

SENATE BILL NO. 108—COMMITTEE ON JUDICIARY

FEBRUARY 9, 2021

(ON BEHALF OF THE NEVADA YOUTH LEGISLATURE)

Referred to Committee on Judiciary

SUMMARY—Establishes provisions relating to juvenile justice.
(BDR 5-549)

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

CONTAINS UNFUNDED MANDATE (§ 1)
(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; requiring any person who during the scope of his or her employment has regular and routine contact with juveniles who are involved in the juvenile justice system in this State to complete periodic training relating to implicit bias and cultural competency; requiring the Division of Child and Family Services of the Department of Health and Human Services to adopt regulations concerning such training; authorizing the Nevada Supreme Court to adopt additional court rules concerning such training for any magistrate, judge, master or employee in the juvenile court system who regularly and routinely comes into contact with such juveniles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law establishes various provisions relating to juvenile justice in this
2 State. (Title 5 of NRS) **Section 1** of this bill requires any person who during the
3 scope of his or her employment has regular and routine contact with juveniles who
4 are involved in the juvenile justice system in this State to complete, in addition to
5 any other required training and generally at least once every 2 years, training
6 relating to implicit bias and cultural competency. **Section 1** also requires that such
7 training include certain specific instruction relating to implicit bias and cultural
8 competency. Additionally, **section 1**: (1) requires the Division of Child and Family



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Services of the Department of Health and Human Services to adopt regulations concerning such training; and (2) authorizes the Division of Child and Family Services to consult with any person whose assistance the Division of Child and Family Services determines will be helpful when adopting such regulations. **Section 1** also authorizes the Nevada Supreme Court to adopt additional court rules concerning such training for any magistrate, judge, master or employee in the juvenile court system who regularly and routinely comes into contact with such juveniles.

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

Section 1. Chapter 62B of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who, during the scope of his or her employment has regular and routine contact with juveniles who are involved in the juvenile justice system in this State, including, without limitation, any prosecuting attorney, public defender, peace officer, probation officer, juvenile correctional officer, employee of a state or local facility for the detention of children, employee of a regional facility for the treatment and rehabilitation of children or employee of a prosecuting attorney's office or public defender's office, shall complete, in addition to any other required training, training relating to implicit bias and cultural competency provided by his or her employer pursuant to the regulations adopted pursuant to subsection 3. Unless the regulations adopted by the Division of Child and Family Services pursuant to subsection 3 provide otherwise, such training relating to implicit bias and cultural competency must be completed at least once every 2 years.

2. The training required by subsection 1 must include, without limitation, instruction that:

(a) Explains what implicit bias is, where implicit bias comes from, the importance of understanding implicit bias and the negative impacts of implicit bias, and offers examples of actions that can be taken to reduce implicit bias;

(b) Provides information regarding cultural competency, including, without limitation, sensitivity to the needs of children, lesbian, gay, bisexual and transgender persons, racial and ethnic minorities, religious minorities and women; and

(c) Provides information regarding:

(1) Socioeconomic conditions in various areas in this State;

(2) Historical inequities in the juvenile justice and criminal justice systems; and

(3) The impact of trauma and adverse child experiences on the decision making and behaviors of children.



3. *The Division of Child and Family Services shall adopt regulations to carry out the provisions of this section. When adopting such regulations, the Division of Child and Family Services may consult with any person whose assistance the Division of Child and Family Services determines will be helpful.*

4. *The Nevada Supreme Court may provide by court rule for continuing appropriate training concerning implicit bias and cultural competency, incorporating the elements identified in subsection 2, for any magistrate, judge, master or employee in the juvenile court system who regularly and routinely comes into contact with juveniles who are involved in the juvenile justice system.*

5. *As used in this section, "cultural competency" means an understanding of how people and institutions can respond respectfully and effectively to people of all cultures, economic statuses, language backgrounds, races, ethnic backgrounds, disabilities, religions, genders, gender identities or expressions, sexual orientations, veteran statuses and other characteristics in a manner that recognizes, affirms and values the worth and preserves the dignity of people, families and communities.*

Sec. 2. (Deleted by amendment.)

Sec. 3. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 4. 1. This section becomes effective upon passage and approval.

2. Sections 1, 2 and 3 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) Nine months after the date on which the regulations adopted by the Division of Child and Family Services of the Department of Health and Human Services pursuant to section 1 of this act become effective for all other purposes.

