
Nevada's Statewide Approach to Reducing Recidivism and Improving Outcomes for Youth in the Juvenile Justice System

Overview

State and local leaders across the country have made concerted efforts to scale back juvenile incarceration, and their efforts have yielded significant results: the national juvenile incarceration rate has been cut in half over the last decade.¹ As a result, a greater number of youth in the juvenile justice system are now being supervised in their communities, which research shows leads to lower rearrest rates,² and states are increasingly allocating the majority of their juvenile justice resources to community-based supervision and services.

While reducing youth incarceration is a significant accomplishment, many states have struggled to reduce recidivism and improve other outcomes for youth, such as those related to education and employment. For example, an analysis of approximately 60,000 youth in Texas found that even after the state had doubled spending on community-based supervision and services, recidivism rates remained unchanged; in fact, youth who received no services at all fared no worse than youth who had received treatment and other supports.³ Research has also shown that, in a number of states, more than half of those youth who are still incarcerated and released from correctional facilities are rearrested or reincarcerated within two years.⁴

To address these challenges, the National Reentry Resource Center (NRRC) and The Council of State Governments (CSG) Justice Center, in partnership with the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP), launched Improving Outcomes for Youth: A Statewide Juvenile Justice Initiative (IOYouth). IOYouth supports states to identify, enact, and successfully implement policies and funding strategies that research shows work to reduce

recidivism and improve other outcomes for youth in the juvenile justice system. Through this initiative, states receive intensive technical assistance from the CSG Justice Center to undergo a comprehensive, data-driven assessment of their juvenile justice system, develop policy options to improve outcomes for youth based on this assessment, and translate these policy options into legislative and appropriations changes.

Process

Like most states across the country, Nevada currently has fewer youth in its juvenile justice system than at any point in the last decade, with a majority of those youth now being supervised in the community rather than in correctional or residential treatment facilities. Between 2006 and 2014, the number of youth who were committed to the Nevada Division of Child and Family Services (DCFS) for delinquent offenses decreased by 54 percent.

However, Nevada still allocates significant resources for youth under system supervision. In 2016, approximately \$61 million was spent on supervision and services across Nevada's two largest counties (Clark and Washoe), in addition to approximately \$28 million at the state level. State and county leaders became increasingly frustrated that, in spite of these considerable investments, they did not have the necessary data capacity to track system performance and youth outcomes to determine whether resources were being used effectively. Additionally, while state and local leaders shared common frustrations with the functioning of the juvenile justice system, including its shortage of behavioral health services and evidence-based services more generally, the lack of data made it

difficult to objectively pinpoint specific areas of poor performance and establish consensus for how best to improve the system.

Nevada sought to address this challenge through IOYouth, and was selected as the first IOYouth state in large part due to the commitment of state leaders, including Governor Brian Sandoval, First Lady Kathleen Sandoval, and Supreme Court Justice Nancy Saitta. This initiative built upon Nevada's strong history of interbranch and interagency collaboration on juvenile justice improvement efforts, as well as reforms adopted through the Nevada Supreme Court Commission on Statewide Juvenile Justice Reform in the previous decade.

Governor Sandoval officially launched Nevada's IOYouth initiative in July 2016 by signing an executive order that established a statewide, interbranch, bipartisan task force to oversee the project. First Lady Sandoval and Justice Saitta cochaired the task force, which comprised state and local juvenile justice leaders, state legislators, public defenders, district attorneys, and juvenile court judges, among others.

Over the course of several months, CSG Justice Center staff conducted the most comprehensive, data-driven assessment of Nevada's juvenile justice system to date, with an in-depth quantitative analysis of: (1) trends in the state and local juvenile justice systems; (2) the management, tracking, and evaluation of juvenile justice system performance and youth outcomes; and (3) the supervision and services provided to youth on probation, in facilities, and on parole. The analysis encompassed case-level juvenile justice data from Nevada's DCFS, as well as the state's two largest county juvenile probation agencies in Clark and Washoe counties. Beyond the quantitative analysis, leadership and staff from state and local juvenile justice agencies, judicial officials, state legislators, public defenders, district attorneys, behavioral health leaders, and youth in the juvenile justice system and their families participated in a series of interviews and focus groups.

CSG Justice Center staff then presented findings from the assessment to the statewide task force, and supported task force members in reaching consensus on a set of policy options that were ultimately introduced in the 2017 legislative session.

Key Findings

The assessment process led to three overarching findings about Nevada's juvenile justice system, which mirror the challenges faced in many states across the country:

Nevada does not regularly or comprehensively track recidivism rates or other outcomes for youth in the juvenile justice system, and the limited data available indicates that youth in the juvenile justice system experience poor outcomes. The analysis found that Nevada lacks the data infrastructure and research capacity necessary to analyze system performance and determine whether resources are being used efficiently. The limited outcome data that is available demonstrates that youth often cycle through the Nevada juvenile justice system multiple times. More than half of youth who started probation between 2013 and 2015 in Clark and Washoe counties had at least one subsequent offense during or after their supervision. By the time youth are committed to a state-run correctional facility, they average 11 prior referrals. Additionally, more than one in five youth released from state facilities have their parole revoked, and more than half commit a new offense while on parole.

Although Nevada has recently seen a significant drop in the number of youth referred to the juvenile justice system, a greater proportion of those youth who are referred to the system are being petitioned, detained, adjudicated, and formally supervised.

From 2013 to 2015, despite a 17-percent decline in referrals to the juvenile justice system, a greater proportion of youth who were adjudicated during that time period received formal supervision, were placed in a residential facility or youth camp, and were committed to a state-run correctional facility. In fact, between 2013 and 2015, the number of youth committed to state-run correctional facilities increased by 32 percent.

Despite significant spending on Nevada’s juvenile justice system—almost \$90 million in 2015—state and county agencies do not ensure that youth are matched with the most appropriate levels and types of supervision and services based on their risk and needs. Nevada does not consistently use a validated risk and needs assessment tool at the state or local levels to make disposition decisions, match youth with the appropriate level of supervision based on their risk of reoffending, or match them with the appropriate type and intensity of services based on their criminogenic needs. At the same time, Nevada does not provide any direct support for research-based juvenile justice services through its statutes, funding mechanisms, or administrative rules to ensure that the services youth do receive are effective. Additionally, service procurement processes are often based on informal agreements or referral processes rather than performance-based contracts that require the use of research-based programs and practices. And finally, the collection of outcome data and the regular, formal administration of quality assurance practices to measure and improve service quality are rare.

Summary of AB472

Nevada’s IOYouth task force reached consensus on a set of policy options to address these findings. Sponsored by Governor Sandoval, AB472 codifies the policy framework developed by the task force and includes an additional \$1.6 million for the FY2017–FY2019 biennium to support the adoption and implementation of key policy and practice changes.

AB472 received unanimous bipartisan support from the Nevada State Legislature, and was signed into law by Governor Sandoval on June 16, 2017. Provisions of AB472 include:

- Establishment of a Juvenile Justice Oversight Commission to supervise the implementation of AB472 and serve as a point of coordination for juvenile justice policy, practice, and resource allocation across state and local lines and all branches of government

- Requirement that DCFS, local departments of juvenile services, and the Youth Parole Bureau develop and collect data on system-wide performance measures, with DCFS analyzing data from local departments to identify trends and evaluate system performance, and reporting this information annually to the governor and the legislature
 - Requirement that oversight commission members conduct annual quality assurance reviews of state juvenile correctional facilities and county youth camps using a research-based assessment tool, identify needed corrective actions, and submit a facility improvement plan to the governor and the legislature
 - Adoption of a statewide validated risk and needs assessment and mental health screening tool to assist the juvenile court and state and local departments of juvenile services in determining the appropriate actions to take for each youth, with the following measures:
 - All delinquent youth must receive a risk and needs assessment and mental health screening prior to disposition, and the juvenile court must use these results to inform disposition decisions
 - Local departments of juvenile services must use the results of risk and needs assessments to develop individualized case plans for youth on probation and reentry plans for youth committed to local county youth camps
 - DCFS must use the results of risk and needs assessments to inform placement, length of stay, case and reentry planning, and parole revocation decisions
 - Requirement—through an annual phase-in process—that all state (non-Medicaid) funding for juvenile justice services is used only for evidence-based programs and services, and development of a five-year strategic plan to increase the use of evidence-based programs and practices, including the following provisions:
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- An evidence-based resource center will be established to provide technical assistance, training, and other support to the state, local departments, and providers on the adoption and effective implementation of evidence-based programs and services
- DCFS must submit an annual report to the governor, commission, and legislature on compliance with the evidence-base standards established in the commission’s strategic plan, and report performance data annually on service delivery and youth outcomes

Implementing AB472 will require additional bipartisan, interbranch support and commitment from local and state juvenile justice leaders. The establishment of the Juvenile Justice Oversight Commission will help ensure that this level of commitment continues. Additionally, given consistent findings that states struggle to

implement new policies and practices with high quality and fidelity to the research, the CSG Justice Center will continue to work with officials across Nevada’s juvenile justice system to guide and assist them in implementing the new policies and tracking implementation progress and youth outcomes.

“This legislation represents a unified effort by all three branches of government to better protect public safety and improve outcomes for youth in our juvenile justice system by making the system more cost-efficient and effective.”

— Governor Brian Sandoval

Notes

1. M. Sickmund, T. J. Sladky, W. Kang, and C. Puzanchera, “Easy Access to the Census of Juveniles in Residential Placement,” last modified June 1, 2017, <http://www.ojjdp.gov/ojstatbb/ezacjrp/>.
2. T. Fabelo, N. Arrigona, M. D. Thompson, A. Clemens, and M. P. Marchbanks, *Closer to Home: An Analysis of the State and Local Impact of the Texas Juvenile Justice Reforms* (New York: The Council of State Governments Justice Center, 2015), <http://csgjusticecenter.org/wp-content/uploads/2015/01/texas-JJ-reform-closer-to-home.pdf>.
3. Ibid.
4. Ibid.; New York State Juvenile Justice Advisory Group, *Tough on Crime: Promoting Public Safety by Doing What Works* (Albany, NY: New York State Juvenile Justice Advisory Group, 2010).

Improving Outcomes for Youth: A Statewide Juvenile Justice Initiative (IOYouth) is a project of the National Reentry Resource Center (NRRC) and The Council of State Governments (CSG) Justice Center, conducted in partnership with the Office of Juvenile Justice and Delinquency Prevention. The CSG Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The CSG Justice Center provides practical, nonpartisan, research-driven strategies and tools to increase public safety and strengthen communities.

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