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DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Ross Armstrong
Administrator

Nevada State Juvenile Justice Oversight Commission *Data Performance* Committee Meeting February 24th, 2020 at 1:00pm

Meeting Minutes - **DRAFT**

Roll Call-

Commissioner Brigid Duffy, Chair, called the meeting to order at 1:01pm.

(VOTING MEMBERS)

Present by Phone: Chair Brigid Duffy, Ross Armstrong, Gianna Verness, Pauline Salla-Smith,

Absent: Scott Schick

(NON VOTING MEMBERS)

Present by Phone: Ali Banister, Danilo Chavarria, Jo Lee Wickes

Absent: Mike Torres

(STAFF)

Present by Phone: Leslie Bittleston, Jennifer Simeo, Kayla Landes, Kayla Dunn

(PUBLIC)

Present by Phone: None

Meeting Minutes:

Brigid Duffy: I'm just going to stay off mute for the entire meeting since I talk the most. Okay. Any public comment or discussion?

Leslie Bittleston: Uh, Ms. --

Brigid Duffy: Do we have anybody on the phone?

Leslie Bittleston: Ms. Wickes, would you like to share what we discussed yesterday? Our robust data discussion, or would you like me to summarize for you?

Jo Lee Wickes: I would be happy for you to summarize it. Thank you.

Leslie Bittleston: For public comment, the Grants and Quality Assurance Committee met yesterday and had a quite robust conversation about recidivism measures and how we collect data. One of the questions that came up in the Grants and QA Committee meeting yesterday was the presentation in the governor's report to the committee regarding the recidivism measure of arrest versus rearrest for 2018 and in 2019. One of the concerns is what are we calling an arrest? Is an arrest a citation? Is an arrest

booking into a detention facility? To make sure that we are all on the same page when we are presenting data. So this is just a public comment to let you know what the Grants and Quality Assurance Committee discussed yesterday, and maybe something this committee wants to take up as we discuss recidivism down the road. So thank you.

Jo Lee Wickes: To add to the public comment. One of my concerns is, will the definition for rearrest, especially relating to recidivism, include referrals and citations? Because the agencies in juvenile justice across the state has worked so hard to discourage officers from making an actual. You're handcuffed, we're booking you. We've asked them to, you know, decrease the number of people coming through the front door. So you know, to give us those referrals in a different way, so that it can be handled without an actual booking. And if we're going to check recidivism to make sure that what we're doing works, we need to include referrals, citations, new alleged instances of delinquent behaviors, or we're going to miss the great majority of cases where officers are doing what we asked them to do, which is stay away from the detention facility, if you can. And so I didn't have any clarity about what the definition of arrest or rearrest was, but I think it's important if we're going to be honest with ourselves and look at efficacy that we really include all channels by which we learn from law enforcement that there's, new allegations or new delinquent behaviors. And we certainly don't want to encourage them kind of in a backhanded way to make an actual, put you in handcuffs and take you down to the facility, so that the numbers get counted. Last thing that we'd like to do, I would suggest.

Brigid Duffy: Any other public comment on this specific topic? So because this is in the public comment section, but I think it's a very good conversation that we need to have. I'm not sure whether I just put it on for our next agenda or if we can actually discuss it now.

Leslie Bittleston: I believe it needs to go on another agenda.

Brigid Duffy: Okay.

Leslie Bittleston: For next meeting.

Brigid Duffy: So just a little bit of commentary to it. I don't have it in front of me, but the definition of recidivism also includes adjudications. And I think that's where the intent was, to pick up those citations and other referrals as being really recidivating back into the system, more so than an arrest. So, I think it's a valid point of how we want to actually know what's going on with our system and with its ability to rehabilitate children. So we'll put it on for the next agenda to help get some clarity out there for you. Well, for all of us.

Jo Lee Wickes: Thank you.

Brigid Duffy: And then all the voting members should have a copy of the minutes from our October 6th meeting, they were posted online. Everybody have a chance to review them? And do I have a motion to approve?

Ross Armstrong: I'll move to approve.

Brigid Duffy: I have a second?

Pauline Salla-Smith: I'll second.

Brigid Duffy: All right. Any comments to them? Changes, anything? All right. All those in favor?

Committee: Aye.

Brigid Duffy: Gianna, I see Ross' hand.

Leslie Bittleston: It shows she's here, but I don't know if she can --

Pauline Salla-Smith: She's muted.

Ross Armstrong: Yeah, I think it can be tricky to unmute.

Leslie Bittleston: Kayla Dunn, --

Ross Armstrong: That's what I'm going with.

Leslie Bittleston: Can you unmute Gianna? Oh, she just left.

Brigid Duffy: Okay. Do we still have a quorum without her?

Leslie Bittleston: Yes, we have four out of six.

Brigid Duffy: Okay, all right, then it passes. Thank you. COVID testing number five. Leslie, there's document in our materials, attachment 5.A. Go ahead, Leslie.

Leslie Bittleston: Attachment 5.A, COVID testing document. This is the COVID testing numbers through January 31st of 2021 for all of the detention facilities, state facilities and youth camps. We did not get our first positive until July, I believe. So this is the total number of youth tests and staff tests and positives. As of July 31st, our positivity rate for youth is 5.83, positivity rate for staff is 9.71. And as you can see the table, what the table is, is it shows the number of positives month by month. And if you scroll down to the very bottom of the table, you will see quite a lot of activity in January, especially at Summit View Youth Center. I spoke to staff at Summit View Youth Center about the outbreak and it is believed that one staff member brought in the virus to the rest of the facility unknowingly, didn't know that they were positive, and found out they were positive, and by that time it was too late. So it was about a two week period of a lot of positives, but they are doing better now. So that's where we stand with COVID tests as of the end of last month.

Brigid Duffy: Okay. Any questions on the COVID testing update?

Ross Armstrong: Is the program's office going to be requesting information on vaccination rates?

Leslie Bittleston: I have not been asked that, so I will add it to the data requested at the beginning of February. So as of right now, I don't have that data, but I can begin requesting it.

Pauline Salla-Smith: I think that the Administration Office of the Courts is collecting that information, also, Ross. Like, just my district court judge asked me for the information of our vaccination rate, because it sounds like they were tracking court personnel, and then if juvenile services is underneath them. So not sure if -- that's what it sounds like to me. So I know that someone's tracking that also besides us.

Ross Armstrong: I think that we would want to -- unlike the testing, right, which we all know, and it's very, very like transparent. I know that we kind of have a, please let us know if you're interested so we can coordinate a vaccination, but there are some folks that might not want to disclose that they're getting vaccinated. And so that's a little bit tricky, but so I think if we do start to collect that information, then we would want a good footnote that talks about, you know, how the rate came to be, that we're reporting.

Pauline Salla-Smith: And just to add for Humboldt county, we are including a copy of vaccination cards in personnel files, only because the CDC new requirements are that if you have an exposure to a positive case and you're fully vaccinated with the 10 to 14 days after your second dose, you no longer have to quarantine, which is huge for our agency, because that's where we start losing a lot of staff if we have an exposure that we're quarantining multiple staff for 14 days.

Brigid Duffy: Okay. Anything else? That's interesting. Anything else? All right, now for agenda item number six, this is a big packet. This is the NAC, there are two sections of the NAC. Leslie, I'm going to turn it over to you. We're going to talk about first a 62B, which is just a couple pages. And then the other one, which is like 50 some pages.

Leslie Bittleston: Correct. So as some of you may know, the DCF has been working on the regulations for 62B in 62H for about a year now. The state, we held two public workshops already on both of these NACs and based on the information gathered from those two public workshops, we submitted drafts to the Legislative Council Bureau. They had the drafts for several months and have now provided those drafts to us. So the first draft is NAC 62B, and what you will find, new in NAC 62B is the information regarding, kind of -- sorry, I'm rereading this, so I just make sure that I have my facts straight. Evidence-based programs and services. So the regulations were surrounding and kind of including the percentages found in NRS 60 to be that a state money has to be used, percentage wise, up to a hundred percent by 2022 on evidence-based programs and services. One area that we already have found to need a revision, you will find on attachment 61A.1. We want to add in the language the use of evidence-based and/or evidence informed practices. This matches the evidence-based matrix approved by the JJOC back in 2018. So this has already been identified as a needed change that we would like to request of LCB. And then if there's no questions on 62B, I can move on to 62H.

Brigid Duffy: I don't have any questions. I'm just going to comment that I think that the amendment is definitely reflective of what we talked about and the trend around getting away from just saying evidence-based and moving on to evidence informed. It'll all change in a couple of years, and you'll be back in the NAC using something else anyway.

Leslie Bittleston: Okay. Thank you. Any other questions on NAC 62B? Okay. Moving on to NAC 62H, this NAC is enormous. It was a complete rewrite. The existing NAC 62H relies on an old system of reporting where we used, you know, a number to identify or a code to identify everything that doesn't match Tyler supervision and our current case management system or our current practices. So this whole NAC has been rewritten. For the most part, it follows along with the current NAC, with some new areas. One new area is identity and expression. Another new area is we have better defined status offense. A couple other areas are including poverty and household composition. But this NAC is really quite extensive, and I would request that everybody read the snack and to understand what it says into to let me know if you have any wording changes to this. Which leads me in to letting you know that the next process or step in the NAC process is going to public hearing. Because we are in legislative session right now, the public hearing has been postponed and it will be postponed until the legislature is completed. So we will not have a public hearing on either NAC, and we'll do them together, but that public hearing will not occur until after the legislative session has concluded. So if there is anything or wording that is confusing or you just don't like, I am willing to accept that information and look at that before we have the public hearing in the summer.

Pauline Salla-Smith: Leslie, I'm just wondering, like for on page 13 for the gender, it has male and female. But we all know that with our LGBTQ requirements, that are we going to cha -- like, we're going to add like binary, or, I mean, if our kids are -- if we're tracking it in certain ways in Tyler supervision, I would think that NAC 62H is going to have to match some of that, especially for the gender stuff.

Leslie Bittleston: I had quite a long discussion regarding that very thing with the LCB attorney, and my understanding is if there is consensus to add it, we can add. If not, her recommendation was to leave it generic. So if we all agree that it should be added, then we can request that it be added.

Ross Armstrong: One of the reasons we're not allowed to adopt regulations during a legislative session is there may be legislation that changes legal requirements. And there is a bill that would require a tracking that type of data proposed. And so it makes sense to figure out that language. I assume that bill is going to pass. There's no real issue with it, I don't think. So it would be good to get that language changed, and ideally, I think, you know, where we want to be is have the new language all ready to go so that the public hearing can have that amended language and we can go forward. But that's a great point, Pauline, and there's legislation to it. So that's, you know, we'll have to keep track of any data requirement legislation to see how we might also need to change this particular NAC.

Pauline Salla-Smith: Thank you.

Brigid Duffy: Any other conversation around the NAC amendments?

Ross Armstrong: I think, you know, this one is pretty daunting. This big data one. The nice thing is when it's done, then if we need to make little tweaks, the process is pretty easy, right? It's this one big, first heavy lift, but in the future, if we need to add something, it's a much quicker process.

Brigid Duffy: And so as a committee, we should hold off on making any recommendations to the change language until after June of 2021. Am I getting that right? Commissioner Armstrong?

Ross Armstrong: I mean, yeah, I think if we just have that as an ongoing agenda item and then Leslie can bring -- I mean, I think Leslie can start working on the amended language for the LGBTQ descriptions, you know, whether that's capturing gender and gender identity/expression or whatever that bill's going to require. And then if Leslie can bring to us any other bills that change data collection requirements, so that that can inform what our final recommendation would be.

Brigid Duffy: Right. Okay. If there's nothing further, I'm going to move on to agenda seven, which is discussing our scorecard. And this is really a big bulk of what we need to get through today. So over the last couple of meetings, and then ultimately in the full commission meeting, we discussed how this committee needs to come back together and figure out how to kind of go from where we were our small, tiny little committee, which was Jo Lee, me, and Ross and Gianna and Rebecca Graham, she was a part of it for a while as well. She was active part. So going from us without a lot of input or any input from the juvenile justice agencies themselves, and all of our big wants and desires and wishes for data collection in a perfect world of Tyler could do everything, to okay, now let's be realistic. And so that's what -- there's two documents in your attachments 7.A -- is it 7.A and 7.B? So they kind of -- and thank you, Leslie, because they already kind of give some examples or suggestions on where Tyler or supervision can't collect it, or we don't collect it anyway. So it would be a cost issue to have them create it in the system for collection or possibly even not even knowing how to collect it. And then another portion of this conversation is going to be around the courts and whether or not the courts are going to be willing to

collect some of it as well. So if you have -- so attachment 7A is the current scorecard with the recommendations to it, and then attachment 7.B is what the scorecard would look like if we adopt the recommendations to take out the information that Tyler supervision is unable to currently collect. Am I hitting that right, Leslie?

Leslie Bittleston: Yes.

Brigid Duffy: Okay.

Leslie Bittleston: Yes.

Brigid Duffy: All right. All right. So if you pull up 7.A, I think all of us have seen the scorecard in some committee or overall at the full commission meeting. So we don't need to go through all the data again. I'm going to have you all skip to -- well, actually before that, Leslie, on page five, there's a highlight about unknown placed on formal probation is high.

Leslie Bittleston: Sorry. That is a typo. It should say higher.

Brigid Duffy: Okay. Is higher than what?

Leslie Bittleston: The number of cases by disposition. The bottom line, the bottom where it says placed on formal probation is 92, but the number of dispositions is 39. So I don't know if, and I don't know enough about the data to know if that is a problem. So it just kind of looked a little weird to me, but I don't know, that's why I'd flagged it.

Brigid Duffy: Okay. And then same with all counties that the number of dispositions was 2,500, but the probation ones were higher.

Leslie Bittleston: Yes.

Brigid Duffy: Okay.

Leslie Bittleston: And I really, it wasn't all counties, just a couple of counties were higher, which is why the data looked a little weird to me. So I just didn't quite understand it.

Brigid Duffy: Okay. So then to get to the other part, which is whether or not we as a committee would like to eliminate some of the things that we originally voted to collect as a performance measure or some data that we wanted to collect to help drive the way the system is working in succeeding for kids. I would have you turned to page 12. And this -- so it repeats itself throughout. So all county totals, then after this, you have a list of all the counties down to White Pine being the last alphabetically. So we really just need to focus on all counties. And then if we vote to take it out of all counties, then it would come out of every individual county. So I don't need to go through all the individual counties. But you'll see that on page 12, there's the box in red that says child's educational background. So this is in the demographic section where we're talking about age, sex, race, family poverty level, composition of the household. So this educational background, if I recall the original conversation, you know, in juvenile justice, we get a lot of children that are behind or not attending school on top of their delinquency issues. And so the conversation was we would like to know what the educational level is when they come in and if our system helped them improve their educational level when they left, meaning, you know, when we tell a child, you have to go to school as part of a probation order, did that actually work and making sure that they were going to school and catching up in their education? Apparently Tyler supervision does not

have an area to capture the child's original education background. And Leslie, I'm just going to leave it up to you if I'm not saying things correctly, because this is the report that you created.

Leslie Bittleston: This data is something that we capture in the state facilities, and we are requesting enhancements to the education screen as we speak from Tyler supervision to do a better job of this. But for the counties, this is under the counties section, there is no education data provided by the counties and I am not sure that youth are in detention long enough for them to even measure this. Sometimes the average stay is 14 days. I'm using an old number, just one that's off the top of my head, and I'm not sure this is a really good measure for the counties. I think it's a great measure for the state, but under the counties, I think it needs to be removed.

Brigid Duffy: Any other discussion?

Pauline Salla-Smith: I agree. Our kids aren't in detention long enough unless they're awaiting placement somewhere for us to track that, and the way it's set up right now in Tyler supervision, it would be, we'd have to track it somewhere else. So I mean, Humboldt County doesn't track that at all. We track it for some of our grant funding we receive, but not for all of our kids.

Brigid Duffy: Any other comments or thoughts?

Ross Armstrong: I think that makes total sense for detention. I don't know if there's a separate part on the scorecard for the two county camps where the stays are longer. I see on the scorecard later, there's stuff about like educational and vocational stuff provided, you know, so I don't know if there's a better measure for those long-term programs that would make more sense. But I agree that it doesn't make sense for county probation department/detention to have to worry about that particular measure.

Brigid Duffy: Anything from Clark or Washoe? I think we're collecting enough data that we can just make it easier to remove at this point. All right. So my voting members, shall we eliminate this data collection point child's educational background?

Pauline Salla-Smith: Do you need a motion?

Brigid Duffy: I need a motion to remove it. Also, I can do it.

Pauline Salla-Smith: Commissioner -- oh, you moved it?

Brigid Duffy: Yep.

Pauline Salla-Smith: I'll second it.

Brigid Duffy: All right. Any further discussion? Everybody in favor raise your hand or say aye.

Commission: Aye. Aye. Aye.

Brigid Duffy: Jo Lee, are you not a voting one? Nope. Okay.

Pauline Salla-Smith: Jo Lee's got a vote in my book all the time.

Brigid Duffy: I know, all the time. I'm so glad to see her. All right. I believe that passes with the three of us. So onto the next one. I think this is just a desire to change the title from state facility admits to assess to score detention facility admits. Is that correct, Leslie?

Gianna Verness: Brigid -- Brigid Duffy, I'm sorry. It's Gianna Verness for the record. Can you hear me now?

Brigid Duffy: I can.

Gianna Verness: I'm so sorry. I've been talking. Okay. I finally figured out what I was doing wrong. I've been talking. For the record, my prior vote was aye, and I am sorry. I don't know what's been going on.

Brigid Duffy: Well, we're really glad you're here and we can hear you now.

Gianna Verness: The technology just hates me. I'm sorry.

Brigid Duffy: All right. So we got all your aye votes for all of the things that we voted on so far.

Gianna Verness: Thank you.

Brigid Duffy: Okay. So the assessed Maisie score. Yes. It's just a wording change. And just to let everybody on the committee know that I do not have this for the counties, I do have it for the state. And so the data that was input in this box is actually state data. So again, this would be something new we would be asking from the counties. And for everybody that goes into detention, everybody should have a Maisie going into detention.

Pauline Salla-Smith: I think the counties will be able to report that once Maisie is included in Tyler supervision, because we've all had to enter into separate contracts with Orbis to get the Maisie uploaded in Tyler. So like our Maisie's still not uploaded in Tyler, even though we've paid our fee, so we can't report on it now just because we do the Maisie separately on the Maisie screen, and then print it out and upload it as a PDF. But once we have the Maisie and Tyler, then we can report on that and I would assume that the other, and that we can ask the other detention centers, if they have it, they could probably report on it too.

Brigid Duffy: Danilo or Ali?

Danilo Chavarria: Regarding the Maisie, we're getting -- we're getting the printouts as well, and then entering the information into Tyler. I mean, I could do a little bit more research with Mr. Kermode here, but from my understanding is that's what we're doing.

Ali Banister: Same with us.

Leslie Bittleston: So just to provide some context for the group the Maisie 2 is in Tyler supervision, however counties have to pay for it or enter into a contract with Orbis in order for it to be turned on, which means available to them in Tyler supervision. DCFS does have a current contract, which is why I have access to the data. So we are doing it in Tyler supervision. So I think going forward when the counties enter into their contracts and get access and have it turned on, they will be able to provide this information in the future.

Brigid Duffy: Okay, great. So, it's helpful for the scorecard to change that title. So I will make a motion to change state facility admits to assess Maisie 2 score detention facility admits. Do I have a second?

Gianna Verness: I will second.

Brigid Duffy: All right. Any further conversation? All those in favor, raise your hand or say aye. I see Ross, I see Pauline, Gianna.

Committee: Aye.

Brigid Duffy: All right, motion passes. Next is red line services by type provided and a recommendation to eliminate. So prior conversation around this, if I can remember historically again, was, are the services that we are providing our children that come to the system actually assisting them when we go back and look at the recent recidivism data? So if we send them to X service for mentoring and we have 30 kids that recidivate and of those 30, 28 use that same service, does that basically tell us that that service isn't really working? I mean, that's just a very easy example of why we originally put this type of service by type provided to see what types of services were actually going to help our kids. Gut obviously, we do not capture that by Tyler supervision is what I'm learning now. So any discussion around whether or not we should eliminate services by type provided?

Pauline Salla-Smith: Are we all not -- in Tyler supervision, we have the area where we can add our program enrollments and the admin of that jurisdiction can add those. So I mean, this is so multilayered, I guess, for me, but we capture what services are provided for all of our kids, right? Everything that they're admitted into? But to just take a screenshot of that and say, oh, a kid who was in this program, you know, 25% recidivated, does that mean this program is effective? To me as a stretch because there's so many other mitigating factors that go into that. So it was always -- when we were being asked that I'm like, yeah, that just doesn't make sense to me in the big picture. So if we're just tracking what services our kids receive on different levels of supervision, I think it's okay. If we're using that to track recidivism only, then to me, that's a concern. Am I off track on what we're --that's what we're talking about?

Brigid Duffy: No, well, no, you're not off track, but the original conversations when we were talking about services, we're really talking about, well, from what I recall, I can rely on Ross and Gianna for historical perspective from way back then, because that was almost two years ago when we created these performance measures, was in my mind purely around that recidivism piece. And you know, are we using service? Are we contracting with people and service providers that aren't really impacting the outcomes for our children? And I understand what you're saying, absolutely, that it's really hard because every child is a little bit different. So to make a global statement that, you know, X mentoring program is not effective for our children. It is a stretch. I understand what you're saying, especially in counties where there are very limited services, right? Like I'm not thinking about the rurals and we may have 20 different little nonprofits lining up to help our kids.

Pauline Salla-Smith: And I think there's such a better way to assess if the programming we're using is effective. That's why we do pre and posttests. That's why we do surveys, and so -- which we should be doing with our evidence informed and evidence-based programming anyway. So I just didn't report on this as Humboldt county, cause I was like, no, this is skewed. And I don't want those numbers out there.

Ross Armstrong: This is Commissioner Armstrong --

Brigid Duffy: This is that lack of having representatives of the probation department on these very early conversations, because we all have different perspectives. And not only that, like a lack of a rural perspective in these conversations. So, and I'm only saying that Pauline, because I just want to thank you for your perspective now, because it is very helpful.

Pauline Salla-Smith: Thanks, Brigid.

Brigid Duffy: Commissioner Armstrong?

Ross Armstrong: I would agree that there's more effective ways to collect the information for use by the JJC. You know, my mind, if each jurisdiction submitted their YLS service matrix and we could see if there are certain consistent gaps across the state, like we can't really address this need of kids across the state, let's get together and figure out what we can do to change that. I think that's a more effective way to be taking a look at services.

Pauline Salla-Smith: Second that.

Brigid Duffy: Okay. Without any further conversation, do I have a motion to remove services by type provided?

Pauline Salla-Smith: So moved.

Brigid Duffy: All right. Brigid will second because her mic's open. Any further conversation? All those in favor, hand raise or aye.

Committee: Aye.

Brigid Duffy: And that was Gianna, and Ross's hand is up. Aye for me, motion passes. All right. Type and number of disciplinary action taken in a placement. I believe this we already gathered some other way. I can't really recall.

Leslie Bittleston: We already capture room confinement. We have been capturing that for some time. I think there's additional conversation we could have about capturing use of force for detention facilities, but putting this here, the way this is worded, it's too ambiguous and I wouldn't even know what to put there. So that's why I recommended it for elimination because we're already capturing room confinement, and I think there's additional discussions on capturing use of force.

Brigid Duffy: Thank you, Leslie. Any conversation around this one? All right. I'm going to make a motion to remove type and number of disciplinary actions taken in a placement. Do I have a second?

Gianna Verness: I second.

Brigid Duffy: All right. Further conversation? None. All those in favor. Aye.

Committee: Aye.

Brigid Duffy: Ross' hands up. Motion passes. All right. Type of educational vocational training provided in a placement, again, this is something that Tyler supervision does not capture. It also from historical was a part of seeing what was effective within placements when adding it to our recidivism rates. So I believe that it was kind of that same conversation around the services by type provided. Any conversation around eliminating types of education and vocational training provided in a placement? Oh, look Gianna, you showed up.

Ross Armstrong: I think it's um, if just mirrors the conversation we had earlier about not -- the length of stay in detention isn't a long enough for this to be a useful measure. So I think if we can keep it for the camp and the state facilities that would be great.

Brigid Duffy: Anything else? Do I have a motion to remove it? I'll so move. Second?

Pauline Salla-Smith: Second.

Brigid Duffy: All right. All those in favor? Aye.

Committee: Aye.

Brigid Duffy: And Ross' has hand's up. All right. Motion passes. Okay. So now we're done. All of those will apply to each individual county section as you flip -- am I muted? Okay. Good. As you flip through the document, you'll see it's just county by county, the same things that we just discussed. So all of those past motions will apply to eliminate from the each individual county level. And that will take us to section or page..

Leslie Bittleston: Twenty-three.

Brigid Duffy: Page 23?

Leslie Bittleston: Yes.

Brigid Duffy: Page 23, which is again, county by county performance measures. So there are one, two, three, four, five, six, in red, and I don't know why I didn't do this before. We're going to quickly discuss all of them and we can just take one big motion to eliminate them all unless there's a continuing discussion. So --

Leslie Bittleston: Can I clarify? I am clarifying proposing the removal of three, and the addition of two. So the first three would be eliminations. The fourth one is we need to create a family survey. And then the last two are additions. I have that data and I believe we can add this to each county. So the percent of youth with a case plan and the percent of youth with family engagement.

Brigid Duffy: Okay. So let's go to those two first at the bottom of the box on page 23, the additions. Can you, Leslie, or somebody explain to the group how will you measure family engagement?

Leslie Bittleston: And I may need help from the counties on this, but in the annual data that I received from -- and let me just start with case plan, and then family engagement. So the case plan would be the number of youth on formal supervision. So those, it wouldn't be the kids in detention. It would be the youth that are under supervision with a case plan. So that question is asked of the counties, what percent of youth on probation have a case plan? And that is the number. The percent of youth with family engagement. The way that I think that we have discussed measuring this is the family as they participate in the case planning process. So if Pauline or Danilo, or Ali wants to jump in on that.

Pauline Salla-Smith: We've had so much discussion about what's family engagement, but I do think that it was participating in the case plan, and then also family engagement with services provided. If the YLS is capturing that the parents or family needs services, and that's a referral from our service matrix that that's on the case plan and that they actually participate in that programming also. So I can't remember, that's how we track family engagement. It's not for us, it's not just the case plan, but it's actually engaging in the process of receiving services.

Brigid Duffy: Any other county have feedback on that?

Pauline Salla-Smith: Danilo does.

Danilo Chavarria: I agree. I mean, looking at family engagement, how much is the family engaged in the case plan or not engaged? Anything that stands out that I'm thinking about is, what is engaging, right? Is a family showing up two times during a six month period during a probation term, you know, was the

family involved the first couple of months, but not the last couple of months? Are we looking at it -- let's say it's a six month probation term. Is it towards the end? Are we looking at maybe like a percentage, right? Just some ideas. I think especially towards the end of probation, right? If the family is actively engaged in the case plan, maybe in the beginning, they're not as interested in engaging with the officer and the case plan, but towards the end, maybe they are, I think that's something we can look at.

Brigid Duffy: Anything Ali about your jurisdiction?

Ali Banister: We're real similar as far as the case plan and the family engagement piece of that. Speaking specifically on behalf of Carson, we have a family engagement program, which that's how we track it too. And the majority of kids and families that are placed on probation are court ordered to that program. But I think a really good way to look at it statewide would be through the case plan and the family engagement portion.

Brigid Duffy: All right. I am going to make a motion to add percent of youth with a case plan and percent of youth with family engagement to our county by county performance measures. Do I have a second?

Pauline Salla-Smith: Second.

Brigid Duffy: Okay. Any discussion? All those in favor. Aye.

Committee: Aye.

Brigid Duffy: Passes. All right. Now the eliminations. The eliminations include percent of youth with completed family assessment, percent of youth with family participation at first CFT, which I think may be covered by family engagement somehow.

Leslie Bittleston: That's correct.

Brigid Duffy: And percent of youth whose case plan includes family participation, which I think is covered by both case plan and family engagement. So do we have any discussion around those issues or are we already to make a motion and vote to eliminate them move to eliminate?

Pauline Salla-Smith: Move to eliminate.

Brigid Duffy: All right. I will second that. Any conversation? All those in favor? Aye.

Committee: Aye.

Brigid Duffy: Motion passes. The family survey. So that's actually for discussion topic number eight on the agenda, and I've been kicking this thing down the road for like two and a half years now, I think, because it came out of one of our original performance measures. The thought behind it was, we want to know how our families feel about the system and how the system supported them or did not support them or, you know, what they felt like they needed, that they didn't get or what they needed that they really appreciated. So it was really kind of this like feedback for us to know how we can improve our service delivery to the families that come to our doorstep. We have yet to create that family survey. And so that's why I keep kicking it. And so, I don't know, after all of our enthusiasm and wanting to do so much to improve our system and how we can measure how our system improved and this idea came up because we do have the PBIS, I think Ross, back then you talked about, they have these surveys when you come out of the facilities that we could just kind of mirror. If we want to continue that down that path, that's number one. So that's really agenda number eight. And then if we do want to continue down that

path to eventually create this survey that families can be handed as they exit a probation department, would we be able to capture that as a performance measure in Tyler supervision? So I think the first conversation is jumping into agenda number eight, is, do we want to continue, even though we won't get to it today, leaving that on our agenda to look at creating a family survey and look at the current surveys that they use in our facilities? So any discussion around that?

Pauline Salla-Smith: We're on draft four of our family survey because we've created a couple. We piloted with our parents. They gave us -- it didn't capture what we really wanted to, so we keep going back to reword it. I do have a couple of our parents who were with us for a long time who have given me feedback on how to word questions. So that's been an interesting process. So we're on draft four. We're looking at rolling it out. And honestly, during COVID it went down, it went to the back burner of us doing it with our families. So we just picked it back up. I just have it being reviewed now by our court master just to capture anything she wants in it. I can send out our draft four if people want to see it, but we are going to try this one again and see. I have learned that it's really important to get our families, our parents involved, because the way we word things, they interpret it differently. So that has made a big difference, but I'm willing to share what we have, but we've struggled with it. Even just piloting it, it's been interesting.

Brigid Duffy: But your jurisdiction sees some value in getting feedback from the families as they exit the system?

Pauline Salla-Smith: Absolutely. Because what we think we're doing great clearly we're not, and what we think we're not doing so good, we are. So it just gives us a better idea of how our families feel going through our system and just some collateral damage things that happen that we don't think about in our system. So that's been really helpful to us.

Brigid Duffy: Ali and Danilo?. What about your jurisdictions? Does it work?

Ali Banister: Just for us, we have always sent out a parent family satisfaction survey through the mail, and provided like return postage and everything for them to send it back. We have not had great success with that just because nobody ever returns it. I think we have like 10% of the parents that return it. So I think there's different ways to go about it to get the parent feedback, as far as maybe having a probation officer meet with the parent and have them fill out the survey while parents in the office, something along those lines. But we haven't had a lot of parents return ours, at least through the mail.

Danilo Chavarria: Here in Clark County, we have a unit called the community engagement team. After they have provided services here in the past couple of months, they've been providing a family survey and getting it, and it does help when the probation officer, you know, it's, a phone call or it's given to the families. We've also been discussing giving a survey to all the kids as they're leading probation, giving the survey to the families. We have some rough drafts as well, so we can send them out if you're interested.

Brigid Duffy: Okay. So I'm hearing collectively, at least from the three different agencies, that it is something that they find important to gather some information on as families leave our system. So I'm going to keep it on the agenda and maybe we can pool everything together and look at them, offer some suggestions to each other, and maybe come up with one that we would bring back to say, we'd like to use this, you know, across the state, so we're all this getting the same information. So I'll keep agenda item number eight on, it'll just keep getting kicked until we can get to it because we really need to help DCFS and the counties understand exactly what data we're collecting right now. So having said that, back to

agenda seven, would Tyler supervisions be able to collect that data on how many people presented? Okay, so Leslie is shaking her head no. So basically we would never be able to -- we won't be able to collect the information on how many people are completing them. So I would make a motion to remove that as a performance measure. Do I have a second?

Pauline Salla-Smith: Are we talking about the family survey?

Brigid Duffy: To remove it as a performance measure. I think this group is still going to work on it collectively, gather what you have, what Ali has, and what Danilo has, from the three jurisdictions. Oh, and what Ross has from PBIS from the facilities and see if we can help each other to come up with a solid one that will assist family statewide. But we're not going to be able to collect the data on it. So remove it as a data collection point is what my motion is. I need a second.

Gianna Verness: Second.

Brigid Duffy: Thank you, Gianna. All right. All those in favor of removing percent of family surveys completed as a county by county performance measure, say, aye. Aye.

Ross Armstrong: Can we have that discussion real quick?

Brigid Duffy: Do you want more discussion Ross? Yes. Go ahead.

Ross Armstrong: I do, because I think it should stay. I think it's one of the only objective measures of family engagement that is likely to be able to be collected. And I think we're not gonna get 100% of the data we need to measure our system into Tyler supervision. But I don't think having this particular question that becomes a data performance measure makes sense, but actually knowing which jurisdictions are getting what percentage of families to put in surveys, I think is a helpful thing for us to have about to measure family engagement.

Brigid Duffy: So you see it as being a data collection point that they collect outside of Tyler supervision?

Ross Armstrong: Yeah.

Brigid Duffy: Counties, how do you feel about that?

Pauline Salla-Smith: We're trying to collect it outside of Tyler supervision now. We have our own little spreadsheet that we use for it. I'm wondering that maybe one of the jurisdictions can just check with Tyler supervision to see if there's an easy way we could. If we only, I mean, we would have to really narrow our survey down, right? Like that's one of the things I had discussions previously with Tyler, is that if there was four questions we're asking everybody, that's not a big platform to build within Tyler supervision. If there's 15 questions that we're asking, we're talking a lot of money. So I think that we have to be realistic if we want in Tyler supervision. Maybe we just, we all capture four, we get a price point to see how much that would cost. But we are -- the data we have been collecting, I'm keeping it separate. I mean, it comes to me, I keep it separate in a spreadsheet just because it's part of our family engagement plan. And we did that plan before Tyler supervision said they didn't collect it for us. So I think we have, I mean, I think we can do some more exploration on it. I do think it's good information. Family engagement has been one of the hardest things for us to track and to even get family engagement. So I see Ross, the importance of what Ross is saying, and I think we can do some more. I mean, can we table this one right now until we get some more information from Tyler supervision?

Brigid Duffy: Sure. I can withdraw my motion and we can just keep this as-is until we even get to a point of creating a family survey. Any other comment on the family survey question or performance measure? All right. So then I'm going to summarize it as we go through the counties, which continue on page 24 to 34, that all the votes are going to just crossover into those, including adding those two sections and removing those other two sections. So now on page 34, this is our pretty important conversation, and I know we're at two o'clock, but I think we're scheduled to 2:30.

Leslie Bittleston: That's correct.

Brigid Duffy: So on page 34, I got enthusiastically drug into a conversation in Clark County about, uh, this performance measure. And you'll see on page 34 that Clark and Douglas have not responded to this performance measure. Because the question is, how do you measure it? From where do you measure it? And so, I'm looking at number of dispositions determined within 60 days. So you'll see three questions underneath the first top box. When does the 72 hours start? So number of detention hearings within 72 hours. When does the 60 days begin for disposition and when does it end? And then accurate data would be example, total number of detention hearings, total number of detention hearings held within 72 hours. So this is a conversation we really need to have because I had a hard time. And I know Jo Lee was -- the question was posed, I believe to both Gianna and Jo Lee in the same email as to when does that 60 days run. And for me, the easy answer was, well, it's 60 (inaudible). Like it's within 60 days from the petition date, so to adjudication. But then my amazing partners in Clark DJJ asked for like, well, what about hold opens? Like, are they just never disposed of? Like, do us, because they could be held open for months. So that's going to skew the time of the 60 days until disposition. So is a hold open technically a disposition because you held it open? So that's the conversation. So let's start it, my practitioners.

Jo Lee Wickes: Can you help us understand what a hold open looks like in Clark County?

Brigid Duffy: So a hold open would be a petition is filed. Let's just say it's a kid is incompetent and we're not adjudicating them on the petition. And so we are holding it open for services to be put into place. And then of course with our competency statute, then the court determines when to close the case, but it could be open for a year with no adjudication, no technical disposition to probation or placement, just held open with services.

Jo Lee Wickes: So part of the reason why I wanted to join today's meeting is that many years ago we did an extensive amount of research and briefing to at that time, Judge Walker around an issue where we had to do a lot of analysis about what is the meaning of disposition. And we took the position in those pleadings that a lot of things qualify as a dispositional order under the NRS and specifically chapter 62E. And we also took the position that under another statute, which I think is 62E020, but might have my alphabet wrong, courts can modify their orders. And so our supervision consent decrees, for instance, specifically state that this is a final disposition order, but of course those orders can be modified even after they were "final." And so I would suggest that the committee look at using a broad definition of disposition, because I think when you look at the statutes and you really look hard, lots of things qualify as a dispositional order. I also think that with incompetency, during a period of incompetency, the proceedings are suspended. And so you may want to look at a different way to account for incompetency. In Washoe County, some of our incompetent kids, we just really work on addressing the underlying issues and we never even really worry again about readdressing competency. Sometimes we want kids to attain competency and we'll ask for updated evaluation, or new delinquent allegations are made and we'll ask for updates. But sometimes we literally have kids who are under court jurisdiction for years, go

to residential treatment, come home, go to a step down. And we eventually just believe that we fixed or addressed the underlying issue and we dismissed case without ever revisiting, did they attain competency? But I think we want, I would hope for a broad definition of disposition and not a narrow one, because I think if we adopt a narrow one, we're going to run into trouble. It's going to be hard to measure, you know? So in our county, for instance, if the court said, let's say a juvenile admits, and there's an agreement for whatever reason that he's going to go do some, um, community service and do some counseling. And then he's going to come back in 90 days with the idea that if he does all that well, we're going to dismiss the case. If the court says I'm doing to hold disposition in advance, or you to do the substance abuse evaluation and follow those recommendations, we'll see you in 90 days. To me that could qualify as a dispositional order. Cause ordering him as a response to the delinquent admission to go do X, Y, and Z. Now it's not your typical dispositional order. You're not placing him on a supervision consent, you're not placing them on probation, you're not ordering search and seizure but I think that that is a response to the delinquency allegation, which has now been admitted to. And I think it qualifies it as people to determine what it means. And so when my team from DJJS Clark came to me, I said, huh, funny, you should say that because this is my team that we decide how the state's going to measure this stuff. So come join this meeting. Um, so Danilo, do you want to kind of talk about what you ran into, like when you were trying to gather the information in Clark?

Danilo Chavarria: So right now, as far as gathering the initiative that we're having right now to gather information and to collect the data, like, what was it about your team that was having the struggle with trying to figure out how to measure those dispositions within 60 days? Because you guys were the ones who came to me and said, we haven't given the information because we don't know how to measure it. Right?

Leslie Bittleston: And I can answer that because Danilo, and I had a conversation about it. It was really the defining what qualifies as a disposition, and when does the 60 days start? Those were really the two issues that Clark County had when I spoke to them, which prompted the questions. Did that summarize it, Danilo?

Danilo Chavarria: Yes, it did.

Brigid Duffy: Okay. So let's start with, when does the 60 days start? I already threw out there. It starts with the filing of the petition.

Pauline Salla-Smith: Agreed without question.

Brigid Duffy: Okay. So I'm just taking notes for my report. Okay.

Gianna Verness: And Brigid, I have a question. Jo Lee mentioned that we are going to run into problems if we don't have a broader definition of disposition, what issues or concerns do we see happening if we do a true, like either adjudication or dismissal as a narrower definition?

Brigid Duffy: From my perspective, I think we will have, because we try very hard to, you know, potentially just give children an opportunity to not have something on their record, to not go to a formal disposition that we're going to have some skewed data to see that the case was never disposed of within 60 days.

Gianna Verness: Right.

Brigid Duffy: And the statute has this thing, you know, within 60 days you need to go to disposition.

Gianna Verness: Right.

Brigid Duffy: So I take it --

Gianna Verness: How can it be weaponized against us? It, you know, that's my question. How can it be weaponized against us?

Ross Armstrong: I think, you know, this performance measure is a measure of the courts. And so you might have, um, in this annual report of performance, a jurisdiction who has creative options, um, that looks like they're not doing their job and getting cases dispositioned, even though, you know, I think the idea is like, hey, you should have a decision in 60 days and not hold up everyone's lives. And so if you're doing a hold over or this other creative solution, then you are working with the youth. They're not waiting around for some lazy court to figure out what they need to do. So I think that's what the issue is, is you don't want the performance measure to make it look like the courts aren't doing their job. Even if in being creative, they are.

Brigid Duffy: I know this is -- in child abuse and neglect in 432B world, this length of determination of a disposition on a child abuse and neglect petition is -- and Ross, I'm pretty sure it is -- like something that they measure for the feds to see. And our courts have to give the feds the time that it takes. And if we're out of compliance, then they like slap the child abuse and neglect agencies like with some, you know, program improvement plans. And why aren't you disposing of cases within 60 days? Because in that disposition, in their language, then elevates to the next level of case planning, permanency and all of that. So the feds all look at that. Part of me wonders if this was, I don't know if the feds look at juvenile justice the same way as they do the child welfare 432B, but it could be a carry over on a performance measure when they were kind of a combined, and the four year funding and all that other stuff that goes with it.

Leslie Bittleston: I can tell you that the feds do not ask for this level of detail, they just asked for the number of dispositions, not within a timeframe.

Ross Armstrong: Yeah, I always viewed it as kind of like the kid version of speedy trial language too. Right? Like, I think that's kind of what they're getting at. Like if we look into the adult system and go, oh, we need something like that, but not quite for our juvenile system. And so I think that's probably where it came in statute, but yeah, I mean, child welfare got we got a \$3.5 million fine in the last review from the feds for not closing cases in Nevada.

Brigid Duffy: So I'm not quite sure. I mean, except for somebody pulling a report and saying that we're not moving cases fast enough and families are languishing, I don't know how else they would weaponized it, but people pull our data and look at it and twist it and make it whatever they want to make it anyway.

Gianna Verness: Okay. Thank you. I just wanted to understand better what our concern was. I wholeheartedly agree that a broader definition of disposition is necessary, because as you guys have all pointed out, a lot of our cases may take a lot longer than 60 days, for various reasons. Which leads me to a question. Do we care, or do we want to track the types of dispositions we're talking about when we -- do we want to break it down? Do we want to have a broad definition, but have a further breakdown of the types of dispositions here? Or do we not worry about it? We just want to define disposition?

Ross Armstrong: I'm trying to think there are other spots where we have breakdowns of dispositions.

Gianna Verness: Yeah.

Ross Armstrong: This particular one on court timeliness. I don't think that we necessarily, I don't think it matters.

Gianna Verness: Okay. Okay.

Brigid Duffy: So do we want to start throwing out some areas where we believe, or is there a good broad term just to, you know, what Jo Lee was talking about? Like, you know, a court order in the case.

Pauline Salla-Smith: We actually had a couple competency dispo for our kids when we were reporting this. But I used our court order that said that the final disposition was that the juvenile services would provide services that were identified in the competency eval for them, and the matter was closed. And so to me, that's a dispo closed in 60 days, even though we still were, they didn't get adjudicated per se, but the court order just referred them back to us to give services. So I understand like the broader term is important because, and we do do deferred prosecution too on our kids and that can hold it open for a while. So either we eliminate collecting this data or we have a really broad term, because the other piece is that juvenile services agencies are reporting on this, and sometimes it's not in our control as juvenile service agencies, whether it's the DA -- like, you know, it's like we're reporting on it, but we don't really have control of the process all the time.

Leslie Bittleston: So is that an option to just eliminate it? This isn't a -- I'd have to look, this isn't one of our statutorily required data collection points?

Ross Armstrong: No, I mean, I think when we were coming up with it, we wanted some performance measures for the courts. And to note that it's not just our probation departments that are responsible for the entire system working well or being compliant with law. So I agree with a broad definition and I don't, you know, I think counties can make the determination of what a disposition is. And then if we have, you know, what I think the idea is with the performance report card in general is when we get a full statewide picture, if we have particular jurisdictions that are struggling, then that allows to have a conversation about what supports we need to get for that particular jurisdiction or what. So I think it makes sense as a measure of court performance, you know, knowing it's not the probation department that's responsible for the success of these particular performance measures.

Jo Lee Wickes: Might it be possible to amend this slightly to say the number of dispositions determined within 60 days for youth who are not deemed to be incompetent? Because if the proceedings are suspended during a period of incompetency, which is what the statute requires, doesn't make a lot of sense to try to capture disposition within 60 days because the proceedings are suspended. So it would be really complicated. You could do it, but it's going to be complicated to count the days between petition and our court, as soon as there's a request for a competency evaluation, the court suspends the proceedings on that day, then we get the evaluation. We wait for the evaluation, and we come back. If he's incompetent, we're going to continue to provide some services to address the underlying behaviors that can go on for weeks or years. We may dismiss before the period of suspension is even over. So maybe, I don't know if it's possible to say number of dispositions determined within 60 days for youth who are not deemed to be incompetent. And then if we get questions from the counties about what qualifies as a disposition, have discussions about, you know, have orders been entered that are responsive to the underlying allegations? I don't think you can call it a disposition if you haven't resolved or determined or adjudicated the underlying facts, right? So like, did they admit, or if you're just literally

holding it open without a legal admission in order to see if they can do some informal consequences or maybe stay out of trouble for two months, and then you're going to dismiss? That's not a disposition in my brain. So I don't know if the counties need a definition, but (crosstalk) get a bunch of data that's going to look wildly different across the state. It may not give us much good information.

Gianna Verness: If the goal is to measure the court's performance in some way, I don't like this, because there's a lot of reasons why cases don't resolve within 60 days that I think may be really difficult to quantify. I mean, we spend a lot of time on incompetency and informal sanctions, but there's also just cases for trial settings. I mean, it's hard to put together a trial within 60 days when your petition, your plea hearing is two or three weeks after the petition is filed. And there's just a lot of reasons that I don't like this. I don't think this is a good measure of court performance. Is there something else we could utilize to measure court performance, like a hearing within two days of a petition being filed like something else, because this is, it's just so broad. I worry about the accuracy of the data we're going to get because of the various interpretations the different counties might have.

Jo Lee Wickes: And time waivers, right? There is going to be --

Gianna Verness: Yes. Tons of reasons.

Jo Lee Wickes: So many reasons why a disposition is not going to happen within 60 days that has nothing to do with the court. It's really, I mean, I suppose there could be courts that are just really not doing their job, but, um, I mean, you could make it super simple, number of dispositions determined within 60 days, absent time waiver and absent, not including youth or deemed competent.

Brigid Duffy: Yeah, but I don't know how they're going to capture that. Like how would they collect that? I don't think the courts even know how to collect it.

Leslie Bittleston: And also just to add, my apologies, one of the things we discussed yesterday in the Grants and QA committee was the fact that we don't get any cooperation from the courts for providing data. So we need to continue to remember that this data is coming from county probation staff, even though its court data, it's coming from the county probation.

Brigid Duffy: Yeah. I remember, yeah, the courts aren't stepping up to provide it. So I mean the whole purpose of us wanting to have in there the number of youth who had legal representation is because in some jurisdictions, courts were moving forward without kids having attorneys. So we wanted to make sure that we had, we were able to say, this is how it's happening and this is the rate at which is happening. Because of course there's repeated bills that come through the legislative session about mandating attorneys for every child in the juvenile justice system.

Pauline Salla-Smith: And Brigid, that one is easy for probation departments to track because in Tyler supervision, under our hearings, legal representation like whose present at that hearing. And so that one is easy for the, you know, and that's easy for us to track and report on is the representation one.

Brigid Duffy: So I don't know. I don't want to collect for the purpose of just collecting unless we can really fine tune it so we get meaningful data. Do we want to take it to the full commission and let them kick it around?

Ross Armstrong: Well, I mean, I think that makes some sense because there may need to be a legislative change to that, right? If there's a legislative requirement that there'd be a disposition in 60 days right

now, and that's not the reality for a number of good reasons, then that's going to be an issue that may need additional.

Gianna Verness: Well, the statute says absent good cause being found by the court, which we do routinely, which is why I just don't think this is an accurate representation of court efficiency because there are so many reasons why.

Ross Armstrong: Yeah. So I would say kick it to the full commission. Because I know that the judicial performance measures were a hot topic when we originally did them. And so let's see what everybody else thinks.

Brigid Duffy: They were. I mean, we really wanted to make sure that our courts were held accountable to doing, you know, for performance measures, but they just kicked it to the county probation departments anyway.

Ross Armstrong: I know, which, yeah.

Brigid Duffy: All right. So the recommendation i, I'll put this on for the full commission in my report, uh, to discuss the dispo in 60 days measure. Now the next one has to do with the detentions hearings and with within 72 hours of out, and that shouldn't be difficult to collect. Right? The only question is when does the 72 hours run?

Pauline Salla-Smith: Are there really, I mean, is that a concern? Cause with feds, we have like, it's time of booking, like when the booking starts, that's the time that we report the 72 hours excluding weekends and holidays. And so that's, I mean, I didn't, I don't know how they're yeah. I think that's an easy one to report, 72 hours from time of booking, excluding weekends, holidays, the feds support that.

Brigid Duffy: I agree with that. I don't see that there's much of a question.

Leslie Bittleston: Danilo, does that make sense?

Danilo Chavarria: Yes, it does.

Leslie Bittleston: Okay. Thank you. So booking time, excluding weekends and holidays. So booking time starts the 72 hours, right?

Pauline Salla-Smith: Yeah. Not arrest time. Booking time.

Leslie Bittleston: Okay.

Brigid Duffy: Booking into the detention facility. So the other two sections in red were the victim centered performance measures. And so these were significant to me, for the court to be measuring for us to make sure that they're actually allowing our victims to participate in the hearings. But the recommendation is to eliminate it because there's no way to capture it.

Leslie Bittleston: No way for us to capture it, us, meaning probation, staff, and the state.

Brigid Duffy: Okay. But the counties, when they talk about whose present at hearings, like Pauline just said, there should be, you know, a victim present and you can capture that.

Pauline Salla-Smith: I'm looking, I think victim is one thing. We can check that on there to the hearing, but I'm pulling up a hearing right now. So let me just look real quick, but with hearings, um, maybe the

prosecuting attorney, present defense attorney, present parent, guardian family member, agency custodian. I think that's -- that might be one of the areas where we can add -- as admins we can add underneath the hearings.

Leslie Bittleston: Can you check that really quick, Pauline, just to see --

Pauline Salla-Smith: I'm just checking it, hold on.

Brigid Duffy: Because if we don't have access as admins, then that would be a Tyler supervision add. Hopefully you're an admin.

Pauline Salla-Smith: Me?

Brigid Duffy: Yes.

Pauline Salla-Smith: Yeah.

Brigid Duffy: Yes. Me too.

Pauline Salla-Smith: Have to look up victim present.

Leslie Bittleston: Madam Chair --

Pauline Salla-Smith: So I just added it. Add it. You can add it as admin and it can be where you check prosecuting attorney, um, public defender or defense.

Leslie Bittleston: Perfect. Madam Chair. We are past 2:30. We are in 2:32. I don't know if you want to extend a little or call the meeting and put the remaining pieces we did not get today on the next agenda.

Brigid Duffy: Yes. I'd like to finish this little box, these two boxes here on page 34, then I can push everything else off to the next agenda, if that's okay for people to give me like five more minutes. Well, then. Okay. So I, okay. I would like to continue to collect victim data. I know it's hard because we don't know how many, you know, in percentage wise, you know, if you know, 30% of the cases have a victim appear, we'll make, you know, I don't know how many cases actually have victims. Right? Cause there's a lot of crimes that don't have an actual in-person victim. But I don't know. I feel like it's an important thing for to make sure that the courts are recognizing that victims are part of these proceedings and that they should be present and able to be heard.

Leslie Bittleston: And Madam Chair, knowing that we can capture it in Tyler supervision. I just didn't realize that. I think if I could scratch my eliminate, knowing that probation staff can collect it.

Pauline Salla-Smith: And this is Pauline, I'm just, I added it. I'm just, I might have to log off and log back in. Oh no, it's there. You can add it. You can make it active and it's present.

Brigid Duffy: Okay, great. So we'll just put that back to a category since we already voted on it. Bu the next one is about the satisfaction with the outcomes of the disposition via survey results. And we do not have a victim survey that I am aware of unless some other agency has one.

Leslie Bittleston: I don't, we don't.

Brigid Duffy: Jo Lee, does your office for your victim witness coordinators or anything do a survey?

Jo Lee Wickes: Not systematically. You know, and I'm just thinking like, if I were going to write one, how would I write it? And that seems super complicated because you know, part of their satisfaction with the outcome would also depend on their level of knowledge about what the options are. You know, like if you get a dad that says this kid hurt my son and I want him to go to prison, then nothing I do 99.9% of the time is going to make him happy. But if he understood that prison's not an option, then he might be happier with the outcome.

Brigid Duffy: Right. I get it. So is there any other further discussion? Otherwise, I'm going to make a motion to eliminate that box of victim family satisfaction with outcomes.

Ross Armstrong: So I'm going to do the same thing I did to the survey one. I think it's important to -- and I don't think the appropriate performance measure is the percentage of victims who are totally pleased with how everything went, but it is the percentage of victims who received the opportunity to provide feedback. And I think it's one where it's fine for me if this next reporting period, the entire state is at 2%, you know, that gives us something to show that the, you know, as we work forward from the reforms, that it makes sense. So I wouldn't be, you know, I know we're gonna, we're going to have to talk about the CPC ones at our next meeting. I would say if we can do some more thinking on the victim one and the family one too, before that next meeting. But again, for me, the true performance measure is not if all the victims are happy, but if they had an opportunity to provide feedback on the system.

Brigid Duffy: Right. And that makes great sense. And Ross, thank you for that. I, you know, and I kind of see even just in putting together what Jo Lee just said and what Ross just said, like, even in that survey saying, did somebody take the time to explain to you how the juvenile justice system operates? So they understand it. Now I'm fortunate enough to have a victim witness advocate assigned to me that does that. I don't know what other jurisdictions have, but so I, and I think it needs, it would need to be worded as the number of victims or that have completed the survey, not what the outcome of the survey would be. So the wording of that performance measure should be similar to the number of families that completed the family survey.

Gianna Verness: Just as an observation, our public defender's office previously did send out surveys to all of our clients to be filled out for feedback. And as you can imagine, those that were returned were overwhelmingly to complain. And so I worry that depending on the criteria we're looking at that the responses we get maybe skewed, and not necessarily representative of the majority of the victims or the people we represent, but rather by vocal minority.

Brigid Duffy: Sorry, I'm just thinking about some of the victims that I've had that I, you know, we prosecuted like the week before. So, I, okay. So I think we'll kick that conversation as we have some time to think about it to our next agenda. So we'll pick up there so I don't hold people up too much. I'm going to move agenda items eight, nine, 10, and 11 to our next meetings. And I'm going to call onto agenda 12. Do I have any public comment? Hearing none, then we will -- do I have to move to adjourn or I just adjourn, right?

Ross Armstrong: There's a motion and a second.

Brigid Duffy: All right.

Ross Armstrong: Amendments are not permitted and neither is discussion.

Brigid Duffy: I move to adjourn.

Pauline Salla-Smith: I'll second.

Brigid Duffy: All those in favor? Hang up your phones. All right. Good to see everybody. Thank you.

[end of meeting]