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NEVADA STATE JUVENILE JUSTICE COMMISSION**

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

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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, Steve McBride

Members Present by Phone: Michael Beam, Elizabeth Florez, John Martin

Members Excused: Kirby Burgess, Lisa Morris Hibbler, Fernando Serrano, Paula Smith

Staff Present: Ross Armstrong Deputy Attorney General

Staff Present by Phone: Pauline Salla, J. Alice Mueller

Public Present: Vanessa Spinazola

Public Present by Phone: Ali Banister, Ben Bianchi, Scott Davis, Tami Richardson

Public Comment and Discussion

There was no public comment.

Review of Official Minutes from October 16, 2014

Commissioner Martin moved to accept the minutes of October 16, 2014 as corrected with a second from Commissioner McBride. The motion was passed by the Committee.

PREA – Pauline Salla

A program narrative has been submitted to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) on the proposed use for the \$7,800.00 Prison Rape Elimination Act (PREA) reallocation grant funds. These funds are the result of a 5% reduction to the Formula Grant along with some additional money which was added to that amount. It was suggested that the funds would be used to implement programming in the youth education PREA requirements which has already been started at the Nevada Youth Training Center (NYTC) and for training of Federal PREA Auditors.

DRAFT

The goal for the Federal PREA Auditors is to have three people from Nevada certified. There will be two training sessions in San Diego this spring, one in March and the other in May. The training is usually on the east coast, so this is an opportunity to obtain it at considerable savings. There is a three part acceptance process with two individuals having made it through the first level. The second part of the applications needs to be submitted by January 15th, 2015. The two who may proceed to this second part are Pauline Salla, Juvenile Justice Chief, and David Laity, Unit Manager from Youth Parole. There is also another individual from the county level probation department. The difficulty with the third person is getting permission to use the PREA reallocation grant funds for use by a county level employee. There was discussion about asking the Commission to assist with funds for the training. Specialist Salla was requested to investigate that option for the January committee meeting. It is hoped that the training can be completed for these three people by March 2015.

Commissioner Florez and her staff were thanked for assisting with feedback on the PREA posters in Spanish. Minor changes were indicated and will be forwarded to the printers. There was discussion as to whether they needed to be reviewed again by the committee. Chairman Coppa suggested that the corrections be made and the posters printed and sent out. The zero tolerance check list has similarly been translated into Spanish and is being reviewed by the PREA auditor. This would appear to be in good shape and is ready to move forward.

Draft versions of both a quarterly brief and a PREA pamphlet were examined. Arizona's Department of Youth Corrections provided the initial pamphlet, with information specific to Nevada being placed in them. There are to be both Spanish and English versions which will be distributed at the facilities, youth parole offices, juvenile probation departments and law enforcement agencies. This will help demonstrate how important PREA compliance is. The brief will be featured on the Juvenile Justice website with new ones featured quarterly.

Many aspects of the brief and pamphlets were discussed. The use of a crisis call center or a hot line, whether one or several local numbers, was brought up. Also considered was the web site reporting form, and the confidentiality/timeliness of mailed forms. Finally it was pointed out that the pamphlet discussion of class one and class two felonies should conform to Nevada law's categories of A,B,C,D and E felonies in respect to NRS 193.130. Although the Spanish versions will be sent to two certified court interpreters, a request was made to also have Commissioner Florez and her staff provide feedback.

When the pamphlets are approved in both Spanish and English, estimates will be obtained from three printing facilities to determine where they will be sent. The costs incurred can be paid for either through the Formula Grant Administrative piece or Commission funding. A preference was expressed for using the Formula Grant Administrative piece as the Commission funding would perhaps be better used for the PREA training.

The Juvenile Justice Programs Office Website has been undergoing several updates. One of these includes the addition of the PREA zero tolerance statement. Additions such as the complaint forms are still in progress as are the brief and pamphlets which when finalized, will be added to the site. This will meet the PREA standards along with the requirements for those standards. The PREA auditor will be sending several templates of complaint forms which when modified will be brought to both the PREA work group and then to this committee for approval.

SB107 Room Confinement– Pauline Salla

Efforts are still being made to be sure that the ACLU interns receive all of the information that is needed for their report. There was some confusion as to which October still had outstanding

DRAFT

data, whether it was 2013 or 2014. The current quarterly SB107 was not available at this time, but would be ready for the January meeting. Work is still being done in the jurisdictions to arrive at unduplicated numbers for youth involved in room confinement. Specialist Salla has also been working with the detention centers so that they have a clearer idea of what is done with the data. They are being very accommodating and are willing to try different data collection techniques.

There continues to be contact with Dr. Tomassone about his visit to the facilities. The cost of visiting each facility has been broken down and there will be an attempt to get him out to the three state facilities, during one visit. Once the daily costs are broken out, a contract can be prepared. It takes about thirty days for approval, so the visit will perhaps occur in late February or early March. He is intentionally not being scheduled for the same week as the Quarterly Full Juvenile Justice Commission Meeting. That being said, Chairman Coppa still hoped that he might drop by or call into one of the committee meetings to discuss his findings. This might be possible, as a bit of a cushion is being built into his contract to cover extra hours. The goal is that he will review the facilities during this visit, and then a long term plan would be developed for his technical assistance training.

ACLU Nevada Intern Report– Katie Hoops, Karla Navarrete

The ACLU interns, Katie Hoops and Karla Navarrete were finishing up their semester and taking exams and so were not available to attend this committee meeting. Draft 4 is still a work in progress with changes to be discussed. The Third draft was sent out to the Nevada Association of Juvenile Justice Administrators (NAJJA) members and elicited a lot of response. There was concern that some of the information was incorrect so Specialist Salla and Vanessa Spinazola will get together and discuss the particulars. This will include some of the reasons for isolations and checking on missing information. Similarly, there has been evidence of over reporting from some of the facilities. Clarification needs to be made on youth who were reported as being in confinement/isolation but were actually still attending school and programming. One of the facilities who had been over reporting has agreed to go back and provide further documentation where reported youth were in general programming throughout the day.

It was suggested that to ensure the same things were being compared from facility to facility, uniform data collection would be preferred. If the law is expanded in the next legislative session, a collection format could be developed. A form with perhaps a user guide would be very helpful in terms of definitions and what should be collected. This would bring consistency not only to the jurisdictions, but also to month by month reporting.

Before a written guide is developed, information from the Legislative Counsel Bureau (LCB) regarding the actual intent of the law would be advisable. Sandra McGuirk, LCB auditor will do research regarding the intent of SB107. When completed, it will be shared with the committee. If the ACLU interns are still involved with this project next semester, the development of such a form would be something they could work on. They have been working with the data long enough; that they have a fairly clear idea of what should be collected.

2013 Compliance Report Update– Pauline Salla

Although the 2013 compliance report has yet to be submitted, a letter has been received from OJJDP which states that the state of Nevada is not out of compliance with the four core requirements. Written guidelines have yet to be received from OJJDP on alleged violations of sight and sound separation, which is why the 2013 compliance report has not been submitted. The Federal Fiscal Year 2015 allocations which are related to the Title II Formula grant are now eligible to be received at 100%. The 2014 allocation has been received and the 2015 applica-

DRAFT

tion will be due at the end of March. It will begin July 1st, 2015 (begins for OJJDP October 1st, 2015).

The entire Three Year Plan Formula Grant application is being revamped. The specialists are waiting for their directives in writing and it is expected to be much different from previous years. Chairman Coppa congratulated Specialist Salla in maintaining compliance in light of the number of states who have fallen out of compliance or remained non-compliant.

Detention and Confinement Memo– Pauline Salla

The Detention and Confinement questions have yet to be sent to Administrator Listenbee of the OJJDP. They will be ready for review by the end of December. This would be more for the committee's information as their approval is not required. It was suggested to go over the questions at the January meeting, but to notify Administrator Listenbee that they would be forthcoming once the review was completed.

Compliance Monitor Update – Pauline Salla

The last candidate considered for the Compliance Monitor position has fallen through and there has been no contact for the last several months. A soon to be retired law enforcement officer has been identified as a prospective candidate. He is a sergeant with the Humboldt County Sheriff's Office and once retired, will be moving down to Mesquite. This is important as most of the adult facilities are located down south. The applicant has extensive experience with enforcing underage drinking laws, alternative programming, status offenders and was even a detective for a while. He was also one of the individuals who has done walk throughs at the sub-stations in Humboldt County and in the Humboldt County Jail. Work performed includes the Douglas County Sheriff's Office and jail, so he is knowledgeable about both jails and lock-ups.

The contractor packet has been assembled and there will be a meeting next week to go over it with him. The information will then be submitted to personnel and the process of obtaining clearances and background checks can begin. Once all the paper work is completed, the name will be publicized. He may be able to start his contract by the first part of March and begin doing some onsite training with compliance and the auditing process at the facilities. The New Compliance Monitoring training is usually in the summer so he will receive that also. OJJDP has further stated that Specialist Salla is free to train and certify him as needed. He will be available to attend the Juvenile Justice Commission Meetings when they occur in the Las Vegas area and provide input as requested.

New Business– Dan Coppa

Commissioner Beam referenced comments made by Commissioner Walker at the November Quarterly Full Juvenile Justice Commission Meeting concerning the LCB's 2014 Review of Governmental and Private Facilities for Children. He noted that he had limited information about and would like direction on where to go for clarification on these issues. He hoped that perhaps it would be handled at the next Juvenile Justice Commission Meeting in Carson City scheduled for February 19, 2015.

His main concern was with the disturbance/riot at the ROP facility in Yerington. There were reportedly multiple escapes and burglaries which had resulted from some of their juveniles. The data should be reviewed by the Commission with a decision made about any action to be taken. Commissioner McBride was requested to give an overview on the LCB's audit and perhaps something on what happened at ROP in Yerington. One of the questions is, if they had difficulties at Yerington, could there be similar difficulties at Red Rock academy.

DRAFT

On December 11, 2014 a bipartisan bill was submitted to the United States Senate from Senators Whitehouse and Grassley to reauthorize the Juvenile Justice and Delinquency Prevention Act. One of the things it does is to place a cap on Federal spending for the act to 159 million in 2015. There will be incremental increases in subsequent years from that base amount. It also requires that no more than 20% of the funds can be spent for mentoring. Other things to note from it are the financial accountability measures for grant recipients and the age change for youth SAG members from 24 to 28. States are also going to be required to post their annual reports on a web site which the general public can access and view. Nevada currently has a Juvenile Justice Commission web page with information accessible to the public. With the start of 2015 it will have the latest Three Year Plan in addition to the Governor's Report. Another item from the bill is a provision to end the Valid Court Order. This is to be phased out over a three year period.

Comments from Public

There were no public comments.

Set Time, Date and Agenda for Next Meeting

The next Committee Meeting is scheduled for Thursday January 22, 2015 at 10:00 am. This will be a videoconference with the following agenda.

Agenda:

Review of Committee Agenda Format

PREA: Training and Travel for PREA Auditors, preliminary PREA audit results, Templates for January distribution, Template for LBGTQI policy.

SB107 Room Confinement: Quarterly report, Dr. Tomassone visit update, ACLU interns report
2013 Compliance Report Update

Detention and Confinement questions

Compliance Monitor job proposed funding for training

Overview of 2014 LCB audit of Governmental and Private Facilities for Children, review of ROP situation in Yerington, Nevada.

Adjourn

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