

ASSEMBLY BILL NO. 449—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs the Legislative Committee on Child Welfare and Juvenile Justice to conduct a study relating to juvenile detention in this State. (BDR S-450)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 child welfare; directing the Legislative Committee on Child Welfare and Juvenile Justice to conduct an interim study concerning juvenile detention in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Legislative Committee on Child Welfare and Juvenile Justice and directs the Committee to evaluate and review various issues relating to child welfare and juvenile justice in this State. (NRS 218E.700-218E.720) **Section 1** of this bill requires the Committee to conduct a study during the 2019-2020 interim concerning juvenile detention in this State. The study must include: (1) consideration of the implementation of a regional approach to housing juvenile offenders in this State; (2) a review of the adequacy of the current capacity of institutions and facilities in this State to house juvenile offenders; (3) a review of the current level of family and community engagement afforded to juveniles in the juvenile justice system and opportunities for an increase in such family and community engagement; (4) an analysis of current programming relating to the education, health and wellness of juvenile offenders in this State; (5) a review of the programs and services in other states where juvenile offenders who are tried as adults are housed with juvenile offenders within the juvenile justice system; (6) an analysis of sentencing practices for juvenile offenders in other states and an identification of best practices sentencing standards for juvenile offenders; and (7) a review of the facilities, services and programs available in this State for children who are determined to be incompetent by the juvenile court. **Section 2** of this bill



requires the Nevada Department of Corrections and each local and state institution or facility for the detention of juvenile offenders to present certain data, trends and other information to the Committee to assist the Committee in conducting the study required by **section 1** of this bill.

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

Section 1. 1. The Legislative Committee on Child Welfare and Juvenile Justice shall conduct a study during the 2019-2020 interim concerning juvenile detention in this State. The study must include, without limitation:

(a) Consideration of the implementation of a regional approach to the housing of juvenile offenders in this State, through which the Nevada Department of Corrections retains jurisdiction over juvenile offenders who are housed locally in other local or state institutions or facilities for the detention of juvenile offenders;

(b) A review of the adequacy of the current capacity of institutions and facilities in this State to house juvenile offenders;

(c) A review of the current level of family and community engagement afforded to juveniles in the juvenile justice system and the feasibility of programs to increase the level of family and community engagement received by juveniles in the juvenile justice system;

(d) An analysis of the current offerings of educational, health and wellness programming for juvenile offenders in institutions and facilities in this State;

(e) A review of the programs and services in other states where juvenile offenders who are tried as adults are housed with juvenile offenders within the juvenile justice system;

(f) An analysis of sentencing practices for juvenile offenders in other states and an identification of best practices sentencing standards for juvenile offenders; and

(g) A review of the facilities, services and programs available in this State for children who are determined to be incompetent by the juvenile court pursuant to NRS 62D.140 to 62D.190, inclusive.

2. In conducting the study, the Legislative Committee on Child Welfare and Juvenile Justice shall consult with and solicit input from persons and organizations with expertise in the issues concerning the detention of juvenile offenders, including, without limitation, local, state and national experts.

3. The Legislative Committee on Child Welfare and Juvenile Justice shall include its findings and any recommendations for legislation relating to the study conducted pursuant to subsection 1



1 in its report submitted to the Director of the Legislative Counsel
2 Bureau pursuant to subsection 2 of NRS 218E.720.

3 **Sec. 2.** To assist the Legislative Committee on Child Welfare
4 and Juvenile Justice in conducting the study pursuant to section 1 of
5 this act, the Nevada Department of Corrections and each local and
6 state institution or facility for the detention of juvenile offenders
7 shall present to the Committee data, trends and other information
8 relating to the institution or facility, including, without limitation:

9 1. The operating budget of the institution or facility and money
10 available for programming and services at the institution or facility;

11 2. The average daily population, average length of stay and the
12 highest degree of offense for which a juvenile is held at the
13 institution or facility;

14 3. The age, capacity and condition of the institution or facility;

15 4. Current staffing ratios and any staffing shortages at the
16 institution or facility;

17 5. The educational, vocational and recreational programs
18 offered at the institution or facility;

19 6. The number of juveniles held at the institution or facility,
20 reported by age, race and ethnicity, gender, degree of offense
21 committed, distance from home and if it can be reported, the length
22 of sentence;

23 7. Data concerning risk and needs assessments, special
24 education needs, and mental health diagnoses of the juvenile
25 offenders at the institution or facility;

26 8. Data concerning the use of physical force to restrain
27 juveniles in custody at the institution or facility, as well as data
28 concerning physical and sexual assaults that have occurred at the
29 institution or facility; and

30 9. The estimated costs that would be incurred by the institution
31 or facility to transition the juvenile offenders to an integrated
32 program.

33 **Sec. 3.** This act becomes effective on July 1, 2019.

