

Juvenile Justice System Reform Act of 2017 Implementation Guide

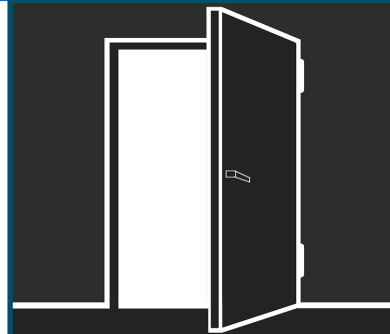
Youth Parole Bureau



**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)**

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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:

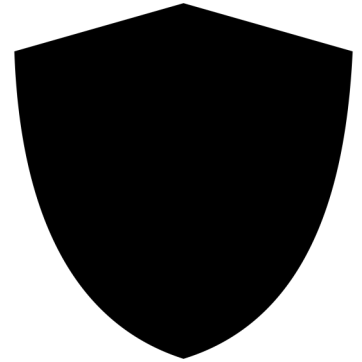
- Creates a Juvenile Justice Oversight Commission to develop standardized performance measures and data analysis points including but not limited to youth recidivism;
- Requires statewide implementation of statewide uniform risk assessments that will help guide the judiciary and juvenile justice agencies 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 the Youth Parole Bureau works with youth committed to the care of the Division of Child and Family Services. The modifications include placement decisions, family engagement, case planning, and responses to parole violations.



Placement Decisions—Sec. 17

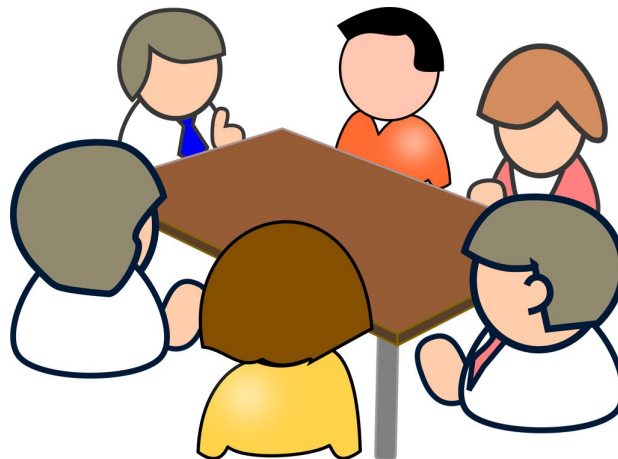
Upon the selection of the uniform statewide risk and needs tools, the Division of Child and Family Services is required to consider the results of those tools when making facility placement decisions for youth. The Division should adopt a placement decision process that most effectively aligns a youth's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

Reentry Planning Meeting – Sec 17

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.



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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” receive a case plan developed 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 plan that must be met.

Factors to Take into Consideration

- Results of 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 youth 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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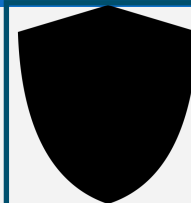
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Family Engagement

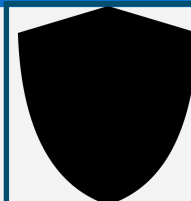


Section 12 of the bill required that the Division of Child and Family Services to develop and implement a family engagement plan for youth committed to its custody. The plan must include strategies for the following:

- 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.

Data & Performance Measures



In addition to selecting statewide risk and needs tools, the Oversight Commission will be establishing uniform data definitions, data collection requirements, and performance measures to track. The Division of Child and Family Services will be required to adopt regulations taking into consideration the Oversight Commission's recommendations.

Once the revised data collection and performance measurement regulations are adopted, Youth Parole will be required to properly submit the required information to the Division's Programs Office and the Oversight Commission along with any other statutorily required data (room confinement, disproportionate minority contact, etc.)

An annual report will be submitted by the Division's Programs Office to the Governor, the Oversight Commission, and the Legislative Counsel Bureau.

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Response to Parole Violations



Section 26 of the bill requires the Youth Parole Bureau to establish policies and procedures for youth parole counselors to determine the most appropriate response to a parole violation. The policies and procedures must:

- 1) Establish a sliding scale based on the severity of the violation;
- 2) Take into consideration the risk to reoffend based on statewide risk and needs tool;
- 3) Take into account the history of violations;
- 4) Take into account the severity of the current violation;
- 5) The youth's case plan; and
- 6) Previous responses by the Youth Parole Bureau to past violations

In addition to establishing a uniform system for responses to parole violations, the Youth Parole Bureau must also develop a system that includes incentives that encourage compliance.

Parole Revocations



The law limits the Chief of Parole's discretion to recommend a revocation of parole to the juvenile court. The Youth Parole Bureau may not recommend a revocation unless:

- 1) The child poses a risk to public safety; and

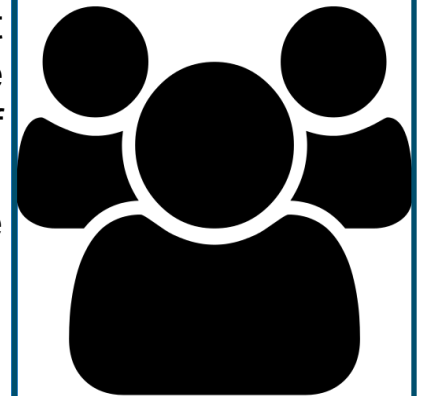
Either

- 1) The procedures adopted to determine responses to parole violations recommend revocation; OR
- 2) The responses set forth in the policies and procedures are not appropriate for this child.

The juvenile court is charged with making a finding that the Youth Parole Bureau has complied with these provisions. Therefore, any written or oral report to the court regarding a recommendation of revocation of parole should include sufficient facts and statements confirming that the child poses a risk to public safety and that either parole is following its procedures or that the case before the court warrants a deviation from the adopted procedure.

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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



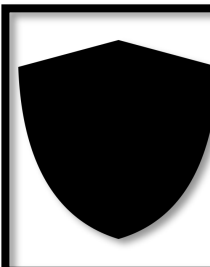
County Camps

- 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





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Mission Statement

The Nevada Department of Health and Human Services (DHHS) promotes the health and well-being of its residents through the delivery or facilitation of a multitude of essential services to ensure families are strengthened, public health is protected, and individuals achieve their highest level of self-sufficiency. The Department is the largest in state government, comprised of five Divisions along with additional programs and offices overseen by the DHHS' Director's Office. The Department's Director, Richard Whitley, was appointed by Governor Steve Sisolak and manages nearly one-third of the state's budget.

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