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NEVADA STATE JUVENILE JUSTICE COMMISSION**

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**NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES
October 22, 2015**

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Call to Order

The meeting was called to order by Chairman Coppa at 10:02 a.m.

Roll Call – Dan Coppa

Members Present: Dan Coppa, Steve McBride, Lisa Morris Hibbler, Fernando Serrano, MariaJose Taibo-Vega

Members Present by Phone: Kirby Burgess, Michael Beam, Paula Smith

Members Excused: Elizabeth Florez, Jack Martin, Kim Wanker

Staff Present by Phone: Ross Armstrong (Deputy Attorney General), Leslie Bittleston, J. Alice Mueller

Public Comment and Discussion

There was no public comment.

Review of Official Minutes from September 24, 2015

Commissioner Smith moved to have the minutes of September 24, 2015 accepted with a second from Commissioner Beam. The minutes were approved by the Committee.

2014 Governor's Report– Dan Coppa

The 2014 Governor's Report had been sent out twice previously to the members of the committee for approval. This was the last review for approval by the committee before transmittal to the Juvenile Justice Commission. Commissioner Serrano moved for approval of the 2014 Governor's Report with a second from Commissioner Smith. There was no discussion and the 2014 Governor's Report was approved for transmittal to the Quarterly Full Juvenile Justice Commission Meeting on November 19, 2015 in Las Vegas, Nevada. Chairman Coppa was not going to be in attendance at this meeting and so requested Commissioner Serrano to present the report. Copies were also requested to be sent to the members of the Commission for them to review prior to the meeting.

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PREA Grant Update – Steve McBride

Paul Kluever was not in attendance at this meeting as he was participating in PREA training for new staff at the Summit View facility. In the upcoming weeks he is scheduled to be at the Caliente Youth Center (CYC) to assist in preparation for their PREA audit. The Department of Justice (DOJ) approved auditor from Oregon will be visiting both Carson City and CYC in conjunction with this audit.

SB107 Room Confinement– Steve McBride, Leslie Bittleston, Ross Armstrong

Dr. Tomassone visited Nevada the week of October 16, 2015. Two days were spent at the Nevada Youth Training Center (NYTC), one day at CYC and then an informal debriefing. He was very impressed with the practices at both facilities, in particular the visitation programs. A formalized report which will include suggestions and recommendations for reducing youth in confinement should be received within thirty days.

The essential recommendations and findings will be taken to the Juvenile Correctional Administrators team as they have been working with this technical assistance. They will work on implementing them to the current action plan or formalize one specific to Dr. Tomassone's visit. Both the report and subsequent actions will be shared with the committee.

Specialist Bittleston presented the summary document for SB107. There were 38 individuals with room confinement in the state correctional facilities in September with the majority being held 20 to 25 hours. Juvenile detention centers held 261 youth for an average of 2 to 5 hours in confinement for the month of September. The committee was impressed with the summaries and determined that rather than send out the detailed documents for each meeting, the summaries would be provided. Detailed documents would be available upon request. A summary document will also be prepared for the previous year and presented at the next meeting.

It was noted that one of the detention centers was using terms called "limited activity (LA)" and "limited activity with lock-up threat (LUT)" in their reporting. The concern here was that no end time was given. A report is required when confinement exceeds 72 consecutive hours, so beginning and end times are needed. Discussion centered on what was actually required of the facilities by SB107. The committee requested Specialist Bittleston to determine what is happening at the facility and if there is continuous confinement or several time outs.

SB107 Section 7 is about a requested study to be presented at the 2015 legislative session. The related report reviewed by Ross Armstrong was 256 pages. At the third meeting the Attorney General asked the chair if they were going to make a presentation. The chair pointed out they had had a discussion that day and so the requirement was covered. It would appear that was all that had occurred. Mr. Armstrong volunteered to go back over the report to see if anything more was said.

Finally it was noted that if possible, it would be interesting to have information on room confinement and gender/ethnicity. Although not required, disparate treatment in confinement could be occurring. There may be future discussion on how to obtain this data.

Compliance Reporting Update– Leslie Bittleston

Chairman Coppa questioned Specialist Bittleston concerning compliance activities in the state. She noted that the 2014 Jail and Lock-up Surveys had recently been sent out to the facilities and they were starting to be returned. From the resulting phone calls, it became apparent that the survey needs to be updated not only to make it clearer, but also so those facilities that never deal with juveniles can find a quick place to report this and then just return the forms.

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Another point of discussion was how frequently the facilities needed to be visited. It was determined that about 1/3 of them should be checked on per year. That was part of the purpose for hiring Tony Cantwell so that facilities in Lincoln, Nye and Clark Counties could be more easily visited in addition to those in the Mesquite area. The new administrator has been approached about hiring him and a request was made for the committee to provide a letter of justification. This would express the need to obtain a contract for Mr. Cantwell. It was agreed that it might be appropriate for Chairman Burgess to write the letter. Training should be scheduled for both Mr. Cantwell and Specialist Bittleston.

The last point of discussion was around identification for the individuals who would be performing the compliance monitoring. Specialist Bittleston will have a State Identification Card, but Mr. Cantwell is a contractor and would need something. The American Correctional Association (ACA) uses a photo I.D., so perhaps something along that line would be seen as acceptable. More information on this was requested for the next meeting.

A summary document for Medicaid Room and Board was presented, and while lengthy, was nowhere near as long as the detailed documentation. It showed what had been awarded and how much of that had been requested along with a breakdown of youth served, number of re-offenses, number with substance abuse, number with mental health issues and finally the number with co-occurring substance and mental health concerns. This was compiled for 2016 only.

As this was a new form, there was some discussion on what was presented. It was felt that this would be a good form to present to the Full Commission in November. For that meeting, the most update information was requested.

Legal Education of Nevada Barristers on Juvenile Issues– Dan Coppa

Chairman Coppa and Judge Wanker will be speaking with the Nevada State Bar Associations Board of Governors in Las Vegas, Nevada on November 19, 2015. As this is the same day as the Quarterly Full Juvenile Justice Commission meeting, both will have to miss this Commission meeting. A brief handout has been put together which has incorporated data from the 2014 Governor's Report.

Although many of the barristers in attendance at the Board of Governor's meeting have some fairly esoteric specialties, all are qualified to represent juveniles in court. That is because all that is required for juvenile representation is that they be a law school graduate, they have passed the State Bar and they are licensed for the state of Nevada. Other than that, there are no qualifications. Those in attendance will then be asked if they can locate their local juvenile court. Judge Wanker will then talk about legal representation with emphasis on the rural jurisdictions.

Larry Digesti is the Nevada State Bar Association's new president, and has already gone to the Nevada Supreme Court about these concerns. He and the members of the Board, will be provided with a detailed handout on what this committee proposes for training in addition to the introductory color handouts. The outcome of this meeting will be given at the next committee meeting.

New Business– Dan Coppa

Ross Armstrong told the committee that this was his last meeting as the Deputy Attorney General (DAG) for the Juvenile Justice Commission. All legal questions in the intervening

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period between when he leaves and a new DAG is appointed should be submitted to Shannon Richards of the Las Vegas Attorney General's Office. Mr. Armstrong's new position will be as the Deputy Administrator for the Division of Child and Family Services. This was Steve McBride's previous position. He will be starting November 2, 2015. Mr. McBride will remain with the Commission serving in an ex officio capacity. Mr. Armstrong was congratulated and commended on his work with the Commission.

Comments from Public

There were no comments from the public.

Set Time, Date and Agenda for Next Meeting

The next Committee Meeting is scheduled for Thursday December 17, 2015 at 10:00 am. This will be a videoconference with the following agenda.

Agenda:

SB107 Room Confinement: Dr. Tomassone report update, SB107 summary report, SB107 Section 7 update, Medicaid Room and Board Summary report.

Compliance update: Tony Cantwell, Jail/Lock-up surveys, Forms of identification

Legal Education for Nevada Barristers on Juvenile Issues

Adjourn

Commissioner Beam moved that the meeting be adjourned with a second from Commissioner Taibo-Vega. The meeting was adjourned at 11:06 a.m. by Chairman Coppa.