

ASSEMBLY BILL NO. 384—ASSEMBLYMEMBER COLE

MARCH 10, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to juvenile justice. (BDR 5-1053)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. 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 juvenile justice; requiring a juvenile facility to create and maintain, for certain purposes, certain records relating to certain acts of violence committed by a child in the facility; revising provisions relating to the admission or placement of certain children in certain facilities under certain circumstances; requiring the Chief of the Youth Parole Bureau of the Division of Child and Family Services of the Department of Health and Human Services to perform certain duties relating to children who are paroled from certain facilities; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the juvenile court to: (1) commit a child who is  
2 adjudicated delinquent to the custody of a regional facility for the treatment and  
3 rehabilitation of children or state facility for the detention of children; or (2) order a  
4 child to be placed in a facility for the detention of children for a violation of  
5 probation. (NRS 62E.525, 62E.710) **Section 3** of this bill provides that if a child is  
6 adjudicated delinquent and committed by the juvenile court to a regional facility for  
7 the treatment and rehabilitation of children or state facility for the detention of  
8 children or ordered by the juvenile court to be placed in a facility for the detention  
9 of children for a violation of probation, the facility is required to: (1) create and  
10 maintain a written record documenting the commission of any act of serious  
11 violence that is committed by the child against the staff of the facility or another  
12 child in the facility; and (2) provide any such record to the juvenile court and all  
13 other appropriate authorities to be used for certain purposes. **Section 1** of this bill  
14 defines the term “act of serious violence” to mean an act of violence committed by  
15 a child against the staff of the facility or another child in the facility that involves:  
16 (1) the use of a weapon by the child; or (2) a sustained attack or repeated attacks by  
17 the child upon the staff of the facility or another child in the facility.



18 **Section 2** of this bill makes a conforming change to clarify that the definition  
19 of "act of serious violence" in **section 1** applies to the provisions of existing law  
20 relating to juvenile justice. **Section 4** of this bill makes a conforming change to  
21 clarify that the provisions of existing law relating to the disposition of a case  
22 involving a child who is adjudicated delinquent apply to **section 3**.

23 Existing law provides that before the juvenile court commits a delinquent child  
24 to the custody of a state facility for the detention of children, the juvenile court  
25 must find that: (1) appropriate alternatives that could satisfactorily meet the needs  
26 of the child do not exist in the community or were previously used to attempt to  
27 meet such needs and proved unsuccessful; and (2) the child poses a public safety  
28 risk based on the child's risk of reoffending, as determined by a risk assessment,  
29 any history of delinquency and the seriousness of the offense committed by the  
30 child. (NRS 62E.505) **Section 5** of this bill requires the juvenile court also to  
31 consider any act of serious violence, as defined in **section 1**, committed by the  
32 child.

33 Existing law requires the Division of Child and Family Services of the  
34 Department of Health and Human Services to: (1) develop a length of stay matrix  
35 and establish release criteria for a state facility for the detention of children that are  
36 based on a child's risk of reoffending, as determined by a risk assessment for the  
37 child, the seriousness of the act for which the child was adjudicated delinquent and  
38 the child's progress in meeting treatment goals; and (2) use the matrix and release  
39 criteria in making release and discharge decisions. (NRS 62E.525) **Section 6** of this  
40 bill requires the Division, in developing the length of stay matrix and establishing  
41 release criteria, also to consider any act of serious violence, as defined in **section 1**,  
42 committed by the child.

43 Existing law authorizes the Division to place a delinquent child who has been  
44 committed to the custody of the Division in certain facilities or public or private  
45 institutions or agencies located within or outside this State under certain  
46 circumstances, depending upon the age of the child. (NRS 63.440) **Section 7** of this  
47 bill requires the Division, in adopting any statewide policy for the admission or  
48 placement of children, to consider certain specific factors, including, without  
49 limitation, whether the child: (1) has been adjudicated delinquent multiple times or  
50 otherwise had multiple cases disposed of; (2) has previously been adjudicated  
51 delinquent for acts that involve the use or threatened use of force or violence; (3)  
52 has committed any act of serious violence, as defined in **section 1**; and (4) does not  
53 appear to be benefiting from, or to be receptive to, the programs or treatment  
54 offered to the child or has otherwise demonstrated a desire not to modify his or her  
55 behavior in a positive manner.

56 Existing law requires the Chief of the Youth Parole Bureau of the Division to  
57 perform certain duties, including: (1) supervising all children released on parole  
58 from a facility; (2) supervising all children released by other states for juvenile  
59 parole in this State pursuant to interstate compact; (3) furnishing to each child  
60 paroled a written statement of the conditions of the parole and instructions  
61 regarding those conditions; (4) keeping informed concerning the conduct and  
62 condition of all children and employees under the supervision of the Chief; and (5)  
63 coordinating the functions of the Chief with those of the superintendents of each  
64 facility. (NRS 63.710) **Section 8** of this bill additionally requires the Chief to: (1)  
65 communicate and coordinate with local school districts and officials as necessary to  
66 ensure that each child paroled, if attending school, is attending school regularly and  
67 not in danger of becoming a habitual truant and is receiving any necessary and  
68 appropriate counseling or guidance offered by the school district; and (2) partner  
69 and coordinate with available organizations, entities and persons who offer  
70 programs for reentry, mentorship and other necessary services for children who are  
71 paroled.



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

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

3       *“Act of serious violence” means an act of violence committed*  
4 *by a child against the staff of a local facility for detention of*  
5 *children, regional facility for the treatment and rehabilitation of*  
6 *children or state facility for the detention of children or another*  
7 *child in the facility that involves:*

8       1. *The use of a weapon by the child; or*

9       2. *A sustained attack or repeated attacks by the child upon*  
10 *the staff of the facility or another child in the facility.*

11       **Sec. 2.** NRS 62A.010 is hereby amended to read as follows:

12       62A.010 As used in this title, unless the context otherwise  
13 requires, the words and terms defined in NRS 62A.015 to 62A.350,  
14 inclusive, *and section 1 of this act* have the meanings ascribed to  
15 them in those sections.

16       **Sec. 3.** Chapter 62E of NRS is hereby amended by adding  
17 thereto a new section to read as follows:

18       1. *If a child is adjudicated delinquent and committed by the*  
19 *juvenile court to a regional facility for the treatment and*  
20 *rehabilitation of children or state facility for the detention of*  
21 *children or ordered by the juvenile court to be placed in a facility*  
22 *for the detention of children pursuant to NRS 62E.710, the facility*  
23 *shall create and maintain a written record documenting the*  
24 *commission of any act of serious violence that is committed by the*  
25 *child against the staff of the facility or another child in the facility.*

26       2. *A facility shall provide any written record relating to*  
27 *a child that is created pursuant to subsection 1 to the juvenile court*  
28 *and all other appropriate authorities for any purpose that is*  
29 *required by the provisions of this title or for any other appropriate*  
30 *purpose, including, without limitation, determining the disposition*  
31 *of the current case or a subsequent case involving the child,*  
32 *determining the placement of the child and developing a plan of*  
33 *aftercare for the child following the release of the child from a*  
34 *facility.*

35       **Sec. 4.** NRS 62E.500 is hereby amended to read as follows:

36       62E.500 1. The provisions of NRS 62E.500 to 62E.730,  
37 inclusive ~~§~~, *and section 3 of this act:*

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

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



- 1 2. If a child is adjudicated delinquent:  
2 (a) The juvenile court may issue any orders or take any actions  
3 set forth in NRS 62E.500 to 62E.730, inclusive, *and section 3 of*  
4 *this act* that the juvenile court deems proper for the disposition of  
5 the case; and  
6 (b) If required by a specific statute, the juvenile court shall issue  
7 the appropriate orders or take the appropriate actions set forth in the  
8 statute.

9 **Sec. 5.** NRS 62E.505 is hereby amended to read as follows:  
10 62E.505 Before the juvenile court commits a delinquent child  
11 to the custody of a state facility for the detention of children, the  
12 court must find that:

- 13 1. Appropriate alternatives that could satisfactorily meet the  
14 needs of the child do not exist in the community or were previously  
15 used to attempt to meet such needs and proved unsuccessful; and  
16 2. The child poses a public safety risk based on the child's risk  
17 of reoffending, as determined by a risk assessment conducted  
18 pursuant to NRS 62E.506, any history of delinquency, *any act of*  
19 *serious violence committed by the child* and the seriousness of the  
20 offense committed by the child.

21 **Sec. 6.** NRS 62E.525 is hereby amended to read as follows:  
22 62E.525 1. The Division of Child and Family Services shall  
23 consider, without limitation, the results of a validated risk  
24 assessment, a validated mental health screening and, if applicable, a  
25 full mental health assessment conducted pursuant to NRS 62E.506  
26 to make decisions concerning the placement of the child. The  
27 Division may consider the results of a risk and needs assessment of  
28 the child that was conducted by a local department of juvenile  
29 services if the assessment was conducted within the immediately  
30 preceding 6 months and no significant changes have occurred  
31 relating to the child's case.

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

41 3. The Division of Child and Family Services shall develop a  
42 written individualized case plan for each child committed to the  
43 custody of the Division pursuant to NRS 62E.520. In developing  
44 such a case plan, the Division must use, without limitation:



1 (a) The results of the risk assessment, mental health screening  
2 and any full mental health assessment conducted pursuant to  
3 NRS 62E.506;

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

5 (c) The education level of the child;

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

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

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

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

10 (a) Address the risks the child presents and the service needs of  
11 the child based on the results of the risk assessment, mental health  
12 screening and any full mental health assessment conducted pursuant  
13 to NRS 62E.506;

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

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

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

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

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

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

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

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

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

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

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

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

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

40 7. The Division of Child and Family Services must update a  
41 child's case plan at least once every 6 months, or when significant  
42 changes in the child's treatment occur, by conducting another risk  
43 assessment and mental health screening using the tools selected by  
44 the Commission pursuant to NRS 62B.610.



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

- 5 (a) The child;
- 6 (b) A family member or the guardian of the child;
- 7 (c) The child's youth parole counselor;
- 8 (d) The superintendent of the state facility for the detention of  
9 children; and
- 10 (e) Any treatment providers of the child.

11 **Sec. 7.** Chapter 63 of NRS is hereby amended by adding  
12 thereto a new section to read as follows:

13 *In adopting any statewide policy for the admission or*  
14 *placement of children pursuant to this chapter, the Division of*  
15 *Child and Family Services shall consider, without limitation, the*  
16 *following factors regarding the child:*

17 *1. Whether the child has been adjudicated delinquent*  
18 *multiple times or otherwise had multiple cases disposed of*  
19 *pursuant to this title.*

20 *2. Whether the child has previously been adjudicated*  
21 *delinquent for acts that involve the use or threatened use of force*  
22 *or violence.*

23 *3. Whether the child has committed any act of serious*  
24 *violence.*

25 *4. Whether the child does not appear to be benefiting from, or*  
26 *to be receptive to, the programs or treatment offered to the child or*  
27 *has otherwise demonstrated a desire not to modify his or her*  
28 *behavior in a positive manner.*

29 **Sec. 8.** NRS 63.710 is hereby amended to read as follows:

30 63.710 The Chief of the Youth Parole Bureau shall:

31 1. Supervise all children released on parole from a facility.  
32 2. Supervise all children released by other states for juvenile  
33 parole in the State of Nevada pursuant to interstate compact.

34 3. Furnish to each child paroled:

- 35 (a) A written statement of the conditions of the parole; and
- 36 (b) Instructions regarding those conditions.

37 4. *Communicate and coordinate with local school districts*  
38 *and officials as necessary to ensure that each child paroled, if*  
39 *attending school, is:*

40 *(a) Attending school regularly and not in danger of becoming*  
41 *a habitual truant; and*

42 *(b) Receiving any necessary and appropriate counseling or*  
43 *guidance offered by the school district.*



- 1     **5. Partner and coordinate with available organizations,**  
2     **entities and persons who offer programs for reentry, mentorship**  
3     **and other necessary services for children who are paroled.**  
4     **6.** Keep informed concerning the conduct and condition of all  
5 children and employees under the supervision of the Chief.  
6     ~~5.~~ **7.** Coordinate the functions of the Chief with those of the  
7 superintendents of each facility.

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