



**Nevada Children's Commission
Full Commission Meeting
Minutes**

DATE: Friday, June 19, 2020

TIME: 1:30 PM

LOCATION:

This meeting will be conducted via video conference and teleconference options listed below, in accordance with Governor Sisolak's Declaration of Emergency Directive 006; Subsection 1; The requirement contained in NRS 241.023 (1) (b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended.

VIDEO CONFERENCE: <https://call.lifesizecloud.com/486948>

TELECONFERENCE LINE: 1-312-584-2401

EXTENSION: 486948

1. Call to order- Justice Nancy Saitta, Justice Elissa Cadish, Ross Armstrong

The meeting was called to order at 1:36 p.m. by Justice Cadish.

2. Welcome and Introductions (Roll Call)- DCFS Staff

Members Present: Justice Elissa Cadish, Ross Armstrong, Nancy Brune (phone), Margaret Crowley, Senator Marilyn Dondero-Loop, Brigid Duffy, Dr. Joe Haas, Tim Burch, Shannon Gildea, Megan Miller, Kimberly Palma Ortega (phone), Shelia Parks, Senator Keith Pickard, Judge William Voy (phone), Judge Egan Walker, Janice Wolf, Assemblyman Steve Yeager

Members Absent: Justice Nancy Saitta, Valerie Fujii, Amber Howell, Judge Cynthia Lu, Judge Michael Montero, Assemblywoman Daniele Monroe-Moreno, Judge Frank P. Sullivan, Jared Busker

DCFS Staff: Kathryn Roose, Leslie Bittleston, Elvira Saldana

Public: Ellen Richardson-Adams, Sharon Lockwood, Wanda Pena, Jane Saint, Salli Kerr, Lisa Durette, Cynthia Carstairs, Zaide Diaz-Sanchez

Roll call was taken, and it was determined a quorum of the Nevada Children's Commission was present.

3. Public Comment and Discussion:

There was no public comment.

4. For Possible Action: Meeting Minutes from March 6, 2020

Justice Cadish asked if any of the members would like to move to approve the minutes.

Action: A motion was made by Senator Keith Pickard to approve the minutes, seconded by Janice Wolf and carried to approve the minutes of March 6, 2020.

5. For Information: Overview of Child/Family Serving Committees and Commissions

- Children's Justice Act (CJA)- Salli Kerr informed she is currently the Co- Chair of the Children's Justice Act Taskforce. As a Division of the United States Department of Health and Human Services, The Children's Bureau is the Federal Administrator of Justice Act funding. They are required to assess the State's needs every three years. The overarching goal is to focus on improving the investigation and prosecution of child abuse and neglect with the CJA funding. The funding comes at a rate of \$50,000 per year plus a budgeted amount per each child. The established goals by the Justice Act Taskforce match the federal guidelines. Taskforce funds are not allowed to be used for direct services or prevention. There are statutory requirements for membership of the Children's Justice Act Taskforce.
- Commission on Behavioral Health- Lisa Durette reported the Commission on Behavioral Health has statutory membership ensuring there is representation from the public and different disciplines of mental health. The meetings are evenly split to focus on either child or adult issues. In the adult meetings, the Commission serves as a local governing board for the State adult psychiatric hospitals, Northern Nevada Adult Mental Health Services and Southern Nevada Adult Mental Health Services. The Commission also reviews policies and procedures and patient safety by reviewing all the patient seclusion and restraint reports in the State psychiatric facilities. The reports are reviewed to ensure patient rights are not violated and the care is appropriate. On the child's side, the Commission reviews the Division of Child and Family Services' policies and procedures and seclusion and restraint reports. The Commission is also tasked with submitting an annual letter with recommendations to the Governor.
- Statewide Children's Mental Health Consortium- Ellen Richardson-Adams reported the mission of the consortium is to serve as a clearinghouse and steering body to advocate on behalf of Nevada's children and their families. The intent and goals are access to timely services and an array of supports and services. The consortium is the voice of statewide regional consortiums. The three regions are Clark, Washoe, and Rural. The regions are established under NRS 433B.333. The regional consortiums are tasked with creating and submitting to the Director of the Department of Health and Human Services (DHHS), long-term ten-year plans for provision of services for children with emotional disturbance under NRS 433B.335. The representation of the consortium includes a parent, youth advocacy groups, providers, districts, state agencies, tribal providers, juvenile services, and group home providers. The consortium advocates for coordinated and integrated behavioral health system of care; advocate and support for further development and refinement of behavioral health systems; advocate for services and supports to customize to meet the needs of the child and their family. The consortium looks at support and development, and expansion of professionals to meet the ever-growing needs. An annual report and budget request to DHHS is also completed by the consortium.
- Juvenile Justice Oversight Commission- Judge Egan Walker reported the Juvenile Justice Oversight Commission (JJOC) is a legislatively created entity by the legislature in 2017. The Co-Chairs are Joey Orduna-Hastings and Judge Egan Walker, and both were Governor appointed in 2017. The Commission is working off a five-year Strategic Plan. There is a JJOC website under the Division of Child and Family Services (DCFS) website which includes the Strategic Plan. The mission of JJOC is governance of the selection, policy development, implementation, enforcement, and quality assurance of the juvenile justice system. The vision is to reduce the rates of recidivism, commitments and referrals. Part of the overarching goal is to use the risk need responsivity model of services and make sure the right service is provided to the right child at the right time. The Commission is trying to operate effectively and collaboratively across systems. One of the successes of the Strategic Plan has been the definition and

identification of evidence-based practices and the adoption of the youth assessment tools. Pursuant to the legislation, each county must report to the Commission a wide variety of data matrices and the role of JJOC is to manage and apply best practices. The Commission submits an annual report to the Governor and reports to the Legislature.

6. For Information: Presentation on Racial and Ethnic Disparities in Child Welfare and Juvenile Justice

Ross Armstrong stated the Co-Chairs want to make sure to discuss racial and ethnic disparities as a starting point for additional discussion and action.

Juvenile Justice:

Leslie Bittleston, Chief of Juvenile Programs Office, informed her office staffs the JJOC and is also the clearinghouse for juvenile justice system data. Based on national statistics, youth of color are arrested at 2.3 times higher than white youth, placed in secured detention at 4 times greater than white youth, and placed in correctional type facilities at 5 times a higher rate of white youth. Leslie Bittleston informed as she was doing research, she found out police academies on average only provide four hours of training to their new recruits on how to deal with juveniles. There is no national minimum age for arrest in the country. Some states have a minimum age of when youth can be arrested.

Justice Cadish asked if Nevada has a minimum age.

Leslie Bittleston stated she believed it is 12.

Judge William Voy commented it was changed to 10 from 8, however there are a few exceptions for under 10.

Leslie Bittleston reported there are no limitations on the type of use of force that can be used on a juvenile. There are also no requirements police officers must provide Miranda warnings to juveniles as they are being arrested. The racial and ethnic disparities State data is gathered annually between December and January for the previous federal fiscal year (October-September) by the Juvenile Programs Office. Some takeaways from the State data are African American youth are overrepresented and Hispanic, Asian, Pacific Islander, American Indian, and Alaskan Native are underrepresented at every contact point. African American disparity increases at the deeper end of the system. Based on the data of referrals compared to juvenile population, there is a big disparity of more African American youth than population. The Juvenile Programs Office collects data annually on all the contact points broken down by race and gender. A racial and ethnic disparity report is provided and is available on the DCFS website. Recently, a racial and ethnic disparity committee has been created under the JJOC. Last year, six DCFS staff members were able to take a racial and ethnic disparity certification program at Georgetown University. The group is working on their certification and for their study they are looking at the breakdown of race and ethnicity at the point of length of stay within the state facilities, the length of stay on parole and revocations by race.

Justice Cadish asked how it is determined to categorize someone.

Leslie Bittleston replied the youth is asked how they would like to be classified.

Ross Armstrong commented the juvenile justice team in Clark County has been working closely with the school district. The JJOC created the racial and ethnic disparity committee based on need and it being identified as a priority.

Wanda Pena commented an observation she made, was the delinquency finding had similar percentages versus the center point findings which tend to go up for Hispanic and African American kids, which feeds into the adult system.

Child Welfare:

Kathryn Roose thanked the Casey Family Programs for providing data and for being an amazing partner. Based on the Nevada Decision point analysis, the data reflects overrepresentation of African American children in every contact point in the system by a measure of up to three times the actual population of the State. There is also overrepresentation of Hispanic children experiencing poverty and underrepresentation of Hispanic children in the rest of the system. While white children are underrepresented in their experience of poverty, they are overrepresented in the rest of the child welfare system. The composition of population of Washoe and Clark County is quite different as is the over and under representation of certain groups. Some research indicates child abuse and neglect in Latin homes is more likely to go unreported due to potential documentation status and other related issues. Nationally, African American children are screened in for investigation at nearly twice the rate of white children. In Nevada, African American children are screened in at a rate of five times the rate of white children. There was an increase around 2012.

Justice Cadish inquired if the screening is a report and someone is following up to see if there is a concern.

Kathryn Roose replied when a call comes in for alleged abuse or neglect, there is a process the child welfare agency goes through per policy to screen the report in for investigation or to screen out. Of the calls received, five times more calls for African American children are screened in for investigation than the other population groups. The national data for children entering foster care reflects some slow positive movement for American Indian, Alaskan Native, and African American children. However, state data reflects African American children are entering care at three times the rate of white children. In Washoe County, there is an increase and decrease of disproportionate outcomes for African American children. Nevada has less disproportionality in permanency outcomes and children in care for more than two years, which are data points Casey Programs has identified as good indicators of child welfare practices. There are opportunities for permanency for children in care for longer than 2 years. Clark County has done a lot of work in this area. There is a lot of state interest in digging into the data and looking at what practices can be engaged and hopefully with the technical assistance with Casey Programs start moving the needle on some of the issues.

Justice Cadish asked if there is data on how much overlap there is between the two aspects, how many kids in the juvenile justice system are counted in the data that were previously in the child welfare system.

Kathryn Roose stated not that she is aware of. It is something they could potentially do. They do know child welfare involvement raises the probability a child will be involved later in the juvenile justice system.

Senator Keith Pickard commented there is a lot of data talking about the disproportionalities however there does not seem to be any direction as to any causation. There has not been a root cause analysis completed. They must know what they are dealing with, what is driving the data and how to fix it.

Kathryn Roose replied what must be done is to look at how policies are written and see if they allow for any wiggle room that could contribute to disproportionate outcomes. Typically, what is found to be effective against disproportionate outcomes is to as much as possible remote subjectivity and decision making. Anytime consequences or decisions are more objective there is a tendency to reduce some of the disproportionate outcomes.

Senator Keith Pickard stated in this endless spiral, we never seem to get closer to the core and it is frustrating as a practitioner in law and as a legislator how to functionally deal with it. We need to start driving towards what can be done.

Justice Cadish stated the Commission can work on it or the committees/commissions the members heard from today.

Kathryn Roose stated data is just the beginning. DCFS has a relationship with Georgetown University and they will be providing some guidance on a project. In the child welfare arena, Casey Family Programs is available. Something will need to be tried to see if it moves the needle on the data, then the root cause can be determined and how to move it forward.

Shelia Parks commented it is a little bit of both. When root causes are looked at, there is also a need to have more people of color at the table to discuss because currently it does not exist. Shelia Parks stated she would like to see more diversity when root causes are discussed and how they will work at it.

Ross Armstrong stated as the Co-Chairs prepared for the meeting, they wanted to get the data out first. They talked about making sure to assign the topic to each of the committees of the Commission to see what their piece is. There is flexibility to determine what the makeup of the Children's Commission looks like to ensure it looks more like the population served. Ross Armstrong stated Shelia Parks made a great point. It is important to note when child welfare cases are discussed, the vast majority are neglect and that would be a great starting point to dig in.

Justice Cadish stated the Co-Chairs are looking to add to the Commission to make sure there is a more diverse group participating in the work they are doing. The committees are encouraged to bring in other voices to add to the diverse group they have.

7. For Information: COVID-19 Awareness

COVID-19 Awareness was tabled.

8. For Information: INSPIRES Update

Judge Walker reported INSPIRES no longer exists. It is a failed project. Court administration concluded IBM overpromised and underperformed. They have decided to no longer go forward with it.

9. For Information: Legislative Affairs

Ross Armstrong reported there is a budget crisis. DCFS was able to get through Fiscal Year 2020 without any layoffs or program cutbacks. The Division is still awaiting the plan for 2021. It appears there will be a Special Session. The Interim Committee is making great progress on their study on child welfare funding, juvenile justice facilities and home visiting programs.

10. For Information: Updates from Committees

- Juvenile Justice Committee- Judge Voy reported the committee has not met since the last full Commission meeting. Judge Voy stated, for the record, for there to be a discussion of where they are at financially at the next meeting.
- Child Welfare Committee- Megan Miller reported the committee was able to meet a couple of times. One of the main ideas the committee agreed on and an emerging issue is how child welfare fits in the command structure. There seems to be a lack of understanding about the work child welfare does and in the emergency system, the work the workers are providing to the community. There is a need for a unified voice about what child welfare does, what services they provide to the community and the importance of it.
- Behavioral Health Committee- Dr. Haas reported a report was provided to the Commission members. There is a lot of great training going on in child welfare and juvenile justice. Meeting service coordination needs for kids with complex and intensive behavioral health needs and training workers

navigate the behavioral health system were some identified enhancements. There are a lot of robust data systems available. Child Welfare has a statewide database and juvenile justice is working towards developing one. There could be some enhancements to a data warehouse to eliminate the need of data reports across education, child welfare, juvenile justice and Medicaid. The committee has gathered some recommendations for data reports DCFS would provide and expansion of the committee to include parent and youth representation.

Ross Armstrong stated Dr. Haas forgot to mention his retirement which is a loss for the Commission. He will be missed in his capacity with Washoe County.

- Education Committee- Senator Marilyn Dondero-Loop reported she has not connected with Nancy Brune. Kimberly Palma-Ortega added Nancy Brune and she have sat in the Higher Education Systems Northern and Southern Committees. They are both looking into the statewide committee.
- Court Improvement Program Committee- Shannon Gildea reported the committee held their first meeting. The committee recognized there are similarities between the Commission's Workplan, the Court Improvement Program Committee, the Court Improvement Council Committees. The next meeting has been tentatively scheduled.

11. For Possible Action: System-wide Priorities

System-wide Priorities was tabled.

Ross Armstrong commented the Commission will work to make sure racial and ethnic disparity is incorporated into the Workplan and the committee work.

12. For Possible Action: 2020 Workplan

The 2020 Workplan was tabled.

13. For Possible Action: Discuss and Decide Upon Next Steps

- Assign Tasks to Committee Members (if needed)
- Specify Agenda Items for the Next Meeting
- Confirm Next Meeting Date/Time

The next meeting date for the Children's Commission will be Friday, September 18, 2020 at 10:30 a.m.

14. Public Comment and Discussion:

There was no public comment.

15. Adjourn

The meeting adjourned at 3:42 p.m.