

Amendment No. 1102

Senate Amendment to Assembly Bill No. 472 Second Reprint (BDR 5-918)

Proposed by: Senate Committee on Judiciary

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 472 R2 (§§ 8, 12).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double-strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

BJF



Date: 6/2/2017

A.B. No. 472—Establishes policies for reducing recidivism rates and improving other outcomes for youth in the juvenile justice system.
(BDR 5-918)



ASSEMBLY BILL NO. 472—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE OFFICE OF THE GOVERNOR)

MARCH 27, 2017

Referred to Committee on Judiciary

SUMMARY—Establishes policies for reducing recidivism rates and improving other outcomes for youth in the juvenile justice system. (BDR 5-918)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 8, 12)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to juvenile justice; creating the Juvenile Justice Oversight Commission, ~~and~~ and an Advisory Committee to the Commission; prescribing the powers and duties of the Commission, ~~and~~ and the Advisory Committee; imposing requirements related to juvenile justice on the Division of Child and Family Services of the Department of Health and Human Services and local departments of juvenile services; providing for the establishment of an evidence-based program resource center; requiring the juvenile court to make certain findings before committing a child to the custody of a state facility for the detention of children or a public or private institution or agency in another state; requiring departments of juvenile services to conduct a risk assessment and a mental health screening before the disposition of a case involving a child who is adjudicated delinquent; requiring the Division to consider the results of such an assessment and screening in making decisions concerning the placement of a child; revising provisions relating to mental health screenings of children referred to the system of juvenile justice; revising provisions concerning the release of certain information relating to a child subject to the jurisdiction of the juvenile court; requiring the Youth Parole Bureau to adopt policies and procedures relating to responses to a child's violation of his or her terms and conditions of parole; requiring the juvenile court to consider the adherence of the Youth Parole Bureau to such policies and procedures in determining whether to suspend, modify or revoke a child's parole; revising provisions relating to

revocation of a child's parole; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides generally for a system of juvenile justice in this State. (Title 5 of NRS) ~~Federal law requires a state seeking grant money for the administration of a system of juvenile justice to have a state advisory group that oversees such a system. (42 U.S.C. § 5622(a)(3)).~~ **Section 4** of this bill creates the Juvenile Justice Oversight Commission ~~and designates the Commission as the state advisory group for the purposes of federal law.~~ **to perform certain functions relating to the juvenile justice system. Section 4.5 of this bill creates an Advisory Committee consisting of two members of the Senate, two members of the Assembly and two judges of a juvenile court to provide recommendations to the Commission.** **Section 5** of this bill requires the Commission to: (1) establish a uniform procedure for the Division of Child and Family Services of the Department of Health and Human Services, the Youth Parole Bureau and each department of juvenile services in this State to follow when developing performance measures related to the juvenile justice system; (2) establish standard procedures for measuring outcomes for children subject to the jurisdiction of the juvenile court; (3) select a validated risk assessment tool to assist the juvenile court, the Division and each department of juvenile services in determining the appropriate actions to take for children subject to the jurisdiction of the juvenile court and a validated mental health screening tool to determine the appropriate actions to take for children in need of supervision; and (4) contract with a qualified vendor or provider to provide technical assistance and training to employees of the juvenile justice system on the implementation and operation of such tools.

Section 6 of this bill requires the Commission to develop a 5-year strategic plan that establishes policies and procedures for the Division and each department of juvenile services relating to the use of evidence-based practices when providing services to children subject to the jurisdiction of the juvenile court. **Section 7** of this bill requires the members of the Commission to conduct annual quality assurance reviews of each state facility for the detention of children and each regional facility for the treatment and rehabilitation of children, which **section 13.2** of this bill defines as a regional facility which: (1) provides court-ordered treatment and rehabilitation for children; and (2) is administered by or for the benefit of more than one governmental entity. **Section 7** requires such a quality assurance review to include a review of the facility's: (1) service delivery; (2) case management procedures; (3) policies on supervision and behavior management; and (4) procedures relating to the release of children from the facility. **Section 7** also requires a facility to: (1) develop a facility improvement plan, in coordination with the Division or a local department of juvenile services, if such a plan is required to address any issues raised in the review; and (2) submit such a plan to the Commission. **Section 7** further requires the Commission to compile all such facility improvement plans and submit the plans to the Governor and the Director of the Legislative Counsel Bureau with its annual review.

Section 8 of this bill requires the Division and each department of juvenile services to, on or before July 1, 2018, implement the validated risk assessment tool and the validated mental health screening tool selected by the Commission for evaluation of children subject to the jurisdiction of the juvenile court. **Section 8** also establishes the cost allocation for the expenses of implementing such tools, such that the responsibility for those expenses will shift from the State to each department of juvenile services over the next 2 fiscal years. **Section 9** of this bill requires the Division and each department of juvenile services that receives money from the state, other than any money received from the State Plan for Medicaid, to use such money to develop, promote and coordinate evidence-based programs and services. **Section 9** also requires any contract between the Division or a department of juvenile services and a treatment provider for the provision of juvenile services to require the treatment provider to comply with the evidence-based standards developed by the Commission.

Section 10 of this bill requires the Division to issue a request for proposals to establish an evidence-based program resource center. **Section 10** requires the resource center to: (1) provide technical assistance to the Division, each department of juvenile services and treatment providers to support the implementation and operation of evidence-based programs and practices as set forth in the Commission's 5-year strategic plan; (2) provide various types of training to persons employed in the juvenile justice system; (3) act as a resource

clearinghouse on evidence-based programs and practices; and (4) facilitate collaboration among state and local agencies and treatment providers who serve the juvenile justice system. **Section 12** of this bill requires the Division and each department of juvenile services to develop and implement a family engagement plan to increase the participation of the family of a child who is subject to the jurisdiction of the juvenile court in the rehabilitation of the child.

Existing law establishes provisions governing the disposition by a juvenile court of cases of children subject to the court's jurisdiction. (Chapter 62E of NRS) **Section 15** of this bill requires the department of juvenile services, before the disposition of a child's case, to conduct a risk assessment and a mental health screening on the child using the validated tools selected by the Commission and, in certain circumstances, a full mental health assessment, and to prepare a report based on the results of the risk assessment, mental health screening and any full mental health assessment as to the most appropriate disposition of the case. **Section 16** of this bill requires a department of juvenile services to develop an individualized case plan for each child placed under the supervision of the juvenile court, placed under the informal supervision of a probation officer or committed to a regional facility for the treatment and rehabilitation of children. **Section 16** sets forth the information required to be included in each case plan. **Section 17** of this bill requires the Division to: (1) consider the results of a validated risk assessment, a validated mental health screening and any full mental health assessment to make decisions concerning the placement of a child; and (2) develop a case plan for each child committed to the Division for placement in a state facility for the detention of children. **Section 14.5** of this bill requires the juvenile court to make certain findings before committing a child to the custody of a state facility for the detention of children, and **section 18** of this bill requires the juvenile court to make certain findings before committing a child to a public or private institution or agency in another state. **Sections 20 and 21** of this bill revise the process for how mental health screenings of children who are adjudicated delinquent and committed to a state facility for the detention of children or a regional facility for the treatment and rehabilitation of children are to be conducted.

Existing law requires the Division to: (1) establish a standardized system for the reporting, collection, analysis, maintenance and retrieval of information concerning juvenile justice in this State; and (2) adopt regulations that require juvenile courts, local juvenile probation departments and the staff of the youth correctional services to submit certain information to the Division. (NRS 62H.200) **Section 25** of this bill revises the types of juvenile justice information required to be submitted to the Division. **Section 22** of this bill requires the Division to analyze such information and submit a report to the Governor and to the Legislature relating to the trends that exist in the juvenile justice system and the effectiveness of the system's programs and services. **Section 33** of this bill repeats a similar provision that requires each local juvenile probation department to analyze such information and submit a report to the Division.

Section 24 of this bill authorizes the Division to withhold money from a juvenile court that does not comply with the regulations adopted by the Division relating to the submittal of certain juvenile justice information.

Existing law authorizes a director of juvenile services and the Youth Parole Bureau to release certain information concerning a child who is within the purview of the juvenile court to certain other persons involved in the juvenile justice system. (NRS 62H.025) **Section 23** of this bill revises the list of persons to whom a director of juvenile services and the Youth Parole Bureau may release information to include: (1) the Chief Parole and Probation Officer; (2) the Director of the Department of Corrections; (3) a law enforcement agency; (4) the director of a regional facility for the treatment and rehabilitation of children; or (5) the director of an agency which provides mental health services.

Existing law provides for the suspension, modification or revocation of the parole of a child. (NRS 63.770) **Section 26** of this bill requires the Youth Parole Bureau to establish policies and procedures to be used when determining the most appropriate and least restrictive response to a violation of a child of the terms and conditions of his or her parole. **Section 26** requires, among other things, the Youth Parole Bureau to create a sliding scale of offenses based on the severity of the violation. **Section 28** of this bill requires the juvenile court to consider the policies and procedures adopted by the Youth Parole Bureau pursuant to **section 26** and consider the adherence of the Youth Parole Bureau to such policies and procedures when determining whether to suspend, modify or revoke the parole of a child. **Section 29** of this bill prohibits the Chief of the Youth Parole Bureau from recommending to the juvenile

court that a child's parole be revoked unless: (1) the child poses a risk to public safety; or (2) the other responses set forth in the policies and procedures adopted by the Youth Parole Bureau pursuant to **section 26** would not be appropriate for the child.

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

Section 1. Chapter 62A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *"Commission" means the Juvenile Justice Oversight Commission established by section 4 of this act.*

Sec. 2.5. *"Committee" means the Advisory Committee to the Commission established by section 4.5 of this act.*

Sec. 3. *"Department of juvenile services" means the entity designated pursuant to chapter 62G of NRS to administer the provision of services relating to the delinquency of children.*

Sec. 4. 1. *The Juvenile Justice Oversight Commission is hereby established. ~~[The Commission is hereby designated as the state advisory group on juvenile justice required to be established pursuant to 42 U.S.C. § 5633(a)(3).]~~*

2. *The Commission consists of the Governor or his or her designee and 25 members appointed by the Governor. The Governor shall appoint to the Commission:*

(a) Two members ~~[who are members of]~~ nominated by the Senate, one of whom must be from the majority political party and one of whom must be from the minority political party, who are not members of the Senate or public officers.

(b) Two members ~~[who are members of]~~ nominated by the Assembly, one of whom must be from the majority political party and one of whom must be from the minority political party, who are not members of the Assembly or public officers.

(c) Two members nominated by the Supreme Court, who are not judges of a juvenile court, justices or public officers.

(d) The Administrator of the Division of Child and Family Services or his or her designee.

(e) The Deputy Administrator of Juvenile Services of the Division of Child and Family Services or his or her designee.

(f) Three members who are directors of juvenile services, one each of whom must represent a county whose population:

(1) Is less than 100,000.

(2) Is 100,000 or more but less than 700,000.

(3) Is 700,000 or more.

(g) Two members who are district attorneys.

(h) Two members who are public defenders.

(i) One member who is a representative of a law enforcement agency.

(j) Two members who are representatives of a nonprofit organization which provides programs to prevent juvenile delinquency.

(k) One member who is a volunteer who works with children who have been adjudicated delinquent.

(l) Six members who are under the age of 24 years at the time of appointment.

3. *At least three of the persons appointed to the Commission pursuant to subsection 2 must be persons who are currently or were formerly subject to the jurisdiction of the juvenile court.*

4. *Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Commission must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. Nine of the initial members of the Commission who are appointed pursuant to subsection 2 must be appointed to an initial term of 1 year. Each member of the Commission continues in office until his or her successor is appointed.*

5. *The members of the Commission serve without compensation but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.*

6. *A majority of the members of the Commission constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Commission.*

7. *A member of the Commission who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation to prepare for and attend meetings of the Commission and perform any work necessary to carry out the duties of the Commission in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Commission to:*

(a) *Make up the time he or she is absent from work to carry out his or her duties as a member of the Commission; or*

(b) *Take annual leave or compensatory time for the absence.*

8. *At the first meeting of the Commission and annually thereafter:*

(a) *The Governor shall appoint a Chair of the Commission;*

(b) *The Commission shall elect a Secretary from among its members; and*

(c) *The Commission shall adopt rules for its own management and government.*

9. *The Commission shall:*

(a) *Hold its first meeting within 60 days after all the initial appointments to the Commission are made pursuant to subsection 2; and*

(b) *Meet at least once every 4 months and may meet at such further times as deemed necessary by the Chair.*

10. *As used in this section, "public officer" has the meaning ascribed to it in NRS 205.4627.*

Sec. 4.5. 1. The Advisory Committee to the Commission is hereby established.

2. The Committee consists of six members appointed by the Governor. The Governor shall appoint:

(a) Two members of the Senate, one of whom must be from the majority political party and one of whom must be from the minority political party.

(b) Two members of the Assembly, one of whom must be from the majority political party and one of whom must be from the minority political party.

(c) Two members who are judges of a juvenile court.

3. The Committee shall make recommendations concerning any duties assigned to the Commission.

4. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Committee must

be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

5. The members of the Committee serve without compensation but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

6. A majority of the members of the Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Commission.

Sec. 5. In addition to the duties set forth in sections 6 and 7 of this act, the Commission shall:

1. On or before July 1, 2018, establish a uniform procedure for the Division of Child and Family Services, the Youth Parole Bureau and each department of juvenile services to use for developing performance measures to determine the effectiveness of the juvenile justice system, including, without limitation, performance measures for juvenile court referrals and dispositions, supervision of a child subject to the jurisdiction of the juvenile court, services provided by agencies which provide juvenile justice services and rates of recidivism.

2. On or before July 1, 2018, establish standard procedures for measuring outcomes for a child subject to the jurisdiction of the juvenile court, including, without limitation, standard procedures for measuring and reporting rates of recidivism in accordance with NRS 62H.200, and define any necessary terms.

3. On or before January 1, 2018, select:

(a) A validated risk assessment tool that uses a currently accepted standard of assessment to assist the juvenile court, the Division of Child and Family Services and departments of juvenile services in determining the appropriate actions to take for each child subject to the jurisdiction of the juvenile court; and

(b) A validated mental health screening tool that uses a currently accepted standard of assessment to determine the appropriate actions to take for each child in need of supervision pursuant to this title.

4. Contract with a qualified vendor or provider of technical assistance to assist the Division of Child and Family Services and each department of juvenile services with the implementation of the validated risk assessment tool. Such assistance must include, without limitation, employee training, policy development and the establishment of quality assurance protocols.

Sec. 6. 1. The Commission shall develop a 5-year strategic plan that establishes policies and procedures for the Division of Child and Family Services and each department of juvenile services relating to the use of evidence-based practices in providing services to children subject to the jurisdiction of the juvenile court. The plan must include, without limitation:

(a) Uniform standards that an evidence-based practice or program must follow, including, without limitation, model programs, staffing requirements and quality assurance protocols;

(b) Strategies, including, without limitation, measurable goals, timelines and responsible parties, to enhance the capacity of the Division of Child and Family Services and each department of juvenile services to:

(1) Comply with the evidence-based standards developed by the Commission; and

(2) Partner with treatment providers that offer evidence-based programs for the treatment of children subject to the jurisdiction of the juvenile court;

(c) A requirement for the collection and reporting of data to the Commission by each department of juvenile services relating to the programs offered and services rendered by each department; and

(d) Protocols for improvement and corrective action for:

1 (1) A department of juvenile services that does not comply with the
2 reporting requirements established pursuant to paragraph (c); and

3 (2) A treatment provider that does not comply with the evidence-based
4 standards established by the Commission.

5 2. The Division of Child and Family Services shall adopt regulations to
6 implement the provisions of the strategic plan developed pursuant to subsection 1.

7 3. On or before July 1, 2018, and every 5 years thereafter, the Commission
8 shall submit the strategic plan developed pursuant to subsection 1 to the Director
9 of the Legislative Counsel Bureau for transmittal to the next regular session of
10 the Legislature.

11 Sec. 7. 1. The members of the Commission shall conduct an annual
12 quality assurance review of each state facility for the detention of children and
13 regional facility for the treatment and rehabilitation of children. Each review
14 must use a validated service assessment tool, selected by the Commission, which
15 includes, without limitation:

16 (a) An analysis of the facility's service delivery;

17 (b) A review of the facility's case management procedures;

18 (c) A review of the facility's policies on supervision and behavior
19 management of children placed in the facility; and

20 (d) An analysis of the facility's procedures relating to the release of children
21 from the jurisdiction of the juvenile court.

22 2. Before conducting a review pursuant to subsection 1, a member of the
23 Commission must receive training on the use of the validated service assessment
24 tool selected by the Commission pursuant to subsection 1.

25 3. The members of the Commission who conduct a review pursuant to
26 subsection 1 shall share the results of the review and recommendations for
27 improvement with the facility and the Division of Child and Family Services or a
28 local department of juvenile services.

29 4. A facility shall develop a facility improvement plan, in coordination with
30 the Division of Child and Family Services or a local department of juvenile
31 services, if such a plan is required to address any issues raised in the review. Not
32 more than 60 days after receiving the results of the review and recommendations
33 for improvement pursuant to subsection 3, the facility shall submit the facility
34 improvement plan to the Commission. The Commission shall compile all such
35 facility improvement plans and submit the plans to the Governor and to the
36 Director of the Legislative Counsel Bureau with its annual review.

37 Sec. 8. 1. On or before July 1, 2018, the Division of Child and Family
38 Services and each department of juvenile services shall:

39 (a) Implement the validated risk assessment tool and the validated mental
40 health screening tool selected by the Commission pursuant to subsection 3 of
41 section 5 of this act; and

42 (b) Comply with the policies and quality assurance protocols set forth by the
43 qualified vendor or other provider selected to provide technical assistance for the
44 validated risk assessment tool pursuant to subsection 4 of section 5 of this act.

45 2. The costs of implementing and operating the validated risk assessment
46 tool and the validated mental health screening tool pursuant to subsection 1 must
47 be allocated in the following manner:

48 (a) In Fiscal Year 2017-2018, the Division of Child and Family Services pays
49 100 percent of the costs incurred by each department of juvenile services
50 associated with the validated risk assessment tool and the validated mental health
51 screening tool.

52 (b) In Fiscal Year 2018-2019, the Division of Child and Family Services pays
53 50 percent of the costs incurred by each department of juvenile services

1 *associated with the validated risk assessment tool and the validated mental health*
2 *screening tool.*

3 *(c) In Fiscal Year 2019-2020 and in every subsequent fiscal year, each*
4 *department of juvenile services is responsible for 100 percent of the costs that the*
5 *department incurs associated with the validated risk assessment tool and the*
6 *validated mental health screening tool.*

7 **Sec. 9.** 1. *Except as otherwise provided in subsection 2 and subject to the*
8 *provisions of subsection 4, the Division of Child and Family Services and each*
9 *department of juvenile services that receives money from the State, except money*
10 *received from the State Plan for Medicaid as a benefit for a child subject to the*
11 *jurisdiction of a juvenile court, must use such money to develop, promote and*
12 *coordinate evidence-based programs and practices.*

13 2. *A department of juvenile services in a county whose population is less*
14 *than 100,000 must be evaluated for compliance with the requirement set forth in*
15 *subsection 1 based on the amount of money received from the State, other*
16 *limitations on resources and the availability of treatment providers in the county.*

17 3. *A contract or provider agreement between the Division of Child and*
18 *Family Services or a department of juvenile services and a treatment provider for*
19 *the provision of any juvenile services that uses money from the State must require*
20 *the treatment provider to comply with the evidence-based standards developed by*
21 *the Commission pursuant to section 6 of this act.*

22 4. *The Division of Child and Family Services and each department of*
23 *juvenile services shall use the following percentages of money received from the*
24 *State as described in subsection 1 to develop, promote and coordinate evidence-*
25 *based programs and practices:*

26 *(a) In Fiscal Year 2019-2020, 25 percent.*

27 *(b) In Fiscal Year 2020-2021, 50 percent.*

28 *(c) In Fiscal Year 2021-2022, 75 percent.*

29 *(d) In Fiscal Year 2022-2023 and each subsequent fiscal year, 100 percent.*

30 **Sec. 10.** 1. *On or before September 1, 2017, the Division of Child and*
31 *Family Services shall issue a request for proposals to establish an evidence-based*
32 *program resource center.*

33 2. *The evidence-based program resource center shall:*

34 *(a) Provide technical assistance to the Division of Child and Family Services,*
35 *each department of juvenile services and treatment providers to support the*
36 *implementation and operation of evidence-based programs and practices as set*
37 *forth in the strategic plan developed by the Commission pursuant to section 6 of*
38 *this act;*

39 *(b) Provide on a statewide basis to persons employed in the juvenile justice*
40 *system training relating to:*

41 *(1) The use of evidence-based programs and practices; and*

42 *(2) The analysis of quality assurance protocols to ensure such programs*
43 *meet the evidence-based standards developed by the Commission pursuant to*
44 *section 6 of this act;*

45 *(c) Act as a clearinghouse for information and statewide resources on*
46 *evidence-based programs and practices for children subject to the jurisdiction of*
47 *the juvenile court;*

48 *(d) Facilitate collaboration among state and local agencies and treatment*
49 *providers to increase access to such providers; and*

50 *(e) Provide support for the assessment of the implementation of evidence-*
51 *based standards by such state and local agencies.*

52 **Sec. 11.** *On or before July 1, 2019, and on or before July 1 of every year*
53 *thereafter, the Division of Child and Family Services shall submit to the*

Governor, to the Commission and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature, a report detailing the Division's compliance with the evidence-based standards developed by the Commission pursuant to section 6 of this act and an analysis of the data collected based on the performance measures adopted by the Division pursuant to NRS 62H.200.

Sec. 12. *The Division of Child and Family Services and each department of juvenile services shall develop and implement a family engagement plan to enhance family engagement in the juvenile justice system. The plan must include strategies for:*

1. Increasing the family's contact with a child subject to the jurisdiction of the juvenile court;

2. Engaging family members in the case plan of a child and in planning meetings for the release of the child from the jurisdiction of the juvenile court;

3. Involving family members in the child's treatment; and

4. Soliciting the feedback of family members relating to improvements to the services rendered to children subject to the jurisdiction of the juvenile court.

Sec. 13. NRS 62A.010 is hereby amended to read as follows:

62A.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 62A.020 to 62A.350, inclusive, *and sections 2 and 3 of this act* have the meanings ascribed to them in those sections.

Sec. 13.2. NRS 62A.280 is hereby amended to read as follows:

62A.280 1. "Regional facility for the ~~detention~~ *treatment and rehabilitation* of children" means a regional facility ~~for the detention or commitment of~~ *which provides court-ordered treatment and rehabilitation for* children *and* which is administered by or for the benefit of more than one governmental entity.

2. The term includes, but is not limited to:

(a) The ~~institution~~ *facility* in Clark County known as Spring Mountain Youth Camp;

(b) The ~~institution~~ *facility* in Douglas County known as China Spring Youth Camp; and

(c) The ~~institution~~ *facility* in Lyon County known as Western Nevada Regional Youth Facility.

3. The term does not include:

(a) Any local facility for the detention of children; or

(b) The Nevada Youth Training Center, the Caliente Youth Center or any state facility for the detention of children.

Sec. 13.3. NRS 62B.130 is hereby amended to read as follows:

62B.130 1. If a child is detained other than pursuant to a court order in a local ~~for regional~~ facility for the detention of children, the county that has detained the child is entitled to reimbursement from the parent or guardian of the child for all money expended by the county for the support of the child during the period of the child's detention.

2. If the parent or guardian of the child fails or refuses to reimburse the county, the board of county commissioners may recover from the parent or guardian, by appropriate legal action, all money due plus interest thereon at the rate of 7 percent per annum.

Sec. 13.4. NRS 62B.140 is hereby amended to read as follows:

62B.140 1. Except as otherwise provided in this subsection, if a child is committed to the custody of a regional facility for the ~~detention~~ *treatment and rehabilitation* of children, the juvenile court may order the county where the child has a legal residence to pay the expenses incurred for the support of the child in an

1 amount equal to any money paid for that purpose by the Division of Child and
2 Family Services. Such an order may not be entered if the county maintains the
3 facility to which the child is committed.

4 2. The juvenile court may order the parent or guardian of the child to
5 reimburse the county, in whole or in part, for any money expended by the county
6 for the support of the child.

7 3. This section does not prohibit the juvenile court from providing for the
8 support of the child in any other manner authorized by law.

9 **Sec. 13.5.** NRS 62B.150 is hereby amended to read as follows:

10 62B.150 1. Except as otherwise provided in subsection 6, each county shall
11 pay an assessment for the operation of each regional facility for the ~~detention~~
12 *treatment and rehabilitation* of children that is partially supported by the State of
13 Nevada and is operated by a county whose population is less than 700,000.

14 2. The assessment owed by each county equals the total amount budgeted by
15 the Legislature for the operation of the regional facility, minus any money
16 appropriated by the Legislature for the support of the regional facility, divided by
17 the total number of pupils in this State in the preceding school year, excluding
18 pupils in counties whose population is 700,000 or more, and multiplied by the
19 number of pupils in the assessed county. The Administrator of the Division of Child
20 and Family Services shall calculate the assessment owed by each county in June of
21 each year for the ensuing fiscal year.

22 3. Each county must pay the assessed amount to the Division of Child and
23 Family Services in quarterly installments that are due the first day of the first month
24 of each calendar quarter.

25 4. The Administrator of the Division of Child and Family Services shall
26 deposit the money received pursuant to subsection 3 in a separate account in the
27 State General Fund. The money in the account may be withdrawn only by the
28 Administrator for the operation of regional facilities for the ~~detention~~ *treatment and*
29 *rehabilitation* of children.

30 5. Revenue raised by a county to pay the assessment required pursuant to
31 subsection 1 is not subject to the limitations on revenue imposed pursuant to
32 chapter 354 of NRS and must not be included in the calculation of those limitations.

33 6. The provisions of this section do not apply to a county whose population is
34 700,000 or more.

35 7. As used in this section, “regional facility for the ~~detention~~ *treatment and*
36 *rehabilitation* of children” or “regional facility” does not include the ~~institution~~
37 *facility* in Lyon County known as Western Nevada Regional Youth Center.

38 **Sec. 13.6.** NRS 62B.160 is hereby amended to read as follows:

39 62B.160 1. Except as otherwise provided in subsection 5, each county shall
40 pay an assessment for the operation of a regional facility for the ~~detention~~
41 *treatment and rehabilitation* of children that serves the county if the regional
42 facility:

43 (a) Is operated by a county whose population is less than 700,000 or an
44 administrative entity established pursuant to NRS 277.080 to 277.180, inclusive, by
45 counties whose populations are less than 700,000 each;

46 (b) Is established by two or more counties pursuant to an interlocal agreement
47 or by one county if the regional facility is operated pursuant to an interlocal
48 agreement to benefit other counties; and

49 (c) Is not partially supported by the State of Nevada and does not receive
50 money from the State of Nevada other than any fees paid to the regional facility for
51 a child referred to the regional facility by the State of Nevada.

52 2. The administrator of a regional facility for the ~~detention~~ *treatment and*
53 *rehabilitation* of children shall calculate the assessment owed by each county

pursuant to subsection 1 on or before March 1 of each year for the ensuing fiscal year. The assessment owed by each county equals:

(a) For the first 2 years of operation of the regional facility, the total amount budgeted for the operation of the regional facility by the governing body of the county or other entity responsible for the operation of the regional facility, minus any money received from the State of Nevada to pay for fees for a child referred to the regional facility by the State of Nevada, divided by the total number of pupils in the preceding school year in all counties served by the regional facility and multiplied by the number of pupils in the preceding school year in the assessed county.

(b) For each year subsequent to the second year of operation of the regional facility, unless the counties served by the regional facility enter into an interlocal agreement to the contrary, the total of:

(1) The total amount budgeted for the operation of the regional facility by the governing body of the county or other entity responsible for the operation of the regional facility, minus any money received from the State of Nevada to pay for fees for a child referred to the regional facility by the State of Nevada, divided by the total number of pupils in the preceding school year in all counties served by the regional facility, multiplied by the number of pupils in the preceding school year in the assessed county and multiplied by one-fourth; and

(2) The total amount budgeted for the operation of the regional facility by the governing body of the county or other entity responsible for the operation of the regional facility, minus any money received from the State of Nevada to pay for fees for a child referred to the regional facility by the State of Nevada, divided by the total number of pupils who were served by the regional facility in the preceding school year from all counties served by the regional facility, multiplied by the number of pupils who were served by the regional facility in the preceding school year from the assessed county and multiplied by three-fourths.

3. Each county shall pay the assessment required pursuant to subsection 1 to the treasurer of the county if the regional facility is operated by a county or to the administrative entity responsible for the operation of the regional facility in quarterly installments that are due on the first day of the first month of each calendar quarter. The money must be accounted for separately and may only be withdrawn by the administrator of the regional facility.

4. The board of county commissioners of each county may pay the assessment from revenue raised by a tax levied pursuant to NRS 354.59818, any other available money, or a combination thereof.

5. The provisions of this section do not apply to a county whose population is 700,000 or more.

6. As used in this section, “regional facility for the ~~detention~~ *treatment and rehabilitation* of children” or “regional facility” does not include the ~~institution~~ *facility* in Douglas County known as China Spring Youth Camp.

Sec. 13.7. NRS 62B.215 is hereby amended to read as follows:

62B.215 1. A child who is detained in a local ~~for regional~~ facility for the detention of children *or committed to a regional facility for the treatment and rehabilitation of children* may be subjected to corrective room restriction only if all other less-restrictive options have been exhausted and only for the purpose of:

(a) Modifying the negative behavior of the child;

(b) Holding the child accountable for a violation of a rule of the facility; or

(c) Ensuring the safety of the child, staff or others or ensuring the security of the facility.

2. Any action that results in corrective room restriction for more than 2 hours must be documented in writing and approved by a supervisor.

1 3. A local ~~for regional~~ facility for the detention of children *or regional*
2 *facility for the treatment and rehabilitation of children* shall conduct a safety and
3 well-being check on a child subjected to corrective room restriction at least once
4 every 10 minutes while the child is subjected to corrective room restriction.

5 4. A child may be subjected to corrective room restriction only for the
6 minimum time required to address the negative behavior, rule violation or threat to
7 the safety of the child, staff or others or to the security of the facility, and the child
8 must be returned to the general population of the facility as soon as reasonably
9 possible.

10 5. A child who is subjected to corrective room restriction for more than 24
11 hours must be provided:

12 (a) Not less than 1 hour of out-of-room, large muscle exercise each day,
13 including, without limitation, access to outdoor recreation if weather permits;

14 (b) Access to the same meals and medical and mental health treatment, the
15 same access to contact with parents or legal guardians, and the same access to legal
16 assistance and educational services as is provided to children in the general
17 population of the facility; and

18 (c) A review of the corrective room restriction status at least once every 24
19 hours. If, upon review, the corrective room restriction is continued, the continuation
20 must be documented in writing, including, without limitation, an explanation as to
21 why no other less-restrictive option is available.

22 6. A local ~~for regional~~ facility for the detention of children *or regional*
23 *facility for the treatment and rehabilitation of children* shall not subject a child to
24 corrective room restriction for more than 72 consecutive hours.

25 7. ~~Each~~ *Each* local ~~for regional~~ facility for the detention of children *and*
26 *regional facility for the treatment and rehabilitation of children* shall report
27 monthly to the Juvenile Justice Programs Office of the Division of Child and
28 Family Services the number of children who were subjected to corrective room
29 restriction during that month and the length of time that each child was in corrective
30 room restriction. Any incident that resulted in the use of corrective room restriction
31 for 72 consecutive hours must be addressed in the monthly report, and the report
32 must include the reason or reasons any attempt to return the child to the general
33 population of the facility was unsuccessful.

34 8. As used in this section, "corrective room restriction" means the
35 confinement of a child to his or her room as a disciplinary or protective action and
36 includes, without limitation:

37 (a) Administrative seclusion;

38 (b) Behavioral room confinement;

39 (c) Corrective room rest; and

40 (d) Room confinement.

41 **Sec. 13.8.** NRS 62C.035 is hereby amended to read as follows:

42 62C.035 1. Each child who is taken into custody by a peace officer or
43 probation officer and detained in a local facility for the detention of children ~~for a~~
44 ~~regional facility for the detention of children~~ while awaiting a detention hearing
45 pursuant to NRS 62C.040 or 62C.050 must be screened to determine whether the
46 child is in need of mental health services or is an abuser of alcohol or drugs.

47 2. The facility in which the child is detained shall cause the screening
48 required pursuant to subsection 1 to be conducted as soon as practicable after the
49 child has been detained in the facility.

50 3. The method for conducting the screening required pursuant to subsection 1
51 must satisfy the requirements of NRS 62E.516.

1 **Sec. 14.** Chapter 62E of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 14.5 to 17, inclusive, of this act.

3 **Sec. 14.5.** *Before the juvenile court commits a delinquent child to the*
4 *custody of a state facility for the detention of children, the court must find that:*

5 1. *Appropriate alternatives that could satisfactorily meet the needs of the*
6 *child do not exist in the community or were previously used to attempt to meet*
7 *such needs and proved unsuccessful; and*

8 2. *The child poses a public safety risk based on the child's risk of*
9 *reoffending, as determined by a risk assessment conducted pursuant to section 15*
10 *of this act, any history of delinquency and the seriousness of the offense*
11 *committed by the child.*

12 **Sec. 15.** 1. *Beginning on the date selected by the Commission for*
13 *implementation of the requirement for use of the validated risk assessment tool*
14 *and the validated mental health screening tool selected pursuant to section 5 of*
15 *this act, before the disposition of a case involving a child who is adjudicated*
16 *delinquent, the department of juvenile services shall conduct a validated risk*
17 *assessment and validated mental health screening on the child, using the tools*
18 *selected by the Commission. If the mental health screening indicates that the*
19 *child is in need of a full mental health assessment, the department of juvenile*
20 *services shall, to the extent money is available, provide for a full mental health*
21 *assessment of the child.*

22 2. *The department of juvenile services shall prepare a report on the results*
23 *of the risk assessment, mental health screening and, if applicable, the full mental*
24 *health assessment conducted pursuant to subsection 1. The report must be*
25 *included in the child's file and provided to all parties to the case. The report must*
26 *identify the child's risk to reoffend and provide a recommendation for the type of*
27 *supervision and services that the child needs.*

28 3. *The juvenile court shall use the report created pursuant to subsection 2*
29 *to assist the juvenile court in determining the disposition of the child's case.*

30 **Sec. 16.** 1. *The department of juvenile services shall develop a written*
31 *individualized case plan for each child placed under the supervision of the*
32 *juvenile court pursuant to a supervision and consent decree, placed under the*
33 *informal supervision of a probation officer pursuant to NRS 62C.200 or*
34 *committed to a regional facility for the treatment and rehabilitation of children.*
35 *In developing such a case plan, the department of juvenile services must use,*
36 *without limitation:*

37 (a) *The results of the risk assessment and mental health screening conducted*
38 *pursuant to section 15 of this act;*

39 (b) *The trauma, if any, experienced by the child;*

40 (c) *The education level of the child;*

41 (d) *The seriousness of the offense committed by the child; and*

42 (e) *Any relevant information provided by the family of the child.*

43 2. *A case plan developed pursuant to subsection 1 must:*

44 (a) *Address the risks the child presents and the service needs of the child*
45 *based on the results of the risk assessment and mental health screening*
46 *conducted pursuant to section 15 of this act;*

47 (b) *Specify the level of supervision and intensity of services that the child*
48 *needs;*

49 (c) *Provide referrals to treatment providers that may address the child's risks*
50 *and needs;*

51 (d) *Be developed in consultation with the child's family or guardian, as*
52 *appropriate;*

(e) Specify the responsibilities of each person or agency involved with the child; and

(f) Provide for the full reentry of the child into the community.

3. In addition to the requirements of subsection 2, if a child is committed to a regional facility for the treatment and rehabilitation of children, the child's case plan must:

(a) Identify the projected length of stay and release criteria based on a risk assessment conducted pursuant to section 15 of this act, the seriousness of the offense committed by the child and treatment progress;

(b) Include a comprehensive plan for complete reentry of the child into the community; and

(c) Be reviewed at least once every 3 months by the department of juvenile services.

4. A reentry plan developed pursuant to subsection 3 must include, without limitation:

(a) A detailed description of the education, counseling and treatment provided to the child;

(b) A proposed plan for the continued education, counseling and treatment of the child upon his or her release;

(c) A proposed plan for the provision of any supervision or services necessary for the transition of the child; and

(d) A proposed plan for any engagement of the child's family or guardian.

5. The department of juvenile services must update a child's case plan at least once every 6 months, or when significant changes in the child's treatment occur, by conducting another risk assessment and mental health screening using the tools selected by the Commission pursuant to section 5 of this act.

6. A reentry planning meeting must be held at least 30 days before a child's scheduled release from a regional facility for the treatment and rehabilitation of children. As appropriate, based on the child's case plan, the meeting should be attended by:

(a) The child;

(b) A family member or the guardian of the child;

(c) The child's probation officer;

(d) Members of the staff of the regional facility for the treatment and rehabilitation of children; and

(e) Any treatment providers of the child.

Sec. 17. 1. The Division of Child and Family Services shall consider, without limitation, the results of a validated risk assessment, a validated mental health screening and, if applicable, a full mental health assessment conducted pursuant to section 15 of this act to make decisions concerning the placement of the child. The Division may consider the results of a risk and needs assessment of the child that was conducted by a local department of juvenile services if the assessment was conducted within the immediately preceding 6 months and no significant changes have occurred relating to the child's case.

2. The Division of Child and Family Services shall develop a length of stay matrix and establish release criteria for a state facility for the detention of children that are based on a child's risk of reoffending, as determined by the risk assessment for the child, the seriousness of the act for which the child was adjudicated delinquent and the child's progress in meeting treatment goals. In making release and discharge decisions, the Division shall use the matrix and release criteria developed pursuant to this subsection.

3. The Division of Child and Family Services shall develop a written individualized case plan for each child committed to the custody of the Division

pursuant to NRS 62E.520. In developing such a case plan, the Division must use, without limitation:

(a) The results of the risk assessment, mental health screening and any full mental health assessment conducted pursuant to section 15 of this act;

(b) The trauma, if any, experienced by the child;

(c) The education level of the child;

(d) The seriousness of the offense committed by the child;

(e) The child's progress in meeting treatment goals; and

(f) Any relevant information provided by the family of the child.

4. A case plan developed pursuant to subsection 3 must:

(a) Address the risks the child presents and the service needs of the child based on the results of the risk assessment, mental health screening and any full mental health assessment conducted pursuant to section 15 of this act;

(b) Specify the level of supervision and services that the child needs;

(c) Provide referrals to treatment providers that may address the child's risks and needs;

(d) Be developed in consultation with the child's family or guardian, as appropriate;

(e) Specify the responsibilities of each person or agency involved with the child; and

(f) Provide for the full reentry of the child into the community.

5. In addition to the requirements of subsection 4, if a child is committed to a state facility for the detention of children, the child's case plan must:

(a) Include a comprehensive plan for complete reentry of the child into the community; and

(b) Be reviewed at least once every 3 months by the Division of Child and Family Services.

6. A reentry plan developed pursuant to subsection 5 must include, without limitation:

(a) A detailed description of the education, counseling and treatment provided to the child;

(b) A proposed plan for the continued education, counseling and treatment of the child upon his or her release;

(c) A proposed plan for the provision of any supervision or services necessary for the transition of the child; and

(d) A proposed plan for any engagement of the child's family or guardian.

7. The Division of Child and Family Services must update a child's case plan at least once every 6 months, or when significant changes in the child's treatment occur, by conducting another risk assessment and mental health screening using the tools selected by the Commission pursuant to section 5 of this act.

8. A reentry planning meeting must be held at least 30 days before a child's scheduled release from a state facility for the detention of children. As appropriate, based on the child's case plan, the meeting should be attended by:

(a) The child;

(b) A family member or the guardian of the child;

(c) The child's youth parole counselor;

(d) The superintendent of the state facility for the detention of children; and

(e) Any treatment providers of the child.

Sec. 18. NRS 62E.110 is hereby amended to read as follows:

62E.110 1. Except as otherwise provided in this chapter, the juvenile court may:

1 (a) Place a child in the custody of a suitable person for supervision in the
2 child's own home or in another home; ~~to~~

3 (b) Commit the child to the custody of a public or private institution or agency
4 authorized to care for children ~~to~~; *or*

5 *(c) Commit the child to the custody of the Division of Child and Family*
6 *Services pursuant to NRS 62E.520.*

7 2. If the juvenile court places the child under supervision in a home:

8 (a) The juvenile court may impose such conditions as the juvenile court deems
9 proper; and

10 (b) The program of supervision in the home may include electronic
11 surveillance of the child.

12 3. If the juvenile court commits the child to the custody of a public or private
13 institution or agency ~~to~~ *other than the Division of Child and Family Services*, the
14 juvenile court shall select one that is required to be licensed by:

15 (a) The Department of Health and Human Services to care for such children; or

16 (b) If the institution or agency is in another state, the analogous department of
17 that state.

18 *4. Before committing a child to a public or private institution or agency in*
19 *another state, the juvenile court must find that:*

20 *(a) No public or private institution or agency in this State met the needs of*
21 *the child or that such an institution or agency had previously attempted to meet*
22 *such needs and proved unsuccessful; and*

23 *(b) Reasonable efforts had been made to consult with public or private*
24 *institutions and agencies in this State to place or commit the child in this State,*
25 *and that those efforts had failed.*

26 **Sec. 19.** NRS 62E.500 is hereby amended to read as follows:

27 62E.500 1. The provisions of NRS 62E.500 to 62E.730, inclusive ~~to~~, *and*
28 *sections 14.5 to 17, inclusive, of this act:*

29 (a) Apply to the disposition of a case involving a child who is adjudicated
30 delinquent.

31 (b) Except as otherwise provided in NRS 62E.700 and 62E.705, do not apply
32 to the disposition of a case involving a child who is found to have committed a
33 minor traffic offense.

34 2. If a child is adjudicated delinquent:

35 (a) The juvenile court may issue any orders or take any actions set forth in
36 NRS 62E.500 to 62E.730, inclusive, *and sections 14.5 to 17, inclusive, of this act*
37 that the juvenile court deems proper for the disposition of the case; and

38 (b) If required by a specific statute, the juvenile court shall issue the
39 appropriate orders or take the appropriate actions set forth in the statute.

40 **Sec. 20.** NRS 62E.513 is hereby amended to read as follows:

41 62E.513 1. Each child who is adjudicated delinquent and committed by the
42 juvenile court to a regional facility for the ~~detention~~ *treatment and rehabilitation*
43 of children or state facility for the detention of children or ordered by the juvenile
44 court to be placed in a facility for the detention of children pursuant to NRS
45 62E.710 must be screened to determine whether the child is in need of mental
46 health services or is an abuser of alcohol or drugs ~~to~~ *once every 6 months or when*
47 *significant changes to the child's case plan developed pursuant to section 16 or*
48 *17 of this act, as applicable, are made.*

49 2. The facility to which the child is committed or in which the child is placed
50 shall cause the screening required pursuant to subsection 1 to be conducted as soon
51 as practicable after the child has been committed to or placed in the facility.

52 3. The method for conducting the screening required pursuant to subsection 1
53 must satisfy the requirements of NRS 62E.516.

Sec. 21. NRS 62E.516 is hereby amended to read as follows:

62E.516 1. Each local facility for the detention of children ~~and regional facility for the detention of children~~ shall conduct the screening required pursuant to NRS 62C.035 ~~and 62E.513~~ using a method that has been approved by the Division of Child and Family Services. The Division shall approve a method upon determining that the method is:

(a) Based on research; and

(b) Reliable and valid for identifying a child who is in need of mental health services or who is an abuser of alcohol or other drugs.

2. Each local facility for the detention of children ~~and regional facility for the detention of children~~ shall submit its method for conducting the screening required pursuant to NRS 62C.035 ~~and 62E.513~~ to the Division of Child and Family Services for approval on or before July 1 of each fifth year after the date on which the method was initially approved by the Division. Before a local facility for the detention of children ~~for regional facility for the detention of children~~ may begin using a new method for conducting the screening required pursuant to NRS 62C.035, ~~and 62E.513,~~ the facility must obtain approval of the method from the Division pursuant to subsection 1.

3. If the Division of Child and Family Services does not approve a method for conducting the screening required pursuant to NRS 62C.035 ~~and 62E.513~~ that is submitted by a local facility for the detention of children, ~~for a regional facility for the detention of children,~~ and the facility does not submit a new method for conducting the screening for approval within 90 days after the denial, the Division of Child and Family Services shall notify the appropriate board of county commissioners or other governing body which administers the facility and the chief judge of the appropriate judicial district that the facility has not received approval of its method for conducting the screening as required by this section.

4. Upon receiving the notice required by subsection 3, the appropriate board of county commissioners or governing body and the chief judge shall take appropriate action to ensure that the facility complies with the requirements of this section and NRS 62C.035. ~~and 62E.513.~~

5. Each regional facility for the treatment and rehabilitation of children shall conduct the screening required pursuant to NRS 62E.513 using the assessment tool that has been approved by the Commission pursuant to section 5 of this act.

6. Each state facility for the detention of children shall use ~~a method~~ *the assessment tool* for conducting the screening required pursuant to NRS 62E.513 ~~that satisfies~~ *selected by* the ~~requirements of paragraphs (a) and (b)~~ *Commission pursuant to section 5* of ~~subsection 1. The Division of Child and Family Services shall review the method used by each state facility for the detention of children at least once every 5 years to ensure the method used by the facility continues to satisfy the requirements of paragraphs (a) and (b) of subsection 1.~~

~~— 6—~~ *this act.*

7. The Division of Child and Family Services shall adopt such regulations as are necessary to carry out the provisions of this section and NRS 62C.035 and 62E.513, including, without limitation, regulations prescribing the requirements for:

(a) Transmitting information obtained from the screening conducted pursuant to NRS 62C.035 and 62E.513; and

(b) Protecting the confidentiality of information obtained from such screening.

Sec. 21.5. NRS 62E.520 is hereby amended to read as follows:

62E.520 1. The juvenile court may commit a delinquent child to the custody of the Division of Child and Family Services for ~~suitable~~ placement *in a correctional or institutional facility* if:

(a) The child is at least 8 years of age but less than 12 years of age, and the juvenile court finds that the child is in need of placement in a correctional or institutional facility; or

(b) The child is at least 12 years of age but less than 18 years of age, and the juvenile court finds that the child:

(1) Is in need of placement in a correctional or institutional facility; ~~and~~
or

(2) Is in need of residential psychiatric services or other residential services for the mental health of the child.

2. Before the juvenile court commits a delinquent child to the custody of the Division of Child and Family Services, the juvenile court shall:

(a) Notify the Division at least 3 working days before the juvenile court holds a hearing to consider such a commitment; and

(b) At the request of the Division, provide the Division with not more than 10 working days within which to:

(1) Investigate the child and the circumstances of the child; and

(2) Recommend a suitable placement to the juvenile court.

Sec. 22. Chapter 62H of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division of Child and Family Services shall annually analyze the information submitted to the Division pursuant to NRS 62H.210 to determine:

(a) Juvenile justice system trends, including, without limitation, referrals to the juvenile justice system, diversion and disposition of cases, levels of supervision provided to children, placement of children and programs and services offered to children;

(b) Whether children of racial or ethnic minorities or children from economically disadvantaged backgrounds are receiving disparate treatment in the juvenile justice system;

(c) The effectiveness of the different levels of supervision in the juvenile justice system;

(d) The effectiveness of services provided by the juvenile justice system, including, without limitation, the effectiveness of the evidence-based standards developed by the Commission pursuant to section 6 of this act; and

(e) The rates of recidivism for children either supervised by local juvenile probation departments or committed to the Division.

2. On or before January 31 of each year, the Division shall submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report detailing the information compiled pursuant to subsection 1.

Sec. 23. NRS 62H.025 is hereby amended to read as follows:

62H.025 1. Juvenile justice information is confidential and may only be released in accordance with the provisions of this section or as expressly authorized by other federal or state law.

2. For the purpose of ensuring the safety, permanent placement, rehabilitation, educational success and well-being of a child or the safety of the public, a juvenile justice agency may release juvenile justice information to:

(a) A director of juvenile services or his or her designee;

(b) The Chief of the Youth Parole Bureau or his or her designee;

(c) *The Chief Parole and Probation Officer or his or her designee;*

(d) The Director of the Department of Corrections or his or her designee;

(e) A district attorney or his or her designee;

~~(f)~~ (f) An attorney representing the child;

~~(g)~~ *(g) The director, chief or sheriff of a state or local law enforcement agency or his or her designee;*

(h) The director of a state or local agency which administers juvenile justice or his or her designee;

~~(i)~~ *(i) A director of a state ~~or regional~~ or local facility for the detention of children or regional facility for the treatment and rehabilitation of children or his or her designee;*

~~(j)~~ *(j) The director of an agency which provides child welfare services or his or her designee;*

~~(k)~~ *(k) The director of an agency which provides mental health services or his or her designee;*

(l) A guardian ad litem or court appointed special advocate who represents the child;

~~(m)~~ *(m) A parent or guardian of the child;*

~~(n)~~ *(n) The child to whom the juvenile justice information pertains if the child has reached the age of majority, or a person who presents a release that is signed by the child who has reached the age of majority and which specifies the juvenile justice information to be released and the purpose for the release;*

~~(o)~~ *(o) A school district, if the juvenile justice agency and the school district have entered into a written agreement to share juvenile justice information for a purpose consistent with the purposes of this section;*

~~(p)~~ *(p) A person or organization who has entered into a written agreement with the juvenile justice agency to provide assessments or juvenile justice services;*

~~(q)~~ *(q) A person engaged in bona fide research that may be used to improve juvenile justice services or secure additional funding for juvenile justice services if the juvenile justice information is provided in the aggregate and without any personal identifying information; or*

~~(r)~~ *(r) A person who is authorized by a court order to receive the juvenile justice information, if the juvenile justice agency was provided with notice and opportunity to be heard before the issuance of the order.*

3. A juvenile justice agency may deny a request for juvenile justice information if:

(a) The request does not, in accordance with the purposes of this section, demonstrate good cause for the release of the information; or

(b) The release of the information would cause material harm to the child or would prejudice any court proceeding to which the child is subject.

➤ A denial pursuant to this subsection must be made in writing to the person requesting the information not later than 5 business days after receipt of the request.

4. Any juvenile justice information provided pursuant to this section may not be used to deny a child access to any service for which the child would otherwise be eligible, including, without limitation:

(a) Educational services;

(b) Social services;

(c) Mental health services;

(d) Medical services; or

(e) Legal services.

5. Except as otherwise provided in this subsection, any person who is provided with juvenile justice information pursuant to this section and who further disseminates the information or makes the information public is guilty of a gross misdemeanor. This subsection does not apply to:

(a) A district attorney who uses the information solely for the purpose of initiating legal proceedings; or

(b) A person or organization described in subsection 2 who provides a report concerning juvenile justice information to a court or other party pursuant to this title or chapter 432B of NRS.

6. As used in this section:

(a) "Juvenile justice agency" means the Youth Parole Bureau or a director of juvenile services.

(b) "Juvenile justice information" means any information which is directly related to a child in need of supervision, a delinquent child or any other child who is otherwise subject to the jurisdiction of the juvenile court.

Sec. 24. NRS 62H.200 is hereby amended to read as follows:

62H.200 1. The Division of Child and Family Services shall:

(a) Establish a standardized system for the reporting, collection, analysis, maintenance and retrieval of information concerning juvenile justice in this State.

(b) Be responsible for the retrieval and analysis of the categories of information contained in the standardized system and the development of any reports from that information.

(c) Adopt such regulations as are necessary to carry out the provisions of this section, including requirements for the transmittal of information to the standardized system from the juvenile courts, local juvenile probation departments and the staff of the youth correctional services, as directed by the Department of Health and Human Services.

(d) Adopt such regulations as are necessary to implement the performance measures and evidence-based standards developed by the Commission pursuant to sections 5 and 6 of this act.

2. Each juvenile court and local juvenile probation department and the staff of the youth correctional services, as directed by the Department of Health and Human Services, shall comply with the regulations adopted pursuant to this section.

3. The Division of Child and Family Services may withhold state money from a juvenile court or department of juvenile services that does not comply with the regulations adopted pursuant to this section. Before any money is withheld, the Division shall:

(a) Notify the department of juvenile services of the specific provisions of the regulations adopted pursuant to this section with which the department is not in compliance;

(b) Require the department of juvenile services to submit a corrective action plan to the Division within 60 days after receiving such a notice of noncompliance; and

(c) If the department of juvenile services does not submit or adhere to a corrective action plan, notify the department that money will be withheld and specify the amount thereof.

Sec. 25. NRS 62H.210 is hereby amended to read as follows:

62H.210 1. Except as otherwise provided in subsection 3, the standardized system established pursuant to NRS 62H.200 must collect, categorize and maintain the following information from the juvenile courts, local juvenile probation departments, *the staff of regional facilities for the treatment and rehabilitation of children* and the staff of the youth correctional services, as directed by the Department of Health and Human Services, regarding each child referred to the system of juvenile justice in this State:

(a) ~~[A unique number]~~ *Any unique identifying information* assigned to the child; ~~[for identification]~~

(b) Basic demographic information regarding the child, including, but not limited to:

(1) The age, sex and race or other ethnic background of the child;

- (2) The composition of the household in which the child resides; and
 - (3) The economic *and educational* background of the child;
 - (c) The charges for which the child is referred ~~++~~, *including, without limitation, any charges of violations of probation or parole;*
 - (d) The dates of any detention of the child;
 - (e) The nature of the disposition of each referral of the child;
 - (f) The dates any petitions are filed regarding the child, and the charges set forth in those petitions; ~~and~~
 - (g) The disposition of any petitions filed regarding the child, including any applicable findings ~~++~~;
 - (h) The assessed risks and needs of the child;*
 - (i) The supervision of the child, including, without limitation, whether the child was placed in a residential facility; and*
 - (j) Any programs and services provided to the child.*
2. In addition to the information required pursuant to subsection 1 and except as otherwise provided in subsection 3, the Department of Health and Human Services shall require the staff of *regional facilities for the treatment and rehabilitation of children and the staff of* the youth correctional services to collect and transmit the following information to the standardized system regarding each child committed to or otherwise placed in the custody of the Division of Child and Family Services:
- (a) A record of each placement of the child, including, but not limited to, the *location and* period of each placement and the *programs and* services provided to the child during each placement;
 - (b) *Any disciplinary action taken against the child during the child's placement;*
 - (c) *Any education or vocational training provided to the child during the child's placement and the educational and employment status of the child after release of the child on parole;*
 - (d) The dates of each release of the child, including any release of the child on parole;
 - ~~++~~ (e) If the child is released on parole, the period of each release and the services provided to the child during each release; and
 - ~~++~~ (f) The nature of or reason for each discharge of the child from the custody of the *regional facility for the treatment and rehabilitation of children or the* Division of Child and Family Services.
3. The information maintained in the standardized system must not include the name or address of any person.
- Sec. 26.** Chapter 63 of NRS is hereby amended by adding thereto a new section to read as follows:
- The Youth Parole Bureau shall establish policies and procedures to be used by parole officers and juvenile courts in determining the most appropriate response to a child's violation of the terms and conditions of his or her parole. The policies and procedures must:*
- 1. Establish a sliding scale based on the severity of the violation to determine the appropriate response to the child;*
 - 2. Require that a response to a child's violation of the terms and conditions of his or her parole timely take into consideration:*
 - (a) The risk of the child to reoffend, as determined by the results of a risk and needs assessment;*
 - (b) The previous history of violations of the child;*
 - (c) The severity of the current violation of the child;*
 - (d) The child's case plan; and*

(e) The previous responses by the child to past violations; and
3. Include incentives that encourage compliance with the terms and conditions of a child's parole.

Sec. 27. NRS 63.715 is hereby amended to read as follows:

63.715 1. A county that receives approval to carry out the provisions of NRS 63.700 to 63.780, inclusive, *and section 26 of this act* and an exemption from the assessment imposed pursuant to NRS 62B.165 shall:

(a) Carry out the provisions of NRS 63.700 to 63.780, inclusive ~~††~~ , *and section 26 of this act*; and

(b) Appoint a person to act in the place of the Chief of the Youth Parole Bureau in carrying out those provisions.

2. When a person is appointed by the county to act in the place of the Chief of the Youth Parole Bureau pursuant to subsection 1, the person so appointed shall be deemed to be the Chief of the Youth Parole Bureau for the purposes of NRS 63.700 to 63.780, inclusive ~~††~~ , *and section 26 of this act.*

Sec. 28. NRS 63.770 is hereby amended to read as follows:

63.770 1. A petition may be filed with the juvenile court to request that the parole of a child be suspended, modified or revoked.

2. Pending a hearing, the juvenile court may order that the child be held in the local ~~for-regional†~~ facility for the detention of children ~~††~~ *or committed to the regional facility for the treatment and rehabilitation of children.*

3. If the child is held in a local ~~for-regional†~~ facility for the detention of children *or committed to a regional facility for the treatment and rehabilitation of children* pending a hearing, the Youth Parole Bureau may pay all actual and reasonably necessary costs for the confinement of the child in the local ~~for-regional†~~ facility *or the commitment of the child to the regional facility* to the extent that money is available for that purpose.

4. If requested, the juvenile court shall allow the child reasonable time to prepare for the hearing.

5. The juvenile court shall render a decision within 10 days after the conclusion of the hearing.

6. The juvenile court shall consider the policies and procedures adopted by the Youth Parole Bureau pursuant to section 26 of this act and, in determining whether to suspend, modify or revoke the parole of the child, consider the adherence of the Youth Parole Bureau to such policies and procedures.

Sec. 29. NRS 63.780 is hereby amended to read as follows:

63.780 1. *The Chief of the Youth Parole Bureau may recommend to the juvenile court that a child's parole be revoked and that the child be committed to a facility only if the Chief or his or her designee has determined that:*

(a) The child poses a risk to public safety, and the policies and procedures adopted by the Youth Parole Bureau pursuant to section 26 of this act recommend such a revocation; or

(b) The other responses set forth in such policies and procedures would not be appropriate for the child.

2. The Chief of the Youth Parole Bureau may *not* recommend to the juvenile court that a child's parole be revoked and that the child be committed to a facility ~~unless†~~ if the superintendent of the facility determines that:

~~††~~ *(a) There is not adequate room or resources in the facility to provide the necessary care;*

~~††~~ *(b) There is not adequate money available for the support of the facility;*
 or

~~††~~ *(c) The child is not suitable for admission to the facility.*

1 **Sec. 29.5.** NRS 354.557 is hereby amended to read as follows:
2 354.557 “Regional facility” means a facility that is used by each county that
3 levies a tax ad valorem for its operation pursuant to NRS 354.59818 and provides
4 services related to public safety, health or criminal justice. The term includes a
5 regional facility for the ~~detention~~ **treatment and rehabilitation** of children for
6 which an assessment is paid pursuant to NRS 62B.160.

7 **Sec. 30.** The provisions of NRS 354.599 do not apply to any additional
8 expenses of a local government that are related to the provisions of this act.

9 **Sec. 31.** The provisions of subsection 1 of NRS 218D.380 do not apply to
10 any provision of this act which adds or revises a requirement to submit a report to
11 the Legislature.

12 **Sec. 32.** The Governor shall appoint the members of the Juvenile Justice
13 Oversight Commission established by section 4 of this act and the Advisory
14 Committee to the Commission established by section 4.5 of this act on or before
15 September 1, 2017.

16 **Sec. 33.** NRS 62H.230 is hereby repealed.

17 **Sec. 34.** 1. This section and sections 1 to 32, inclusive, of this act become
18 effective on July 1, 2017.

19 2. Section 33 of this act becomes effective on July 1, 2018.

TEXT OF REPEALED SECTION

62H.230 Probation departments to analyze information submitted to standardized system annually and compile reports concerning disparate treatment of children; Division of Child and Family Services to publish reports annually.

1. On or before January 31 of each year, each local juvenile probation department shall:

(a) Analyze the information it submitted to the standardized system during the previous year pursuant to NRS 62H.210 to determine whether children of racial or ethnic minorities and children from economically disadvantaged homes are receiving disparate treatment in the system of juvenile justice in comparison to the general population;

(b) As necessary, develop appropriate recommendations to address any disparate treatment; and

(c) Prepare and submit to the Division of Child and Family Services a report which includes:

(1) The results of the analysis it conducted pursuant to paragraph (a); and

(2) Any recommendations it developed pursuant to paragraph (b).

2. The Division of Child and Family Services shall annually:

(a) Compile the reports it receives pursuant to subsection 1; and

(b) Publish a document which includes a compilation of the reports.