

ASSEMBLY BILL NO. 167—ASSEMBLYMEMBER HANSEN

PREFILED JANUARY 31, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the use of corrective room restriction. (BDR 5-769)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juvenile justice; reducing the number of consecutive hours a child detained in a state, local or regional facility for the detention of children may be subjected to corrective room restriction; requiring certain actions be taken with respect to a child who is subjected to corrective room restriction for more than 15 hours; authorizing a child to petition an administrator or superintendent for a review of the reason or reasons the child was subjected to corrective room restriction under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) authorizes the use of corrective room restriction on a child
2 who is detained in a state, local or regional facility for the detention of children;
3 and (2) specifies certain actions that must be taken with respect to a child who is
4 subjected to corrective room restriction. Under existing law, a child who is
5 subjected to corrective room restriction for more than 24 hours must be provided:
6 (1) certain out-of-room exercise each day; (2) access to the same meals, medical
7 and mental health treatment, legal assistance, educational services and contact with
8 parents and legal guardians as is provided to children in the general population of
9 the facility; and (3) a review of the corrective room restriction status at least once
10 every 24 hours. (NRS 62B.215, 63.505) **Sections 1 and 2** of this bill reduce, from
11 24 hours to 15 hours, the number of hours after which these requirements apply.
12 **Sections 1 and 2** also: (1) reduce, from 72 hours to 24 hours, the number of
13 consecutive hours a child may be subjected to corrective room restriction; and (2)
14 make conforming changes relating to this reduction. Finally, **sections 1 and 2**: (1)
15 authorize a child who is subjected to corrective room restriction more than seven
16 times during any month to petition the administrator or superintendent of the
17 facility, as applicable, for a review of the reason or reasons the child was subjected



18 to corrective room restriction during that month for the purpose of ensuring that any
19 such restriction was fair and appropriate; and (2) prohibit a facility from retaliating
20 against a child for filing such a petition.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 62B.215 is hereby amended to read as
2 follows:

3 62B.215 1. A child who is detained in a local facility for the
4 detention of children or committed to a regional facility for the
5 treatment and rehabilitation of children may be subjected to
6 corrective room restriction only if all other less-restrictive options
7 have been exhausted and only for the purpose of:

- 8 (a) Modifying the negative behavior of the child;
9 (b) Holding the child accountable for a violation of a rule of the
10 facility; or
11 (c) Ensuring the safety of the child, staff or others or ensuring
12 the security of the facility.

13 2. Any action that results in corrective room restriction for
14 more than 2 hours must be documented in writing and approved by
15 a supervisor.

16 3. A local facility for the detention of children or regional
17 facility for the treatment and rehabilitation of children shall conduct
18 a safety and well-being check on a child subjected to corrective
19 room restriction at least once every 10 minutes while the child is
20 subjected to corrective room restriction.

21 4. A child may be subjected to corrective room restriction only
22 for the minimum time required to address the negative behavior,
23 rule violation or threat to the safety of the child, staff or others or to
24 the security of the facility, and the child must be returned to the
25 general population of the facility as soon as reasonably possible.

26 5. *A child who is subjected to corrective room restriction must
27 be provided a review of the corrective room restriction status
28 within 15 hours after the child is subjected to corrective room
29 restriction. If, upon review, the corrective room restriction is
30 continued, the continuation must be documented in writing,
31 including, without limitation, an explanation as to why no other
32 less-restrictive option is available.*

33 6. A child who is subjected to corrective room restriction for
34 more than ~~24~~ 15 hours must be provided:

- 35 (a) Not less than 1 hour of out-of-room, large muscle exercise
36 each day, including, without limitation, access to outdoor recreation
37 if weather permits; *and*



(b) Access to the same meals and medical and mental health treatment, the same access to contact with parents or legal guardians, and the same access to legal assistance and educational services as is provided to children in the general population of the facility. ~~}; and~~

~~—(c) A review of the corrective room restriction status at least once every 24 hours. If, upon review, the corrective room restriction is continued, the continuation must be documented in writing, including, without limitation, an explanation as to why no other less restrictive option is available.~~

~~6.] 7.~~ A local facility for the detention of children or regional facility for the treatment and rehabilitation of children shall not subject a child to corrective room restriction for more than ~~[72]~~ 24 consecutive hours.

~~[7.] 8.~~ *A child who is subjected to corrective room restriction more than seven times during any month:*

(a) May petition the administrator of the local facility for the detention of children or regional facility for the treatment and rehabilitation of children for a review of the reason or reasons the child was subjected to corrective room restriction during that month for the purpose of ensuring that any such restriction was fair and appropriate; and

(b) Must not be retaliated against for any such petition.

9. Each local facility for the detention of children and regional facility for the treatment and rehabilitation of children shall report monthly to the Juvenile Justice Programs Office of the Division of Child and Family Services the number of children who were subjected to corrective room restriction during that month and the length of time that each child was in corrective room restriction. Any incident that resulted in the use of corrective room restriction for ~~[72]~~ 24 consecutive hours must be addressed in the monthly report, and the report must include the reason or reasons any attempt to return the child to the general population of the facility was unsuccessful.

~~[8.] 10.~~ As used in this section, “corrective room restriction” means the confinement of a child to his or her room as a disciplinary or protective action and includes, without limitation:

- (a) Administrative seclusion;
- (b) Behavioral room confinement;
- (c) Corrective room rest; and
- (d) Room confinement.

Sec. 2. NRS 63.505 is hereby amended to read as follows:

63.505 1. A child who is detained in a facility may be subjected to corrective room restriction only if all other less-restrictive options have been exhausted and only for the purpose of:



- 1 (a) Modifying the negative behavior of the child;
- 2 (b) Holding the child accountable for a violation of a rule of the
- 3 facility; or
- 4 (c) Ensuring the safety of the child, staff or others or ensuring
- 5 the security of the facility.

6 2. Any action that results in corrective room restriction for

7 more than 2 hours must be documented in writing and approved by

8 a supervisor.

9 3. A facility shall conduct a safety and well-being check on a

10 child subjected to corrective room restriction at least once every 10

11 minutes while the child is subjected to corrective room restriction.

12 4. A child may be subjected to corrective room restriction only

13 for the minimum time required to address the negative behavior,

14 rule violation or threat to the safety of the child, staff or others or to

15 the security of the facility, and the child must be returned to the

16 general population of the facility as soon as reasonably possible.

17 5. *A child who is subjected to corrective room restriction must*

18 *be provided a review of the corrective room restriction status*

19 *within 15 hours after the child is subjected to corrective room*

20 *restriction. If, upon review, the corrective room restriction is*

21 *continued, the continuation must be documented in writing,*

22 *including, without limitation, an explanation as to why no other*

23 *less-restrictive option is available.*

24 6. A child who is subjected to corrective room restriction for

25 more than ~~[24]~~ 15 hours must be provided:

26 (a) Not less than 1 hour of out-of-room, large muscle exercise

27 each day, including, without limitation, access to outdoor recreation

28 if weather permits; *and*

29 (b) Access to the same meals and medical and mental health

30 treatment, the same access to contact with parents or legal

31 guardians, and the same access to legal assistance and educational

32 services as is provided to children in the general population of the

33 facility. ~~}; and~~

34 ~~—(c) A review of the corrective room restriction status at least~~

35 ~~once every 24 hours. If, upon review, the corrective room restriction~~

36 ~~is continued, the continuation must be documented in writing,~~

37 ~~including, without limitation, an explanation as to why no other~~

38 ~~less-restrictive option is available.~~

39 ~~—6.]~~ 7. A facility shall not subject a child to corrective room

40 restriction for more than ~~[72]~~ 24 consecutive hours.

41 ~~[7.]~~ 8. *A child who is subjected to corrective room restriction*

42 *more than seven times during any month:*

43 (a) *May petition the superintendent of the facility for a review*

44 *of the reason or reasons the child was subjected to corrective room*



1 *restriction during that month for the purpose of ensuring that any*
2 *such restriction was fair and appropriate; and*

3 *(b) Must not be retaliated against for any such petition.*

4 **9.** A facility shall report monthly to the Juvenile Justice
5 Programs Office of the Division of Child and Family Services the
6 number of children who were subjected to corrective room
7 restriction during that month and the length of time that each child
8 was in corrective room restriction. Any incident that resulted in the
9 use of corrective room restriction for ~~more than 72~~ 24 consecutive
10 hours must be addressed in the monthly report, and the report must
11 include the reason or reasons any attempt to return the child to the
12 general population of the facility was unsuccessful.

13 ~~8.]~~ **10.** As used in this section, "corrective room restriction"
14 means the confinement of a child to his or her room as a disciplinary
15 or protective action and includes, without limitation:

- 16 (a) Administrative seclusion;
- 17 (b) Behavioral room confinement;
- 18 (c) Corrective room rest; and
- 19 (d) Room confinement.



