

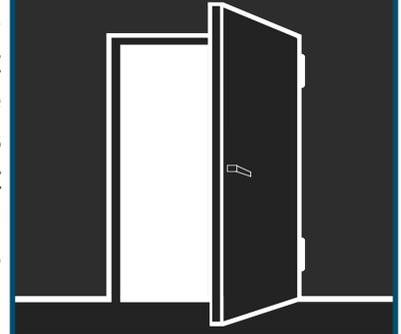
# **Juvenile Justice System Reform Act of 2017 Implementation Guide State Operated Facilities**



**A Publication by the Division of Child and Family Services to assist  
Juvenile Justice professionals in the implementation of the new  
requirements approved in the Juvenile Justice System Reform Act of  
2017 (Assembly Bill 472 of the 2017 Legislative Session)**

# Juvenile Justice System Reform Act of 2017 Implementation Guide

The State of Nevada applied for and received technical assistance through the Justice Center of the Council of State Governments. Receipt of the award triggered a year long process analyzing Nevada's Juvenile System and developing recommendations for change. That process included convening a team of Nevadans from all branches of government and all corners of the state together with national experts. The final recommendations were then included in one of Governor Sandoval's signature bills for the 2017 Legislative Session, Assembly Bill 472.



***This legislation represents a united effort by all three branches of government to better protect public safety and improve outcomes for youth in our juvenile justice system by making the system more cost-efficient and effective.***

**- Governor Brian Sandoval**

***Nevada is taking an important step toward juvenile justice system reform. We applaud the strong support of uniform performance measures and standard procedures for developing performance measures***

**- National Center for Juvenile Justice**

***This piece of legislation represents the very best of collaboration and passionate efforts to reform the system of juvenile justice in the State of Nevada***

**- Former Nevada Supreme Court Justice Nancy Saitta**

The bill passed both the Nevada Assembly and the Nevada Senate unanimously and was signed into law by Governor Sandoval on June 16, 2017. The bill has several components but most importantly:

- Creates a Juvenile Justice Oversight Commission to develop standardized performance measures and data analysis points including but not limited to youth recidivism;
- Requires statewide implementation of statewide uniform risk assessments that will help guide the judiciary and juvenile justice agencies in serving youth throughout the life of their case;
- Modifies required judicial findings to ensure youth being removed from the community truly pose a risk to public safety and that availability community resources have been explored; and
- Requires a number of juvenile justice agency practice changes including but not limited to family engagement strategies, comprehensive youth case planning, objective length of stay and facility release decisions, and standardized responses to youth parole violations.
- Requires that over time state funds for juvenile justice agencies by expended on evidence based programs.

The following implementation guide is meant to assist juvenile justice agencies and practitioners to understand the law's changes and to ensure quality implementation of its aims.\*

**\*This guide is not meant to be nor should it be interpreted as legal advice. Questions about your agency's legal requirements under this legislation should be directed to your legal counsel.**

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AB472 modifies the way state operated juvenile justice work with youth committed to the care of the Division of Child and Family Services. The modifications touch each phase of a youth's placement including the placement decision, length of stay, case planning, and release. In addition the law requires changes in family engagement and quality assurance.



## Placement Decisions—Sec. 17

Upon the selection of the uniform statewide risk and needs tools, the Division of Child and Family Services is required to consider the results of those tools when making facility placement decisions for youth. The Division should adopt a placement decision process that most effectively aligns a youth's risk and needs with the development services available at each facility.

## Length of Stay & Release Criteria – Sec. 17

The new law requires each facility operated by the Division of Child and Family Services to develop a length of stay matrix for youth residing at state operated juvenile justice facilities. The length of stay matrix and release criteria must take into account

- 1) The youth's risk of reoffending as determined by the uniform statewide risk tool
- 2) The seriousness of the act for which the youth was adjudicated delinquent; and
- 3) The youth's progress in meeting treatment goals

Best practice dictates that the matrices and release decisions should be regularly analyzed for effectiveness and to check against racial or ethnic bias.

## Exit Planning – Sec 16

A Reentry Planning Meeting is required by the law and must occur at least 30 days prior to the youth's scheduled release. The meeting participant list should include but is not limited to:

- 1) The youth;
- 2) Family member or guardian
- 3) Youth Parole Counselor
- 4) Superintendent; and
- 5) Treatment providers

If the facility determines participation by any of the above members is not appropriate, the facility shall document the reason for not including the participant.

## Parole Revocations – Secs.26, 28, and 29.

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## Case Plan & Reentry Plan Requirements—Sec 17



CASE PLAN: AB472 requires that “each child committed to the custody of the Division” received a case plan develop by the Division of Child and Family Services. This case plan follows them from residential care through parole. There are a number of items the Division is required to use in the development of the plan and a number of key elements of the case

### Factors to Take into Consideration

- Results of a statewide risk and needs assessments
- Trauma experienced by the youth
- Educational level of the youth
- Seriousness of the offense committed
- Youth’s progress is meeting treatment goals
- Any additional relevant information provided by the family of the youth

### Required Elements

- Address the risks and needs identified in the assessments
- Specify the supervision level and services that the youth needs
- Referrals to treatment providers that address the youth’s risks and needs
- Be developed in consultation with the youth’s family or guardian as appropriate
- Specify responsibilities of each person or agency involved
- Plan for full reentry of the child into the community
- Be reviewed at least once every 3 months and updated at least every 6 months

REENTRY PLAN: The law also requires a reentry plan for any youth in a residential facility. There are 4 required elements of the reentry plan:

- 1) A detailed description of the education, counseling, and treatment provided to the youth;
- 2) A proposed plan for the continued education, counseling, and treatment of the youth upon release;
- 3) A proposed plan for the provision of any supervision or services necessary for the transition of the youth; and
- 4) A proposed plan for any engagement of the youth’s family or guardian.

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## Family Engagement



Section 12 of the bill required that the Division of Child and Family Services to develop and implement a family engagement plan for youth committed to its custody. The plan must include strategies for the following:

- 1) Increasing the family's contact with the youth;
- 2) Engaging family members in the case planning for the youth and in the planning meeting for the release of the youth from a facility and from court jurisdiction;
- 3) Involving family members in the youth's treatment; and
- 4) Soliciting family member feedback related to improvements in services rendered to youth.

The Division should develop a statewide family engagement policy, local standard operating procedures, and a template for use in individual cases to meet this statutory requirement.

## Quality Assurance



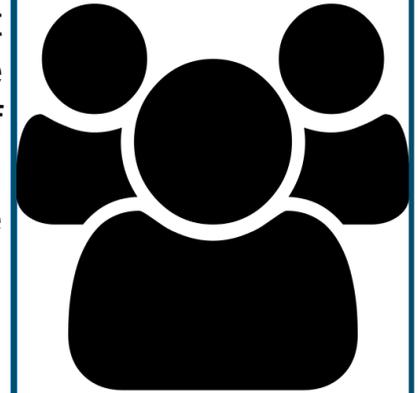
Section 7 of the bill requires that Commission to conduct annual quality assurance reviews of state operated juvenile justice residential facilities. These reviews will use a validated services assessment tool and include:

- 1) An analysis of the facility's service delivery;
- 2) A review of the facility's case management procedures;
- 3) A review of the facility's policies on supervision and behavior management of youth placed in the facility; and
- 4) An analysis of the facilities procedures relating to the release of youth.

Following the completion of a quality assurance review, the facility will develop a facility improvement plan which will be submitted to the Commission for review and further distribution. These reviews will not necessarily eliminate internal Division reviews , Legislative Counsel Bureau reviews or any other quality assurance activities.

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The law establishes the Juvenile Justice Oversight Commission and the Advisory Committee to the Commission. Together in partnership with the Division of Child and Family Services and the county probation departments, the Oversight Commission helps oversee and execute the reforms included in the legislation.



## **Membership—Sec 4 and 4.5**

The membership of the Oversight Commission is established by law to be 25 members appointed by the Governor. In addition there is a 6 members Advisory Committee made up of members of the legislative and judicial branches to assist in advising the Oversight Commission in its duties.

## **Strategic Plan—Sec 6**

The Commission is required to develop a 5-year strategic plan to include but not limited to, uniform standards for evidence based programs, increasing the availability of evidence based programs in the community, data and programming requirements, and protocols for helping to implement the legislation.

## **Performance Measure Standards—Sec 5**

The Commission is required to establish uniform procedures for Juvenile Justice agencies to report performance measures. This includes uniform definitions and reporting mechanism to track rates of recidivism. The Oversight Commission is required to do this before July 1, 2018.

## **Selection of Validated Tools – Sec 5**

The Oversight Commission is tasked with selecting a number of statewide uniform assessment tools including a validated risk assessment tool; and a validated mental health screening tool. The tools must be selected by January 1, 2018 and will be used by juvenile justice agencies and the courts to make case planning, court disposition, residential placement, and other critical decisions for juvenile justice involved youth.

## **Quality Assurance Reviews—Sec**

The Oversight Commission is required to conduct annual quality assurance reviews for each state juvenile justice facility and each regional facility for the treatment and rehabilitation of youth. The commission members conducting the review will be trained on and are required to use a validated service assessment tool. Each facility will work with the commission to develop a facility improvement plan.

## **State Advisory Group Duties**

The Oversight Commission and the Advisory Committee will act as Nevada's State Advisory Group for purposes of the Juvenile Delinquency Prevention Act and will execute the responsibilities of that group as required by federal law.

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## Use of the validated tools throughout the system



### County Probation Departments

- Pre-disposition comprehensive report
- Case planning & county camp reentry planning



### Judiciary

- Determine risk level for dispositional decision
- Determine risk level for parole revocation



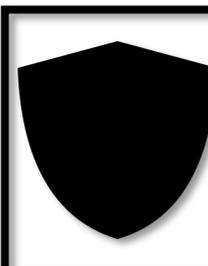
### County Camps

- Case planning
- Reentry planning



### State Operated Residential Facilities

- Facility placement determination
  - Case planning
- Reentry Plan in conjunction with Parole



### Youth Parole Bureau

- Case planning and facility reentry planning
- Case planning & county camp re-entry planning
  - Parole violation response decision

