

The Statewide Juvenile Justice Improvement Initiative in Nevada

Third Presentation to Task Force: Policy Goals and Options

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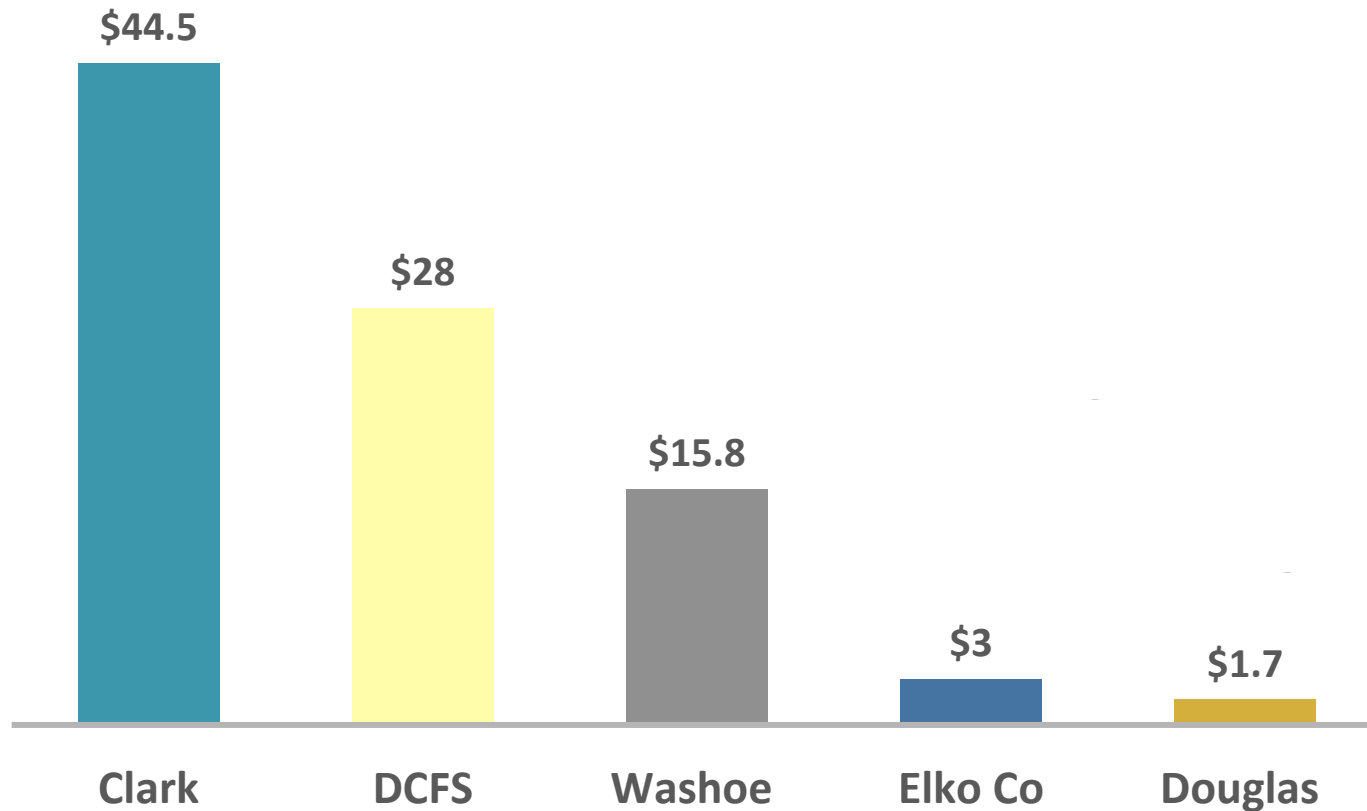
01 KEY CHALLENGES

02 Goals and Policy Options

03 Next Steps

Nevada spent almost \$95 million on juvenile justice supervision and services in 2015

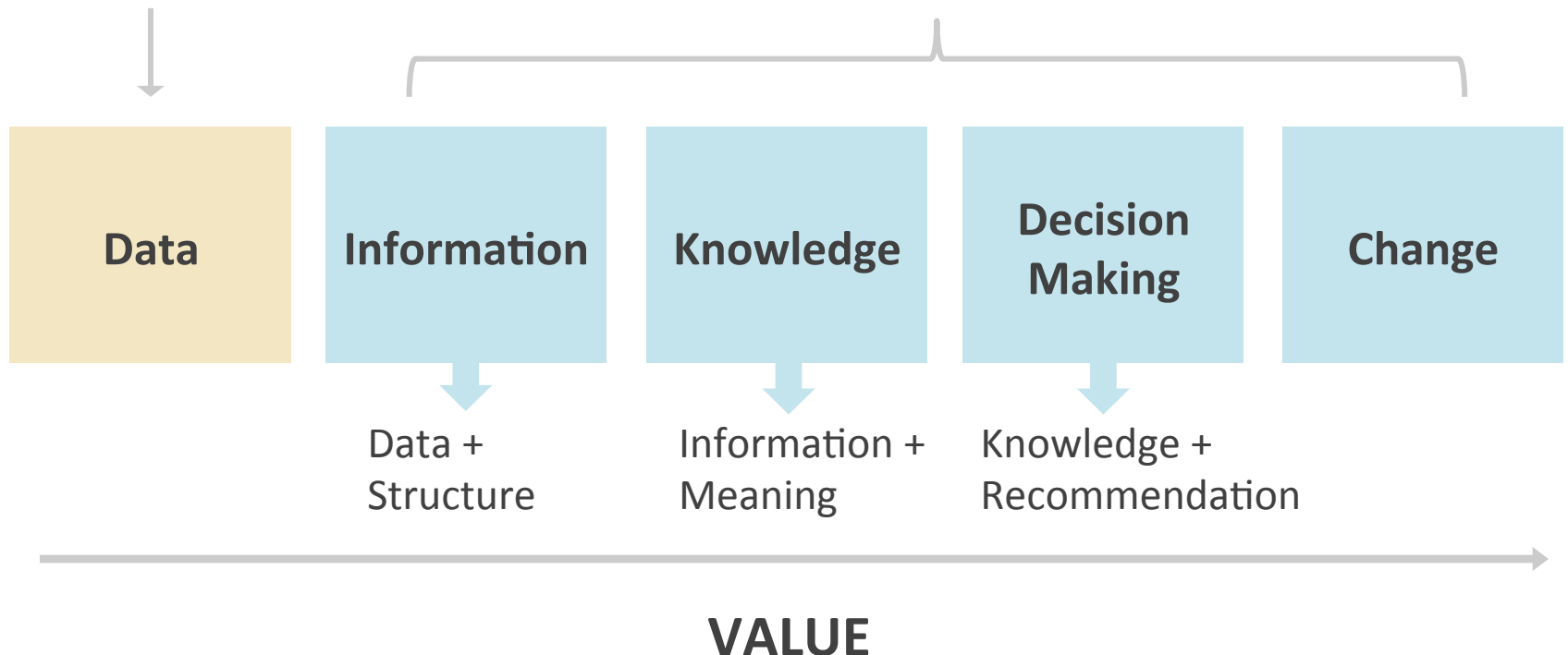
DCFS AND COUNTY JUVENILE JUSTICE BUDGETS 2015



Nevada is unable to evaluate whether resources are being used efficiently to improve outcomes for youth

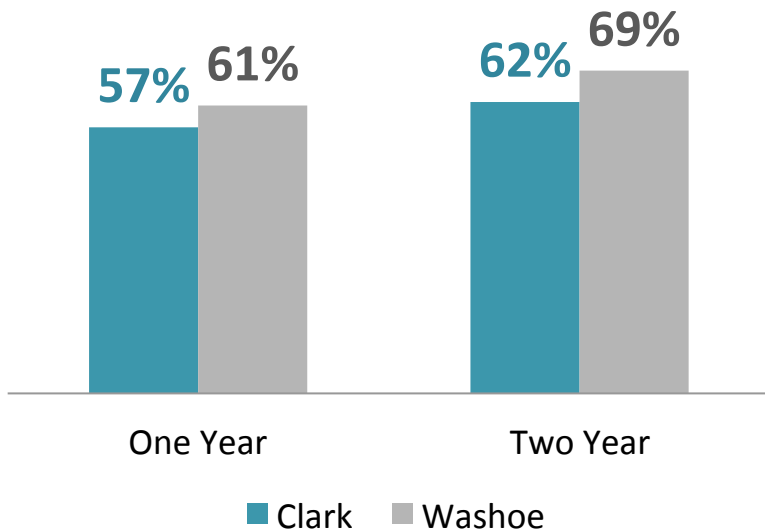
NV collects data for many key points in the system and requires reporting

The structure of the data in most counties and at the state level inhibits the **MEANINGFUL ANALYSIS** necessary to develop system knowledge and inform decision making and system change



More than half of youth on probation in Washoe and Clark counties and on state parole reoffend or violate their supervision

More than half of youth who started probation in 2013 reoffended within one year in Clark and Washoe counties



Includes referrals for violations

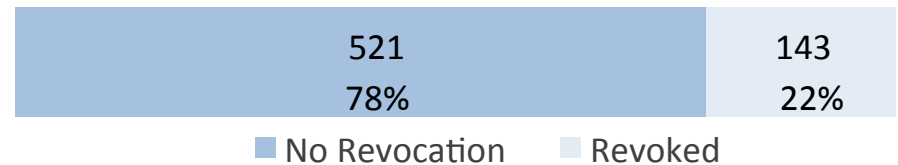
Does not include offenses that occurred in the adult system or in counties other than Clark and Washoe

Of youth terminating parole between 2013 and 2015 for whom UNITY survey data was available:

More than half had a new offense while on parole

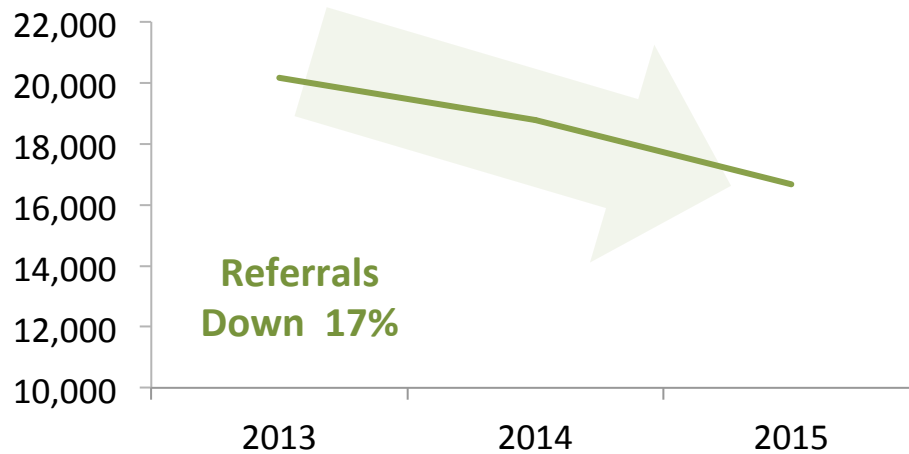


More than 1 in 5 were revoked while on parole



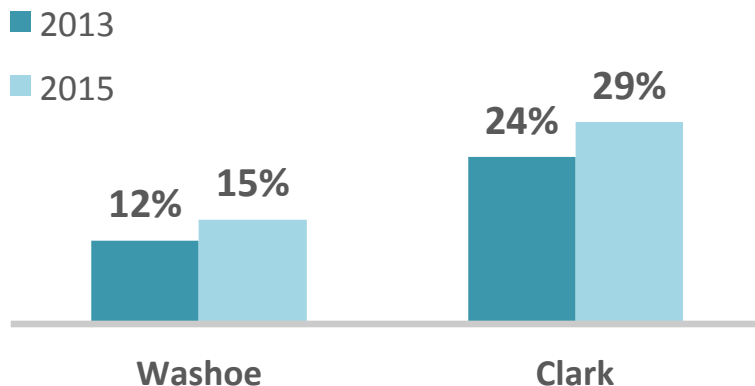
Referrals to the juvenile justice system are down, but the proportion of youth placed on formal supervision and committed has increased

SYSTEM REFERRALS, 2013–2015

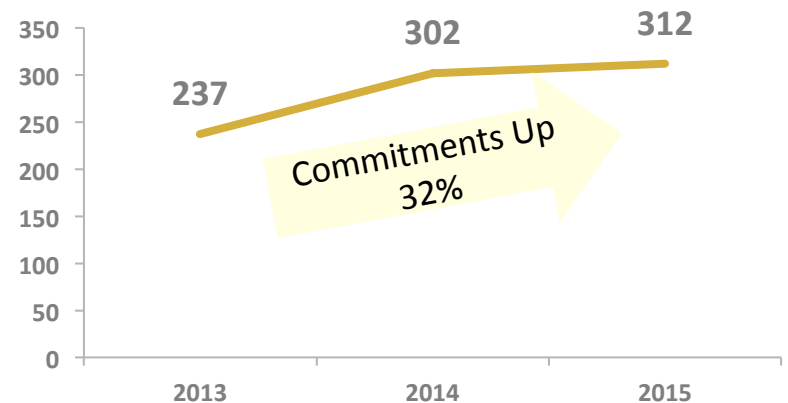


	2013	2015
Clark and Washoe County Referrals	20,164	16,673
Administrative	8%	11%
Felony	13%	14%
Gross Misdemeanor	6%	8%
Misdemeanor	50%	46%
Status	14%	13%
Traffic	2%	1%
Violation	7%	7%

PERCENT OF CASES ADJUDICATED, 2013 AND 2015

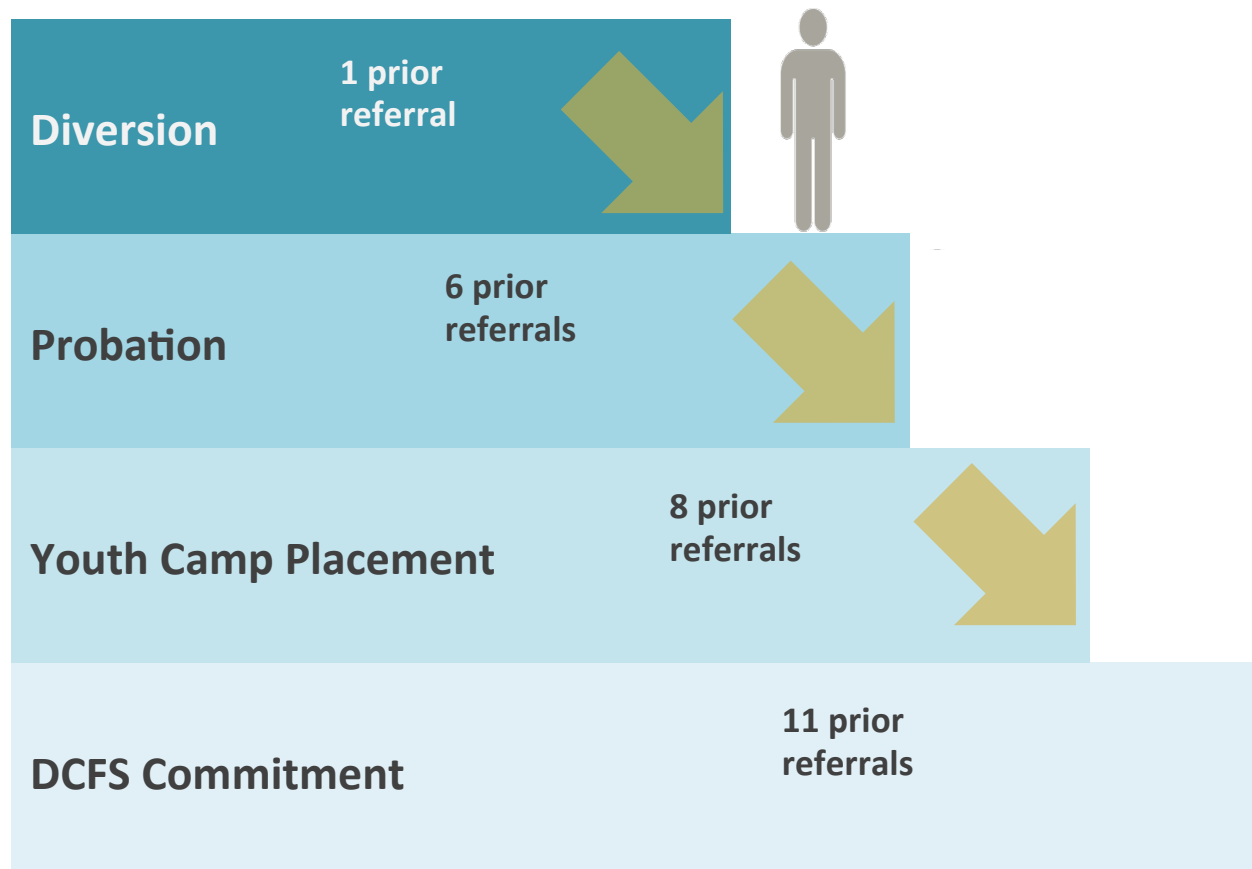


NUMBER OF DCFS COMMITMENTS, 2013–2015











Youth cycle through the system multiple times, likely because they are not matched with the right level and type of supervision/services

Average Number of Prior Referrals, 2013–2015



Few formal policies or tools exist to objectively match youth with the most effective level and type of supervision and services

KEY STRATEGIES NOT BEING REGULARLY UTILIZED IN NEVADA

-  Validated risk and needs assessment tool to prioritize and match supervision and services
-  Standardized case plan mapped to validated assessment tool
-  Statutory and funding requirements on serving higher-risk youth
-  Funding incentives to maintain higher-risk youth in the community
-  Regular, ongoing training for supervision staff, providers, and other stakeholders on research-based supervision, service-matching policies and practices
-  Formalized service referral and service use policies/processes
-  Service registries or service matrices
-  Service provider, delivery, and case plan audits

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01 Key Challenges

02 **GOALS AND POLICY
OPTIONS**

03 Next Steps

Policy Framework of the Nevada Statewide Juvenile Justice Improvement Initiative

Policy Option #1

Adopt validated risk and needs assessment tools to match youth to the most appropriate supervision levels and services based on risk of reoffending and the key needs that drive their delinquent behavior

Policy Option #2

Use limited resources more efficiently and improve the effectiveness of community and facility services by developing evidence-based standards and holding agencies and providers accountable for performance

Policy Option #3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

Validated assessment tools can help Nevada use resources efficiently, reduce reoffending, and limit system disparities

Risk Principle

Identify and focus supervision and services on those youth most likely to reoffend

Need Principle

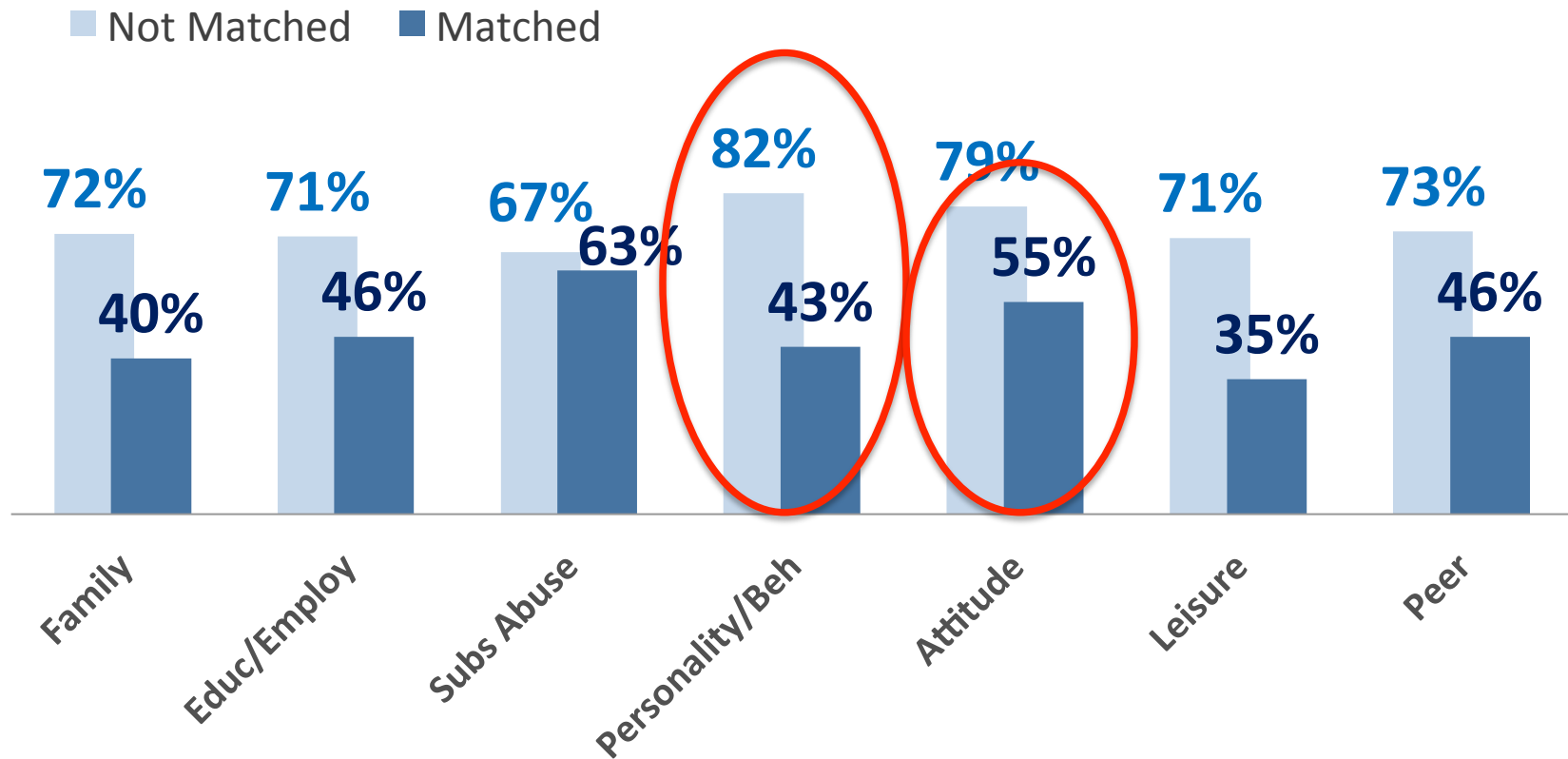
Identify and address the key needs that drive youth's delinquent behaviors

Responsivity Principle

Match youth to services based on protective and responsivity factors

Impact of Service-to-Need Matching on Recidivism Rates for Youth in Canada's Juvenile Justice System

RECIDIVISM RATES FOR MATCHED VS. NOT MATCHED



1

Adopt and implement risk and needs assessment tools

State Examples of Legislative Changes: WEST VIRGINIA

- The Supreme Court of Appeals is requested to **adopt a risk and needs assessment to be used for juvenile dispositions.**
- Each juvenile adjudicated for a status or delinquency offense...shall undergo a risk and needs assessment prior to disposition to **identify specific factors that predict a juvenile's likelihood of reoffending** and, when appropriately addressed, may reduce the likelihood of reoffending.
- The results of the risk and needs **assessment shall be provided to the court prior to disposition** or at the time of the dispositional hearing.
- http://www.legis.state.wv.us/Bill_Text_HTML/2015_SESSIONS/RS/bills/SB393%20SUB1%20enr.pdf

1

Adopt and implement risk and needs assessment tools

State Examples of Legislative Changes: SOUTH DAKOTA

- In cooperation with the Department of Corrections and the Unified Judicial System, the Department of Social Services **shall establish a juvenile treatment referral process incorporating a risk and needs assessment tool** for use by the Unified Judicial System and Department of Corrections, and supplemental mental health and substance abuse screening tools.
- **The Department of Corrections and Unified Judicial System shall use a validated risk and needs assessment**, and either a mental health or substance abuse assessment, or both, if the risk and needs assessment indicates a mental health or substance abuse issue, **to guide referrals to interventions** identified under this section, consistent with the process established by the Department of Social Services.
- <http://sdlegislature.gov/docs/legsession/2015/Bills/SB73ENR.pdf>

1

Adopt and implement risk and needs assessment tools

A

Adopt a validated risk and needs assessment tool statewide to guide disposition decisions.

- i. Conduct a validated risk and needs assessment and a validated mental health screening for all adjudicated youth prior to disposition and provide the court and all attorneys on the case with a pre-disposition report summarizing the results.
- ii. Use the results of risk and needs assessments to determine the most appropriate disposition commensurate with public safety and improved outcomes for youth.
- iii. To place a youth in a state correctional facility, the court must make a written record that: (1) appropriate community-based services are not available and/or have been unsuccessful; and (2) that the youth poses a public safety risk or is a danger or risk to themselves based on a youth's assessed risk of reoffending, prior delinquent history, and seriousness of offense(s).
- iv. To place a youth in an out-of-state facility, the court must make a written record that: (1) appropriate in-state facility or community-based alternatives are not available and/or have been unsuccessful; and (2) other child and family service agencies or departments have been consulted to determine whether such services are available.

1

Adopt and implement risk and needs assessment tools

Critical Resources and Supports

- Identify up to \$300,000 in funding from the State and/or private sources for DCFS to contract with an assessment vendor to assist probation agencies and DCFS with the adoption of validated risk and needs assessment tools
- Identify up to \$100,000 from the State and/or private sources for DCFS to contract with an experienced vendor/provider to assist with statewide training, implementation, and quality assurance of the assessment tools
- Share the operating costs of the assessment tools between the State and counties such that, in three years, counties will be fully responsible for all costs (0%, 50%, 100%)

1

Adopt and implement risk and needs assessment tools

A Key Questions for Consideration:

- To what extent should legislation **provide detailed guidelines regarding how dispositional decisions are made** based on the results of risk and needs assessments?
- What should the **process/criteria be to determine if community-based alternatives or in-state facilities are not appropriate or available** for youth? Who should make this determination? Should “most appropriate treatment setting” or “least restrictive alternative” be considerations?
- What is **sufficient evidence that other child-serving agencies/departments have been consulted** in the decision making around youth placements?

1

Adopt and implement risk and needs assessment tools

B Use the results of validated risk and needs assessments to guide supervision decisions.

- i. Require that the results of risk and needs assessments and mental health screenings, among other factors, be used by DCFS to make facility placement decisions at commitment. Depending on the date of the last assessment, DCFS can use the results from an assessment conducted by probation prior to disposition for this determination.
- ii. Conduct a risk and needs assessment for youth on probation and in DCFS custody no less frequently than every six months and/or when significant case changes occur.
- iii. Focus supervision resources on youth most likely to reoffend by using the results of risk and needs assessments and the seriousness of youth's offenses to guide decisions around lengths of probation and parole terms.
- iv. Identify a common set of elements to be incorporated into case plans that are informed by risk and needs assessment results. Require probation agencies and DCFS to use these case plans for all adjudicated youth.

1

Adopt and implement risk and needs assessment tools

B Use the results of validated risk and needs assessments to guide supervision decisions.

- i. Require DCFS to establish a facility length-of-stay matrix and release criteria that are based on youth's assessed risk of reoffending, seriousness of offense, and progress in meeting treatment goals, and use these tools to guide these release decisions.
- ii. Require that all youth in DCFS custody and placed at youth camps have a written reentry plan based on their assessed risks and needs and that a formal reentry case planning meeting, which includes the youth, a family member (if possible), the youth's parole/probation officer, treatment staff, community service providers, and other stakeholders as necessary, is held before the youth's release.
- iii. Require DCFS to establish a graduated response grid and policy for youth on parole based on risk of reoffending, and restrict revocations unless there is probable cause that the youth poses a risk to public safety or the graduated response grid allows a revocation. Require the court to make a written record that such conditions have been met to approve a revocation.

1 Adopt and implement risk and needs assessment tool

B Key Questions for Consideration:

- Should legislation **identify presumptive lengths/ranges of stay in facilities and probation and parole terms** based on the results of risk and needs assessments and other factors?
- Should the **same assessment tool be used statewide**? If so, what entity should be responsible for the selection and oversight of the tool?
- Are there other ways that legislative language can be meaningful around the use of assessments, without being too prescriptive?

The effective implementation of evidence-based programs reduces reoffending and produces considerable cost savings

Program Name	Total Benefits	Costs	Benefits Minus Costs (Net Present Value)	Benefit To Cost Ratio
Functional Family Therapy (youth in state institutions)	\$37,554	(\$3,358)	\$34,196	\$11.21
Aggression Replacement Training (youth on probation)	\$16,076	(\$1,552)	\$14,524	\$10.38
Functional Family Therapy (youth on probation)	\$29,944	(\$3,357)	\$26,587	\$8.94
Multisystemic Therapy	\$23,082	(\$7,576)	\$15,507	\$3.05
Drug court	\$7,318	(\$3,159)	\$4,159	\$2.32
Other chemical dependency treatment for juveniles (non-therapeutic communities)	\$220	(\$3,193)	(\$2,973)	\$0.07
Scared Straight	(\$13,491)	(\$66)	(\$13,557)	(\$204.33)

Increased use of evidence-based practices can help Nevada to maintain more youth successfully in the community for considerably less cost

Average Cost of Supervision by Type*

**Community Probation, Clark County
(ADP 2,769)**

\$17.60 per day x 313 days

Average Cost = \$5,509 per youth

**China Spring Youth Camp
(ADP 57)**

\$203.67 per day x 145 days

Average Cost = \$29,532 per youth

**DCFS Facility
(ADP 216)**

\$237.22 x 248 days

Average Cost \$58,831 per youth

**More youth served in the
community and better outcomes
for youth**



**Increased use of evidence-based
practices through possible shift in
funding to local probation**



Reduction in commitments

* Based on average cost per day and average length of stay as reported by Clark County Juvenile Services Department, China Springs Youth Camp and DCFS

2

Use limited resources more efficiently and improve service effectiveness

State Examples of Legislative Changes: LOUISIANA

- There is hereby established the Juvenile Justice Reinvestment Program as a fiscal incentive program to **fund local efforts that enhance public safety while reducing juvenile justice system costs.**
- Funds appropriated shall be utilized for renewable grants for the purpose of establishing **community-based sanction and treatment programs**, including reentry programs, that provide alternatives to out-of-home placement.
- Any contract for the purpose of providing services to youth or their families shall be a **performance-based contract** that includes **financial disincentives or consequences based on the results** achieved by the contractor as measured by output, quality, or outcome measures.
- <https://www.legis.la.gov/legis/ViewDocument.aspx?d=984017>

2

Use limited resources more efficiently and improve service effectiveness

State Examples of Legislative Changes: TENNESSEE

- The Department of Children's Services **shall not expend state funds on any juvenile justice program** or program related to the prevention, treatment or care of delinquent juveniles, including any service model or delivery system in any form or by any name, **unless the program is evidence-based**.
- Implementation of programs will be accompanied by **monitoring and quality control procedures** and **corrective action** will be taken when those standards are not met.
- The department shall include in any **contract with a provider** a provision affirming that the provider **shall provide only evidence-based services**, except for services that are being provided pursuant to a pilot program as defined in this section, and that such services will be accompanied by monitoring and quality control procedures. The department may use performance requirements or incentives in determining the amounts payable in contracts or grants.
- <http://www.tennessee.gov/sos/acts/105/pub/pc0585.pdf>

2

Use limited resources more efficiently and improve service effectiveness

A

Require that all state funding for juvenile justice services is used only for evidence-based programs and practices and/or those shown to be effective in improving outcomes for youth. This requirement shall be phased in over a three-year period, with an increasing percentage of funds required to be used for this purpose each year, until 100 percent of funding is required to be used for evidence-based programs and practices in the third year.

- i. Define evidence-based programs and practices as those that: (1) have been rigorously evaluated and/or (2) adhere to agreed-upon standards of effective programs. Agreed-upon standards will be outlined in legislation, and written to allow for promising programs and local innovation.
- ii. Require that state (non-Medicaid) funding used to provide services to youth through service providers be procured through a public, competitive RFP process and awarded through contracts that incorporate the agreed-upon standards.
- iii. Require juvenile probation agencies directly providing services to demonstrate that programming adheres to the evidence-based standards, and that staff receive training on evidence-based practices.

2

Use limited resources more efficiently and improve service effectiveness

A

Require that all state funding for juvenile justice services is used only for evidence-based programs and practices and/or those shown to be effective in improving outcomes for youth.

- iv. Establish a single juvenile justice oversight body responsible for developing and submitting a strategic plan to the legislature for building state and local agency and provider capacity around evidence-based programs and practices. The plan will be developed in collaboration with a resource center established through an RFP process.
- v. Require DCFS and local probation agencies (including youth camps) to develop and implement a family engagement plan. The plan should include strategies for increasing family contact, engaging families in case planning meetings and treatment, and soliciting families' feedback on improvements to supervision and services.
- vi. Require DCFS to conduct an annual evaluation and quality assurance review of all correctional facilities and require local probation agencies to conduct a review of youth camps, develop a facility improvement plan based upon the results of these assessments, and share this plan with the legislature, governor, and juvenile justice oversight body.

2

Use limited resources more efficiently and improve service effectiveness

Critical Resources and Supports Necessary

- Identify up to \$300,000 annually from the State and/or private sources to establish, through a competitive RFP process, an evidence-based service resource center to assist DCFS and probation agencies with the adoption, quality assurance, and implementation of evidence-based programs/practices
- Identify up to \$100,000 from the State and/or private sources for DCFS to strengthen its service quality assurance and monitoring capacity and \$10,000 for training and support for DCFS and local probation agencies on program monitoring, evaluation, and the use of a service assessment tool

2 Use limited resources more efficiently and improve service effectiveness

A Key Questions for Consideration:

- How can legislation **define “evidence-based” standards** in a way that promotes improved practice but that is also realistic and flexible? Should these standards apply to all state funding or only a portion? Should they apply to local funding?
- How should **expectations around using evidence-based programs be phased in over time** to give local agencies time to build capacity? Should the ultimate expectation be 100 percent adherence to the standards or less?
- What entity should oversee the development of the **service performance measures**, and how can this be a collaborative process?
- What **entity should support counties in meeting evidence-based standards** and provide quality assurance to ensure effective implementation?

2

Use limited resources more efficiently and improve service effectiveness

B

Require that state block grant funding is used for programs and practices that divert youth from placement in DCFS custody, commensurate with public safety.

- i. Use state block grant funding for juvenile justice services only for youth assessed as having a moderate or high risk of reoffending through a validated risk and needs assessment, and/or youth at imminent risk of out-of-home placement (potentially require only for counties above a certain population threshold).
- ii. Establish a juvenile justice services improvement fund administered by DCFS whereby the annual actual or projected cost savings to DCFS due to cost avoidance from decreased reliance on correctional placements and parole would be transferred to the fund. Money from the fund would be used to supplement community block grant funding for local probation agencies based on the current block grant funding formula allocation.

2 Use limited resources more efficiently and improve service effectiveness

B Key Questions for Consideration:

- Should a **requirement to use state block grant funding only for moderate and high risk youth** be applied? Should the requirement apply only to counties above a certain population?
- Should **cost savings associated with reductions in commitments** to DCFS be reinvested back into the block grant for counties, or should that money be used to strengthen parole services or for some other purpose?

Data improvements can help Nevada answer key questions about how system resources are being used to improve outcomes for youth

KEY QUESTIONS	WHAT DATA TO REPORT	CURRENT NV STATUS
Whom does the system serve?	<ul style="list-style-type: none">• System profiles by youth demographics and DMC reports	<ul style="list-style-type: none">• Data exist at county and state levels and are currently reported
How are youth moving through the system?	<ul style="list-style-type: none">• Length of stay/average daily populations (LOS/ADP) for detention, placements, probation, commitments, and parole• Frequencies of youth at each point in the system by demographics, offense, priors, risk/need	<ul style="list-style-type: none">• Data exist to calculate LOS and ADP at the state and county levels but are not consistently reported• Data exist for most critical system points but are not consistently reported• Limited data on risks/needs
How well does the system serve youth?	<ul style="list-style-type: none">• Service-matching analysis• Probation and parole outcomes• Recidivism analysis	<ul style="list-style-type: none">• No program/service data• Data exist for supervision outcomes and are currently reported• Data exist to calculate recidivism, but standard definitions and MOUs are needed to facilitate consistent reporting

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

State Examples of Legislative Changes: OREGON

- The Oregon Youth Authority, in consultation with the Oregon Juvenile Department Directors' Association, **shall adopt one or more definitions of recidivism and establish a recidivism reporting system** applicable to youth offenders.
- The **juvenile department of a county annually shall submit** to the Oregon Youth Authority **statistical data relating to the recidivism of delinquent youths** experienced by the county during the previous year.
- The Oregon Youth Authority shall cooperate and, to the extent of available information systems resources, **shall share data with the Department of Corrections** to enable the department to track youth offenders who later enter the adult corrections system and to **assess the effect of juvenile corrections on future criminal conduct that occurs during and after supervision** by the Oregon Youth Authority and county juvenile departments.
- https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors420A.html

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

State Examples of Legislative Changes: SOUTH DAKOTA

- There is hereby **established a Juvenile Justice Oversight Council** responsible for monitoring and reporting performance and outcome measures.
- The oversight council may:
 - **Review performance measures and outcome measures** required by this Act and proposed by the Department of Corrections, Unified Judicial System, and Department of Social Services;
 - Review performance measures and outcome **measures submitted semiannually**;
 - Review efforts by the Department of Social Services to ensure delivery of treatment in rural areas and related performance measures;
 - Prepare and submit an **annual summary report** of the performance and outcome measures that are part of this Act **to the Legislature, Governor, and Chief Justice**. The report shall include any **recommendations for improvement** related to this Act.
- <http://sdlegislature.gov/docs/legsession/2015/Bills/SB73ENR.pdf>

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

A Establish required data elements with definitions that all juvenile courts, probation agencies, and staff of youth correctional and parole services must collect and report to the Division of Child and Family Services.

- i. Require the collection and annual report of the following for **local probation agencies**:
 - Youth demographics, including name
 - Referral
 - Risk and need
 - Detention
 - Decision/finding
 - Supervision
 - Residential placement
 - Program and service information
- ii. Require the collection and annual reporting of the following for **DCFS and parole**:
 - Youth demographics
 - Commitment/admission
 - Risk and need
 - Charge/offense/violation
 - Disciplinary actions, program and service information
 - Residential placement
 - Education
 - Revocation

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

B Establish performance measures related to the supervision/services youth receive, recidivism, and other outcomes for youth under the jurisdiction of local probation agencies, committed to DCFS, and on parole.

- i. Performance measures/targets should be established by the juvenile justice oversight body, and include system trends, supervision, services, and youth recidivism and other outcomes.
- ii. Establish a standard definition for recidivism, agreed upon by the oversight body, for adoption and implementation statewide.
- iii. Require DCFS to calculate recidivism rates using the standard definition at least annually for youth under the jurisdiction of local juvenile probation agencies, committed to DCFS, and on parole using data collected from local agencies as well as from the Division of Probation and Parole and the Nevada Department of Corrections.
- iv. Require DCFS to report annually to the legislature, governor, and supreme court on system trends, performance measures, program effectiveness, and recidivism and other youth outcomes. Make reports available to all local juvenile probation agencies and the public.

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

Critical Resources and Supports Necessary

- Identify up to \$100,000 in funding from the State and/or private sources for DCFS to support database improvements and \$100,000 to strengthen DCFS data/research capacity
- Identify up to \$400,000 from the State and/or private sources, to award through a competitive RFP process, for local probation agencies to assist with database development and modifications necessary to collect and report required data

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

B

Key Questions for Consideration:

- How should the **agency performance measures be established**? Should this be the same process and collaborative group that develops the service performance measures and strategic plan?
- Does the SJJI task force want to **define recidivism**, or should the performance measures working group lead this work?

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

C

Maintain juvenile records and broaden the release of juvenile justice information while ensuring confidentiality.

- i. Clarify that records of a person that are sealed remain available (should not be deleted or have identifiers removed and availability is not dependent upon judge approval) to conduct outcome/recidivism studies/research to determine the effectiveness of juvenile justice services.
- ii. Allow for the release of juvenile justice information to the Director of the Nevada Department of Corrections or designee and the Director of the Nevada Division of Probation and Parole or designee for research and recidivism matching purposes.
- iii. Allow for the release of de-identified individual-level juvenile justice data for research purposes.

3

Strengthen system capacity to collect, analyze, and use data to evaluate and improve system performance and youth outcomes

C

Key Questions for Consideration:

- How can legislation ensure the **confidentiality and protection of youth's records** while also requiring that necessary information is available to conduct recidivism analysis and additional research to measure system performance and youth outcomes?

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01 Key Challenges

02 Goals and Policy Options

03 **NEXT STEPS**

Next Steps

1

Work with state and local leaders to translate policy options into legislative language and establish review process for task force members to provide feedback

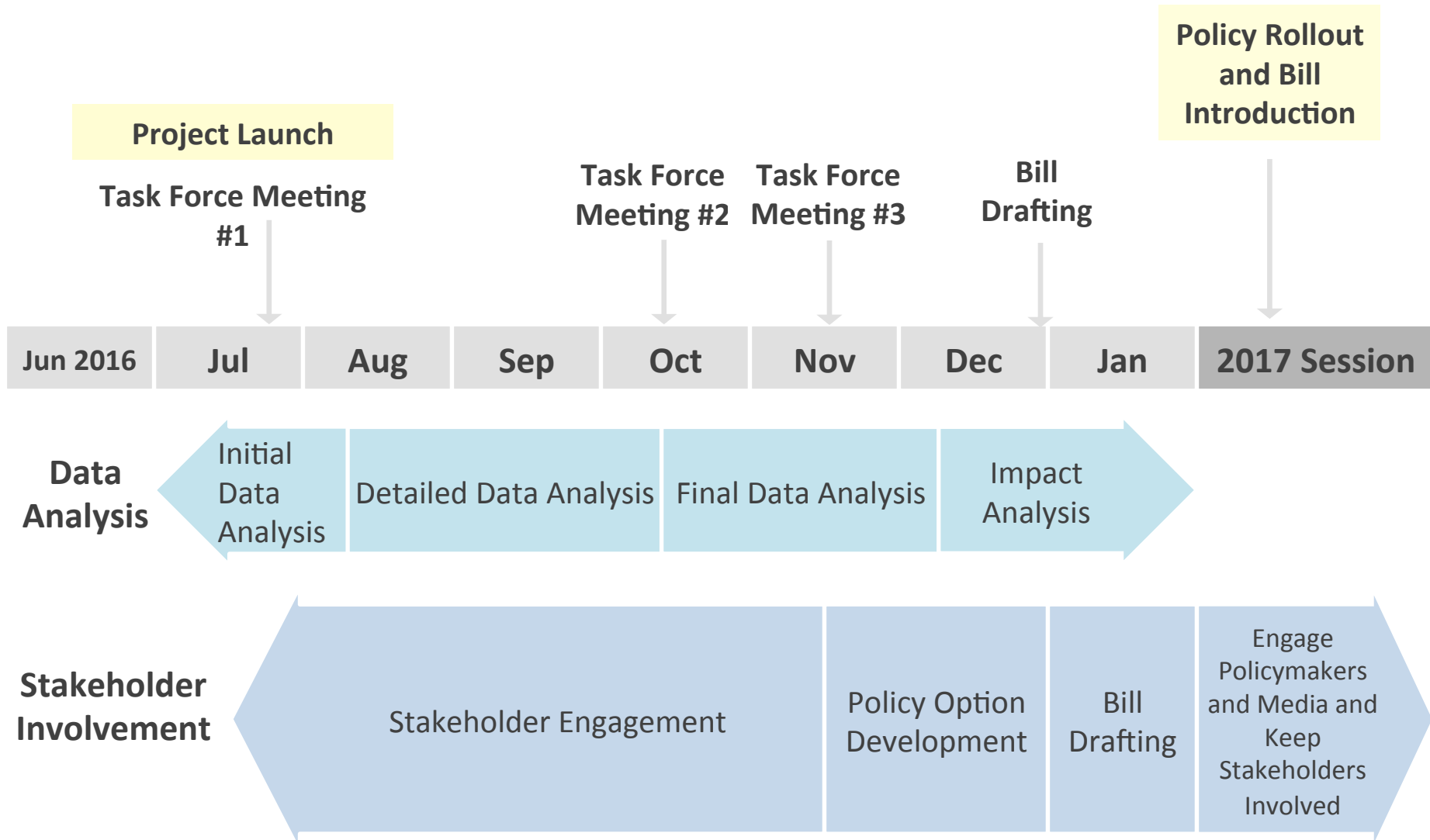
2

Work with state and local leaders to introduce legislation, and continue to serve as a resource for testimony and in meetings with legislators

3

Engage task force members, media, policymakers, and other stakeholders to garner additional support during the legislative process and throughout implementation

Timeline





Thank you

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