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NEVADA STATE JUVENILE JUSTICE COMMISSION**

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**NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES
September 18, 2014**

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Call to Order

The meeting was called to order by Chairman Coppa at 10:00 a.m.

Roll Call – Dan Coppa

Members Present: Dan Coppa, Steve McBride

Members Present by Phone: Michael Beam, Kirby Burgess, John Martin, Fernando Serrano, Paula Smith

Members Excused: Elizabeth Florez, Lisa Morris Hibbler

Staff Present: Ross Armstrong Deputy Attorney General, Pauline Salla, J. Alice Mueller

Others Present: Paul Calonico, Matthew Elder, Deisy Hernandez, Katie Hoops, Mary Hylton, Karla Navarrete, Youth- Brian

Others Present by Phone: Ali Bannister

Public Comment and Discussion

There was no public comment.

Review of Official Minutes from July 24, 2014

Commissioner Martin moved to accept the minutes of July 24, 2014 as presented with a second from Commissioner Smith. The motion was passed by the Committee.

PREA – Pauline Salla

All ten juvenile detention facilities and the three youth correctional facilities are utilizing the first round of PREA templates along with the added definition section. Most of the phase one templates have been approved and been signed off by the appropriate judges. Clark County has their own set of PREA policies which meets the standards. Once all have been signed off, staff training can begin as will the vulnerability assessment. The second set of templates is scheduled to be sent out January 2015.

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The PREA 101 and Then Some training has been completed for the state and county facilities, with only the county camps left to receive it. Clark County does its own PREA training within their Police Officer Standards and Training (POST). Commissioners Coppa, Smith and Serrano were able to attend the PREA 101 training and commented on the great job Specialist Salla is doing.

An update on the PREA posters was presented along with an invoice for past poster work. There will be 200 Spanish and 160 English posters printed for the same cost as the previous work. The new posters will have the zero tolerance statement on them whereas stickers noting zero tolerance have been added to the existing posters. Commissioner Florez has yet to review the Spanish Language posters, but will have the opportunity to do so before the October meeting.

There are two PREA grants to be heard from. The first one was submitted on March 30th, 2014 but no formal response has been received. There have been encouraging comments that something will come in soon. The other is the new PREA reallocation grant, which was originally submitted to the Bureau of Justice rather than the Office of Juvenile Justice and Delinquency Prevention (OJJDP). It should be noted that 17 other states also submitted in this incorrect fashion. Administrator William Bronson was able to work with Specialist Salla in clearing this up. Including the 5% reduction and added bonus, the PREA reallocation grant is for \$7,846.00 the amount to be used exclusively for becoming PREA compliant.

SB107 Room Confinement– Pauline Salla

Dr. Tomassone is still planning to help with technical assistance on Alternatives to Room Confinement. Policies and procedures from Caliente Youth Center (CYC), Nevada Youth Training Center (NYTC) and Red Rock Academy have been sent to him. Visits to these facilities are planned for November 2014 with a Scope of Work being prepared for review at the October meeting. Funds will be allocated from the remaining Federal Fiscal Year 2012 Juvenile Accountability Block Grant (JABG). It was suggested that input from the commissioners be obtained on this Scope of Work in a timely fashion.

There was nothing new concerning work on the juvenile justice data system. Commissioner Martin however did mention that Clark County's previous system had originally cost 19 million with a proposed 10 million needed to upgrade it to .Net. In light of that, they have been searching for other options and have found Caseload Pro. This is from Northern California and is inexpensive and scalable, costing about \$37.00 per user. Information is kept in a cloud until dumped into one's own server. It appears to be quite affordable and able to interact with various data systems. There will be a showing in October which Specialist Salla is planning to attend.

Professor Mary Hylton from the University of Nevada at Reno (UNR) School of Social Work, Deisy Hernandez from the Nevada American Civil Liberties Union (ACLU) along with two interns, Katie Hoops and Karla Navarrete, who are working with the ACLU, were in attendance during this part of the meeting. A hard copy of their report will be sent to the committee members. Since there was quite a bit of data, they planned to just discuss the highlights.

One of the first things they noted when working with the room restriction numbers was that NYTC, CYC and Red Rock, used 20 hours or longer in more than 50% of their cases. They were aware that these facilities often housed more violent offenders and the numbers reflected this. Clark County and Jan Evans in Washoe County also used corrective room restriction more in relation to their respective populations. Clark, Jan Evans, Tuerman Hall and Leighton Hall used room restriction more frequently than any of the other facilities.

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The average numbers which they used were monthly population averages from the April 2014 State of Nevada, Review of Governmental and Private Facilities for Children. Specialist Salla volunteered to get them the actual numbers, which would help the conclusions derived from the data be more accurate.

Another section dealt with the reported reasons for room restriction. The problem here was that although the most common reported reason was rule violation, many of the facilities also had other widely varying reasons noted. This makes comparison between facilities difficult. After discussion, Specialist Salla said that she would let the facilities know to be a bit more specific.

The last section was initial recommendations and suggested investigations. Complete information had not been received from March to July, which perhaps had occurred when individual's names were deleted. Also requested were more specific reasons for the room restriction. They wished to be able to tell if these reflected emergency situations and what efforts are made to reintroduce the youth to the general population. Likewise the reasons for why two hours as opposed to four, was sought. Specialist Salla explained that records were often kept in 10 minute increments which results in boxes and boxes of back up information. She also stressed that she was the collector of the information with the Legislative Counsel Bureau (LCB) doing the actual compliance piece. She was willing to assist, but wanted them to know the vast amount of information they may be requesting.

Commissioner Coppa also noted that if one looked at SB107, all that is legally required is to determine the number of children subjected to corrective room restriction during the month along with the length of time the child was in corrective room restriction. Additional documentation occurs if they have been restricted for 72 or more consecutive hours. He suggested that they needed to correlate what they were providing with the law. If necessary, they could work on bringing the law into par during the upcoming legislature. The data provided by the facilities is really not open to critiquing other than number verification.

There were questions about the intent of the analysis in terms of developing public policy. Further caution was given about the dependence on percentages as they can be very deceptive. A 100% increase can occur at a small facility with just an increase of one individual. What should the administrators of the facilities be able to glean from this type of report in terms of changes in culture or attitudes?

The question of unduplicated youth was also brought up. In each facility, a small number of youth may be responsible for many of the room restrictions. Where actual names are indicated in the reports, this is easily determined. In larger facilities, where unique identifying numbers are used, it is less obvious. All agreed that the data should be able to reflect this situation, but were unsure how it would be accomplished.

Chairman Coppa commended the interns for a great first effort and for sharing it with the Committee. He requested that they return and give enough prior notice that they can be placed on the agenda. There has been a decrease in corrective room restriction since records were first required in October 2013, but he felt that much more could be done with this information and applauded their efforts. Commissioner McBride pointed out that Performance based Measures records would now allow this data to be compared not only within the state, but also nationally. We need to know how we compare whether it's on the right, middle or left of the national curve.

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2013 Governor's Report– Pauline Salla

A loose outline of the proposed 2013 Governor's Report was reviewed by the committee. The draft should be available for the October meeting, the main question being if the appendices will be available at that time. There are not many adjustments to be made to the appendices, so it was decided to leave them off or not depending on if the data for them are available in time for the meeting. The report will be a little different from previous years in that it should be shorter.

2013 Compliance Report Update– Pauline Salla

The 2013 Compliance Report has yet to be submitted. Although it was due on June 30th, 2014, a written opinion concerning some potential sight and sound violations has not been received. OJJDP has offered to give the opinion over the phone, but Specialist Salla would prefer a written copy. They understand that the report will not be submitted until the written opinion is received.

Detention and Confinement Memo– Pauline Salla

Much of the information concerning the new interpretation of secure custody was covered at the Quarterly Full Juvenile Justice Commission meeting in Elko, Nevada on August 2014. Although at first perceived as a done deal, enough concerns have been raised by the specialists and compliance monitors, that OJJDP is meeting with all states for individual discussions. Nevada is scheduled to have their phone call with Administrator Listenbee on October 3rd, 2014 at 8:00 am. Specialist Salla will be providing call in information and has requested many of the commissioners to become involved. This will be an opportunity for them to share their concerns and ask questions about the new interpretation of secure custody for juveniles.

It is important to be clear about what this will mean in terms of additional monitoring. Many of the law enforcement agencies are probably not going to be real happy since they have done a lot to keep youth in appropriate non-secure areas. Now it would appear, if the youth thinks they are in custody, they are, and must be documented. Whether this will result in less actual compliance is a question that needs to be addressed at this phone meeting.

Youth Parole Request for Funding, Tattoo Removal– Matthew Elder and Paul Calonico

Matt Elder, Paul Calonico and Brian were introduced to the members of the committee. Unit Manager David Laity had submitted a funding request to the Juvenile Justice Commission for tattoo removal. It was explained that they have a social group with many young men on parole. In the course of several discussions, it came up that a lot of the youth were ready for change and were talking about getting their tattoos removed. This is a way to get a fresh start and have people view them positively. The economy is picking up and work is an option that now can be considered by these young men.

The group is currently working with Audrey from High Desert Dermatology with the youth coming up with the initial funding. Arrangements are made with them individually. Some have a one-time fee, others have paid per session. Those tattoos for consideration are on the hands and face, since they are the most visible. The accountability for getting them removed is on the youth, with no sanctions being associated with the procedure.

Criteria for involvement include being on parole and having their parent's approval. Most of the youth interested are around 18 years old and above with about ten youth who have indicated they would like to be involved. The most common tattoo is three dots on the wrist and/or tattoos on the tops of the hand or web of the hand. This is a big move for the young men and they must be ready to do it on their own, as their community will be very much aware of the procedure.

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Brian discussed his desire to undergo tattoo removal. When concern was expressed about how those in the community would react, he explained that it was his decision. Those who knew him would know the reason it was needed. He intended to stand his ground and felt capable of obtaining his goal of entering the military.

Questions were asked about both the procedure and High Desert Dermatology. Audrey is not a doctor but an aesthetician. This is a laser procedure that is quite a bit more painful than obtaining the tattoo. Depending on the concentration of ink, it can take five or more sessions.

Chairman Coppa explained that all this committee could do was to make a recommendation to the Juvenile Justice Commission. He suggested that they remove the full facial pictures from the packet so that it would not be possible to have any youth identified. He also recommended that some background research be done to determine if there were any previous concerns with High Desert Dermatology. These might include their accreditation, licenses, in addition to notice of any lawsuits. Finally he expressed apprehension about potential liability if something should go wrong. He felt some sort of agreement or release was needed in order to hold the commission harmless. Ross Armstrong agreed to look into that and present something at the October meeting.

It was felt that with the \$1500.00 requested; about eight youth could have their tattoos removed. It is of course understood that some may require more sessions than others, while some would be able to endure longer sessions and so might require fewer. If the funds request is approved by the Commission, information will need to be tracked and a Memorandum of Understanding (MOU) in place to provide documentation.

When presented to the Commission in November it should have Ross Armstrong's draft of indemnification, a brief back ground of High Desert Dermatology, a couple of pictures and some detail. Most of the commissioners will have some understanding of the situation. It will be presented under the Planning and Development portion of the meeting. Commissioner McBride moved that the committee would make a recommendation to the Nevada Juvenile Justice Commission to approve the youth parole request for funding tattoo removal in the amount of up to \$1,500.00 with a second from Commissioner Serrano. The motion was passed by the committee.

New Business-- Dan Coppa

There was no new business.

Comments from Public

There were no public comments.

Set Time, Date and Agenda for Next Meeting

The next Committee Meeting is scheduled for Thursday October 16, 2014 at 10:00 am. This will be a videoconference with the following agenda.

Agenda:

PREA: Spanish posters, Grant update

SB107 Room Confinement: Scope of work, Dr. Tomassone, ACLU interns report

2013 Governor's Report Draft

2013 Compliance Report Update

Detention and Confinement phone conference update

Compliance Monitor job update

Adjourn

The meeting was adjourned at 11:37 a.m. by Chairman Coppa.