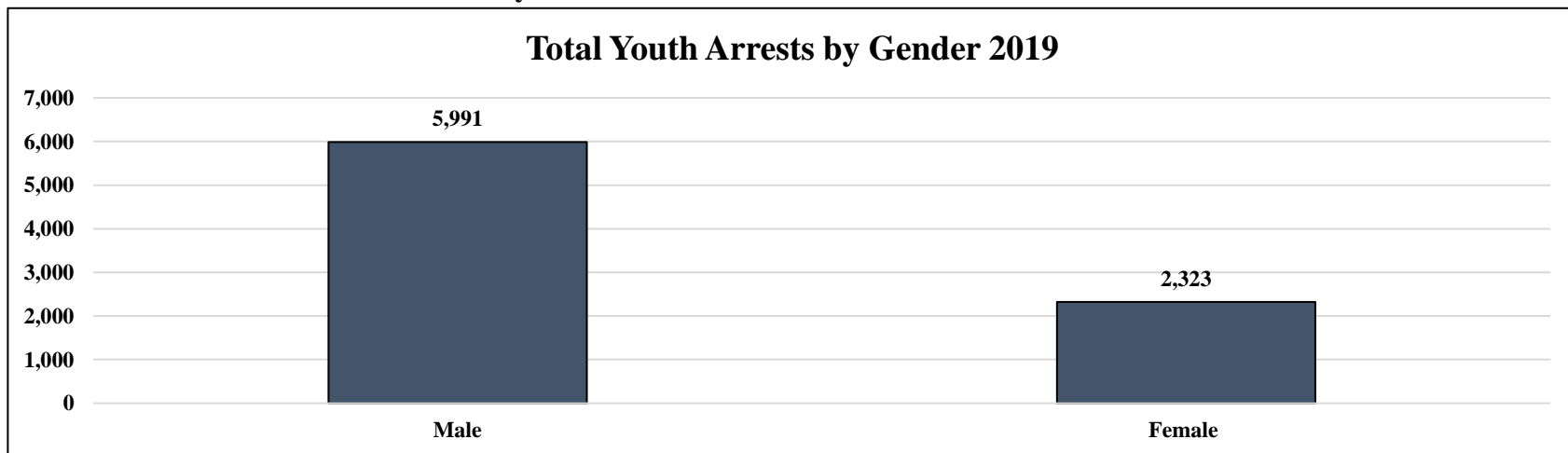
**Table 17: Historical Arrests (Five Year History)**



**Table 18: Breakdown of 2019 Arrests by Race**

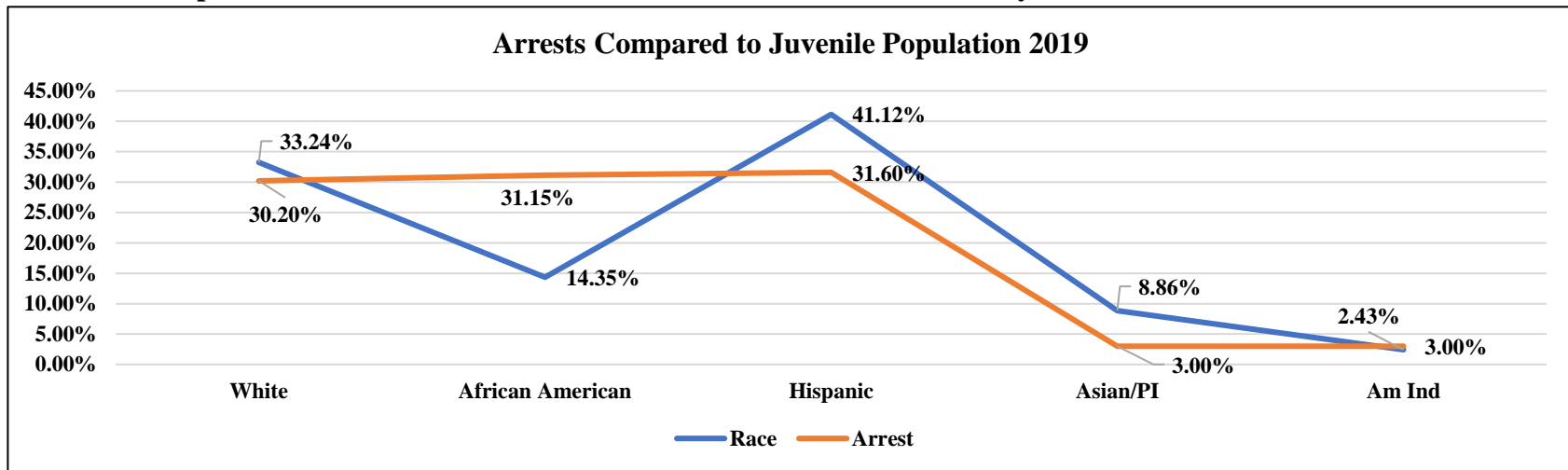


**Table 19: Breakdown of 2019 Arrests by Gender**

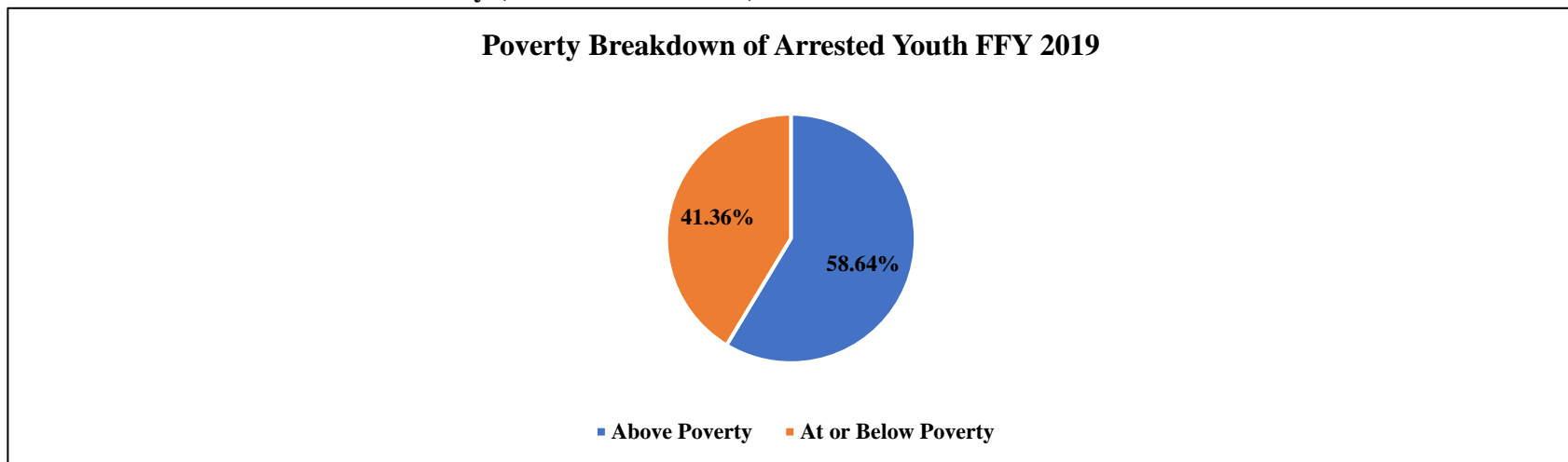


72 percent of all arrests are male.

**Table 20: Comparison of 2019 Race Breakdown and 2019 Arrest Breakdown by Race**

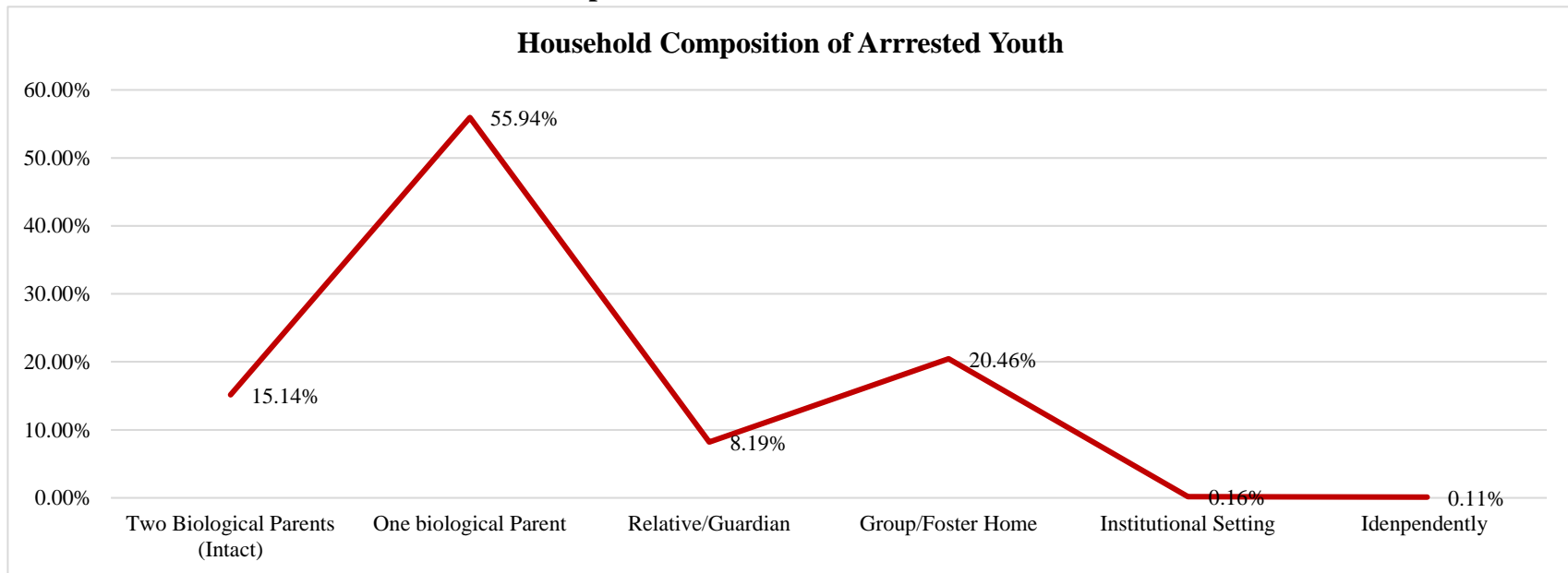


**Table 21: Breakdown of 2019 Poverty (Above or At/Below) level of Arrested Youth**



Just over 41 percent of arrested youth live at or below the poverty line.

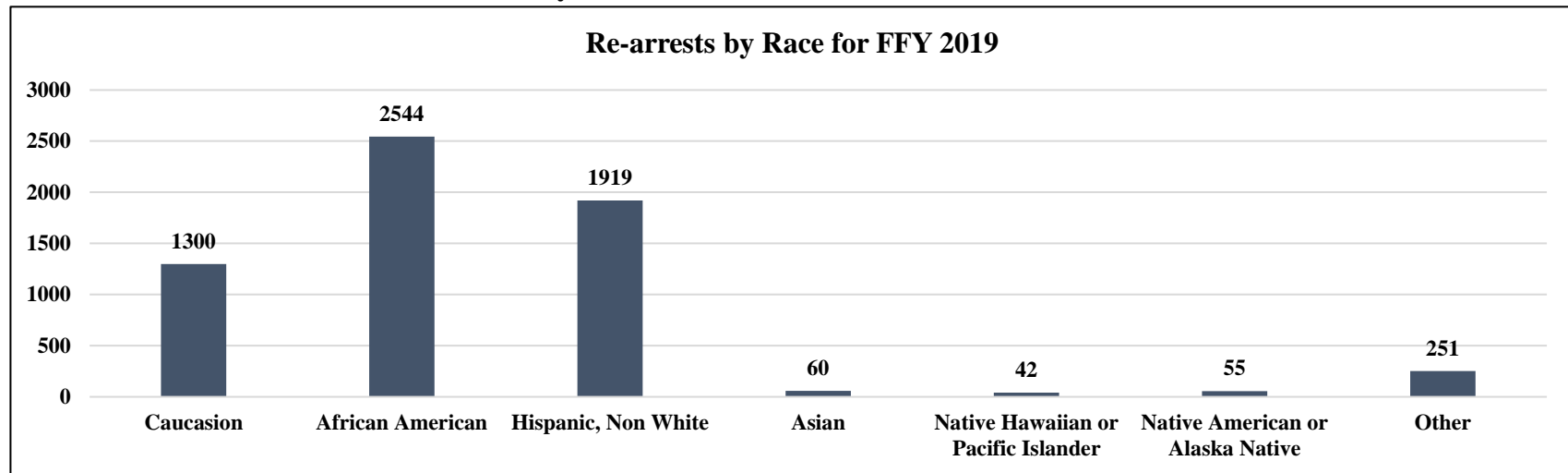
**Table 22: Breakdown of 2019 Household Composition level of Arrested Youth**



**Recidivism:**

Nevada began the process of collecting data for re-arrests in FFY 2019. Based on data from half of the jurisdictions, the total number of re-arrests were 6,171 as compared to 8,673 total arrests in FFY 2018. However, the state has not been able to break this data down to verify how many individuals were arrested in both FFY 2018 and in FFY 2019. Based on the 6,171 reported re-arrests, the rate of recidivism is 71.15 percent.

**Table 23: Breakdown of 2019 Re-Arrests by Race**



Minority youth made up 79 percent of all re-arrests; with 41 percent being African American youth. .

**Table 24: Top 10 Most Common Charges in Nevada for the past 3 years**

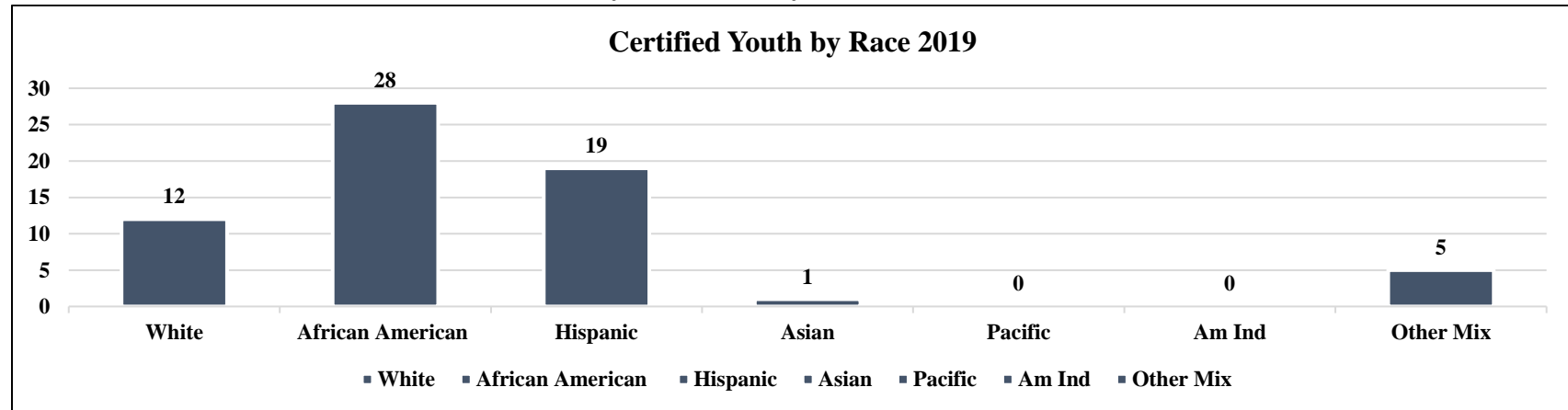
2019	2018	2017
Assault/Battery	Assault/Battery	Assault/Battery
Possession of Marijuana	Possession or use of an illegal drug	Technical Violations
Fighting	Fighting	Larceny/Theft/Robbery
Violation of Probation/Parole	Violation of Probation/Parole	Drug Possession or Under the Influence of Drugs
Possession of a controlled substance	Curfew	Burglary
Curfew	Petit Larceny	Obstructing Police/Providing false information
Theft/burglary	Habitual Truancy	Domestic Battery
Truancy	Obstructing a police officer/False Statement to Police	Petit Larceny
Trespassing	Burglary/Theft	Curfew
Domestic battery	Trespassing	Assault with a deadly weapon

### **Direct File/Certified Youth**

Youth who are direct filed do not touch the juvenile court system; therefore, DCFS does not have access to the number of youths who fall under this category.

DCFS does have access, through county data, to the number of youths who were certified through a juvenile court.

**Table 25: Breakdown of 2019 Certified Youth by Race (County Data)**



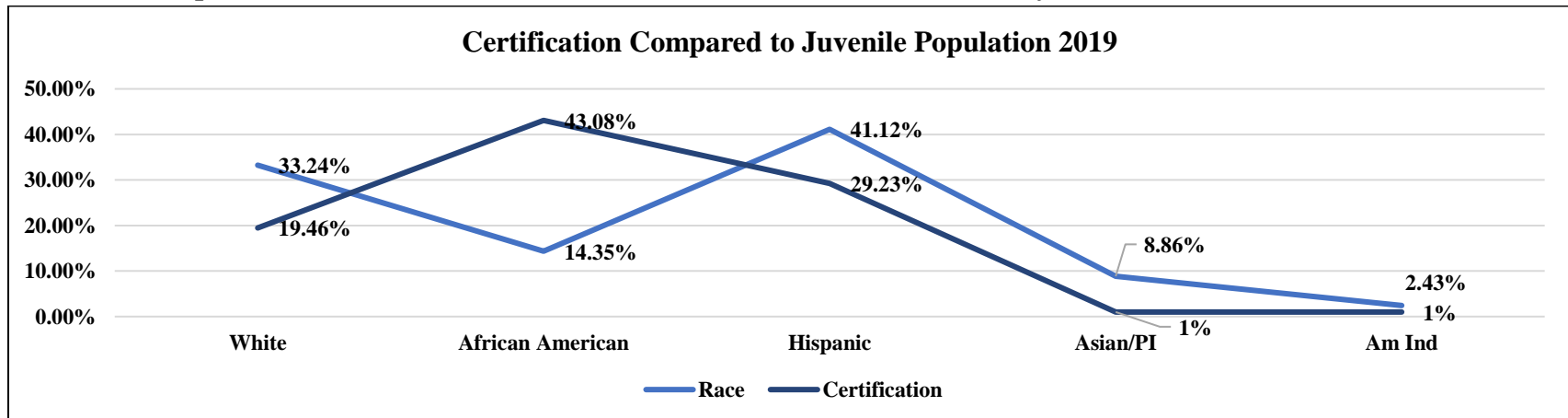
Approximately 80 percent of all certified youth are minority youth, with 43 percent African American youth.

**Table 26: Breakdown of 2019 Certified youth by Gender**



FFY 2019 saw an increase in female certifications for the state then from previous years..

**Table 27: Comparison of 2019 Race Breakdown and 2019 Certified Breakdown by Race**





### **State Statutes on Direct File and Certification**

Nevada statute outlines those crimes which are **direct files** to adult court, see Nevada Revised Statutes (NRS) § 62B.330.

With this statute in place, the direct files in adult court are directly determined by the youth's record and charged offense. The issues surrounding juvenile delinquency are complex and multifaceted. Juvenile delinquency issues may involve the areas of education, family structure, mental health, social economics, and support systems. To have a positive impact on reducing juvenile delinquency, youth programs and policies should be created with each of these areas in mind.

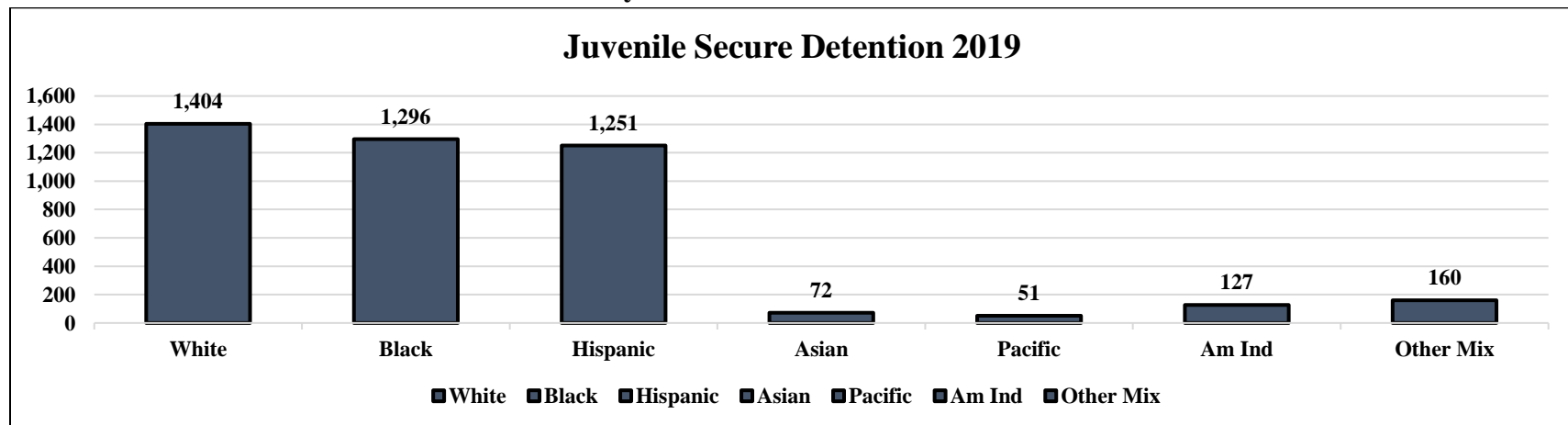
Nevada statute outlines the **certification** process for youth to be sent to adult criminal court in NRS 62B.390.

With this statute in place, certifications to adult court are directly determined by the youth's record and charged offense. The juvenile court judge has the authority to hear the case or to send the case to criminal court.

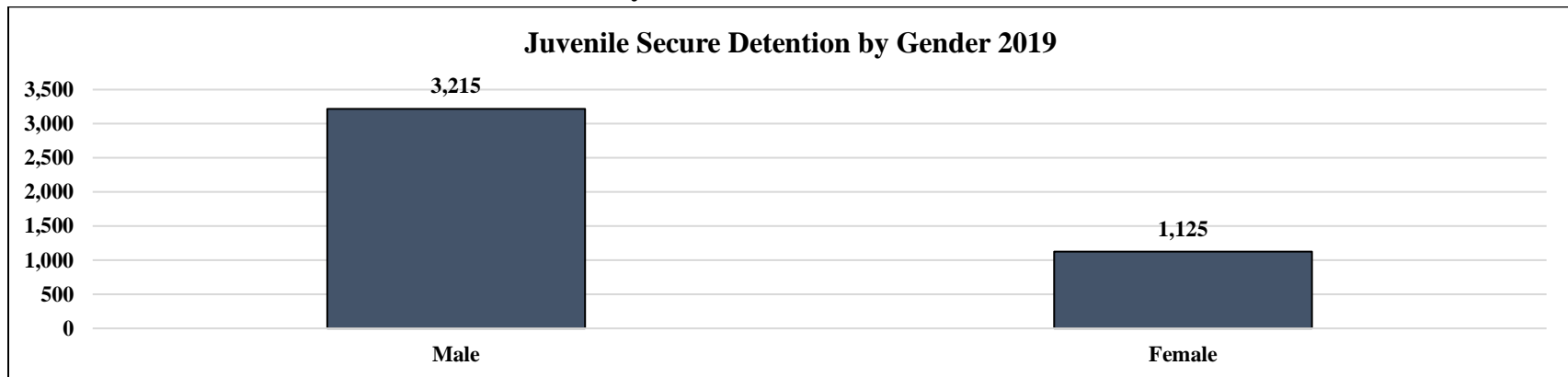
### **Secure Juvenile Detention**

Seven (7) of Nevada's seventeen (17) counties operate a juvenile detention facility. Those counties that do not operate a juvenile detention facility contract with those nearby counties that do have a facility for detention services.

**Table 28: Breakdown of 2019 Secure Detention by Race**

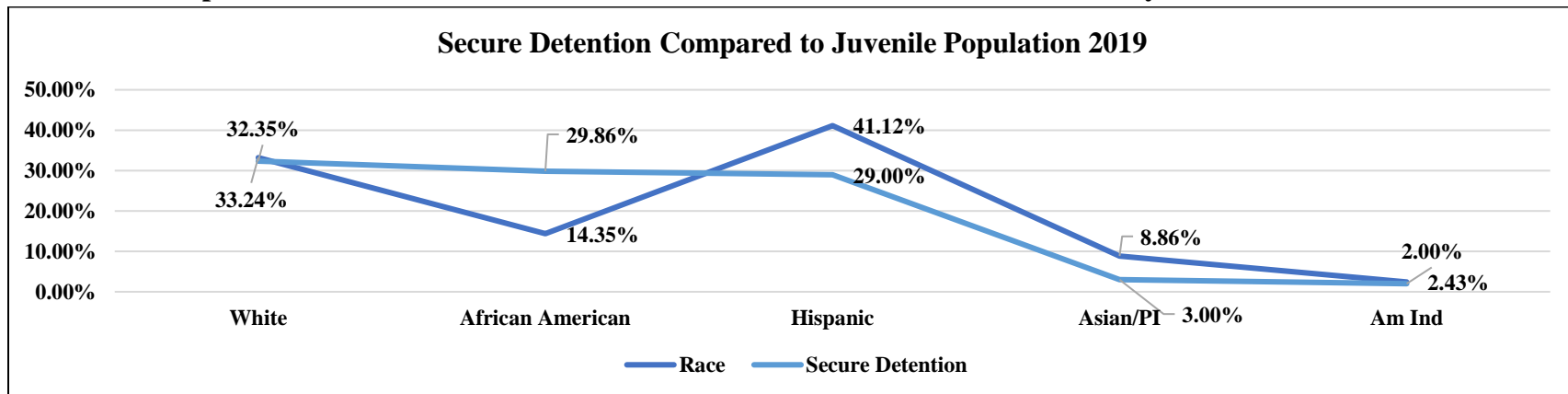


**Table 29: Breakdown of 2019 Secure Detention by Gender**



72 percent of all arrests were male in 2019. Of note there was a slight increase of 74 percent in detention placement of males.

**Table 30: Comparison of 2019 Race Breakdown and 2019 Secure Detention Breakdown by Race**

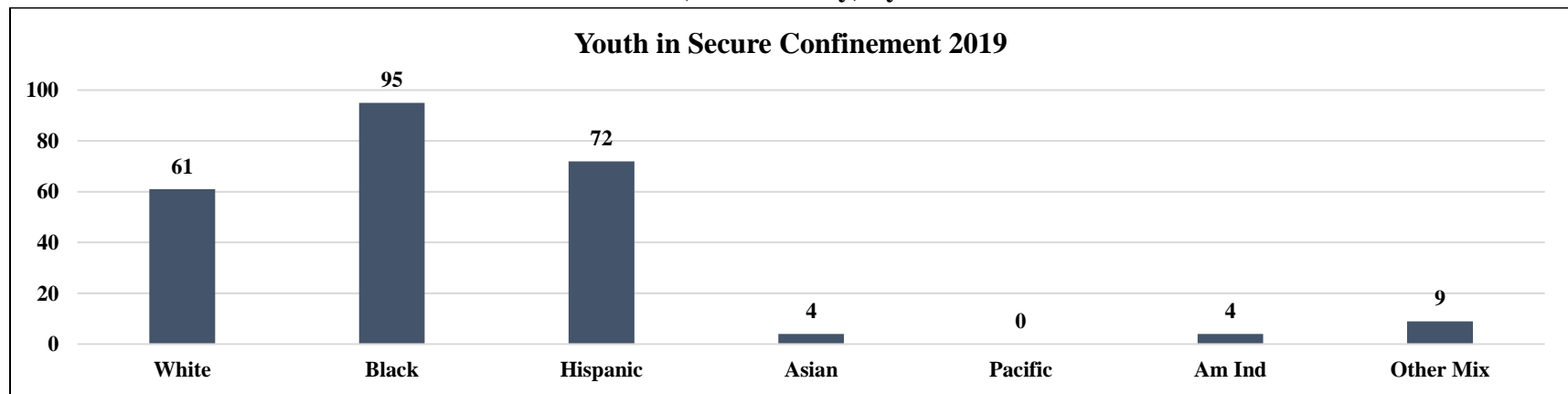


This comparison indicates disparity in the African American population and the African American youth placed into a juvenile detention facility.

### **Secure Confinement/State Custody/Correctional Placement**

Nevada is home to three (3) juvenile corrections centers in the state: The Nevada Youth Training Center (NYTC) in Elko, Caliente Youth Center (CYC) in Caliente, and Summit View Youth Center (SVYC) in Las Vegas. NYTC and SVYC only house male youths with a combined bed count of 108, while CYC houses both male and female youth. There are up to 40 females, in addition to 100 males. This is considered the deep end of the juvenile justice system in Nevada. Less than four percent of the total youth arrested in Nevada end up committed to the state for correctional care.

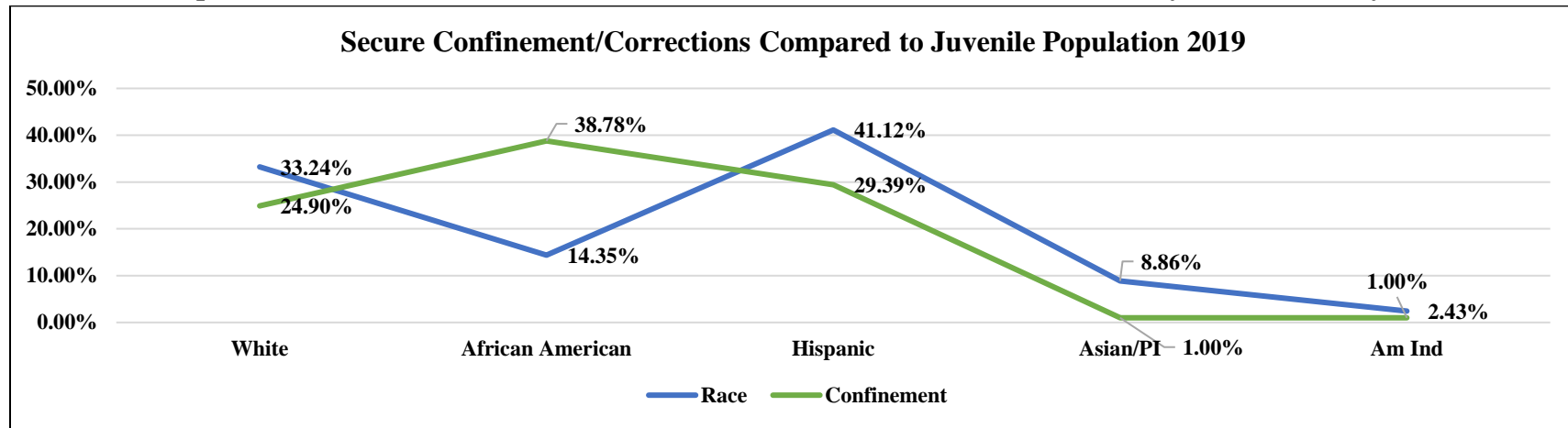
**Table 31: Breakdown of 2019 Youth in Confinement (State Facility) by Race**



**Table 32: Breakdown of Youth in Confinement (State Facility) by Gender**



**Table 33: Comparison of 2019 Race Breakdown and 2019 Secure Confinement (State Facility) Breakdown by Race**



### **JJDPA Additional Core Requirements**

Nevada’s compliance universe includes correctional facilities, detention centers, jails, lockups, court holding facilities, and court houses. Recently, schools and sporting arenas have been added. Casinos and malls are not included within the compliance universe. Casinos and malls utilize private security companies or guards and involve local law enforcement when incidents occur.

Residential treatment facilities, group homes, and other medical type facilities are licensed and regulated by the Department of Health and Human Services, Health Care Quality and Compliance (HCQC).

The following types of facilities are licensed by HCQC.

- Alcohol and Drug Treatment Facilities
- Child Care Institutions
- Psychiatric Hospitals
- Other hospitals and skilled nursing facilities
- Residential Treatment Centers
- Group Homes

HCQC completes all initial and ongoing licensing and completes investigations regarding any complaints made by facility staff, residents, or family members, and handles any correction action steps.

The state does utilize Residential Treatment facilities for youth out of state if there are no providers in the state that provide the treatment needed. The state relies on the other states' laws and regulations surrounds those facilities. Youth parole or probation officers are required to have weekly contact with youth and will make a special trip on an as needed basis.

**Table 34: 2019 Compliance Universe**

Facility type	Total	Survey Returned	On Site Visit Completed
Adult Jails	24	23	8
Adult Lockups (Includes adult correctional, police stations and substations, sheriff's offices, holding cells, and court houses) (Secure)	75	66	29
Juvenile Detention Centers	7	7	1
Juvenile Correctional Centers	3	3	3
Juvenile Camps	2	2	1
Adult Correctional Facilities	7	5	1
Adult Non-Secure Facilities	113	97	61
Juvenile Parole/Probation/Non-Secure	32	24	18
Adult Conservation & Fed Courts	11	1	5
Total	274	228	126
Percentage		87.7%	54.5%

**Deinstitutionalization of Status Offenders (DSO)**

The DSO Core Requirement has been part of the JJDPa since its inception in 1974. Status offenses are offenses that only apply to minors whose actions would not be considered offenses if committed by adults. The most common offenses include skipping school, running away, breaking curfew, incorrigible or unmanageable, CHINS (Child in Need of Supervision), and possession or use of tobacco.

**Table 35: DSO Rules/Assessment of Violations**

Basic Rule per the JJDP Act	How the Basic Rule may be a Violation
No status offender or non-offender may be placed in secure detention or confinement (adult jail or prison) for any length of time.	Violation of DSO  May be a violation of Jail Removal depending on where juvenile is held.
A status offender may be booked and detained in a juvenile detention facility for up to 24 hours.	Violation of DSO only if held longer than 24 hours, not counting weekends or holidays.
Use of a Valid Court Order (VCO) for a status offender greater than 24 hours: Note: The VCO must be issued for a status offense and the violation must be for a status offense.	Violation of DSO if the conditions on the VCO checklist are not met.
Law enforcement may complete the booking process of a status offender or non-offender in a secure booking area of an adult facility only if there is no unsecured booking area available.  The juvenile must be under continuous visual supervision, there are no adult offenders present and the juvenile is immediately removed from the secure booking area to a non-secure area for questioning or further processing.	If these conditions are not met, the juvenile is in a “secure setting” and it is a DSO violation.
A status offender or non-offender may be handcuffed to him/herself but cannot be handcuffed to a stationary object.	If a status offender or non-offender is handcuffed to a stationary object, they are in secure custody and it is a DSO violation.
A status offender who is in possession of a handgun.	May be held longer than 24 hours. This is not a DSO violation.

**Non- secure custody:**

- A status offender or non-offender is in non-secure custody if they are under continuous visual law enforcement supervision and physical restriction of movement or activity is provided solely through facility staff (staff secure).
- Any juvenile in a police car, or other vehicle in law enforcement control, is in non-secure custody.

Juveniles held in accordance with the Interstate Compact, such as out-of-state runaways, are exempt from the DSO mandate and can be securely held for greater than 24 hours solely for the purpose to be returned to the proper custody of another state.

### Data Collection:

The State collects data on a continuous basis for this area. The data includes:

- 1) A monthly report from each juvenile detention facility on any status offenders booked and securely held in their facility to include time in, time out, and primary charge.
- 2) A report from an adult jail or lockup if a juvenile is booked and securely held in their facility to include time in, time out, and primary charge; and
- 3) Annual self-report survey from all secure juvenile and adult facilities in the state.

State staff evaluate every status offense reported against federal violation standards. A violation occurs when a youth was held greater than 24 hours (except weekends, holidays, or use of a Valid Court Order (VCO)) in a juvenile detention facility or a youth was held securely for any length of time in an adult jail or lockup.

**Table 36: DSO Violation Ratio by Year**

Compliance Year	FFY 2017	FFY 2018	FFY 2019
DSO Violation Rate	1.03	1.39	1.47

*Note: This chart indicates the number of DSO violations per 100,000 youth. The rate for FFY 2019 must be less than 8.5 per 100,000 juvenile population to be in compliance. The state is in compliance with DSO in FFY 2019.*

### State Compliance:

Full compliance is achieved when a state demonstrates that the last submitted monitoring report, covering 12 months of actual data, demonstrates no juveniles were placed in secure detention or secure adult correctional facilities for status offenses. Further, this area assesses the number of status offenders who are placed in juvenile secure facilities greater than 24 hours. The DSO rate represents a de minimis standard which compares the number of instances per 100,000 juveniles in the state. The rate takes the number of status offenders placed in an adult facility for any length of time and the number of status offenders placed in a secure juvenile facility greater than 24 hours. Generally, a rate at or below 5.8 is considered in compliance.

**Separation of Juveniles from Adult Offenders (Sight and Sound Separation):**

When youth are held in an adult jail, they may not have any sight or sound contact with adult inmates. Thus, youth cannot be housed with adult inmates or next to adult cells, share dining halls, recreation areas, or any other common spaces with adult inmates, or be placed in any circumstances in which they could have any visual or verbal contact with adult inmates.

An adult inmate is an individual who has reached the age of full criminal responsibility and has been arrested and detained awaiting trial or is convicted of a criminal offense. In Nevada, the age of criminal responsibility is age 18; however, there are instances where individuals can remain in the juvenile justice system until age 21.

**Table 37: Sight and Sound Rules/Assessment of Violations**

Basic Rule per the JJDP Act	How the Basic Rule may be a Violation
Sight Separation: Adult and juvenile offenders are in the same building, but unable to see each other and cannot have physical contact with each other. This includes juveniles ages 18 – 21 who are under the supervision of a juvenile court.	Sight violation if this does not occur.
Sound Separation: Adult and juvenile offenders are in the same building but cannot hear each other.	Sound violations if this does not occur.
Environmental Separation: Adult and juvenile offenders are not in the same building or in the same location.  For the purpose of court holding facilities, juvenile and adult offenders are seen at different times or on different days.	No violation.
Co-located Facility. Adult inmates and juveniles are located in the same facility or property but have separate units or areas.	No violation.
Certified or direct file youth: Juveniles under age 18 may be detained in an adult facility awaiting trial.	No violation.
Correctional Facilities: Juveniles under age 18 may be detained in an adult correctional facility if found guilty in adult criminal court.	No violation.



### Data Collection:

The state relies heavily on self-report of sight and sound separation violations within adult jails or lockups. Data and verification include:

- 1) Annual self-report survey from all secure adult facilities in the state; and
- 2) An on-site review of roughly 30 percent of secure adult facilities annually. During the on-site visit, State staff view admissions of any juvenile within the 12month review period.

It must be noted that many secure adult facilities have policies in place in which they do not allow juveniles within their facilities. Law enforcement officers generally call the local juvenile probation officer for direction and may stay with the youth at the initial contact point until the juvenile probation officer can pick up the youth. If the youth is near a juvenile detention facility, local law enforcement will transport directly to that facility.

**Table 38: Sight and Sound Ratio by Year**

Compliance Year	FFY 2017	FFY 2018	FFY 2019
<b>Sight and Sound Separation</b>	<b>0</b>	<b>0</b>	<b>0</b>

*Note: This chart indicates the number of Sight and Sound violations per 100,000 youth. The rate for FFY 2019 must be less 0.32 per 100,00 juvenile population. The state is in compliance with sight/sound separation.*

### State Compliance

Full compliance is achieved when a state demonstrates that the last submitted monitoring report, covering a full 12 months of data, demonstrates that (1) no juveniles were placed in secure detention or secure adult correctional facilities or detained in confinement, in any institution in which they had contact with adult inmates; and (2) the state has a policy in effect requiring that individuals who work with both juvenile and adult inmates, including in collocated facilities, have been trained and certified to work with juveniles.

If the state does report instances of separation violations, the state may still comply if the instances do not indicate a pattern, but are isolated instances, that instances do not violate state law, and policies are in place to prevent separation violations.

### **Removal of Juveniles from Adult Jails and Lockups (Jail Removal)**

Juveniles may not be detained in adult jails except for limited periods before release or transporting them to an appropriate juvenile placement (6 hours), in rural areas (24 hours excluding weekends and holidays), or when weather and travel conditions prevent authorities from transporting them. In Nevada, murder, attempted murder, and sexual assault with a deadly weapon are automatic transfers to the adult system. These youth that meet the requirements of an automatic transfer can be remanded to the juvenile system if the judge believes it is in the best interest of the youth.

**Table 39: Jail Removal Rules/Assessment of Violations**

Basic Rule per the JJDP Act	How the Basic Rule may be a Violation
Juveniles may be held up to six (6) hours, which starts the minute that the juvenile enters a secure setting. If the juvenile is temporarily removed from the secure setting, but is then placed back in the secure setting, the six (6) hour clock does not stop for the time that they were un a non-secure setting. When a delinquent is taken out of a secure setting to be taken to court, the six (6) hour clock continues, the six (6) hour clock included the time in court but does NOT include the transport time. This includes only those facilities that meet the rural exception criteria.	Greater than 6 hours is a violation.
Juveniles held in an adult jail that is not listed as a rural exception.	Violation at 1 minute or greater.

#### **Data Collection:**

The State collects data on a continuous basis for this area. The data includes:

- 1) A report from an adult jail or lockup if a juvenile is booked and securely held in their facility to include time in, time out, and primary charge; and
- 2) Annual self-report survey from all secure juvenile and adult facilities in the state.

State staff evaluates every status instance of a juvenile booked and held securely in an adult jail or lockup against federal violation standards. A violation occurs when a youth was held greater than six 6 hours in an adult jail or lockup that does not meet the rural, inclement weather/road closure exception requirement. This does not include youth who are direct files or certified as adults.

**Table 40: Jail Removal Violation Ratio**

Compliance Year	FFY 2017	FFY 2018	FFY 2019
Jail Removal	.30	.35	.45

State Compliance:

Full compliance is achieved when a state demonstrates that the last submitted monitoring report, covering 12 months of actual data, demonstrates that no juveniles were placed in adult jails or lockups exceeding six hours, not including exceptions. This rate represents a de minimis standard which compares the number of instances per 100,000 juveniles in the state. A rate at or below 9.0 is considered in compliance.

**Title II Formula Grant (Charles Grassley Juvenile Justice and Delinquency Prevention Program)**

Reductions in Federal funding for juvenile justice and delinquency prevention efforts have impacted the state's ability to aid state and local initiatives. This reduction in funding has come at a time when the requirements for the funding have increased, leaving the state in a distressed situation of funding local programs and meeting the requirements of the JJDPA and the Grant.

**Table 41: Federal Funding for Juvenile Justice**

Federal Fiscal Year (FYY)	Formula Grant	Juvenile Justice Accountability Block Grant	Total
2011	\$600,000	\$419,746	\$1,019,746
2012	\$405,210	\$249,867	\$655,077
2013	\$393,667	\$192,141	\$585,808
2014	\$393,667	\$0	\$393,667
2015	\$393,667	\$0	\$393,667
2016	\$394,337	\$0	\$394,337
2017	\$394,924	\$0	\$394,924
2018	\$394,924	\$0	\$394,924
2019	\$394,924	\$0	\$394,924

This indicates a 61 percent decrease in funding for juvenile justice programs and services from 2011 to 2014. The funding has been stagnant since 2014. The reduction of funding directly affects more than the state administrative agency; it affects local departments of juvenile services and providers. DCFS has only been able to sub grant roughly \$250,000 combined since 2014 to local departments of juvenile services or community providers to provide programs and services to Nevada's youth. Despite the lack of funding available, DCFS has seen an increase in funding requests. In FFY 2015, DCFS was able to fund 80 percent of total requests, but only 73 percent of total requests in FFY 2018. There is greater need than there are funds available.

**Table 42: Sub - Grants for FFY 2018**

Rank	Grantee	Program Name	Program Area	Amount Requested	Proposed Funding	% Funded	Amount Unfunded
1	NCJJ	Evidence Based Resource Center	# 27 - Juvenile Justice System Improvement	\$51,806.00	\$51,806.00	100%	
2	Sixth Judicial District Youth and Family Services	SEEK	#3 Alternatives to Detention and #24 Indian Tribe Programs	\$33,120.00	\$33,120.00	100%	
2	Quest Counseling & Consulting	Mental Health Program	#12 - Mental Health Services	\$32,968.00	\$32,968.00	100%	
4	Clark County Department of Juvenile Justice	Motivational Enhancement Therapy (MET)	#12 - Mental Health Services	\$50,000.00	\$50,000.00	100%	
5	Clark County Department of Juvenile Justice	Substance Abuse Assessment and Referral Program	#18 - Substance and Alcohol Abuse and #12 - Mental Health Services	\$80,000.00	\$80,000.00	100%	
6	Carson City Juvenile Probation	Mental Health Program	#12 - Mental Health Services	\$24,000.00	\$9,000.00	37.5%	\$14,000.00
7	Elko County Juvenile Probation	Community Services Program	#3 - Alternatives to Detention	\$14,820.00		0%	\$14,820.00
8	City of Las Vegas Youth Development and Social Innovation Department	DMC	#21 Disproportionate Minority Contact	\$15,000.00		0%	\$15,000.00
9	Carson City Juvenile Probation	Brewery Arts Program	#3 - Alternatives to Detention	\$6,500.00		0%	\$6,500.00
10	Carson City Juvenile Probation	Leadership and Resiliency Wilderness Program	#3 - Alternatives to Detention	\$14,250.00		0%	\$14,250.00
11	Eleventh Judicial district Youth and Family Services	Restitution and Restorative Justice Program	#10 - Job Training	\$29,700.00		0%	\$29,700.00
<b>Totals</b>				<b>\$352,164.00</b>	<b>\$256,894.00</b>	<b>73%</b>	<b>\$94,270.00</b>

However, the Title II Formula Grant has been frozen for the past 16 months which has had a huge impact on the sub grant requests for FFY 19. Sub grantees are leery of DCFS's ability to reimburse for services provided through these sub grants based on the frozen grant funds. DCFS has been unable to draw on its awarded FFY 18 and FFY 19 Formula Grant funds; therefore, all awarded subgrantees for FFY 18 and FFY 19 have not received any funds for their programs.

**Table 43: Sub – Grants for FFY 19**

Rank	Grantee	Program Name	Program Area	Amount Requested	Proposed Funding	% Funded
1	City of Las Vegas	DMC Conference	# 21 Disproportionate Minority Contact	\$15,000.00	\$15,000.00	100%
2	Clark County Department of Juvenile Services	MET/CBT 5	#12 Mental Health Services	\$50,000.00	\$50,000.00	100%
2	Clark County Department of Juvenile Services	SAARP	#18 Substance Abuse and # 12 Mental Health Services	\$80,000.00	\$80,000.00	100%
4	6th Judicial	SEEK	#6 Delinquency Prevention and #24 Indian Tribe Programs	\$36,120.00	\$36,120.00	100%
5	NCJJ	JJ Resource Center	#27 Juvenile Justice System Improvement	\$51,575.00	\$51,575.00	100%
6	11th Judicial	Youth Apprentice Program	#6 Delinquency Prevention	\$20,976.00	\$20,976.00	100%
	<b>Totals</b>			<b>\$253,671.00</b>	<b>\$253,671.00</b>	<b>100%</b>

Despite the frozen funds, DCFS intends to continue to apply for the Title II Formula Grant annually. However, program and fiscal staff are reviewing options for how to better utilize these funds. Currently, there is one FTE tied to this grant. If DCFS can shift the funds for this FTE to state general funds, there will be additional grant money for system improvement projects such as data management enhancements.

## **SECTION II: Juvenile Justice System Trends and Performance Measures**

DCFS is required to the provided data on the following annually per NRS 62H.225, NRS 62H.230, and NRS 62B.640:

- Juvenile justice system trends, including, without limitation, referrals to the juvenile justice system, diversion and disposition of cases, levels of supervision provided to children, placement of children and programs and services offered to children;
- Whether children of racial or ethnic minorities or children from economically disadvantaged backgrounds are receiving disparate treatment in the juvenile justice system;
- The effectiveness of the different levels of supervision in the juvenile justice system;
- The effectiveness of services provided by the juvenile justice system, including, without limitation, the effectiveness of the evidence-based standards developed by the Commission pursuant to [NRS 62B.615](#);
- The rates of recidivism for children either supervised by local juvenile probation departments or committed to the Division;
- The effectiveness of programs for the treatment of juvenile sex offenders; and
- DCFS's compliance with quality assurance reviews.

### **Quality Assurance Reviews**

The Evidence-Based Correctional Program Checklist (CPC) is a tool developed by the University of Cincinnati Corrections Institute (UCCI) for assessing correctional intervention programs. The CPC is designed to measure whether a correctional program has the capability to deliver evidence-based intervention and services for offenders within a secure setting.

There are several limitations to the CPC that should be noted. First, the instrument is based upon an ideal program. The criteria have been developed from a large body of research and knowledge that combines the best practices from the empirical literature on what works in reducing recidivism. As such, no program will ever score 100 percent on the CPC. Second, as with any explorative process, objectivity and reliability can be concerns. Although steps are taken to ensure that the information gathered is accurate and reliable, given the nature of the process, decisions about the information and data gathered are invariably made by the evaluators. Third, the process is time specific. That is, the assessment is based on the program at the time of the assessment. Though changes or modifications may be under development, only those activities and processes that are present at the time of the review are considered for scoring. Fourth, the process does not consider all “system” issues that can affect the integrity of the program. Lastly, the process does not address the reasons that a problem exists within a program or why certain practices do or do not take place.

As mentioned above, the CPC represents an ideal program. Based on the assessments conducted to date, programs typically score in the Low and Moderate Adherence to EBP categories. Overall, 7 percent of the programs assessed have been classified as having High Adherence to EBP, 17% as having High Adherence to EBP, 31 percent as having Moderate Adherence to EBP, and 45 percent as having Low Adherence to EBP. Research conducted by UCCI indicates that programs that score in the Very High and Adherence categories look like programs that can reduce recidivism.

**Completed CPC's (2018 – 2019)**

Summit View Youth Center (SVYC): June 28, 2018

Spring Mountain Youth Camp (SMYC): September 20, 2018

China Spring Youth Camp (CSYC): October 3 & 4, 2018

Caliente Youth Center (CYC): April 17 & 18, 2019

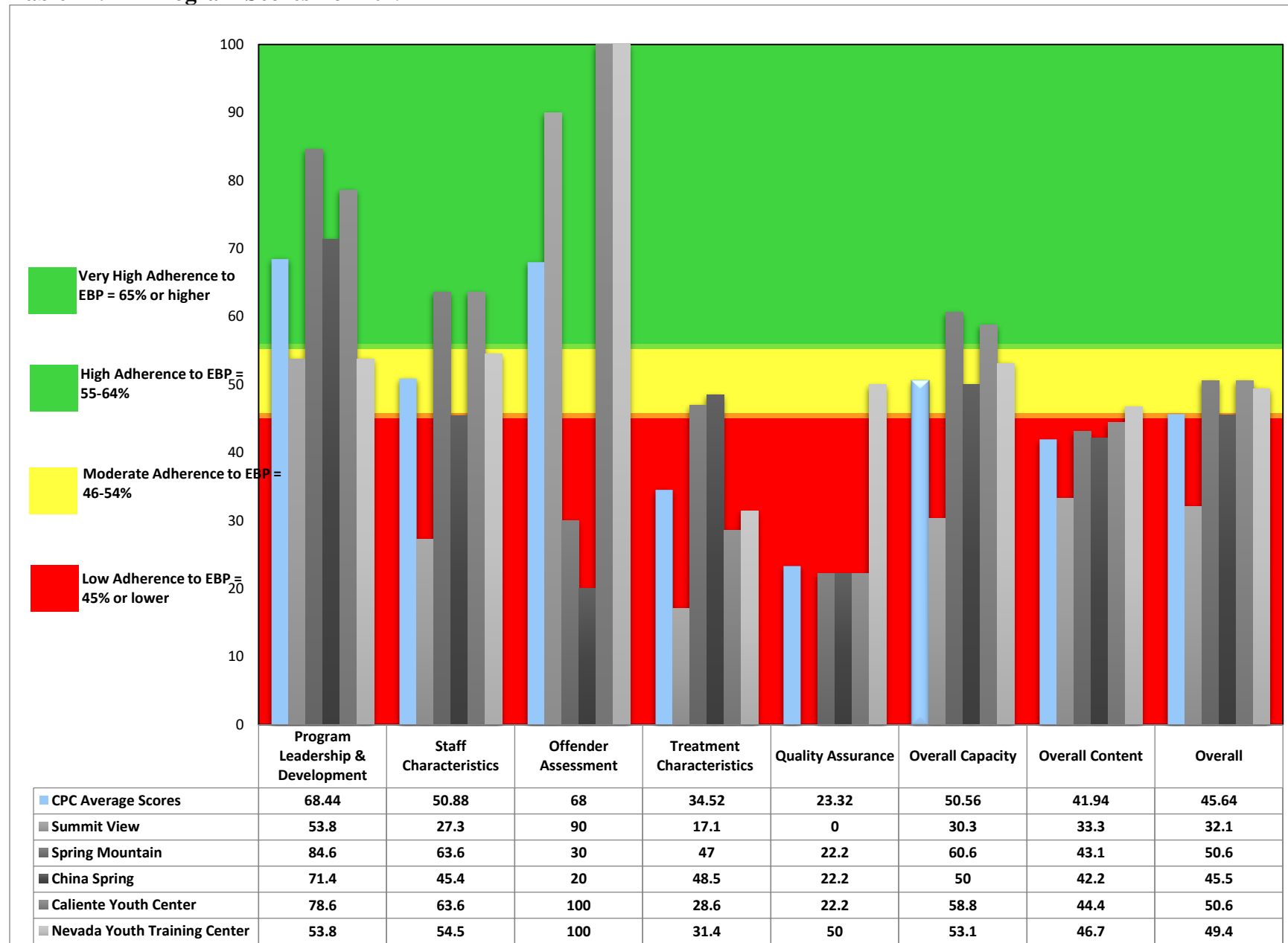
Nevada Youth Training Center (NYTC): May 6 & 7, 2019

Summit View Youth Center (SVYC): July 23-25, 2019

Spring Mountain Youth Camp (SMYC): September 24-25, 2019

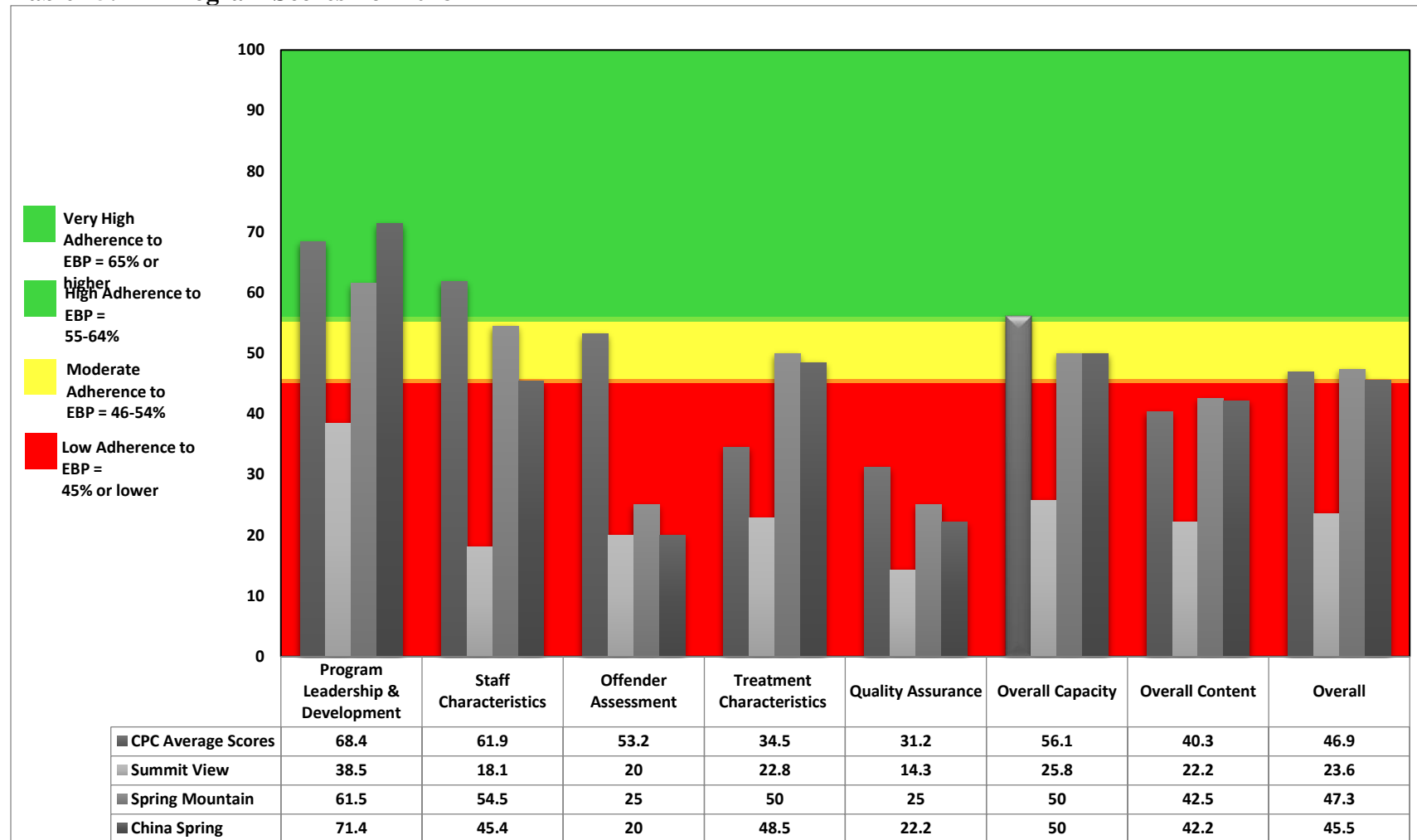
China Spring Youth Camp (CSYC): October 8-10, 2019

**Table 44: All Program Scores For 2019**



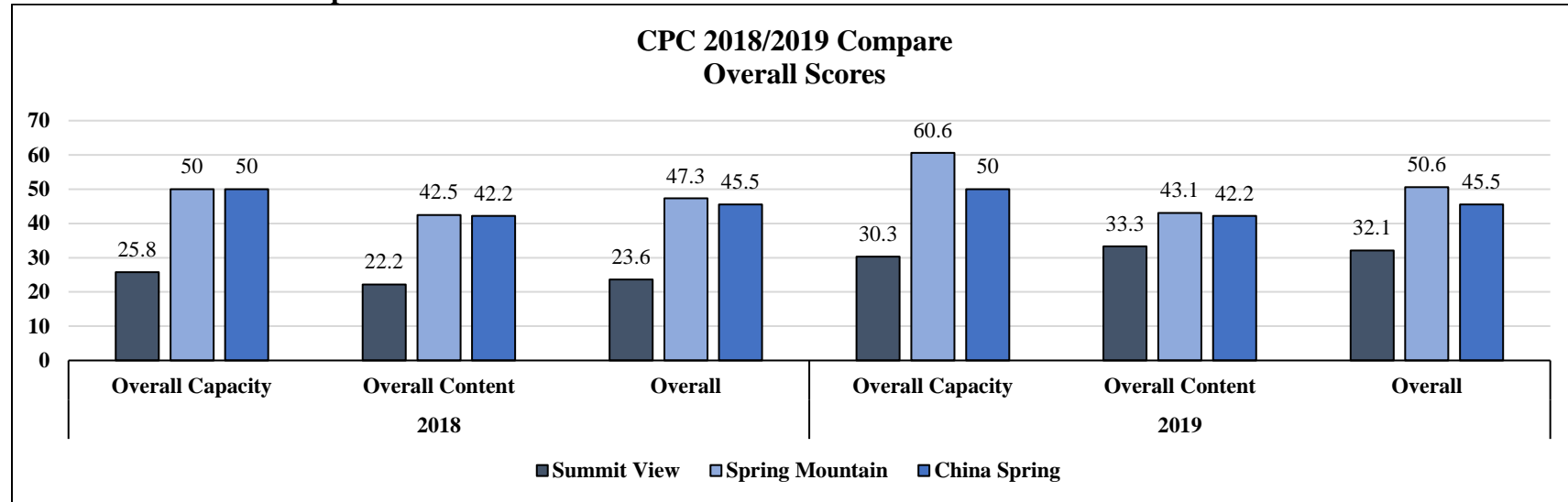


**Table 45: All Program Scores For 2018**



Only three 3 facilities have been reviewed more than once, so comparison is limited to only those facilities. Side by side comparison indicates that China Spring, Spring Mountain, and Summit View Youth Center all improved from 2018 to 2019. This can be seen as a success for each facility and continued improvement is expected.

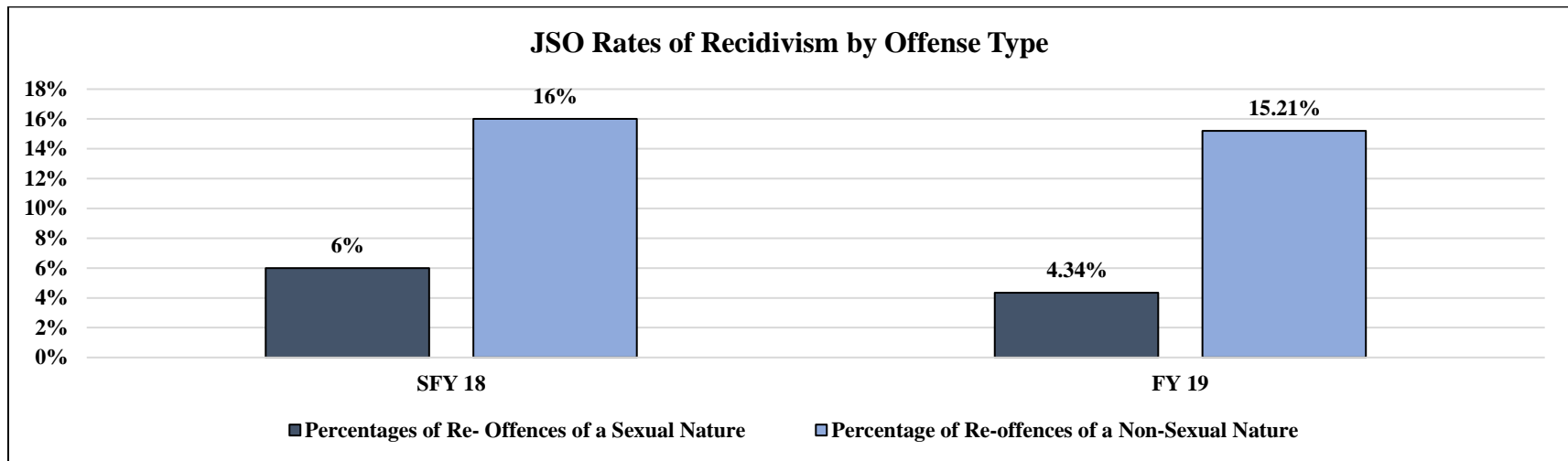
**Table 46: 2018/2019 Compare**



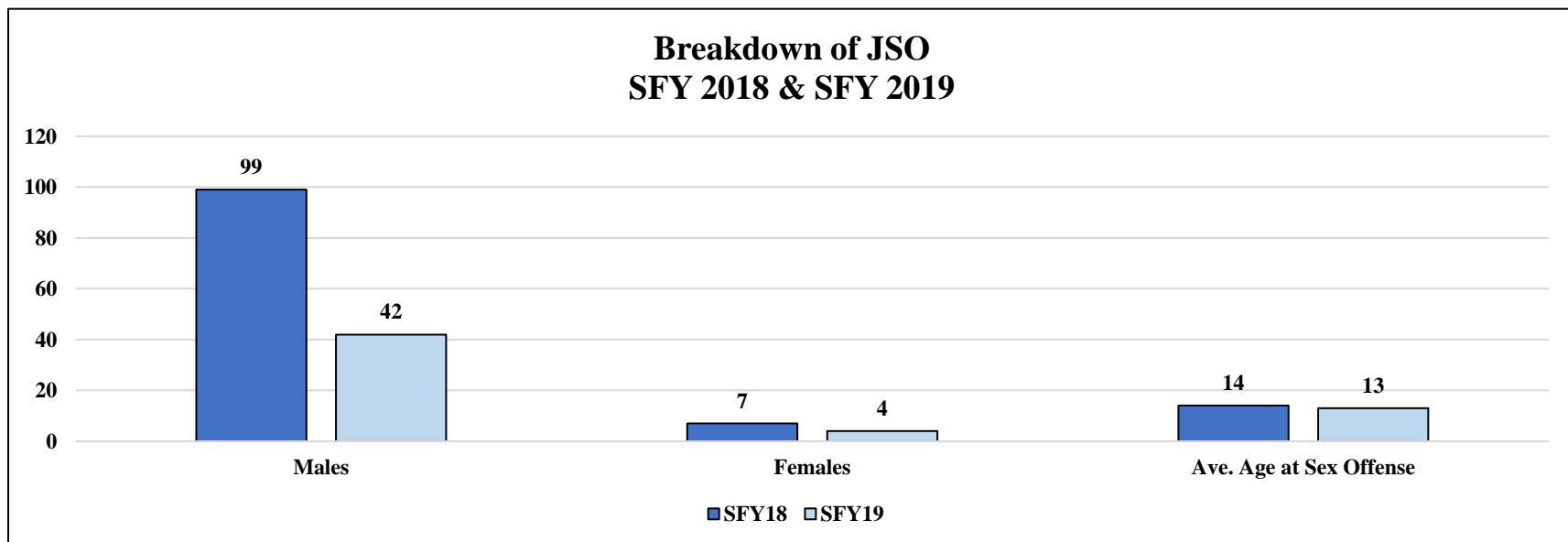
### **Juvenile Sex Offender Data**

DCFS has been collecting juvenile sex offender treatment data since August of 2012. There were 380 reported juvenile sex offenders from August 2012 through June 2017. There were 4 youth who re-offended of a sexual nature after the completion of treatment which is a 1.05 percent rate of recidivism. However, 90 youth offended after the completion of treatment which is a 23.6 rate of recidivism for crimes of a non-sexual nature. 50% percent of the offences are listed as a violation of probation.

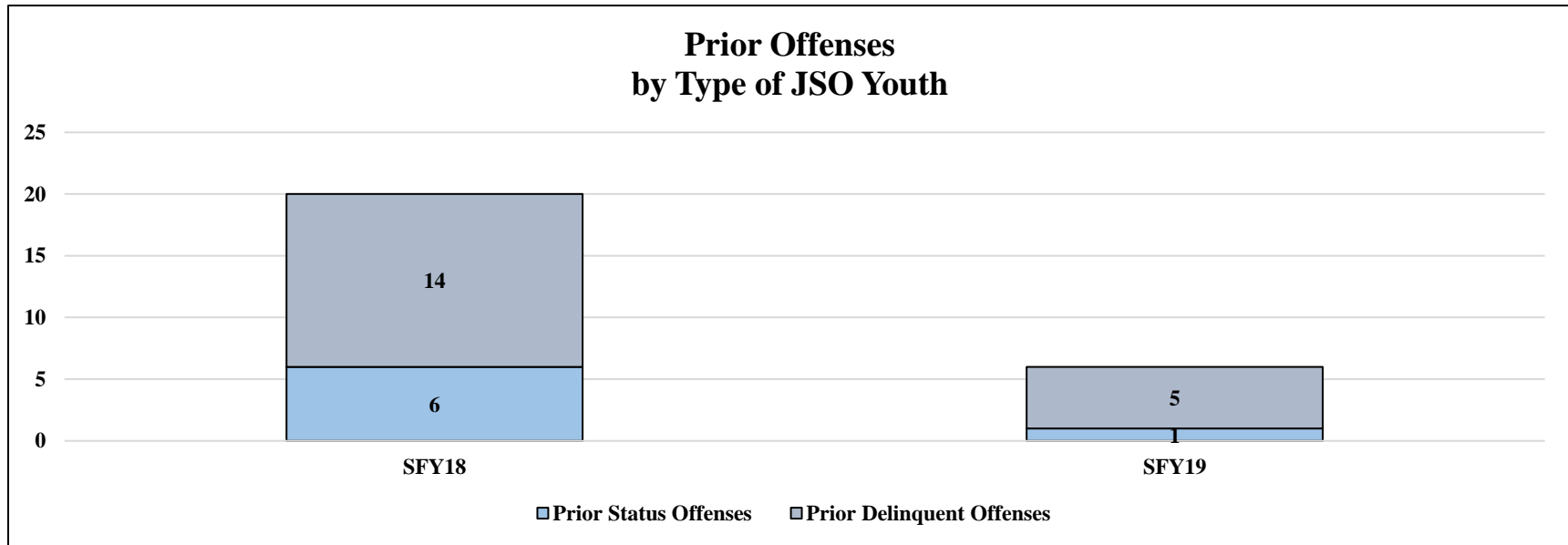
**Table 47: JSO Rates of Recidivism for Fiscal Years 2018 and 2019**



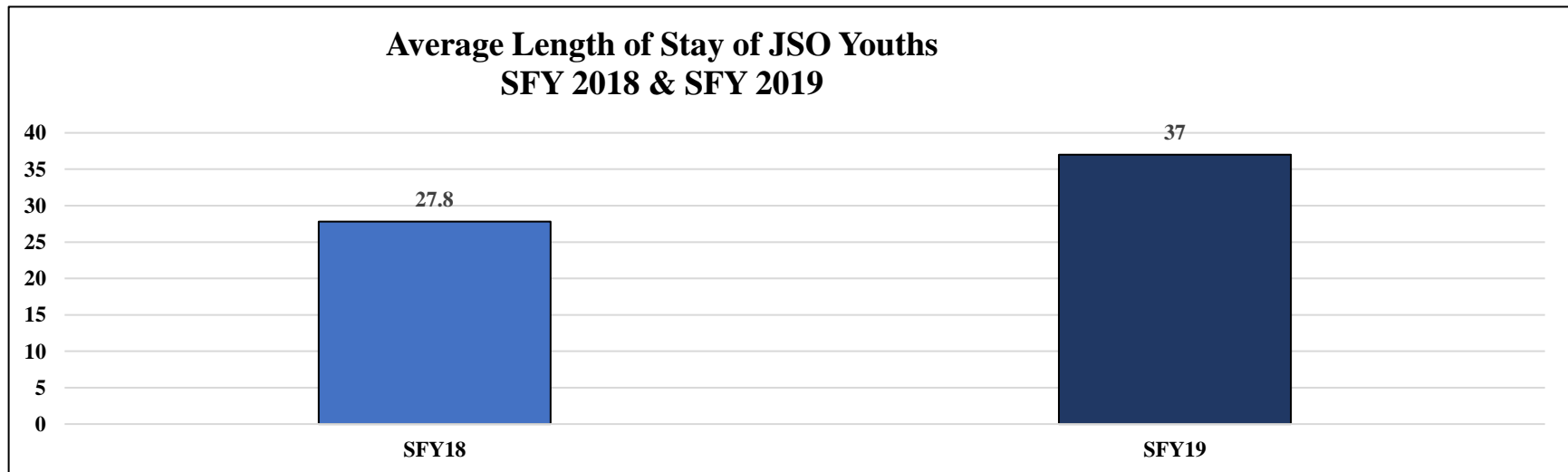
**Table 48: JSO Breakdown**



**Table 49: JSO Prior Offenses**



**Table 50: JSO Average Length of Stay**



## *Achievements over the last year*

### Data Management System:

In late 2017, the JJOC approved a uniform, electronic juvenile justice case management system statewide, Tyler Supervision. Currently, the Division of Child and Family Services (DCFS) state facilities and youth parole and all 15 rural counties are fully integrated within this new system. Clark County went live on the week of February 17, 2020, and Washoe County is expected to be implemented by Summer 2020.

This new juvenile justice case management system allows the state and the counties to collect and monitor the same data as a youth moves through the juvenile justice system. However, the case management system is not a statewide system, rather small individual systems throughout the state and counties. DCFS has initiated data sharing agreements with all 17 counties, with 16 counties having already approved that agreement. These data sharing agreements will allow DCFS staff to pull data reports directly from each individual county system in order to aggregate data statewide. Once all 17 counties have implemented the system, these data sharing agreements will be activated.

### Assessment and Case Planning:

In early 2018, the JJOC selected the Youth Level of Services/Case Management Inventory (YLS/CMI) as the statewide risk and needs assessment in accordance with NRS 62B.610(3)(a). After this selection, DCFS personnel worked to solidify a contract authorizing Nevada the use of the copyrighted YLS/CMI with the developer, Multi-Health System.

As of August 2019, all DCFS and county staff were trained in the use of the YLS/CMI by trainers with the National Youth Screening and Assessment Partners.

The YLS/CMI is an evidence-based tool that assesses the risk and need areas of a youth and shall guide the service delivery type that is best suited for the individual youth by targeting specific domains of the youth's life that may be contributing to their risk to reoffend. The YLS/CMI is completed before disposition, while a youth is on probation or parole, and while in a correctional facility. This tool shall also inform juvenile justice administrators and the courts on the best options for an individual youth such as level of supervision on parole or selecting the appropriate secure facility if necessary.

In mid-2019, the JJOC selected a uniform case plan template which shall be used for both community supervision and state facility placement. The case plan shall address the high and moderate risk and need factors identified in the YLS/CMI.

Currently, the YLS/CMI has been fully implemented statewide per NRS 62B.625(1)(a). DCFS is working with the vendor of the juvenile justice case management system to make both the YLS/CMI and the case plan available to all users.

#### Placement:

NRS 62E.505 was updated in 2017 mandating that specific findings be made by the court before they can send a youth to a state facility. Specifically, the juvenile court must find that alternatives do not exist in the community to satisfy the youth's needs or those community resources have been unsuccessful; and that the youth is a public safety risk based on their risk of reoffending as determined by the risk assessment (YLS/CMI) and their delinquency history. The implementation of the YLS/CMI has only strengthened this law in that most of the youth sent to a state facility are of a high risk and is at a level that cannot be addressed in the community. Court orders now must address the elements of NRS 62E.505 prior to commitment to a state facility.

#### Outcomes:

The YLS/CMI was fully implemented in all Nevada counties in August 2019. DCFS has put processes in place to assess the committing YLS/CMI to the release YLS/CMI to evaluate the effectiveness of youth's time in a state facility. Data is expected to be available in April 2020.

The next step in assessing outcomes is to compare the committing YLS/CMI to the final YLS/CMI completed by youth parole prior to termination of parole. This will indicate whether the youth's contact with the juvenile justice system has had an impact (positive or negative) on their risk to reoffend. This is pending the creation of data management reports.

### **SECTION III: Juvenile Justice System Enhancements and Recommendations**

#### **Data Management System Enhancements:**

DCFS is pending the creation of several new reports and the implementation of data sharing agreements with the 17 counties. These data sharing agreements will allow DCFS staff to pull reports directly from each county. However, each county collects data differently, so report configuration is complicated and time consuming. This will take a minimum of 12 months to achieve. Refer to Appendix F for a list of pending reports.

#### **State Statute Review Recommendations:**

DCFS heavily relies on an array of state statutes for their work with the Juvenile Justice Oversight Commission, quality assurance, policy development and day to day operations. There are several state statutes that either 1) provide a barrier to the direct of future policy, or 2) hinder oversight operations.

DCFS has reviewed and provided a list of state statutes that require review and revision based on policy and practice as it is today. Refer to Appendix G for a list of statutes DCFS recommends for review/revision.

## APPENDIX A

### Current Juvenile Justice Oversight Commission Roster (Members and Advisory Board) (NRS 62B 600 & NRS 62B.605)

#### Members (NRS 62B.600)

##### Name

Frank Cervantes  
 Honorable Egan Walker  
 Eve Hanan  
 Joey Hastings  
 Lisa Morris Hibbler, D.P.A.  
 Brigid Duffy  
 Jo Lee Wickes  
 Pauline Salla-Smith  
 Rebekah Graham  
 Kathrine Maher  
 Nancy Saitta  
 Jack Martin  
 Jennifer Fraser  
 Gianna Verness  
 Kevin McMahill  
 Ross Armstrong  
 Mayra Rodriguez Galindo (Youth)  
 McKenna Finnerty (Youth)  
 Alejandro Gonzalez (Youth)  
 Alexis Waddell-Upton (Youth)  
 Ryley Harris (Youth)  
 VACANT – Youth  
 VACANT – Nominated by the Assembly  
 VACANT – Nominated by the Assembly  
 VACANT – Nominated by the Senate  
 VACANT – Rep of a nonprofit

##### SAG Code (Appendix B)

C, G  
 A, B (Prior)  
 G  
 D  
 G, E,  
 B  
 B  
 C, G, (Prior)  
 D  
 B  
 E  
 C  
 B  
 B  
 B  
 C  
 F (Prior)  
 F  
 F  
 F  
 F

#### Advisory Board (NRS 62B.605)

##### Name

Senator (D) Vacant  
 Judge Greater than 100,000 - Vacant  
 Vacant Assemblyman (D) - Vacant  
 Vacant Assemblyman (R) – Vacant  
 Vacant Senator (R) - Vacant  
 Vacant Judge (Rural) - Vacant



## **APPENDIX B**

The State of Nevada Juvenile Justice Oversight Commission (JJOC) functions as a State Advisory Group (SAG). This Commission was established and still exists under a 1994 Governor's Executive Order. The composition of the commission is consistent with its mission as an advisory group. An Executive Order dated December 17, 2017 establishes the Nevada Juvenile Justice Oversight Commission as the Juvenile Justice Delinquency Prevention Act and Title II Formula Grant State Advisory Group. The JJOC has delegated the planning, development, and sub granting reviews to the SAG Planning Group. The SAG must include only voting members who fit the criteria as outlined in A through H on the next page.

### **Codes:**

- (A) at least 1 locally elected official representing general purpose local government;
- (B) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
- (C) representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities recreation, and youth services;
- (D) representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
- (E) volunteers who work with delinquents or potential delinquents' delinquent youth or youth at risk of delinquency;
- (F) youth workers involved with representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities;
- (G) persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;
- (H) persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence;
- (I) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;

(J) representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and

(K) for a State in which one or more Indian Tribes are located, an Indian tribal representative (if such representative is available) or other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities.

Special notes:

- a majority of which members (including the chairperson) shall not be full-time employees of the Federal, State, or local government.
- at least one-fifth of which members shall be under the age of 28 at the time of appointment; and
- at least 3 members who have been or are currently under the jurisdiction of the juvenile justice system or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system;

In order to meet the requirements of the federal State Advisory Group, the JJOC needs individuals that meet the requirement of I, J, and K. In addition, the JJOC is heavy on government employees and could benefit from non-government stakeholders.

**APPENDIX C**  
**Title II Formula Grant FFY 2019**

Title II Formula Grant Funds are awards to states who participate in the JJDPa. There are parameters on how Title II Formula Grant Funds can be allocated. The maximum allowed amount for Planning and Administration is 10 percent of the total grant. The maximum allowed for the JJOC is \$20,000. It is recommended that up to 75 percent of grant funds be sub granted out to community partners. However, the state uses a good portion of the funds for compliance monitoring, which are JJDPa and Formula Grant requirements.

Both the FFY 2018 and the FFY 2019 Formula Grant funds are frozen and unavailable for use.

## Appendix D

### Community Corrections Partnership Block Grant for SFY 2019

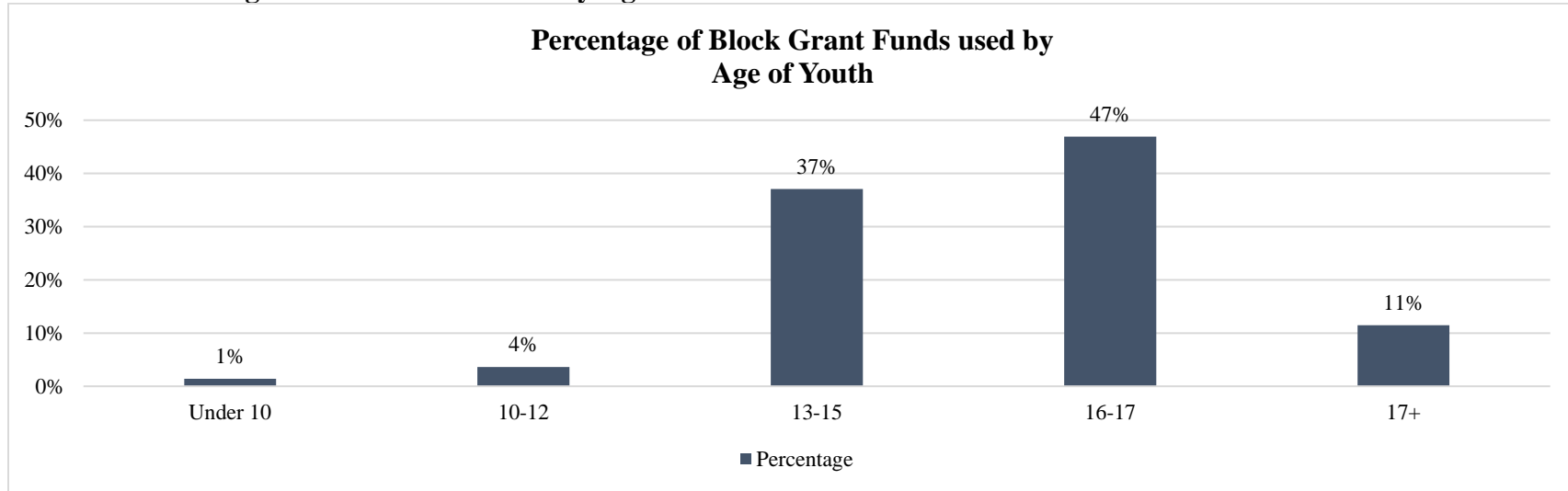
The Community Corrections Partnership (CCP) Block Grant is an annual grant made up of state general funds to assist the counties with providing front end services. Currently, there are few guidelines for what programs and services must be used for this money; however, the implementation of NRS 62B.630 placed gradual timelines on counties over the next four (4) years to move towards using this money for evidence-based programs and services.

Most of the data points and graphs throughout this document are based on a Federal Fiscal Year, but this data is based on the State Fiscal Year (SFY) which is July 1 through June 30.

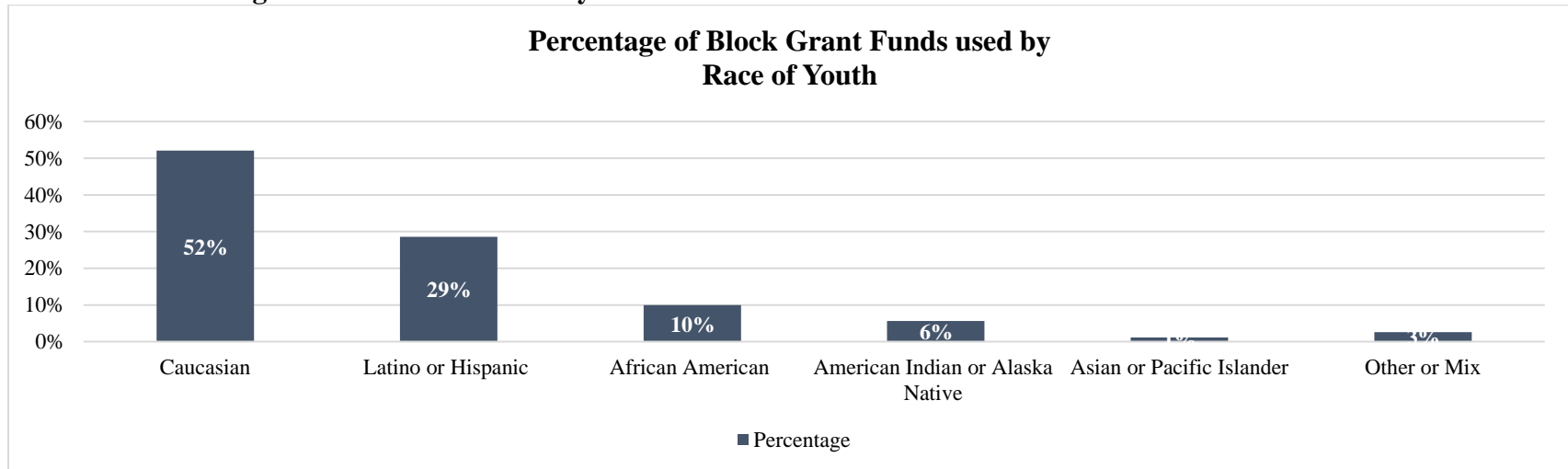
**Table 51: SFY 2019 Allotment to Counties**

County	Allotment	Total Youth Served
Carson City	\$43,420.71	172
Churchill	\$23,067.28	16
Clark	\$1,718,278.11	149
Douglas	\$32,029.89	Not Provided
Elko	\$50,199.27	47
Esmeralda (S)	\$5,324.06	Not Used; no kids
Eureka	\$6,291.79	0
Humboldt	\$20,909.86	31
Lander	\$9,558.99	28
Lincoln	\$9,914.12	10
Lyon	\$45,245.20	75
Mineral	\$7,605.77	12
Nye County	\$29,752.62	24
Pershing	\$8,107.39	34
Storey	\$6,966.54	30
Washoe	\$318,663.29	207
White Pine	\$14,473.11	18
<b>TOTAL</b>	<b>\$2,349,808.00</b>	<b>853</b>
<b>PERCENTAGE</b>	<b>100%</b>	

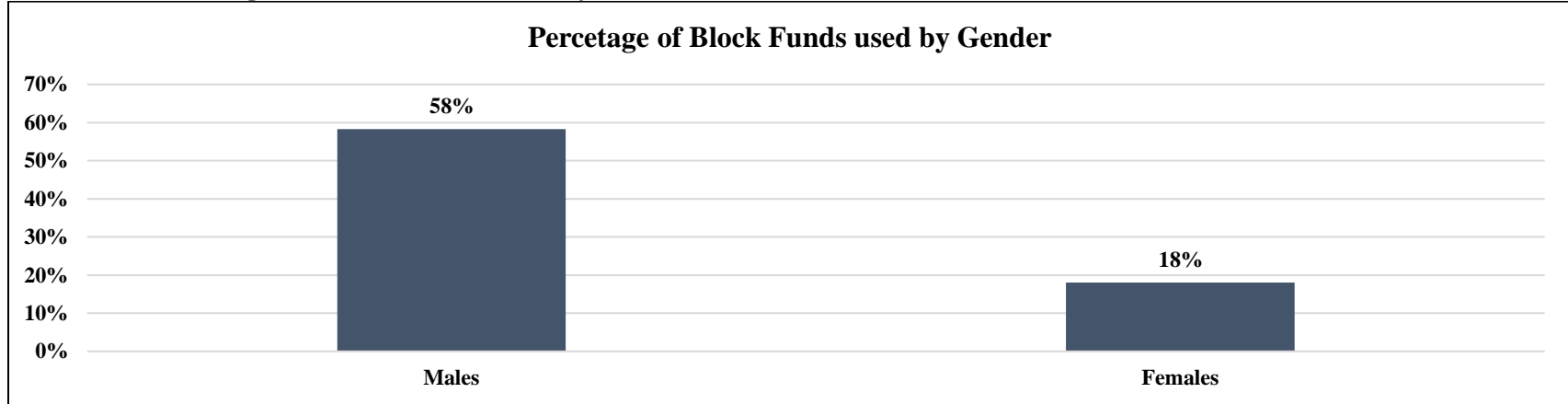
**Table 52: Percentage of Block Grant Funds by Age of Youth**



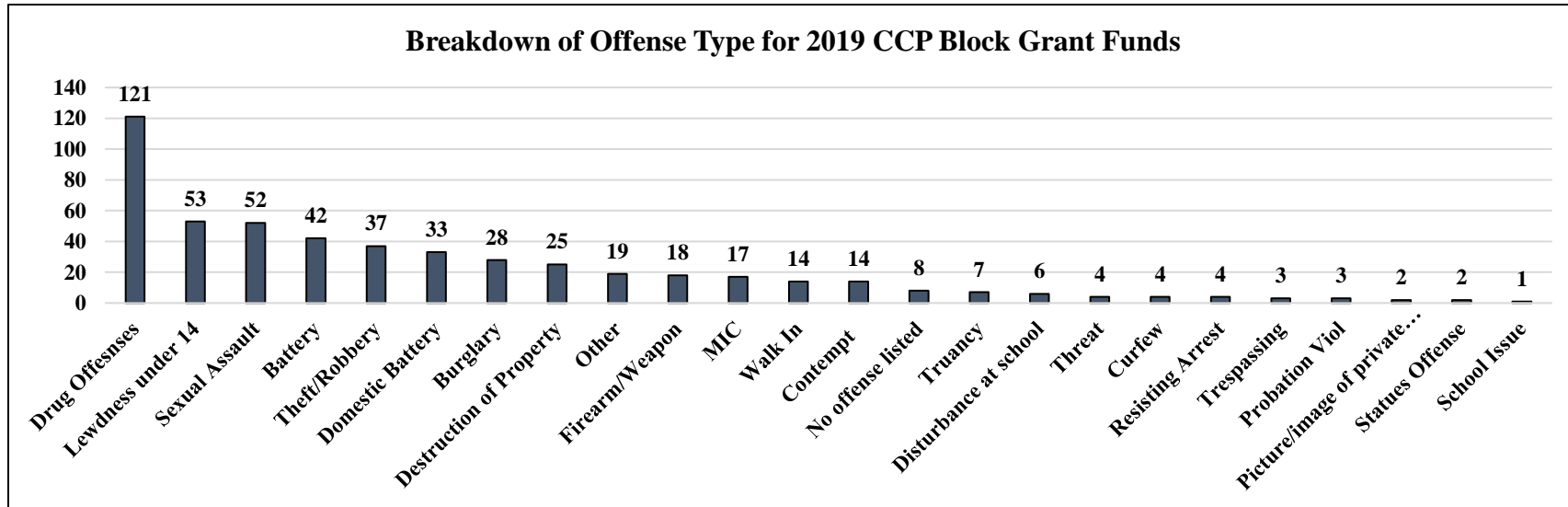
**Table 53: Percentage of Block Grant Funds by Race of Youth**



**Table 54: Percentage of Block Grant Funds by Gender**



**Table 55: Breakdown of Offenses for Youth who Utilized Block Grant Funds**



**APPENDIX E**  
**Room Confinement per NRS 62B.215**

**Juvenile Detention Centers:**

State Fiscal Year 2019- July 1, 2018 - June 30, 2019

**Table 56: Total Incident of Room Confinement in Juvenile Detention Facility's for SFY19**

<b>Location</b>	<b>Facility Name</b>	<b>Jul. 2018</b>	<b>Aug. 2018</b>	<b>Sep. 2018</b>	<b>Oct. 2018</b>	<b>Nov. 2018</b>	<b>Dec. 2018</b>	<b>Jan. 2019</b>	<b>Feb. 2019</b>	<b>Mar. 2019</b>	<b>Apr. 2019</b>	<b>May. 2019</b>	<b>Jun. 2019</b>
Carson City	Murphy Bernardini	2	7	0	6	7	32	21	29	7	9	18	20
Reno	Jan Evans	58	97	157	117	75	66	87	90	77	60	74	82
Elko	Northeastern Juvenile Facility	0	3	8	1	0	0	0	9	4	2	0	13
Winnemucca	Leighton Hall	0	0	0	0	0	0	0	0	0	0	0	0
Las Vegas	Clark County Juvenile Detention	184	197	178	141	121	128	142	144	117	134	212	111
Stateline	Douglas County Juvenile Detention	0	1	0	6	1	3	1	0	0	0	0	0
Fallon	Teurman Hall	3	4	4	10	6	2	2	2	0	5	6	4
<b>Total Youth</b>		<b>247</b>	<b>309</b>	<b>347</b>	<b>281</b>	<b>210</b>	<b>231</b>	<b>253</b>	<b>274</b>	<b>205</b>	<b>210</b>	<b>310</b>	<b>230</b>

Total instances do not provide the breakdown of the number of youths placed in confinement, only the instances where confinement was used. There were 3107 total instances of confinement in detention facilities in SFY 2019. Time in confinement may last anywhere from one minute to 72 hours.

## State Youth Correctional Facilities

**State Youth Correctional Facilities:** State Fiscal Year 2019

**Table 57: Total Incidents of Room Confinement for State Facilities for SFY 2019**

<b>Facility</b>	<b>Jul. 2018</b>	<b>Aug. 2018</b>	<b>Sep. 2018</b>	<b>Oct. 2018</b>	<b>Nov. 2018</b>	<b>Dec. 2018</b>	<b>Jan. 2019</b>	<b>Feb. 2019</b>	<b>Mar. 2019</b>	<b>Apr. 2019</b>	<b>May. 2019</b>	<b>Jun. 2019</b>
Nevada Youth Training Center	70	110	140	143	119	88	80	94	45	35	31	5
Caliente Youth Center	13	22	33	13	19	11	31	30	23	12	9	22
Summit View	3	5	38	8	12	29	14	211	40	65	19	69
<b>Total</b>	<b>86</b>	<b>137</b>	<b>211</b>	<b>164</b>	<b>150</b>	<b>128</b>	<b>125</b>	<b>335</b>	<b>108</b>	<b>112</b>	<b>59</b>	<b>96</b>

Total instances do not provide the breakdown of the number of youths placed in confinement, only the instances where confinement was used. There were 1711 total instances of confinement in state facilities in SFY 2019. Time in confinement may last anywhere from one minute to 72 hours.



## **APPENDIX F**

### **Pending Tyler Supervision Data Reports**

- Racial and Ethnic Disparities Report → Report includes contact point data such as referral and arrest, broken down by race and gender
- YLS Report → Report includes the dates and scores of the YLS to compare over time.
- In Home Active Parole Youth Under 18 → Report includes a list of active parolees, under 18, living at home.
- Summary of Incidents → Report includes the number of incidents which can be broken down by facility.
- Facility Visits → Report includes the number of visits which can be broken down by facility.
- Summary of Room Confinement → Report includes the number of confinements which can be broken down by facility.
- Face Sheet Customization → This includes adding the offense and assigned parole/probation officers.
- Employment Summary → Report includes all active parolees that are working and their employment area.
- New Arrest/New Adjudication Report → Includes are report of any arrest and adjudications that happen for youth currently on supervision.
- Facility Visits Individual Summary → Report includes a list of visits by individual.
- Room Confinement Individual Summary → Report includes a list of confinements by individual.
- Summary of Assessments → Report includes a list of assessments by type by individual.
- Assessment Summary Report → Report includes the number of assessments completed broken down by facility and by type of assessment.
- Sanctions and Incentives Report → Report includes sanctions and incentives by individual.
- Sanctions and Incentives Summary → Reports includes the number of sanctions and incentives by facility.
- Summary of Programs Individual → Report includes a list of completed or in progress programs by individual.
- Summary of Education → Report includes total number of diplomas, hi-sets, etc., and total credits earned by facility.
- Parole Chief's Report → Report includes all things required for CLEO.
- JJ Data Report → This report is not yet written but will include data measures for youth specific indicators from referral to case closure.

## **APPENDIX G**

### **Performance Measures**

The following performance measures are required to be collected, analyzed, and reported on a statewide level. Some of these performance measures have been impeded into this document, while others are not able to be reported on since data collection has not started or is only a few months old.

- Rate of Recidivism → Table 23
- Percent of youth who are minorities (disproportionate minorities) → Tables 1 through 6
- Percent of families in the juvenile justice system at or below the poverty level → Table 21
- Percent of youth in the juvenile justice system with case plans → No data available
- Percent increase / decrease in re-arrests → Table 23
- Percent increase / decrease in re-commitment → There were 62 parole revocations in SFY 18 and 55 in SFY 19 for a 12 percent decrease.
- Percent increase / decrease in violations of parole or probation → No data available
- Percent increase / decrease in re-adjudication → No data available
- Number of convictions in the adult system → No data available
- Nature and number of juvenile court referrals → Tables 10 through 13
- Type and number of charges → Table 24
- Type and number of violations of probation charges → No data available
- Number of cases by disposition → No data available
- Level types and number of supervisions → No data available
- List of evidence-based practices per juvenile Court District → No data available
- Number of cases diverted → Tables 15 through 17
  - o Number of felonies diverted → Table 14
  - o Number of gross misdemeanors diverted → Table 14
  - o Number of misdemeanors diverted → Table 14
- Percent of youth with completed family assessment → No data available
- Percent of youth with family participation at first CFT → No data available
- Percent of youth whose case plan includes family participation → No data available

- Percent of family surveys completed → No data available
- Number of youths who have a parent / guardian (including an agency custodian) at hearings
- Number of youths who have legal representation → No data available
- Number of dispositions determined within 60 days → No data available
- Number of detention hearings within 72 hours (per statute) → No data available
- Number of victims / victims' families present at disposition → No data available
- Victim / family satisfaction with outcomes of the disposition (via survey results) → No data available
- Percent increase / decrease in overall risk score from the initial YLS to any YLS reassessments → No data available
- Percent increase / decrease in the risk score from each of the eight domains (Prior and Current Offenses/Dispositions, Family Circumstances/Parenting, Education/Employment, Peer Relations, Substance Abuse, Leisure/Recreation, Personality/Behavior, Attitudes/Orientation) that pertain to a youth of the initial YLS to any YLS reassessments → No data available

Some of this data lives in juvenile courts, but the burden to provide the data to DCFS is on the local juvenile probation departments. Other data measures are pending the creation of data reports within the data management system. It is anticipated that all data reports will be available by Fall 2020.

## **APPENDIX H**

### **Youth Specific Indicators**

In addition to statewide performance measures, there are youth specific indicators that are required to analyze service outcomes by gender, age, race, and other demographic information. This data lives within local juvenile probation departments and DCFS is reliant on the counties for this data. Currently, there is no data available for these youth specific indicators. These indicators require the creation of a report within the data management system that can pull the data as required. This report has not been requested due to lack of funding available for data management enhancements.

- Gender
- Age
- Race / ethnicity
- Family poverty level
- Composition of household
- Child's educational background
- Assessed risk level
- Assessed MAYSI-2 score o Type of residential placement
- Services by type provided o Type and number of disciplinary action(s) taken in placement
- Type(s) of educational / vocational training provided in placement
- Type / number of violations of probation charges

## APPENDIX I

### State Statute List for Review/Revision

A. NRS 62B.215 and NRS 63.505 “Conditions and limitations on the use of corrective room restriction by certain facilities for detention or treatment and rehabilitation of children; reporting requirements”.

These statutes allow for the use of room confinement for modification of behavior and for violations of facility rules. Research from the American Academy of Child and Adolescent Psychiatry states that the use of room confinement can lead to “depression, anxiety, psychosis, psychological and developmental harm”.<sup>1</sup>

The Department of Justice provided several recommendations for the use of confinement in January 2016<sup>2</sup> which include:

- 1) Placement in the least restrictive setting as possible to ensure the safety of staff, public, property, and inmates;
- 2) Staff should clearly articulate the reason/s for placement in a restrictive environment;
- 3) Review of confinements should include medical and mental health professionals in addition to line staff and supervisory staff.

The recommendations from DCFS include:

- 1) Remove references/allowances to behavior modification and corrective room restriction or corrective room rest from statute;
- 2) Remove allowances to accountability for rule violations;
- 3) Emphasize safety and security which may include a facility lock down for escapes or attempted escapes.
- 4) Prohibit the use of confinement for rule violations, behavioral issues and failure to participate in facility programming; (Note: facilities may use a facility lock down for shift change and medications passes).
- 5) Add a requirement for staff training in de-escalation measures.
- 6) Add requirement to inform youth of reason for placement in room confinement;
- 7) Consider a period of cool off, but limit the time to 15 – 30 minutes or match Performance based Standards cool off time frame; and

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<sup>1</sup> Grassian, Stuart. "Psychiatric Effects of Solitary Confinement." Journal of Law and Policy. (2006).

<sup>2</sup> The White House Office of the Press Secretary. “Fact Sheet: Department of Justice Review of Solitary Confinement.” January 25, 2016.

- 8) Require facilities to keep specific data on the use of room confinement which is reportable from minute one or once the cool off period has ended (if allowed).

Justification for Legislative Change:

- 1) National literature states that prolonged uses of isolation or confinement increases the possibility of depression, anxiety and other mental health issues.
- 2) DCFS believes that isolation and confinement should not be used as punishment, but rather as a last resort to an issue of safety of youth, staff, or property. The references to “corrective” and “behavioral” are problematic in the message that room confinement can be used for behavior modification.

B. NRS 62B.6230 *“Percentage of certain State money to be used to develop, promote and coordinate evidence-based programs and practices; certain contracts with treatment providers to require compliance with evidence-based standards”.*

The recommendation from DCFS:

- 1) Provide a definition of “state money”.

Justification for Legislative Change:

- 1) DCFS is a pass-through entity for state general funds earmarked for counties. Statue allows for the withholding of state money from counties, but counties have requested a solid definition of what “state money” means.

C. NRS 62H.225 *“Division of Child and Family Services to Submit an annual report on various aspects of the juvenile justice system”.*

The recommendations from DCFS:

- 1) DCFS relies on local county juvenile probation departments for data. Provide a due date to the counties for providing the data, recommend December of each year.
- 2) Suggest matching the required due date of January 31 annually to match the due date of July 1 as outlined in NRS 62B.640.

Justification for Legislative Change:

- 1) Most of the data required for any report created by DCFS comes directly from the individual counties. Counties should be obligated to provided data and have an actual due date, which is currently being written into NAC 62H.
- 2) DCFS has multiple reporting requirements which can be consolidated into one large report with a July 1 due date in order to encompass the required elements of NRS 62H.225 and NRS 62B.640.

D. NRS 62B.600 *“Juvenile Justice Oversight Commission: Establishment; membership; terms of members; compensation; quorum; meetings”*.

The recommendations from DCFS:

- 1) Consider removing 2(a), 2(b), and 2(c).
- 2) Consider a revision to 2(k) to allow for 7 members of the juvenile justice system who are not public employees, but work with adjudicated delinquents as licensed clinicians, advocates, providers, and at least one member of an Indian Tribe.
- 3) Consider a revision to 2(l) to raise the age from 24 to 28.

Justification for Legislative Change:

- 1) Executive Order 2017.21 officially makes the JJOC the State Advisory Group of the Title II Formula Grant and the Juvenile Justice Delinquency Prevention Act, however, the makeup of the current JJOC does not meet the requirements of the State Advisory Group.
  - a. The following areas shall be considered to meet State Advisory Group requirements.
    - i. The group cannot be a majority government employee.
    - ii. The Chair cannot be a government employee.
    - iii. Youth members can be appointed up to age 28.
    - iv. A State Advisory Group must have a licensed clinical, private provider, parents of system involved youth, advocates who work with you in areas of sex trafficking and sexual abuse, individuals with experience with abused/neglected youth, and a tribal member.

- 2) The difficult to fill positions of the JJOC are the members nominated by the Senate, Assembly, and the Judiciary. If these members can be changed to be community members who meet the requirements of 1.a.iv, the JJOC would meet the requirements of the State Advisory Group.

E. NRS 62B.620 “*Annual quality assurance review of each state facility for the detention of children and regional facility for the treatment and rehabilitation of children; facilities to develop facility improvement plan*”.

The recommendations from DCFS:

- 1) Include local juvenile probation departments in the annual quality assurance reviews. Note: If DCFS is the responsible entity, need to build capacity so a timeframe for implementation of counties is recommended.

Justification for Legislative Change:

- 1) AB 472 states “a department of juvenile services in a county whose population is less than 100,000 must be evaluated for compliance with the requirement set forth in subsection 1 based on the amount of money received from the State” (Page 10). This statement seems to indicate the intent of this Bill was to include the counties in the evaluation of evidence-based programs/services through an annual quality assurance review.
- 2) The JJOC is the oversight body over quality assurance reviews, so why only include state facilities and youth camps and not the county departments of juvenile services.
- 3) If DCFS is responsible, will need to build capacity to complete the task.

F. NRS 62H.225 “*Division of Child and Family Services to submit annual report on various aspects of juvenile justice system*”.

The recommendations from DCFS.

- 1) Remove or reword 1.c and 1.d.
  - (c) *The effectiveness of the different levels of supervision in the juvenile justice system; and*
  - (d) *The effectiveness of services provided by the juvenile justice system, including, without limitation, the effectiveness of the evidence-based standards developed by the Commission pursuant to [NRS 62B.615](#).*

Justification for Legislative Change:



- 1) Measurement of “the effectiveness” of something is subjective and subject to error as there is no required measurement that shall be used.
- G. Consider adding new legislative language for juvenile detention and state facility standards, review processes for county detention facilities, and sanctions for detention and correctional facilities if they fail to meet the legislative standards.