

**2014**

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# **Statutory Responses to Domestic Minor Sex Trafficking Victims**

## **Nevada**



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## Identification

## Initial Custody

## Process Following Initial Custody

### Child In Need of Protection

#### Authority for Initial Custody:

By law enforcement or designee of child welfare services agency if immediate action is necessary to protect the child from injury, abuse or neglect (includes CSEC)

#### Placement:

- Hospital (if needed)
- Suitable relative
- Foster home
- Licensed Shelter

#### Where is child referred after initial custody?

Child services will investigate the case and determine whether to file a petition

#### When and how does court assume jurisdiction?

Law enforcement, child services, or the district attorney will file a petition with the court alleging that the child is in need of protection

### Child In Need of Supervision

#### Authority for Initial Custody:

By law enforcement if child's conduct indicates need for supervision (runaway, truant, loitering, transmitting or possessing sexually explicit images)

#### Placement:

- Released to parent or other responsible adult
- Shelter care
- Place of detention designated by the juvenile court

#### Where is child referred after initial custody?

A complaint will be referred to a probation officer who will recommend filing a petition, or offering informal supervision.

#### When and how does court assume jurisdiction?

Probation officer conducts initial inquiry and makes a recommendation to the district attorney who determines whether to file a petition with the court

### Delinquent Child

#### Authority for Initial Custody:

Child may be taken into custody by law enforcement when there is probable cause to believe that the child violated state or local law, ordinances, rules or regulations

#### Placement:

- Released to parent or other responsible adult
- Placement in a detention facility

#### Where is child referred after initial custody?

A complaint will be referred to a probation officer who will recommend filing a petition, or offering informal supervision

#### When and how does court assume jurisdiction?

The district attorney will determine whether to file a petition with the court

# Trafficking Victims in Nevada

## Placement Process Pending Adjudication/ Investigation

### → When must placement hearing be held after initial custody?

A hearing must be held within 72 hours after the removal of the child

### What are the placement options?

- Release to parent
- Release to suitable relative
- Release to foster home/shelter care if an out-of-home placement is in the best interests of the child

## Adjudication or Referral to Alternate Process

### → Adjudication:

- Held within 30 days of petition
- Preponderance of the evidence standard

### Or Alternate Process

If a child is in need of protection, but is not in imminent danger, child welfare services may offer to the parents/guardian a non-binding plan for services

## Placement Following Adjudication

### → Dispositional Outcomes

- Release child to parents (with or without supervision)
- Placement with suitable relative
- Placement in shelter care at a licensed facility

### → Dispositional Outcomes

If parents/guardian choose to follow services plan, child services will provide services and may elect not to file a petition with the court

### → When must placement hearing be held after initial custody?

A detention hearing must be held within 24 hours of custody

### What are the placement options?

- Release to parent/responsible adult
- Placement in shelter facility
- Placement in detention facility without physical restraining devices or barriers

### → Adjudication:

The court will determine whether the child is in need of supervision within 60 days

### Or Alternate Process

The child may be offered informal supervision, which is a voluntary agreement entered into between the child, the child's parents/guardian

### → Dispositional Outcomes

- Release to parents or a responsible adult with supervision
- Placement in public or private institution, but not with correctional care

### → Dispositional Outcomes

If the child completes all conditions of an informal supervision agreement, the petition against the child will be dismissed

### → When must placement hearing be held after initial custody?

A detention hearing must be held within 24 hours

### What are the placement options?

- Release to parent/guardian
- Placement in detention facility
- Supervised detention in the child's home

### → Adjudication:

The court must adjudicate and make final disposition within 60 days of the petition

### Or Alternate Process

The child may be offered informal supervision, which is a voluntary agreement entered into between the child, the child's parents/guardian

### → Dispositional Outcomes

- Release to parent/responsible adult
- Commitment inside home
- Placement in detention
- Referral to child services, or training programs

### → Dispositional Outcomes

If the child completes all conditions of an informal supervision agreement, which may include services, petition against the child will be dismissed