

## **STATE OF NEVADA**

# DIVISION OF CHILD AND FAMILY SERVICES (DCFS) - JUVENILE JUSTICE SERVICES

# RACIAL AND ETHNIC DISPARITIES REPORT/ASSESSMENT AND ACTION PLAN FOR FEDERAL FISCAL YEAR 2020

Juvenile Justice and Delinquency Prevention (JJDP) Act

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## **INTRODUCTION**

• The Juvenile Justice Delinquency Prevention Act (JJDPA) was created in 1974 and expanded in 2002 to include the Disproportionate Minority Contact Requirement. The JJDPA Act established four core requirements with which participating states and territories must comply to receive Title II Formula grants under the JJDPA. This report will address one of those core requirements, which is the reduction of disproportionate minority contact (DMC) with the juvenile justice system.

DMC is defined as the disproportionate number of minority youth who encounter the juvenile justice system. States participating in the JJDP and the Formula Grants program are required to address juvenile delinquency prevention and system improvement efforts to reduce, without establishing or requiring numerical standards or quotas, the overrepresentation of minority youth in the nation's juvenile justice system.

DMC is a core requirement of both the JJDP and the Formula Grant. Over the past several decades, literature and best practice has provided two important lessons on DMC, which are:

- DMC is not limited to secure detention or corrections but is found in nearly every contact point within the juvenile justice system continuum.
- Contributing factors to DMC are multiple and complex meaning efforts to combat it requires a comprehensive strategy that not only addresses day to day operational issues, but systems issues as well. Do you need to provide a reference to this given you've noted this is from the literature?

This report will examine racial and ethnic disproportionality at several contact points within the State of Nevada juvenile justice system. This data is collected over a twelve-month period and provided to the Division of Child and Family Services for analysis. Nevada consists of seventeen (17) counties and all counties have provided data. This might be confusing...above you say "partial" reporting/data but here you say all the counties have provided data. Did they all provide complete data?

For the purposes of this report, black youth are defined as youth whose race is African American of non-Hispanic origin. Hispanic youth is defined as youth of Hispanic origin, and white youth is defined as Caucasian of non-Hispanic origin.

## SUMMARY PAGE – NEVADA SYSTEM OVERVIEW

Based on statewide data for the 2020 Compliance Year.

Of the total Nevada youth population Zero – 17, 1.92 percent were referred to the Juvenile Justice System.

- ➤ 67.9 percent of those referrals were males.
- ► 67.3 percent were minorities.
- ➤ 43.1 percent of total referrals were diverted.
- > 233 total youth were placed in a state operated juvenile correctional facility.
- > 38 total youth were certified as an adult and tried in an adult criminal court.

Racial and ethnic disparities are seen throughout the juvenile justice system, but the disparity widens as youth move deeper into the system.

## **DATA COLLECTION**

What is meant by the term "contact?" Federal law requires data to be collected at multiple points of contact within the juvenile justice system, including arrest, referral to court, diversion, secure detention, petition, delinquent findings, probation, confinement to secure facilities, and certification to adult criminal court.

The data management system in Nevada is fragmented. Some of the state's data are held in various locations such as local police stations, county probation departments, juvenile courts, and state juvenile corrections. While the Division of Child and Family Services (DCFS) is the state agency, it does not have administrative or operational authority over the seventeen counties in the State of Nevada. It is not possible for DCFS to confirm whether the data provided in this report is complete or accurate. However, DCFS does have good working relationships with the seventeen counties and believes the counties provide the best data available to DCFS for the analysis used in this report.

DCFS collects data on status offenders and youth within adult jails/lockups monthly. This data collection is separate from the annual juvenile crime data provided by the counties. Status offender data is received monthly from the seven-county operated juvenile detention facilities. DCFS relies on adult jails to report the number of youths within their facilities monthly as well. This data is partially verified during on site compliance visits to roughly 30% of these facilities annually.

#### CONTACT POINTS AND DEFINTIONS

Nevada utilizes the following contact points and definitions in assessing Nevada's disproportionate minority contact. Data is collected for each measure by gender and by race.

Referral: Referral is when a police report or any report is received. Some may lead to an arrest and some may not.

Referral Source: Where are the referrals coming from?

Arrest: Arrest is when a youth is booked on probable cause. This may be the same number as referrals and/or secure

detention in some areas. Arrest data is broken down further in the following categories.

o Poverty Level

o Household Composition

Firearm Possession during a crime

o Gender Identity

Re-Arrest: This is considered performance measure number one for the state. It compares the youth arrested in the previous

fiscal year with the current fiscal year. Note: Youth specific.

Diversion: This can be informal probation, other informal activities, or a diversion by the juvenile court. Diversion are broken

down by felony diversions, gross misdemeanor diversions and misdemeanor diversions.

Secure Detention: Youth placed in a county juvenile detention facility or a county adult jail based on a charge and booking. Detention

does NOT include youth held in shelters, group homes, or other non-secure facilities.

Petitioned: The youth will face delinquent charges in juvenile court or a formal hearing process. This is when charges are filed.

Note: Petitioned doesn't necessarily mean a youth will face delinquent charges aka adjudicated delinquent. They

could be placed on deferred status; the petition could be dismissed, or the youth could be certified as an adult.

Petitioned (Status): This is an additional measure for petitions, to capture the number of status offender specific petitions.

Probation: Formal placement on probation by the court, this is not informal probation used as a diversion tactic, formal only.

May be determined formally or informally.

County Camp: Placement in China Springs, Aurora Pines, or Spring Mountain Youth Camps at the county level prior to deeper

involvement in the system or commitment to a state correctional facility.

Secure Confinement: Commitment to a state correctional facility. The court commits the youth to DCFS – NYTC, CYC, Or Summit

View.

Certified: This is done either through a direct file or through the juvenile court. If a youth is certified through juvenile court;

their case will be heard in adult criminal court. This data is captured through the juvenile system.

Note: Direct files bypass juvenile court and goes right to adult criminal court. DCFS does not have access to the

number of juveniles who bypass the juvenile court system and go directly to adult criminal court.

Delinquent: Youth are found to be delinquent during adjudicatory hearings in juvenile court. Being found (or adjudicated)

delinquent is roughly equivalent to bring convicted in criminal court. It is a formal legal finding of responsibility.

Re-Adjudications: This is recidivism measure number two for the state. It compares the youth adjudicated in the previous fiscal year

with the current fiscal year. Note: Youth specific.

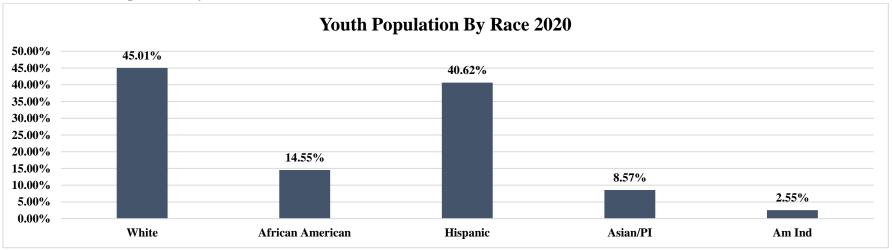
## **DEMOGRAPHICS – Youth Ages 0 - 17**

In order to assess juvenile justice system trends, the demographics of the jurisdiction must be outlined for comparison. The EZAPOP website (<a href="www.ojjdp.gov/ojstatbb/ezapop/">www.ojjdp.gov/ojstatbb/ezapop/</a>) estimates that the total population in Nevada as of December 1, 2020, was 3,030,156. Twenty-three (23) percent of the total population consisted of youth ages Zero – 17. The EZAPOP website was further utilized to break down racial and ethnic background, by county, for youth ages Zero - 17.

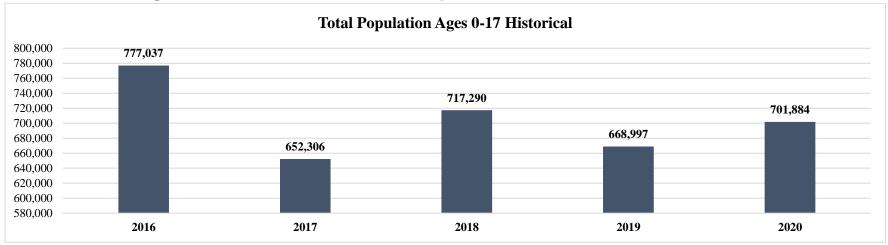
**Table 1: Youth Ages Zero – 17 by County** 

County	Total Youth	White	Black	Hispanic	Asian/PI	Am Ind	All Minor	Percentage Minority	Males	Females
Carson	11348	5620	357	4512	345	514	5728	50.48%	5780	5568
Churchill	5698	3522	288	1255	208	425	2176	38.19%	2938	2760
Clark	520798	140513	94090	225774	51275	9146	380285	73.02%	265837	254961
Douglas	7808	5224	199	1860	195	340	2594	33.22%	4062	3746
Elko	14376	8101	301	4551	249	1174	6275	43.65%	7465	6911
Esmeralda	123	62	9	38	0	14	61	49.59%	62	61
Eureka	496	406	14	59	3	14	90	18.15%	261	235
Humboldt	4520	2423	103	1648	55	291	2097	46.39%	2319	2201
Lander	1448	844	40	432	17	115	604	41.71%	723	725
Lincoln	1022	601	27	92	8	24	151	14.77%	537	485
Lyon	12326	7558	517	3285	280	686	4768	38.68%	6370	5956
Mineral	4505	2972	279	191	169	894	1533	34.03%	2232	2273
Nye	7720	4693	409	2188	226	204	3027	39.21%	3938	3782
Pershing	6725	46697	371	380	122	367	1240	18.44%	4341	2384
Storey	499	385	22	66	20	6	114	22.85%	245	254
Washoe	100530	85042	5052	38345	6958	3478	53833	53.55%	51500	49030
White Pine	1942	1255	68	407	30	182	687	35.38%	981	961
Total	701,884	315,918	102,146	285,083	60,160	17,874	465,263	66.29%	359,591	342,293
Percentage		45.01%	14.55%	40.62%	8.57%	2.55%	66.29%		51.23%	48.77%

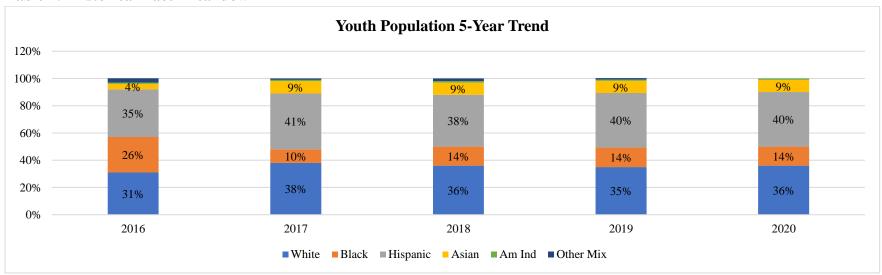
**Table 2: Youth Population by Race 0 – 17 Years** 



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



**Table 4: Historical Race Breakdown** 



**Table 5: Juvenile Crime Data/Contact Points for 2020** 

County	Referrals	Arrests	Sec/ Det County	Confined State	Certified as Adult	Formal Probation Placement	Citations	Misdemeanors	Placed In County Camp	Diverted	Felony Diversions	Gross Mis Diversions	Mis Diversions	Petitioned	Petitioned Status Offense	Delinquent Finding
Carson	435	161	161	7	2	92	152	233	17	334	11	11	199	60	1	39
Churchill	508	233	233	6	0	52	0	0	5	169	8	4	51	183	50	142
Clark	7,842	3,998	2,082	164	32	2,001	1,051	3,468	172	3,381	66	24	2,712	5,382	976	1,624
Douglas	420	144	80	1	0	20	0	244	24	109	2	1	106	49	2	26
Elko	335	190	113	1	0	****	163	252	2	124	10	6	77	106	0	44
Esmeralda (See Nye)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eureka	4	4	1	0	0	0	0	3	0	3	0	0	3	1	0	1
Humboldt	293	78	63	0	0	15	0	136	0	164	3	64	97	51	3	26
Lander	52	11	11	0	0	7	8	17	0	10	0	1	7	22	8	20
Lincoln	21	6	3	2	0	7	0	4	0	4	3	0	1	15	0	11
Lyon	594	82	82	3	0	62	0	295	6	191	20	3	163	197	21	132
Mineral	47	10	10	0	0	9	11	15	0	18	5	4	7	18	0	12
Nye	384	254	31	4	1	46	77	0	14	194	37	18	56	107	7	54
Pershing	64	14	14	0	0	8	0	12	0	8	0	0	8	20	25	17
Storey	5	1	1	0	0	1	4	2	0	2	0	0	2	1	0	0
Washoe	2,385	979	603	42	3	318	0	0	31	1,105	112	28	730	851	0	318
White Pine	125	24	9	3	0	4	20	28	3	14	0	0	1	56	5	52
Total	13514	6189	3497	233	38	2642	1486	4709	274	5830	277	164	4220	7119	1098	2518

Data provide by individual county.

Table 6: Gender Breakdown

County	Referrals	Arrests	Sec/ Det County	Confined State	Certified as Adult	Formal Probation Placement	Citations	Misdemeanors	Placed In County Camp	Diverted	Felony Diversions	Gross Mis Diversions	Mis Diversions	Petitioned	Petitioned Status Offense	Delinquent Finding
Males	9182	4335	7283	189	35	2113	1029	3042	242	3432	172	88	2353	5676	810	1772
Females	4332	1854	962	44	3	529	457	1667	32	2398	85	73	1704	1443	288	472
Total	13514	6189	8245	233	38	2642	1486	4709	274	5830	257	161	4057	7119	1098	2244

Note: Lyon County unable to breakdown 20 felony diversions by gender. Note: Lyon County unable to breakdown 3 gross mis. diversions by gender.

Note: Lyon County unable to breakdown 163 mis. diversions by gender

Note: Lyon County unable to breakdown 132 delinquent finding by gender

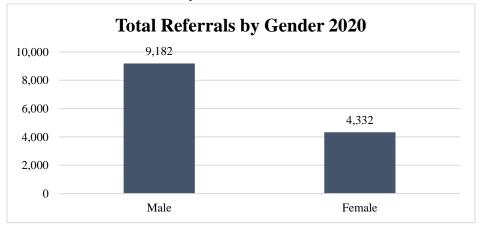
Note: Churchill County unable to breakdown 142 delinquent finding by

gender

## Referral

The front end of the system consists of a referral from various sources to a local department of juvenile services.

**Table 7: Total Referrals by Gender** 



There is gender disparity in the juvenile justice system in that 67.9 percent of all referrals are males, but they make up only 51.2 percent of the total youth population in Nevada.

**Table 8: Total Referrals by Race** 

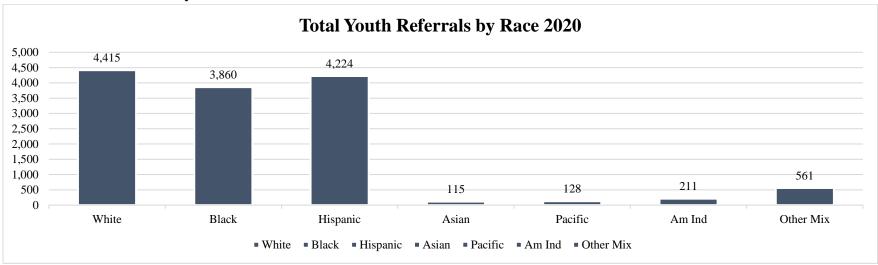
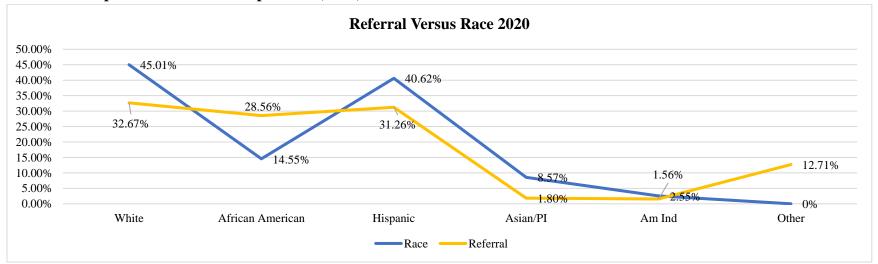


Table 9: Comparison of Referral/Population (Race)



Note: Nevada uses an "other" category for mixed or unknown race. Ezapop does not have an "other" category.

Based on this data alone, disparity is found at referral with African American youth overrepresented in the system, while the other races are underrepresented. In addition, American Indian youth are slightly overrepresented in the system. The "other category" seems overrepresented, but there is no "other" category reported on Ezapop.

Referral Source FFY 2020 66.58% 70.00% 60.00% 50.00% 40.00% 30.00% 22.17% 20.00% 7.44% 10.00% 1.07% 1.48% 0.98% 0.27% 0.00% School Police Local Law Probation Officer Parole Officer Parent/Guarian Juvenile Court Other Enforcement Percentage

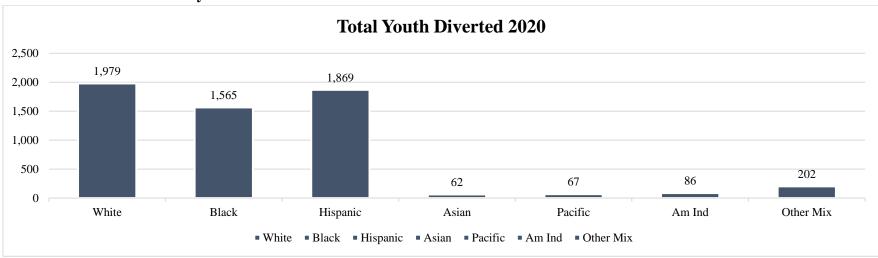
**Table 10: Referral Source** 

Greater than 66 percent of all referrals to the juvenile justice system in Nevada come from local law enforcement. In those counties with a juvenile detention facility, local law enforcement transport youth directly to those detention centers for booking while rural law enforcement contacts juvenile probation to pick up the youth and transport them to the closest juvenile detention facility. In rural counties, local law enforcement may bring youth back to administrative offices or hold youth in the back of a police car pending the arrival of the juvenile probation officer. On rare occasions, local law enforcement will transport youth to the nearest juvenile detention facility in their police car.

## **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. Diversion can include informal probation, other informal activities, or another form of diversion ordered by the juvenile court. The number of diversions is based on the number of referrals to the system.

**Table 11: Total Diversions by Race** 



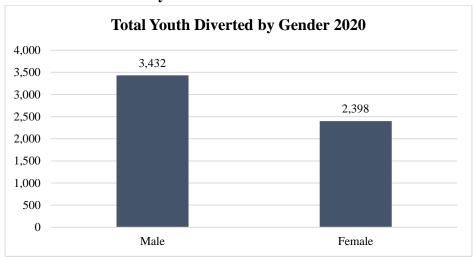
There were 5,830 diversions in FY 2020, which represents 43.1 percent of the total referrals in FY 2020.

**Table 12: Types of Diversions** 

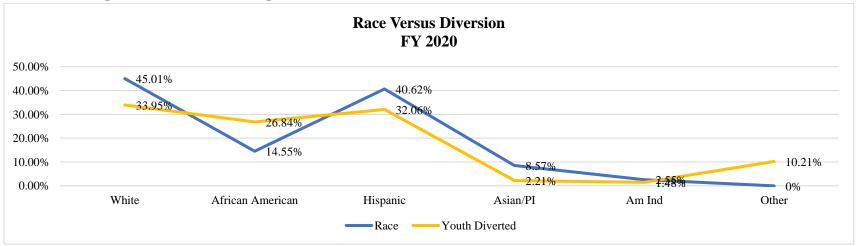


Just over 90 percent of all diversion types reported were misdemeanor charges.

**Table 13: Diversions by Gender** 



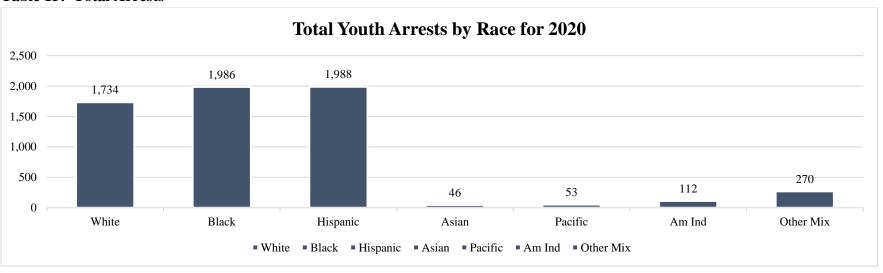
**Table 14: Comparison of Diversion/Population (Race)** 



Diversions compared to the overall youth population breakdown indicates that a disproportionate number of African American youth are system involved at referral, but are also diverted from the system, but at a six to seven percent lower rate than White and Hispanic youth.

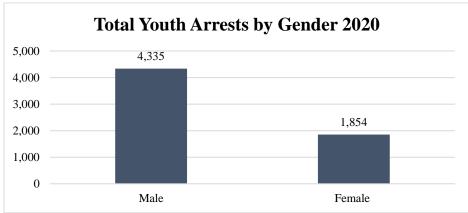
## **Arrest**

**Table 15: Total Arrests** 



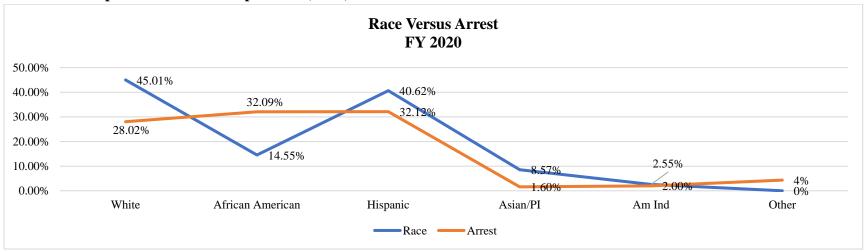
The largest racial group at arrest was Hispanic, African American, with White coming in third. The racial breakdown in Nevada indicates Hispanics as the 41 percent of the youth population so there is no disparity found in the number of Hispanic arrests.

**Table 16: Arrests by Gender** 



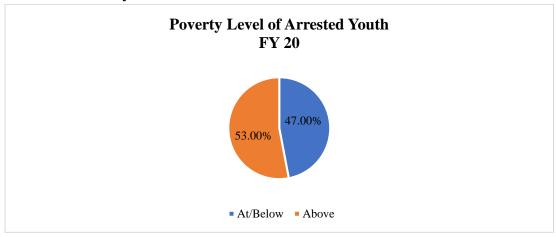
70 percent of all arrests are male.

**Table 17: Comparison of Arrest/Population (Race)** 



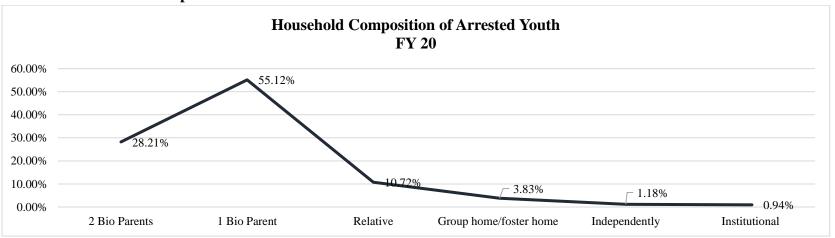
This comparison indicates disparity in the African American population.

Table 18: Poverty Breakdown of Arrested Youth



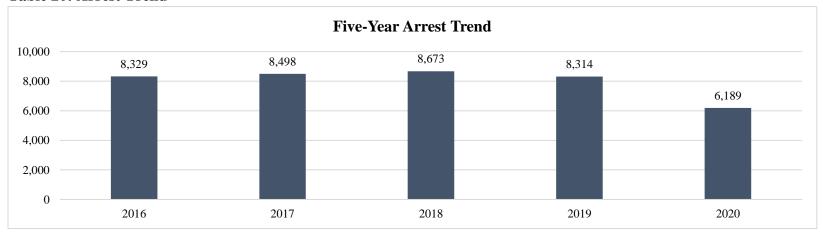
47 percent of arrested youth live at or below the poverty line.

**Table 19: Household Composition of Arrested Youth** 



28.21 percent of arrested youth have an intact family (i.e., two biological or adoptive parents in the home). Just over 16 percent of arrest youth live in a household without a parent.

**Table 20: Arrest Trend** 



The total number of arrests in 2020 fell significantly from 2019.

Table 21: Top 10 Most Common Charges in Nevada

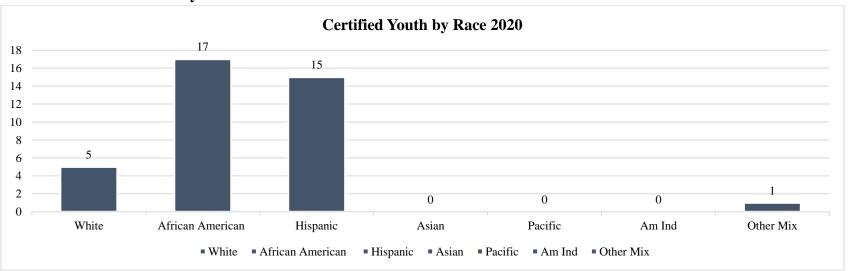
	2020	2019	2018	2017
1.	Assault/Battery	Assault/Battery	Assault/Battery	Assault/Battery
2.	Domestic Battery	Possession of Marijuana	Possession or use of an illegal	Technical Violations
			drug	
3.	Violation of Probation/Parole	Fighting	Fighting	Larceny/Theft/Robbery
4.	Possession, sale, or use of an	Violation of Probation/Parole	Violation of Probation/Parole	Drug Possession or Under the
	illegal drug			Influence of Drugs
5.	Grand Larceny	Possession of a controlled	Curfew	Burglary
		substance		
6.	Bench Writ/Warrant	Curfew	Petit Larceny	Obstructing Police/Providing false
				information
7.	Possession or a deadly	Theft/burglary	Habitual Truancy	Domestic Battery
	weapon or use of a deadly			
	weapon during a crim			
8.	Obstructing Police/Providing	Truancy	Obstructing a police	Petit Larceny
	false information		officer/False Statement to Police	
9.	Theft/burglary	Trespassing	Burglary/Theft	Curfew
10.	CHINS	Domestic battery	Trespassing	Assault with a deadly weapon

# **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.

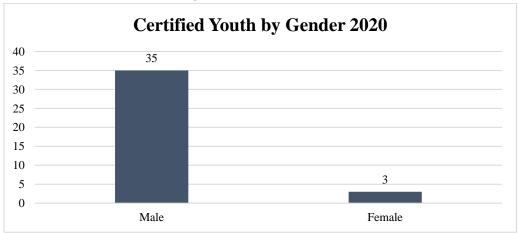
DCFS does have access, through county data, to the number of youths who were certified through a juvenile court.

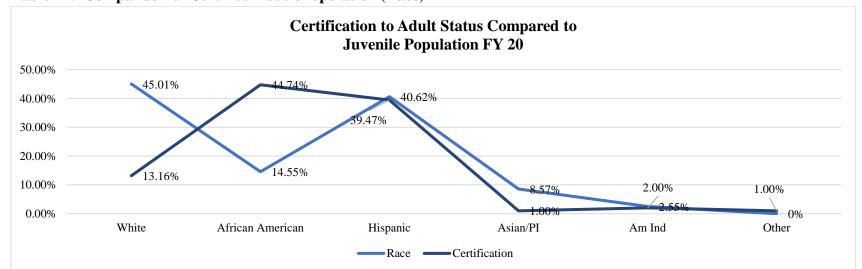
**Table 22: Certified Youth by Race** 



Approximately 87 percent of all certified youth are minority youth, with 44.7 percent African American youth.

**Table 23: Certified Youth by Gender** 





**Table 24: Comparison of Certified Youth/Population (Race)** 

African American youth are disporportionally represented at the certification contact point. Hispanic youth are roughly equal, but White youth are significantly underrepresented at this contact point.

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

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

- "...For the purposes of this section, each of the following acts shall be deemed not to be a delinquent act, and the juvenile court does not have jurisdiction over a person who is charged with committing such an act:
- (a) Murder or attempted murder and any other related offense arising out of the same facts as the murder or attempted murder, regardless of the nature of the related offense.
- (b) Sexual assault or attempted sexual assault involving the use or threatened use of force or violence against the victim and any other related offense arising out of the same facts as the sexual assault or attempted sexual assault, regardless of the nature of the related offense, if:
  - (1) The person was 16 years of age or older when the sexual assault or attempted sexual assault was committed; and
- (2) Before the sexual assault or attempted sexual assault was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.

- (c) An offense or attempted offense involving the use or threatened use of a firearm and any other related offense arising out of the same facts as the offense or attempted offense involving the use or threatened use of a firearm, regardless of the nature of the related offense, if:
- (1) The person was 16 years of age or older when the offense or attempted offense involving the use or threatened use of a firearm was committed; and
- (2) Before the offense or attempted offense involving the use or threatened use of a firearm was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.
- (d) A felony resulting in death or substantial bodily harm to the victim and any other related offense arising out of the same facts as the felony, regardless of the nature of the related offense, if:
- (1) The felony was committed on the property of a public or private school when pupils or employees of the school were present or may have been present, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties; and
- (2) The person intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person.
  - (e) Any other offense if, before the offense was committed, the person previously had been convicted of a criminal offense."

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 <u>certification</u> process for youth to be sent to adult criminal court in NRS 62B.390.

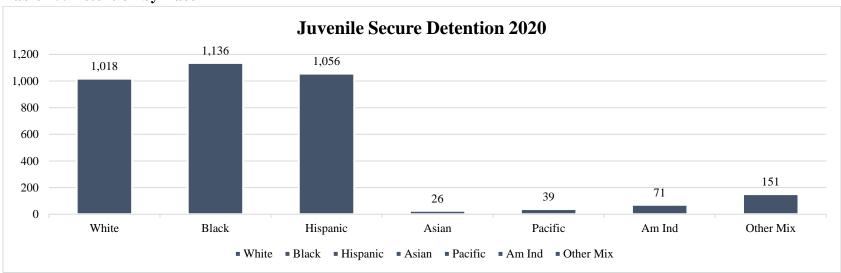
- 1. Except as otherwise provided in subsection 2 and NRS 62B.400, upon a motion by the district attorney and after a full investigation, the juvenile court may certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child:
- (a) Except as otherwise provided in paragraph (b), is charged with an offense that would have been a felony if committed by an adult and was 14 years of age or older at the time the child allegedly committed the offense; or
  - (b) Is charged with murder or attempted murder and was 13 years of age or older when the murder or attempted murder was committed.

- 2. Except as otherwise provided in subsection 3, upon a motion by the district attorney and after a full investigation, the juvenile court shall certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child:
  - (a) Is charged with:
    - (1) A sexual assault involving the use or threatened use of force or violence against the victim; or
    - (2) An offense or attempted offense involving the use or threatened use of a firearm; and
  - (b) Was 16 years of age or older at the time the child allegedly committed the offense.
- 3. The juvenile court shall not certify a child for criminal proceedings as an adult pursuant to subsection 2 if the juvenile court specifically finds by clear and convincing evidence that:
- (a) The child is developmentally or mentally incompetent to understand the situation and the proceedings of the court or to aid the child's attorney in those proceedings; or
- (b) The child has substance abuse or emotional or behavioral problems and the substance abuse or emotional or behavioral problems may be appropriately treated through the jurisdiction of the juvenile court.
- 4. If a child is certified for criminal proceedings as an adult pursuant to subsection 1 or 2, the juvenile court shall also certify the child for criminal proceedings as an adult for any other related offense arising out of the same facts as the offense for which the child was certified, regardless of the nature of the related offense.
- 5. If a child has been certified for criminal proceedings as an adult pursuant to subsection 1 or 2 and the child's case has been transferred out of the juvenile court:
  - (a) The court to which the case has been transferred has original jurisdiction over the child;
  - (b) The child may petition for transfer of the case back to the juvenile court only upon a showing of exceptional circumstances; and
- (c) If the child's case is transferred back to the juvenile court, the juvenile court shall determine whether the exceptional circumstances warrant accepting jurisdiction.

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**

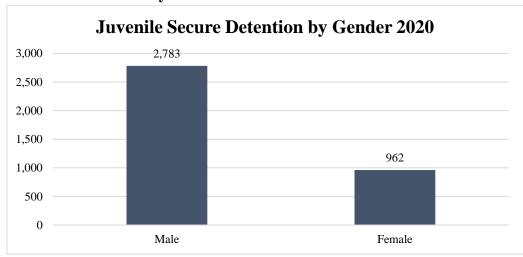
Seven (7) of Nevada's seventeen (17) counties operate a juvenile detention facility. Those counties that do not operate a juvenile detention facility contract with those nearby counties that do have a facility for detention services. Secure detention includes only those youth who are placed in a county detention facility and does not include those placed in group homes, out of state homes, residential treatment facilities, or other acute medical facilities.



**Table 25: Detention by Race** 

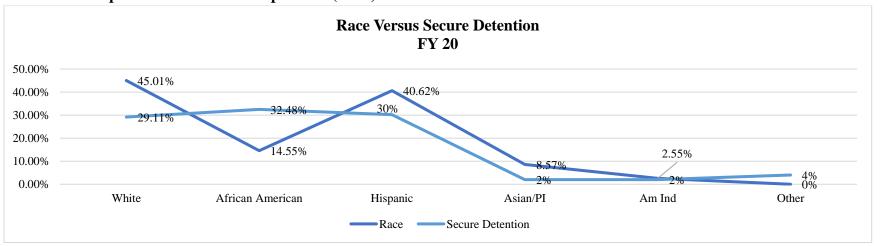
In 2020, more African American youth were placed in detention that Hispanic youth or White youth indicating disparity.

**Table 26: Detention by Gender** 



Sevety-four percent of all detention placements in 2020 were male

**Table 27: Comparison of Detention/Population (Race)** 

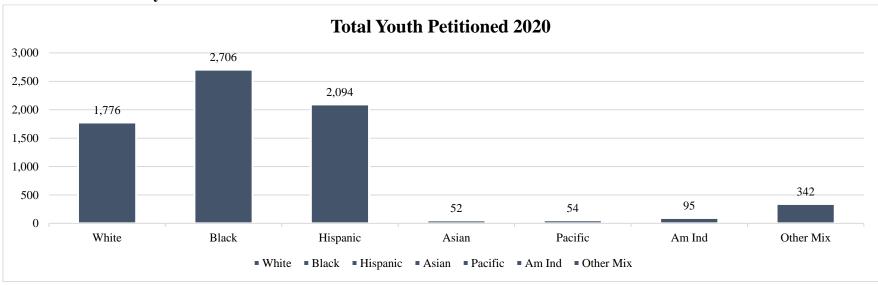


This comparison indicates disparity in the African American population and the African American youth placed into a juvenile detention facility.

# **Petitioned**

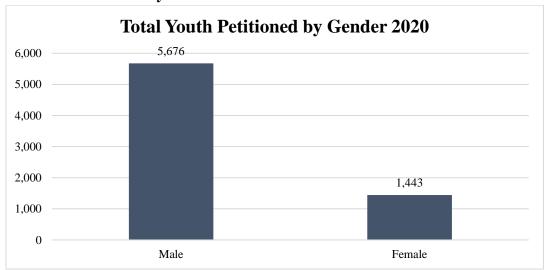
Petitioned means that a youth will face delinquent charges in juvenile court or a formal hearing process.

**Table 28: Petitioned by Race** 



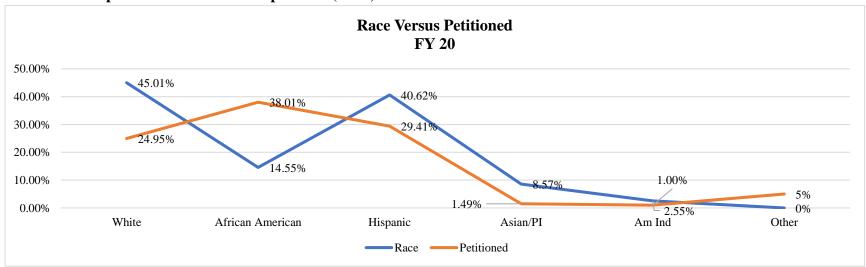
African American youth were petitioned at the highest rate in 2020.

**Table 29: Petitioned by Gender** 



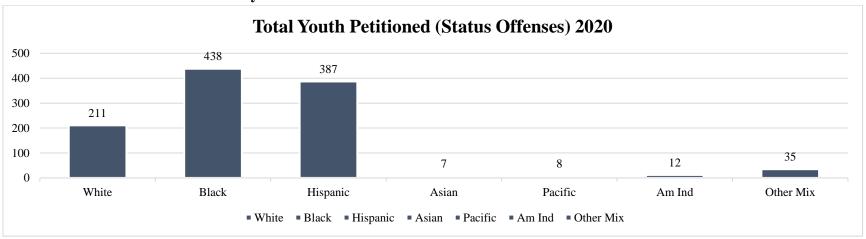
Close to 80 percent of youth petitioned are males.

**Table 30: Comparison of Petitioned/Population (Race)** 

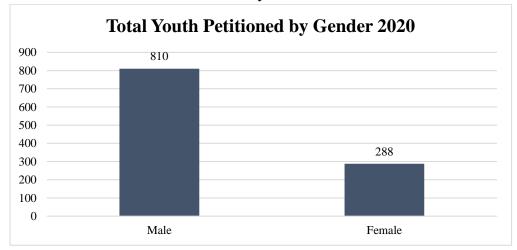


African American and Hispanic youth were petitioned at a higher rate than Hispanic and White youth.

**Table 31: Status Offense Petitions by Race** 



**Table 32: Status Offense Petitions by Gender** 



This is the second year this data is being collected and aggregated. In 2019, more White youth were petitioned as a status offender, but in 2020, more African American and Hispanic youth were petitioned as a status offender.

## **Delinquent/Adjudications**

The number of adjudicated youths is greater than the number of petitioned youths in Nevada for a variety of reasons which include youth charged and adjudicated for parole/probation violations and other technical violations; therefore, the state cannot compare the number of adjudicated youths to petitioned youth.

**Adjudications by Race FFY 2020** 900 770 740 800 700 573 600 500 400 300 200 81 100 21 White Black Hispanic Asian Pacific Am Ind Other Mix

**Table 33: Adjudications by Race** 

This chart indicates that Hispance youth were adjudicated at the highest rate in 2020.

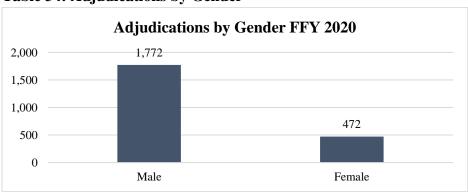
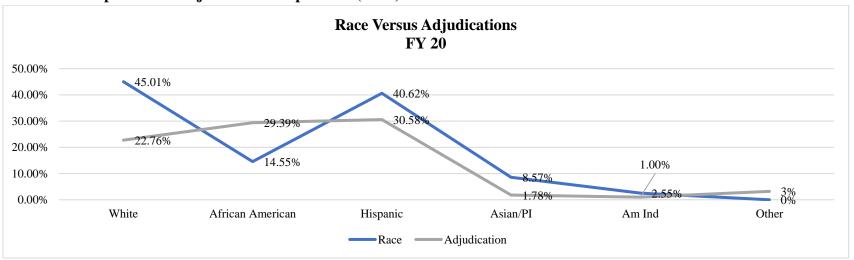


Table 34: Adjudications by Gender

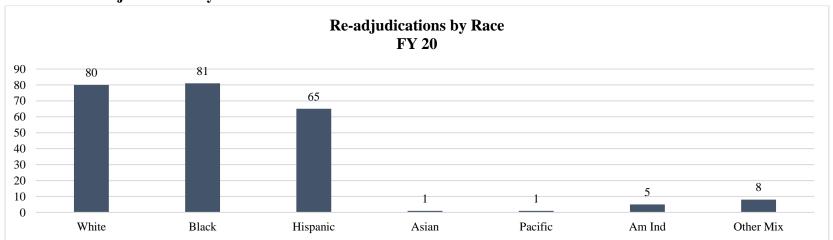
Almost 95 percent of adjudications are male.

**Table 35: Comparison of Adjudications/Population (Race)** 



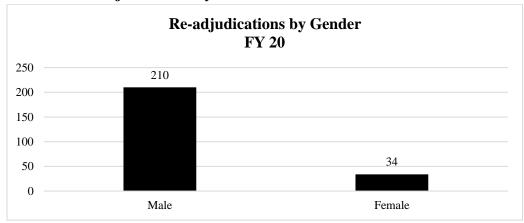
African American youth were disporportionally represented as compared to the juvenile population.

Table 36: Re-adjudications by Race FY 20



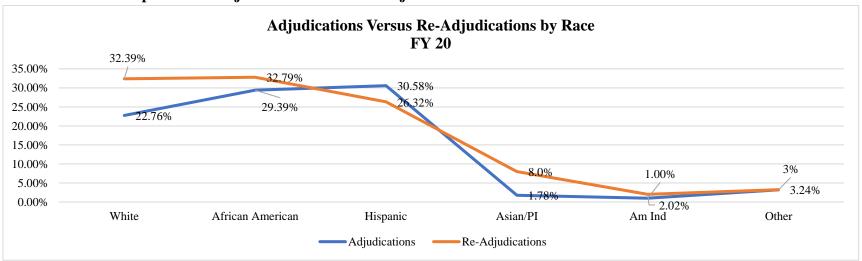
African American youth slightly edged out white youth for the number of youth re-adjudicated in 2020 who were adjudicated in 2019.

Table 37: Re-adjudications by Gender



Eighty-six percent of youth who were re-adjudicated in 2020 were males.

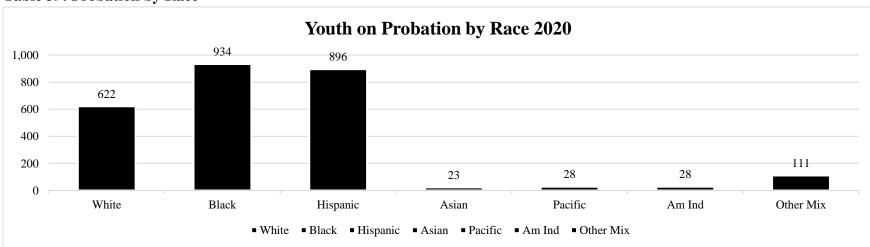
Table 38: Race Comparison of Adjudication Versus Re-adjudications



The only race category to see a decrease is Hispanic youth, while all other race categories saw in an increase.

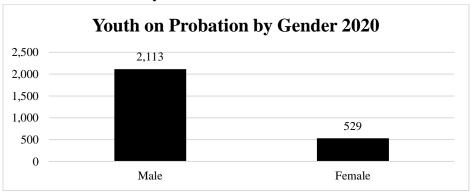
## **Probation**

Probation in Nevada is counted as youth placed on formal probation or supervision activities through the juvenile court. Informal probation and supervision activities are captured under diversion.



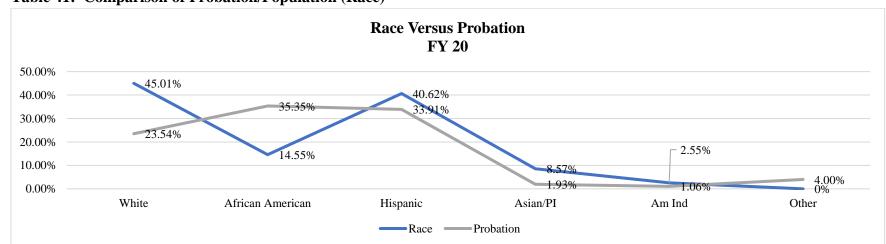
**Table 39: Probation by Race** 

The highest number of youth placed on formal probation is African American youth.



**Table 40: Probation by Gender** 

As with other contact points; more males than females.



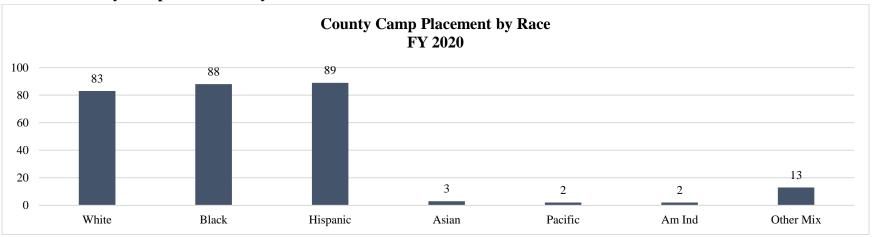
**Table 41: Comparison of Probation/Population (Race)** 

Disporportionality is found within this contact point, as with other contact points within African American youth.

# **County Camp Placement**

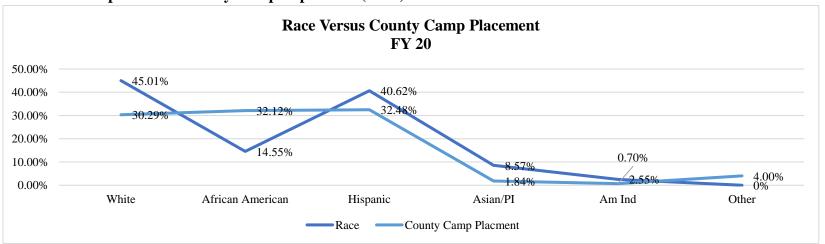
Judges in Nevada may sentence youth to extended detention stays, formal probation, county camp placement, or state custody for juvenile corrections. There are two available county camps, one is in Clark County, which is for male youth only, and one in Douglas County which accepts both males and females. In many cases, the youth that fail placement at the county camp level will be placed in the state's custody for placement in one of the three juvenile justice detention facilities. County camp placement occurs prior to state custody, which is the last resort or the deepest end of the juvenile justice system in the State of Nevada.

**Table 42: County Camp Placements by Race** 



White, African American, and Hispanic youth are tightly bunched at this contact point, with Hispanic youth edging out African American youth.

Table 43: Comparison of County Camp/Population (Race)



African American youth were disporportionally represented as compared to the juvenile population.

Placement by County Camp FFY 2020 China Spring Aurora Pine Spring Mountain

**Table 44: County Camp Placements by Camp** 

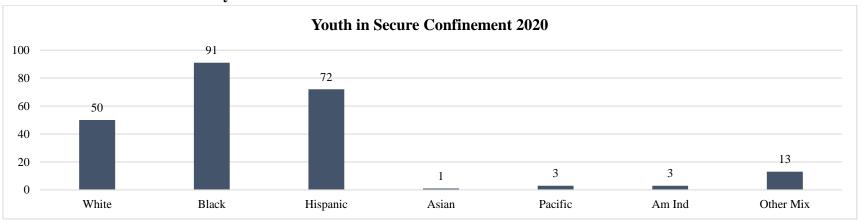
China Spring and Aurora Pine are located on the same property in Douglas County. All counties with exception of Clark County sends youth to this camp. Aurora Pine is the only camp in the state that accepts females.

Spring Mountian is located in Clark County and is only used by Clark County.

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

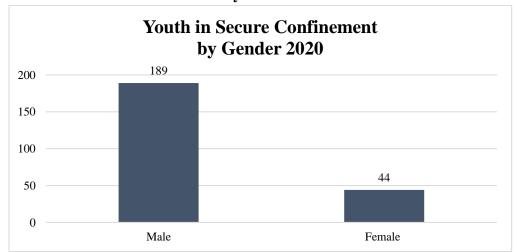
The first system involvement youth have with the state is at this point. The state provides juvenile corrections through the operation of three youth centers in the state: Nevada Youth Training Center (NYTC) in Elko, Caliente Youth Center (CYC) in Caliente, and Summit View Youth Center (SVYC) in Las Vegas. NYTC and SVYC are boys only with a combined 108 beds, while CYC has room for 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 services.

**Table 45: Secure Confinement by Race** 

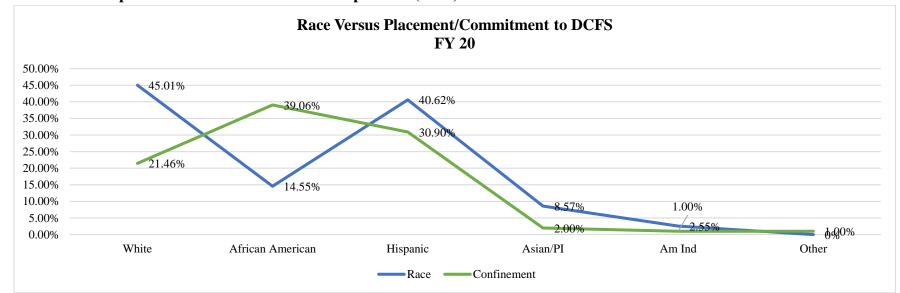


African American youth were committed to DCFS for correctional placement at a great rate than Hispanic and White Youth.

**Table 46: Secure Confinement by Gender** 



In July 2020, the legislatively funded beds dropped from 224 to 160 due to the impact to the state's economy by the COVID-19 pandemic. The number of beds for females dropped from 40 to 20.



**Table 47: Comparison of Secure Confinement/Population (Race)** 

African American youth are dispoportionally committed to DCFS for correctional placement.

#### **CONCLUSION**

Based on the FFY 2020, African American youth are overrepresented at almost every contact point. A deeper dive into the data provides some clues such as African American and Hispanic youth both commit more violent crimes based on gang involvement and a possession of a weapon at arrest. However, these two data points alone do not account or explain the level of overrepresentation in the system.

The data reflects problems throughout the system which touch multiple agencies and crosses jurisdictions; therefore, the state needs the cooperation of all agencies dealing with whatever factors are found to be driving the disparities.

Any racial and ethnic disparity is concerning, but with a problem this size, Nevada chooses to work on the areas of greatest disparity such as juvenile arrest and certification. This will entail a great deal of collaboration as these decision points live outside of the purview of the juvenile justice system agencies and rest within local law enforcement and juvenile courts.

### **ACTION PLAN – QUESTIONS FROM OJJDP**

## 1. What does your DMC number tell you about your Jurisdiction?

The state's DMC numbers indicate three distinct issues: 1) Disparity exists at a greater rate in urban counties; 2) African American disparity is seen at all contact points to include diversion; and, 3) African American youth face greater disparity as they move deeper into the system. This remains unchanged from the previous year. What is significant is that overall numbers dropped in all contact points from 2019 to 2020.

Represents Decrease in Referral Numbers from 2019 to 2020, in all Race categories

	Referrals 2019	Referrals 2020	Percentage of Decrease
Caucasian	6076	4415	37.60%
African American	5470	3860	41.70%
Hispanic, Non-White	5857	4224	38.60%
Asian	177	115	53.90%
Native Hawaiian or Pacific Islander	166	128	29.60%
Native American or Alaska Native	293	211	38.80%
Other	570	561	1.60%
Totals	18609	13514	34.54%

The overall decrease in 34.54 percent, but the greatest decrease is shown to be Asian youth, a 53.90 percent decrease, followed by African American youth with a 41.70 percent decrease in referrals.

Overall decreases are seen in all contact points, but percentages by race vary.

### Comparison/Analysis:

The FFY 2019 data comparison to FFY 2020 shows improvement made at the front end of the system, at referral. However, it is unclear if the more than 30 percent drop in referrals is due to outreach/education, more diversionary tactics at initial contact by law enforcement, or the COVID-19 pandemic. At any rate, a noticeable decrease at referral is noted.

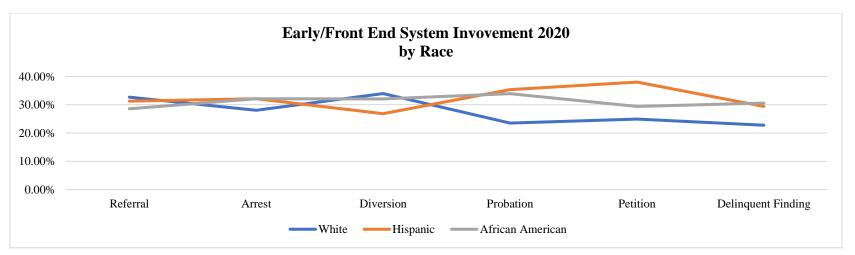
The analysis of race and ethnic disparities in the juvenile justice system is multi-faceted and requires a significant amount of complete and accurate data, some of which is not currently collected by non-DCFS reporters. The following items may provide additional information as to the causes of disparity in the system if it was gathered and broken down by race and ethnicity:

- Education levels of youth at time of referral or arrest;
- ➤ Risk factors of youth at time of arrest assessed by a validated risk assessment;
- ➤ Placement successes/failures;
- List of services and interventions provided;
- Poverty data for one hundred (100) percent of youth at time of arrest;
- > Subsequent offending while on probation or parole; and
- > Breakdown of technical violations.

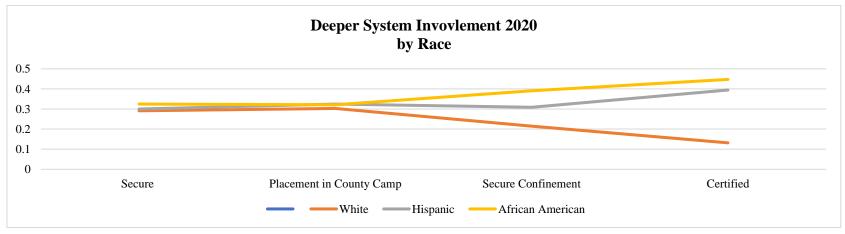
The state can present successes in the 3-year decrease in the number of arrests and increase in diversions of African American youth; however, in 2020, less White youth were arrested, and more White youth were diverted.

However, the 2020 data is alarming in the significant increase in the contact points deeper into the system. Here are some of the outliers of the data:

- Disparity is found primarily in the state's two largest counties, Clark County and Washoe County.
- Rural jurisdictions see more disparity with Native American Youth than any other population.



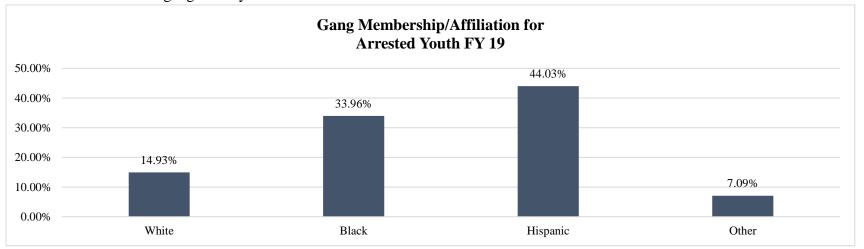
Separation of White, Hispanic, and African American youth begins to be significantly noticeable at diversion, but really begins to separate at probation. White youth are placed on formal probation and petitioned at a lesser rate than both Hispanic and African American youth. African American and Hispanic youth tighten at adjudication, but White youth are shown be far below both.



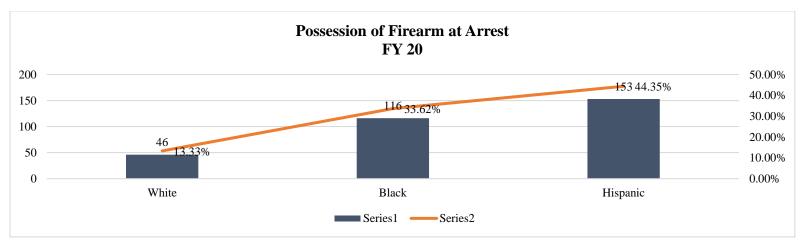
African American youth see the greatest disparity at commitment to DCFS for secure confinement and certification.

Various literature over time has speculated that poverty and household composition may play a role in criminal behavior, which may or may not be true. But we can breakdown data to look at potential risk factors or mitigating circumstances, such as mitigating circumstances that may affect these deep end placements. Two such mitigating circumstances can be found at time of arrest; they are gang involvement and possession/use of a firearm.

The state did not collect gang activity for FY 20 but did collect it for FY 19.



Gang membership/affiliation is 2 times greater for African American youth and almost 3 times greater for Hispanic youth. Arrest data is front end data, however, gang membership/affiliation is still prevelant at the back. Currently, 28.11 percent of youth committed to DCFS have a known gang membership or affiliation.



Possession of a firearm at the time of arrest is more than 2 times greater for both African American youth and Hispanic youth over White youth.

Disparity is clearly seen in the deep end of the system, but disparity is also seen in the level of violence which may be a factor in determining placement or in the certification of a youth to adult criminal court.

DCFS does not have jurisdiction over juvenile courts. Based on this data, DCFS will request that the JJOC look at the reasons for disparity, especially in Clark County for these two deep end contact points.

#### 2. What would success in DMC reduction look like for your jurisdiction?

The Racial and Ethnic Disparity (RED) Committee of the Juvenile Justice Oversight Commission reviewed the FY 2019 annual RED Assessment Report and determined that disparity is found at referral and determined that referral should be the focus of intervention. The Committee created survey specifically for law enforcement to identify the cause/s of disparity at referral. The Committee determined that the survey should be made available to various entities within law enforcement such as police chiefs, sheriffs, police officers, and dispatchers. The premise of the survey was to assesses two main ideas, 1) the racial and ethnic makeup of law enforcement entities statewide, and 2) to determine the type of training law enforcement entities have regarding working with youth.

The results of the survey indicated four things regarding police agencies in Nevada.

- 1) The police force is 66 percent White.
- 2) The police force is 70 percent male.
- 3) Dispatchers lack training and resources, and are generally not trained to identify emergent versus non emergent calls; and
- 4) Training is not standardized or verified statewide for dispatchers or officers.

These survey results provided the Committee with a great deal of information regarding training for police officers and for dispatchers. It was determined that police in Urban Las Vegas are better prepared to hand juveniles with access to the Harbor, a juvenile assessment center with five (5) locations in greater Las Vegas. The creation of the Harbor roughly four years ago has significantly decreased the number of status offenders booked into juvenile detention in Clark County. The Harbor is a one shop stop for services for juveniles and families. There are no juvenile assessment centers outside of Las Vegas.

The survey also provided some insight into the training dispatchers and police officers receive or need. Police officers statewide generally receive training in racial profiling and implicit bias, however, there is no consistent training for dealing with youth or mental health/trauma, and some police agencies are even unclear where to transport youth for a law violation. Further, the survey uncovered the need to streamline training statewide. Currently, individual law enforcement entities are responsible for their own training curriculum and training processes. There is no state or local agency that verifies what the training includes or that the training was even completed.

Dispatchers fair worse than police officers. They receive very little training in cultural awareness, implicit bias, mental health, and dealing with juveniles. In addition, some dispatchers are not required to have a list of community resources available to utilize during their shifts. The lack of a resource guide may mean dispatchers are not trained in how to determine what is an emergency call and what is not.

The Committee believes the following is required:

- 1. Racial and Ethnic Disparities Training Enhancements/Requirements:
  - a. Provide training to dispatchers in some topic areas required by police officers such as, but not limited to, implicit bias, racial profiling and mental health.
  - b. Require an updated list of community resources for each entity that has a dispatcher.

- c. Require training and policy in how to recognize non emergent calls, that may not require police interaction, and how to route them appropriately (see d).
- d. Require each entity with a dispatcher have access to a mental health clinician or social worker that can handle non-emergent calls that are beyond the scope of a dispatcher but does not meet the level of police interaction.
- e. Add to AB 478 dated March 25, 2019 to include the following training for law enforcement:
  - i. Adolescent brain development
  - ii. Juvenile specific training, including, but not limited to:
    - 1. Social development
    - 2. Peer development
    - 3. Impact of child abuse or adverse childhood experiences
    - 4. Impact of development delays on communication and repour
  - iii. Trauma informed policing (Emphasis on mental health)
  - iv. Transporting juveniles based on the severity of the offense, based on community resources
- f. Add to AB 478 dated March 25, 2019 to include the following requirements:
  - i. Standardized training curriculum across the state
  - ii. The identification of a platform for curriculum such as Nevada Elearn.
  - iii. Oversight agency or entity to verify that training occurred upon hire and refreshers are held annually.

#### 2. Racial and Ethnic Disparities Law Enforcement Recruiting, Hiring, Promoting and Disciplining Practices:

- a. Recruit and hire females as officers
- b. Recruit and hire individuals of color as officers
- c. Train and promote females and individuals of color to leadership positions within law enforcement agencies
- d. Develop policy and procedure for disciplining officers who 1) fail to follow procedure, 2) use a level of force deemed not appropriate for the situation, or 3) display extremist or racist behaviors on or off the clock.

The Committee believes that the change in policy and training will create a better and more prepared law enforcement staff to deal with youthful offenders. Further, it is the hope of the committee that disparity decreases at the point of referral, once all of these measures are put into place.

### 3. How much do you want to reduce DMC next year?

The proposals made by the RED Committee are grand and sweeping. The state is currently in a legislative session, which is held ever even year. Some of these changes may require revisions to Nevada Revised Statute and will require buy-in from law enforcement statewide. The results of these changes may not be seen for two to four years from now, depending on quickly they can be enacted.

In the meantime, the decision points for each contact point are found in various entities within local/count government and the state, which are separated by the following two tables.

# **County/Local Decision Points**

Decision Point	Entity
Initial Contact/Arrest	Local Law Enforcement – City or County
Diversion	County Probation Departments
Secure Detention	County Probation Departments and Courts (county)
Youth Camp Placement	County Probation Departments and Courts (county)
Probation	County Probation Departments and Courts (county)
Petition	District Attorney (county) and Courts (county)
Delinquent Finding	Courts (county)
Secure Confinement	Courts (county)

#### **State Decision Points**

Decision Point	Entity
Selection of which correctional facility	Youth Parole Admissions Manager and Admissions Team
Length of Stay at a correctional facility	Facility Staff
Release	Facility and Youth Parole Staff
Length of Stay on Parole	Youth Parole Staff

The state does not have any control over county decision points but does have some control over state decision points. The RED Committee identified issues at initial contact/arrest. The state will work along side the local/county jurisdictions to promote additional training and policy regarding youthful offenders, and the state would be satisfied with any reduction in disparity at referral of one percent to 10 percent.

#### 4. Is that reasonable? If yes, why?

It is reasonable to expect the state to discuss attempt to identify issues affecting disparity. But these identifications are tiered and can only address one area at time to really assess if interventions made are successful. As stated above, the issues identified with police officers and dispatchers is complicated and may require changes to Nevada Revised Statue. These changes will require buy-in from every law enforcement entity statewide. The RED Committee's work in not yet completed in this area. They may want to create a fact sheet or hold statewide webinars to educate law enforcement on why it is important to streamline training and policy and that dealing with youthful offenders requires a different approach.

#### 5. What do you need from OJJDP to be successful with your plan?

States need help with this. The problem is too complex, and the solutions are too multi-faceted. Local jurisdictions provide direct services to the community and they do not have staff to dissect decision making at contact points, nor would staff in an operational setting have the knowledge and skills to do so. State agencies may have staff who concentrate on data mining, but it is unlikely that a state agency has the staff with the knowledge and skills to break apart criminal justice data to determine the factors related to disparities. I'm not sure you're safe making these sorts of global statements. We know this is true for Nevada but I'm not sure you'd find this in other states. Did you want to say this for Nevada since the question asks what Nevada needs from them?

OJJDP can do several things to help states address disparities. 1) Acknowledge and understand the expertise needed to determine the factors that lead to disparities, 2) acknowledge and understand that the expertise needed mostly likely will not be found in state or local jurisdictions, and is more likely to be found within university researchers and seasoned practitioners, 3) acknowledge and understand that funding is needed for state or local jurisdictions to contract with local universities, 4) acknowledge and understand that funding is need to combat the problem, once the problem is identified, and 5) acknowledge and understand that barriers to addressing DMC exist within states such as bifurcation or limited state statutes in the area.

In addition to the above, OJJDP can publish an updated National Contact Point Chart. The latest available data is from 2007; recent data would be beneficial for states who choose to compare their averages to the national average to determine what areas to prioritize. Nevada chooses to look at anything .05 percent or greater than the national average. However, 2007 is more than 10 years old and may not be an accurate comparison for 2018 disparity data which could inadvertently make the state choose the wrong area on which to concentrate.

6. What safeguards will you put in place to ensure that as you work to reduce RED, you are protecting the public, holding youth accountable, and equipping youth to live crime free productive lives.

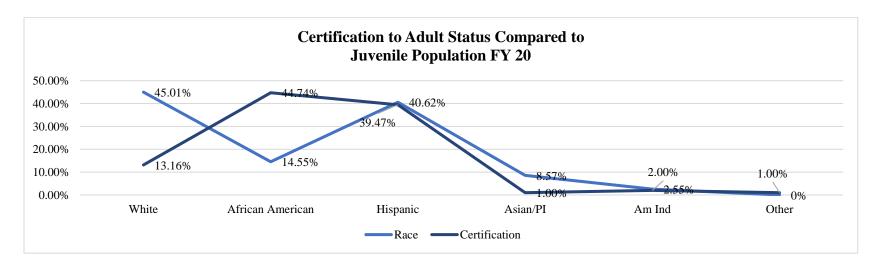
The most powerful thing states can do is to educate. That education needs to be widespread and statewide. Juvenile justice stakeholders need to be educated as well as schools, youth, and families. Education does not mean that youth will no longer be arrested or held accountable for serious violations of the law, but rather the system is treating youth in same manner based on the violation of the law.

The answer to question number 2 outlines the state's desire, through the Racial and Ethnic Disparity Committee to add some additional policy and training requirements for law enforcement agencies and dispatchers. Increased training for law enforcement officers and dispatchers will increase awareness.

#### **OUTCOME BASED EVALUATION - QUESTIONS FROM OJJDP**

#### 1. What are your new numbers?

The new numbers for 2020 indicates that there is disparity in every contact point for African American youth. The greatest disparity is seen at the certified (waived) rate. However, a drill down of the certification data alone reveals that 32 of the total 38 certifications in 2020 were from Clark County, 84.2 percent of the total certifications.



The numbers also indicate that disparity is shown at the diversion contact point with more White youth diverted than African American youth; eventhough, African American youth are diverted at a greater rate than the African American populatoin.

However, the biggest thing indicated in the 2020 number is the decrease in juvniles in the system beginning at referral. Eventhough disparity still exists throughout the system, there were less youth in the system than there were in 2019.

#### Percentage of Decrease in Referrals by Race from 2019 to 2020

	Referrals 2019	Referrals 2020	Percentage of Decrease
Caucasian	6076	4415	37.60%
African American	5470	3860	41.70%
Hispanic, Non-White	5857	4224	38.60%
Asian	177	115	53.90%
Native Hawaiian or Pacific Islander	166	128	29.60%
Native American or Alaska Native	293	211	38.80%
Other	570	561	1.60%
Totals	18609	13514	34.54%

Average percent of decrease is 34.54%. The largest decrease in noted among Asian youth, followed by African American youth.

#### 2. Did you meet your goals?

Based on the reduction in referrals in 2020, the state achieved its goal of less youth of color in the system. However, it is unknown what caused a 34.54 percent decrease in referrals.

# 3. If yes, what worked? What drove the success? If no, what were the barriers? How might you overcome them next year? What partners do you need?

It is unknown what worked or didn't work. DCFS does not have any control or oversight over juvenile referrals. One theory is that there was a decrease in referrals from school since schools were closed for part of the year. The state has noticed this same phenomenon on the child welfare side with a large decrease in referrals that normally would come from schools. It seems our schools are our eyes and ears for abuse and neglect, but also are an important referral source on the juvenile justice side too.

One thing that has made a huge difference in referrals in Clark County is the creation of the Harbor, a juvenile assessment center. The Harbor started roughly 4 years ago with one location, but now there are approximately 5 locations in the Las Vegas Valley. The juvenile assessment centers have decreased the number of status offenders booked into detention and may be a huge factor in the decrease in juvenile referrals to the Clark County Department of Juvenile Services for arrest or other crime related services. Unfortunately, there are no juvenile assessment centers in the other 16 counties that make up Nevada.

### 4. How can OJJDP help you next year? What do you need from us?

The juvenile assessment center model has worked well in Clark County. However, there are no plans for assessment centers in the remaining part of the state due to lack of funding. Assessment centers require funding. Clark County was able to use old county police stations as buildings, but renovations, technology and staffing requires funds. Grant funds specifically for assessment center creation would be beneficial. Maybe it could be another program area for the Formula Grant.

### 5. How did youth protect the public, hold juvenile offenders accountable, and equip them to live a crime free life?

There are several ways the state protected the public, held offenders accountable, and equipped them with the tools to not re-offend.

1. <u>Data:</u> Data collection and analysis is the key to decision making. There is no single clearing house for data in the state due to bifurcation, so the state must relay on data sharing agreements and cooperation from local jurisdictions to obtain accurate data. However, the state does not have the capacity or resources to verify the accuracy of data provided.

### 2. Risk and Needs Assessment and Case Planning:

<u>Risk and Needs Assessment:</u> 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).

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.

Based on DCFS commitment data (secure confinement), the right youth appear to come to the state based on their risk level of high or very high. Some youth with moderate or low risk most like committed a crime of an egregious nature but have lower risk or reoffending.

There were 202 youth committed to the state between January and December 2020. Of those, 80.1 percent had a risk levrel of high or very high. The 19.9 pecent of the remaining youth may have mitigating factors requireing state services, which is usually the type and level of the offense. This data is a good indicator that the right youth are being committed to DCFS.

The average risk score for these assessments is 25.64 which falls into high risk level for both males and females.

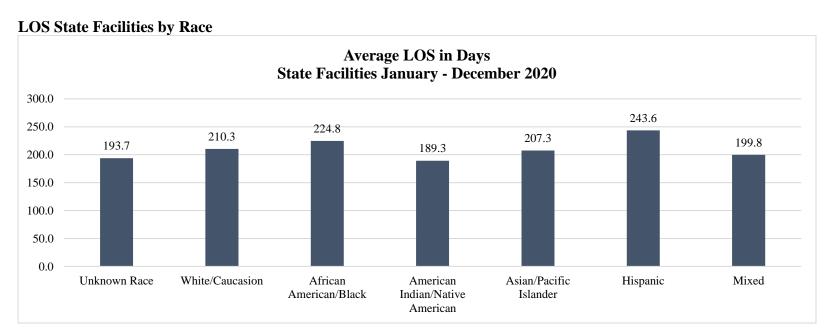
<u>Case Planning:</u> NRS 62E.507 requires that all youth who have been placed under supervision by the juvenile court or sent to a regional facility for the treatment of youth.

# **Percentage of Youth with Case Plans (County)**

County	Percent of youth with a Case Plan		
Carson	100%		
Churchill	98%		
Clark	No Data		
Douglas	No Data		
Elko	No Data		
Esmeralda	No Data		
Eureka	100%		
Humboldt	100%		
Lander	100%		
Lincoln	100%		
Lyon	100%		
Mineral	100%		
Nye	41%		
Pershing	100%		
Storey	100%		
Washoe	100%		
White Pine	100%		
Total	95.31%		

Greater than 95 percent of youth on formal probation have a case plan.

- 3. 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.
- 4. Outcomes: The state has been able to assess the average length of stay (LOS) in a state facility, which is new is 2020, broken down by race.



This new data indicates disparity in that African American youth stay in a state facility longer than White youth. However, this is the first year of data and the state will look forward to next year's data for comparison purposes.

5. <u>Compliance with Evidence-Based Programs:</u> All five required facilities, including DCFS correctional facilities and county youth camps, received a quality assurance review in 2020. 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 50.25, representing 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.

Evidence-based programs and services are not currently reviewed; however, the counties provide an array of services that may be evidence-based, or evidence informed, as outlined in the *Evidence Based Practice Definition Matrix* of the FY 19 - 23 Strategic Plan.

- Keep it Direct and Simple
- What About Marijuana
- Girls Circle
- Forward Thinking
- Wilderness

- Alternatives
- Parents Project
- Arise
- Alcohol and Drug Program
- Botvin Life Skills a
- 3rd Milleniim Wise Programming
- Boys Counsel
- Community Services

<u>Performance Measures:</u> In 2018, the Juvenile Justice Oversight Commission created a new definition for recidivism. It states, "A child's tendency to relapse into a previous condition or mode of behavior after the initial intervention of the Juvenile Justice System."

Recidivism rates in Nevada will be measured at various points of a child's time in the juvenile justice system.

Recidivism rates will be measured when an individual, within 3 years of initial arrest/citation, adjudication, commitment or placement into an out of home facility, placement under probation or parole supervision or when convicted as an adult is

- a) Re-arrested or
- b) Re-adjudicated or
- c) Re-committed or
- d) In violation of supervision or
- e) Convicted by an adult court.

However, this definition did not provide a clear measurement for the state or the counties to track data, therefore, in 2020, the JJOC provided additional clarification to the definition which includes measurement. It clarifies that counties are to look at arrested youth in a previous year and compare to arrested youth 12 months later, and to look at adjudicated youth and compare to adjudicated youth 12 months later. This clarification has provided a baseline, or year one, of recidivism data for two measurements based on county data.

- 1) Arrest versus re-arrest: A look at all youth arrested in 2019 and if they were arrested again in 2020. Based on the first year of the data, the rate of recidivism based on re-arrest is 11.39 percent.
- 2) Adjudication versus re-adjudication. A look at all youth adjudicated in 2019 and if they were adjudicated again in 2020. Based on the first year of the data, the rate of recidivism based on re-adjudication is 6.29 percent.

Recidivism data does not end with the counties. DCFS has the responsibility to assess recidivism for re-committed youth. This is done by looking purely at revocations within the same year of commitment (Recidivism Measure Number 1: State) and comparing revocations year to year (Recidivism Measure Number 2: State).

#### **Recidivism Measurements Number One and Two: (State Measurement)**

Commitments 2019	Revocations 2019	Commitments 2020	Revocations 2020	Recidivism Measure 1: Revocations for 2020	Recidivism Measure 2: 2019 Revocations to 2020 Revocations
207	60	190	50	26.32%	17% Decrease

Reconvocations have been collected by the state for many years. The rate of recidivism of 26.32 percent is an accurate baseline recidivism measure for committed youth.

There is no one measurement of recidivism that can accurately tell the story of youth in the system, unless only one measurement is used. With the current definition of recidivism created by the JJOC, there are many measurements. This report has provided data on a) re-arrests, b) re-adjudications, and c) re-commitments. There is still work to be done to provide data on d) parole violations, and e) conviction in adult court. Parole violations, as with re-arrests and re-adjudications, must be youth specific. But this measurement is extremely complex as one youth may have multiple parole violations. Currently, the report for this data is not accurate and pending work. Lastly, there is currently no link into the adult judicial system to determine how many youth (certified or direct filed) were convicted.

# 6. What are you goals for next year?

- 1) To continue to see a decrease in youth of color in the juvenile justice system.
- 2) To continue to seek grand funding for front end services such as juvenile assessment centers.
- 3) To continue to gather and collect data on all aspects of the juvenile justice system to promote informed decision making across the spectrum.