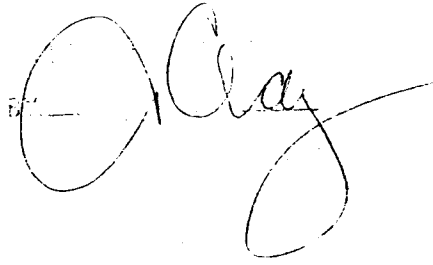


87 OCT -7 P133

1 Case No. _____

2 Dept. No. Juvenile



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6 **IN THE JUVENILE DEPARTMENT**
7 **OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 In the Matter of

10 DETENTION OF CHILDREN
11 IN NEED OF SUPERVISION
12 IN WITTENBERG HALL

ORDER

13 IT APPEARING that juveniles accused of runaway and
14 incorrigibility are currently confined at Wittenberg Hall
15 pending Court proceedings and are not segregated from juveniles
16 accused of delinquent acts; and

17 IT FURTHER APPEARING that both federal and state
18 guidelines for the treatment of children in need of supervision
19 recommend that such children not be intermingled with delinquent
20 juveniles; and

21 IT FURTHER APPEARING that resources do not currently
22 exist to allow the segregation of children in need of supervision
23 from delinquent juveniles within Wittenberg Hall; and

24 IT FURTHER APPEARING that the responsibility to provide
25 emergency care and shelter for juveniles in Washoe County who
26 cannot safely return or remain in their homes rests with Washoe
County and;

1 IT FURTHER APPEARING that, during the transition from the
2 detention of children in need of supervision to the
3 non-detention of such children, circumstances may require the
4 continued detention of certain children in need of supervision;
5 and

6 IT FURTHER APPEARING that the best interests of
7 non-delinquent juveniles within Washoe County will be furthered
8 by implementation of this Order, and good cause appearing,

9 IT IS HEREBY ORDERED that commencing December 1, 1987,
10 juveniles accused of runaway or incorrigibility will not be
11 detained at Wittenberg Hall with juveniles accused of delinquent
12 acts. The only permissible exceptions are as follows:

13 1. Juveniles currently on probation or subject to a
14 supervision and consent decree who are in violation
15 of their probation by virtue of runaway or
16 incorrigible behavior;

17 2. Juveniles who are the subject of a warrant of
18 arrest, except first time traffic warrants.

19 3. Juveniles who have run away from another state;
20 such juveniles may be held up to twenty-four (24)
21 hours for the purpose of determining identity and the
22 existence of wants for warrants, and to locate
23 parents or responsible adults and arrange for
24 transportation.

25 4. Juveniles who have run away from or failed to
26 adjust in an out-of-home placement which was ordered

1 by a Court of competent jurisdiction after such child
2 was taken into custody on charges of delinquency,
3 incorrigibility or runaway.

4 5. Juveniles who have exhibited prior recent conduct
5 demonstrating repeated runaway behavior or violence
6 within the home or placement.

7 6. Other accused children in need of supervision may
8 be held for less than twenty-four (24) hours after
9 initial police or Court contact for the purpose of
10 identification, investigation, or release to parent,
11 guardian, other responsibility adult or non-secure
12 facility.

13 7. The Order of a judge or master authorizes initial
14 or continued detention.

15 IT IS FURTHER ORDERED that on or before November 1, 1987,
16 the appropriate agencies of Washoe County shall submit to the
17 Court for approval a comprehensive plan for the implementation
18 of the foregoing Order, which plan shall include, inter alia:

19 1. Determination as to which agency or agencies will
20 be responsible for carrying out the plan;

21 2. Arrangements for the housing of those juveniles
22 who will no longer be detained in accordance with this
23 Order; and the provision of necessary services to such
24 juveniles;

25 3. Detention hearings within one Court day of
26 booking for all juveniles who are detained pursuant to

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exceptions 3,4,5 or 6 above;

IT IS FURTHER ORDERED that on or before January 1, 1988, the appropriate agencies of Washoe County shall submit to the Court for approval a comprehensive plan, to be implemented no later than January 1, 1989, which shall, in addition to the provisions set forth above, accomplish the following:

1. Provide alternatives to detention for those juveniles described in exceptions 4,5, and 6 hereinabove;

2. Provide alternatives to booking at Wittenberg Hall as intake for those children who are not subject to detention as provided herein, including if necessary, the development of new facilities or programs.

DATED: THIS 5th DAY OF October, 1987.

Chad M. McGee
DISTRICT JUDGE