

WASHOE COUNTY DETENTION REFORM
WORK PLAN

SEPTEMBER 2004

INTRODUCTION

In January 2003, construction began on a new juvenile justice facility in Washoe County that included a 108-bed detention center, a courtroom, and offices for probation and departmental programs personnel. While the new facility was needed for several reasons, juvenile justice officials recognized that it was not the answer to all of the challenges facing the juvenile justice system especially in a rapidly growing community. Officials readily understood that efforts to make system improvements needed to continue in order to better meet the needs of our youth as well as the community and to avoid overcrowding problems in the future.

Under the leadership of Family Court Judge Frances Doherty, a team from Washoe County traveled to San Francisco, California to attend the Coalition for Juvenile Justice Fall Training Conference that focused on the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative. As a result of the conference, the Court convened two follow-up meetings in which it was decided that existing efforts would continue, but the best opportunity for system improvements would occur if Washoe County engaged the Casey Foundation: *PATHWAYS To Juvenile Detention Reform*.

In April 2004, Judge Doherty with the approval and encouragement of Chief Judge James Hardesty, invited local stakeholders to attend a meeting that provided an overview of the Foundation's Juvenile Detention Alternatives Initiative and showed a documentary highlighting the success experienced in three cities that had implemented the Pathways strategies. Mr. John Rhoads, a consultant with the Annie E. Casey Foundation, was also present to participate in the discussion and to answer questions.

In June 2004, a group of key stakeholders that included the Chief Judge, the Juvenile Master, the Director of Juvenile Services, the district attorney's office, the public defender's office, law enforcement, and mental health services participated in a site visit conducted by the Annie E. Casey Foundation. The stakeholders met again July 27, 2004 and voted unanimously to implement all eight strategies of the PATHWAYS initiative. Subsequent to that meeting, Judge Doherty received correspondence from

the Foundation stating it was prepared to entertain an engagement proposal from Washoe County. As a result, the following work plan for implementation of the eight core strategies has been developed.

WORK PLAN

I. Formation of JDAI Collaborative

An initial group of key stakeholders committed to JDAI has been formed in Washoe County. This 23-member group currently includes the juvenile court, the juvenile services department, the sheriff's office, the district attorney's office, public defenders office, the county finance department, the school district, a county commissioner, an assemblywoman, the state mental health agency, the Children's Cabinet, a member of the Washoe County Juvenile Services Committee, and a community member. This group will be expanded in the next month to include other law enforcement agencies as well as more community organizations and private nonprofit service providers. From this large group, smaller work groups will be developed to address specific strategies.

- **Identified Objectives:**

1. Eliminate over reliance on secure detention for juveniles.
2. Redirect public resources to support community alternatives to detention.
3. Minimize risk of flight to appear at future Court proceedings.
4. Minimize incidence of delinquent behavior by reducing recidivism and escalation in the system.
5. Improve conditions of confinement.

- **Desired Composition of Collaboration:**

Representation in the Stakeholders Group should reflect the community's demographics and it will include key participants from the juvenile justice system, law enforcement, prosecutors, defense attorneys and related community-based service providers. Stakeholders must be decision makers or have authority to decide key issues impacting their agencies.

- **Identified Required Representation**

1. Law Enforcement: Sparks, Reno, Washoe County, Washoe County School District Police
2. Juvenile Services Department
3. Department of Youth Parole
4. Juvenile Court
5. District Attorney's office,
6. Public Defenders, Conflict Counsel, Defense Bar
7. Washoe County School District (only one district in Washoe County)
8. Juvenile Services Committee
9. Other Public Agencies:
 - *Children's Behavioral Services(Mental Health)
 - *Washoe County Social Services(CPS)
 - *Northeast Community Center.
 - *CASA
 - *Reno-Sparks Indian Colony
10. Elected local/state officials:
 - *Sheila Leslie, Assemblywoman
 - *Dave Humke, County Commissioner
 - *Dennis Balaam, Washoe County Sheriff
 - *Jessica Sferazza, Reno City Councilwoman
11. Community-Based Youth Organizations:
 - *Children's Cabinet
 - *Nevada Hispanic Services
 - *Truckee Meadows Boys and Girls Club
 - *YMCA
 - *Big Brothers/Big Sisters
12. Private Care Providers
 - *Briarwood

- *Hand Up Homes
 - *West Hills
 - *Willow Springs
 - *SageWind
 - *Quest
- 13.Children's Advocacy Groups
- *Washoe Legal Services Child Advocacy Project

● **Tasks:**

1. Recruit desired membership; Ensure diversity of membership
2. Create structure of operation: Stakeholder Collaborative to develop and sustain Unified Detention Reform Philosophy and Policy. Smaller, identified work groups to review and recommend changes and initiatives to the Stakeholder Collaborative
3. Recruit and hire Detention Reform Coordinator
4. Develop plan for ongoing participation of stakeholders in semi-annual Casey Foundation JDAI trainings
5. Participate in site visit to a jurisdiction fully implementing JDAI (Model Site)

DATA

The Stakeholders Collaborative and the smaller work groups reviewing and analyzing specific areas of detention practice need accurate information about the current detention system that includes detention caseloads, procedures, policies, and costs. In preparation for a site visit from the Foundation, data was collected related to arrest rates, admission rates, admissions by race compared to county census data, admissions by offense types and race/gender/age, pre- disposition average length of stay broken down by race/gender/age, post-disposition average length of stay by race/gender/age, and overrides to the Detention Screening Instrument (risk assessment). Staff is also reviewing the JDAI Data Collection Manual and meeting with Deborah Busch in order to assess our JCATS data system's capacity for collecting the type of data recommended. The data collected will be used to produce regular management reports that will track the detention population and monitor that the recommended changes in procedures are being followed.

Following an initial, quantitative analysis, the Stakeholder Collaborative will conduct a systems analysis by reviewing detention policies and procedures, a case processing flow chart, case processing delays, detention laws and policies, detention and release procedures, post-disposition caseloads, current alternatives to detention, roles of detention decision makers, and the issue of disproportionate minority confinement. A cost analysis of the current system should also be completed and supplied to the smaller groups as they review processes and make recommendations for change. The cost analysis should include bed cost per day, alternative program cost per day, case processing costs, and policy-related costs.

DISPROPORTIONATE MINORITY CONFINEMENT & GENDER

Initially a separate work group to address disproportionate minority confinement and gender issues was proposed to ensure that the system is operating fairly and equitably. However, after learning of what has worked more effectively in other sites, it has been decided that reducing racial disparities and gender equity should be overarching philosophies that are considered at every stage of detention reform. The best way to accomplish this goal is to ensure that each of the smaller work groups have appropriate minority and female representation and that the race, gender, and age of offenders are criteria to be assessed at every decision point throughout the system and policies and practices are revised when needed. In addition, the system needs to ensure that the workforce is diverse and provide cultural and racial sensitivity training for staff. The system must also improve on the building of coalitions and partnerships with communities and people of color.

CONDITIONS OF CONFINEMENT

Improving the conditions of confinement in secure juvenile detention centers is an on-going process that should be based on both internal and external review of detention standards and practices. The internal review will be instituted by developing a local assessment team comprised of individuals who are involved in the daily operation of the facility. Team members should include people with medical, mental health, and educational expertise and they will be trained in standards and best practices. Outside consultants with expertise in legal standards will probably be used to conduct the

training. They will conduct the self-inspections based on a model developed through JDAI. An action plan based on the inspection will be developed.

WORK GROUPS

A. INTERVENTION, RISK ASSESSMENT TOOL AND PRE-DISPOSITION ALTERNATIVES COLLABORATION

Members: Law Enforcement, Court, Probation and Detention, District Attorney, Public Defender, School District, Community Providers, Children's Mental Health

Preliminary Philosophy: Objective criteria must be established and followed by law enforcement, juvenile services staff, and the courts in determining when juveniles are detained. Pre-disposition alternatives to detention need to be explored. Ability to appear at Court should be primary criteria.

Tasks:

1. Define purpose of Detention.
2. Identify, using data collected, actual practices in intervening with children by law enforcement and probation.
3. Evaluate trends in detention decisions and identify existing and recommended alternatives to detention in the community.
4. Establish objective criteria for detaining children.
5. Review existing risk assessment tool and make necessary revisions. Track and monitor scores and use of overrides.

6. Identify a continuum of detention alternatives, with criteria for each, using least restrictive alternative possible.
7. Develop method for evaluation of detention alternatives that determines if net is widening or narrowing the number of children in the system.

B. COURT PROCESS AND POST-DISPOSITION ALTERNATIVES COLLABORATION

Members: Court, District Attorney, Public Defender, Probation, Parole, and Community-based Providers.

Preliminary Philosophy: Unnecessary delay in both the court process and post-dispositional placements shall be eliminated so as not to be a basis for juveniles to spend additional “bed days” in detention.

TASKS:

1. Identify time frames between post-arrest filing of petition; time from initial appearance at detention hearing until dispositional hearing; determination of appropriate representation by public defender or conflict counsel, time from dispositional hearing until placement especially to state institutions.
2. Implement Early Case Resolution Procedure especially in cases of violations and stipulations to placements.
3. Recommend the manner in which programs may be implemented or practices changed to reduce time frames in all of the above areas.
4. Develop broader continuum of community-based alternatives and placements.

C. SPECIAL POPULATIONS

COLLABORATION: Probation and Parole Violators, Mental Health Needs, Sex Offenders, Arrest Warrants and FTA Warrants, Youth Awaiting Residential Placement, Placement Failures, Developmentally Disabled Children, Pregnant Girls, and Drug Dependent Minors

Members: Probation, Parole, Special Placement Providers, Children's Mental Health, School District, Substance Abuse Treatment Providers

Preliminary Philosophy: Some children, by virtue of their health or status, are inappropriate for detention but have no existing alternative.

TASKS:

1. Develop alternative approaches and alternative programs for technical violators of probation and parole.
2. Analyze warrant caseload and explore alternatives to detention.
3. Prevent FTAs by creating creative approaches to ensure appearance.
4. Expand placement variety and capacity for special populations.

SUMMARY

The Washoe County Juvenile Court is extremely excited about the opportunity to submit the above work plan for consideration by the Annie E. Casey Foundation. The Stakeholders Collaborative is motivated and committed to improving our system and establishing more alternatives to secure detention. The Collaborative believes in the Initiative and understands that reform will benefit both the youth and families we serve as well as the entire community.