

SENATE BILL NO. 230—COMMITTEE ON JUDICIARY

(ON BEHALF OF INTERIM STUDY OF SYSTEM OF
JUVENILE JUSTICE IN NEVADA (ACR 13))

FEBRUARY 22, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to juveniles who violate parole. (BDR 16-575)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 10, 12, 14)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juvenile justice; revising provisions relating to juveniles who violate parole; providing that the juvenile court may order certain juveniles who violate parole to be placed in the local or regional facility for children or in the county jail under certain circumstances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 210 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 10, inclusive, of this act.
3 **Sec. 2.** *As used in this chapter, unless the context otherwise*
4 *requires, the words and terms defined in sections 3 to 9, inclusive, of this*
5 *act have the meanings ascribed to them in those sections.*
6 **Sec. 3.** *“Administrator” means the administrator of the division of*
7 *child and family services of the department of human resources.*
8 **Sec. 4.** *“Committing court” means a juvenile court that:*
9 1. *Commits a person to the Nevada youth training center pursuant to*
10 *NRS 210.180 or to the Caliente youth center pursuant to NRS 210.580;*
11 *or*
12 2. *Has jurisdiction over a person who has been released by another*
13 *state for juvenile parole in Nevada pursuant to an interstate compact.*
14 **Sec. 5.** *“Director” means the director of the department of human*
15 *resources.*



1 *Sec. 6. "Interstate compact" includes, without limitation, the*
2 *Interstate Compact on Juveniles executed pursuant to NRS 214.010.*

3 *Sec. 7. "Juvenile court" or "court" means:*

4 *1. In any judicial district that includes a county whose population is*
5 *100,000 or more, the family division of the district court; or*

6 *2. In any other judicial district, the juvenile division of the district*
7 *court.*

8 *Sec. 8. "Local or regional facility for children" includes, without*
9 *limitation:*

10 *1. A detention home for children that is operated pursuant to NRS*
11 *62.180.*

12 *2. A regional facility for children that is operated pursuant to NRS*
13 *62.840 or 62.845.*

14 *Sec. 9. "Youth parole bureau" means the youth parole bureau of the*
15 *division of child and family services of the department of human*
16 *resources.*

17 *Sec. 10. 1. If the chief of the youth parole bureau is supervising a*
18 *parolee who has been released by another state for juvenile parole in*
19 *Nevada pursuant to an interstate compact, the chief may petition the*
20 *juvenile court requesting that the court, in accordance with the interstate*
21 *compact, suspend, modify or revoke the parole of the parolee or sanction*
22 *the parolee for violating his parole.*

23 *2. Pending a hearing, the juvenile court may order the confinement*
24 *of the parolee in:*

25 *(a) The local or regional facility for children, if the parolee will be less*
26 *than 18 years of age when the confinement begins and the confinement*
27 *is approved by the local or regional facility for children; or*

28 *(b) The county jail, if the parolee will be 18 years of age or older when*
29 *the confinement begins.*

30 *3. If the parolee is confined in the local or regional facility for*
31 *children pursuant to subsection 2, the youth parole bureau shall pay all*
32 *actual and reasonably necessary costs for the confinement of the parolee*
33 *for the period that the parolee is confined pending a hearing.*

34 *4. If requested, the juvenile court shall allow the parolee reasonable*
35 *time to prepare for the hearing.*

36 *5. The required hearing may be conducted by a judge or master of*
37 *the juvenile court, who shall render a decision within 10 days after the*
38 *conclusion of the hearing.*

39 *6. If the juvenile court finds that the parolee violated his parole, the*
40 *court may, to the extent permitted by the interstate compact, do any or all*
41 *of the following:*

42 *(a) Suspend, modify or revoke parole.*

43 *(b) Order the confinement of the parolee, for not more than 30 days,*
44 *in:*

45 *(1) The local or regional facility for children, if the parolee will be*
46 *less than 18 years of age when the confinement begins; or*

47 *(2) The county jail, if the parolee will be 18 years of age or older*
48 *when the confinement begins.*



1 *(c) Take any other appropriate action.*

2 **Sec. 11.** NRS 210.010 is hereby amended to read as follows:

3 210.010 As used in NRS 210.010 to 210.290, inclusive ~~+~~

4 ~~1. "Administrator" means the administrator of the division of child and~~
5 ~~family services in the department of human resources.~~

6 ~~2. "Director" means the director of the department of human resources.~~

7 ~~3. "Juvenile court" means:~~

8 ~~—(a) In any judicial district that includes a county whose population is~~
9 ~~100,000 or more, the family division of the district court; or~~

10 ~~—(b) In any other judicial district, the juvenile division of the district~~
11 ~~court.~~

12 ~~4., unless the context otherwise requires:~~

13 1. "School" means the Nevada youth training center.

14 ~~5.~~ 2. "Superintendent" means the superintendent of the school.

15 ~~6. "Youth parole bureau" means the youth parole bureau of the~~
16 ~~division of child and family services in the department of human~~
17 ~~resources.~~

18 **Sec. 12.** NRS 210.250 is hereby amended to read as follows:

19 210.250 1. ~~The~~ *If a person is paroled from the school, the* chief of
20 the youth parole bureau may petition the committing court requesting that
21 *the court suspend, modify or revoke* the parole of ~~a person paroled from~~
22 ~~the school be suspended, modified or revoked.~~ *the parolee or sanction the*
23 *parolee for violating his parole.*

24 2. Pending a hearing, the committing court may order:

25 (a) The return of the parolee to the school; or

26 (b) ~~HH~~ *The confinement of the parolee in:*

27 *(1) The local or regional facility for children, if the parolee will be*
28 *less than 18 years of age when the confinement begins and the*
29 *confinement is* approved by the local ~~juvenile facility, that the parolee be~~
30 ~~held in the local juvenile facility.~~

31 ~~3. The~~ *or regional facility for children; or*

32 *(2) The county jail, if the parolee will be 18 years of age or older*
33 *when the confinement begins.*

34 3. *If the parolee is confined in the local or regional facility for*
35 *children pursuant to subsection 2, the* youth parole bureau shall pay all
36 actual and reasonably necessary costs for the confinement of ~~a parolee in~~
37 ~~the local juvenile facility.~~ *the parolee for the period that the parolee is*
38 *confined pending a hearing.*

39 4. If requested, the committing court shall allow the parolee reasonable
40 time to prepare for the hearing.

41 5. The required hearing may be conducted by a judge or master of the
42 committing court, who shall render a decision within 10 days after the
43 conclusion of the hearing.

44 6. *If the committing court finds that the parolee violated his parole,*
45 *the court may do any or all of the following:*

46 (a) *Suspend, modify or revoke parole.*

47 (b) *Order the confinement of the parolee, for not more than 30 days,*
48 *in:*



* S B 2 3 0 *

1 (1) *The local or regional facility for children, if the parolee will be*
2 *less than 18 years of age when the confinement begins; or*

3 (2) *The county jail, if the parolee will be 18 years of age or older*
4 *when the confinement begins.*

5 (c) *Take any other appropriate action.*

6 **Sec. 13.** NRS 210.400 is hereby amended to read as follows:

7 210.400 As used in NRS 210.400 to 210.715, inclusive ~~1.~~

8 ~~1. "Administrator" means the administrator of the division of child and~~
9 ~~family services in the department of human resources.~~

10 ~~2. "Director" means the director of the department of human resources.~~

11 ~~3. "Juvenile court" means:~~

12 ~~(a) In any judicial district that includes a county whose population is~~
13 ~~100,000 or more, the family division of the district court; or~~

14 ~~(b) In any other judicial district, the juvenile division of the district~~
15 ~~court.~~

16 ~~4.~~ *, unless the context otherwise requires:*

17 1. "School" means the Caliente youth center.

18 ~~5.~~ 2. "Superintendent" means the superintendent of the school.

19 ~~6. "Youth parole bureau" means the youth parole bureau of the~~
20 ~~division of child and family services in the department of human~~
21 ~~resources.~~

22 **Sec. 14.** NRS 210.680 is hereby amended to read as follows:

23 210.680 1. ~~The~~ *If a person is paroled from the school, the* chief of
24 the youth parole bureau may petition the committing court requesting that
25 *the court suspend, modify or revoke* the parole of ~~a person paroled from~~
26 ~~the school be suspended, modified or revoked.~~ *the parolee or sanction the*
27 *parolee for violating his parole.*

28 2. Pending a hearing, the committing court may order:

29 (a) The return of the parolee to the school; or

30 (b) ~~the~~ *The confinement of the parolee in:*

31 (1) *The local or regional facility for children, if the parolee will be*
32 *less than 18 years of age when the confinement begins and the*
33 *confinement is* approved by the local ~~juvenile facility, that the parolee be~~
34 ~~held in the local juvenile facility.~~

35 ~~3. The~~ *or regional facility for children; or*

36 (2) *The county jail, if the parolee will be 18 years of age or older*
37 *when the confinement begins.*

38 3. *If the parolee is confined in the local or regional facility for*
39 *children pursuant to subsection 2, the* youth parole bureau shall pay all
40 actual and reasonably necessary costs for the confinement of ~~a parolee in~~
41 ~~the local juvenile facility.~~ *the parolee for the period that the parolee is*
42 *confined pending a hearing.*

43 4. If requested, the committing court shall allow the parolee reasonable
44 time to prepare for the hearing.

45 5. The required hearing may be conducted by a judge or master of the
46 committing court, who shall render a decision within 10 days after the
47 conclusion of the hearing.

48 6. *If the committing court finds that the parolee violated his parole,*
49 *the court may do any or all of the following:*



* S B 2 3 0 *

1 (a) *Suspend, modify or revoke parole.*

2 (b) *Order the confinement of the parolee, for not more than 30 days,*
3 *in:*

4 (1) *The local or regional facility for children, if the parolee will be*
5 *less than 18 years of age when the confinement begins; or*

6 (2) *The county jail, if the parolee will be 18 years of age or older*
7 *when the confinement begins.*

8 (c) *Take any other appropriate action.*

9 **Sec. 15.** NRS 210.735 is hereby amended to read as follows:

10 210.735 The chief of the youth parole bureau may:

11 1. Appoint such employees as are necessary to carry out the functions
12 of the bureau.

13 2. With the approval of the administrator, ~~for the division of child and~~
14 ~~family services in the department of human resources,~~ enter into contracts
15 with colleges, universities and other organizations for:

16 (a) Research in the field of delinquency and crime prevention.

17 (b) Training special workers, including parole officers and social
18 workers, whether volunteers or not, or whether they are on a part-time or
19 full-time basis, engaged in the fields of education, recreation, mental
20 hygiene and the treatment and prevention of delinquency.

21 **Sec. 16.** NRS 210.750 is hereby amended to read as follows:

22 210.750 1. Each person who is paroled from the Nevada youth
23 training center or the Caliente youth center must be placed in a reputable
24 home and in either an educational or work program or both. The chief of
25 the youth parole bureau may pay the expenses incurred in providing
26 alternative placements for residential programs and for structured
27 nonresidential programs from money appropriated to the bureau for that
28 purpose.

29 2. The chief may accept money of parolees for safekeeping pending
30 their discharges from parole. The chief must deposit the money in accounts
31 in banks, credit unions or savings and loan associations that are federally
32 insured or insured by a private insurer approved pursuant to NRS 678.755.
33 He shall keep or cause to be kept a fair and full account of the money, and
34 shall submit such reports concerning the accounts to the administrator, ~~for~~
35 ~~the division of child and family services of the department of human~~
36 ~~resources,~~ as the administrator may require.

37 3. When any person so paroled has proven his ability to make an
38 acceptable adjustment outside the center or, in the opinion of the chief, is
39 no longer amenable to treatment as a juvenile, the chief shall apply to the
40 committing court for a dismissal of all proceedings and accusations
41 pending against the person.

42 4. Before the chief recommends that the committing court revoke a
43 person's parole, he shall ascertain from the superintendent of the
44 appropriate center whether adequate facilities remain available at the center
45 to provide the necessary care for the person. If the superintendent advises
46 that there are not such facilities available, that there is not enough money
47 available for support of the person at the center or that the person is not
48 suitable for admission to the center, the chief shall report that fact to the



* S B 2 3 0 *

1 administrator , ~~of the division of child and family services,~~ who shall
2 recommend a suitable alternative to the court.

3 **Sec. 17.** NRS 210.730 is hereby repealed.

4 **Sec. 18.** The provisions of subsection 1 of NRS 354.599 do not apply
5 to any additional expenses of a local government that are related to the
6 provisions of this act.

7 **Sec. 19.** This act becomes effective on July 1, 2001.

TEXT OF REPEALED SECTION

NRS 210.730 “Youth parole bureau” defined. As used in NRS
210.735 to 210.755, inclusive, “youth parole bureau” means the youth
parole bureau of the division of child and family services in the department
of human resources.

