



STATE OF NEVADA

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

DISPORPORTIONATE MINORITY CONTACT REPORT/ASSESSMENT FOR FEDERAL FISCAL YEAR 2018

Juvenile Justice and Delinquency Prevention (JJDP) Act

February 2019

Prepared By:
Leslie Bittleston, MSQA
Social Services Chief/Juvenile Justice Specialist
Division of Child and Family Services
4126 Technology Way 3rd Floor
Carson City, NV 89706

SUMMARY PAGE – NEVADA SYSTEM OVERVIEW

Based on statewide data for the 2018 Compliance Year.

- Two (2) out of 10 youth are referred to the Juvenile Justice System.
- Just under one (1) youth out of 10 youth are arrested.
- Out of those youth referred to the Juvenile Justice System, nearly one-half (1/2) are diverted.
- Out of those youth referred, roughly 1.2 percent of youth referred are placed in a county youth camp.
- Out of those youth referred, 1.6 percent are placed or in state custody for correctional placement.

Based on partial data for the 2018 Compliance Year.

- Roughly sixty-six (66) percent of those youth arrested are above the poverty level; with thirty-four (34) percent are at or below poverty.
- Three (3) percent of youth arrested claim to be involved with a gang; eighty (80) percent of those youth who claim to be involved with a gang are a minority.
- Seven (7) percent of youth arrested are in possession of a firearm; eight-two (82) percent of those youth in possession of a firearm at the time of arrest are a minority.
- One hundred (100) percent of youth arrested who are identified as victims of sex trafficking are females; eighty-two (82) percent are minority youth; and forty-seven (47) percent are African American.
- Fifty-five (55) percent of those youth arrested come from a household with only a single mother while nineteen (19) percent come from a household with two (2) biological parents.

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. 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)

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 operational 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 2018 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 youths 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. 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. Note: Direct files bypass juvenile court and go right to adult criminal court. DCFS does not capture data on direct files, only certified youth.
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.

DEMOGRAPHICS

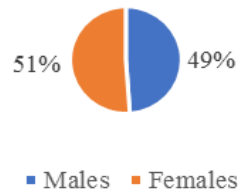
The EZAPOPOP website (www.ojjdp.gov/ojstatbb/ezapop/) estimates that the total population in Nevada as of July 17, 2018 was 2,998,039. Twenty- four (24) percent of the total population consisted of youth ages Zero – 17.

The EZAPOPOP website was further utilized to break down racial and ethnic background, by county, for youth ages Zero - 17.

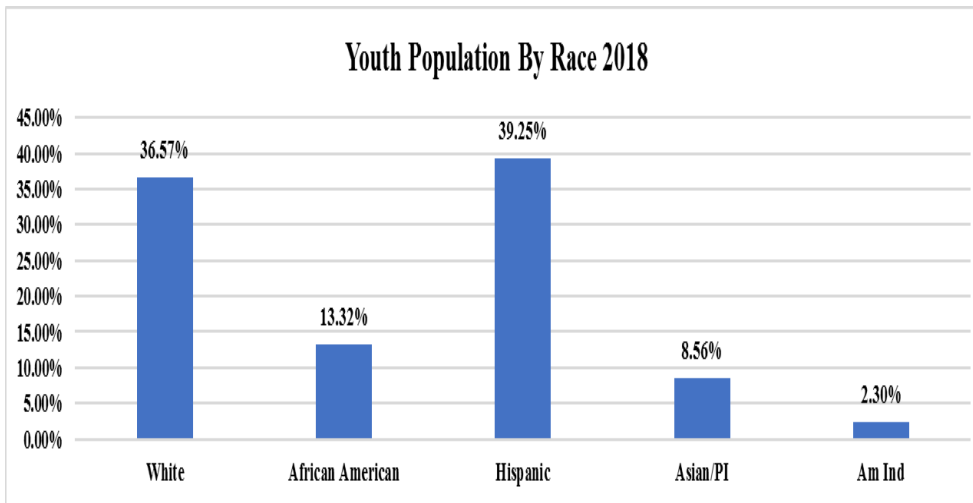
Youth Ages Zero – 17 by County

County	Total Youth	White/Non-Hispanic	African American	Hispanic	Asian/Pacific Islander	American Indian/Alaska Native	All Minority	Percentage Minority
Carson	11,416	5,907	298	4,421	317	473	5,509	48.26%
Churchill	5,778	3,639	272	1,217	242	408	2,139	37.02%
Clark	539,583	167,298	88,363	222,503	52,522	8,897	372,285	68.99%
Douglas	8,574	5,867	183	1,952	205	367	2,707	31.57%
Elko	15,084	8,749	328	4,647	230	1,130	6,335	42.00%
Esmeralda	132	69	9	43	0	11	63	47.73%
Eureka	465	365	11	71	3	15	100	21.51%
Humboldt	4,725	2,561	108	1,666	64	326	2,164	45.80%
Lander	1,571	934	34	468	17	118	637	40.55%
Lincoln	1,101	925	34	109	8	25	176	15.99%
Lyon	12,171	7,752	428	3,059	271	661	4,419	36.31%
Mineral	938	420	71	164	45	238	518	55.22%
Nye	7,596	4,814	366	2,028	196	192	2,782	36.62%
Pershing	1,129	631	34	361	9	94	498	44.11%
Storey	494	372	22	74	14	12	122	24.70%
Washoe	104,539	50,695	4,898	38,342	7,231	3,373	53,844	51.51%
White Pine	1,994	1,349	66	376	31	172	645	32.35%
Total	717,290	262,347	95,525	281,501	61,405	16,512	454,943	63.43%

2018 Gender Breakdown Ages Zero - 17



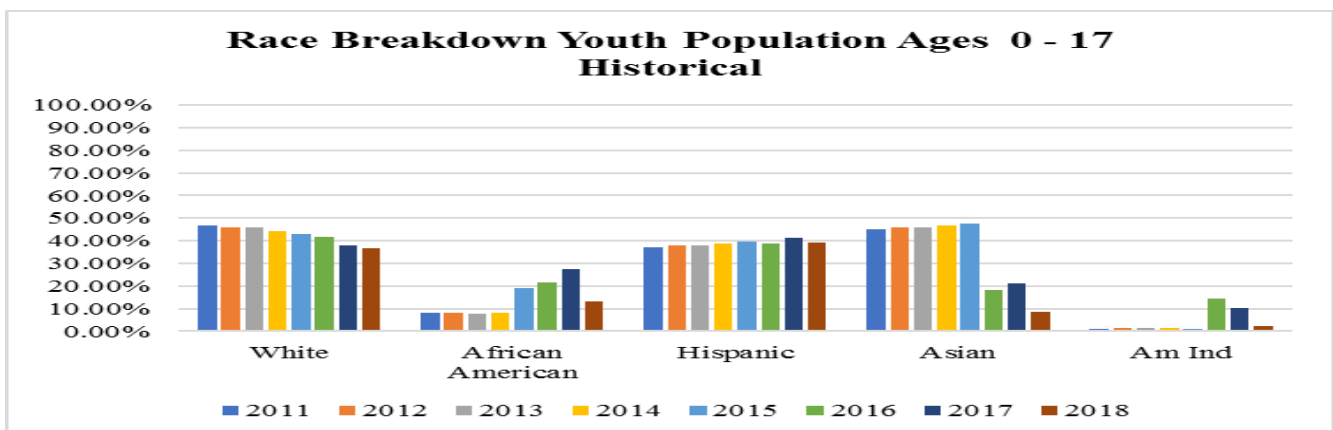
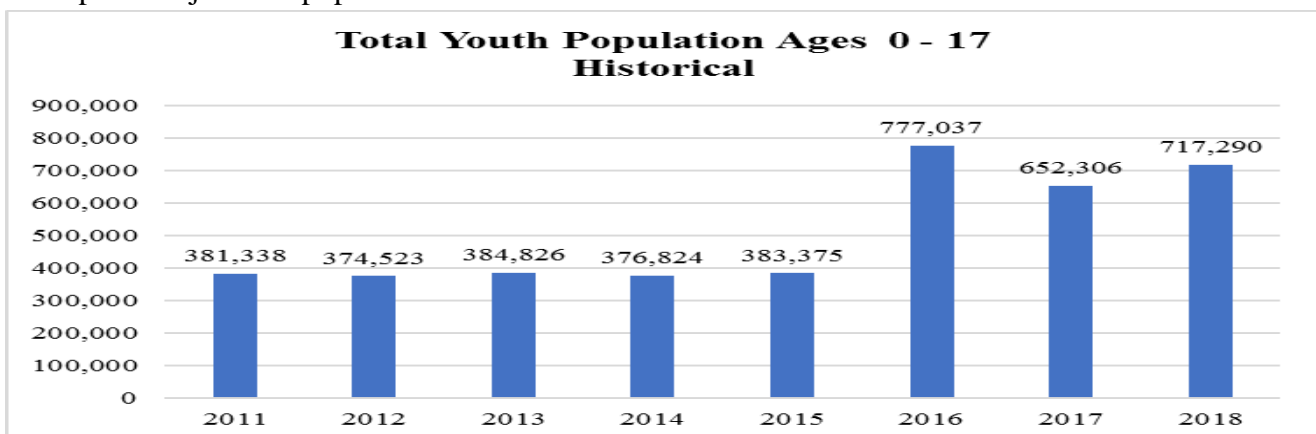
The gender breakdown indicates that the gender breakdown for youth is roughly even.



The youth population breakdown by race/ethnicity. The largest population is Hispanic followed by White.

Historical Population and Race Data

A snapshot of juvenile populations and a breakdown of race from 2011 to 2018.



JUVENILE CRIME DATA/CONTACT POINTS FOR 2018

County	Total Youth	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Probation	Placed In County Camp	Diverted	Petitioned	Delinquent
Carson	11416	643	301	301	5	5	128	10	178	149	34
Churchill	5778	623	261	155	0	0	39	3	226	167	213
Clark	539583	12641	5642	2824	236	44	2642	196	7569	4336	3190
Douglas	8574	937	84	96	6	0	24	11	2	11	53
Elko	15084	1093	405	183	2	1	20	5	265	153	48
Esmeralda	132	0	0	0	0	0	0	0	0	0	0
Eureka	465	12	3	0	0	0	2	0	0	3	3
Humboldt	4725	370	101	69	4	0	21	1	87	49	132
Lander	1571	47	10	10	1	0	4	3	26	9	7
Lincoln	1101	2	2	1	1	0	0	0	1	1	1
Lyon	12171	810	94	94	3	5	55	6	337	138	249
Mineral	938	5	3	0	0	0	4	0	0	4	4
Nye	7596	318	285	46	7	1	79	7	57	183	44
Pershing	1129	93	6	6	0	0	13	0	9	79	45
Storey	494	8	2	2	0	0	2	0	3	1	0
Washoe	104539	2981	1416	821	74	2	411	48	1314	914	391
White Pine	1994	109	58	10	3	0	12	4	13	61	69
Total	717290	20692	8673	4618	342	58	3456	294	10087	6258	4483

Less than three (3) of the overall youth population in Nevada touches the criminal justice system at the front end, with less than two (2) percent of the total referrals entering the deep end of the system. Roughly forty-eight (48) of youth referrals are diverted out of the system either through informal supervision, referrals to community services, or a combination of both.

The gender breakdown in Nevada is fifty-one (51) percent male but make up sixty-eight (68) percent of the total referrals to the system.

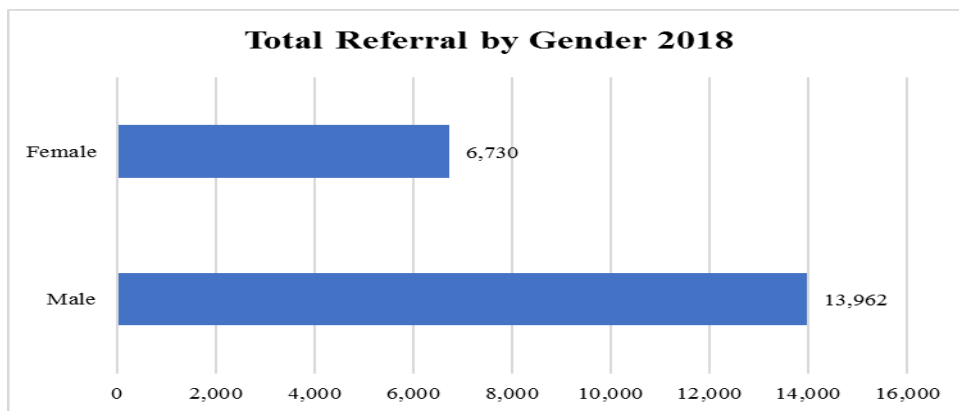
	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Probation	Placed In County Camp	Diverted	Petitioned	Delinquent
Males	13962	6100	3401	266	56	2627	273	6416	4643	3357
Females	6730	2573	1217	76	2	829	21	3671	1615	1126
Total	20692	8673	4618	342	58	3456	294	10087	6258	4483

	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Probation	Placed In County Camp	Diverted	Petitioned	Delinquent
Caucasian	7017	2724	1416	87	12	909	80	2837	1778	1293
African American	5874	2739	1507	136	29	1273	120	3255	2156	1550
Hispanic, Non White	6324	2572	1346	104	14	1031	76	3410	1858	1314
Asian	213	89	48	0	0	37	2	116	64	40
Native Hawaiian or Pacific Islander	193	77	46	6	1	32	3	105	51	41
Native American or Alaska Native	444	182	115	4	1	47	3	93	146	75
Other	611	290	140	5	1	127	10	271	205	170
Totals	20676	8673	4618	342	58	3456	294	10087	6258	4483

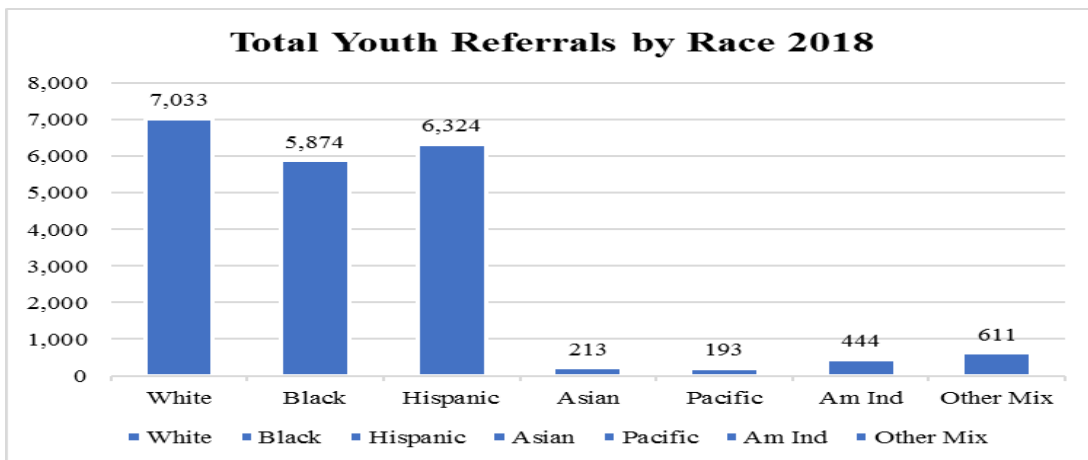
Based on graph above, African American youth represent the highest number at every contact point except diversion.

Referral

The front end of the system consists of a referral from various sources to a local department of juvenile services. There were 20,676 total referrals to the juvenile justice system in 2018 with sixty-five (65) percent from males. The total referrals are slightly up from 20,231 in 2017.

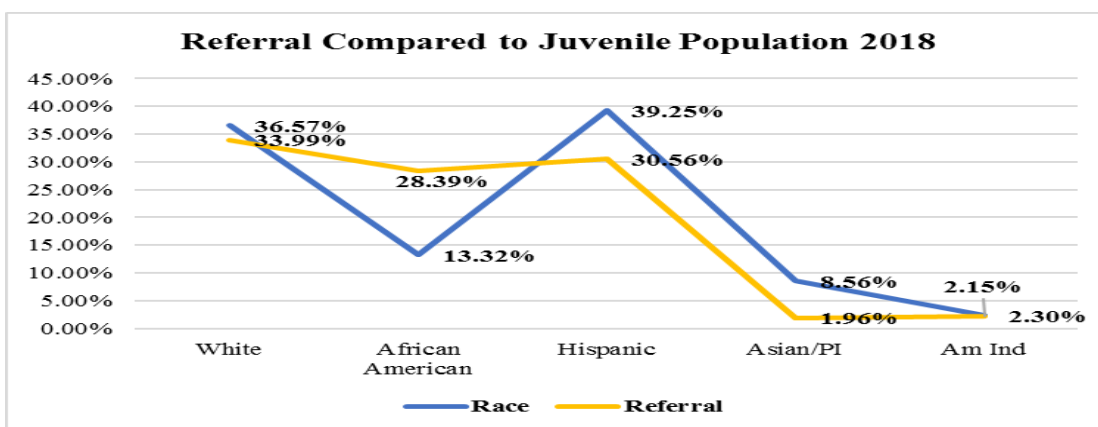


Roughly sixty-five (65) percent of the total referrals to the juvenile justice sytem were male, which indicates disparity as compared to the total population which is fifty-one (51) percent male and forty-nine (49) percent female.



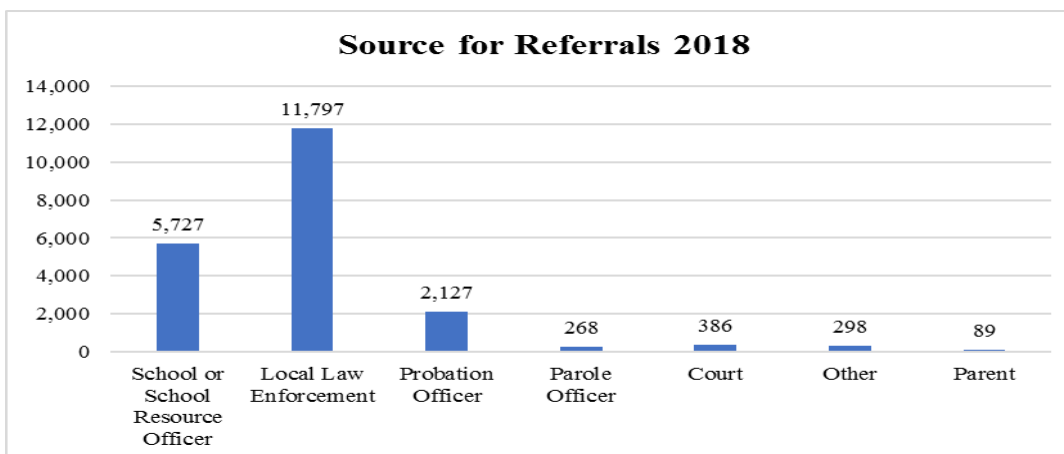
Referrals by

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



This

comparison indicates disparity in the African American population only. The referrals to population or lower for all race groups, except African American.



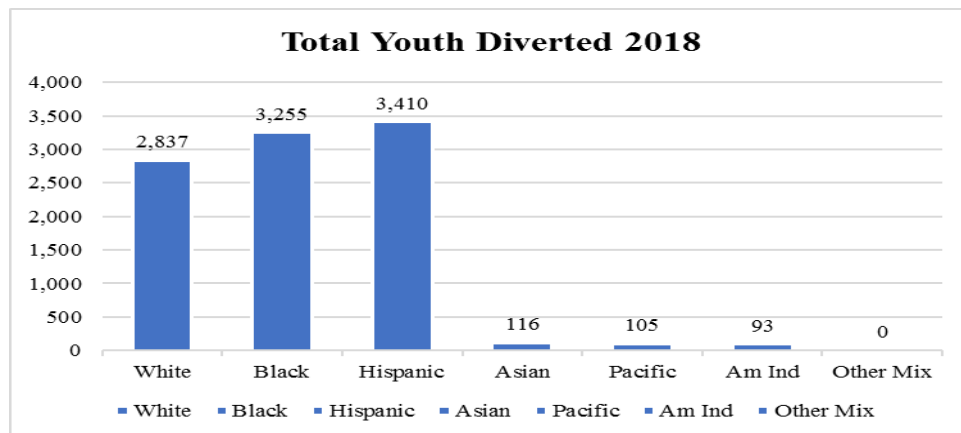
Referrals come

from various sources, but the largest source is local law enforcement at fifty-seven (57) percent, followed by school police or resource officers.

Diversion

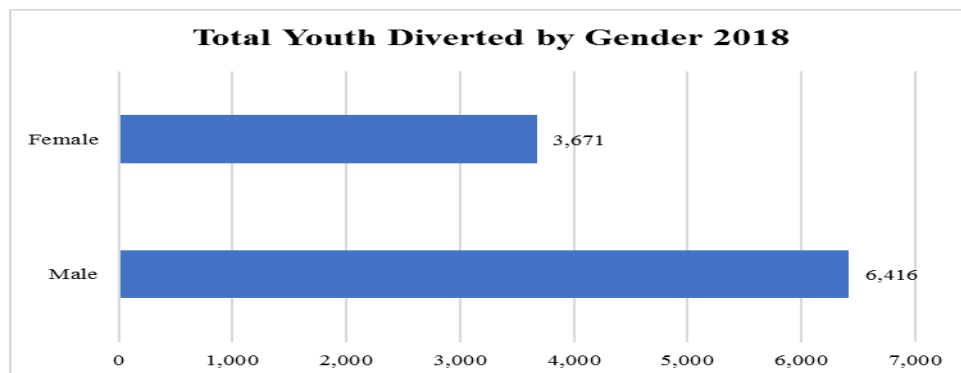
Diversion is designed to hold youth accountable for their actions by avoiding formal court processing or emerging youth deeper into the juvenile justice system. This can be informal probation, other informal activities, or a diversion by the juvenile court. The number of diversions is based on the number of referrals to the system.

There were 9,946 diversions from the system which is forty-nine (49) percent of all referrals to the system. The overall diversions indicated that a greater number of African American and Hispanic youth were diverted than White youth.



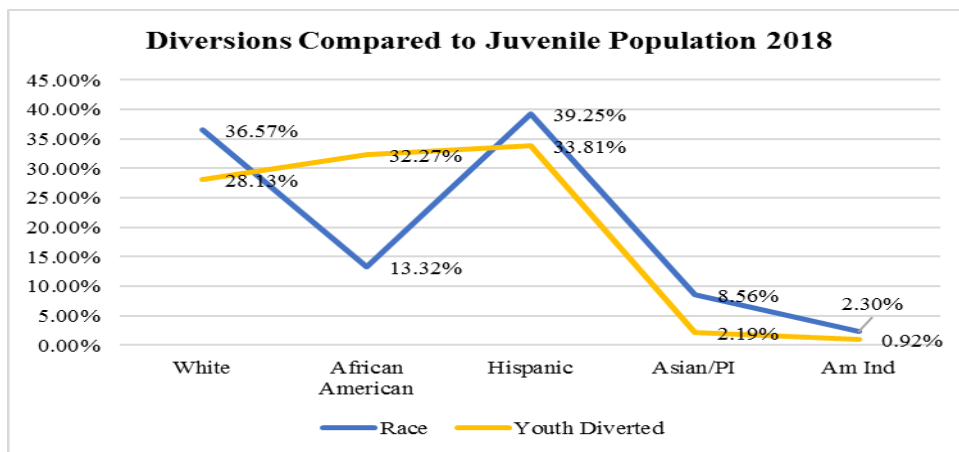
Twenty-eight (28)

percent of all diversions were White youth while seventy-two (72) percent were minorities.



Sixty-five (65) percent

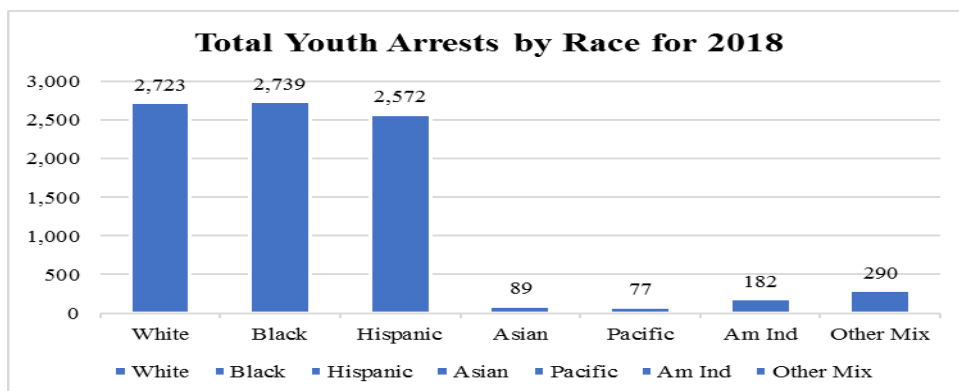
of all referrals were male.



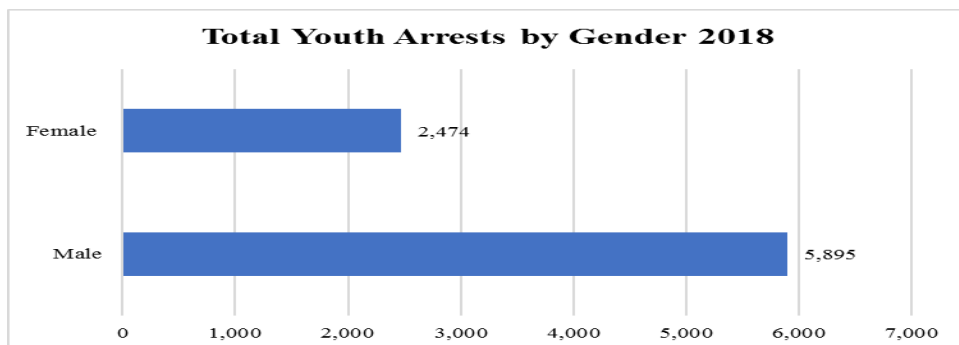
African American disparity is indicated at every contact point; including diversion with a disproportionate number of African American youth being diverted based on the overall population.

Arrest

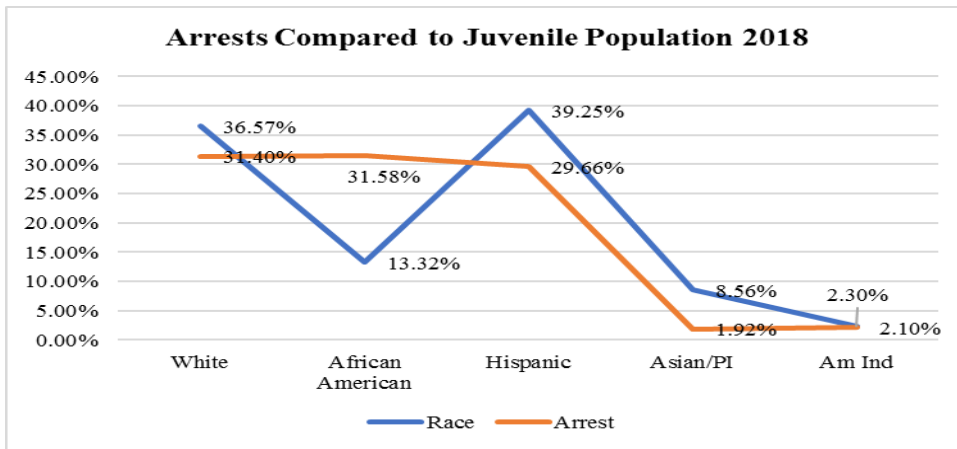
Few of the arrests stem from referrals, but most arrests do not. More males than females are arrested, and the two most common reasons for arrest are assault/battery and possession or use of an illegal drug/substance.



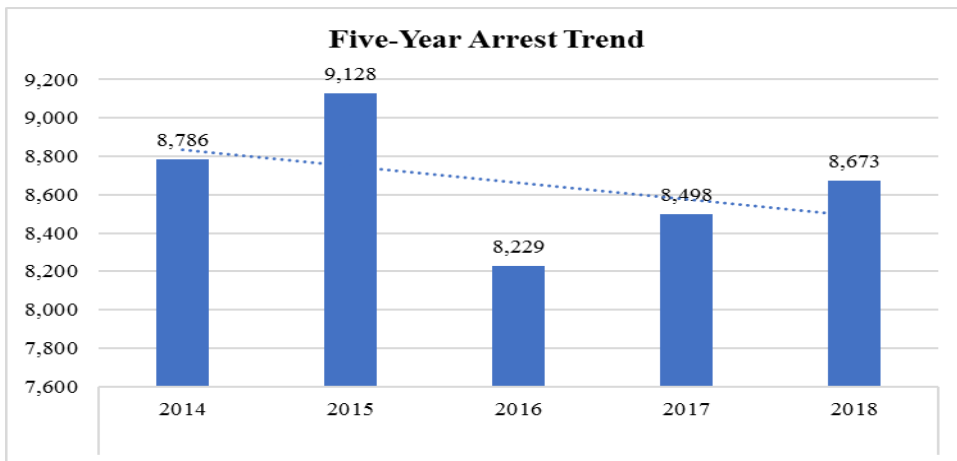
The largest racial group indicated at arrest was African American, with White and Hispanic following.



Seventy (70) percent of all arrests are male.



This comparison indicates disparity in the African American population and slightly within the Native American/American Indian population.



The five-year arrest trend indicates that juvenile arrests are decreasing; however, arrests have been slightly increasing annually from 2016.

Top 10 Most Common Charges in Nevada

2018	2017	2016
1. Assault/Battery	1. Assault/Battery	1. Technical Violations (Includes Probation and Parole Violations)
2. Possession or use of an illegal drug	2. Technical Violations	2. Assault/Battery
3. Fighting	3. Larceny/Theft/Robbery	3. Drug Possession or Under the Influence of Drugs
4. Violation of Probation/Parole	4. Drug Possession or Under the Influence of Drugs	4. Burglary
5. Curfew	5. Burglary	5. Curfew
6. Petit Larceny	6. Obstructing Police/Providing false information	6. Larceny/Theft/Robbery
7. Habitual Truancy	7. Domestic Battery	7. Obstructing Police/Providing false information
8. Obstructing a police officer/False Statement to Police	8. Petit Larceny	8. Domestic Battery
9. Burglary/Theft	9. Curfew	9. Trespassing
10. Trespassing	10. Assault with a deadly weapon	10. Assault with Deadly Weapon

Status Offenders

There were 324 reported status offender arrests in 2018. Forty-five (45) of those status offenders remained in custody greater than twenty-four (24) hours. However, eight (8) were actually violations while thirty-three (33) were not violations.

Breakdown of Status Offenders Held Greater than 24 Hours

DSO - VIOLATIONS	8	17.8%
NON- VIOLATIONS	33	82.2%
VALID COURT ORDER	0	NONE
MIC – not a status offense in Nevada	7	15.6%
WEEKEND	8	17.8%
OUT OF STATE RUNAWAYS	10	22.2%
HELD LONGER/DETENTION HEARING HELD	11	24.4%
PARENTS REFUSED CUSTODY OR NO ONE TO RELEASE YOUTH TOO – STATE OBTAINED CUSTODY AND ARRANGED FOR PLACEMENT	1	2.2%

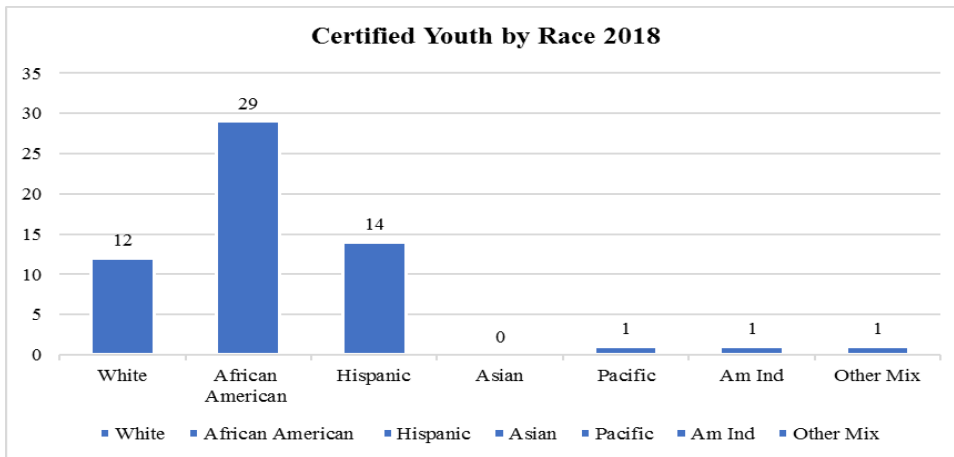
Adult Jails/Lockups

In 2018, a total of eighteen (18) youths were locked up in adult jails or lockups for at least one minute or longer; however, only one (1) of those resulted in a violation. All 18 youth were securely placed in an adult jail or lock up where 16 years of age or older.

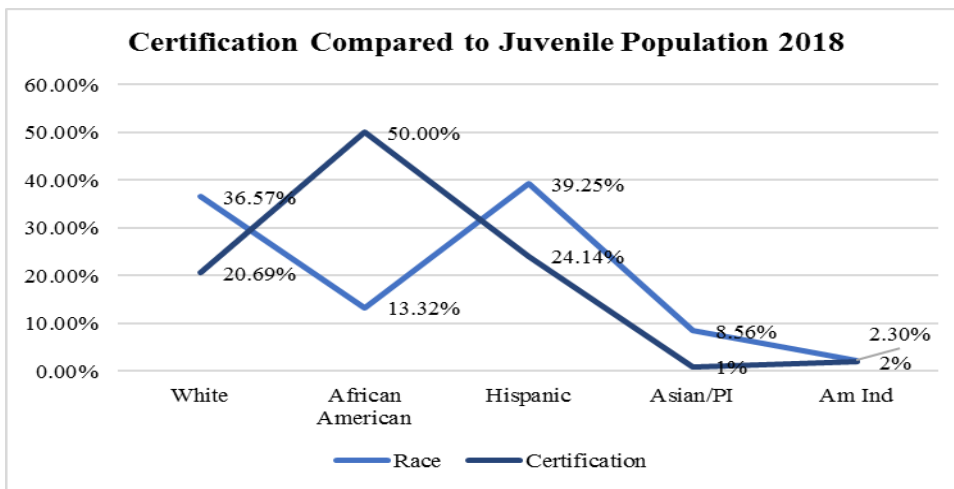
OFFENSE BREAKDOWN		
Grand Larceny	4	
Home Invasion	2	
Battery	2	
Murder	4	
Status Offense	1	
MIC – Not a Status Offense in Nevada	1	
Other	4	
DSO - VIOLATIONS	1	
JAIL REMOVAL VIOLATIONS		
SIGHT AND SOUND VIOLATIONS	0	<i>NOTE: No sight/sound violations were reported. Facilities all visited within three years and have been provided technical assistance as to how to keep youth separated from adult offenders.</i>

Direct Files/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.



There were fifty-seven (58) youth who were certified as adults in 2018; fifty-five (56) were male and two (2) were female.



African American youth were disproportionately represented at the certification contact point, but the total number is low which may exacerbate the disparity.

African American youth are disproportionately represented based on the overall population.

Direct files and certifications are determined differently in Nevada and are explained below using Nevada Revised Statutes (NRS).

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.

Nevada statute outlines the **certification** 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;

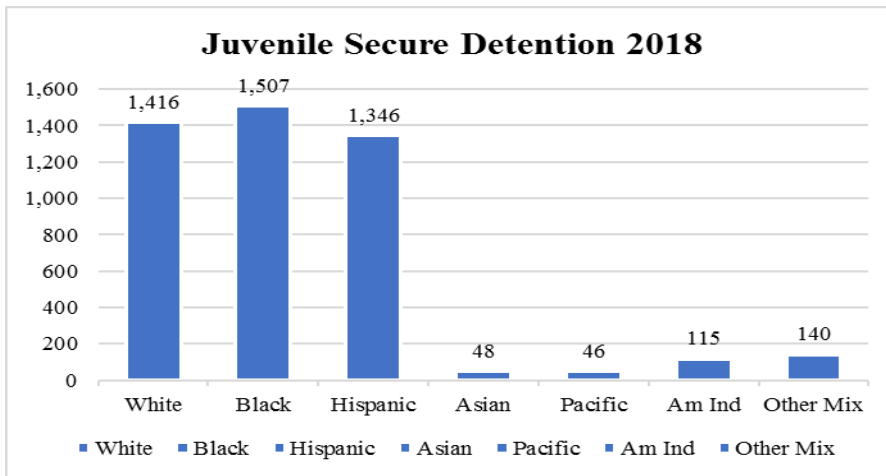
(b) The child may petition for transfer of the case back to the juvenile court only upon a showing of exceptional circumstances; and

(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.

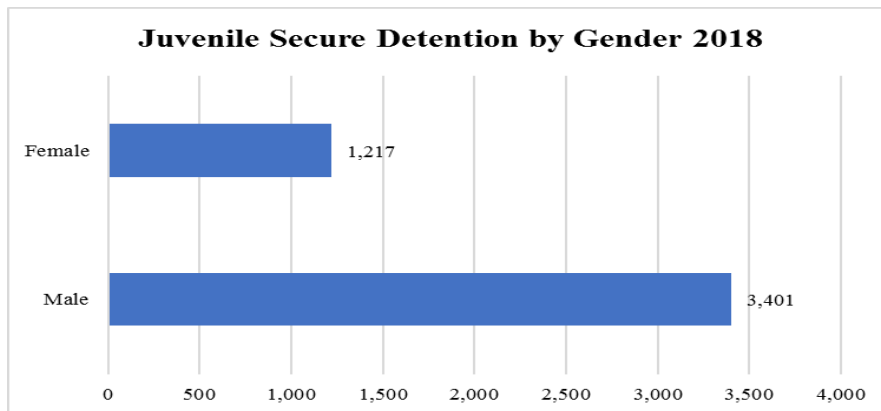
With this statute in place, certifications to adult court are directly determined by the youth's record and charged offense. The juvenile court judge has the authority to hear the case or to send the case to criminal court.

Secure Juvenile Detention

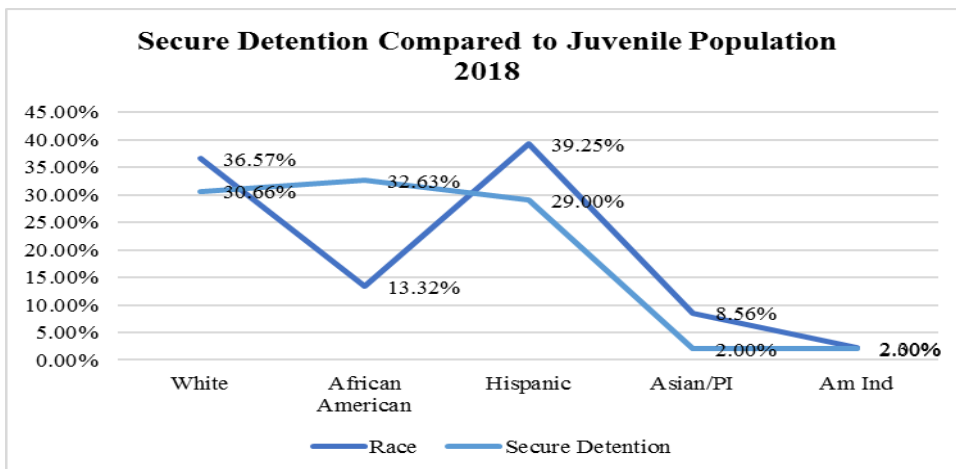
Seven (7) out of Nevada's seventeen (17) counties operate a juvenile detention facility. Those counties that do not operate a juvenile detention facility contract with those nearby counties that do for detention services. Secure detention includes only those youth who are placed in a county detention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



The largest racial group indicated at arrest was African American, with White and Hispanic following and almost even in numbers.



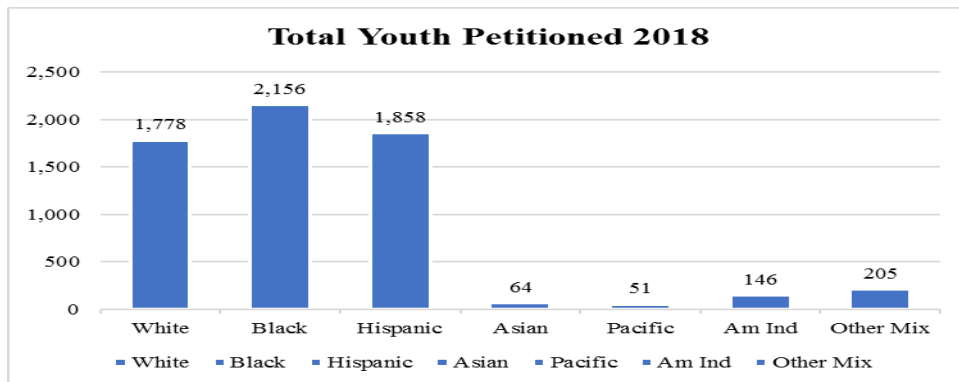
Seventy (70) percent of all arrests are male so it is assumed that the number of detention placements would be similar; however, it is slightly increased; seventy-four (74) percent of all detention placements are male.



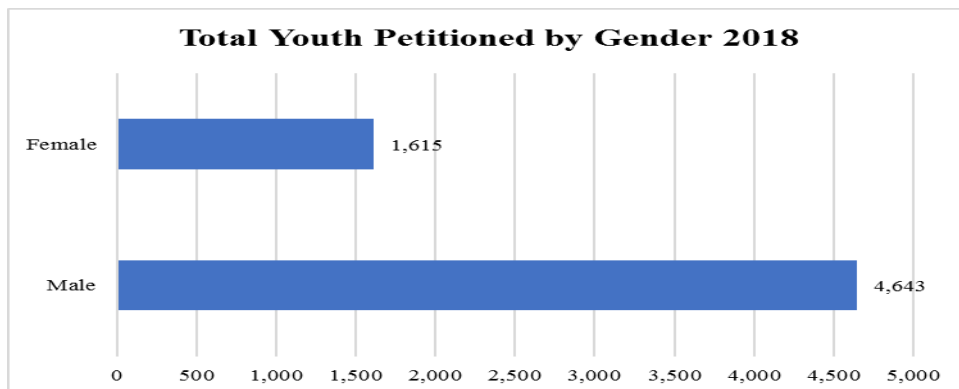
This comparison indicates disparity in the African American population and slightly within the Native American/American Indian population.

Petitioned

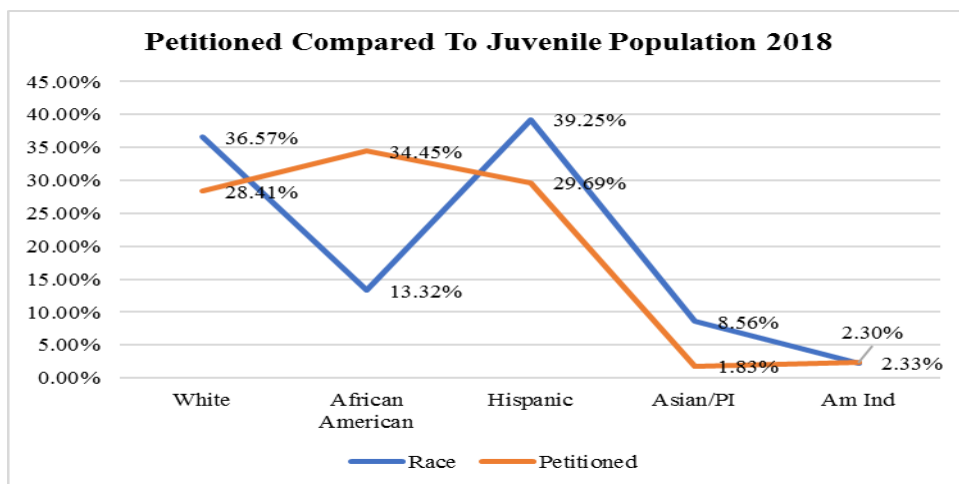
Petitioned means that a youth will face delinquent charges in juvenile court or a formal hearing process.



African American youth were disproportionately represented at the point of petition, with Hispanic and White youth close to even.



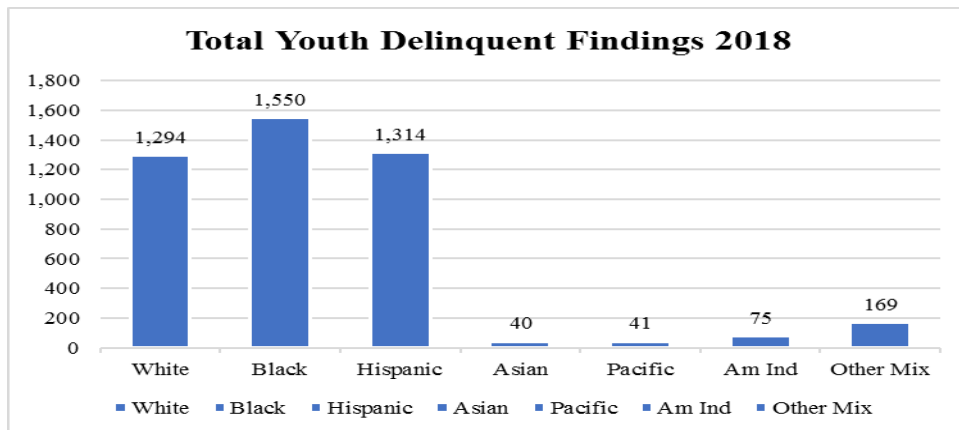
Seventy-four (74) percent of those petitioned were males.



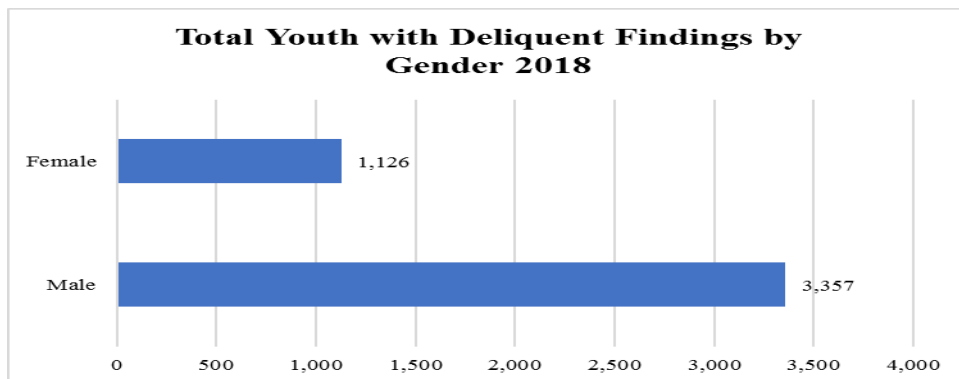
African American youth were disproportionately represented as compared to the juvenile population.

Delinquent

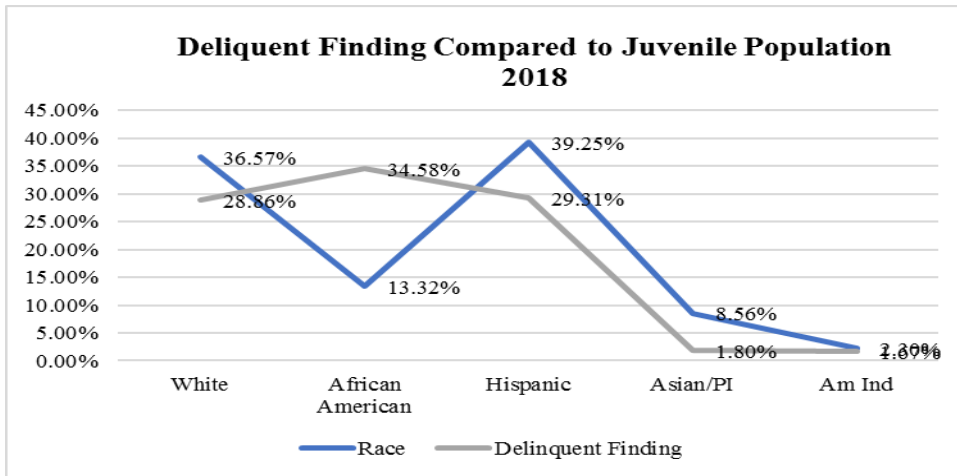
The number of adjudicated youths is greater than the number of petitioned youths in Nevada for a variety of reasons which include youth charged and adjudicated of status offenses, parole/probation violations, or technical violations; therefore, the state cannot compare the number of adjudicated youths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



African American youth were disproportionately represented at the point of delinquent findings, with Hispanic and White youth close to even.



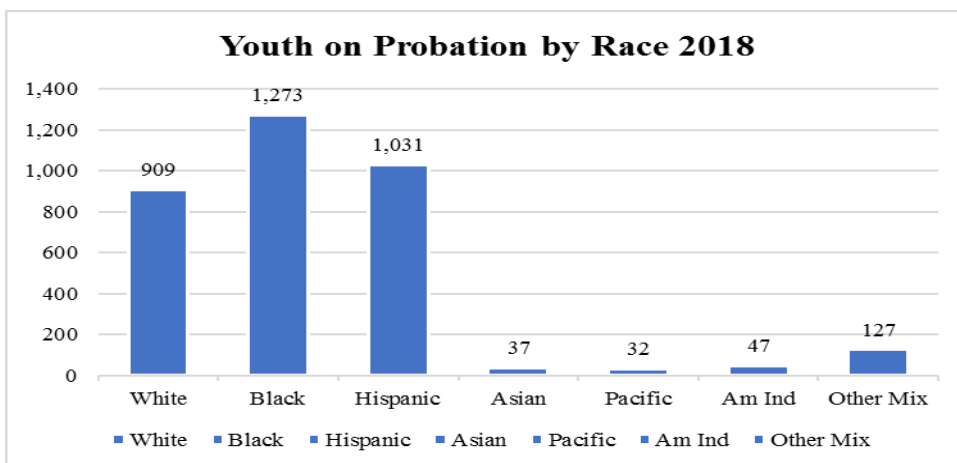
Seventy-five (75) percent of those with delinquent findings were males.



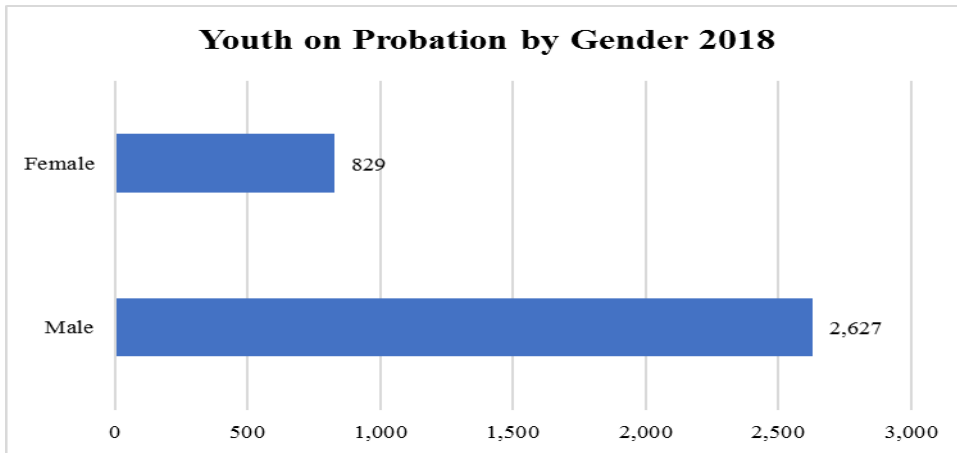
African American youth were disproportionately represented as compared to the juvenile population.

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.

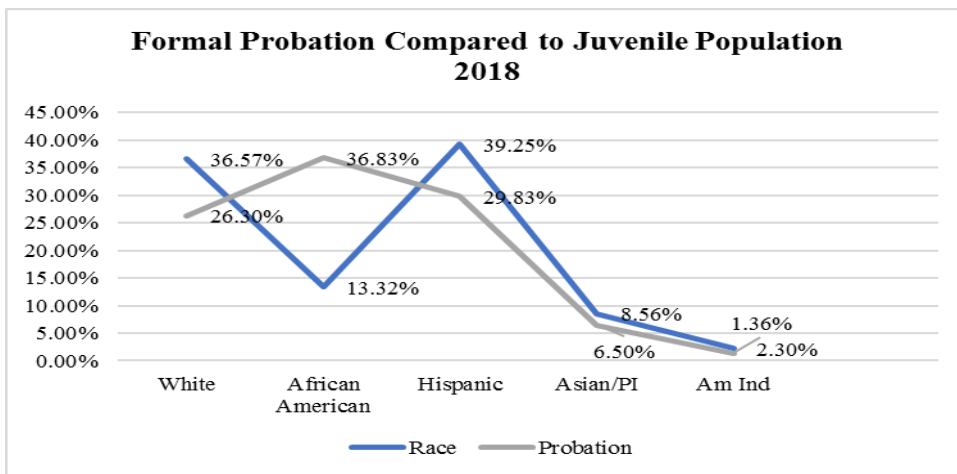


African American youth were placed on formal probation a greater amount than Hispanic and White youth.



Seventy – six (76)

percent of youth placed on formal probation were males.

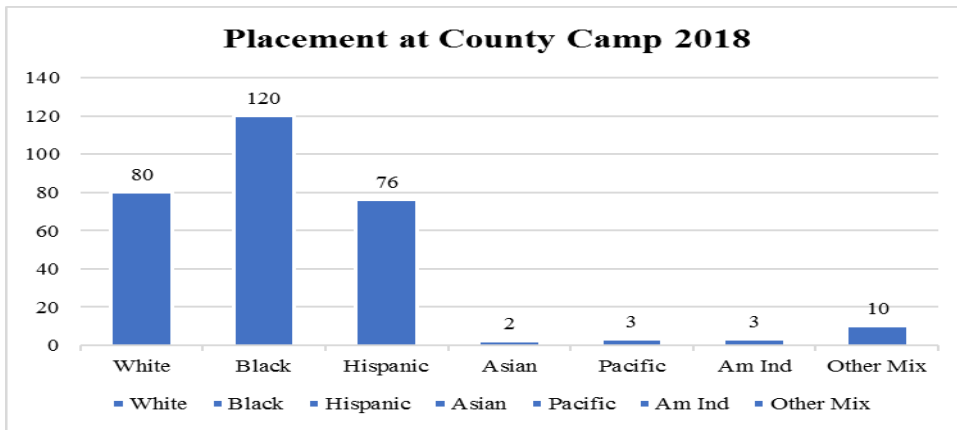


More African American

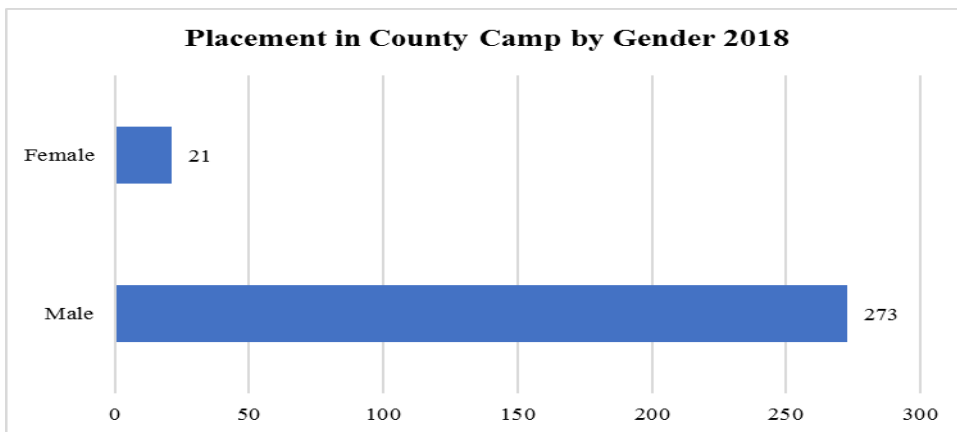
Youth were placed on formal probation than Hispanic or White youth.

County Camp Placement

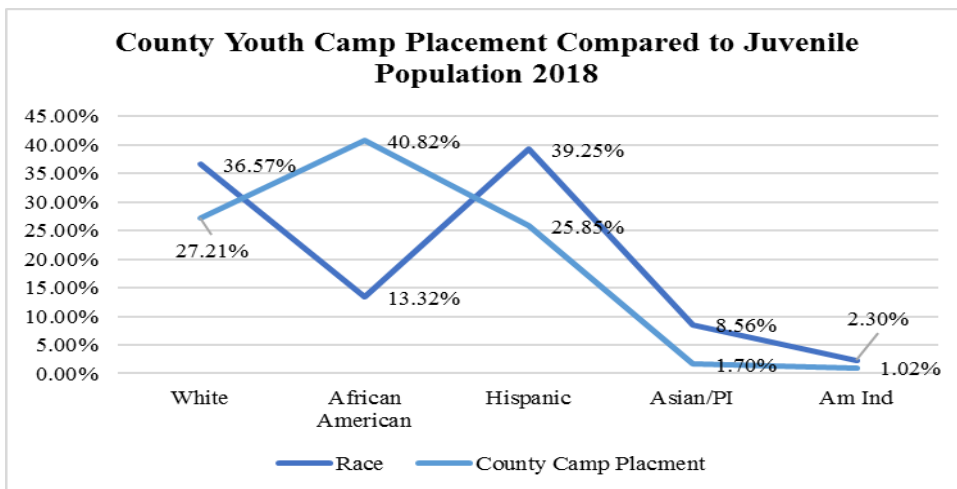
Judges in Nevada may sentence youth to extended detention stays, formal probation, county camp placement, or state custody for juvenile corrections. There are two available county camps, one is Clark County which is for male youth only, and one in Douglas County which accepts both males and females. 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.



African American youth were disproportionately represented at the point of placement at a county youth camp, with Hispanic and White youth close to even.



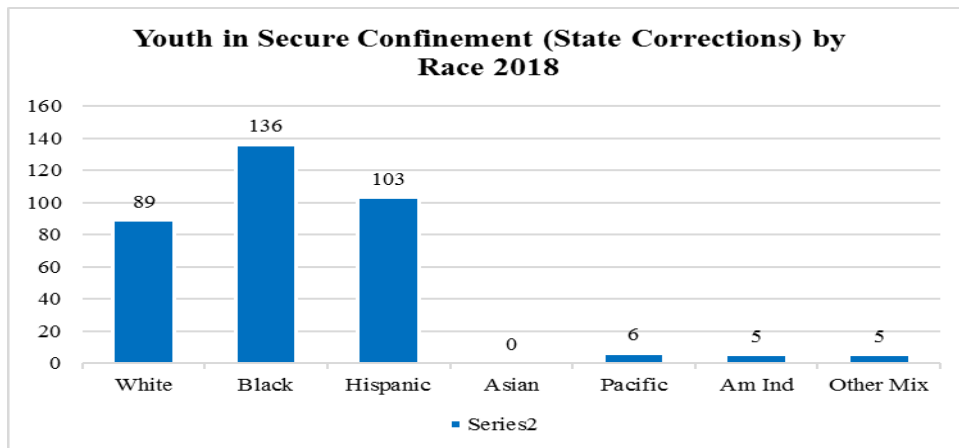
Just under ninety-two (92) percent of all county youth camp placements were males.



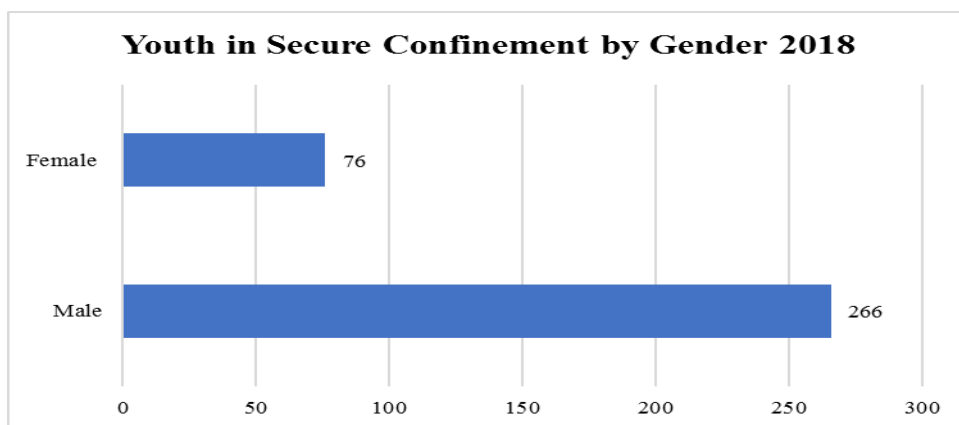
African American youth were disproportionately represented as compared to the juvenile population.

Secure Confinement/State Custody/Correctional Placement

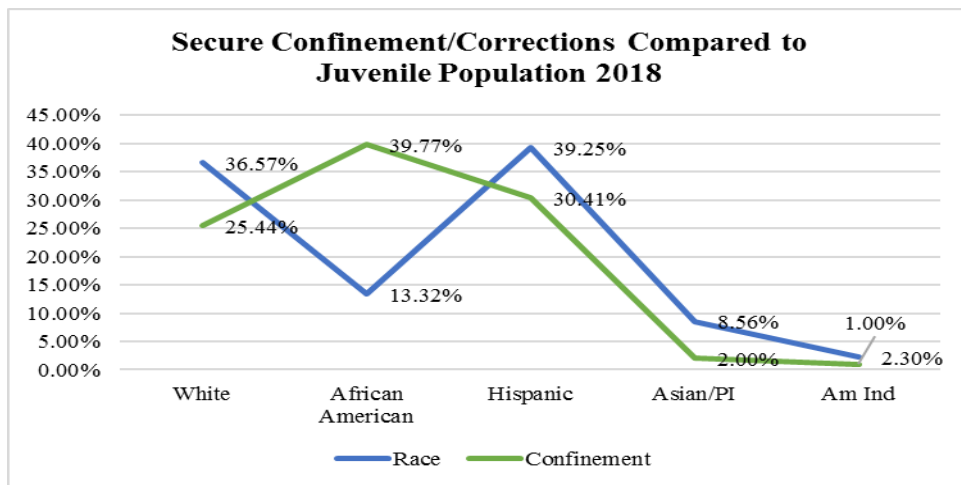
The first system involvement youth have with the state is at this point. The state provides juvenile corrections through the operation of three youth centers in the state: Nevada Youth Training Center (NYTC) in Elko, Caliente Youth Center (CYC) in Caliente, and Summit View Youth Center (SVYC) in Las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



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



Seventy-seven (77) percent of all youth committed to DCFS for correctional placement were males.



African American youth

are disproportionately committed to DCFS for correctional placement.

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 2018 DMC data for Nevada shows that African American youth make up thirteen (13) percent of the population, but close to thirty-three (33) percent of all arrests. This information alone suggests that there is greater disparate treatment with African American youth than the national average.

However, arrest data alone does not provide a complete picture of the system. African American youth are over represented at every contact point in the system, including diversion and formal probation placement, which are contact points for avoiding deeper system involvement.

Race	Referral	Arrest	Diversion	Probation	Petition	Delinquent Finding
White	33.99%	31.40%	28.13%	26.30%	28.41%	29.16%
Hispanic	30.56%	29.66%	33.81%	29.83%	29.64%	29.69%
African American	28.39%	31.58%	32.27%	36.83%	34.06%	34.45%

African American youth have the highest percentage of youth by race placed on formal probation for the state and the second highest rate by race of diversions behind Hispanics.

On the other hand, disparity with African American youth widens with deeper system involvement.

Race	Secure Detention	Placement in County Camp	Secure Confinement	Certified
White	30.66%	27.21%	25.44%	20.69%
Hispanic	29.01%	25.85%	30.41%	24.14%
African American	32.63%	40.82%	39.77%	50.00%

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 amounts 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.

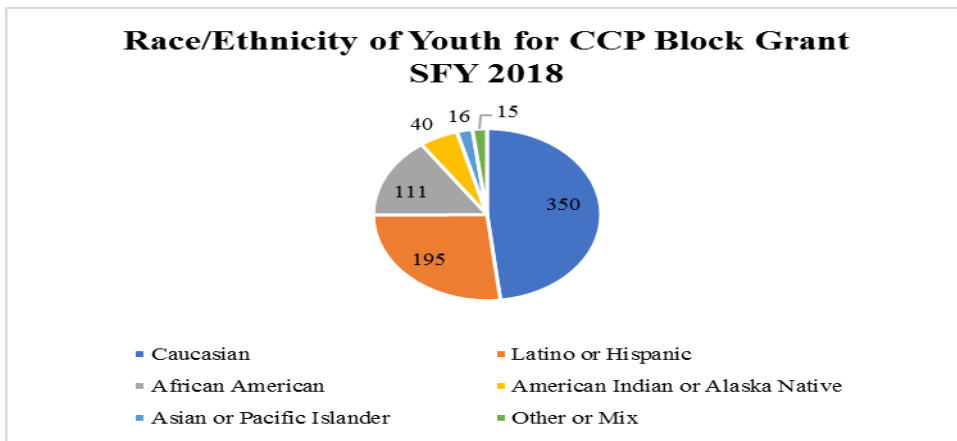
Front End Services – Community Corrections Partnership Block Grant (CCP)

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.

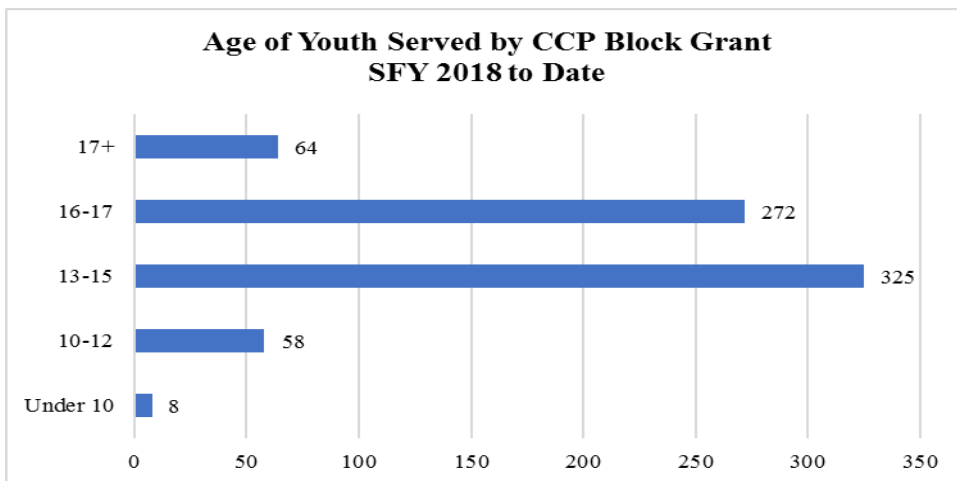
- Money must be used on evidence-based programs and services on a phase in approach, with 100% by 2022.
- Must follow reporting requirements as outlined in Nevada Revised Statute (NRS) 62H.210 and Nevada Administrative Code (NAC) 62H.010 through NAC 62H.310.
- Cannot use funds to supplant ordinarily 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.



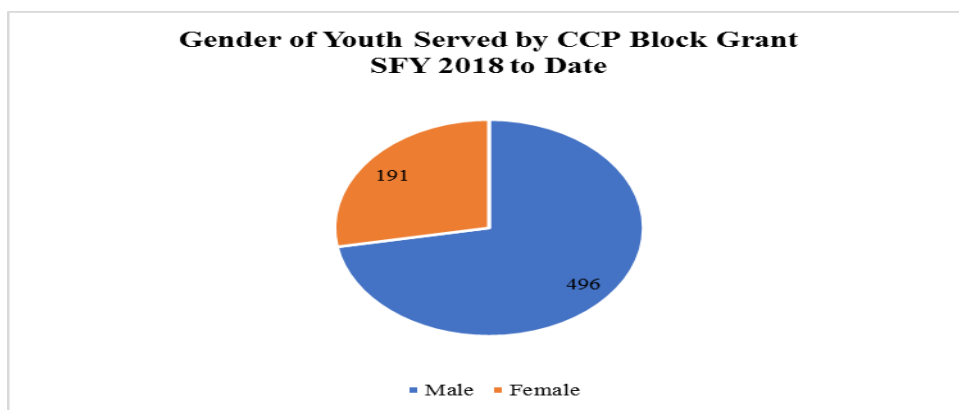
Race breakdown of the

youth served with this funding for State Fiscal Year (SFY) 2018.



The majority of the

youth served with this funding is between 13 – 15 years of age, followed by 16 – 17 years of age.



As shown with all juvenile justice system contact points, more males than females are served with sixty-eight (68) percent of funding used on males.

ACTION PLAN – QUESTIONS FROM OJJDP

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

The state's DMC number indicate three distinct things: 1) Disparity exists at a greater rate in urban counties, 2) African American disparity is seen at all contacts points to include diversion, and 3) African American youth face greater disparity as they move deeper into the system.

Relative Rate Index Compared with :								
	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	2.76	0.88	0.14	*	1.06	*	1.26
3. Refer to Juvenile Court	1.00	0.83	0.95	0.93	*	0.95	*	0.89
4. Cases Diverted	1.00	1.37	1.33	1.35	*	0.52	*	1.31
5. Cases Involving Secure Detention	1.00	1.27	1.05	1.12	*	1.28	*	1.16
6. Cases Petitioned	1.00	1.45	1.16	1.19	*	1.30	*	1.29
7. Cases Resulting in Delinquent Findings	1.00	0.99	0.97	0.86	*	0.71	*	0.98
8. Cases resulting in Probation Placement	1.00	1.17	1.12	1.32	*	0.89	*	1.14
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	1.30	1.18	**	*	**	*	1.19
10. Cases Transferred to Adult Court	1.00	1.99	1.12	**	*	**	*	1.52
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	

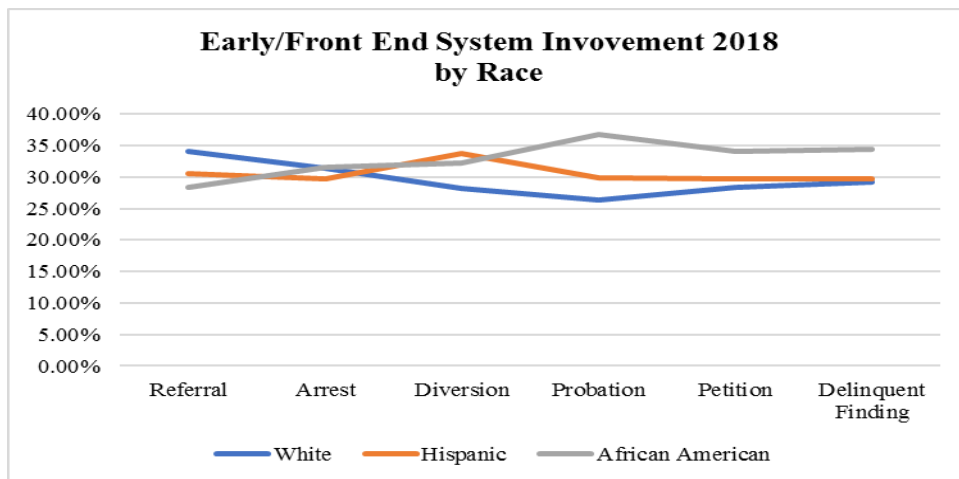
- 1) Disparity is found primarily in the state's two largest counties, Clark County and Washoe County. The rural areas of the state tend to have more contact with Caucasian/White youth. This disparity is indicated in the Relative Rate Index (RRI) statistical report for both counties. Take these reports and compare them to a Rural County and it becomes clear that the rural counties don't see disparity mostly because the number are great enough to register or to compare. Greater than eighty-five (85) percent of the state's population resides in the two largest counties.

Relative Rate Index Compared with :	White	CLARK COUNTY						
	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	4.53	1.25	0.14	*	0.29	*	1.98
3. Refer to Juvenile Court	1.00	0.93	1.02	1.24	*	**	*	0.97
4. Cases Diverted	1.00	0.92	0.99	1.04	*	0.75	*	0.95
5. Cases Involving Secure Detention	1.00	1.29	1.05	1.04	*	1.29	*	1.19
6. Cases Petitioned	1.00	1.21	1.04	1.02	*	1.22	*	1.14
7. Cases Resulting in Delinquent Findings	1.00	1.04	1.05	0.84	*	**	*	1.04
8. Cases resulting in Probation Placement	1.00	0.97	0.98	**	*	**	*	0.98
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	1.21	1.04	**	*	**	*	1.10
10. Cases Transferred to Adult Court	1.00	1.22	0.96	**	*	**	*	1.09
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	

Relative Rate Index Compared with :	White	WASHOE COUNTY						
	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	2.32	0.98	0.28	*	0.74	*	1.04
3. Refer to Juvenile Court	1.00	1.22	1.25	**	*	1.04	*	1.23
4. Cases Diverted	1.00	0.62	0.81	0.87	*	0.70	*	0.77
5. Cases Involving Secure Detention	1.00	1.00	0.72	0.77	*	0.80	*	0.80
6. Cases Petitioned	1.00	0.79	0.77	0.83	*	0.62	*	0.77
7. Cases Resulting in Delinquent Findings	1.00	1.09	1.07	**	*	**	*	1.09
8. Cases resulting in Probation Placement	1.00	0.97	0.90	**	*	**	*	0.92
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	2.05	1.22	**	*	**	*	1.37
10. Cases Transferred to Adult Court	**	**	**	**	*	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	

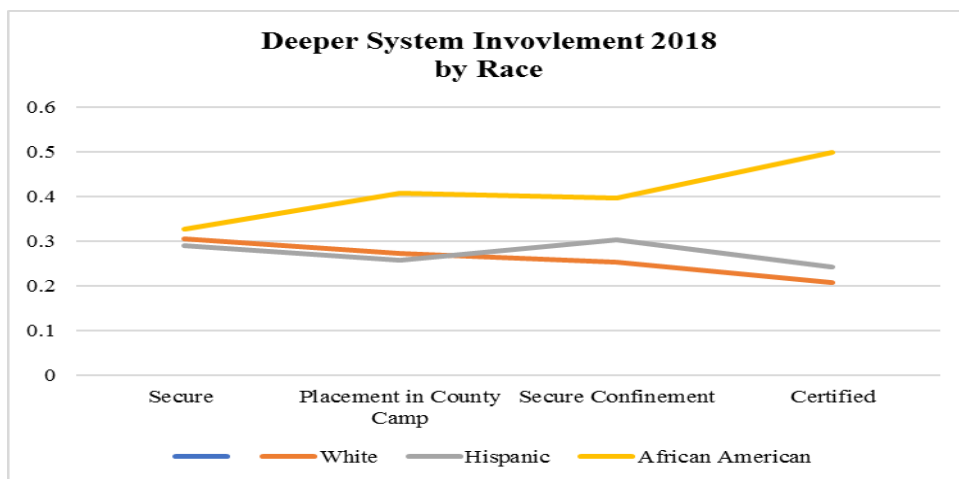
DOUGLAS COUNTY								
Relative Rate Index Compared with : White								
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	1.00	**	0.64	**	*	1.71	*	1.08
3. Refer to Juvenile Court	1.00	**	**	**	*	**	*	**
4. Cases Diverted	**	**	**	**	*	**	*	**
5. Cases Involving Secure Detention	1.00	**	1.55	**	*	1.50	*	1.55
6. Cases Petitioned	1.00	**	**	**	*	**	*	**
7. Cases Resulting in Delinquent Findings	**	**	**	**	*	**	*	**
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	No	Yes	No	

2) African American disparity is seen at all contacts points early in the system and outside of a secure setting.



African American youth began to veer away from White and Hispanic youth at probation, petition, and delinquent finding.

3) African American youth face greater disparity as they move deeper into the system, especially around a secure setting and adult certification.



African American youth see the greatest disparity from secure detention (right) through certification (left), and far exceeds the numbers of both White and Hispanic youth.

These decision points live in local jurisdictions through the juvenile court. The first contact with DCFS is secure confinement and then juvenile parole services upon release. DCFS has requested a comprehensive report to assess the time in secure confinement by race to determine if African American or any Minority group has a greater length of stay that White youth. However, this report will be not be available based on limited resources for data reports and the beginning of a legislative year on February 1, 2019.

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

Success is a several step approach. First, success would be a complete understanding of the data to include how to diagnosis and analyze disparities at each decision point. Second, success would be the identification of at least one contributing factor of disparities at the major decision points of arrest, placement in secure detention, placement in secure confinement, and certification to adult court. Third success would finding the appropriate response to the contributing factors and provide that response to the appropriate audience and having the funding to continue to roll out the response. In addition, if changes to legislation is identified and deemed necessary during this third phase, that there is unanimous support for the change. Last, success would be a gradual drop year to year in those core decision points within the largest counties and statewide.

However, success at any level is a difficult undertaking as identified in the publication titled *Reforming Juvenile Justice: A Developmental Approach* (2013). It states, “several reasons can be identified as a means of understanding the lack of movement on these issues, including, but not limited to, lack of motivation, lack of cross system collaboration, inadequate resources, and the extreme difficulties of disentangling the many complex, multilevel and interrelated factors that contribute to the problem” (Pg. 214). Additionally, the authors admit that little progress has been made in the past two (2) decades, even with policy change and implementation. Lastly, they state that that disparity falls into one of two areas. “Some indicate differential offending (more serious violent offenses) as the root cause of disproportionality while others point to differential selection (treatment) by the juvenile justice system (police officers, courts, and other justice system officials)”. (Pg. 223)

If the authors of *Reforming Juvenile Justice: A Developmental Approach* are to be believed and trusted; success cannot be achieved until or unless a system can determine the actual root cause of disparity. In the meantime, DCFS will work with county stakeholders to assess contact points to determine if a commonality exists that can be addressed.

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

Nevada stakeholders would greatly appreciate any reduction in DMC statewide, but that would require a great deal of work in the local jurisdictions as many of the decision points are local.

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)

The decision points change to the State (DCFS) once the court has committed the youth to a correctional facility.

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

Each decision point can be studied to determine if disparity exists. DCFS will reach out to the local/county jurisdictions through the Juvenile Justice Oversight Commission (JJOC) to identify one target area the counties will research and address at the next meeting in March 2019. The JJOC is the entity that can assign tasks to counties, so the directive to research, identify, and address areas of disproportionality would come from that body.

In the meantime, DCFS staff have internally agreed on researching potential disparity in facility length of stay in 2019. It is currently unknown if there is disparity in length of stay by race, but DCFS is committed to looking at this area first by pulling historical data. If disparities are discovered, DCFS will review their length of stay criteria and policy and monitor the progress for 12 months after implementation.

The state views any decrease in disparity, whether it is found in the statewide RRI or in facility length of stay by race, to be a positive step forward.

4. Is that reasonable? If yes, why?

It is reasonable for the state agency, DCFS, to revise facility length of stay criteria and policy, if disparities exist. It is also reasonable to expect that DCFS show improvement in 12 months after implementation.

It is unreasonable to expect the state agency, DCFS, to identify a percentage or area of reduction for decision points that the agency has no oversight over. The governor appointed JJOC can direct local jurisdictions to address DMC issues, but it does not have the authority to specifically assign a task or to hold counties responsible. The only responsibility county governments have per Statue is to report their DMC numbers to DCFS annually. It may take a legislative initiative to direct counties analyze and address specific issues.

The following are county or city operated: juvenile detention facilities, juvenile courts, and law enforcement. County juvenile justice practitioners have steadily stated for the past 12 – 24 months that caseloads are increasing, detention numbers are rising, and the level of need for the youth is increasing. They focus their energy on safety of the youth in their care and of the community at large. It is easy to forget that the very agencies we rely on to address DMC are the same agencies that provide direct services to youth, such as juvenile detention, juvenile court, and local law enforcement.

In addition, local jurisdictions lack the expertise needed to analyze and dissect the complexities of the juvenile justice system to identify the root cause/s of disparate treatment, lack funding and personnel to address the problem, and lack the ability to address the issue.

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.

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 like to be found within university researchers and behavioral analysts, 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 under 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; some more recent would be beneficial for states who choose to compare their averages to the national average to determine what areas to work on first. 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 to concentrate on.

CONCLUSION

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.

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.

Endnotes

1. National Research Council of the National Academies. (2013). *Reforming Juvenile Justice: A Developmental Approach*. The National Academies Press. Washington D.C.
2. The Sentencing Project, *Disproportionate Minority Contact in the Juvenile Justice System*, The Sentencing Project: Research and Advocacy for Reform [May, 2014].