

NEVADA DMC ACTION PLAN SUMMARY
June 25, 2019

ACTION PLAN – QUESTIONS FROM OJJDP

1. What does your DMC number tell you about your Jurisdiction?

The Division of Child and Family Services (DCFS) is a state agency that is responsible for juvenile corrections and youth parole services. All other services are provided by independent counties.

The state's DMC number indicate three distinct things: 1) Disparity exists at a greater rate in urban counties, 2) African American disparity is seen at all contacts points to include diversion, and 3) African American youth face greater disparity as they move deeper into the system.

- 1) Disparity is found primarily in the state's two largest counties, Clark County and Washoe County. The rural areas of the state tend to have more contact with Caucasian/White youth. Greater than eighty-five (85) percent of the state's population resides in the two largest counties.
- 2) African American youth face greater disparity as they move deeper into the system, especially around a secure setting and adult certification.

2. What would success in DMC reduction look like for your jurisdiction?

Success is a several step approach. First, success would be a complete understanding of the data to include how to diagnosis and analyze disparities at each decision point. Second, success would be the identification of at least one contributing factor of disparities at the major decision points of arrest, placement in secure detention, placement in secure confinement, and certification to adult court. Third success would finding the appropriate response to the contributing factors and provide that response to the appropriate audience and having the funding to continue to roll out the response. In addition, if changes to legislation is identified and deemed necessary during this third phase, that there is unanimous support for the change. Last, success would be a gradual drop year to year in those core decision points within the largest counties and statewide.

However, success at any level is a difficult undertaking as identified in the publication titled *Reforming Juvenile Justice: A Developmental Approach* (2013). It states, "several reasons can be identified as a means of understanding the lack of movement on these issues, including, but not limited to, lack of motivation, lack of cross system collaboration, inadequate resources, and the extreme difficulties of disentangling the many complex, multilevel and interrelated factors that contribute to the problem" (Pg. 214). Additionally, the authors admit that little progress has been made in the past two (2) decades, even with policy change and implementation. Lastly, they state that that disparity falls into one of two areas. "Some indicate differential offending (more serious violent offenses) as the root cause of disproportionality while others point to differential selection (treatment) by the juvenile justice system (police officers, courts, and other justice system officials)". (Pg. 223)

If the authors of *Reforming Juvenile Justice: A Developmental Approach* are to be believed and trusted; success cannot be achieved until or unless a system can determine the actual root cause of disparity. In the meantime, DCFS will work with county stakeholders to assess contact points to determine if a commonality exists that can be addressed.

3. How much do you want to reduce DMC next year?

Nevada stakeholders would greatly appreciate any reduction in DMC statewide, but that would require a great deal of work in the local jurisdictions as many of the decision points are conducted within independent counties.

The one area that the state is currently studying in the certification to adult criminal court. In Nevada, this number is low overall, so a decrease in one youth will make a difference.

However, true reduction in DMC takes planning and implementation. The state has proposed sending a group of five or six individuals from the state to the Center for Juvenile Justice Reform at Georgetown University in November of 2019 to obtain a certification in reducing racial and ethnic disparities. This group will form a core racial and ethnic disparities committee/working group going forward. However, this certification is competitive and requires a rigorous application and selection process.

Counties stakeholders are invited to attend the certification program with members of the state, but the state cannot provide funding for county employee due to the lack of resources of the state. In addition, counties will be invited to participate in the new and improved committee/working group going forward.

4. Is that reasonable? If yes, why?

It is unreasonable to expect the state agency, DCFS, to identify a percentage or area of reduction for decision points that the agency has no oversight or control over. The governor appointed JJOC can direct local jurisdictions to address DMC issues, but it does not have the authority to specifically assign a task or to hold counties responsible. The only responsibility county governments have per Statute is to report their DMC numbers to DCFS annually. It may take a legislative initiative to direct counties to analyze and address specific issues.

The following are county or city operated: juvenile detention facilities, juvenile courts, and law enforcement. County juvenile justice practitioners have steadily stated for the past 12 – 24 months that caseloads are increasing, detention numbers are rising, and the level of need for the youth is increasing. They focus their energy on safety of the youth in their care and of the community at large. It is easy to forget that the very agencies we rely on to address DMC are the same agencies that provide direct services to youth, such as juvenile detention, juvenile court, and local law enforcement.

In addition, local jurisdictions lack the expertise needed to analyze and dissect the complexities of the juvenile justice system to identify the root cause/s of disparate treatment, lack funding and personnel to address the problem, and lack the ability to address the issue.

It is for these reasons that the state has determined it critical to send people to be trained in racial and ethnic disparities at Georgetown University. This will provide some state expertise in dealing with these complex issues.

5. What do you need from OJJDP to be successful with your plan?

States need help with this. The problem is too complex, and the solutions are too multi-faceted. Local jurisdictions provide direct services to the community and they do not have staff to dissect decision making at contact points, nor would staff in an operational setting have the knowledge and skills to do so. State agencies may have staff who concentrate on data mining, but it is unlikely that a state agency has the staff with the knowledge and skills to break apart criminal justice data to determine the factors related to disparities.

OJJDP can do several things to help states address disparities. 1) Acknowledge and understand the expertise needed to determine the factors that lead to disparities, 2) acknowledge and understand that the expertise needed mostly likely will not be found in state or local jurisdictions, and is more like to be found within university researchers and behavioral analysts, 3) acknowledge and understand that funding is needed for state or local jurisdictions to contract with local universities, 4) acknowledge and understand that funding is need to combat the problem, once the problem is identified, and 5) acknowledge and understand that barriers exist that complicate efforts to address DMC within states such as bifurcation or limited state statutes in the area.

One of the biggest things OJJDP can do is help or provide states with funding to train local and state staff in how to identify and combat issues that lead to disparities. States are good at identifying grants, but most grants require a 50 to 100 percent cash match which is not feasible. If states had money for new or existing initiatives, grants would not be required.