

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-sixth Session
February 10, 2011**

The Senate Committee on Judiciary was called to order by Chair Valerie Wiener at 8:02 a.m. on Thursday, February 10, 2011, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Valerie Wiener, Chair
Senator Allison Copening, Vice Chair
Senator Shirley A. Breeden
Senator Ruben J. Kihuen
Senator Mike McGinness
Senator Don Gustavson
Senator Michael Roberson

STAFF MEMBERS PRESENT:

Linda J. Eissmann, Policy Analyst
Bradley A. Wilkinson, Counsel
Judith Anker-Nissen, Committee Secretary

OTHERS PRESENT:

Fernando Serrano, Deputy Administrator, Juvenile Justice Services, Division of Child and Family Services, Department of Health and Human Services
Carey Stewart, Director, Washoe County Department of Juvenile Services; President, Nevada Association of Juvenile Justice Administrators
Scott Shick, Chief Juvenile Probation Officer, Douglas County Juvenile Probation Department; Nevada Association of Juvenile Justice Administrators
Fritz L. Reese, Director, Clark County Department of Juvenile Justice Services

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Pauline Salla, Juvenile Justice Programs Chief, Division of Child and Family Services, Department of Health and Human Services
Wendy C. Garrison, Director, Douglas County Youth Services, China Spring Youth Camp and Aurora Pines Youth Camp
Amber Howell, Deputy Administrator, Family Programs, Division of Child and Family Services, Department of Health and Human Services
Diane Comeaux, Administrator, Division of Child and Family Services, Department of Health and Human Services

CHAIR WIENER:

I will open the hearing with the informational briefing of juvenile justice in Nevada.

FERNANDO SERRANO (Deputy Administrator, Juvenile Justice Services, Division of Child and Family Services, Department of Health and Human Services):

I have a presentation on the Nevada Juvenile Justice System ([Exhibit C](#)). On page 2 is a flow chart giving an overview of the Juvenile Justice System. It is intended to give you a glance of what a minor will experience from the time of arrest through the process.

It starts with the arrest. Somewhere in the State, a teenager steals a television set or stereo, shoplifts or has a misdemeanor citation; this is in the first box, Arrest/Citation. When John Doe, Jr. comes to the attention of the court, he appears before the county.

Later on, page 4 of [Exhibit C](#), Carey Stewart and the county colleagues will talk about the county juvenile justice systems. On page 2, this is not an all-inclusive list, but gives you an idea of the overall system. You see fines and community service, and there are other types of sanctions the court may impose. On the right, under Community Supervision, is probation supervision.

At this point, we conduct a number of assessments. I refer to John Doe, Jr. as a residential burglary. There is accountability and a risk factor, but risk factors do not occur in and of themselves. Many times when youths appear before us for delinquent offenses such as burglary, they also experience substance abuse, mental health issues and academic failure, and they are from a dysfunctional family. Unless we treat all of the issues a minor presents, we will see the minor again.

In previous educational assessments, we found the average age for an offending youth was 16 with that youth functioning at the fourth-grade level, along with having drug use, dysfunctional family and mental health issues.

Many of the youth's issues presented results at the community supervision level. Many times a judge determines the minor needs more than community supervision but perhaps not a commitment to a State facility. The judge has the option of a county youth camp, whether it is Spring Mountain in Las Vegas or China Spring or Aurora Pines in the north.

On pages 9 and 10 in [Exhibit C](#), we discuss county youth camps. If youth camps and subsequent community supervision do not bring the results we are looking for, a judge can commit the youth to a State correctional facility.

We assess minors when they enter the system from a district court or juvenile court. At this point, there are two factors involved. One, we are dealing with a smaller percentage because issues are resolved at the probation or county camp.

When we talk about state corrections, we are talking a smaller percentage, but these are the highest level of the high-risk youths our State has to offer. For example, in any given year we receive 3 percent to 5 percent of the youth from the counties, meaning 95 percent of the youth the county sees can be addressed at the county level. However, there is a time when the courts commit the highest-risk youths to the State.

The institutions culminate with the release on parole. We do great work at the institutions and county camps, which I will describe on pages 12 and 13 of [Exhibit C](#). The best institution in the State, or for that matter even the Nation, is an artificial environment—meaning although good things happen in mental health, substance abuse or academic arenas, there is still the reintegration process back to the community. That is where our challenge lies—when John Doe, Jr. leaves and returns to his home environment—to build on the improvements needed in the facilities.

On page 3 of [Exhibit C](#) are Statewide Juvenile Justice data.

On page 4 of [Exhibit C](#) is a funnel illustration addressing the total number of youths in the State ages 8 to 18, arrests, how they are processed through the court, and the kind of interventions culminating with commitments to the State.

CAREY STEWART (Director, Washoe County Department of Juvenile Services; President, Nevada Association of Juvenile Justice Administrators):

On page 4 of [Exhibit C](#) we show the county probation departments and the role they play in the juvenile justice system and the continuum of care for children in the State, not only at a county level but also at a State level.

Also on page 4 of [Exhibit C](#) is the funnel theory. Even though the theory is simplistic on the surface, it is important in the operation of the county probation departments. The departments provide children an equal opportunity to exit the system in the least restrictive means possible. We do this through the assessment phase. We want to link the appropriate services for children's needs at that time, not only to help them stay in the community and be successful, but also to meet their risk factors. The assessment phase allows us to ensure every child gets equal service. Children are unique; we have to have unique services for them.

The importance of the funnel theory is, as children go deeper into the juvenile justice system, it becomes more difficult for them to exit in what we consider a successful manner. For success, children need to be involved in their communities with their families and in their schools and working toward goals and objectives that allow them employment and education opportunities.

On page 5 of [Exhibit C](#) is an overview of Washoe County Juvenile Services. Many probation departments have the same missions, descriptions and goals we have. The mission statement for Washoe County Juvenile Services is to help create a safer community by providing a continuum of services and sanctions to at-risk youths and their families. These services allow an exit from the system in a successful manner.

We work with children 8 to 17 years old. We provide therapeutic services, probation and intervention with community-based partners. Chapter 62 of the *Nevada Revised Statutes* (NRS) is our statutory authority.

On page 6 of [Exhibit C](#) is a description of the Department's four main divisions. First is the Administrative Division. Next, early intervention is key because it is

where we link children with the appropriate services through our Community Services Competency Development Program, the evidence-based programs.

For many years, the Charles M. McGee Center operated as a nonsecure residential facility, but as a result of budget reductions, we discontinued the residential components. In its place, we provided a day program for females. Instead of spending the night at the Center, the children go home to their parents. We have engaged parents with counseling programs and interventions. We are seeing a great deal of success with those services.

From a county probation standpoint, the Detention Division is the most secure form of service we provide. This service addresses safety issues not only in regard to the community but also to those risk factors children have, including mental health issues. We see many children with significant mental health issues at our detention facility. While they are in detention, we assess the risks and link them to the appropriate resources within the community or through treatment centers.

Probation Services are for children placed on probation through the court. We provide services and opportunities through supervision to minimize risk. In Washoe County, we link children with their school through our Juvenile Detention Alternatives Initiative (JDAI). We have been successful in eliminating usage of secured detention and have found we are able to provide this through more community-based programs, such as involvement with the schools, evening-reporting centers and supervised-release programs, which build support around the children so they can stay home with their families.

On page 7 of [Exhibit C](#) is a breakdown of our supervision units. On the left-hand side is the assessment phase. We utilize diversion with informal supervision. We supervise children who do not require assignment to a specialty unit in a basic compliance unit. In Washoe County, we have four specialty units—Juvenile Sex Offender Unit, Gang Unit, Mental Health Unit and a Substance Abuse Unit.

Our caseload sizes becomes smaller the more specialized the unit is because the children need added supervision and more resources and attention within the community.

SCOTT SHICK (Chief Juvenile Probation Officer, Douglas County Juvenile Probation Department; Nevada Association of Juvenile Justice Administrators):

To break down Mr. Stewart's testimony for the rural jurisdictions—and recognize their demographics, logistics and ability to complete the same type of services on a smaller level—creates different challenges.

Over the last nine years, the administrators have developed a system and strategy to empower children to get on their feet with school and their families despite their circumstances. If there are mental health issues, we will work with them, but the idea is for the children to be self-initiating, get back into the community and recognize the fact they have committed a crime, which could include victim restitution. It is cost-effective, and some things we have experienced with budget cuts will have a direct impact on these areas.

FRITZ L. REESE (Director, Clark County Department of Juvenile Justice Services):
Clark County more or less mirrors Washoe County: the size, terms of referral rate, number of staff, and so forth. We have minor nuances, but I would agree with Mr. Stewart as he stated above.

CHAIR WIENER:

Because some members are new to the Committee, please explain what will happen with children who engage in a delinquent act if they are younger than age 8 and in the age range of 8 and 17.

MR. SHICK:

On an intervention or prevention level, we identify children at the age of eight, nine or ten acting out in school. We are contacted prior to the delinquent offense, i.e., committing an assault or bringing a penknife to school. We initiate our psychological services or probation services to talk with the child and work things out. Yes, if a child does offend at that level, we will take it to the lowest level. We will not adjudicate or petition the court but will identify the problem, intervene early, and work with the school and family. If a child does commit a serious offense, we file the charge through the court. Detention would be different. We would leave the child at home if the family was in control, but we do not see many of those cases.

CHAIR WIENER:

What happens to a six- or seven-year-old child if there is a behavior problem?

MR. STEWART:

These children are usually identified through the schools. In Washoe County and many other jurisdictions, community partners try to meet those needs. Hopefully, they provide the services before the child becomes eight years old and enters the juvenile justice system.

As an example, Washoe County has the Children's Cabinet. Sometimes there is involvement with the Department of Social Services. Our partnership in Juvenile Justice is far-reaching, and the school district is an important partner. The resources they provide in early identification happen before eight years old. A positive with our Juvenile Justice System is we acknowledge we can work with children even before they become eight years old. They are difficult children to work with, but the resources we can provide are good.

PAULINE SALLA (Juvenile Justice Programs Chief, Division of Child and Family Services, Department of Health and Human Services):

Page 8 of [Exhibit C](#) identifies the Community Based Programming that is funded through the Community Corrections Partnership Block Grant. The total number of youths served in State fiscal year (FY) 2010 was 1,029. There are youths included in this number from the larger jurisdictions who may touch more than one program.

Some of the programs are Comprehensive Mental Health and Substance Abuse Assessments, Intensive Co-occurring Case Management, Intensive Supervision and Aftercare Services. We have implemented Evening Reporting Centers in several jurisdictions, a 21-Day Cognitive Behavioral Residential Program, and a 45-Day Substance Abuse Residential Program housed within a juvenile detention center. We also have Ongoing Mental Health and Substance Abuse Outpatient Counseling, Rational Emotive Therapy, and Individual and Family Counseling.

One requirement we had initiated during the last Session was that programs utilize evidence-based programming. All counties receive funding. They report quarterly how many youths are served and their demographics. Performance objectives are identified and what evidence-based curriculum is used.

CHAIR WIENER:

One of your programs deals with Co-occurring Case Management. Explain to the Committee what co-occurring is and whether you are seeing an increase in your caseloads with prescription drugs.

MS. SALLA:

I am going to let Mr. Stewart and Mr. Shick answer your questions.

MR. REESE:

We have seen a significant increase in co-occurring. Co-occurring is a youth experiencing substance abuse issues as well as mental health issues. These youths represent a significant mental health challenge. Some youths are also self-medicating. As administrators across the State, we work to address these problems.

In Clark County, when a youth first comes to us, either on an alcohol or substance abuse offense, we do a full assessment. In the past, we let these youths fall through the cracks. If issues arise, either through the youth, the family or information from the school, that there are mental health concerns, we do a substance abuse assessment.

The funds from the Community Corrections Partnership Block Grant provide two clinicians who work on specialized caseloads for the Probation Department and a mental health clinician who provides therapy as well as connects with the family and the youth to obtain resources in the community.

MR. SHICK:

I supervise drug and alcohol counselors at China Spring and Aurora Pines Youth Camps. It is alarming how many children are reporting polysubstance abuse at an early age. There is experimentation with prescription drugs or whatever is available, either from the garage or on the street. We are finding substance abuse at an earlier age combined with academic failure.

When you look at the co-occurring disorders that occur at an early age, it does not surprise us youths are having mental health issues. We have to strip those issues away to get to where they understand the delinquency issues.

When you look at the programs Ms. Salla and the State support in respect to the Community Corrections Partnership Block Grant, they are strategic so we can get to what works. We are concerned that 16 counties place youths at China Spring and Aurora Pines.

MR. STEWART:

As with Clark County, Washoe County utilizes block grant dollars to fund an assessment worker in the probation assessment units for youths with substance abuse or offenses. We have a Substance Abuse Unit where caseloads are smaller and we can put them into the appropriate services.

WENDY C. GARRISON (Director, Douglas County Youth Services, China Spring Youth Camp and Aurora Pines Youth Camp):

Page 9 of [Exhibit C](#) shows that during Calendar year 2010, 113 male youths and 33 female youths came through China Spring and Aurora Pines Youth Camps. The average length of stay for the male youths was approximately 145 days, while the female youths stayed an average of 160 days. The total average for both camps is 152. The average age is approximately 15 for males and 16 for females.

We do accept placements between the ages of 12 and 18. Some of the things we start to work on once the youths arrive at our facility, based on their adjudication through a court, are abuse and victimization with the girls in particular. This has been a large issue from the moment the girls' program opened. We use a theory called Eye Movement Desensitization and Reprocessing to help them with the traumatic events that may have brought them to our attention.

We do a health and education assessment with the Douglas County School District and through a contracted doctor partnership with Douglas County Health Services.

We have parenting classes, not only for the youths who come to us who are parents but also for the parents of the youths.

We receive a \$200,000 grant for substance abuse counseling from the Substance Abuse Prevention and Treatment Agency (SAPTA) to provide Level I and Level II treatment.

Both junior high and high school educational services are provided by Douglas County School District at our facility known as the Stoddard and Jewel Jacobsen High School. We integrate the family whenever possible. The families come from 16 counties around the State. We have implemented a variety of

programs to make the families more cohesive, including Skype and other communication programs available through the Internet.

We use Rational Emotive Behavior Therapy, which is a cognitive approach, to help youths identify thinking errors to correct their behavior. If you can correct how somebody thinks, the theory is their behavior will change. An example is: we say the youths do not have an anger problem but a thinking problem. They think they can get angry. When you put it in that perspective, sometimes the youths understand.

Dr. Bruno Bielat, whom we share with Douglas County, provides psychological services three days a week to our Youth Camps. We also have a marriage and family therapist under the SAPTA grant. The marriage and family therapist assists us in areas such as parenting, dealing with substance abuse and co-occurring disorders.

On page 9 of [Exhibit C](#) are areas of concentration we provide at the camps. We provide physical fitness programs because the youths live at the camps and it is important they exercise. We have a Wilderness Program funded primarily through a grant. We built a Challenge Course which teaches youths to work together at 45 feet above the ground and overcome their fears.

We use Anger Regression Therapy, Boys Council and Girls Circle, and Thinking for a Change. We have all agreed to these Statewide initiatives because they are the evidence-based programs we find most useful.

CHAIR WIENER:

Please explain to the Committee how significant the Abuse and Victimization Program is.

MS. GARRISON:

When girls arrive at the Youth Camp, the Douglas County Sheriff's Department is contacted. We advise them we will be making multiple statements based on what the girls say. We use the Massachusetts Youth Screening Instrument screening test when the girls first come to us, which is a screening tool that identifies some of the issues they maybe have never told anyone before. These issues also come up during treatment and assessment on Nevada Health Information Provider Performance System, which is the SAPTA assessment that we give to all residents as they enter the facility. We look for substance abuse

history to see what program they would qualify for, a Level I or Level II treatment.

It is very difficult when you have 16 counties, for example, when a sheriff's officer has to come from Eureka to take a report regarding an issue a girl from that county may have relayed to us. We have a Douglas County sheriff's officer provide courtesy reports; then we will deal with whatever issues come from that.

We also call Child Protective Services, but not as frequently, for the crimes that have been committed either by our girls against someone or by someone against our girls.

CHAIR WIENER:

Is there a substantial history of abuse and victimization in youths' lives?

MS. GARRISON:

It is amazing the stories the female youths tell. Sometimes, it is tempting not to believe they are telling the truth. The things that have happened to them are horrific. For the female and male youths who have been victims of crimes or have been in situations where they have viewed a crime being committed against someone they love—mom, brother or sister—those things lead to their other issues. We find if we can address the victimization or the trauma they have experienced, then with the substance abuse issues that have come about because that is how they coped, we can make some progress and have success with them.

MR. SHICK:

The flow chart on page 2 of [Exhibit C](#) shows Spring Mountain Youth Camp, China Spring Youth Camp and Aurora Pines Youth Camp, which are midrange, short-term programs. They are brief and strategic and a hit-the-ground-running program. Youths are assessed on their attitudes and need to accept the fact they need to be there. With good probation departments, an aftercare system, getting youths back into school and with their families, and the JDAI system, work can be accomplished ...

CHAIR WIENER:

Mr. Shick, let me interrupt, you are using acronyms the Internet may not know and certainly members of the Committee do not. Ms. Garrison, what is SAPTA? Also, JDAI?

MS. GARRISON:

SAPTA is Substance Abuse Treatment Prevention Agency through the State providing federal grants. The state is the receiving agency and supervises us in our administration of the funds and services.

CHAIR WIENER:

Thank you. And JDAI?

MR. SHICK:

Juvenile Detention Alternative Initiative, which is an Annie E. Casey Foundation program for an alternative use of detention.

MR. SERRANO:

Mr. Reese will comment on the Spring Mountain Youth Camp.

MR. REESE:

Page 10 of [Exhibit C](#) shows the 100-youth capacity at Spring Mountain Youth Camp, a male facility established in 1961. It has been at its current location since 1971 in the Spring Mountain range outside of Las Vegas.

There were 257 youths in the camp in FY 2010, with an average stay of 147 days. The average age is 16.2. On the right-hand side is a varied number of evidence-based programs we provide. We are considered to have one of the top Forestry Work Programs in the entire country. Every year, we save the taxpayers over \$500,000 a year in trail maintenance. We also have the unique Spring Mountain Weekend Furlough Program that works youths back into the community with their parents.

With an average stay of 147 days, the youths spend 6 months on an Aftercare Program. We have a full-time clinician working with four probation officers. We also have a contracted child psychiatrist. Many times we identify mental health issues in detention. We are able to follow those with treatment at the camp and back into the community. We also participate in Nevada Interscholastic Athletic Association "A" high school sports.

MR. SERRANO:

I ask the Committee to take the young child previously referred to and visualize the child eight to ten years later. Many of the issues have been resolved or at least a treatment plan has been developed that we continue to look at in order to improve the child's life. As indicated in the initial flowchart on page 2 of [Exhibit C](#), there may be a time to commit to a State correctional facility.

On page 11 of [Exhibit C](#) are two correctional facilities. One is the Caliente Youth Center, the only coeducational facility. The boys go through a classification process. The younger, less serious male offenders will be placed at Caliente Youth Center. The older youths, with more sophisticated delinquent backgrounds, will be placed at the Nevada Youth Training Center (NYTC) in Elko.

The next agency is the Youth Parole Bureau. These are not separate agencies but are intertwined. Involvement of the Youth Parole Bureau, or as it is commonly referred to as "aftercare," begins the first day a minor arrives at an institution. Once a district court commits a youth to the State, the Youth Parole Bureau Mental Health Counseling staff does an assessment. Our parole officers collaborate with the training center staff, culminating in a treatment plan each minor receives upon release from an institution. There are good things at the institution, but when you leave the artificial environment to go back into the community, the reintegration process is critical. The second important fact of the Youth Parole Bureau is community supervision.

The third is the Interstate Compact, the mechanism by which youth from various states are supervised. A number of the youth come into the State and leave the State through this program.

The fourth agency, the Juvenile Justice Programs Office, ensures the State is in compliance with the four core requirements of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Grant funds are distributed through the Juvenile Justice Commission's Grant Review Committee.

Page 12 of [Exhibit C](#) shows the total number of youths in the Caliente Youth Center in calendar year 2010 at 180, together with the average length of stay and average age.

Assessment is critical every step of the way. Picture a wheel with various spokes. One spoke is delinquency, another substance abuse, and others are teen pregnancy, depression, academic failure, etc. Many youths have more than one spoke. Often, the difference between a minor on probation and a minor in treatment is the minor in treatment might not have been arrested yet. The minor who has been arrested can, through the assessment process, be referred for treatment. These core issues do not operate in a vacuum. Many youths have one, two or several core issues. Those are the issues we will be looking at long after we address accountability and restitution for the crime.

On page 13 of [Exhibit C](#) are the statistics for NYTC, the total number of youths for calendar year 2010, 191, and the average length of stay, etc. Co-occurring in that particular year was 38 percent with the total number of substance abuse of 58 percent. That number fluctuates, but we need the programming in place.

On page 14 of [Exhibit C](#) are the services offered at the State's correctional facilities, which include the Accredited School Program and counseling and psychological services. Let me stress this point—our job is to equip. When a minor comes to our facility and is in the smaller percentage of high-risk youth, the minor has many issues we need to resolve. We need to provide the minor with academic skills. For example, if the minor is at the fourth-grade level, we need to bring him or her up as quickly as possible and then set up the aftercare for parole. Whether that includes Saturday school, after school or tutoring, we put together a comprehensive plan to address the issues. As you can see, these services could include mental health, substance abuse, vocational or General Educational Development, also known as GED.

The vocational programs are listed on the right side of page 14, [Exhibit C](#). We are proud of the programming at both of our correctional facilities. Our vocational programs will match any offered around the State or Nation.

Caliente Youth Center offers vocational programs which include culinary arts, hotel management, automotive technology and welding. Our vocational programs are second to none.

On page 15 of [Exhibit C](#) are the monthly populations. We are proud of the collaborative efforts we have within the State and county. The result is on page 15. The number of commitments at the correctional facilities has not changed.

We moved youth from Summit View Correction Center (SVCC) in April. In May the population did not go up, but went down. I attribute that to the collaborative effort between the State and county partners. As you can see, even with the continued closure of SVCC ...

CHAIR WIENER:

Mr. Serrano, with all of these numbers for SVCC, what was the total population when that decision to close was made? How many were committed to SVCC?

MR. SERRANO:

Forty-eight youth.

CHAIR WIENER:

When you say capacity, you mean population. What was the capacity at the facility?

MR. SERRANO:

The capacity at that time was in the mid-40s.

CHAIR WIENER:

So the facility was at full capacity?

MR. SERRANO:

Yes. Page 16 of [Exhibit C](#) outlines the closure time line of SVCC. The transfer began on February 12, 2010, and the following week, youths with predetermined dates were released on parole. In mid-April, youths were transferred from SVCC to Nevada Youth Training Center, and on May 1, 2010, SVCC closed.

The staff at NYTC has been in transition, with a number of training sessions for staff. Handle With Care is a national best practice in terms of behavior management, and the staff has been retrained. We are working on a pilot aggression replacement training, which we hope to launch this summer.

CHAIR WIENER:

What was the SVCC facility designed to do? Please explain SVCC's mission and why your staff had to get up to speed to address the population coming from SVCC to NYTC. In what way has the increased population affected NYTC?

MR. SERRANO:

When SVCC was opened, the least serious, youngest male offenders were housed at Caliente. The midlevel, middle-age offenders were housed at NYTC. The older, more sophisticated youth were housed at SVCC. When SVCC closed, we changed our classification system accordingly. We then developed programming to address the number of youths received in this particular classification.

The presenting offense may not necessarily be an indicator of the challenges for behavior management. Oftentimes, it is the younger, less serious offender who may have trouble with impulse control or may not be as sophisticated and will act out.

In our detention center, it is not the 17- or 18-year-old offender with a track record of offenses who cause behavior management issues. Many times it is the first- or second-time, 14- or 15-year-old youth who may not have the sophistication, maturity or impulse control who acts out. The severity of the offense does not necessarily translate to behavior management issues.

We are reviewing the possibility of building a 20-bed intensive unit at the Elko facility. We are working on launching a substance abuse program called the Seven Challenges program, which is a national best practice. We are moving forward by accessing every type of funding, including federal funding streams, etc., to accomplish this.

Page 17 of [Exhibit C](#) summarizes the Youth Parole Bureau, which supervises youths upon release from our institutions. The Bureau deals with several factors. One is the transition out of the correctional facilities. We work on placement of youths who require mental health or substance abuse treatment. We then work with a multitude of public agencies. No one agency can adequately treat the needs of a youth and the family. It is through partnerships with other human service agencies that we devise and implement a treatment plan.

MS. SALLA:

Page 18 of [Exhibit C](#) outlines how the Juvenile Justice Programs Office ensures compliance with the four core requirements of the federal Juvenile Justice Delinquency and Prevention Act.

Those four requirements include, first, Deinstitutionalization of Status Offenders. We want to ensure youths who commit status offenses like truancy, running away and curfew violations are not detained in a detention center for more than the time period allowed through the federal act.

Second, under Sight and Sound Separation, in our rural jurisdictions where there is not a juvenile detention center, we ensure that youth and adult inmates are sight and sound separated at all times in adult facilities while the youths wait to be processed and transported to a juvenile detention center.

Third, Jail Removal compliance is met in our rural jurisdictions where there are no juvenile detention centers but separate holding areas. Youths can be held for a certain length of time until transportation, identification or process is arranged and youths are transported to a juvenile detention center or released to their families.

Fourth, to comply with the Disproportionate Minority Contact requirement, the Juvenile Justice Office collects data from every county through NRS chapter 62H. We collect data on all demographic information of juveniles who touch the system, which is a core requirement of the federal Juvenile Justice Delinquency and Prevention Act.

We receive funds from the Department of Justice, Office of Juvenile Justice and Delinquency Prevention through the Juvenile Justice Programs Office. We distribute the funds to local probation departments, nonprofit organizations and Native American tribes.

The grants include the Juvenile Accountability Block Grant which is an accountability-based programming for youth. The funds from this grant provide training or services Statewide for probation and State facilities.

Title V is a Delinquency Prevention Grant. These funds provide prevention and outreach programs for youths before they enter our system.

Title II Formula Grant is for delinquency prevention programs. This grant is used to maintain our compliance with the federal Juvenile Justice Act in order to receive this money. It is distributed to local probation departments, nonprofit organizations and Native American tribes.

The Enforcing Under Age Drinking Law Grant is from OJJDP. There are two grants—a base grant and a discretionary grant. The funding is tailored to law enforcement agencies with programs to prevent under age drinking, i.e., juvenile party dispersement, fake identification training, beverage server training and compliance checks with businesses that sell alcohol.

The Community Corrections Partnership Block Grant, which is under the State General Fund, goes to evidence-based programming. Curriculum is mandatory for all of these funding sources.

MS. SALLA:

That is the summary of our grant programs. We work in conjunction with juvenile probation departments, law enforcement, community organizations, coalitions and the Judicial Branch to improve programming, communication and data collection with each jurisdiction

MR. STEWART:

Page 19 of [Exhibit C](#) shows the County Impact. We have a good, collaborative partnership with the State. In this partnership, we have utilized our funding at both levels to obtain good outcomes. Those outcomes can be measured in a couple of different ways.

The first one is the reduction in State commitments. On pages 2 to 4 of [Exhibit C](#), we show around 3 percent of our youth end up in State correctional care. The approximate remaining 90 percent we handle at the community level. Since 1998, this partnership has reduced State commitments by 300.

In the Special Session of 2009 [*sic*], a portion of SVCC was closed. At that time, Community Correction Block Grant dollars were enhanced because of a need for more community-based programming. With the closure of SVCC, we have reduced the amount of State commitments.

Because of the budget constraints, the Nevada Association of Juvenile Justice Administrators are concerned that if the front-end programs are eliminated, we will rely on deep-end care. That is a concern because the ones who are going to benefit or be affected in a negative fashion will be youth we service through these programs.

MR. SHICK:

The partnership collaboration between the State and counties needs to be recognized by this Committee. We all recognize we have to do our share. We can continue the progress of what is working in our communities.

CHAIR WIENER:

The theory behind juvenile justice being separate is to prevent young people from entering the criminal justice system, i.e., a delinquent act from a juvenile, a criminal act from an adult.

Today we have learned about the county or regional centers, the State operation and collaboration you have forged. Do you have data tracking prevention and early intervention, or what the outcome is in reducing these components? Do you have information to show your programs are working so we do not see the youths in our system for the rest of their adult lives? And finally, do data support your success to keep them out of the adult system?

MR. STEWART:

We do not have the data that, if we provide Program A, we will have a certain percentage of success so children do not enter the adult system.

SENATOR COPENING:

It is my understanding, in the Governor's budget, youth camps are scheduled to close, is that correct? Would Aurora Pines and China Spring be among those slated to lose funding?

MR. SHICK:

There would be a significant impact on the camps' ability to maintain the current population at 60 to 64 beds, and layoffs would be a result of the existing recommendations.

MR. REESE:

In discussions with Clark County, there is no intention to close the Spring Mountain Youth Camp, and \$500,000 is approximately 6.9 percent of our annual operating budget. However, \$500,000 does impact the County's ability to support the camp.

SENATOR MCGINNESS:

I represent some rural counties. Is the number of juvenile offenders in rural counties the same percentage as it is in the urban counties?

MR. SERRANO:

Yes. On a per capita basis, the offending rate mirrors the population rate.

SENATOR MCGINNESS:

If you take a juvenile offender into custody in Pahrump, are they still taken to Hawthorne?

MR. SERRANO:

Yes. We need to make use of every possible resource to provide services more readily available in the urban centers. We work very hard with the rural counties to provide that level of service.

CHAIR WIENER:

I will close the informational presentation on the Juvenile Justice System and services in Nevada. I will open the hearing on Senate Bill (S.B.) 23.

[SENATE BILL 23](#): Clarifies the entity responsible for carrying out certain duties relating to the adoption of a child with special needs. (BDR 11-459)

AMBER HOWELL (Deputy Administrator, Family Programs, Division of Child and Family Services, Department of Health and Human Services):

Senate Bill 23 is a Division of Child and Family Services (DCFS) bill which proposes additional language to chapter 127 of NRS to assist in clarifying the entity responsible for carrying out certain duties related to the adoption of a child with special needs.

When a child with special needs is adopted within the State, the child welfare agency provides an adoption subsidy to assist in financial support to the adoptive parents raising the child.

In order to qualify for an adoption subsidy, there are requirements the child must meet. The child must be five years of age or older and part of a sibling group of two or more with one of the children three years or older. The adoptive child must have a diagnosed disability and background factors that place the child at risk or make the child considered difficult to place due to race.

Nevada Revised Statute 127.186 states it is the responsibility of the agency to provide child welfare services including DCFS or county child welfare agencies or a child-placing agency, such as a private adoption agency.

It further states the agency should notify the potential adoptive parent of a child with special needs of the availability of an adoption subsidy and assist parents in the application process. The current language does not clearly identify who is responsible for notifying the adoptive parent of an adoption subsidy. The proposed language in S.B. 23 would provide clarity by indicating the agency that has custody of the child is the responsible entity.

In a recent private adoption case considered under judicial review, the judge indicated NRS 127.186, section 1, subsection 2 could be interpreted to indicate both the child placing agency and the agency which provides child welfare services are responsible for the notification to the potential adoptive parents, whether or not the child welfare agency was a party to the adoption.

Senate Bill 23, section 1, subsection 2, seeks to provide clarity to NRS 127.186.

CHAIR WIENER:
What was the court case?

DIANE COMEAUX (Administrator, Division of Child and Family Services,
Department of Health and Human Services):
It was a judicial review, so it was not published.

CHAIR WIENER:
And when was that?

MS. COMEAUX:
In 2009.

CHAIR WIENER:
Following the last Session?

MS. COMEAUX:
Correct.

SENATOR COPENING MOVED TO DO PASS S.B. 23.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR WIENER:

We have one other matter of business. I have a request from the Nevada Supreme Court for a Committee bill that would allow the process to begin once again to establish an appeals court level in our State court system. I need a vote for this to be a Committee introduction.

SENATOR BREEDEN MOVED TO INITIATE A BILL DRAFT REQUEST TO ESTABLISH AN APPEALS COURT LEVEL IN OUR STATE COURT SYSTEM.

SENATOR ROBERSON SECONDED THE MOTION.

SENATOR MCGINNESS:

Would this be the same Appellate Court the voters turned down in the previous election?

CHAIR WIENER:

They want to start the cycle again. Under our Rules, this is only to introduce a Committee bill, it is not committing us to a vote. This allows the bill to go forward for introduction, and we will process the measure.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR WIENER:

There being no further business, the meeting is adjourned at 9:16 a.m.

RESPECTFULLY SUBMITTED:

Judith Anker-Nissen,
Committee Secretary

APPROVED BY:

Senator Valerie Wiener, Chair

DATE: _____

EXHIBITS			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 23	C	Fernando Serrano	Nevada Juvenile Justice System Presentation