



STATE OF NEVADA

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

**DISPORPORTIONATE MINORITY CONTACT REPORT/ASSESSMENT
FOR FEDERAL FISCAL YEAR 2017**

Juvenile Justice and Delinquency Prevention (JJDP) Act

January 2018

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“Racial and ethnic disparities weaken the credibility of a justice system that purports to treat everyone equitably. Across the country, juvenile justice systems are marked by disparate racial outcomes at every stage of the process, starting with more frequent arrests for youth of color and ending with more frequent secure placement”. (The Sentencing Project).

Contents

INTRODUCTION	4
DATA COLLECTION	5
CONTACT POINTS AND DEFINITIONS	6
DEMOGRAPHICS	8
JUVENILE CRIME DATA/CONTACT POINTS FOR 2017	10
REFERRAL	11
DIVERSION	12
ARREST	14
STATUS OFFENDERS	19
ADULT JAILS/LOCKUPS	20
CERTIFIED YOUTH	21
SECURE JUVENILE DETENTION	23
PETITIONED	25
DELINQUENT	26
PROBATION	27
COUNTY CAMP PLACEMENT	28
SECURE CONFINEMENT/STATE CUSTODY	29
MISDEMEANORS and CITATIONS	30
POTENTIAL FACTORS OF DISPORPORTIONALITY:	32
RELATIVE RATE INDEX DATA	34
Clark County – Nevada’s Largest County	34
Washoe County – Nevada’s 2nd Largest County	35
Carson County – Large Rural County	36
White Pine County –Small Rural County	37
Statewide	39
ASSESSMENT OF DATA	40
Relative Rate Index (RRI)	40
Front End Services – Community Corrections Partnership Block Grant (CCP)	40
Comparison with National DMC Estimates from NCJJ (DMC Databook)	44
Analysis by Point in Time:	43
Additional Data Items Not Currently Gathered	45
CONCLUSION	46

INTRODUCTION

The Juvenile Justice Delinquency Prevention Act (JJDP) was created in 1974, and expanded in 2002 to include the Disproportionate Minority Contact Requirement. The JJDP Act established four core requirements with which participating states and territories must comply to receive Title II Formula grants under the JJDP. This report will address one of those core requirements:

- Reduction of disproportionate minority contact with the juvenile justice system

Disproportionate Minority Contact (DMC) is defined as the disproportionate number of minority youth who encounter the juvenile justice system. States participating in the Juvenile Justice and Delinquency Prevention Act (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 and over the past several decades, literature and best practice has provided two important lessons on DMC.

- DMC is not limited to secure detention or corrections only; it 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.

This report will examine the racial and ethnic disproportion at several contact points within the 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.

For purposes of this report, black youth are defined as youth who 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.

Nevada assesses data at thirteen (13) contact points as well as further analysis of four factors at arrest. Data is gathered by race and ethnicity and gender at all seventeen (17) total areas of analysis. Definitions for all points of analysis are provided.

DATA COLLECTION

What is 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 transfer to adult court”. (The Sentencing Project)

Currently, Nevada lacks a state-wide data management system which would allow for the sampling of cases from the point of arrest through case closure. The data management system in Nevada may be characterized as fragmented meaning that parts of the data are held in various locations such as local police stations, county probation departments, juvenile courts, and state juvenile corrections. It is not possible for the state to define one sampling or methodology for DMC throughout the state. The state relies on the definitions of contact points to obtain juvenile crime data from the seventeen juvenile probation departments statewide. The state is unable to validate the data as being one hundred (100) percent accurate from any county.

The state does not have administrative or operation authority over the seventeen counties, so it is not possible to speak to the quality, validity, and reliability of the data it receives. The state does have good working relationships with the seventeen counties and believes the counties provide the best data available to the state for analysis; therefore, the state provides the following data points and analysis as the 2017 DMC assessment.

The state 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. Further, the state relies on adult jails to report the number of youth within their facilities monthly as well. This data is partially verified during on site compliance visits to roughly thirty percent of these facilities annually.

CONTACT POINTS AND DEFINITIONS

Nevada utilizes the following thirteen (13) 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.
Diversion:	This can be informal probation, other informal activities, or a diversion by the juvenile court.
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.
Probation:	Formal placement on probation by the court, this is not informal probation used as a diversion tactic, formal only.
Misdemeanor:	May be determined formally or informally.
Citation:	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 the youth will face charges as an adult through both direct file and juvenile court. Note: If a youth is certified their case will no longer be heard in juvenile court. Everything will be handled through the adult system.

Delinquent: Youth are found to be delinquent during adjudicatory hearings in juvenile court. Being found (or adjudicated) delinquent is roughly equivalent to being convicted in criminal court. It is a formal legal finding of responsibility.

Nevada uses the contact point of arrest to break down data further, using the following definitions.

Firearm: Handgun, pistol, rifle, shotgun or stun gun in possession at time of arrest.
Gang Affiliation: This is counted if a youth identifies gang affiliation during intake/booking, arrested youth only.
At or Below Poverty: This is counted if a youth identifies this during intake/booking, arrested youth only.
Above Poverty: This is counted if a youth identifies this during intake/booking, arrested youth only.
Victim of Sex Trafficking: This is counted if a youth identifies this during intake/booking, arrested youth only.

DEMOGRAPHICS

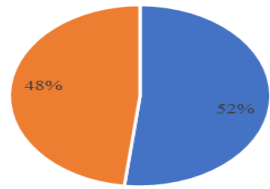
The US Census Bureau estimates that the total population in Nevada as of July 1, 2016 was 2,940,058 with roughly twenty-three (23) percent under eighteen (18) years of age, and fourteen percent of Nevadans living in poverty.

Demographics of youth zero – seventeen (17) broken down by county and racial and ethnic background for FFY 2017. Sixty-two (62) percent of the total youth population fall within a minority with thirty-eight (38) percent identified as white. The largest racial and ethnic group is Hispanic followed by White, African American, and Asian/Pacific Islander.

County	Total Youth	White	African American	Hispanic	Asian/PI	Am Ind	Other	All Minority
Carson	10792	5166	636	4605	60	255	70	5626
Churchill	3816	2377	69	788	101	223	258	1439
Clark	529385	180520	65644	227107	52938	3176	0	348865
Douglas	9427	6328	60	2012	154	305	568	3099
Elko	9720	5728	73	3106	87	578	148	3992
Esmeralda	234	150	7	68	3	3	3	84
Eureka	301	239	0	28	4	20	10	62
Humboldt	3527	1954	21	1251	177	124	0	1573
Lander	979	588	5	313	5	58	10	391
Lincoln	1040	889	62	84	2	1	2	151
Lyon	7979	5151	69	2327	260	20	152	2828
Mineral	591	371	10	104	25	72	9	220
Nye	8047	5134	265	2301	120	107	120	2913
Pershing	1332	959	4	167	0	75	127	373
Storey	504	427	6	39	11	8	13	77
Washoe	63275	31891	1519	25626	3417	822	0	31384
White Pine	1357	967	16	138	97	56	83	390
Total	652,306	248,839	68,466	270,064	57,461	5,903	1,573	403,467

Most of the population is found within the two largest counties, Clark and Washoe.

**2017 Gender Breakdown
Zero - 17**



■ Males ■ Females

The gender breakdown is almost even among males and females.

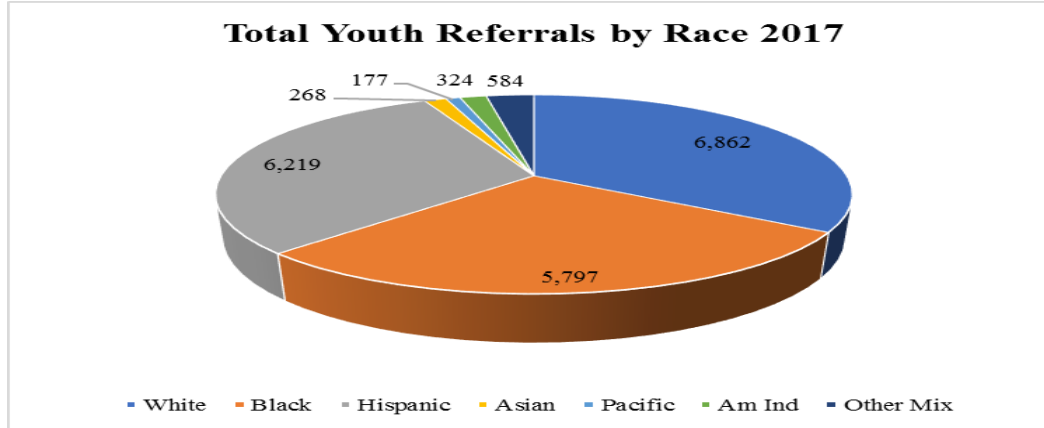
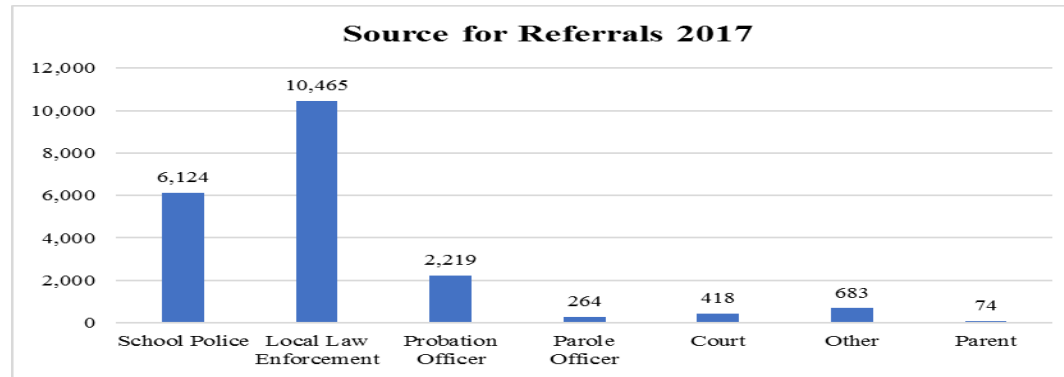
JUVENILE CRIME DATA/CONTACT POINTS FOR 2017

County	Total Youth	Referrals	Arrests	Sec/Det County	Confined State	Certified	Probation	J/Misdem	J/Citations	Placed In County Camp	Diverted	Petitioned	Delinquent
Carson	10792	680	416	416	5	0	211	112	185	16	354	100	70
Churchill	3816	572	317	86	0	0	37	289	391	1	181	185	178
Clark	529385	13038	5409	2862	226	58	2916	5767	5996	217	7641	4428	3385
Douglas	9427	290	101	68	3	0	26	128	NA	26	12	36	47
Elko	9720	681	215	102	4	0	40	380	252	10	124	228	150
Esmeralda	234	4	1	0	0	0	1	2	3	0	0	1	1
Eureka	301	6	5	0	0	0	1	5	1	0	5	1	1
Humboldt	3527	299	142	140	4	0	31	255	273	4	81	98	141
Lander	979	87	2	2	0	0	3	22	45	0	27	12	16
Lincoln	1040	10	8	4	2	1	5	2	0	0	0	10	10
Lyon	7979	860	126	126	0	1	48	432	0	6	309	136	163
Mineral	591	13	1	1	1	0	4	3	15	1	3	7	4
Nye	8047	313	271	31	0	0	102	163	61	11	98	202	17
Pershing	1332	119	6	6	0	0	8	24	42	1	13	61	60
Storey	504	10	3	3	0	0	0	12	3	0	9	0	0
Washoe	63275	3163	1412	865	69	2	464	1561	1702	39	1395	906	464
White Pine	1357	86	43	14	2	0	19	39	11	4	7	69	74
Total	652306	20231	8478	4726	316	62	3916	9196	8980	336	10259	6480	4781

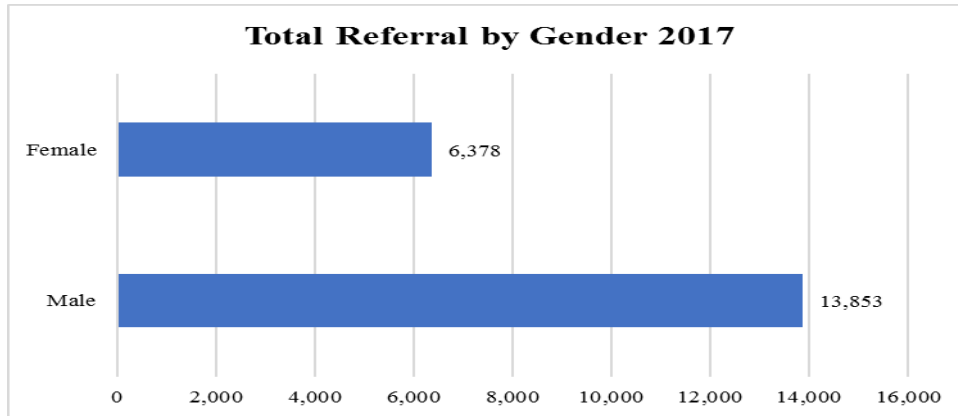
Roughly three (3) percent of the overall youth population in Nevada touches the criminal justice system at the front end, with less than one quarter (1/4) of one (1) percent entering the deep end of the system. Fifty percent (50) of youth referrals are diverted out of the system either through informal supervision, referrals to community services, or a combination of both.

REFERRAL

The front end of the system consists of a referral from various sources to a local department of juvenile services. There were 20,231 total referrals in 2017 with sixty-eight (68) percent of those from males. Referrals come from various sources, but the biggest source is local law enforcement followed by school police or resource officers.



Referrals by racial and ethnic group. The majority of referrals are from White youth, followed by Hispanic and African American/Black.

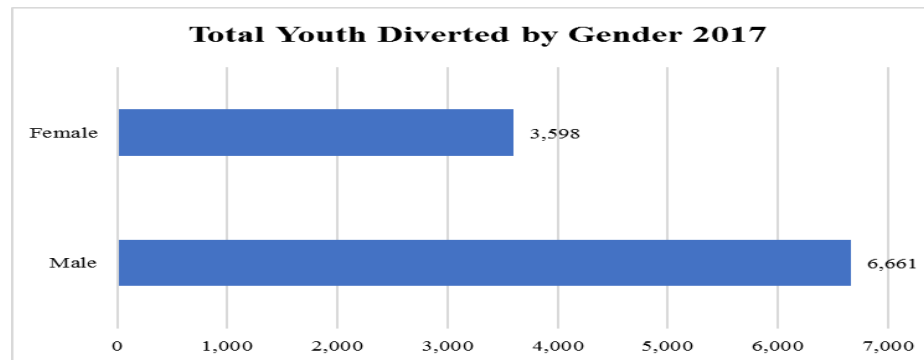


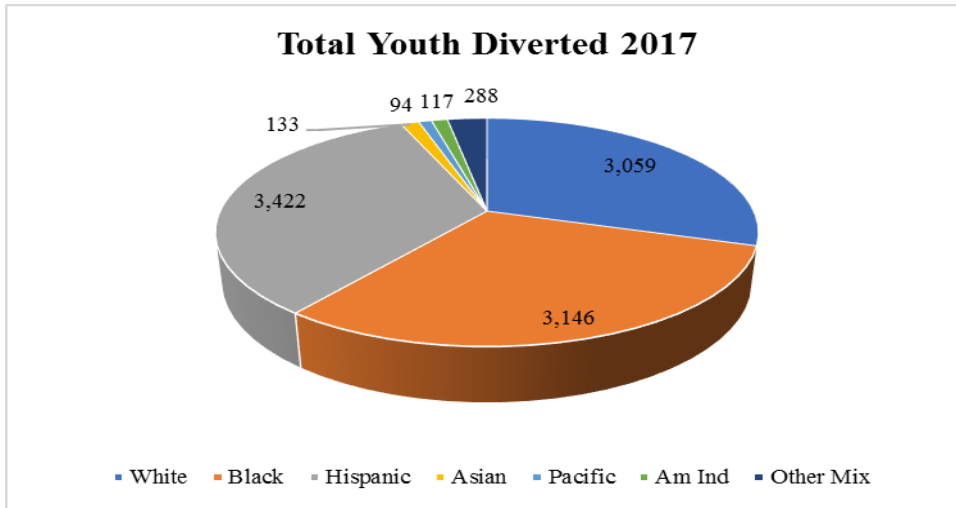
Referrals by gender: Sixty-eight (68) percent of referrals were

males.

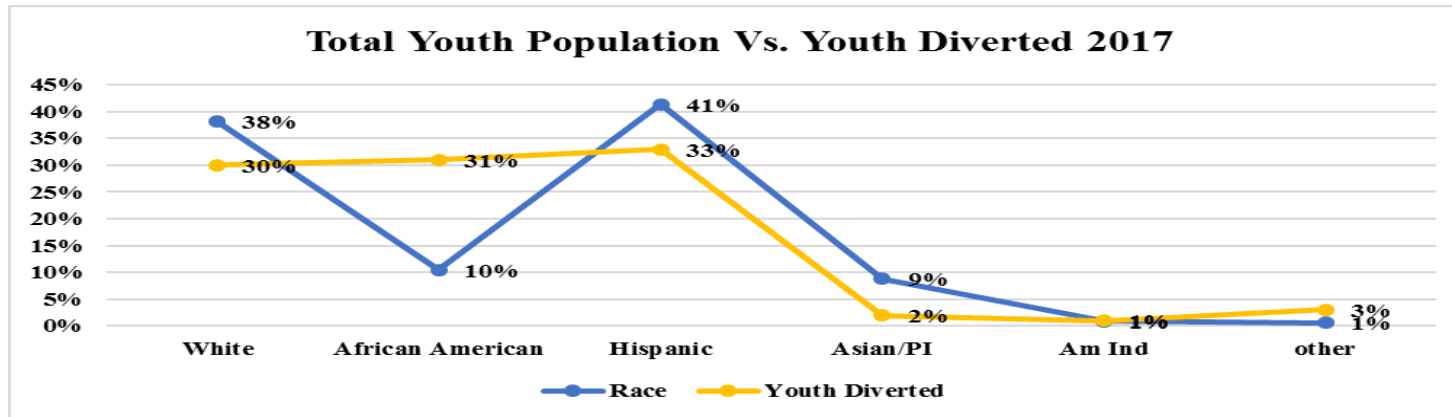
DIVERSION

Some referrals end up as an arrest, but most do not. In fact, many youths are diverted from further system involvement at the front end or shortly after the referral process by being referred to an array of services or by informal monitoring or supervision. In 2017, fifty (50) percent of youths referred were diverted. Fifty-six (56) percent of females referred, were diverted, and forty-eight (48) percent of males were diverted.





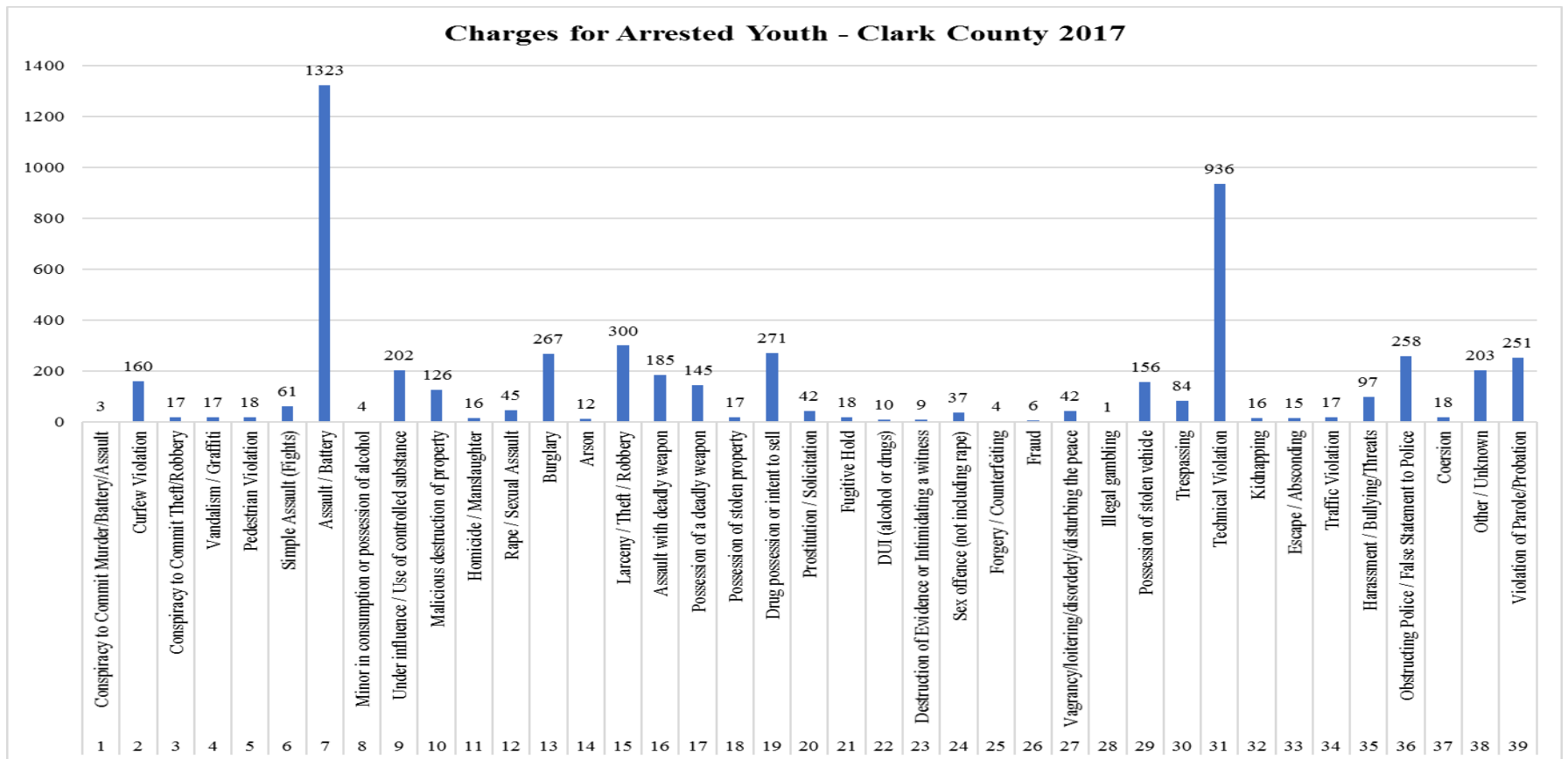
Diversions by racial and ethnic group. The majority of diversions are that of Hispanic youth, followed by African American/Black.

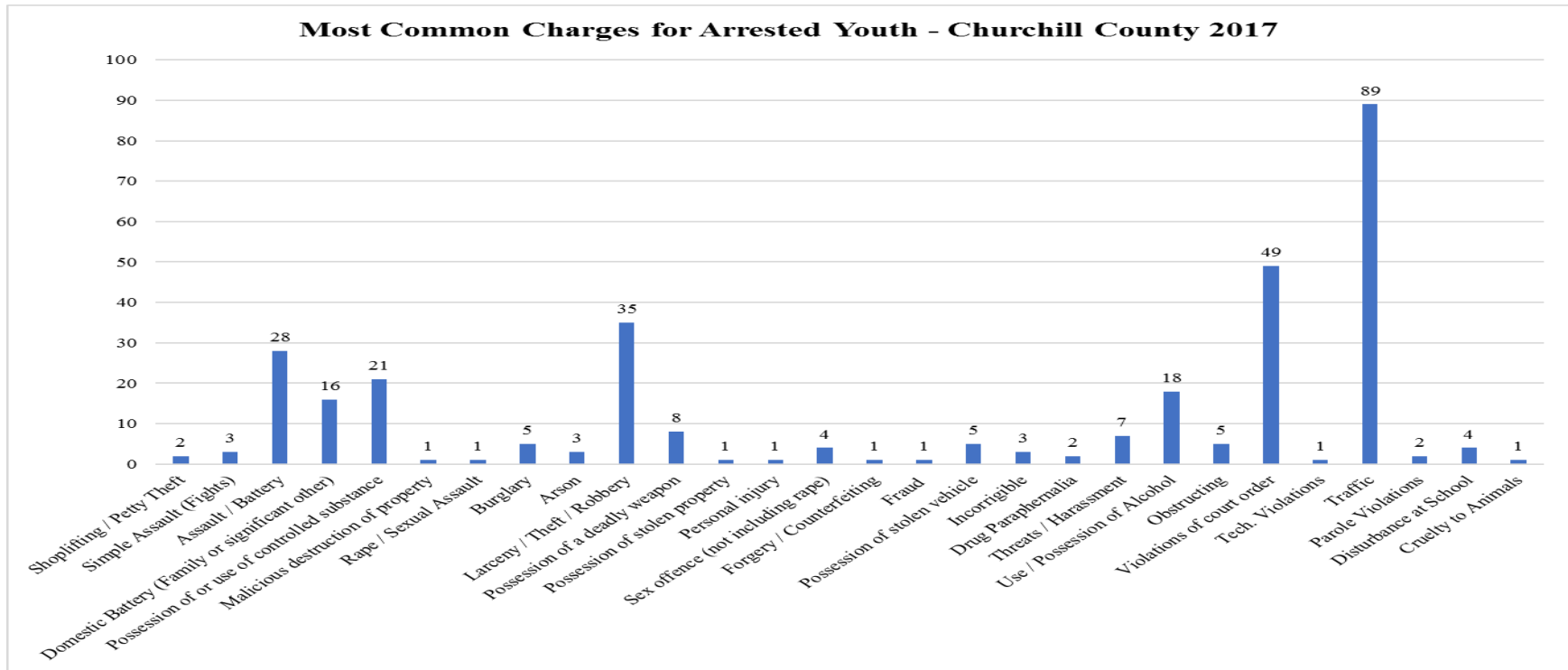


The above chart indicates the percentage of youth, in relation to the total population and by racial and ethnic breakdown, who were diverted at the front end of the system in 2017.

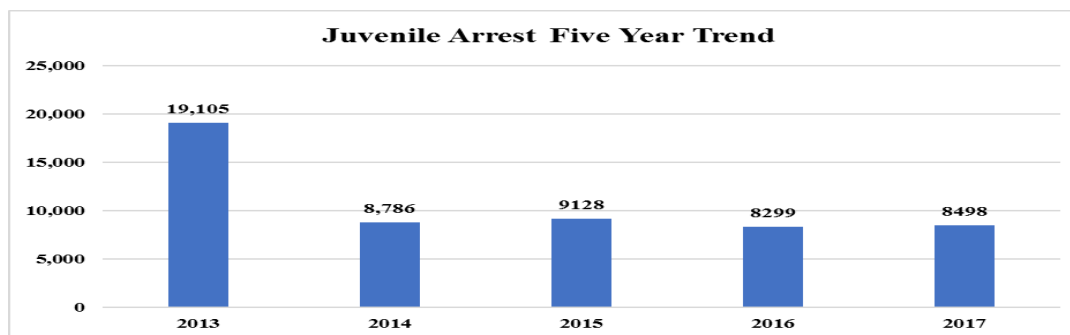
ARREST

Few of the arrests stem from referrals, but most arrests do not. More males than females are arrest, as is the case with referrals. Roughly seventy-one (71) percent of arrests are males. Based on the crime data from Clark County, twenty-four (24) percent of their arrests are for assault and battery with the next highest percentage being that of technical violations which rests at seventeen (17) percent. This contrasts with a much smaller county such as Churchill in which twenty-eight (28) percent of their arrests are traffic related with the next highest which is violations of a court order which is roughly fifteen (15) percent. At any rate, the reasons for arrest are many throughout the State, but vary based on the size of the county and urban versus rural as shown in the list of charges for both Clark and Churchill County.

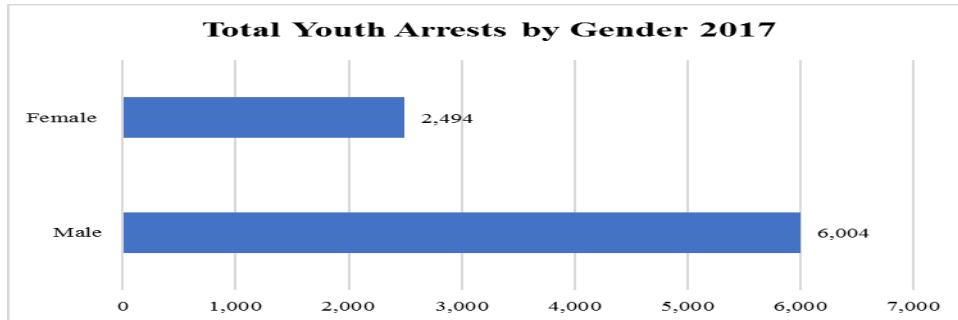




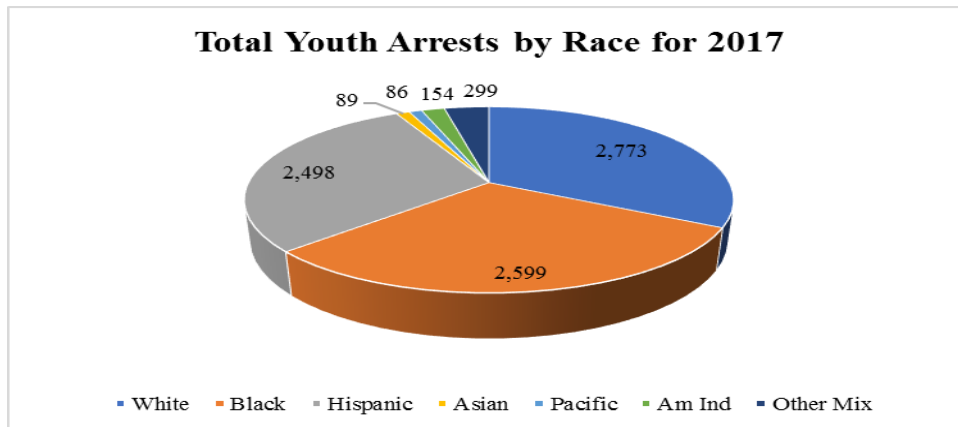
Total arrests in Nevada have remained even over the last four years, but saw a large drop from 2013 to 2014.



As stated above, there is a significant difference the number of males versus females who are arrested.

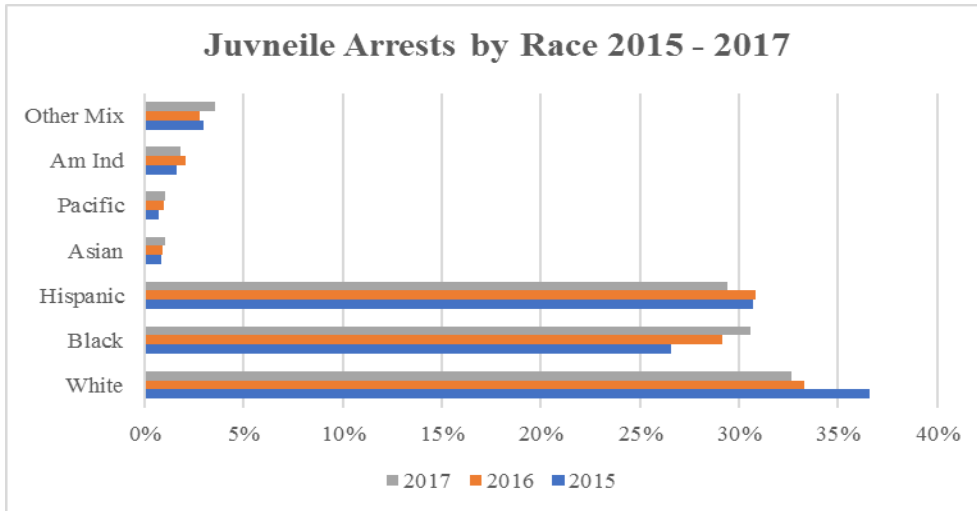


The total number of arrests by gender indicates that roughly seventy-one (71) percent of total arrests are males.

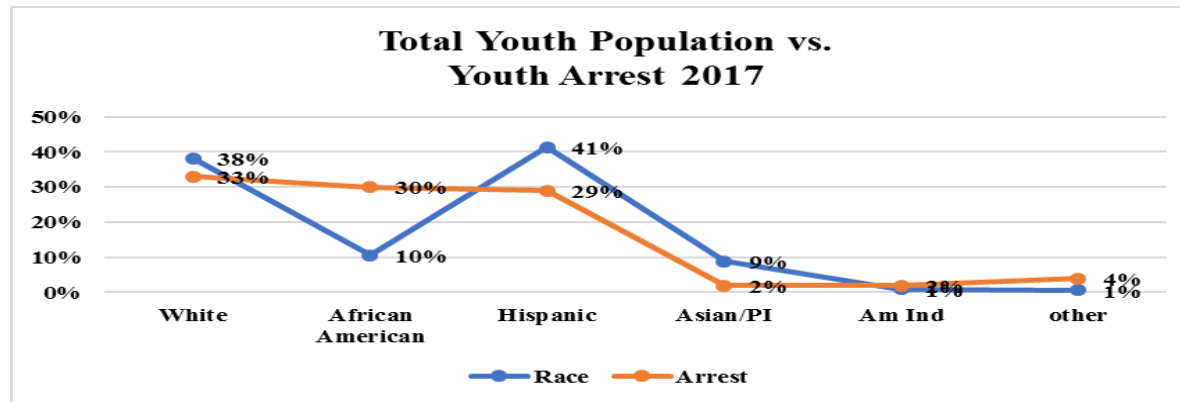


Arrest by racial and ethnic group. The majority of diversions are that of White youth, followed by African American/Black, and Hispanic.

The trend of arrests by race and ethnic group indicates an increase in arrests for African American/Black youth over three (3) years, while there is a decline in arrests for White youth over that same period. Further, Hispanic youth arrests slightly increased in 2016, and decreased in 2017.

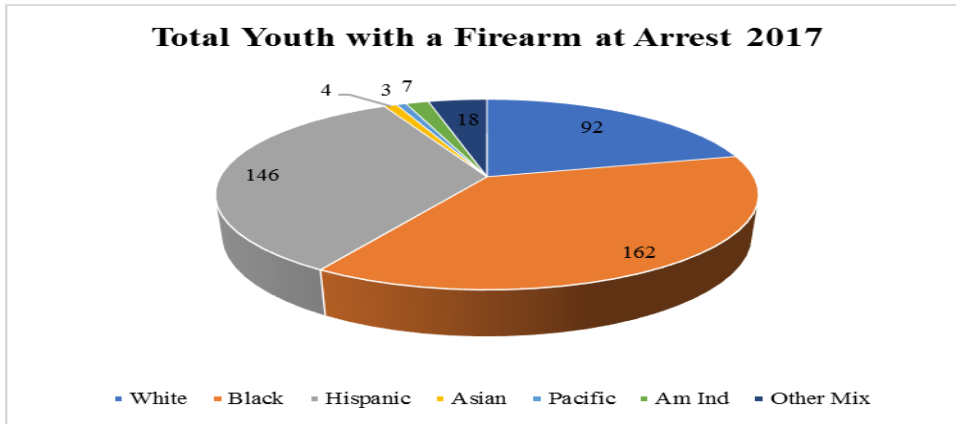


Three-year (3) trend of arrests by race and ethnic group.



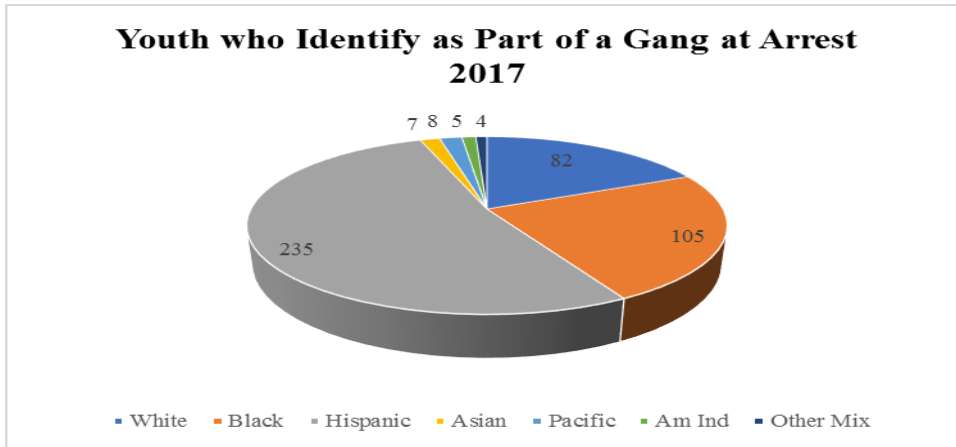
The above chart indicates the percentage of youth, in relation to the total population and by racial and ethnic breakdown, who were arrested in 2017. This chart follows illuminates the 2017 data from the three-year trend.

There are additional areas of data that the state collected in relation to arrest, which are new for 2017. The first example is the total number of youth who were in possession of a firearm at the time of arrest, which was 432 for 2017.



Breakdown of youth by racial and ethnic group who were in possession of a firearm at the time of arrest. The majority of those with firearms at arrest were Black, followed by Hispanic and then White.

Gang involvement is another area of data that state collected in 2017. It must be stated that involvement in gangs relies solely on self-report by the youth at the time of intake. Further, not all counties gather and track this data; therefore, this report captures all the gang involvement numbers presented to the state. There were 446 arrested youth who identified as being involved in a gang in 2017 with eighty-eight (88) percent of those being males.



Breakdown of youth by racial and ethnic group who identified as being part of gang at the time of arrest. Slightly more than one-half of the total are Hispanic; followed by African American/Black, and White.

Lastly, the state received partial data from Clark County, Washoe County, and four rural counties on the number of youth arrested who are at or below poverty or above poverty. The state used the lasted US Census poverty level to asses this data. As with gang identification, this data relies solely on self-report by the youth at the time of intake. The poverty related data covers only seventeen percent of arrested youth, or 1,480 out of 8,478 total arrests. Based on the 1,480 reported, thirty-seven percent of those youth are at or below poverty.

STATUS OFFENDERS

There were 376 reported status offender arrests in 2017. Forty-eight (48) of those status offenders remained in custody greater than twenty-four (24) hours. However, ten (10) were actually violations, while thirty (30) were held longer due to a violation of a valid court order (VCO), six (6) were out of state runaways, and one was a weekend.

The remaining 328 (minus the 48 discussed above) were in custody an average of five (5) hours and 20 minutes with approximately 73 percent released in under six (6) hours. Fifty-seven (57) percent were males and fifty-five (55) percent were white.

Status Offense by Charge

Status Offenses by Type: N = 328	Number	Percentage
Incorrigible	56	17%
Curfew	53	16%
Minor in Consumption (Delinquent Offense in NV)	65	20%
Runaway /RAJ	82	25%
CHINS	66	20%
Truancy	6	2%

ADULT JAILS/LOCKUPS

In 2017, a total of nineteen (19) youths were locked up in adult jails or lockups for at least one minute or longer. Four (4) were females and the fifteen (15) were males. Fifty-five (55) percent were White, twenty-five (25) percent were African-American/Black, and the remaining were Hispanic.

List of Charges

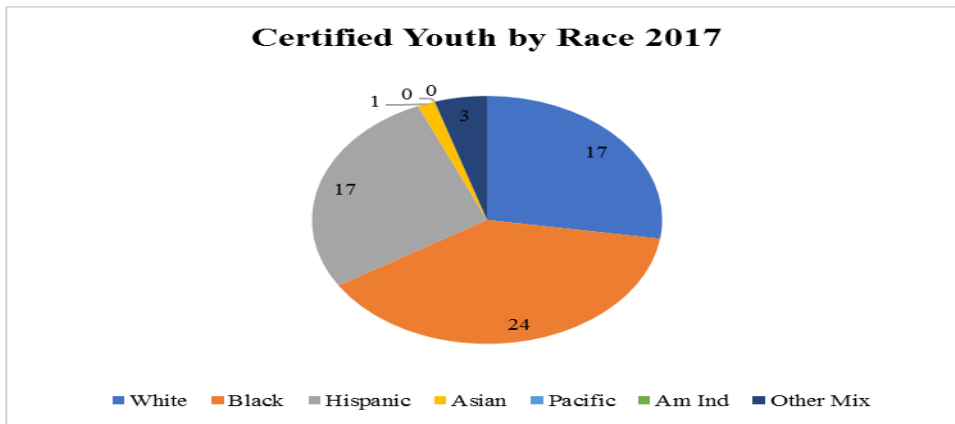
Status Offenses by Type: N = 19	Number	Percentage
Assault or Battery w/ Deadly Weapon	4	21%
Curfew (Status Offense) Violation of JJDP	2	10%
Rape	1	6%
Murder	2	10%
Robbery or Burglary w/ Deadly Weapon	4	21%
Petit Larceny	1	6%
Domestic Battery	2	10%
Other	3	16%

Six (6) were direct files to adult court, eleven (11) were released to a juvenile detention facility or juvenile probation officer, and two (2) were released to a parent/guardian.

CERTIFIED YOUTH

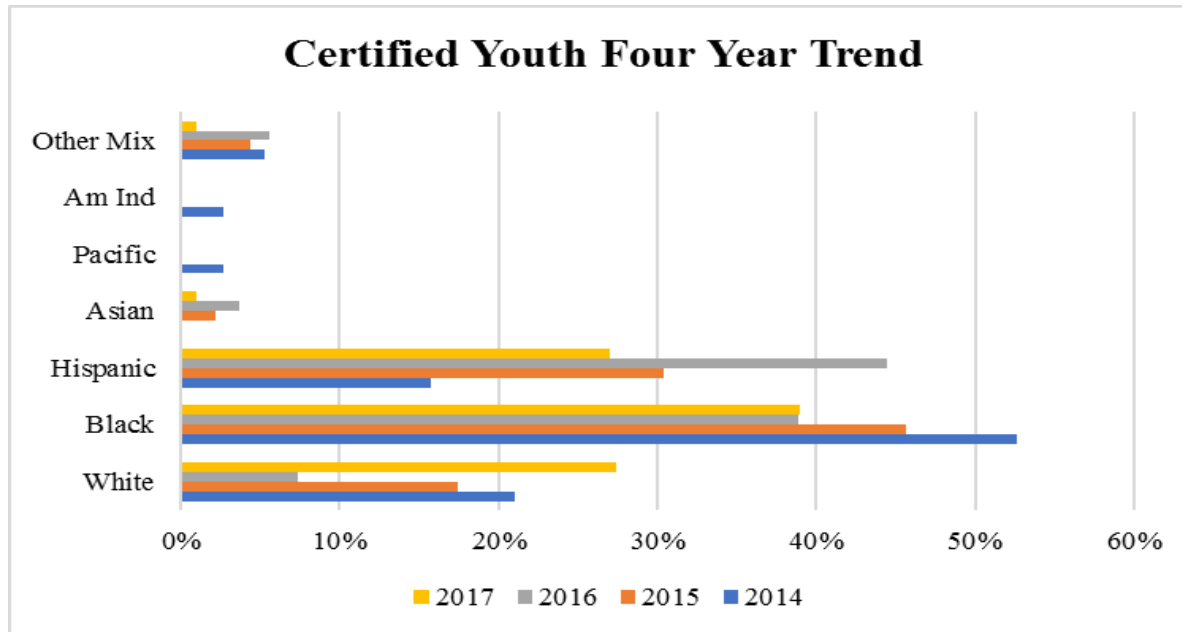
Certified youth are youth who will face criminal charges in adult court, either through a direct file to adult court or through the juvenile court. The six (6) youth who were direct files from adult jails/lockups are not included in the count under certified youth because the youth listed under the adult jail/lockup section did not touch the juvenile justice system; rather they went into the system at the adult level. It is unknown if those six (6) youths under the adult jail/lockup had prior juvenile system involvement.

There were sixty-two (62) youth who were certified as adults in 2017. All of them were males.



American/Black, followed by Hispanic and White youth.

The majority of youth who were certified were African



This four-year (4) trend indicates that total certification has increased from 2014 through 2017; however, the number of African American/Black youth dropped in both 2015 and 2016, and remains steady in 2017. The number of White youth decreased from 2014 through 2016, but drastically increased in 2017. Lastly, Hispanic youth is shown as fluctuating up and down over the course of four (4) years.

Nevada statute outlines those crimes which are direct files to adult court as shown in 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:

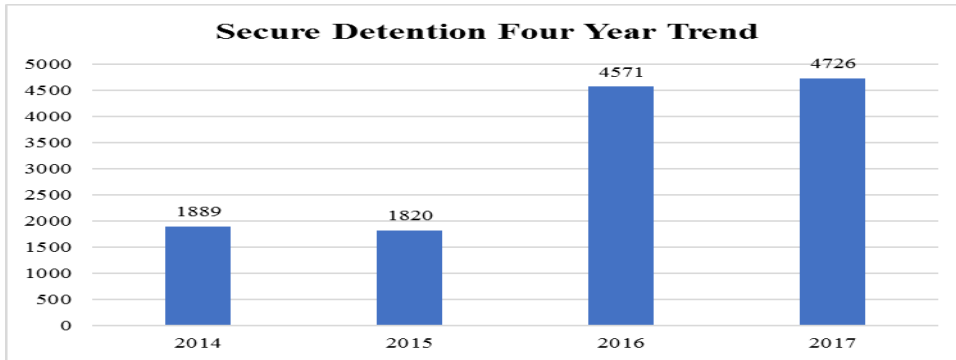
- (1) The person was 16 years of age or older when the sexual assault or attempted sexual assault was committed; and
 - (2) Before the sexual assault or attempted sexual assault was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed 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. As such, the crimes committed, and the previous record of the juvenile may explain the disproportion rates for direct files. 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.

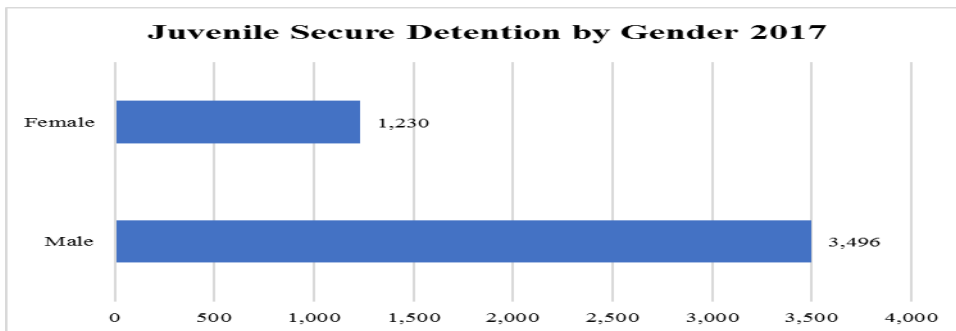
SECURE JUVENILE DETENTION

Seven (7) out 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 for detention services. Secure detention includes only those youth who are

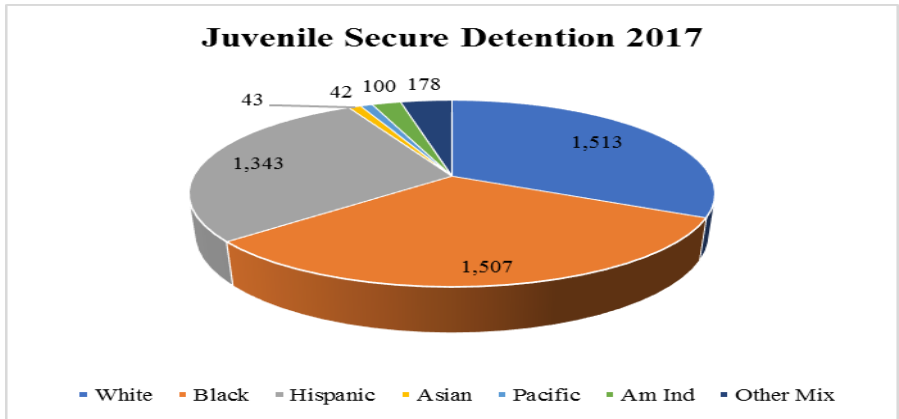
placed in a county detention facility and does not include those placed in group homes, out of state homes, residential treatment facilities, or other acute medical facilities.



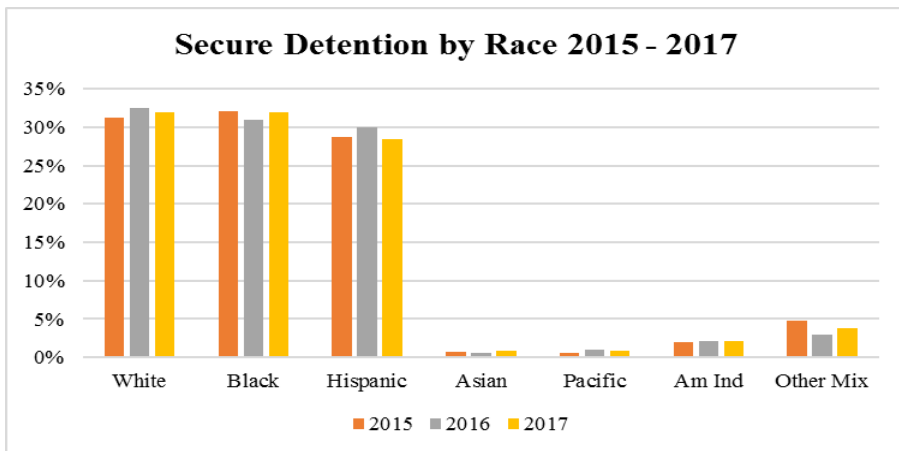
Unlike arrests, detention numbers have drastically increased over the last two (2) years.



Seventy-four (74) percent of juvenile placed in detention in 2017 were males.



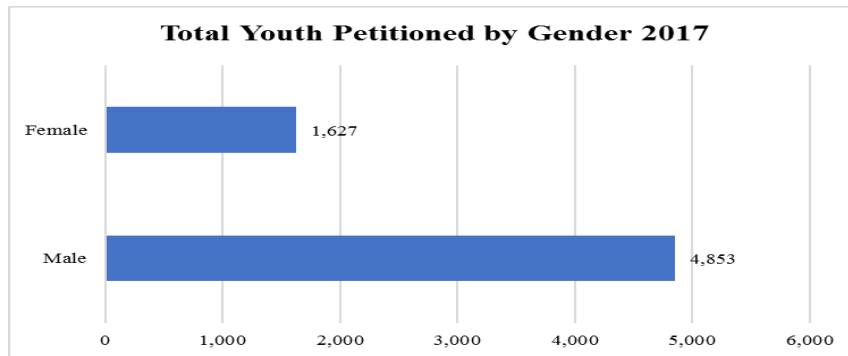
Breakdown of youth by racial and ethnic group who were placed in detention in 2017. White and African American/Black youth were almost even with Hispanic youth third highest group.



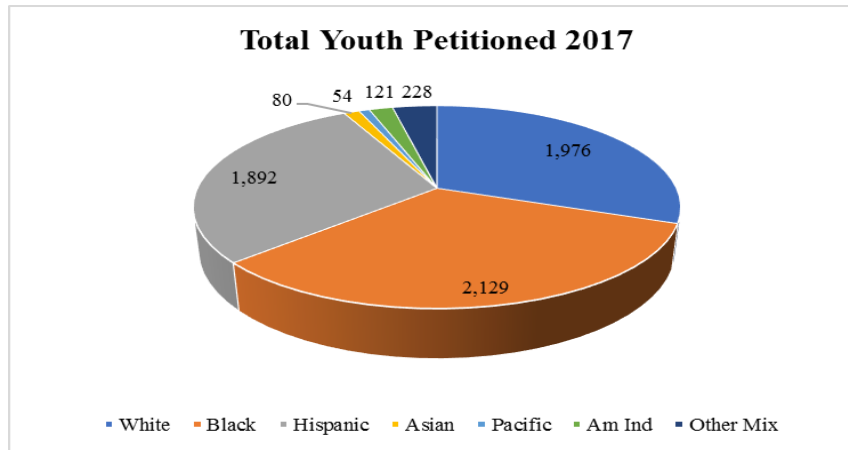
Three-year (3) trend of secure detention by race and ethnic group. This chart indicates that roughly the same number of African American/Black and White youth were placed in secure detention facilities in 2017.

PETITIONED

In Nevada, petitioned means that a youth will face delinquent charges in juvenile court or a formal hearing process. Seventy-six (76) percent of youth arrested faced formal delinquent charges in 2017. Eighty-one (81) percent of males and sixty-five (65) percent of females arrested faced formal delinquent charges.



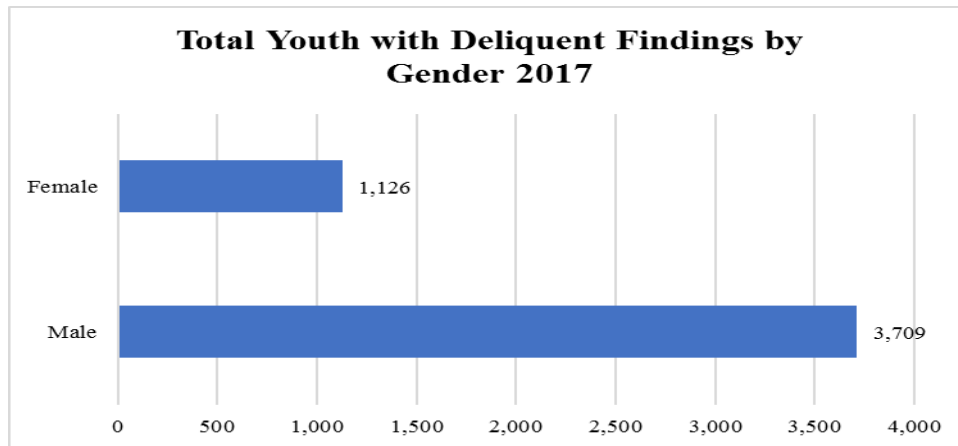
Gender breakdown of youth who faced formal delinquent charges.



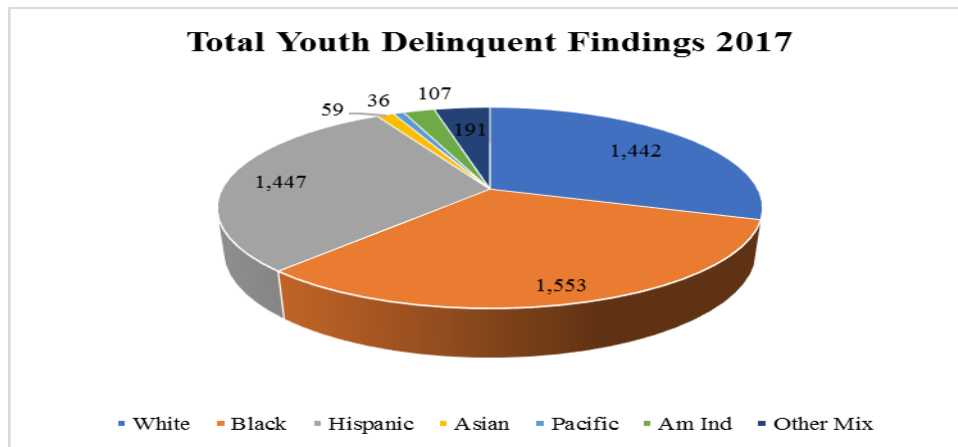
Breakdown of youth by racial and ethnic group who were faced formal delinquent charges in 2017. African American/Black youth were followed by White and Hispanic.

DELINQUENT

The number of adjudicated youth is greater than the number of petitioned youth in Nevada for a variety of reasons which include youth charged and adjudicated of status offenses, parole/probation violations, or technical violations; therefore, the state cannot compare the number of adjudicated youth to petitioned youth. A total of 4,835 youths were adjudicated in 2017 with seventy-seven (77) percent of those being males.



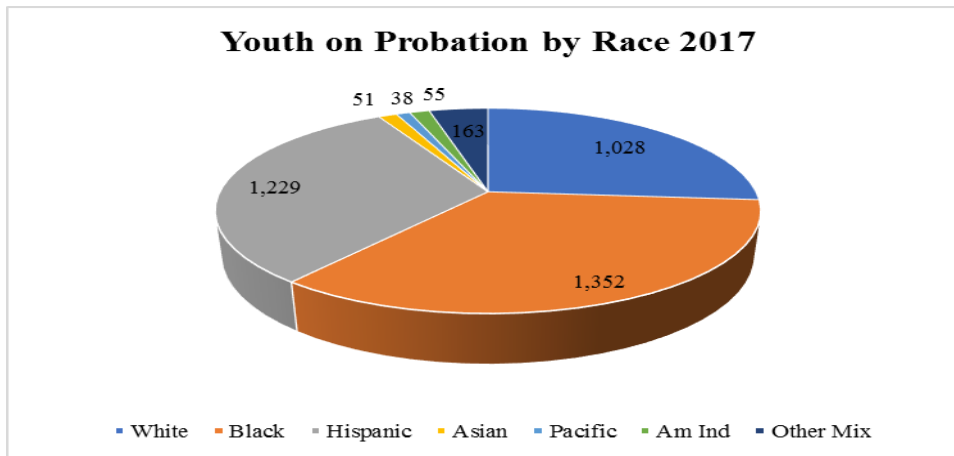
Gender breakdown of adjudicated youth.



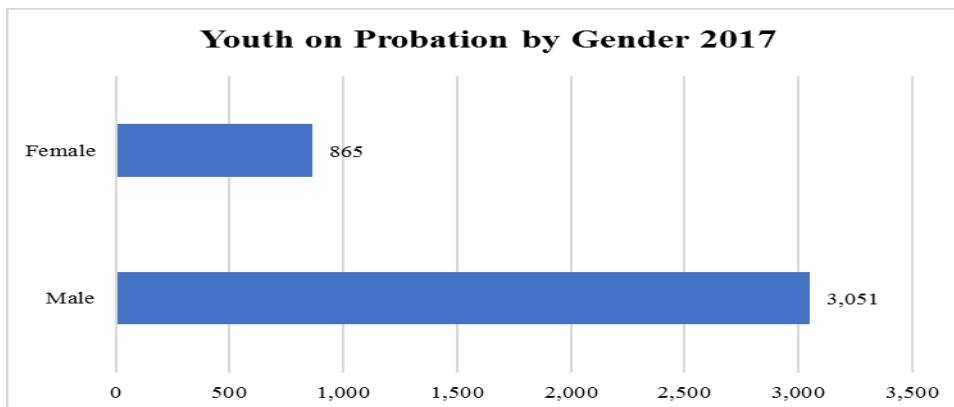
African American/Black youth were adjudicated greater than any other racial and ethnici group, followed by White and Hispanic.

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.



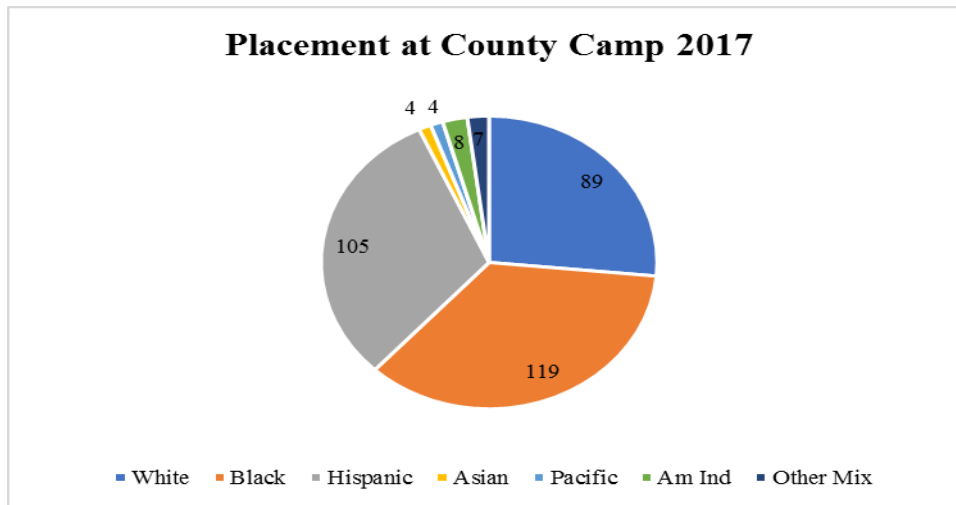
African American/Black youth were given formal probation in greater numbers than all other youth; followed by Hispanic with White youth coming in third.



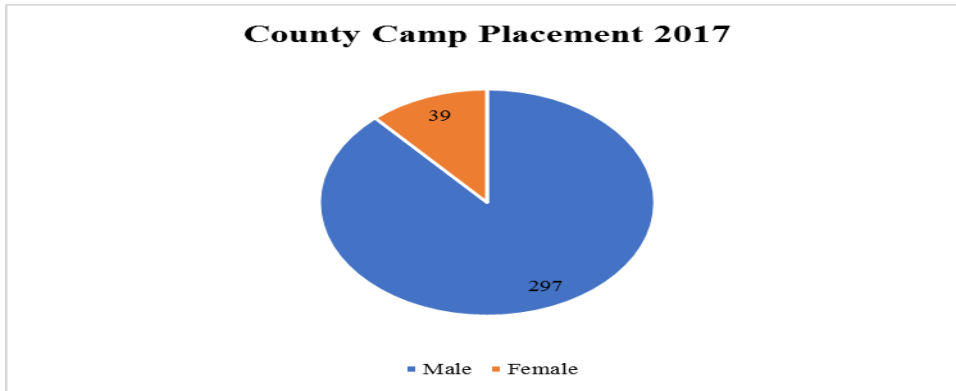
Gender breakdown youth on formal probation.

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 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 juvenile corrections. Therefore, county camp placement occurs prior to state custody, which is the last resort or the deepest end of the juvenile justice system.



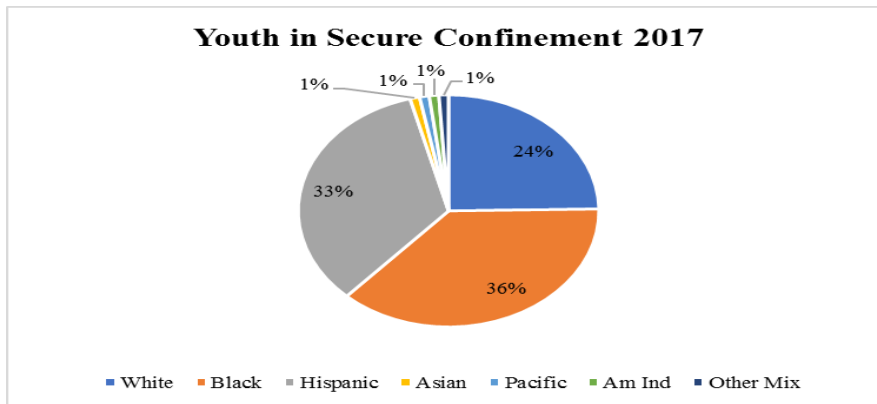
Racial and ethnic background of youth who are placed in a county camp.



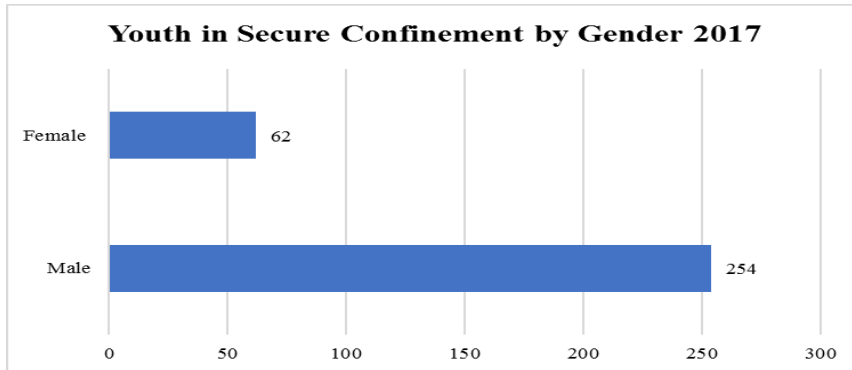
Gender breakdown of youth placed in a county camp.

SECURE CONFINEMENT/STATE CUSTODY

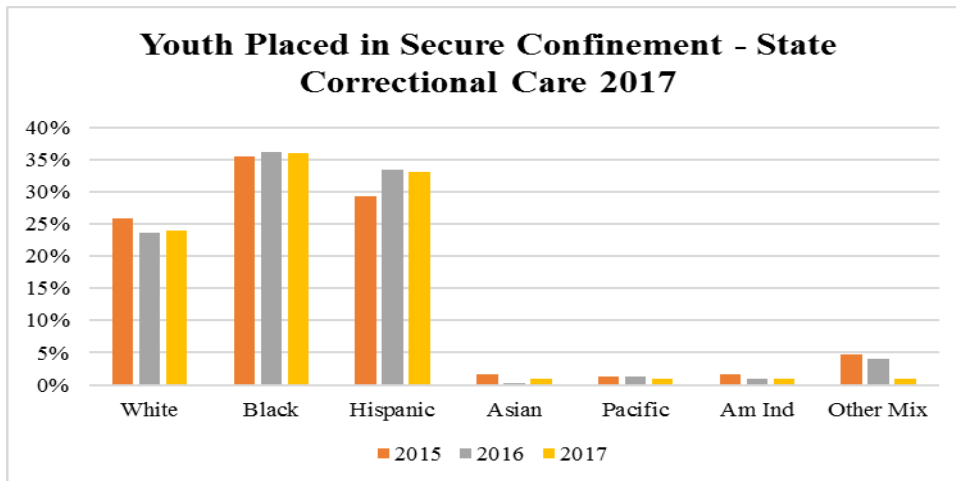
The first system involvement youth have with the state is at this point. The state provides juvenile corrections through the operation of three youth centers in the state: Nevada Youth Training Center (NYTC) in Elko, Caliente Youth Center (CYC) in Caliente, and Summit View Youth Center (SVYC) in Las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



Racial and ethnic background of youth who are placed in a state correctional center.



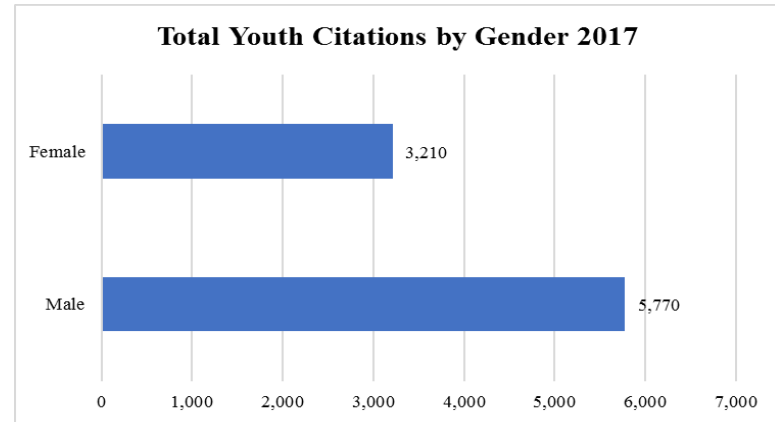
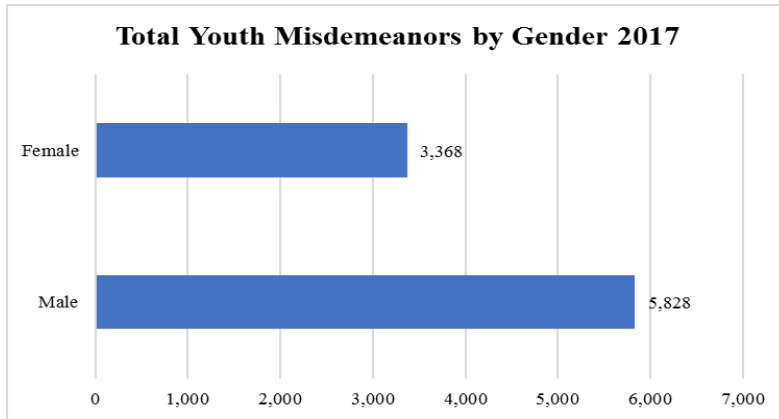
Gender breakdown youth committed to the state for correctional services.



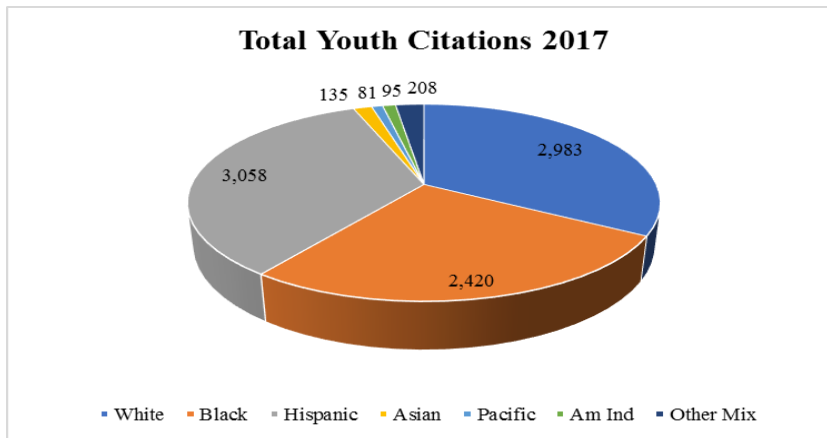
Three year (3) trend of racial and ethnic breakdown of youth who are committed to the state for correctional services.

MISDEMEANORS and CITATIONS

Counties have the option of issuing misdemeanors or citations to youth either formally or informally at the very front end of the system. The goal of these is to prevent further involvement into the system through subsequent offending.

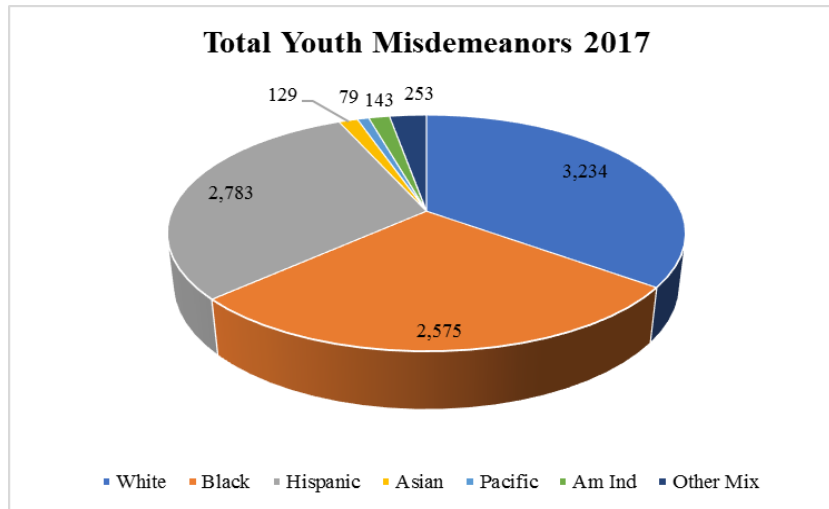


The gender breakdown between misdemeanors and citations is similar, and follows what is seen throughout the system involvement broken down by gender. Sixty-three percent of misdemeanors and sixty-four (64) percent of citations are males.



2017.

Racial and ethnic background of youth who received citations in



misdemeanors in 2017.

Racial and ethnic background of youth who received

POTENTIAL FACTORS OF DISPROPORTIONALITY:

Various literature on DMC indicated several factors for disproportionality with any system. Those factors include:

- **Juvenile Justice System:** Research indicates that the juvenile justice system itself may affect DMC in that racial and ethnic bias may influence decisions made at each contact point within the system. There are additional factors that can make DMC worse within a system so as little to no diversion options for youth and/or a lack of community resources.
- **Family:** Research indicates that those living at or below poverty or those youth such as limited financial resources and a lack of supervision may increase youth's risk of offending and/or reoffending. Research further indicates that youth who have parents who advocate for them may impact the child's outcome at several contact points. Parental involvement varies based on several external factors such as parent/child relationship, financial resources, ethnicity, language barriers, and a lack of transportation.
- **Socioeconomic Conditions:** Research indicates that socioeconomic conditions impact one's quality of life. Those conditions include: living at or below poverty, lack of employment opportunities, lack of health care, and poor education.
- **Substance Abuse:** A 2008 study out of Princeton University provides conclusive evidence that substance abuse issues are prevalent among youth offenders, and that the lack of treatment leads to subsequent offending and poor outcomes. This study

concludes that there are a shortage of appropriate treatment services and a lack of coordination of available services for youth and juvenile justice systems. Lastly, this study listed out the challenges to successful treatment, to include 1) better methods for engaging youth and families into treatment, 2) the need to address environmental concerns and risk factors, and 3) the lack of data regarding cultural and gender tailored interventions.

- **Mental Health Issues:** A 2017 study by the University of Buffalo (UB), State University of New York in indicates that seventy-five (75) percent of youth who enter the juvenile justice system have mental health issues. UB suggests these youths have histories of child abuse, family dysfunction and social disadvantage, and suspects there is a correlation between childhood maltreatment and mental health issues. Further, UB suspects that social disadvantaged youth suffer the symptoms of being disadvantaged such as poor coping skills and social isolation.

RELATIVE RATE INDEX DATA

Clark County – Nevada’s Largest County

Relative Rate Index Compared with :	2017							
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	6.48	1.32	0.22	*	*	*	2.28
3. Refer to Juvenile Court	1.00	0.89	1.04	1.15	*	*	*	0.95
4. Cases Diverted	1.00	0.91	1.01	0.91	*	*	*	0.95
5. Cases Involving Secure Detention	1.00	1.32	0.95	0.96	*	*	*	1.16
6. Cases Petitioned	1.00	1.20	1.02	1.10	*	*	*	1.12
7. Cases Resulting in Delinquent Findings	1.00	1.02	1.10	1.05	*	*	*	1.06
8. Cases resulting in Probation Placement	1.00	0.97	0.95	1.03	*	*	*	0.96
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	1.65	1.31	**	*	*	*	1.49
10. Cases Transferred to Adult Court	1.00	0.68	0.65	**	*	*	*	0.67
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	No	No	

Key:

Statistically significant results:

Results that are not statistically significant

Group is less than 1% of the youth population

Insufficient number of cases for analysis

Missing data for some element of calculation

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Washoe County – Nevada’s 2nd Largest County

Relative Rate Index Compared with :	2017							
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	5.50	0.91	0.25	*	2.05	*	1.14
3. Refer to Juvenile Court	1.00	0.87	0.95	**	*	0.68	*	0.91
4. Cases Diverted	1.00	0.75	0.97	1.23	*	0.86	*	0.92
5. Cases Involving Secure Detention	1.00	1.20	1.03	0.59	*	1.71	*	1.10
6. Cases Petitioned	1.00	1.25	0.96	1.00	*	1.27	*	1.04
7. Cases Resulting in Delinquent Findings	1.00	1.05	1.13	**	*	**	*	1.09
8. Cases resulting in Probation Placement	1.00	0.11	0.11	**	*	**	*	0.11
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	1.37	1.33	**	*	**	*	1.34
10. Cases Transferred to Adult Court	**	**	**	**	*	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	

Key:

Statistically significant results:

Results that are not statistically significant

Group is less than 1% of the youth population

Insufficient number of cases for analysis

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Carson County – Large Rural County

Relative Rate Index Compared with :	2017							
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	0.74	0.67	*	*	2.78	*	0.83
3. Refer to Juvenile Court	1.00	**	0.92	*	*	0.84	*	0.97
4. Cases Diverted	1.00	0.64	0.97	*	*	0.93	*	0.83
5. Cases Involving Secure Detention	1.00	1.01	1.09	*	*	1.19	*	1.04
6. Cases Petitioned	1.00	1.50	0.83	*	*	**	*	0.80
7. Cases Resulting in Delinquent Findings	1.00	**	**	*	*	**	*	2.29
8. Cases resulting in Probation Placement	**	**	**	*	*	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	*	*	**	*	**
10. Cases Transferred to Adult Court	**	**	**	*	*	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	No	No	Yes	No	

Key:

Statistically significant results:

Results that are not statistically significant

Group is less than 1% of the youth population

Insufficient number of cases for analysis

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White Pine County –Small Rural County

Relative Rate Index Compared with :	2017							
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	**	1.14	**	**	3.25	*	1.15
3. Refer to Juvenile Court	1.00	**	**	**	**	**	*	**
4. Cases Diverted	**	**	**	**	**	**	*	**
5. Cases Involving Secure Detention	1.00	**	**	**	**	**	*	**
6. Cases Petitioned	1.00	**	**	**	**	**	*	**
7. Cases Resulting in Delinquent Findings	1.00	**	**	**	**	**	*	**
8. Cases resulting in Probation Placement	1.00	**	**	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	**	**	*	**
10. Cases Transferred to Adult Court	**	**	**	**	**	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	Yes	Yes	No	

Key:

Statistically significant results:

Results that are not statistically significant

Group is less than 1% of the youth population

Insufficient number of cases for analysis

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Statewide

Relative Rate Index Compared with :	2017							
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	3.41	0.83	0.14	*	*	*	1.27
3. Refer to Juvenile Court	1.00	0.90	1.01	1.22	*	*	*	0.94
4. Cases Diverted	1.00	1.22	1.23	1.11	*	*	*	1.21
5. Cases Involving Secure Detention	1.00	1.18	0.98	0.73	*	*	*	1.09
6. Cases Petitioned	1.00	1.28	1.06	1.04	*	*	*	1.17
7. Cases Resulting in Delinquent Findings	1.00	1.00	1.05	1.01	*	*	*	1.03
8. Cases resulting in Probation Placement	1.00	1.22	1.19	1.21	*	*	*	1.19
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	1.70	1.42	**	*	*	*	1.52
10. Cases Transferred to Adult Court	1.00	1.31	1.04	**	*	*	*	1.16
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	No	No	

Key:

Statistically significant results:

Results that are not statistically significant

Group is less than 1% of the youth population

Insufficient number of cases for analysis

Missing data for some element of calculation

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ASSESSMENT OF DATA

The Sentencing Project provides data from a nationwide 2010 which indicates that African American youth make up seventeen (17) percent of the population, but thirty-one (31) percent of all arrests. The 2017 DMC data for Nevada shows that African American youth make up ten (10) percent of the population, but thirty-one (31) percent of all arrests. This information alone suggests that there is greater disparate treatment with African American youth than the nation average.

However, arrest data alone does not provide a complete picture of the system. For instance, African American youth made up twenty-nine (29) percent of all referrals. Fifty-four (54) percent African American youth were referred, were diverted, compared to forty – four (44) percent of white youth.

What is apparent is that there are a high number of African American youth at every contact point in the system, as compared to the population. They are being diverted at the front end of the system at higher level than white youth. However, misdemeanors and citations seem to point in another direction.

Race and Ethnicity	Percentage of Total 2017 Misdemeanors	Percentage of Total 2017 Citations
White	35%	33%
Hispanic	30%	34%
African American/Black	28%	27%

Further, disparity with African American youth widens with deeper system involvement.

Race and Ethnicity	Placement in County Camp	Secure Confinement	Certified
White	26%	22%	27%
Hispanic	35%	31%	27%
African American/Black	31%	40%	39%

One cause of a higher number of African American/Black youth found at higher numbers deeper into the system can be found when looking at arrests with possession of a firearm. But, this data alone cannot be the only factor.

Race and Ethnicity	Arrest with Possession of a Firearm
White	21%
Hispanic	34%
African American/Black	38%

A further analysis of the adult jail/lockups arrest data further exacerbates the disparities within the criminal justice system. Race versus nature of crime can be assessed to understand if African American/Black youth are committing more serious crimes which would explain deeper system involvement.

Status Offenses by Type: N = 19	Percentage by White Youth	Percentage by African American/Black
Assault or Battery w/ Deadly Weapon	50%	50%
Curfew (Status Offense) Violation of JJDP	100%	0%
Rape	100%	0%
Murder	100%	0%
Robbery or Burglary w/ Deadly Weapon	50%	50%
Petit Larceny	0%	100%
Domestic Battery	50%	0%
Other	66%	0%

Relative Rate Index (RRI)

The RRI indicates that the state has disproportionality at with African American/Black and Hispanic youth at almost every contact point in the system. However, upon closer look, the disparity amount African American/Black youth if found in the two largest counties only, Clark and Washoe. These two counties accounts for almost 91 percent of the total youth population. Disparity found within smaller counties is more targeted or nonexistent since their population number are so some that they are unable to meet the one percent rule as required by the RRI tool.

One conclusion that can be made from the RRI data is that DMC related activities and trainings must be targeted in Clark and Washoe Counties.

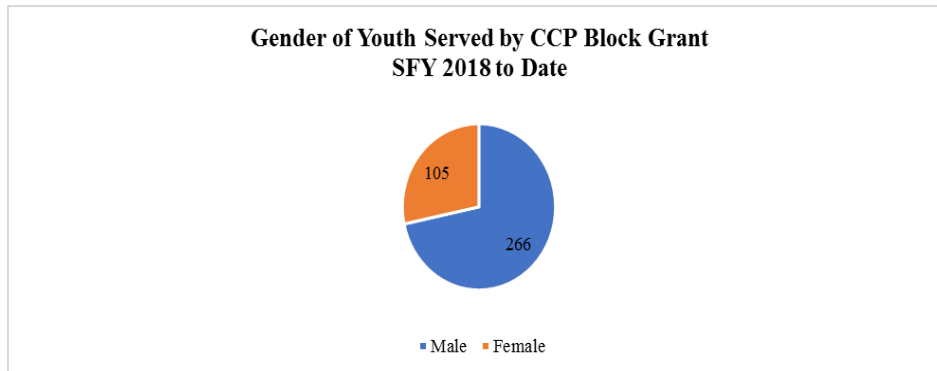
Front End Services – Community Corrections Partnership Block Grant (CCP)

This is block funding made up of state general funds awarded to Nevada’s counties based on a formula of school aged children in each county. The requirements to receive the funding are:

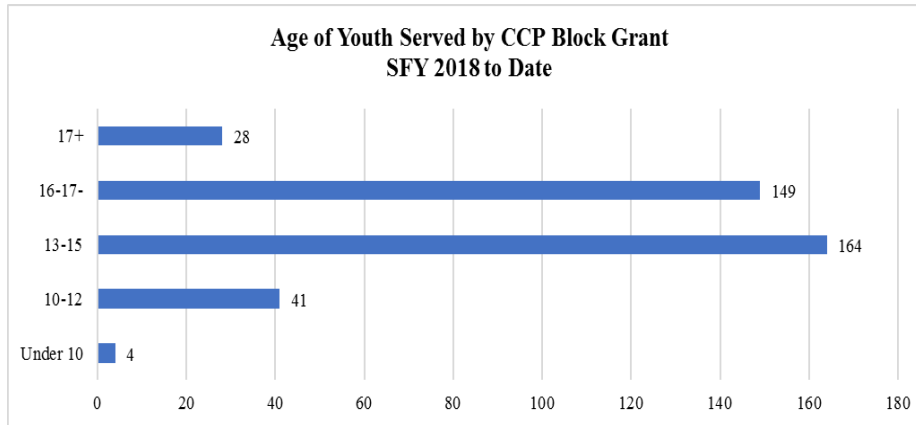
- Money is provided by the State and does not include federal funds or federal pass through funds.

- Money must be used on evidence based programs and services on a phase in approach, as outlined in the 2017 Assembly Bill (AB 472), with 100% by 2022.
- Must follow reporting requirements as outlined in Nevada Revised Statute (NRS) 62H.210 and Nevada Administrative Code (NAC) 62H.010 through NAC 62H.310.
- Cannot use funds to supplant ordinarily available resources
- Counties will establish policies and procedures that include accountability based system of graduated sanctions and a sanction for every adjudication of delinquency
- Provide performance measure data as required by the Division of Child and Family Services and the Juvenile Justice Oversight Commission.

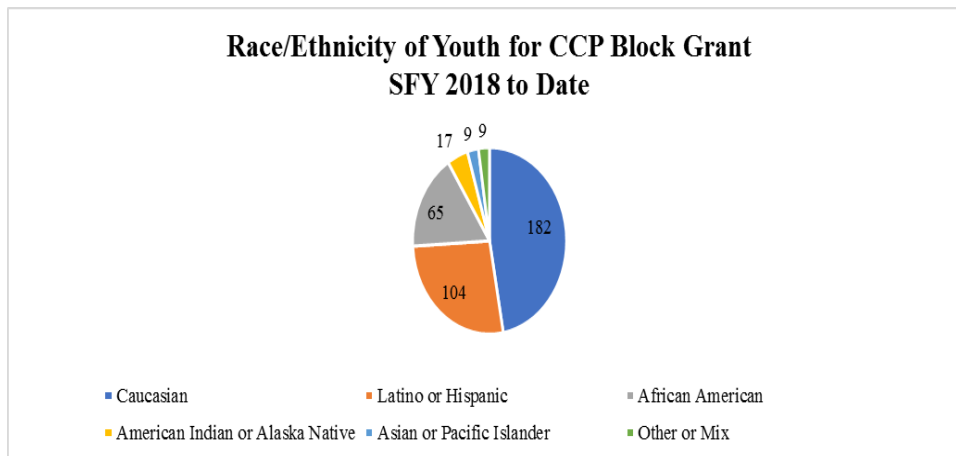
Counties use this money to provide services to youth on the front end, and may include both diverted and adjudicated youth. The types of services offered include counseling, assessment, electronic monitoring, and residential treatment.



Gender breakdown of youth served with SFY 2018 CCP money to date.



Age breakdown of youth served with SFY 2018 CCP money to date. The majority of youth are between the ages of thirteen (13) and seventeen (17).



Race breakdown of youth served with SFY 2018 CCP money to date.

Counties have served 386 youth with the CPP funds to date. It is not known how counties select the youth to be served with these funds, but they provide basic demographics of those served. Counties have served youth of all racial and ethnic backgrounds; forth-seven (47) percent are white youth and fifty-three (53) percent are minority youth

Comparison with National DMC Estimates from NCJJ (DMC Databook)

2007 National DMC Data

Rate	White	All Minority	African American	American Indian/Alaska Native	Asian/Native Hawaiian/Pacific Islander
Arrest rate	1.00	1.70	2.10	1.00	0.20
Referral rate	1.00	1.20	1.20	1.20	1.50
Diversion rate	1.00	0.70	0.70	0.80	0.90
Detention rate	1.00	1.40	1.40	1.20	1.20
Petitioned rate	1.00	1.10	1.10	1.10	1.10
Adjudicated rate	1.00	0.90	0.90	1.10	1.00
Probation rate	1.00	0.90	0.90	0.90	1.00
Placement rate	1.00	1.30	1.30	1.20	1.00
Waiver rate	1.00	1.10	1.10	1.80	0.70

2017 Nevada Statewide Data

Rate	White	All Minority	African American	American Indian/Alaska Native	Asian/Native Hawaiian/Pacific Islander
Arrest rate	1.00	1.27	3.41	*	0.14
Referral rate	1.00	0.94	0.90	*	1.22
Diversion rate	1.00	1.21	1.22	*	1.11
Detention rate	1.00	1.09	1.18	*	0.73
Petitioned rate	1.00	1.17	1.28	*	1.04
Adjudicated rate	1.00	1.03	1.00	*	1.01
Probation rate	1.00	1.19	1.22	*	1.21
Placement rate	1.00	1.52	1.70	*	**
Waiver rate	1.00	1.16	1.31	*	**

Analysis by Point in Time:

- Arrest Rate: The statewide arrest rate for all minority groups is less than the national average; however, the arrest rate for African American youth is higher than the national average.

- Referral Rate: The statewide referral rate for minorities across the board is higher than the nation average. Nevada referrals of youth of all racial and ethnic (including white) backgrounds at a much higher rate than the national average.
- Diversion Rate: The diversion rate for all minority and African American youth is higher than the national average; however, this can be attributed to the higher number of referrals of youth of all racial and ethnic (including white) than the national average.
- Detention Rate: The detention rate in Nevada is less than the national average for all minorities and for African American Youth.
- Petitioned Rate. The petitioned rate for all minority and African American youth is higher than the national average; however, this can be attributed to the higher number of referrals of youth of all racial and ethnic (including white) than the national average.
- Adjudicated Rate: The adjudicated rate for all minority and African American youth is higher than the national average; however, this can be attributed to the higher number of referrals of youth of all racial and ethnic (including white) than the national average.
- Probation Rate: The probation rate for all minority and African American youth is higher than the national average; however, this can be attributed to the higher number of referrals of youth of all racial and ethnic (including white) than the national average.
- Placement Rate: Based on the number of referrals that enter the system; the rate of placement in a correctional facility is extremely low. There were 20,231 total referrals into the juvenile system in the 2017 compliance year, and there were 316 placements in a state correctional facility, which is 1.5 percent of the total youth referred.
- Waived Rate: In Nevada, this is deemed as certification. There were 62 youth certified in the 2017 compliance year.

In Nevada, youth who are at least 16 years of age, but less than 18, maybe be certified as an adult for either a class A or class B felony through a direct file by the district attorney to the adult system or by a juvenile court. The juvenile court may consider several mitigating factors when determining if a youth will face adult charges. Those factors include, emotional and mental conditions, risk factors, character, maturity, education information, and work history. The juvenile judge must determine the protentional risk of recidivism for each youth who is charged with a class A or B felony and determine if the juvenile system or adult system would be most appropriate on a case by case basis.

- Class A: Includes first-degree and second-degree murder, first-degree kidnapping, using or promoting the use of a child in pornography, sexual assault, and battery with intent to commit sexual assault that results in substantial bodily harm.
- Class B: Includes reckless driving involving “serious bodily harm” or death, possession of child pornography (first offense), assault with a deadly weapon, and battery with intent to kill.

The overall comparison of Nevada to the National 2007 averaged indicates that there is roughly one-half (1/2) of one (1) percent difference, one way or the other, between Nevada and the National Average in every area except one, which is the arrest rate for African Americans. This one area will the be the states focus in 2018.

Additional Data Items Not Currently Gathered

The list of 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
- 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
- Offense that leads to technical violations

CONCLUSION

The state's ability to truly assess the cause/s of disproportionality within the juvenile justice is impeded by important data elements that are missing and the lack of research capacity at the state level.

What is apparent is disproportionality exists throughout the system and that disproportionate minority contact is not the sole responsibility of any one agency. It reflects problems throughout the system, and therefore need the cooperation of all agencies dealing with whatever factors are found to be driving the disparities.

The University of Nevada Las Vegas, through Kids Count, received a grant from the Anne E. Casey Foundation in 2017 to study DMC and decision making at several contact points throughout the system. The full report is due Summer 2018. The state will use this report as their assessment of the system.

Endnotes

1. Chassin, Laurie, *Juvenile Justice and Substance Use*, Princeton University [2008].
2. Gambini, Bert, *Assessments Often Miss Mental Health Issues for Youth on Probation*, University at Buffalo: The State University of New York [January 23, 2018].
3. The Sentencing Project, *Disproportionate Minority Contact in the Juvenile Justice System*, The Sentencing Project: Research and Advocacy for Reform [May, 2014].