

BRIAN SANDOVAL
Governor

KIRSTEN COULOMBE
Administrator

RICHARD WHITLEY
Director
Department of Health and Human Services

ROSS ARMSTRONG
Deputy Administrator

LESLIE BITTLESTON
Juvenile Justice Programs Chief

STATE OF NEVADA



**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) 684-4437 • Fax: (775) 684-4455

**NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES**

December 17, 2015

DRAFT

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: Kirby Burgess, Elizabeth Florez, Lisa Morris Hibbler, Jack Martin, Paula Smith

Members Excused: Michael Beam, MariaJose Taibo-Vega, Kim Wanker

Staff Present: Ross Armstrong, Leslie Bittleston

Staff Present by Phone: J. Alice Mueller

Members of the Public present by Phone: Ben Bianchi, Brent Buffone, Jennifer Bevacqua

Public Comment and Discussion

Mr. Buffone was requested to introduce himself. He is the marketing coordinator for Your Choices Behavioral which is an agency committed to helping those in the community make better life choices. This was his first time on the conference call.

Review of Official Minutes from October 22, 2015

Commissioner Florez moved to have the minutes of October 22, 2015 accepted with a second from Commissioner Smith. The minutes were approved by the Committee.

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

Dr. Tomassone visited the facilities in the state and then asked for additional back-up information. This has been transmitted and the final report should be arriving at any time.

As in the previous meeting, the SB107 summary report was sent out to the members of the committee with a detailed report available upon request. The first page concerned the state's youth correctional facilities with only the Nevada Youth Training Center (NYTC) and the Caliente Youth Center (CYC) represented, as Red Rock Academy/Summit View has not yet reopened.

DRAFT

October experienced 45 youth in room confinement whereas November had only 29. On the second page were the Juvenile Detention Centers with 249 youth in room confinement during October and 224 in November. Page three shows a breakdown by facility. A chart at the bottom of page three compares room confinement in Detention and Correctional facilities during the 2014, 2015, and 2016 state fiscal years. Care should be taken in reviewing this as the only full year of data available was for 2015. Two more charts were presented on page four which showed that in Detention Centers, most youth had room confinement from two to five hours whereas in Correctional Facilities the most likely confinement period was from 20 to 25 hours.

It was noted that there was one incident of room confinement in excess of 72 hours with an explanation requested. This was at NYTC where a youth was non-cooperative with the intake process. The individual was monitored by staff and nurses until becoming compliant at around 78 hours. Some minor corrections and clarifications were discussed, with Chief Bittleston being congratulated on creating a very usable form.

Mr. Armstrong had gone over the legislative commissions report one more time to find details pertaining to the SB107 section 7 requested information. He was unable to find any indication that the information had been collected as instructed in section 7. Attorney General Catherine Cortez Masto pointed out that this should have been done, however Chairman Segerblom said that their discussion was sufficient to satisfy the statutes requirement.

Compliance Reporting Update– Leslie Bittleston

A letter had been received on September 30, 2015 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) which concerned the 2013 compliance report. Review of the report has been hindered as it had not been submitted correctly. Missing was a certification from the Division of Child and Family Services (DCFS) administrator as to its truth and accuracy. Without this certification, OJJDP will withhold formula grant funding in increments of 20% until Nevada becomes compliant.

Elissa Rumsey from OJJDP was consulted in a conference call about this letter. She explained that the 2013 report was submitted late and Specialist Salla had certified the data as complete and accurate not DCFS's administrator. Chief Bittleston had gone over this previously submitted work and was able to verify 80% of it. The 36 facilities reported as having been visited were not able to be substantiated. Computer records were searched, but neither there nor in paper files was any evidence located. A request was made for her to contact Ms. Salla about the missing documents and if necessary, have Ms. Mueller go through applicable minutes in search of indications on which facilities were visited. The report needs to be submitted by the end of 2015.

In the last 12 to 18 months, OJJDP has moved their reporting period from June 30th to January 31st. Previously compliance reports went from January 1 to December 31. They now run from October 1 to September 30. The Compliance report for 2014 is being worked on with a draft for 2015 perhaps ready in two weeks. The 2015 Court Holding and Jail/Lock-up surveys went out in October. What information OJJDP requests is quite extensive, however there is no real concern about submitting as the report can be sent directly through the website on January 31, 2016.

In the past, questions have been raised concerning compliance, with answers yet to be received from OJJDP. While in discussion with other specialists, it was determined that OJJDP is not always responsive to questions. Others in the group have experienced this same problem. The feeling was, report first and get answers later.

DRAFT

Two months ago Chief Bittleston contacted Tony Cantwell about the part-time compliance monitor position in the southern part of Nevada. At that time he was still interested, and a scope of work was sent out, however nothing has been heard from him since then. Another individual who expressed interest in the northern part of the state was also provided a scope of work. They indicated that too much was required and they did not wish to commit at this time.

Questions were asked about Mr. Cantwell and how to contact him. Although there is an email address, his physical address has changed making sending a registered letter problematic. Efforts will continue in attempting to contact him, but more individuals should be considered. The Commissioners were encouraged to contact those who might be interested.

Staff identification for both full and part-time was discussed. There have been several staff changes and not all facilities know the new employees. Chief Bittleston acknowledged difficulties in gaining admittance and noted some locations were skeptical about why she was there. Jails and lock-ups are not licensed and so show concern when someone wishes to review them and their records. Education was suggested as a way to ease difficulties, although transfer of personnel will always occur so education must be ongoing. Clarification of terms, on the surveys will be part of that education. An update of what is currently used should be in place by next fall. Some form of identification short of a badge would also prove helpful.

OJJDP was contacted about technical assistance for training new personnel on compliance monitoring. There is no training available at this time, but they did provide the name of a trainer from Colorado. This person has been doing compliance monitoring for over 30 years and is a certified OJJDP trainer. They are willing to go to any state and can be paid either through OJJDP or the state.

Medicaid Room and Board 2015-2016– Leslie Bittleston

No additional Medicaid Room and Board reports had been received by the counties. This is a quarterly report with the next quarter to be completed in December. As such, the report was moved to the January 2016 meeting.

Update Juvenile Justice Commission Brochures– Dan Coppa

All brochures used by the Juvenile Justice Commission had been sent to the Planning and Development committee members. Chairman Coppa requested that only those under the purview of the committee be discussed with the Disproportionate Minority Contact brochure being rightfully discussed in the Minority and Gender committee.

Most of the changes in the two brochures pertained to updating contact information. Other specific changes would be detailed by email with the amended brochures being reviewed at the next meeting. There was some discussion around outdated grant information being removed and replaced with specifics on current grants. Care was to be taken not to confuse readers by comingling federal and state grants. Other concerns were that all phone numbers presented were accurate and that male or female images be appropriate to specific distributions.

Legal Education of Nevada Barristers on Juvenile Issues– Dan Coppa

Both Chairman Coppa and Judge Wanker made a presentation to the Nevada Bar in Las Vegas on November 19, 2015. They spoke of the need to make legal education about juveniles, a pre-requisite for lawyers in juvenile court. Although the fifteen members in attendance had very specific specialties, only one from Elko County was familiar with juvenile issues. Information from the 2014 Governor's Report was handed out, which detailed juvenile concerns in the state. Judge Wanker discussed serving as both a juvenile judge and her role as a district court judge. She also showed that appropriate training was very limited. President

DRAFT

Digesti was impressed and would like to have a task force set up which would include Chairman Coppa and Judge Wanker.

The Nevada Continuing Legal Education (CLE) Board was also contacted about assistance with those who certify training. Much of the same information was presented with the result that they were willing to help with a sponsor. Overall, things went well, with all bases being covered.

Open Meeting Law Update– J. Alice Mueller

Administrator Coulombe expressed concern over whether meetings were appropriately posted. A staff meeting was held and it was determined that wording on posted agendas would be changed. Actual verifiable places of posting were reduced to four or five with additional locations noted as having posting information sent to them.

The committee requested contact be made with the attorney general's office about what posting is required and how they saw the changes. Periodic review of posting requirements is appropriate as changes both legislative and otherwise do occur. This is to be addressed again at the next meeting.

New Business– Leslie Bittleston

Chief Bittleston had requested to bring up some new business at this time. The first was about a new Prison Rape Elimination Act (PREA) grant which had been received. This was a demonstration project to establish legal tolerance cultures for sexual assault in correctional facilities and was in the amount of \$177,174.00. When this grant was requested the money was earmarked for a contract position and to purchase training curriculum concerning PREA compliance. Once granted, it was decided to use it a little differently by creating a new state position.

This new position is for a statewide PREA coordinator and would be a Social Services Program Specialist Three. As such, the individual would be able to work independently and have a background in policy development training. They would be supervised by the Juvenile Justice Chief. This information has been submitted to fiscal and will be going to the Interim Finance Committee (IFC) in February for approval.

As an update, it was noted that when a grant is awarded, the state cannot simply start drawing the money but must create a work program which must have state approval. The work program here will be the new position of PREA coordinator.

On the DCFS website, Juvenile Justice Programs Office page, the PREA incident report was going to an outdated email address. This has been corrected with it currently going to the Juvenile Justice Chief. Once a PREA coordinator has been hired, the reports will be sent to them. These changes will not only effect the webpage, but should also be reflected on the PREA brochure.

A PREA survey was proposed for jails and lock-ups similar to surveys now going out to facilities. This would record any incident reports and what the investigations determined. Currently, that information is not available but is required for grant reporting. Discussion on this survey will be held at the next committee meeting in January.

There is still money remaining in the 2013 Formula grant in the amount of \$18,000.36. Uses for these funds should be discussed at the next committee meeting in January. It was pointed out that the best the Planning and Development committee could do, was to review the recommendations and present them to the Full Juvenile Justice Commission meeting.

DRAFT

Chief Bittleston detailed work she was presently engaged in. This included updating the Compliance Policy manual in accordance with changes made by OJJDP in October 2015. She is also working on bringing the DCFS, Juvenile Justice Program's website up to date. The information it contains is from around 2003 and is very outdated. This should be completed by mid-year.

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 January 28, 2016 at 10:00 am. This will be a videoconference with the following agenda.

Agenda:

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

Compliance update: Compliance Manual update, Tony Cantwell, Staff identification.

Update Juvenile Justice Commission Brochures.

Legal Education for Nevada Barristers on Juvenile Issues.

2016-2017 Orientation Manual update.

Open Meeting Law Posting update.

PREA Survey Draft.

2013 Formula Grant Expenditure suggested uses.

Adjourn

The meeting was adjourned at 11:19 a.m. by Chairman Coppa.