

BRIAN SANDOVAL
Governor

STATE OF NEVADA

AMBER HOWELL
Administrator

ROMAINE GILLILAND
Director

Department of Health and Human Services

STEVE MCBRIDE
Deputy Administrator

PAULINE SALLA
Juvenile Justice Programs Chief



**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD AND FAMILY SERVICES
NEVADA STATE JUVENILE JUSTICE COMMISSION**

4126 Technology Way, 3rd Floor

Carson City, NV 89706

Telephone: (775) 684-4429 • Fax: (775) 684-4455

**NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES
July 24, 2014**

Call to Order

The meeting was called to order by Chairman Coppa at 10:05 a.m.

Roll Call – Dan Coppa

Members Present: Dan Coppa, Michael Beam

Members Present by Phone: John Martin, Fernando Serrano

Members Excused: Elizabeth Florez, Lisa Morris Hibbler, Steve McBride, Paula Smith

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

Others Present by Phone: Ali Bannister, Ben Bianchi

Public Comment and Discussion

There was no public comment.

Review of Official Minutes from April 24, 2014 and June 2, 2014

Commissioner Coppa asked if there were any omissions or corrections to the minutes of April 24, 2014 and June 2, 2014. Since there were none, he stated that they were to stand as approved.

PREA Templates– Pauline Salla

Most of the word use changes suggested by the VERA Institute will not be made since the facilities are revising the recommended wording in the PREA templates to make them specific for their centers. All the explanations for the definition page have been reviewed and submitted to the PREA Resource Center. Some of the feedback received from facilities pointed to setting up a quick find summary for the standards. With this, one could look up a topic and the standards would be listed along with the pages they are on.

Once the templates are revised by the facilities, they are passed on to judges for signatures. This is taking a bit longer than anticipated. All policies should be in place by September 1,

2014, since the county level audits will begin the end of October, start of November. It was wondered if an August meeting was necessary for the committee to review and approve these templates. Specialist Salla assured the committee that once she hears back from the PREA Resource Center, she will forward the templates onto the members. She noted that other than the added definitions and the quick find summary, the templates have not substantially changed so there would be no problems with reviewing them at the September meeting.

The Spanish language PREA posters received for Nevada's use from Arizona, were reviewed by an Arizona certified court interpreter. They have given us permission to use both the Spanish and English language posters, as long as we credit Arizona someplace on them. Stickers are being made for the English posters which are already in place. The Spanish language posters will be produced for the same price as the previous ones.

A question was asked about what court the interpreter worked for. It was noted that there is a difference between the Supreme, Superior and District Courts. There was also a requested that a Nevada certified court interpreter, look them over in case there are any local colloquialisms to be considered.

No one has heard back concerning the PREA Grant application. There is still hope for this grant and Specialist Salla will continue to keep tabs on it. An idea of the financial impact of the 5% reduction was requested. This reduction is the result of Nevada having a working towards compliance status. The specialists have been told that with the loss of the Juvenile Accountability Block Grant, there would be extra funds available to offset both its loss and the additional costs of PREA. Despite this, they were told to apply for the \$400,000.00 base amount. Word was recently received, that Nevada would have an extra \$7,200.00 for the 5% reduction and PREA activities. In order to obtain these additional funds, a full application must be submitted.

This information will be forwarded to the committee members with an explanation on where the money came from and any spending requirements. Specialist Salla believed the money was to be put towards the state facilities for PREA compliance. If even more funds become available, they may be passed on to the county level. She then mentioned that if they could be used for technical assistance training, the counties would be invited to participate. Commissioner Coppa then noted that if extra funds do become available, he would like to see them used to assist those programs which were cut as a result of the 5% reduction.

Commissioner Serrano requested that a PREA training schedule be sent out to the members of the Juvenile Justice Commission. Those who wished to attend and become more aware of PREA issues would then know the time and location of planned training.

SB107 Room Confinement– Pauline Salla

One of the reasons for the data system trip to Phoenix, Arizona was to review a statewide data system that really functioned well. A similar system in Nevada would be able to review daily information on the number of youth in room confinement. Of course, other important statewide and county data would also be available. The goal is to have county and state facilities enter their own data from which specialized reports could be pulled.

Vanessa Spinazola recently asked if it were possible to differentiate duplicated youth in room confinement. That is, one child twelve times, or twelve children one time each. That is not how the information is currently tracked, but could be with the new system. The data could be available for better review and consideration.

When asked about the cost of such a system, Specialist Salla noted that Information Technology (IT) departments generally say to determine what you want the system to do first. The dollars and cents can then be figured from that information. Eleven individuals went down to Phoenix to review the Arizona system. This included IT personnel, state and county juvenile services staff and members from the Supreme Court Commission. Specialist Salla, in addition to drafting a summary of the trip, has worked with Fritz Reese to put together a business plan to present to the Division of Child and Family Services (DCFS) administration, the Juvenile Justice Commission and the Supreme Court Commission. When everything is considered, servers, firewalls, platforms etc., this will be a huge system that could cost up to twenty million dollars. Commissioner Martin volunteered that the system in Clark County cost about nineteen million dollars.

In discussing SB107 specifically, it was pointed out that there was a decrease in April and May with only one individual held over 72 hours. Some states are still having discussions about what constitutes confinement, but SB107 is very clear about what needs to be tracked. If any of the counties or state facilities has a question, they can include the documentation and a determination will be made on whether it is room confinement or not.

Dr. Joseph Tomassone is still planning on coming to Nevada and has received information about Nevada's policies and procedures from the state facilities. He was also sent organizational charts and SB107 reports for the last seven months. The scope of work for his visit is being developed and then the contract process which will include a sole source justification can begin.

2013 Governor's Report– Pauline Salla

A proposed outline for the 2013 Governor's Report was submitted. Before the September meeting, something will be formalized to share with the committee members. What is being proposed is greater use of graphs with less narrative. The actual hard data could be placed in an appendix. The body of the report would be relatively short, making it less burdensome on the readers. Specialist Salla agreed that a draft would be presented at the September meeting.

2013 Compliance Report Update– Pauline Salla

The Compliance Report was due to OJJDP on June 30, 2014. In January, a hypothetical sight and sound violation was discussed with OJJDP. About a month later, a written opinion was requested on a possible county level sight and sound situation. No written opinion has been received and since there is a potential for loss of funds, Specialist Salla is being careful and methodical in handling the report. An extension was requested and permission given to hold off submission until the written opinion is received. Once it arrives, she will follow the recommendations on whether there was a violation or not, and submit the report. She has been checking with Larry Fiedler of OJJDP every Monday to ascertain the status of the written opinion.

New Business– Dan Coppa

Commissioner Martin wished to thank Specialist Salla for coordinating the Phoenix data trip. She was commended for working very hard in making it a successful venture.

Commissioner Coppa referenced his recent Washington D.C. trip and brought up a memo for the committee to review. This is the Revised Guidance on Jail Removal and Separation Core Requirements memo of July 15, 2014 from Robert L. Listenbee. He requested that Commissioners Hibbler, Martin, Beam and Florez examine it on behalf of the committee and help determine what should be done. They were admonished to remember the open meeting law where any meetings between them must be posted. OJJDP has indicated that it is

interested in any input or questions but did not indicate a time frame for accepting these.

For the last two weeks, the specialists have been submitting questions to OJJDP on this topic. There will also be four or five listening sessions in August which will hopefully elicit robust discussion about what the implementation will look like. Ross Armstrong was requested to be a part of these discussions, and to assist in formulating a notion of what the Nevada impact will be. Specialist Salla will share some of the best questions asked by the specialists. Indications are that the changes detailed in the memo will happen.

Basically, the situation involves a juvenile making the determination of whether they are detained/confined or not. They decide if they have the freedom to walk out of a facility. If they think they cannot leave, then it is the same as them being arrested. While this works with adults who have more mental development, it would be hard to determine the mindset of a youth. Unless they actually get up and leave, how do you know if they felt confined or not? Specialist Salla added that even more troubling is the interpretation about secure and non-secure adult facilities. She felt this would harm the rural areas who have worked so hard to ensure that youth are not taken into secure areas. If law enforcement agencies think that after everything they have done, they will still be in violation, why should they continue to try. Commissioner Coppa agreed and asked that the memo accompany next month's agenda.

Last under new issues, it was noted that there are two new commissioners on the Nevada Juvenile Justice Commission. Commissioner Coppa wanted to be sure that they had received the orientation CD, contact information on the other commissioners, information about the sub-committees and a copy of the Juvenile Justice Commission Brochure.

Specialist Salla also informed the committee that she would be submitting an application for a PREA grant and might need to have a phone conference for its approval in August rather than at the September meeting. It was agreed that this would be acceptable if it became necessary.

Comments from Public

There were no public comments.

Set Time, Date and Agenda for Next Meeting

The next Committee Meeting is scheduled for Thursday September 18, 2014 at 10:00 am. This will be a videoconference with the following agenda.

Agenda:

PREA: Templates, Spanish posters, Grant, Fiscal impact of PREA

SB107 Room Confinement: Scope of work, Dr. Tomassone, Arizona data system trip

2013 Governor's Report Draft

2013 Compliance Report Update

Detention and Confinement Memo

Adjourn

The meeting was adjourned at 11:15 a.m. by Chairman Coppa.