



STATE OF NEVADA

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

**DISPORPORTIONATE MINORITY CONTACT REPORT/ASSESSMENT
FOR FEDERAL FISCAL YEAR 2019**

Juvenile Justice and Delinquency Prevention (JJDP) Act

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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, which is the reduction of disproportionate minority contact (DMC) with the juvenile justice system.

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

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

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

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

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

This report will assess data at eleven (11) contact points. Data is gathered by race and ethnicity and gender.

SUMMARY PAGE – NEVADA SYSTEM OVERVIEW

Based on statewide data for the 2019 Compliance Year.

- Just under 3 percent of the total youth population Zero - 17 was referred to the Juvenile Justice System.
- Roughly 67 percent of those referrals were males and 68 percent were minorities.
- 45 percent of referrals were an arrest.
- 55 percent of total referrals were diverted.
- 245 total youth were placed in a state operated juvenile correctional facility.
- 65 total youth were certified as an adult and tried in an adult criminal court.

Based on partial data (only received from half of county jurisdictions) for the 2019 Compliance Year.

- 41 percent of youth arrested indicate they are at or below poverty.
- 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.
- Five percent arrests included a firearm or dangerous weapon; 83 percent of those youth in possession of a firearm or dangerous weapon at the time of arrest are a minority.
- Fifty-six percent of those youth arrested come from a household with one biological parent in the home while 15 percent have two biological parents (intact family) with the remaining living with a relative guardian, in an institutional setting, or independently.

System performance measure data based on partial data (only received from half of county jurisdictions) for the 2019 Compliance Year.

- 90 percent of diversions are for misdemeanor type offenses; 6 percent are for felony type offenses and, 4 percent are for gross misdemeanor type offenses.
- There were 8,673 total arrests in 2018 and 6,171 re-arrests in 2019 which equates to 71%; however, this performance measure is not yet refined. These numbers need to be drilled down to specific individuals for comparison.
- There were 213 total petitioned status offenses.

DATA COLLECTION

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

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

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

CONTACT POINTS AND 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 a youth is certified through juvenile court; their case will be heard in adult criminal court. This data is captured through the juvenile system. Note: Direct files bypass juvenile court and goes right to adult criminal court. DCFS does not have access to the number of juveniles who bypass the juvenile court system and go directly to adult criminal court.
Delinquent:	Youth are found to be delinquent during adjudicatory hearings in juvenile court. Being found (or adjudicated) delinquent is roughly equivalent to bring convicted in criminal court. It is a formal legal finding of responsibility.

DEMOGRAPHICS – Youth Ages 0 - 17

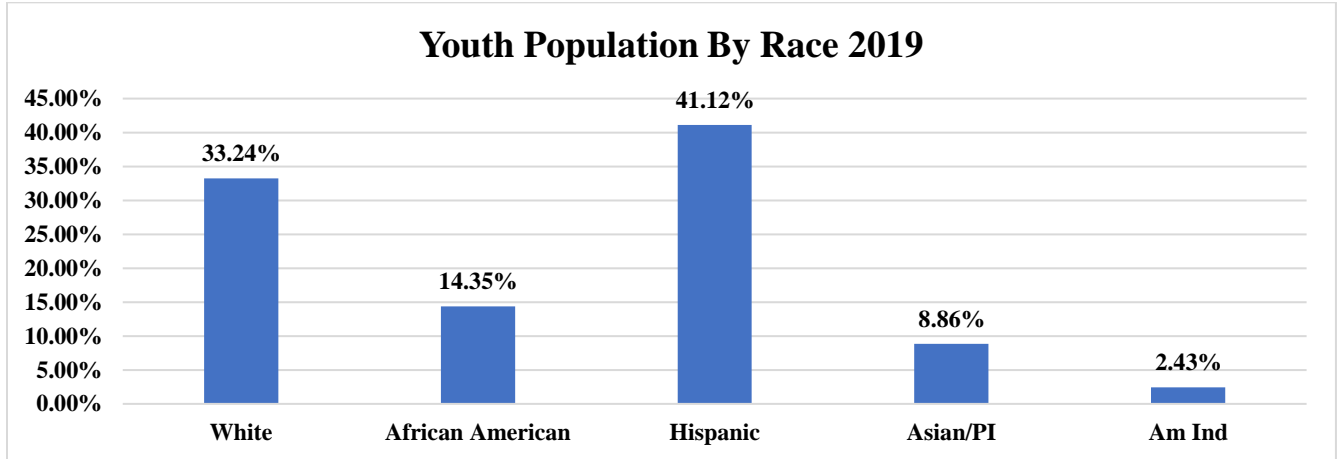
The Easy Access to Juvenile Populations (EZAPOPOP) website at www.ojjdp.gov/ojstatbb/ezapop/ estimates the total population in Nevada as of December 1, 2019 was 2,998,039 with 24 percent of the total population consisting of youth ages 0 – 17 years.

In Table 1, 4 the EZAPOPOP website breaks down racial and ethnic background in Nevada, by county, for youth ages 0 to 17 years (Retrieved from www.ojjdp.gov/ojstatbb/ezapop/, February 7, 2020).

Table 1: Youth Demographics

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

Table 2: Youth Population by Race



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

Table 3: Historical Population Data

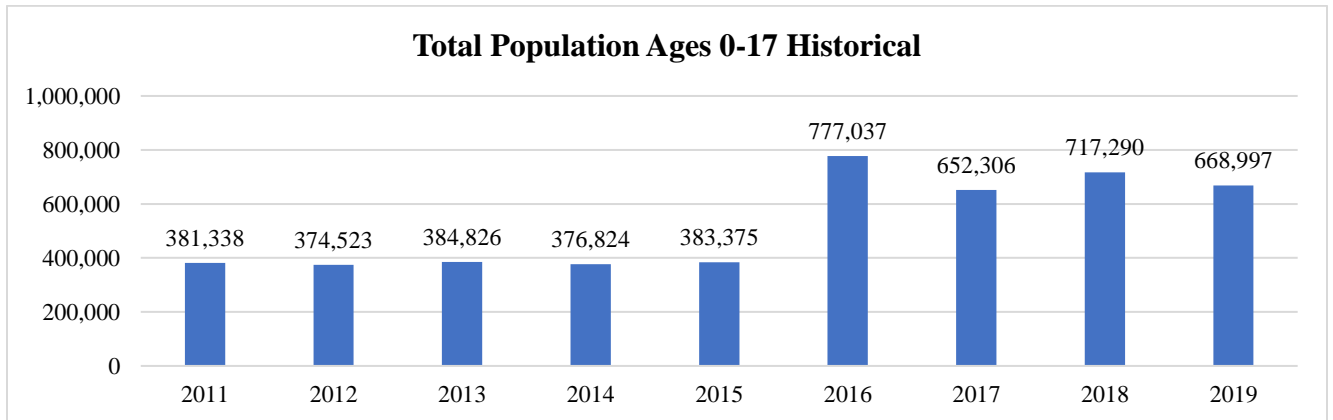
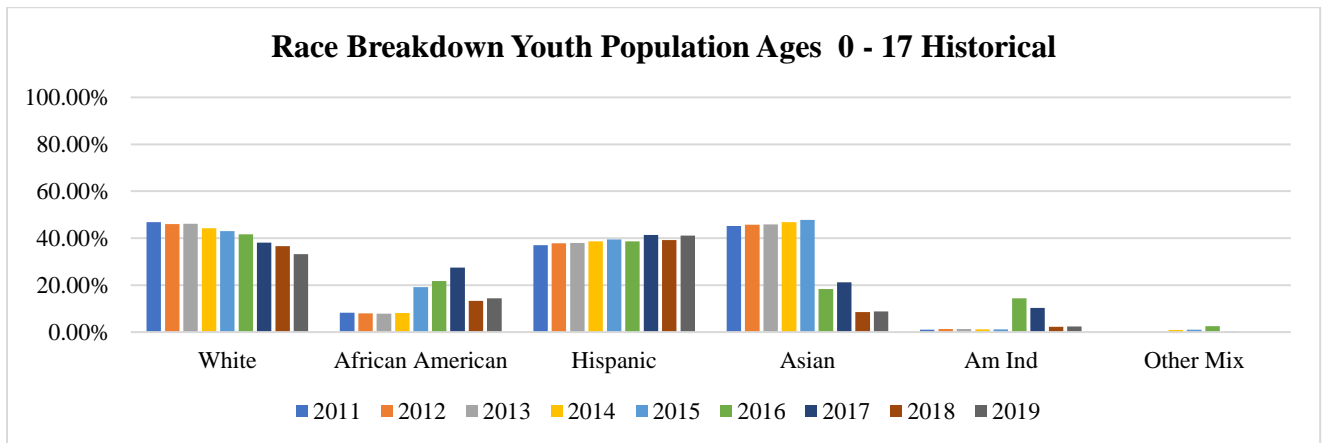


Table 4: Historical Race Breakdown



A snapshot of juvenile populations and a breakdown of race from 2011 to 2019.

Table 5: Juvenile Crime Data/Contact Points for 2019

County	Total Youth	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Probation	Placed In County Camp	Diverted	Petitioned	Delinquent
Carson	11243	546	248	248	5	1	78	15	369	92	57
Churchill	5574	597	279	272	5	0	36	7	234	217	180
Clark	517629	11,602	5491	2471	179	60	2,293	208	7010	3846	2633
Douglas	7917	418	33	78	1	1	15	17	418	53	151
Elko	14298	390	329	207	2	0	122	5	41	176	0
Esmeralda	126	0	0	0	0	0	0	0	0	0	0
Eureka	476	4	1	0	0	0	2	0	1	3	3
Humboldt	4537	408	87	55	3	0	11	0	82	27	90
Lander	1482	83	8	8	1	0	4	1	49	22	34
Lincoln	1031	13	1	0	0	0	7	0	0	10	10
Lyon	11946	693	81	81	2	0	53	6	365	132	231
Mineral	888	23	3	3	0	0	1	0	17	24	9
Nye	7618	282	267	35	7	1	52	11	105	107	62
Pershing	1086	57	12	12	1	0	9	0	7	25	23
Storey	486	14	3	3	0	0	2	0	11	0	0
Washoe	100776	3,315	1441	855	38	2	391	42	1442	895	391
White Pine	1884	164	30	12	1	0	17	5	26	36	52
Total	688997	18609	8314	4340	245	65	3093	317	10177	5665	3926

Data provide by individual county.

There was a decrease in overall youth population from 2018 to 2019, as well as every contact point with exception of “placed in county camp” and “adult certification”.

Based on the Nevada Youth Population for 2019, less than three percent of the overall youth in Nevada touches the criminal justice system at the front end (referral), with roughly one percent of the total referrals entering the deep end (confinement) of the system.

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

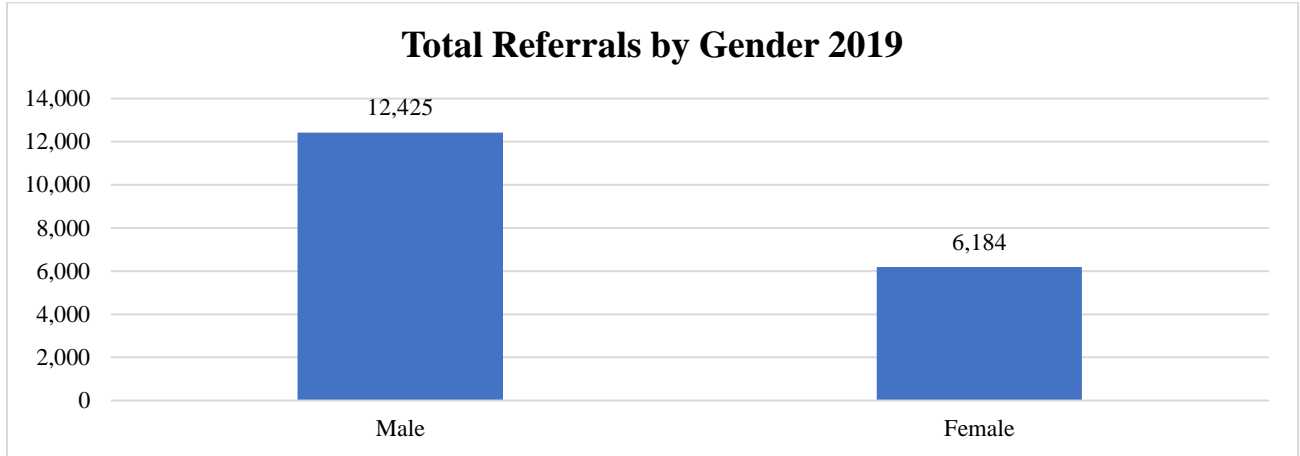
Table 6: Gender Breakdown

	Referrals	Arrests	Sec/ Det County	Confined State	Certified	Probation	Placed In County Camp	Diverted	Petitioned	Delinquent
Males	12425	5991	3215	186	59	2448	286	6751	4256	2998
Females	6184	2323	1125	59	6	645	31	3426	1409	928
Total	18609	8314	4340	245	65	3093	317	10177	5665	3926

Referral

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

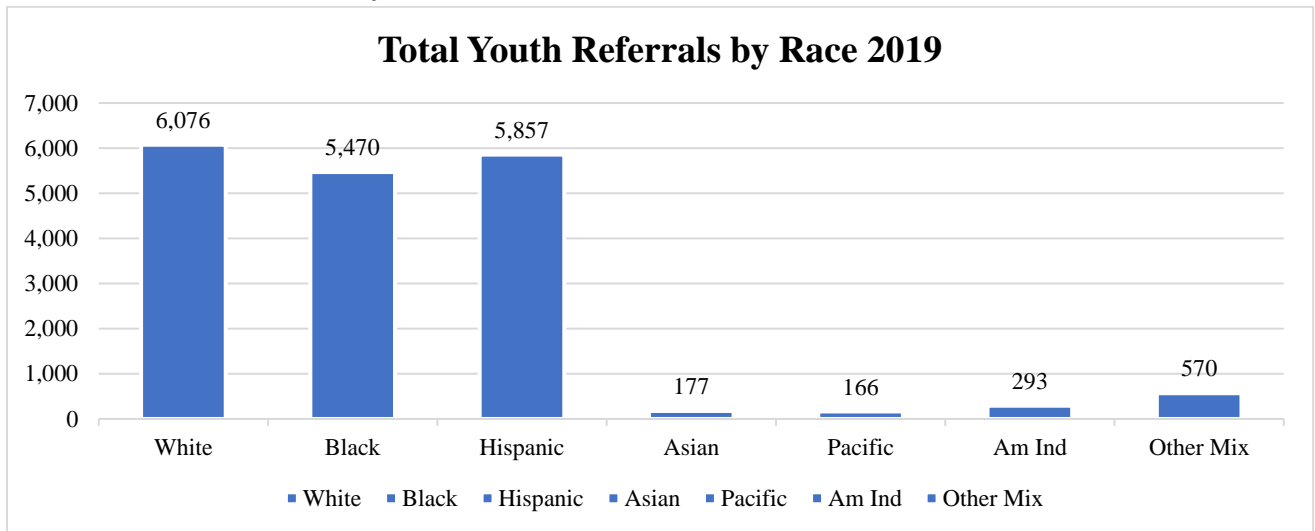
Table 7: Total Referrals by Gender



There were 18,609 total referrals to the juvenile justice system in 2019; 65% of those referrals were males.

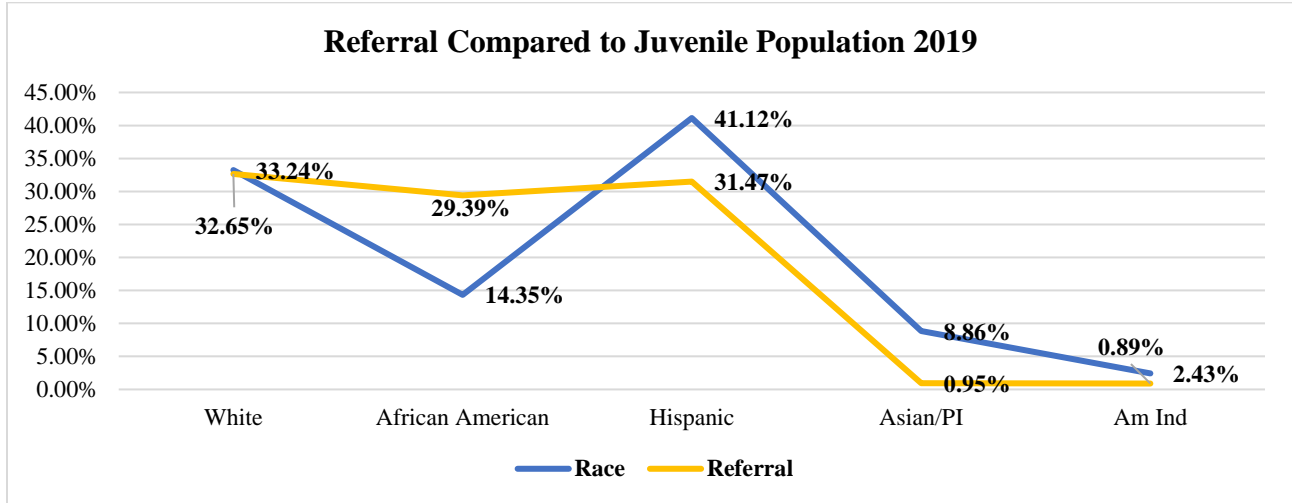
There is gender disparity in the juvenile justice system in that 67 percent of all referrals are males, but they make up only 51 percent of the total youth population in Nevada.

Table 8: Total Referrals by Race



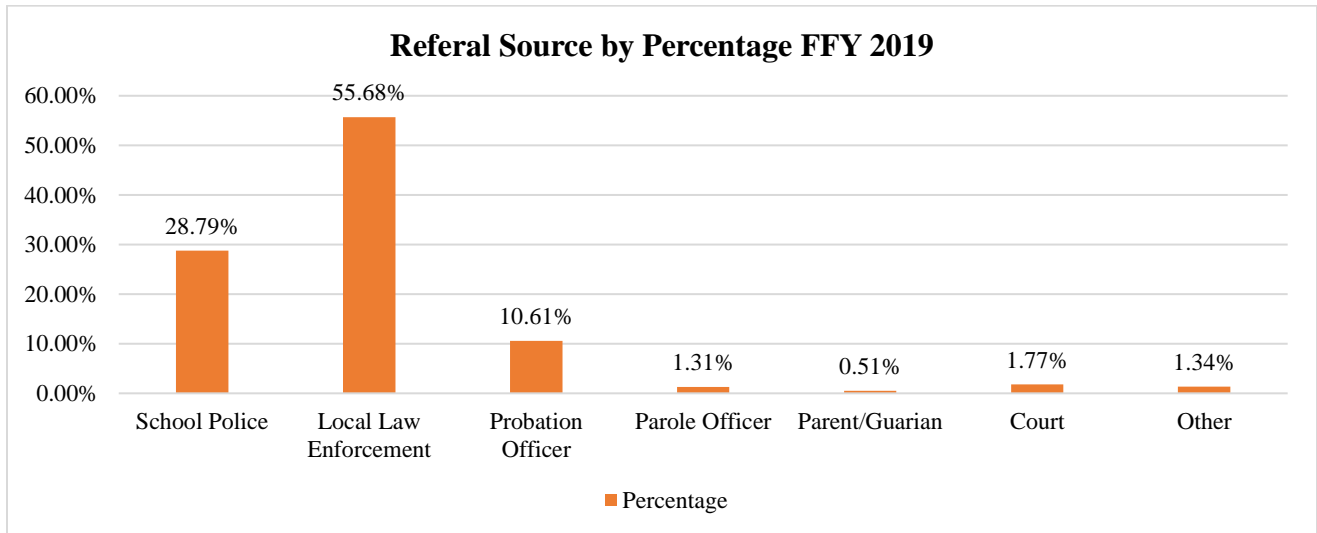
White youth make up 33% of the total youth population and 32% of the total referrals. Hispanic youth make up roughly 41% percent of the total population and 31% of the total referrals. African American youth make up 14% of the total population and 31% of the total referrals.

Table 9: Comparison of Referral/Population (Race)



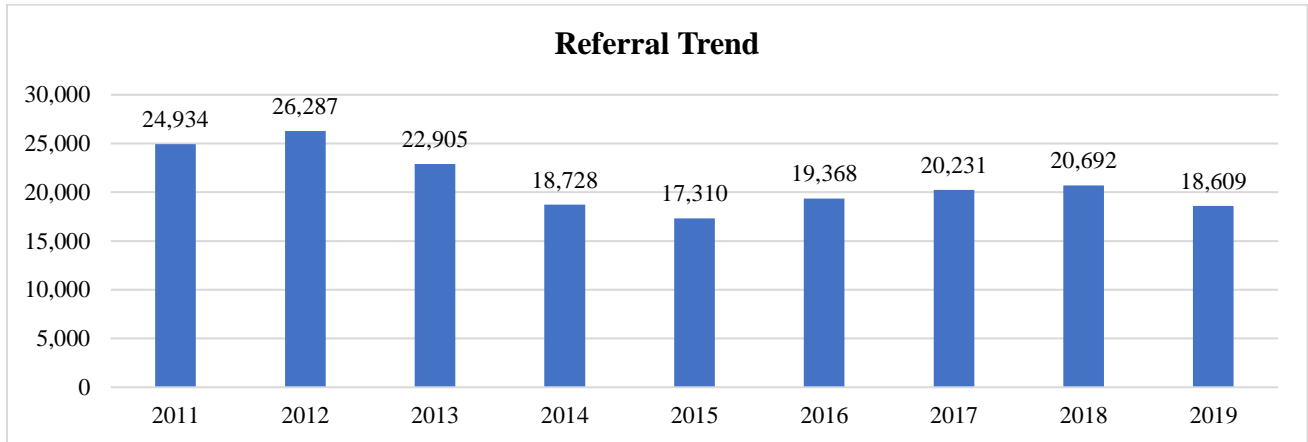
Based on this data alone, disparity is found within two minority groups; 1) a higher rate of referrals for African American youth, and 2) a lower rate of referrals for Hispanic youth, based on the overall population of Nevada. In addition, disparity is seen with Asian youth and American Indian youth with greater referrals to the system as compared to the overall population.

Table 10: Referral Source



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

Table 11: Referral Trend

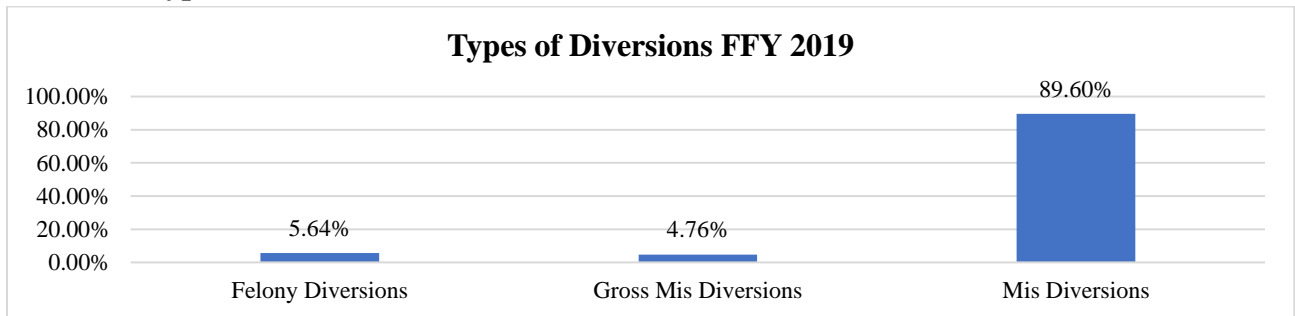


Referrals have fluctuated slightly over the last 5 years but are still far below the peak in 2012.

Diversions

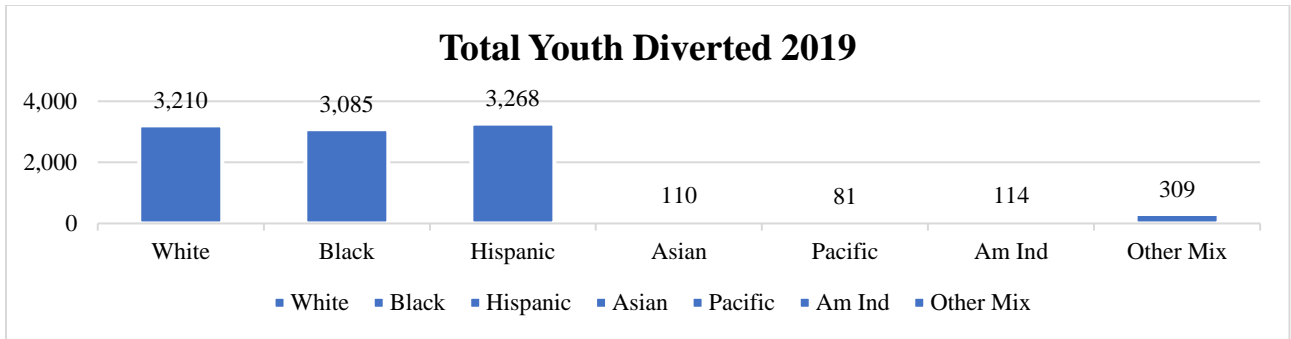
Diversions are designed to hold youth accountable for their actions while avoiding formal court processing or submerging youth deeper into the juvenile justice system. Diversions can include informal probation, other informal activities, or another form of diversion ordered by the juvenile court. The number of diversions is based on the number of referrals to the system.

Table 12: Types of Diversions



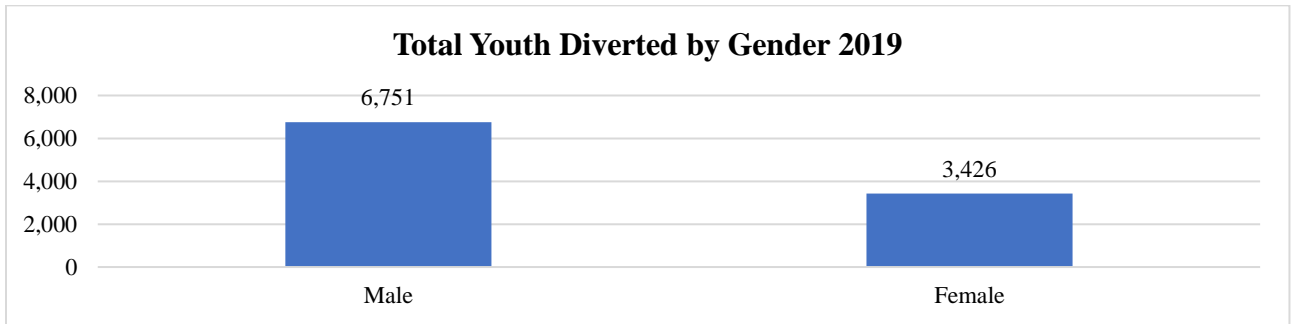
Local jurisdictions diverted close to 55 percent of all referrals. The above chart indicates what types of charges were diverted from the system.

Table 13: Total Diversions



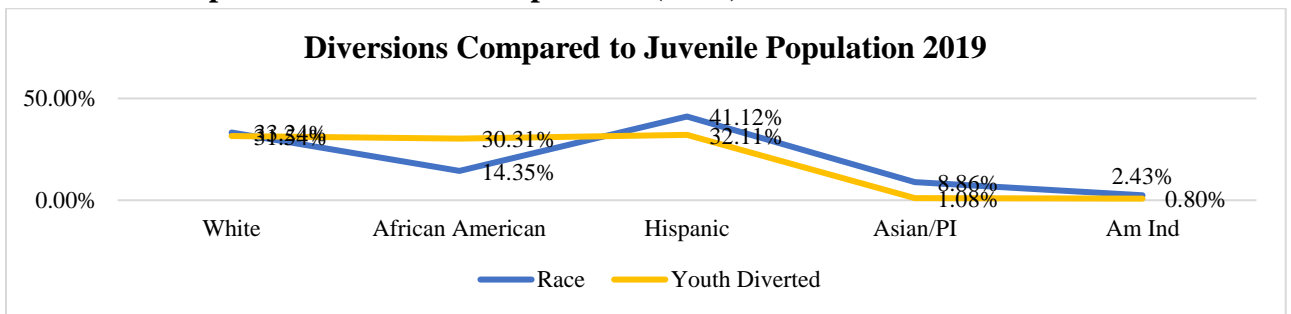
There were 10,177 diversions from the system which represents slightly less than 55 percent of all referrals to the system. The greatest number of youth diverted from the system are Hispanic youth, followed by White and African American youth.

Table 14: Diversions by Gender



The number of males diverted from the system is indicative of the fact that roughly 60 percent of all referrals are males.

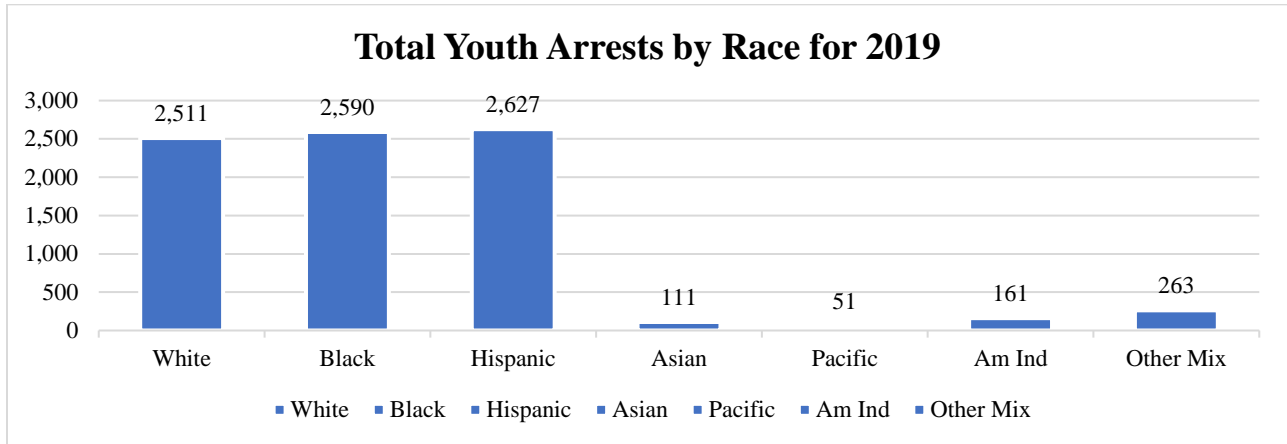
Table 15: Comparison of Diversion/Population (Race)



Diversions compared to the overall youth population breakdown indicates that a disproportionate number of African American youth are system involved but are also diverted from the system at a slightly lower rate than White youth.

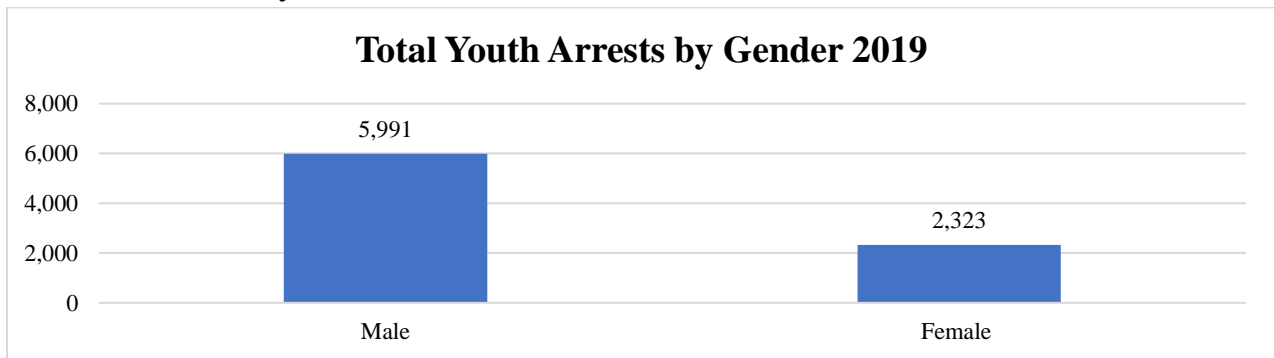
Arrest

Table 16: Total Arrests



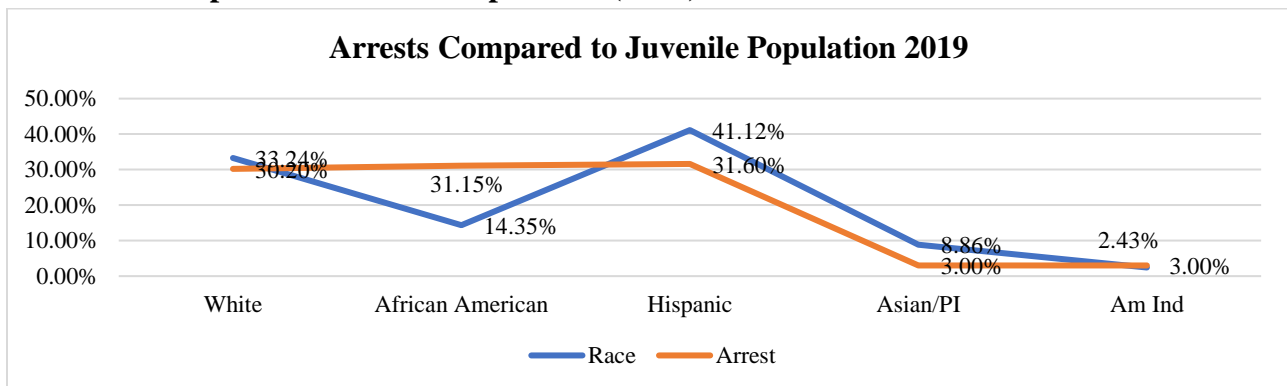
The largest racial group at arrest was Hispanic, African American, with White coming in third. The racial breakdown in Nevada indicates Hispanics as the 41 percent of the youth population so there is no disparity found in the number of Hispanic arrests.

Table 17: Arrests by Gender



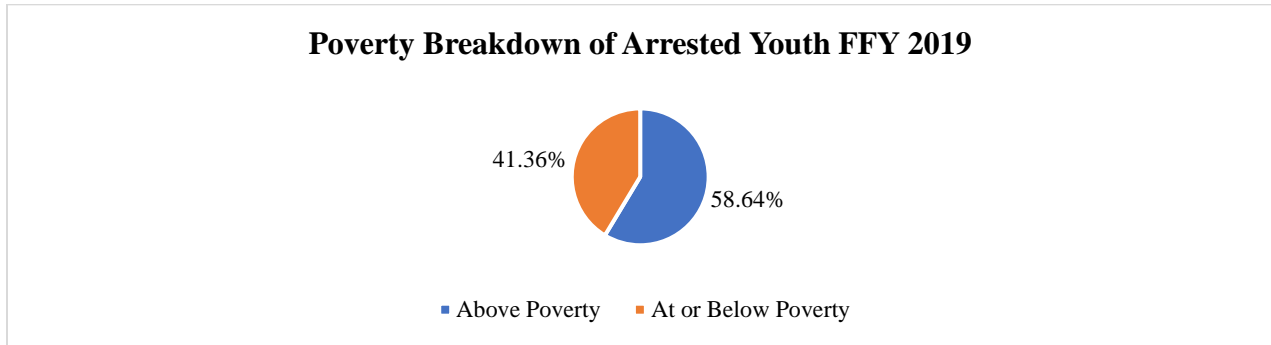
72 percent of all arrests are male.

Table 18: Comparison of Arrest/Population (Race)



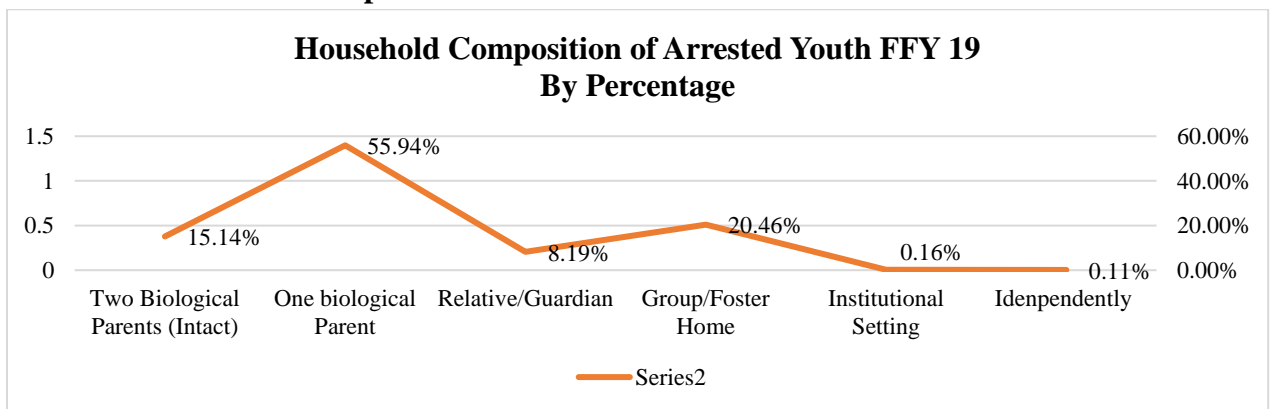
This comparison indicates disparity in the African American population and slightly within the Native American/American Indian population.

Table 19: Poverty Breakdown of Arrested Youth



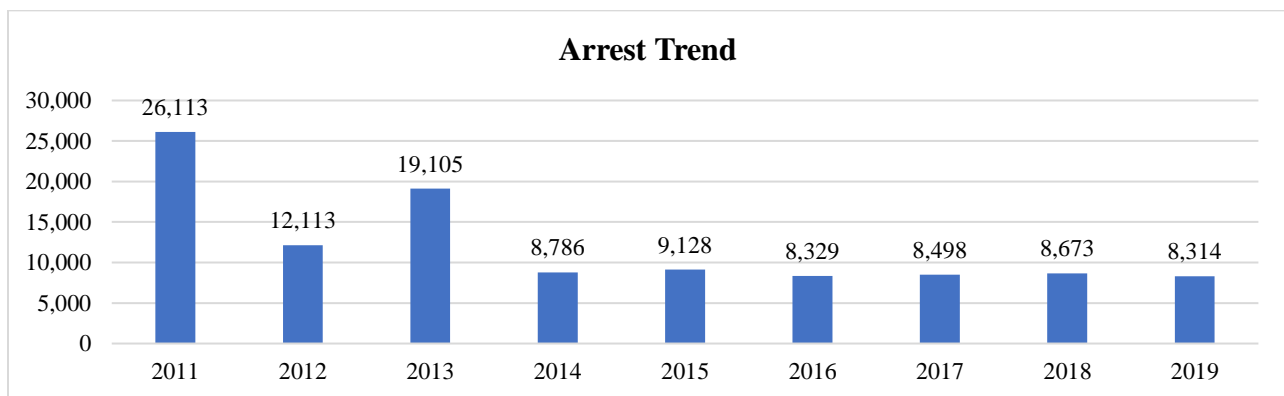
Just over 41 percent of arrested youth live at or below the poverty line.

Table 20: Household Composition of Arrested Youth



Fifteen percent of arrested youth have an intact family (i.e., two biological or adoptive parents in the home). Close to 30 percent of youth are in a household without either parent.

Table 21: Arrest Trend



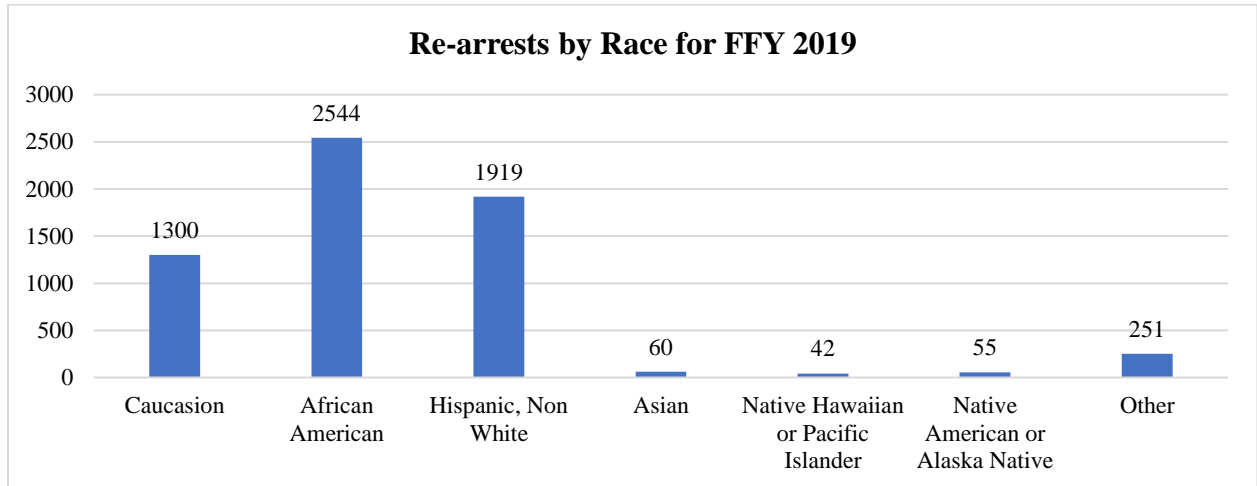
The total number of arrests in 2019 is less than any of the 9 years presented. The peak was 2011.

Recidivism

The state made its first attempt to collect data for re-arrests in FFY 2019. Based on data from roughly half of the jurisdictions, the total number of re-arrests were 6,171 as compared to 8673 total

arrests in FFY 2018. However, the state has not been able to break this data down to verify how many individuals were arrested in both FFY 2018 and in FFY 2019. Based on the 6,171 reported re-arrests, the rate of recidivism is 71.15 percent.

Table 22: Re-Arrests by Race



Seventy-nine percent of all re-arrests were minority youth; with 41 percent African American youth alone.

Table 23: Top 10 Most Common Charges in Nevada

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

Status Offenders

There were 291 reported status offender arrests in 2019. Forty of those status offenders remained in custody greater than twenty-four (24) hours; 9 were actually violations and 2 uses of a valid court order.

Table 24: Breakdown of Status Offenses/Offenders

Total Number of Status Offences Placed in Juvenile Detention N= 291	Number	Percentage
Total Number	291	
Total Number of Males	153	53%
Total Number of Females	138	47%
Total Number White	157	54%
Total Number Minority	123	42%
Total Number Unknown Race	11	4%
Average Age	15.4	Average Age Females: 15.56 Average Age Males: 15.26
OFFENSE BREAKDOWN N = 291	Number	Percentage
MIC	48	16%
Runaway	81	28%
Incorrigible	34	12%
CHINS	104	36%
Curfew	24	8%
Total Number of MIC's Placed in Juvenile Detention Not a Status Offense in Nevada N = 48	Number	Percentage
Total Number	48	
Total Number of Males	31	65%
Total Number of Females	17	35%
Total Number White	24	50%
Total Number Minority	23	48%
Total Number Unknown Race	1	2%
Average Age	16.52	Average Age Females: 16.38 Average Age Males: 16.59

Table 25: Breakdown of Status Offenders Violation and those Held Greater than 24 Hours

DSO - VIOLATIONS	9	22.5%
VALID COURT ORDER	2	5%
NON- VIOLATIONS (Breakdown below)	29	72.5%
MIC – not a status offense in Nevada	2	7.0% (out of non-violations)
WEEKEND	9	31.0% (out of non-violations)
OUT OF STATE RUNAWAYS	8	27.5% (out of non-violations)
DELIQUENT OFFENSE ADDED SUCH AS VIOLATION OF PROBATION	10	34.5% (out of non-violations)
OFFENSE BREAKDOWN OF THOSE HELD 24 HOURS OR GREATER N = 40		
MIC	5	12%
Runaway	16	40%
Incorrigible	6	15%
CHINS	13	33%

For 251 reported status offenders held under 24 hours, the minimum time held was 1 minute and the max was 23 hours and 10 minutes. The average time 5 hours and 14 minutes.

Table 26: Breakdown of Status Offenders Held Less than 24 Hours

Total Number of Status Offenses Under 24 Hours N = 251		
	Number	Percentage
Total Number	251	
Total Number of Males	139	55%
Total Number of Females	112	45%
Total Number White	130	52%
Total Number Minority	111	44%
Total Number Unknown Race	10	4%
Average Age	15.27	Average Age Females: 15.41 Average Age Males: 15.16
OFFENSE BREAKDOWN OF THOSE HELD LESS THAN 24 HOURS N = 251		
MIC	36	14%
Runaway	70	28%
Incorrigible	28	11%
Curfew	25	10%
CHINS	92	37%
RELEASE TIME OF THOSE HELD 24 HOURS OR LESS (291 – 40 = 279) N = 251		
	Number	Percentage
Less than 1 hour	22	9%
1 hours to 3 hours	103	41%
3 hours to 6 hours	60	24%
6 hours to 12 hours	32	12%
12 hours to 24 hours	34	14%

Adult Jails/Lockups

In 2019, a total of 3 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. One youth lied about their age and 1 youth produced a fake ID listing her age as 26 years. When youths real ages were discovered, they were immediately released. These instances were well documented and verified; neither counted as a violation based on the appropriate actions taken once the youths' real ages were discovered.

All three youth were females, and all were minority youth.

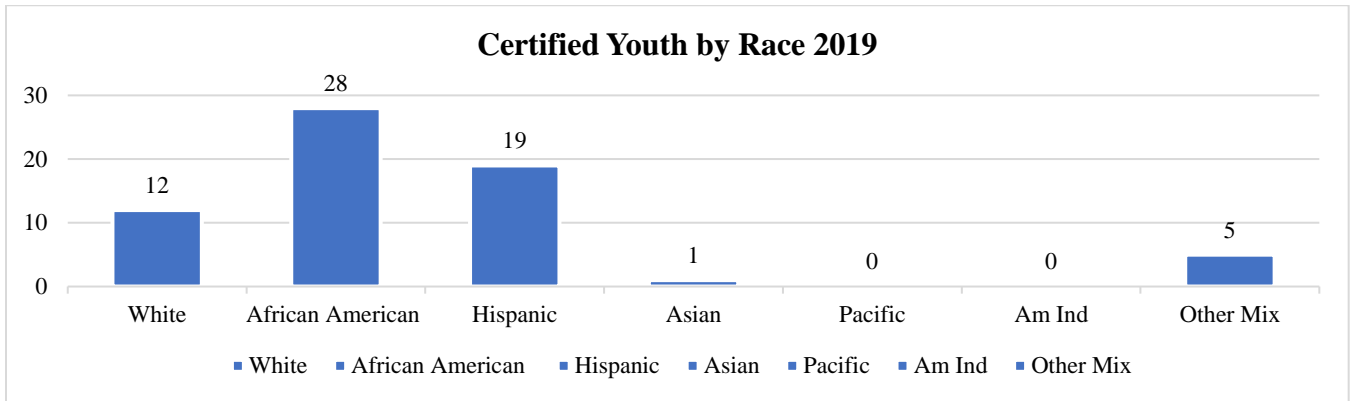
There were no status offenders locked up in adult jails or lock ups.

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.

Table 27: Certified Youth by Race



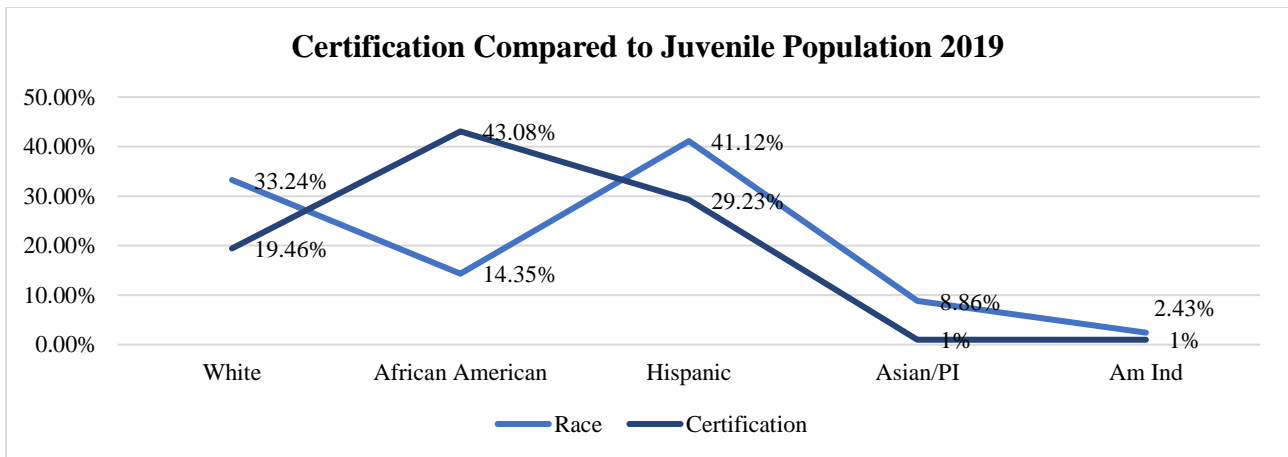
Approximately 80% of all certified youth are minority youth, with 43 percent African American youth.

Table 28: Certified Youth by Gender



The state saw an increase in female certifications, but overall, certifications are mostly males.

Table 29: Comparison of Certified Youth/Population (Race)



African American and Hispanic youth are disproportionately represented at the certification contact point.

State Statutes on Direct File and Certification

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

“...For the purposes of this section, each of the following acts shall be deemed not to be a delinquent act, and the juvenile court does not have jurisdiction over a person who is charged with committing such an act:

(a) Murder or attempted murder and any other related offense arising out of the same facts as the murder or attempted murder, regardless of the nature of the related offense.

(b) Sexual assault or attempted sexual assault involving the use or threatened use of force or violence against the victim and any other related offense arising out of the same facts as the sexual assault or attempted sexual assault, regardless of the nature of the related offense, if:

(1) The person was 16 years of age or older when the sexual assault or attempted sexual assault was committed; and

(2) Before the sexual assault or attempted sexual assault was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.

(c) An offense or attempted offense involving the use or threatened use of a firearm and any other related offense arising out of the same facts as the offense or attempted offense involving the use or threatened use of a firearm, regardless of the nature of the related offense, if:

(1) The person was 16 years of age or older when the offense or attempted offense involving the use or threatened use of a firearm was committed; and

(2) Before the offense or attempted offense involving the use or threatened use of a firearm was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.

(d) A felony resulting in death or substantial bodily harm to the victim and any other related offense arising out of the same facts as the felony, regardless of the nature of the related offense, if:

(1) The felony was committed on the property of a public or private school when pupils or employees of the school were present or may have been present, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties; and

(2) The person intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person.

(e) Any other offense if, before the offense was committed, the person previously had been convicted of a criminal offense.”

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

Nevada statute outlines the **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

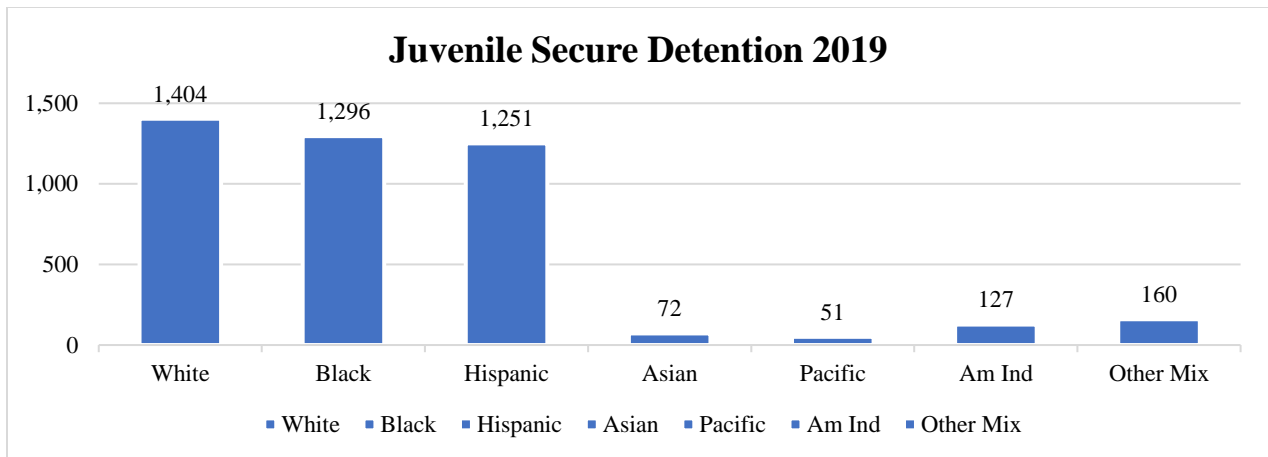
(c) If the child's case is transferred back to the juvenile court, the juvenile court shall determine whether the exceptional circumstances warrant accepting jurisdiction.

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

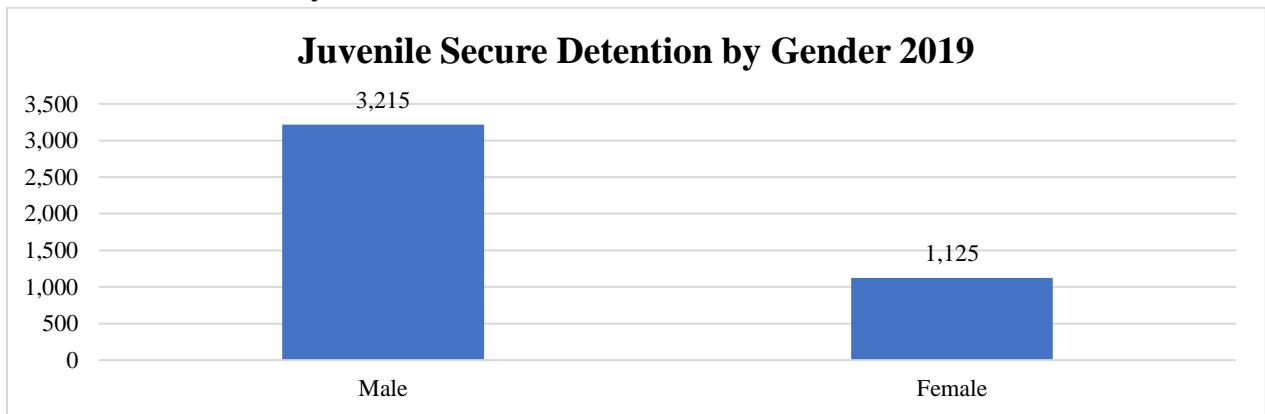
Seven (7) of Nevada's seventeen (17) counties operate a juvenile detention facility. Those counties that do not operate a juvenile detention facility contract with those nearby counties that do have a facility for detention services. Secure detention includes only those youth who are placed in a county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

Table 30: Detention by Race



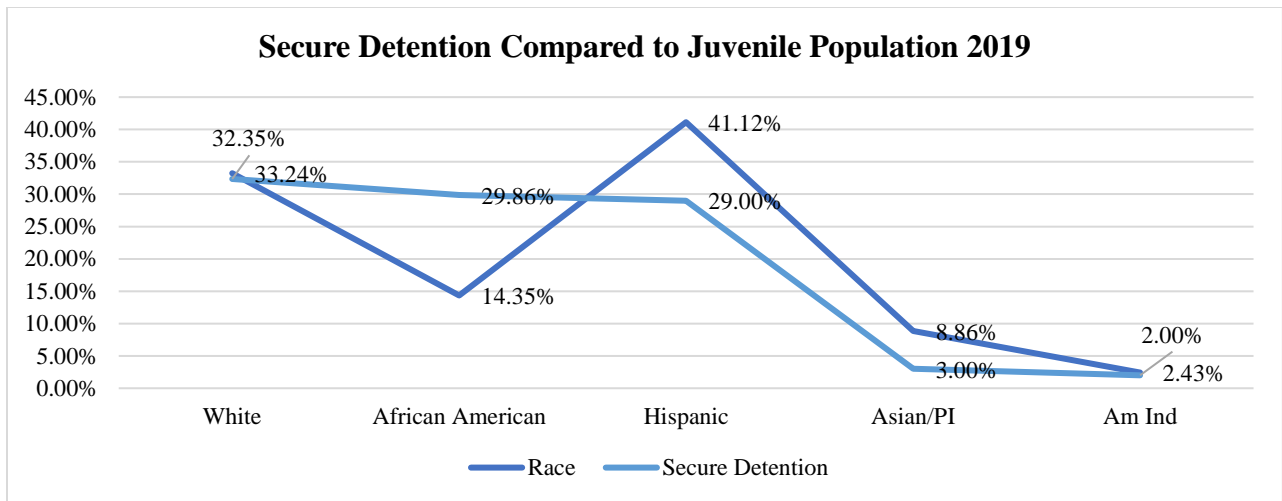
In 2019, most of the total youth placed in detention were White youth. This is a shift from 2018 when most of the youth placed in detention were African American.

Table 31: Detention by Gender



Seventy-two percent of all arrests in 2019 were male so it is assumed that the number of detention placements would be similar; however, it is slightly increased; 74 percent of all detention placements are male.

Table 32: Comparison of Detention/Population (Race)

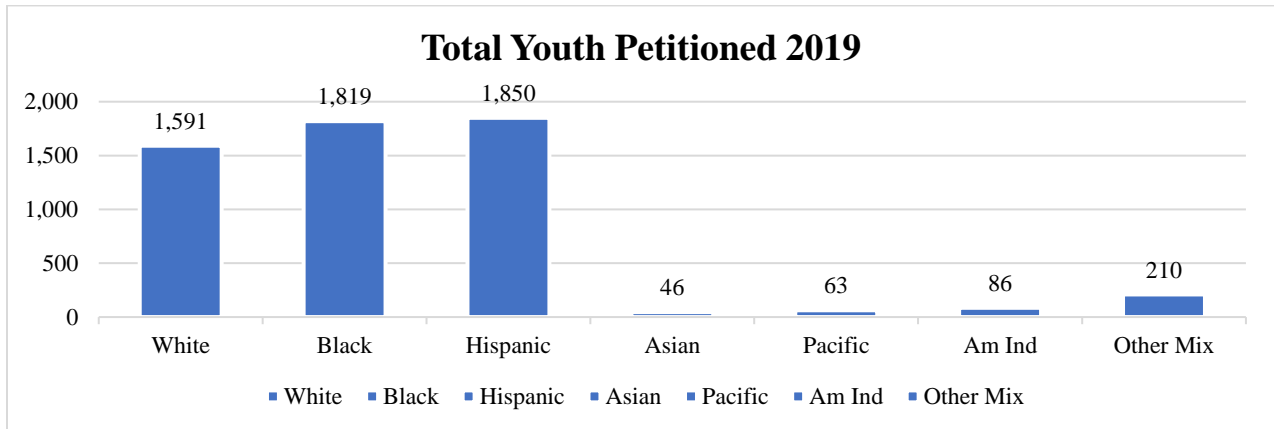


This comparison indicates disparity in the African American population and the African American youth placed into a juvenile detention facility.

Petitioned

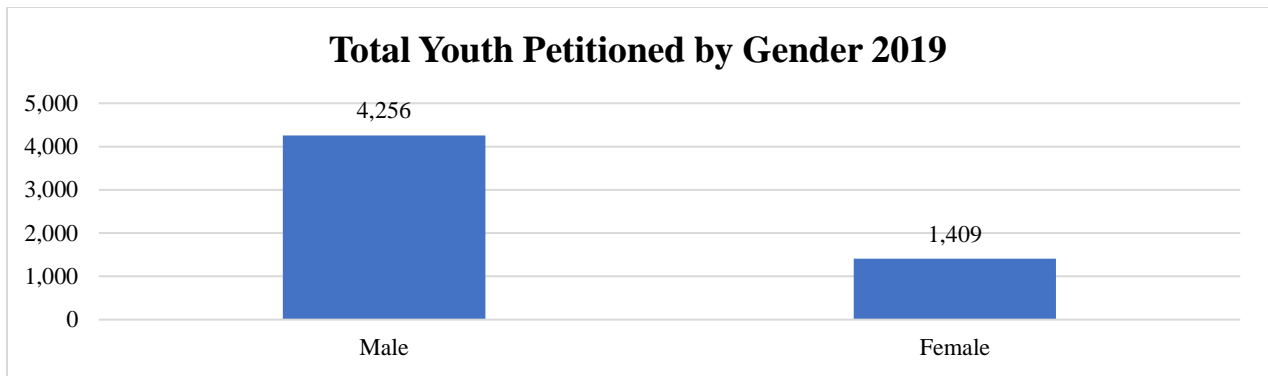
Petitioned means that a youth will face delinquent charges in juvenile court or a formal hearing process.

Table 33: Petitioned by Race



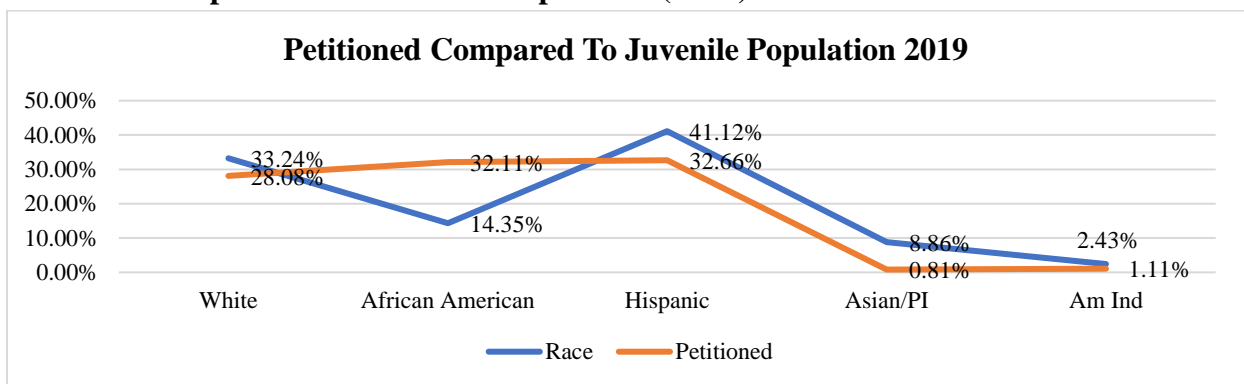
In FFY 2018, African American youth were petitioned at the highest rate, but Hispanic youth are the highest group petitioned in FFY 2019.

Table 34: Petitioned by Gender



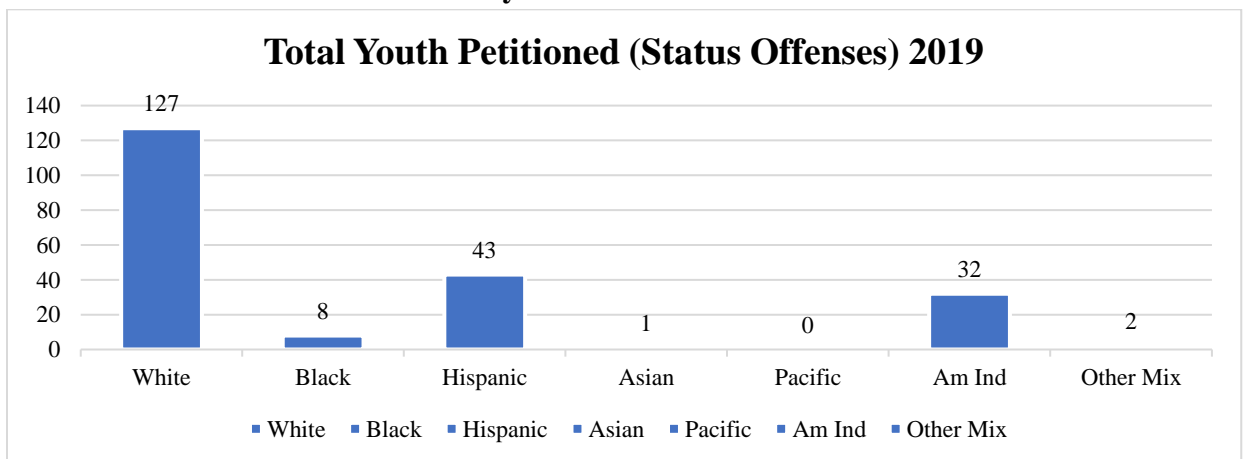
As with FFY 2018, more males than females are petitioned.

Table 35: Comparison of Petitioned/Population (Race)



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

Table 36: Status Offense Petitions by Race

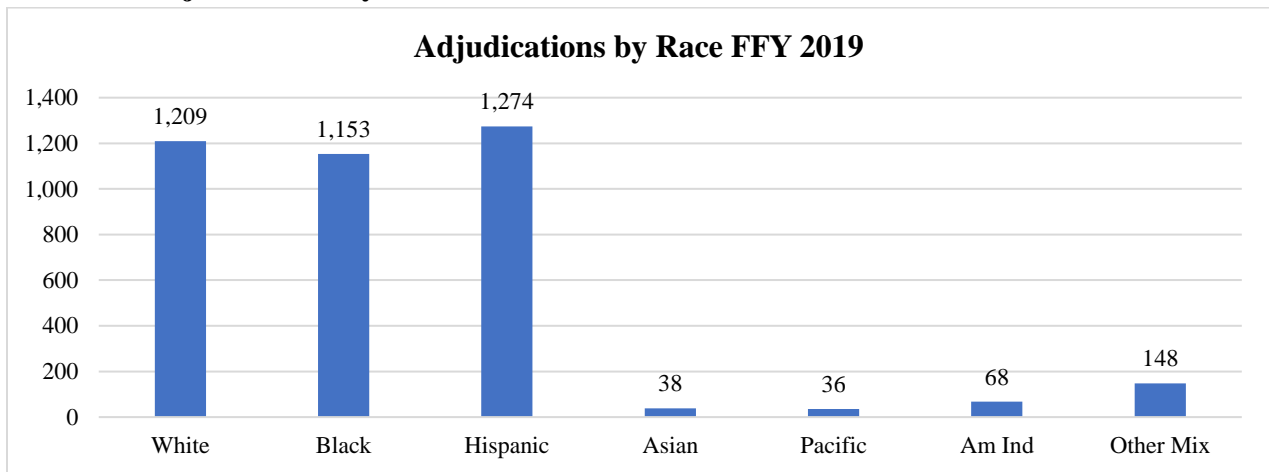


The state made its first attempt to collect data for the number of petitioned status offenses in FFY 2019. Based on data from over half of the jurisdictions, the total number of petitioned status offenses is 213 with close to 60 percent white youth petitioned under this category.

Delinquent

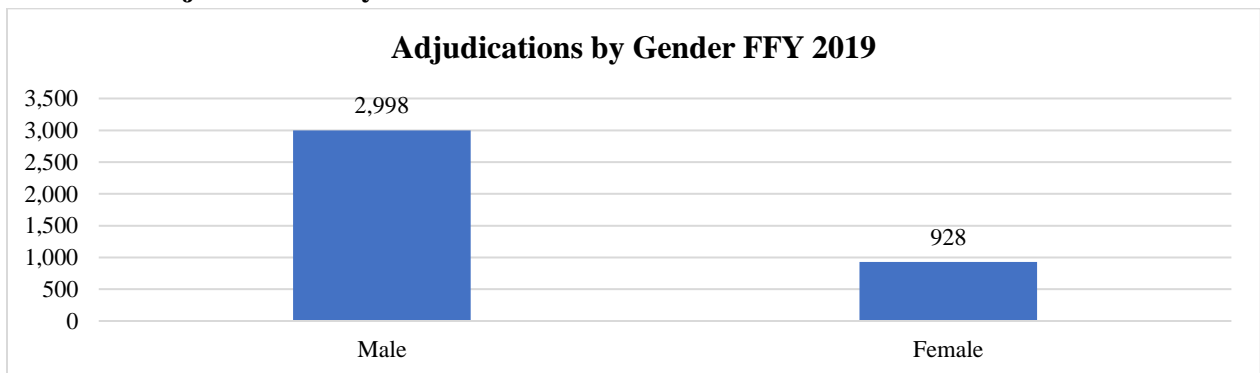
The number of adjudicated youths is greater than the number of petitioned youths in Nevada for a variety of reasons which include youth charged and adjudicated for parole/probation violations and other technical violations; therefore, the state cannot compare the number of adjudicated youths to petitioned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

Table 37: Adjudications by Race



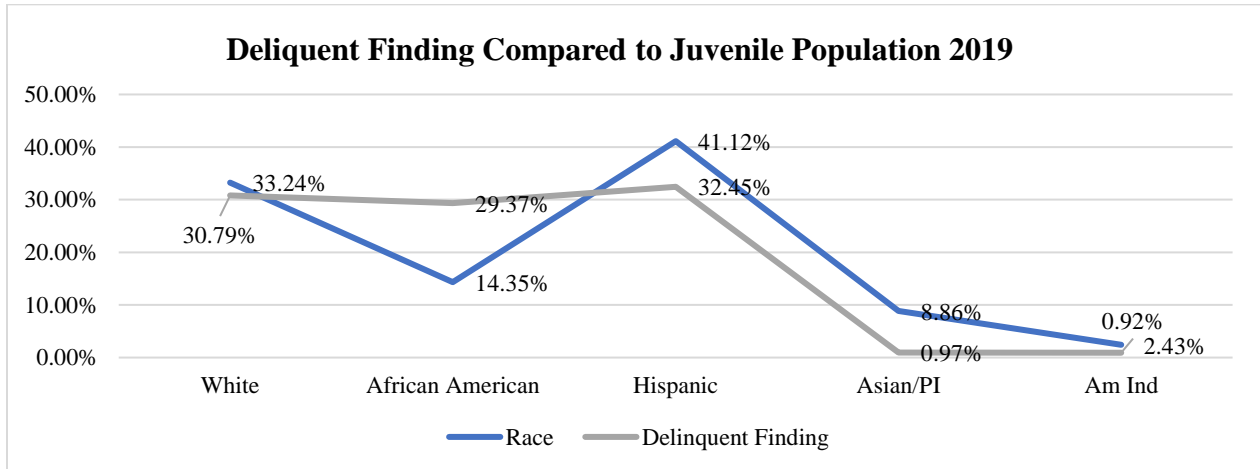
This chart indicates that African American youth were 3rd in the number of adjudications in FFY 2019.

Table 38: Adjudications by Gender



Just over 76 percent are males.

Table 39: Comparison of Adjudications/Population (Race)

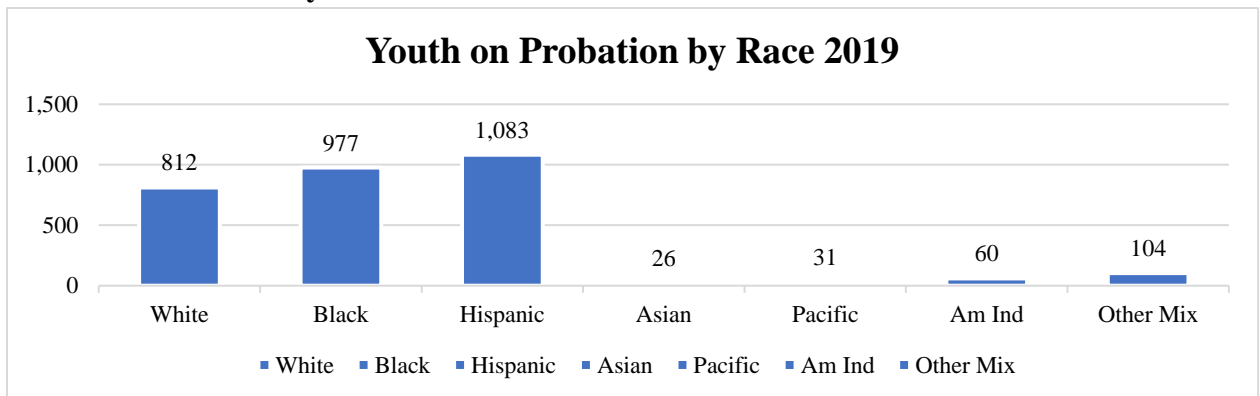


African American youth were disproportionately represented as compared to the juvenile population.

Probation

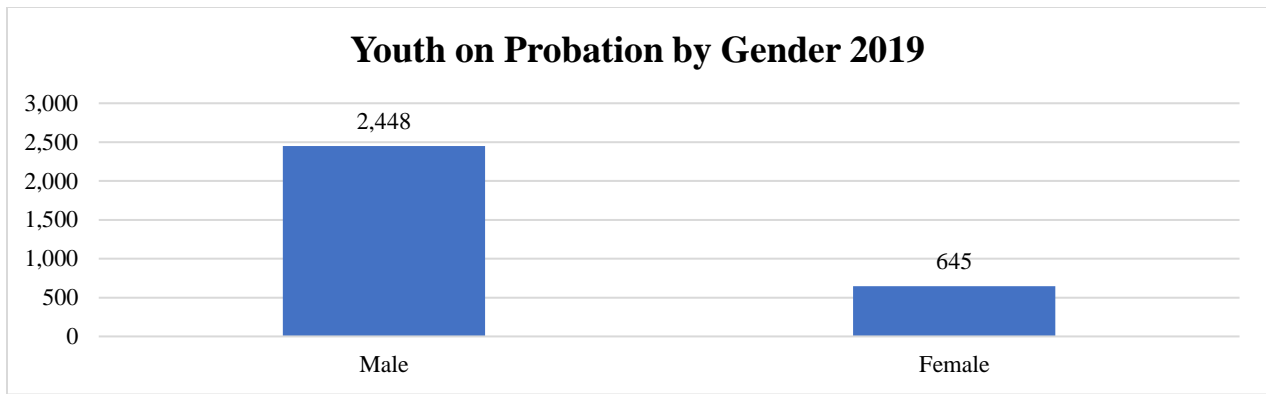
Probation in Nevada is counted as youth placed on formal probation or supervision activities through the juvenile court. Informal probation and supervision activities are captured under diversion.

Table 40: Probation by Race



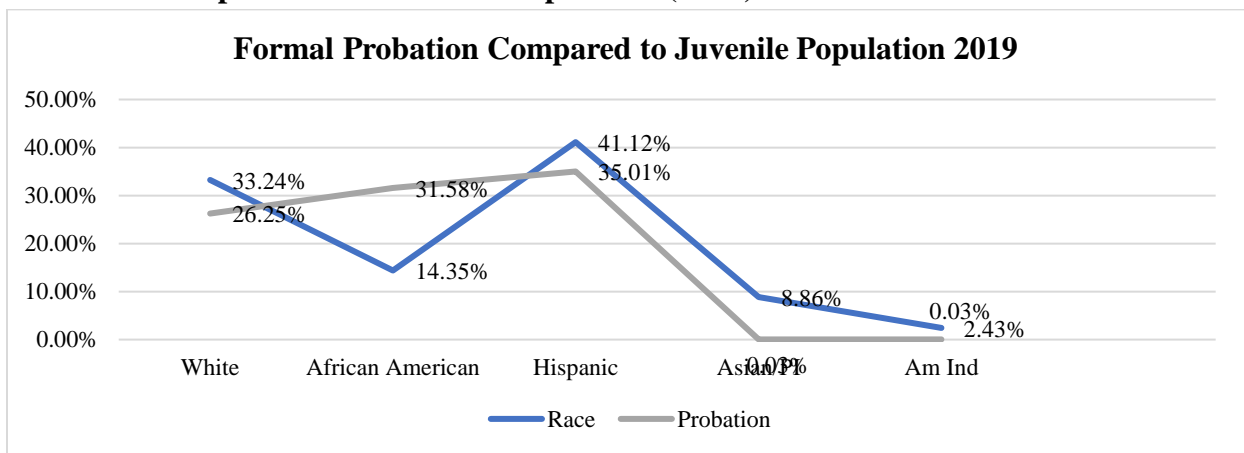
The highest number of youth placed on formal probation is Hispanic youth.

Table 41: Probation by Gender



As with other contact points; more males than females.

Table 42: Comparison of Probation/Population (Race)

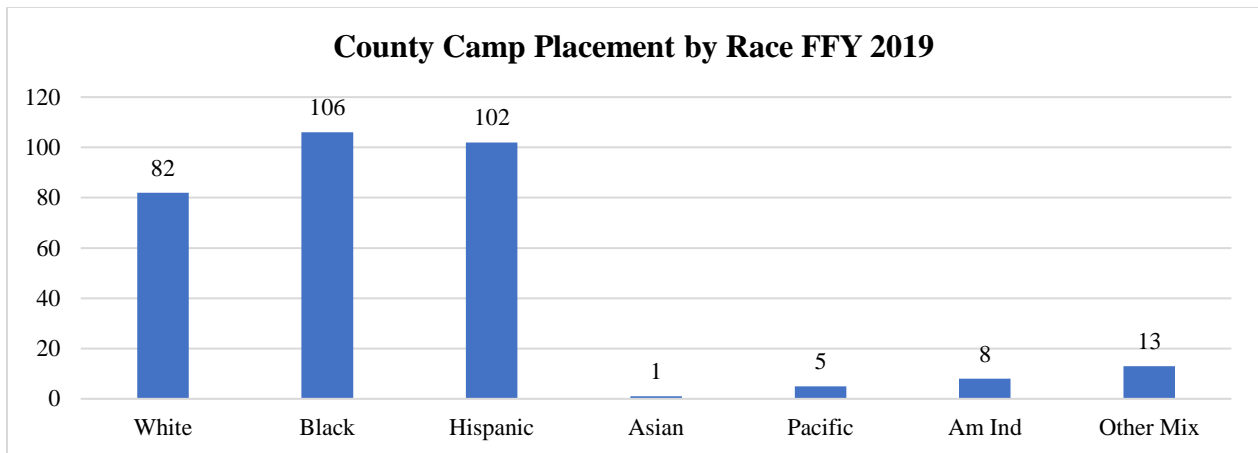


Disproportionality is found within this contact point, as with other contact points within African American youth.

County Camp Placement

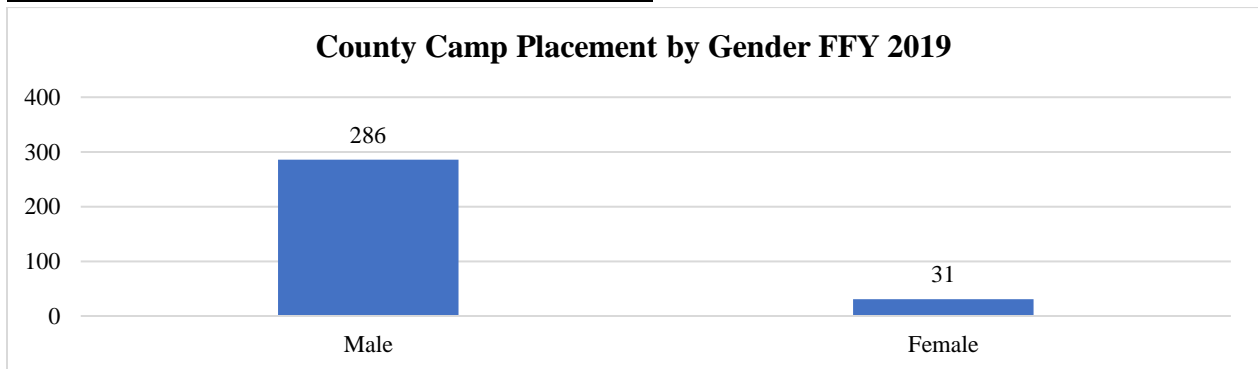
Judges in Nevada may sentence youth to extended detention stays, formal probation, county camp placement, or state custody for juvenile corrections. There are two available county camps, one is in Clark County, which is for male youth only, and one in Douglas County which accepts both males and females.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

Table 43: County Camp Placements by Race



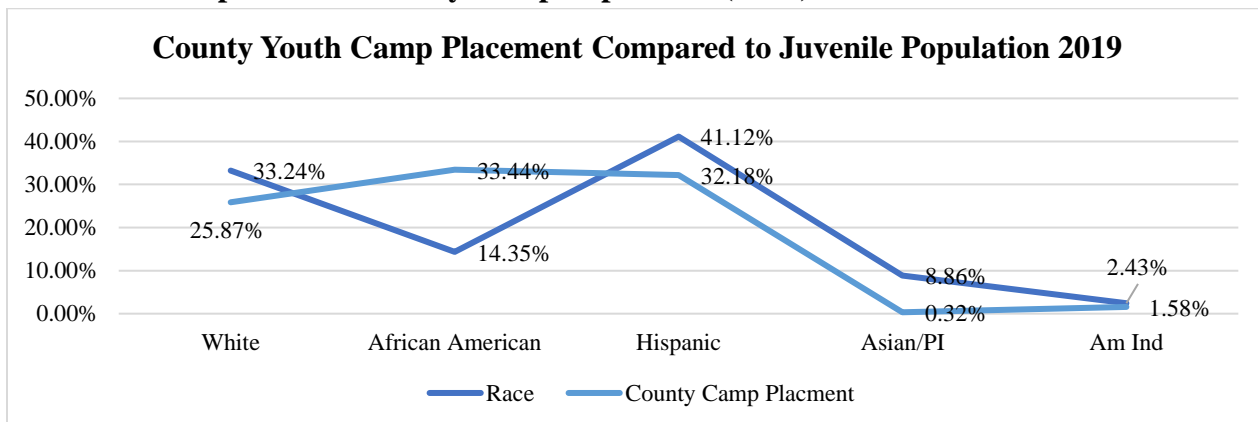
African American youth were disproportionately represented at the point of placement at a county youth camp, with Hispanic a close 2nd and White youth 3rd.

Table 44: County Camp Placements by Gender



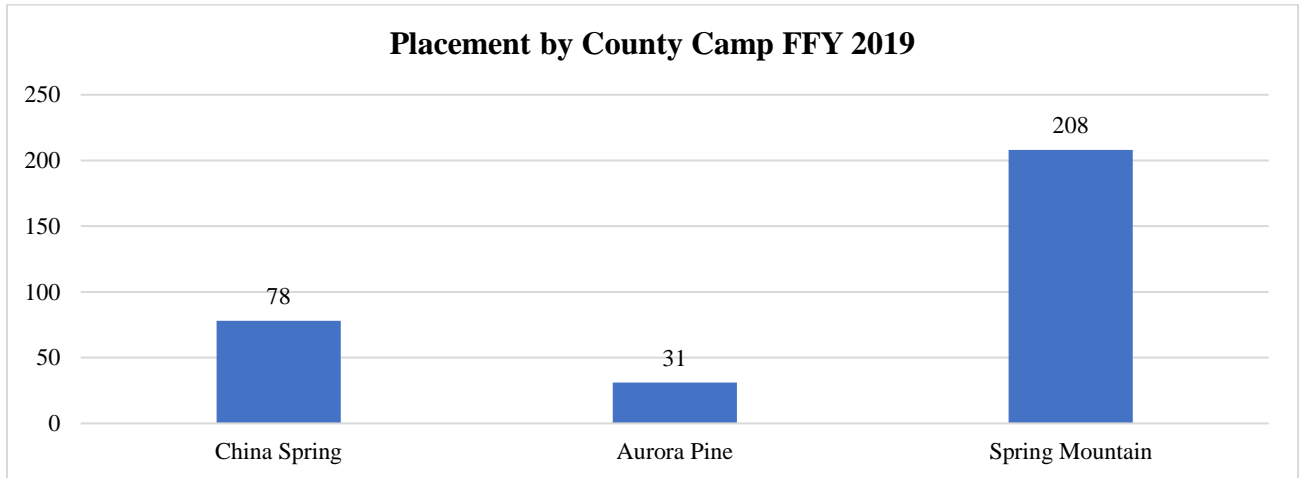
Most county camp placements are males only because there are only 16 available beds for females in the entire state while there are 124 for males.

Table 45: Comparison of County Camp/Population (Race)



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

Table 46: County Camp Placements by Camp



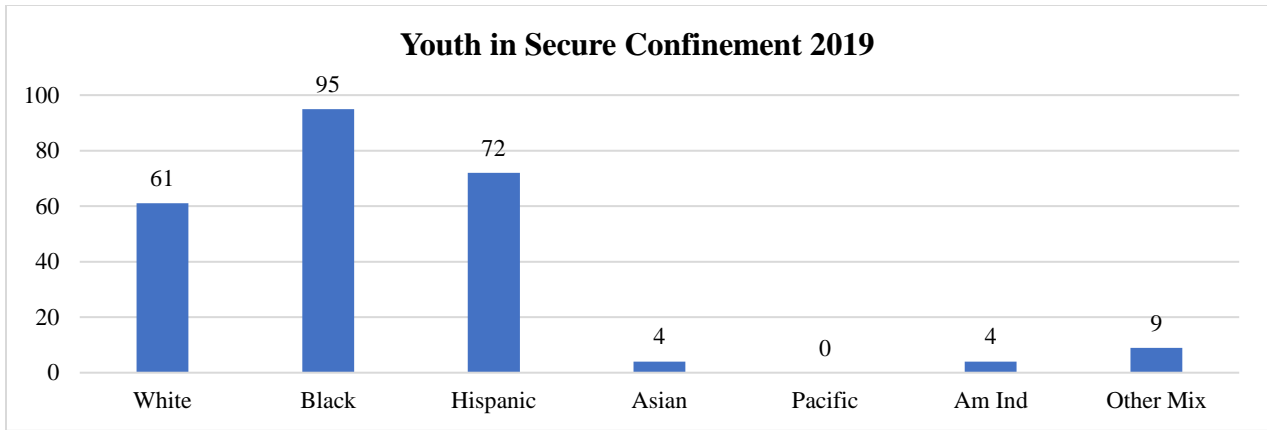
China Spring and Aurora Pine are located on the same property in Douglas County. All counties with exception of Clark County sends youth to this camp. Aurora Pine is the only camp in the state that accepts females.

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

Secure Confinement/State Custody/Correctional Placement

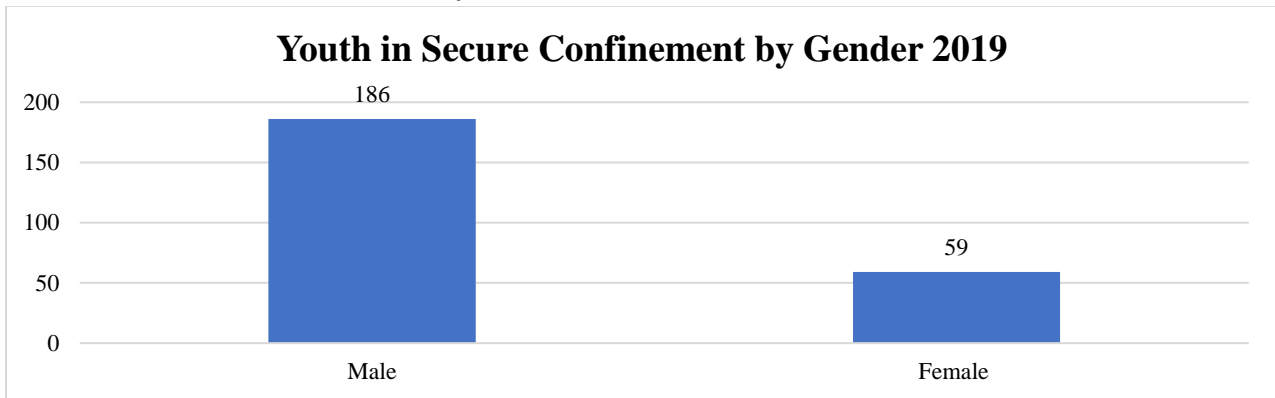
The first system involvement youth have with the state is at this point. The state provides juvenile corrections through the operation of three youth centers in the state: Nevada Youth Training Center (NYTC) in Elko, Caliente Youth Center (CYC) in Caliente, and Summit View Youth Center (SVYC) in Las Vegas. NYTC and SVYC are boys only with a combined 108 beds, while CYC has room for up to 40 females, in addition to 100 males. This is considered the deep end of the juvenile justice system in Nevada. Less than four percent of the total youth arrested in Nevada end up committed to the state for correctional services.

Table 47: Secure Confinement by Race



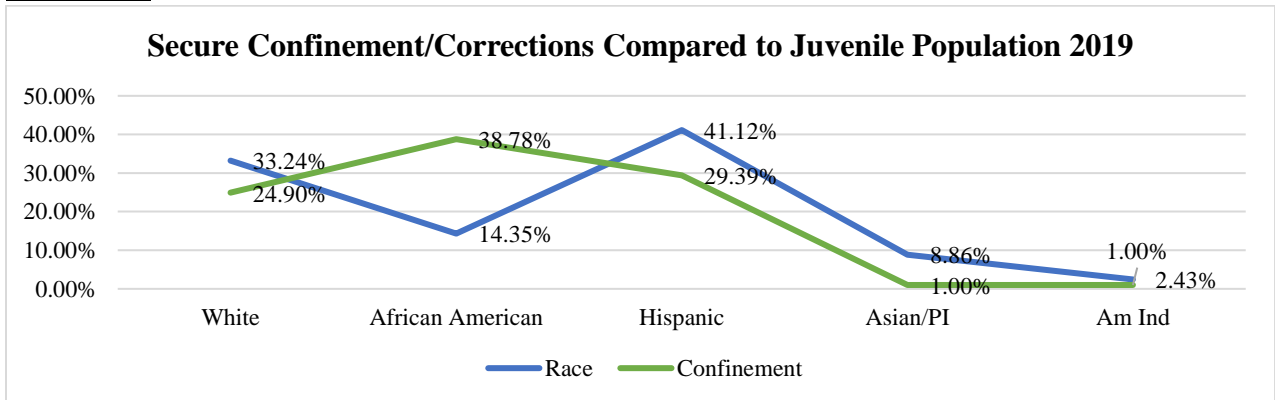
African American youth were committed to DCFS for correctional placement at a great rate than Hispanic and White Youth.

Table 48: Secure Confinement by Gender



As with county camps, there are only 40 available beds for females at any given time, and that is only if the facility is fully staffed. At times, when there are staff vacancies, there are only 24-32 female beds open at any given time.

Table 49: Comparison of Secure Confinement/Population (Race)



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

CONCLUSION

Based on the FFY 2019, African American youth are overrepresented at every contact point. A deeper dive into the data provides some clues such as African American and Hispanic youth both commit more violent crimes based on gang involvement and a possession of a weapon at arrest. However, these two data points alone do not account or explain the level of overrepresentation in the system.

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

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