

**BRIAN SANDOVAL**  
*Governor*

**KELLY WOOLDRIDGE**  
*Administrator*

**STATE OF NEVADA**



**ROSS ARMSTRONG**  
*Deputy Administrator*

**LESLIE BITTLESTON**  
*Juvenile Justice Programs Chief*

**RICHARD WHITLEY MS**  
*Director*  
*Department of Health and Human Services*

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

**4126 Technology Way, 3<sup>rd</sup> Floor**

**Carson City, NV 89706**

**Telephone: (775) 684-4437 • Fax: (775) 684-4456**

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

**March 17, 2016**

**DRAFT**

**Call to Order**

The meeting was called to order by Chairman Coppa at 10:01 a.m.

**Roll Call – Dan Coppa**

Members Present: Michael Beam, Dan Coppa, Steve McBride, Paula Smith

Members Present by Phone: Kirby Burgess, Elizabeth Florez, Lisa Morris Hibbler

Members Excused: Jack Martin, MariaJose Taibo-Vega, Kim Wanker

Staff Present: Ross Armstrong (Deputy Administrator DCFS), Chief Leslie Bittleston

Staff Present by Phone: Tirzah Fagan (Deputy Attorney General) J. Alice Mueller

Members of the Public present by Phone: Ben Bianchi, Scott Shick

**Public Comment and Discussion**

There were no public comments.

**Review of Official Minutes from January 28, 2016 and December 17, 2015**

After some corrections were noted, Commissioner McBride moved to have the minutes of January 28, 2016 approved as amended with a second from Commissioner Beam. The minutes were approved as amended by the Committee. Commissioner McBride moved to have the minutes of December 17, 2015 approved with a second from Commissioner Beam. The minutes were approved by the Committee.

**SB107 Room Confinement– Leslie Bittleston**

In referencing the SB107 Summary Document, Chief Bittleston noted that for the State Youth Correctional Facilities, there were 56 youth for January and 24 youth in February who were held in room restriction. She pointed out that January had a high number of youth in the 70-72 hour category due to an escape at Caliente Youth Center (CYC). This was referenced in a foot note to the document. There was a request to have a footnote included that would give the exact date of the opening of Summit View.

## **DRAFT**

### **Compliance Reporting Update– Leslie Bittleston**

Chief Bittleston requested to take this agenda item slightly out of order. She pointed out the resumes for Warren Lutzow and Sheree Corniel, both highly qualified individuals who have performed this type of work in the past. They have both begun their compliance work with Mr. Lutzow in the north and Ms. Corniel in the southern part of the state. As part-time contractors, they are being given 30 days to submit their reports.

There has been some issues with identification, both in emails and during visits. They currently have an executive order signed by Governor Gibbons which they take along with them. Some form of contractors ID would be preferable and will be looked into for the next meeting.

The “Youth within Juvenile and Adult Justice Systems, Facility Educational Information” document was briefly discussed. Both Mr. Lutzow and Ms. Corniel are passing this out during their compliance reviews. It explains the four core requirements, what the compliance workers are looking for along with some definitions provided at the end of the document. Contact information is provided in case there are additional questions. A suggestion was made to have this document printed on official letterhead. The definitions used are either from the American Correctional Association (ACA) or the Office of Juvenile Justice and Delinquency Prevention (OJJDP) 2015 compliance manual.

Technical Assistance (TA) was requested from OJJDP last November, 2015. A meeting was held this February with the OJJDP TA team preparing a document based on this meeting. Various things were discussed including the reduced Formula grant funding, contract compliance monitors, and the new reporting mechanism. Larry Fiedler and Susan Davis, both from OJJDP, will be consultants for the TA. Another meeting is scheduled, but no date given. If nothing has been heard back from them by April, they will be contacted again.

At the previous Planning and Development meeting in January, the newly revised Nevada Compliance Manual was presented. No changes or additions have been noted or made since then and the committee was requested to vote on it for approval. Commissioner Beam moved to approve the revised Nevada Compliance Manual with a second from Commissioner Smith. The manual was approved by the Committee. Chief Bittleston thanked both Chair Coppa and Commissioner Taibo-Vega for reviewing the manual.

### **Medicaid Room and Board 2015-2016– Leslie Bittleston, Tirzah Fagan**

Tirzah Fagan had conducted research on the legislative intent and flexibility of the Medicaid Room and Board funds. She consulted with Deputy Administrator Armstrong, Deputy Administrator Kluever, Chief Bittleston, and others in fiscal and personnel. From this it appeared that Medicaid Room and Board is 100% general funded, distribution based on Nevada Revised Statute (NRS) calculations. The moneys are not tied in any way to Federal Medicaid funds. Consensus was that there are no restrictions on these funds.

With this determination, the Committee agreed to take under consideration the Carson City Restorative Justice Program proposal as submitted by Ali Banister, the Deputy Probation Chief. This pilot program was discussed by Ben Bianchi, Carson City's Chief Probation Officer. The document illustrates objective components, outputs, items to be measured, and performance measurements, along with forms to be used in obtaining data. They will be reporting on a quarterly basis.

With Restorative Justice, young offenders can work toward restoring losses incurred by their victims by working in community service programs. Their work rate is \$10.00 per hour with a

## **DRAFT**

check being cut and sent to the victim after services are completed. Some of the funds would also be used to fund a community service supervisor's salary. At this time, there are seven youth in the program which meets once a week.

This program applies to victims who have incurred a monetary loss such as property crimes. Youth are involved with this program when their parents' insurance is unable to pay for court ordered restitution. Victims are encouraged to use their own insurance, with the restitution being given to cover the deductibles. The Committee requested that there be a list detailing the type of projects involved. That way the judge would have an idea of what activities are indicated.

A request was made to provide Chief Bittleston with a budget that would further breakdown expenses. This would include costs for a supervisor, meals or any other anticipated expenses. There was concern about how much would be drawn from Medicaid Room and Board. If a need should come up, funds should still be available. This is largely dependent on the youth coming out of court, but by reporting on a quarterly basis, there should be some idea as to costs.

Deputy Administrator Armstrong cautioned that the Commission has an advisory role, with Chief Bittleston being given approval to disperse funds. The Division of Child and Family Services (DCFS) does have the final say on this. At some point in the future, it may be determined that the language on these funds does not provide this much flexibility. Chair Coppa noted that the Committee's approval was giving DCFS our recommendation on the program.

Commissioner Beam moved to approve the Carson City Restorative Justice Program with a second from Chair Coppa. The Committee approved the motion. Mr. Bianchi was thanked for presenting the proposal.

Chief Bittleston noted that at the National Association of Juvenile Justice Administrator (NAJJA) meeting she attended, many of the counties said they used the Medicaid Room and Board funds for other than residential treatment center (RTC) costs. She felt that within the next year, she would present another way counties could present how funds are used. It was requested that she coordinate this with Deputy Administrator Armstrong, as this might become an issue.

### **Update Juvenile Justice Commission Brochures– Leslie Bittleston**

Total costs for printing four different brochures was \$325.00. This included 500 DMC, 500 Prison Rape Elimination Act (PREA), and 250 Juvenile Justice Commission brochures. Bids had been sought earlier in the year for some of the same brochures, and so it was determined to use the same printer, Silver State Industries. They are by far the least expensive of any printers contacted. The brochures are in the process of being distributed and are available upon request.

### **Legal Education of Nevada Barristers on Juvenile Issues– Dan Coppa**

There has been a second meeting for the task force, created by the Nevada State Bar, Board of Governors. The National Juvenile Defenders Center (NJDC) was contacted to provide assistance in gathering information on what other states are doing relative to juvenile justice defense and prosecution standards, as it applies to the training and education of attorneys who practice juvenile law. They provided a 14 page document which detailed what was required to practice juvenile law in various state, in addition to their educational requirements.

## **DRAFT**

This document discusses the use of certain mechanisms to provide the following: 1.) Establishing qualifications for attorneys, 2.) What legal education and training needs to be provided for these attorneys, and 3.) What mechanisms may be available to make this possible. There will be a division of these labors which hopefully will result in standards applicable to the state of Nevada.

The task force, is comprised of Chair Coppa (Sparks), Judge Wanker (Pahrump), Julie Cavanaugh (Elko), Troy Isaacson (Las Vegas) and Ryan Russell (Carson City). They also have had five attorneys who practice in juvenile court express an interest in providing assistance. These will probably be used in advisory positions.

### **2016-2017 Juvenile Justice Orientation Manual– Dan Coppa**

The 2016-2017 Juvenile Justice Orientation Manual is currently being updated and copies have been sent to members of this committee. It was recommended that an image of the Belmont Courthouse be placed on the CDs. The Committee was requested to review the lengthy manual and send suggested changes or updates to Alice Mueller. This will be reviewed once more at the next meeting and hopefully approved to be presented to the members of the Commission at the May quarterly meeting.

### **Three Year Plan– Leslie Bittleston**

Although Title II Formula grant money comes out annually, OJJDP requires a comprehensive three year plan with the 2017 to 2020 being currently worked on. A Formula grant program area survey has been updated which highlights compliance monitoring and the four core requirements at the top. These are 1.) Deinstitutionalization of status offenders, 2.) Disproportionate Minority Contact, 3.) Jail Removal and 4.) Sight and Sound Separation. These are required to continue receiving Formula grant funding. There are another thirty program areas which can also be selected by sub-grantees. It was requested that this be sent out the first part of April and the results presented at the May quarterly meeting. Commissioner Smith is to be contacted to be sure that tribal organizations are included in receiving these surveys.

A new document this year is OJJDP Title II Formula Grant Performance Measures Grid. This is a 198 page document which details what performance measures are mandatory and/or suggested for the various program areas selected by sub-grantees. With some of the current sub-grantees, reports have not included these mandatory performance measures. The use of this should make reporting easier in the next grant cycle.

Formula grant applications have not yet been released from OJJDP so requests for proposals (RFP) have yet to be sent out. OJJDP has advised the Commission that we would be receiving the same amount as last year. Community partners have already been contacting Chief Bittleston about applying for grant funding. Ideally, the RFP documents will be ready to submit by the May quarterly meeting. The Grants Review Committee will probably be meeting in June or July and will schedule extra time to take into account the Performance Measures Grid.

### **PREA– Leslie Bittleston**

The adjusted program scope for the PREA zero tolerance educational grant has been approved by OJJDP and is pending approval of the final budget. This budget was adjusted to account for using state staff rather than contractors and requires a 100% match from the State. The PREA coordinator position was approved by the Interim Finance Committee (IFC) and response is pending from state personnel concerning job classification. The delay is due to appealing the originally approved classification in hopes of obtaining a higher level position. Recruitment could begin soon, with the position filled by July.

## **DRAFT**

There were some questions and corrections on the PREA compliance universe and survey. The PREA zero tolerance grant requires a great deal of reporting with the survey loosely based on the type of survey currently sent out to the courts, jails and lock-ups. In this case, only facilities with long term youth were requested to report.

The need to send surveys to adult correctional facilities and camps was discussed. Although there are seven youth held in Lovelock, they have been certified as adults, so are not considered juveniles and are under the Department of Corrections. It was decided to narrow the survey down by only dealing with facilities where youth are held. Dates for the actual period covered by the survey will also be finalized. As it stands, it is for use by the PREA Coordinator when they begin working.

A request was made concerning definitions used on the survey since those filling it out should not have to look up meanings. Specific terms such as unfounded or unsubstantiated should be readily defined so all will know what is being referred to. This could be accomplished with an appendix or a foot note.

### **New Business– Leslie Bittleston**

There was no new business presented to the committee at this time.

### **Comments from Public**

Deputy Administrator Armstrong spoke to the committee about a survey link which had been sent to the members of the Juvenile Justice Commission. This requested feedback on DCFS Juvenile Justice budget priorities. The survey is very brief, asking only ten questions and has a deadline of March 28, 2016. He requested that the members not read too much more into it than a wish to receive feedback on what they felt were important budget items.

### **Set Time, Date and Agenda for Next Meeting**

The next Committee Meeting is scheduled for Thursday April 14, 2016 at 10:00 am. This will be a videoconference with the following agenda.

#### **Agenda:**

SB107 summary report March and April  
Compliance Monitors reports update, Staff identification, Technical Assistance.  
2016-2017 Orientation Manual  
Three Year Plan, Formula Program Areas  
PREA Coordinator Update  
Status of governor's assurance to OJJDP

### **Adjourn**

The meeting was adjourned at 11:34 a.m. by Chairman Coppa.