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NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES
March 20, 2014

DRAFT

Call to Order
The meeting was called to order by Chairman Coppa at 10:03 a.m.

Roll Call – Dan Coppa
Members Present: Dan Coppa, Michael Beam
Members Present by Phone: Elizabeth Florez, John Martin, Lisa Morris Hibbler
Members Excused: Kirby Burgess, Steve McBride, Paula Smith
Members Absent: Fernando Serrano
Staff Present: Shannon Richards Deputy Attorney General, Pauline Salla, J. Alice Mueller
Others Present by Phone: Vanessa Spinazola with the ACLU

Public Comment and Discussion
There was no public comment.

Review of Official Minutes from January 30, 2014 and October 24, 2013 Meetings
Commissioner Beam moved to approve the January 30, 2014 minutes, with a second from Commissioner Martin. The motion was passed by the Committee. Commissioner Beam moved to approve the October 24, 2013 minutes, with a second from Commissioner Martin. The motion was passed by the Committee.

PREA Templates– Pauline Salla
The Statewide Prison Rape Elimination Act (PREA) workgroup met at the end of February and discussed the suggested changes and recommendations from the VERA Institute of Justice and Commissioner Coppa. Most of these changes were cosmetic, not substantive. A couple of the standards were cleaned up, but the largest change was the addition of a section on definitions. Where the VERA Institute suggested uniformity in terms, no changes will be made. The facilities will be able to use their own terminology and can paste portions of the template

into their own policy formats. Another meeting of the statewide group will be held on April 8th, where the proposed changes will be brought back for approval. The PREA Templates will then be forwarded to the Planning and Development Committee for the April 24th, 2014 meeting.

An update on the PREA posters was given. Commissioner Florez has sent pictures of the privacy notification signs located near the phones at Jan Evans in Reno. Spanish versions of the posters were requested from Arizona. These had been translated by a certified Arizona court systems translator. As soon as the flash drive arrives, it will be sent to the business that worked on the original posters and the specified changes will be made. Commissioner Coppa requested that samples be provided to Commissioner Florez to examine before bringing them to the entire committee. This will be returned to the agenda when samples are ready for the committee to review.

Specialist Salla discussed a PREA grant which could become a new source of funding. This is a grant of up to $250,000.00 a year for three years, but requires a 50% dollar for dollar match. The amount being requested is $160,000.00 with a state match of $160,000.00. It will be used for developing and implementing a youth education and training initiative (YETI).

This educations program is to identify and develop training based on research of what's currently working along with evidence based practices. The three state facilities will see the first rounds of implementation with the second round going to the county detention centers. There will be a statewide coordinator responsible for implementing the training and collecting data, along with performing follow up and evaluation of the curriculum. This will be done thru the Bureau of Justice Statistics (BJS) and the Department of Justice (DOJ).

The grant application is quite extensive but no date was given on when the funding decisions will be made. In the event that this grant is not successful, other grants from the Department of Education (DOE), Health and Human Services or even the Department of Labor (DOL) will be sought. It was requested that the committee be apprised of any progress on obtaining this grant.

Compliance Auditor Investigator Job Description– Pauline Salla
Almost everything is in place to hire the part-time Compliance Auditor Investigator. Karen Williams is retired from Clark County Juvenile Justice Services and was trained by the previous Compliance Auditor Investigator. She will be working thru Manpower where she is allowed up to 20 hours a week. The paper work has been filled out and she has registered. All that is needed now is to pass the background/CANS check. If this comes together in time, she may be sent to the Compliance Monitoring Track of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Conference in June 2014.

SB107 Room Confinement– Pauline Salla
March 30th will be the end of the first quarter for the SB107 room confinement reporting. January's reporting is complete and as soon as February is finished the report will be sent out electronically to the members of the committee. A hard copy of the first quarter will be provided at the April committee meeting.

There was discussion about Attachment A which documents attempts to return youth to the general population when an individual is held longer than 72 hours. If this document is requested, all personal identifying information must be redacted. It was decided not to include this information with the general report to the committee. If something comes to the attention of the committee, Attachment A can be included at that time.

Commissioner Coppa brought up H.R. 4124 which is a bill in the House of Representatives which addresses protecting youth from solitary confinement. It was submitted to Congress on February 28th, 2014 by Mr. Cardenas and concerns juveniles adjudicated in Federal delinquency proceedings. At this time, it is not known if this would cover states and territories. In this bill, data on each juvenile who is subjected to solitary confinement during the report period must include: the types of offenses for which the juvenile is incarcerated, the race, gender and age of the juvenile, how many hours the juvenile was subject to solitary confinement; and the purpose for the solitary confinement.

Commissioner Martin was also thanked for sharing an article on solitary confinement and juveniles. It covered a lot of basic information including how solitary confinement affects a youth's mental and physical health.

Specialist Salla has been working with Vanessa Spinazola of the American Civil Liberty Union (ACLU) in arranging for Technical Assistance Training on room confinement. Once it has been set up, there will be statewide training on best practices for reducing the use of solitary confinement.

Discussion of Three Year Plan and Priority Program Areas– Pauline Salla
Items number 8 and 9 were discussed together. In the past, the Three Year Plan was due on the 31st, of March. This year, OJJDP has yet to send out the Request for Applicants (RFA) on the Title II and Formula Grants. There has been a lot of discussion among the Specialists on how this will affect the Three Year Plans. Additionally there may be new requirements added to the application, perhaps unfunded mandates. This could cause some difficulties if a three week turnaround is expected. There has been assurance however, that they will still be given 60 days to complete it, once received.

Commissioner Coppa asked if OJJDP had been contacted about the delay. Explanations have ranged from Federal shutdown to cold weather. With this delay, the usual time frame could be two months behind. The upside of this is that there is some breathing room with the Priority Program Areas.

Last year, about 250 surveys on the Priority Program Areas were returned. This year, so far, only about 83 have been sent back. One of the groups missing from this year's returns is the Native American Tribes. Monty Williams the coordinator of the Inter-Tribal Council of Nevada will be contacted once more on what can be done about this. The committee discussed the possibility of reviewing previous year's returns to obtain an idea on what they would view as priority areas.

Another concern brought up was an apparent shift in the priority areas. Mental Health is still number one but now Community Assessment Centers are ranking very high. Alternatives to Detention along with Aftercare and Reentry, usually high priority areas, now are number five. At the Full Commission Meeting in February, Commissioner Shick had voiced concern about Delinquency Prevention falling below the top five, and this may in fact be reflected in the surveys so far received.

The Priority Program Areas surveys will be resent out with an explanation that if the recipient has already replied, they need not send them in again. The deadline will be April 10th, with the responses discussed at the next committee meeting.

There was quite a bit of discussion about whether three or five program areas should be considered. PREA, compliance and Disproportionate Minority Contact are mandatory. Delinquency Prevention can be considered a good way to cover several different programs and would be less likely backed into a corner with performance measure requirements. With Delinquency Prevention as an umbrella, some of the other important programs could fit under as sub-groups. Those that would not fit comfortably could be viewed as stand-alone programs. It is of course under the purview of the commission to make the final confirmation on the priority areas; however they have always conducted surveys to arrive at their decisions.

Specialist Salla mentioned that although the Juvenile Accountability Block Grant (JABG) was gone, there has been discussion from the Specialists that perhaps the Formula Grant may return to the previous $600,000.00 amount. This could be used for the JABG programs such as implementation of evidence based curriculum at the facilities and probation. There may also be additional funding for PREA activities.

Medicaid Room and Board 2014– Pauline Salla

The Medicaid Room and Board summary provided for this meeting was an update of the one presented at the Full Commission Meeting in February. Mineral County had been missing from that previous summary. At the end of the second quarter, 296 youth had already been served so the numbers will likely surpass those assisted last year. This will continue to be reviewed by the committee on a quarterly basis.

The counties still maintain flexibility in how they spend this money with some electing to use it for juvenile sex offender (JSO) treatment. If a county has specific programing that they wish to use, they can call Specialist Salla and discuss the mandatory measures that need to be reported. If it qualifies, they can usually use the money for that programing. In this way, the Medicaid Room and Board funds can go for counseling, community programing, psychological testing, JSO treatments or evaluations. They are given the requirements that have to be met in order to receive funds for the requested programing.

New Business– Dan Coppa

A new bill, H.R. 4123 was presented to the House of Representatives on February 28, 2014. It is the Prohibiting Detention of Youth Status Offenders Act of 2014 and works toward the elimination of the Valid Court Order. Much of this was discussed at the previous Planning and Development committee meetings in addition to the February Full Commission Meeting with the Full Commission voting to uphold the Coalition for Juvenile Justice's (CJJ) National Standards for the Care of Youth Charged with Status Offenses. A template was requested from CJJ and has been made specific to Nevada. This is one more step towards eliminating the Valid Court Order.

Specialist Salla also spoke on the two day PREA training recently completed at the Nevada Youth Training Center (NYTC). About 96 individuals attended, including the NYTC staff, Elko county Juvenile Probation and staff from Leighton Hall in Winnemucca. This included a four hour PREA class referred to as PREA 101 and then some. There was good feedback on the training which dealt with how to change agency culture, protecting youth in custody and doing the right things. This training will eventually get to all of the facilities in the state.

Comments from Public
Vanessa Spinazola was given a chance to comment. She mentioned that it was really great working with Pauline Salla. Hopefully they will be able to arrange some technical assistance to assist with the SB107 requirements. Chairman Coppa thanked her for joining the meeting.

Set Time, Date and Agenda for Next Meeting
The next Committee Meeting is scheduled for Thursday April 24, 2014 at 10:00 am. This will be a videoconference with the following agenda.
Agenda:
PREA Tool Kit, feedback from the PREA work groups about VERA Institute review
PREA posters in Spanish
PREA Grant
Compliance/Auditor Investigator Job Description update
SB107 Room Confinement review of Second Quarter
Three Year Plan update and Program Areas

Adjourn
The meeting was adjourned at 11:02 a.m. by Chairman Coppa.