



# Department of Juvenile Justice Services

## Director's Office

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John M. Martin, Acting Director



### Policy and Fiscal Affairs Board Meeting Minutes

April 11, 2013 - 12:30 pm

Joshua Conference Room

Sixth Floor

Government Center

500 S. Grand Central Parkway

Las Vegas, NV 89155

#### Present:

Commissioner Susan Brager

Commissioner Lawrence Weekly

Judge Robert Teuton

Judge William Voy

#### Clark County Management

Jeff Wells, Assistant County Manager

#### Department of Family Services (DFS)

Paula Hammack, Assistant Director

#### Department of Juvenile Justice Services

John "Jack" Martin, Acting Director

Carol McWaters, Executive Assistant

#### Clark County District Attorney's Office

Mark Wood, Deputy District Attorney

Brigid Duffy, Deputy District Attorney, Juvenile Division

#### Guests

Cheryl Wright, DJJS Clinical Services Manager

#### I. Call to Order

The meeting was called to order by Judge William Voy.

#### BOARD OF COUNTY COMMISSIONERS

STEVE SISOLAK, Chairman • LARRY BROWN, Vice Chairman

SUSAN BRAGER • TOM COLLINS • CHRIS GIUNCHIGLIANI • MARY BETH SCOW • LAWRENCE WEEKLY

DONALD G. BURNETTE, County Manager

**II. Approve the Agenda**

A motion was made by Commissioner Brager and seconded by Judge Teuton to approve the Agenda. The Agenda was approved.

**III. Appointed time for Public Comment**

Public comment was called for; there was no public comment at this time.

**IV. Approve the Minutes from the Policy & Fiscal Affairs Board meeting of February 7, 2013.**

A motion was made by Commissioner Brager and seconded by Commissioner Weekly to approve the minutes as written.

**V. Clark County Budget and the impact of the current Legislative Bills**

**AB 202 – Youth Certified at the age of 16 or older to the adult system can petition to be housed in the juvenile justice system until their case is heard.**

*Revises various provisions relating to juveniles charged as adults for committing certain **crimes**. (BDR 5-64)*

*AN ACT relating to juvenile justice; revising the list of offenses that are excluded from the original jurisdiction of the juvenile court; authorizing a child who is certified for adult criminal proceedings to petition the court for placement in a state juvenile detention facility during the pendency of the proceeding; requiring a child who is sentenced to a term of imprisonment to serve the term in a state juvenile detention facility until he or she reaches the age of 18 years; providing for parole eligibility at the age of 25 years for certain prisoners; and providing other matters properly relating thereto.*

Mr. Martin stated that the Department did not support the original bill that would have required the counties to house certified juvenile offenders until the age of 18. The proposed legislation would have required DJJS to open one to two units immediately. The cost of one unit per year is \$2,566,680. Certified juveniles have to be housed separately from juvenile offenders according to federal Prison Rape Elimination Act (PREA) mandates.

Mr. Martin clarified that the Department of Juvenile Justice Services (DJJS) supports the current proposed amendment for this bill. The bill has been amended to appoint a task force to look at the issues surrounding juveniles being certified as adults. The task force would develop a statewide plan for this issue.

**AB 217 – Scheduled background checks on all staff working directly with youth.**

*Revises provisions governing criminal background checks of applicants for employment with a department of **juvenile justice** services or an agency which provides child welfare services. (BDR 5-993)*

*AN ACT relating to protection of children; requiring the department of juvenile justice services of certain larger counties and agencies which provide child welfare services to obtain a background investigation of the criminal history of applicants for employment; requiring such a department or agency to terminate or deny employment of certain persons based on the results of an investigation of the person's criminal history; authorizing such a department or agency to terminate or deny employment if certain criminal charges are pending against an employee or applicant for employment; and providing other matters properly relating thereto.*

Commissioners Weekly and Brager discussed the necessity of being more informed of the Legislative bills that affect the two Departments. The number of bills being presented this year at the legislature is such that the briefing from County Management might not be enough. Commissioners Brager and Weekly requested a list of the individual bills that pertain to each Department be sent to them by e-mail as soon as possible. Being in the loop to be able to testify at the Grant Sawyer Building will assist the Departments in having a say as to what will affect their departments in the future.

Mr. Martin later clarified that the DJJS supports the proposed amendments as well as the original bill. The bill requires DJJS and the Department of Family Services (DFS) to run a complete background check for criminal history and child abuse and neglect charges on current and prospective employees. Neither Department would be allowed to have employees with felony charges or substantiated child abuse and neglect charges working within their Departments.

### **AB 392 Truancy**

DJJS opposes the legislative proposal that requires all truancy citations to be given to the District Attorney's Office, and mandated to be filed. This would require the youth appear in front of the court. If it is not filed the District Attorney has to write a report stating the reason why they chose not to file. DJJS currently has a progressive system to deal with the Truancy issue.

DJJS opposes the bill as written. Currently DJJS received 1579 truancy citations for the calendar year of 2012. The 2010 to 2011 school year 3,300 truancy citations were issued when there was Truancy Court.

DJJS would be required to have a minimum of two Juvenile Probation Officer to cover the court and the citations. A Juvenile Probation Supervisor would spend half the time assisting with the court process and supervising the cases. The cost per year is approximately \$250,000.

### **SB - 177 Prohibits a minor from committing certain acts relating to the possession and use of tobacco products. (BDR 5-689)**

*AN ACT relating to tobacco; prohibiting a minor from committing certain acts relating to the possession and use of tobacco products; and providing other matters properly relating thereto.*

Mr. Martin later clarified that DJJS opposes this legislative proposal as currently written. It is hard to determine the fiscal impact, as this would be a new requirement for the county. DJJS Intake's caseload would increase with every citation written. It would impact the Juvenile Court System, as youth would be required to appear in court. The bill proposes that a youth could be required to attend smoking classes or complete community service if they cannot afford the fines. DJJS is concerned that if a youth fails to pay fines, meet the community service requirement or fails to complete the program it could result in an arrest warrant being issued. This proposal could have youth deeper in the system for a status offense.

DJJS projects that the number of citations will be similar to truancy citations (both status offenses) of about 2,500 to a more realistic number of 5,000. This will require a minimum of three full time juvenile probation officers at a midrange salary cost of \$232,578. A Juvenile Probation Supervisor would need to supervise the unit at a midrange salary cost of \$100,190. The total salary cost including benefits for DJJS is \$332,768 annually.

**SB 107 - Restricts the use of solitary confinement on persons in confinement. (BDR 5-519) AN ACT relating to the administration of justice; restricting the use of solitary confinement on persons who are in confinement; and providing other matters properly relating thereto.**

**SB 108 - Revises provisions governing juvenile justice. (BDR 5-518)**

*AN ACT relating to juvenile justice; providing that a child who violates certain local ordinances relating to curfews and loitering is to be treated by the juvenile court as a child in need of supervision rather than as a delinquent child; decreasing the length of time a child may remain in detention or shelter care pending the filing of a petition alleging delinquency or need of supervision; authorizing the juvenile court to order the Department of Motor Vehicles to issue a restricted driver's license to a child in certain circumstances; revising the statement of state policy concerning a probation program of special supervision for certain delinquent juveniles; and providing other matters properly relating thereto.*

Acting Director Martin discussed his recent meetings with Dr. Bob Henry, Clark County School District, to discuss collaborating with specific high schools and middle schools to provide programming for youth to counteract school disturbances in place of sending youth to juvenile booking. This would include the working with community organizations to assist in job training and mentoring needed by youth. Assistant County Manager, Jeff Wells discussed the Commission on State-wide Juvenile Justice Reform which is working to catch all school disturbances and keep them at the schools.

Judge Voy discussed the ability to coordinate with schools on a Saturday program or Evening Reporting Center which would address youth with truancy issues. This would require additional manpower. The cost of this manpower is being calculated and will be forwarded later.

Paula Hammock, Assistant Director of DFS discussed:

**AB 348 AN ACT** relating to foster care; establishing certain requirements for the operation of a foster care agency; requiring a foster care agency to submit reports on its programs and services to the licensing authority; allowing a foster care agency to encourage and assist a potential foster home to apply for a license; requiring a contract between a foster care agency and a provider of foster care with which the foster care agency places a child; requiring a foster care agency to provide certain services to each foster home in which the foster care agency places children; providing for the operation of independent living foster homes; allowing a licensing authority to suspend or revoke the license of a provider of foster care in certain circumstances; and providing other matters properly relating thereto.

The original bill did not allow for DJJS youth and DFS youth to be placed in the same foster home or independent living facility. Mr. Martin later noted that DJJS supports the proposed amendments to this bill. The current language allows DJJS and DFS youth to be placed in a foster home under certain circumstances. This bill will require foster care homes to meet more restrictive guidelines that should improve the quality of prospective providers, and create a more therapeutic living environment for the appropriately placed child.

**SB 98 AN ACT** relating to children; revising provisions governing certain reasonable efforts made by an agency which provides child welfare services to preserve and reunify the family of a child; and providing other matters properly relating thereto.

Commissioner Brager discussed the need to have factual information in order to counteract the possible affects the legislature may have on the two departments. Judge Voy mentioned the already decrease in funding with the cut-backs of Title V and Title XIX.

**VI. Appointed time for Public Comment**

Public comment was called for; there was no public comment at this time.

**VII. Schedule next meeting**

A request was made to change the next meeting from May 30th to **May 23rd**. This request was approved. The time will be 12:30 at the Joshua Conference Room, Sixth Floor, Government Center.

**VIII. The meeting was adjourned.**