



**Nevada State Juvenile Justice Oversight Commission
Data Performance
Committee Meeting
May 20th, 2020 at 1:00pm**

Meeting Minutes - DRAFT

Roll Call- Leslie Bittleston took roll call and confirmed that quorum was made.

(VOTING MEMBERS)

Present by Phone: Chair Brigid Duffy, Gianna Verness, Ross Armstrong.

Absent: Pauline Salla-Smith, Ryley Harris, Scott Shick

(NON VOTING MEMBERS)

Present by Phone: Ali Banister

(STAFF)

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

(PUBLIC)

Present by Phone: None

Public Comment: None

Meeting Minutes: Commissioner Brigid Duffy, Chair, called the meeting to order at 1:05pm.

Brigid Duffy: Okay. So, for anybody – any public members on the phone? [pause] I don't hear any. So, I'll move to Agenda Item #4, the Review and Approval of Minutes. I know that they were posted online. And they were emailed out to us today. So, I reviewed them online earlier today. And Ross and Gianna, did you have a chance to review them so that we could take a vote on the approval?

Gianna Verness: Okay. I am trying to open up the meeting attachment on the Google Drive, and it will not let me into them.

Brigid Duffy: Ooh.

Gianna Verness: Is it posted – you know, I was able to open the Agenda, but I cannot get the PDF attachments to open for today's meeting. Is it posted somewhere else? Am I the only – now, mind you, I am working from home, so...

Ross Armstrong: Yeah, I was able to get into the document.

Gianna Verness: It takes me to Drive and it won't let me open anything. Can anyone email them to me lickety-splittedy?

Brigid Duffy: Let me see if I can open them. I'm just on the DCFS website.

Kayla Dunn: Gianna. Gianna, this is [crosstalk].

Gianna Verness: Let me go there. [pause]

Leslie Bittleston: Kayla, don't you have access to that stuff?

Kayla Dunn: Gianna, I'm emailing it to you right now.

Brigid Duffy: Okay.

Gianna Verness: Thank you. And I am going on the DCFS website also. While I do this, do you want to table the—

Brigid Duffy: It's—that's fine.

Gianna Verness: It will not let me in. It will not let me open it. I went to DCFS and tried to open it and it won't let me open it. So, I will wait for the email.

Brigid Duffy: Okay. All right. We will pass on Agenda Item #4 at this time and get to the meat of our Agenda, which is Agenda Item #5. That's the Oversight – I'm sorry. That—we're going to review our scorecard. Everybody should have that. That was a lot of work, Leslie. Thank you.

Leslie Bittleston: You're welcome. And yes, that is a lot of work. And in doing this—I just want to say, in doing this, it really – and working with the counties, that's how I was able to come up with a series of questions that we also will talk about.

Brigid Duffy: Yeah. Yeah, well, that's my—that's really what I want to talk about is the data clarification. Was that—did the questions come from the counties?

Leslie Bittleston: Two things. Some of the questions came from the counties, and then some of the questions were my own. Because, for example, one of the questions is the percent of youth who are minorities in the system, and, you know, that's pretty vague. And so, you know, we have a lot of contact points that we gather, so it was just my clarifications I'm providing to you the right data that you want. I mean, do you want the full data, do you want arrest data? What point in time do you want for – so, there's—some of them are mine. And some of them are counties.

Brigid Duffy: Okay. I just went to – and I'm going to pull it up on my [pause] – okay.

Gianna Verness: Thank you, Kayla.

Kayla Dunn: You're welcome.

Brigid Duffy: All right. So, let's – I'd like to really talk about the questions. I mean, the scorecard itself, it has—you know, it's pretty self-explanatory. I see, you know, some jurisdictions weren't able to get some information. And we can talk about the why.

Ross Armstrong: Yeah, this is Ross. I just wanted to commend Leslie for her work because the first response out on the public questions were like, well, we don't have a report that creates this for us just magically in CaseloadPRO or Tyler Supervision, so like, we are just not going to provide it. And she worked with them to figure out like, oh, no, actually, you do have all this data. So, I think—I'm definitely all for

tackling the questions so that we can get the answers to them to figure out how we want to go forward. Some of the answers may be – like, this sounded like a good data plan at the time, but it’s hard to get in the—add values, so let’s pause it.

Brigid Duffy: Okay. Well, so, do you have the questions in front of you, Ross and Gianna?

Ross Armstrong: I do. It was one of the attachments in the—yeah.

Gianna Verness: I want to make sure I’m looking at the right thing. From the emails.

Brigid Duffy: It says, Gianna, at the top of the – it’s called Questions for Data and Performance Committee.

Gianna Verness: Got it. Yes, I am.

Brigid Duffy: Okay. So, the first one is under Rate of Recidivism, a question for clear guidance on what the states want to measure.

Gianna Verness: Mm-hm.

Brigid Duffy: And it says, “Narrow down to one.” So, the definition of recidivism has five subsections. What do they want to narrow down to one? Or where does it come from, Leslie? Help me out.

Leslie Bittleston: Yes. This one actually came from several of the counties. And they said, “Well, do you want us to measure arrest rates?” You know, like, last year’s arrests versus this – you know, so, they want one specific measure that they can wrap their teeth around. You know, because they didn’t—they think it’s not doable to do, okay, we’re going to take this kid and then do an arrest, a citation, or whatever all of the other things were. They wanted one specific measure.

Brigid Duffy: Okay. So, let’s just imagine a kiddo is arrested today. I’m just going to use the month May 2020. Our definition of recidivism is “an individual within three years of the initial arrest,” so that would take us back to May of 2017, “is rearrested.”

Leslie Bittleston: Okay. So, if we just did – so, that would be okay. You said rearrested, and then we can do that. Because when you think about data, you have to think about a numerator and a denominator.

Brigid Duffy: Okay.

Leslie Bittleston: So, when you think about, for example, the numerator is the total number of kids arrested in 2019. That’s your numerator. Or your—you know, and then your denominator is the total number of youths arrested in 2017 or whatever. So, when you measure data, you have to think about it in a numerator and denominator. So, that’s what we’re trying to narrow this down to. One specific data set that we could send out to the counties so they can measure it.

Ross Armstrong: But my – this is Ross. My recollection is this. The Commission wanted to know what that rate was for like, arrests, commitment, and certification.

Brigid Duffy: Great. Adjudication. Right.

Leslie Bittleston: I’m sorry, Ross. Arrests, commitment, and what was the other one?

Ross Armstrong: I mean, I think they wanted, you know, arrests – I think just kind of going through that timeline as Brigid said, arrests, adjudication, you know, commitment to the state. Or certification to the adult system.

Gianna Verness: Didn't we have a big discussion back then about wanting to know if it was a—like, a status arrest for a probation violation versus a—what we would consider a new offense? I don't know if we can get that in terms of recidivism, but wasn't that one of the things that we were concerned with?

Ross Armstrong: Yeah. I know that—like, if you go to – like, the third question down is asking about the violations of probation. I know that you wanted to know if it was like, a—you know, that would be a technical violation or a real substantive new crime. Yeah, I mean, I don't—I would think we care less about probation violation arrests. And so, maybe that could be clarity on the recidivism is that like, you need to capture recidivism right for arrests—adjudications, commitments, and certifications. So you've got, you know, a hundred kids on your caseload today. Over the next three-year period, what is the percentage of those that have been rearrested for a new crime, have been—have a new adjudication – you know, and I would imagine the numbers would go down as you go deeper through the system.

Leslie Bittleston: Right. And then the – I think the second question of recidivism is, do you want this to be kid-specific? So, unduplicated. So, instead of just taking the total number of arrests in one year versus the total number of arrests in a different year, you want to look at it by individual. Is that what I'm hearing?

Ross Armstrong: Yeah.

Brigid Duffy: I think overall, it has to be. Otherwise, we don't get to the main point, which was, is what we are doing actually making our community safer and fixing our kids?

Leslie Bittleston: Right. And the—

Brigid Duffy: So, we have to look at each kid and then pull on each kid as to – you know, all the way down to his YLS score, to what services we had him placed, to what facility he went to, to what—to decide—to figure out where—what we are lacking in order to have prevented the recidivism and to treat the child.

Leslie Bittleston: And that's all great, but those are extremely difficult reports to write. And when you're—when I talk about writing a report, I'm talking about pulling data out of a system. So, we are still lacking in some of our reports from Tyler. So, that's why I'm asking these extremely, very specific questions, because when we go to write these reports, we want—I want to make sure that we're putting the right stuff in there.

Brigid Duffy: I think part of the—I mean, part of what we did in our—you know, our tasks over those two years was we just followed—mostly what we did was we followed the statute. I mean, this isn't just stuff that we as a Committee put together. This is statutory.

Ross Armstrong: And I think—you know, maybe the clarity is that we got so – I mean, I don't think it's acceptable just to like, oh, pick one of these things of the five we've already wanted and like, backtrack so that it's easier. But I do think some clarity – like, I don't know that we need to track the recidivism of youths who are arrested in a jurisdiction but then never adjudicated, right? So, if we—if you talk about the numerator and the denominator. So, of those youth who are adjudicated – so, you could—in terms of running the report, or you know, for most of the rural counties, their numbers are so low. This is in fact difficult to just track.

Leslie Bittleston: Right.

Ross Armstrong: You know, you have John Doe adjudicated on May 20th, 2020. And so, you set a reminder, and on May 20th, 2023, okay. If John Doe, after this adjudication, was he arrest—was he ever arrested for a new crime? Was he ever adjudicated on the new crime? Was he ever committed to a state? Was he certified to the Department of Corrections? Then that's your—you know, the number of yeses is your rate.

Brigid Duffy: Okay. So, what I'm hearing is you take youths that are adjudicated and then look back like, every year and see if any one of these four things hap—or these things happened with them, right?

Ross Armstrong: Yep.

Leslie Bittleston: Okay. So, I'm just writing this down. So, youths who are adjudicated -- Well, no. 24 months and 36 months. And then one of the other things that I get from the counties on—when we talk about looking back three years is what about those kids that age out? You just—you can't do anything about that.

Brigid Duffy: Right. That's where we got stuck, because we don't have an interface with the Department of Corrections.

Leslie Bittleston: Right.

Ross Armstrong: But we—

Leslie Bittleston: So—

Ross Armstrong: But we should be able to figure that out because we can. At DCFS, we are able to do a data match between when we had DCFS kids in the unity system in the Department of Corrections. So, there's got to be a way to work with our data team to figure out – since Leslie has access to each county's Tyler Supervision to be able to – and what we did with that was to protect confidentiality and all that stuff, like, the data goes to the data team. They look for the match, they make sure the data's clean, and then they just produced a report that gave us a percentage. So, we were able to say, "Okay, you know, the thing—after five years of termination, only one in four DCFS committed kids end up in the Department of Corrections." So, there's got to be a way now that we have access to that county level data, Leslie, to be able to figure out a match. I mean, it might take longer than the other rates, but we should be able to do that. Because we have full access to the criminal justice data system.

Leslie Bittleston: Okay. And just for clarification, I do not yet have access to all the counties. It is being done one by one. The first county I will get will be Lyon County's very soon. So, there—or what Tyler Supervision is doing is they are adjusting reports, and then once those reports are done, then I will have access to the counties. One at a time. Okay. So, what I have is look at all youth who are adjudicated at 12 months, 24 months, and 36 months to see if they were rearrested, recommitted, re-adjudicated, or certified.

Brigid Duffy: Yes.

Gianna Verness: Yes.

Leslie Bittleston: Okay. Okay. Got it.

Ross Armstrong: And the re-arrest is for a substantive crime.

Brigid Duffy: Well, there is an “in violation of supervision” level, so it says. It says in our “recidivism.”

Leslie Bittleston: Oh.

Brigid Duffy: “Recidivism rates will be measured when an individual within three years of initial arrest or citation, adjudication, commitment, or placement into an out-of-home facility, placement under probation, or parole supervision, or when a convicted as an adult is,” and then D is “in violation of supervision.” So, it has a DOP element to it.

Leslie Bittleston: Okay. So, violation of supervision, rearrest, commitment, adjudication, certification.

Brigid Duffy: Yeah.

Leslie Bittleston: Okay. I’m taking notes just so we have probably to vote on next time. Or when it’s done.

Brigid Duffy: Yeah. Yeah, okay. Got it.

Leslie Bittleston: Okay.

Brigid Duffy: Yeah. I’m jotting some notes down too. Okay. So, then on the next question, the percent increase/decrease in violations of parole probation, the question is, what is a probation violation?

Leslie Bittleston: Yes. That’s what I got from the counties—some of the counties because they say all kinds of things are probation violations. So, what specifically is a probation violation?

Ross Armstrong: I mean, if they don’t know, then—

Brigid Duffy: That’s the problem.

Ross Armstrong: They should—

Leslie Bittleston: Yeah.

Ross Armstrong: They should go maybe explore the---

Brigid Duffy: Maybe they should know what they’re putting their kids on probation for to find out if they’ve violated it. I mean, I—

Ross Armstrong: Yeah, I mean, I don’t know if—I mean, I guess there’s like, little piddly stuff that are violations, and nothing really gets done about it, or it’s some informal thing. I don’t think we care so much about that versus like, an actual like, substantive violation, which could be technical and could be a new substantive crime. I think we would want to – I guess, I—in my mind, that’s your answer to 3, is you know, it would be good to see it split out between substantive and administrative violations of probation.

Brigid Duffy: Right.

Gianna Verness: Because didn't we – again, wasn't this one of the things that Jo Lee talked about at length when we talked about probation violations? Because a lot of times, they will put a substantive viola—or a substantive charge in a probation violation like, use. Or sometimes they put in unlawful taking of a vehicle or – like, at least our DAs do. And she was really concerned about being able to capture whether it's a substantive violation—or a substantive charge being included in the violation versus he failed to check in with his probation officer, or he absconded or he moved and didn't advise his probation officer. Or those type of status probation violations because they're on probation. Is that what we're trying to drill down? Is it a technical violation or is it a new charge that's being charged as a probation violation?

Leslie Bittleston: And I think that's exactly right, Gianna, because one of the things I heard is it—is it a new arrest? Is it a new adjudication? Is it just when the kid failed to show up for a check-in? What is it? It's going back to that numerator and denominator. What is the specific incident?

Gianna Verness: Well, and again, is the measure the new petition being filed for probation violation or the new arrest being made? Not just did the kid violate probation and we didn't arrest him, but we're going to include that as a probation violation.

Leslie Bittleston: Right.

Gianna Verness: Which type of data are we trying to get? The ones they took action on, or the ones they noted and did nothing about?

Brigid Duffy: So, statutorily, the statute says that part of the—you know, part of the information that we must collect, the charges for which the child is referred including, without limitation, any charges of violations of probation or parole.

Leslie Bittleston: I would think the new charge.

Brigid Duffy: Right. So, statutorily, it's—we have to collect data around charges of violations of probation or parole. So that, I think, just makes the answer easy, so—

Gianna Verness: Agreed.

Leslie Bittleston: So. New charge of a violation of parole. Okay.

Brigid Duffy: Or probation.

Leslie Bittleston: Or probation. Okay. Probation.

Gianna Verness: And then, are we okay with not trying to break that down into is it a substantive offense that's included as a PV?

Brigid Duffy: I think— I think that's the third box. Because I think that was a big issue, Gianna, because the DA's Office was taking such flak for, you know, sending all these kids to correctional care, you know.

Gianna Verness: Yes. Because it was a PV, but it was really a possession of a stolen motor vehicle charged as a PV.

Brigid Duffy: Right. Right. And so, we were trying to ensure that the world knew that we weren't just throwing kids away for not reporting to their probation officer. At least not in the bigger counties. Maybe in the smaller counties, I don't know. But yeah. Shoot. We—yeah. If you live in Clark County, you got to do a lot—a lot before you get violated to commitment.

Ross Armstrong: Yeah. I mean, I think, you know, we kind of slowed down the list. So, you have a probation department that indicates that 50% of their—the kids on their caseload received a—you know, a violation of probation. And then that third one kind of answers like, okay, well, 80% of those were substantive new crimes. So, I think it is kind of just – they're tied together.

Brigid Duffy: Yeah.

Leslie Bittleston: So, what did I have for #2 is new charge of violation of parole probation. For #3, I have substantive crime and technical violation.

Brigid Duffy: Right. And so, are then the counties are going to go, "What's a substantive crime and what's a technical violation?" Because they didn't know what a probation violation was.

Gianna Verness: Oh, God.

Leslie Bittleston: I hope not.

Brigid Duffy: Okay, good. And then total – so, are we ready to go to 4 on the list?

Leslie Bittleston: Yes.

Brigid Duffy: Total number of adult convictions. So, I think there was some confusion over the word "conviction" versus "certification." Because just because we certify to the adults, does that mean they end up being convicted?

Leslie Bittleston: Right.

Brigid Duffy: And our definition only requires up to look at the convictions by an adult court, not just sending them to adult court. So, there's a—that's a really difficult thing to track where we don't have a connection to-- our systems talk at least in Clark. Like, we don't have—our criminal system isn't going to – so, if a 17-year-old is on probation and then turns 18 and is arrested as an adult and convicted, we don't have a way of necessarily knowing that.

Gianna Verness: So do you think we should just try and focus on certification?

Leslie Bittleston: And just an FYI, I do get certification data already.

Brigid Duffy: Okay.

Leslie Bittleston: So, if we want to reword this into the number of youths that are certified, I—we don't need to do anything, because I already have that data.

Brigid Duffy: What about direct files? You don't have that data though, right?

Leslie Bittleston: No, because that goes right to adult criminal court. I just have the ones that go through juvenile court, so the certifications.

Brigid Duffy: Okay.

Gianna Verness: Which is kind of a bummer, because if the kid is a direct file that he has a lengthy – well, any history in the juvenile system we're missing out on what might've gone wrong with that kid.

Brigid Duffy: Right.

Gianna Verness: But there's no easy answer. Is that – and I don't know if anybody discussed this? Is that not something that juvenile services tracked?

Brigid Duffy: The direct files?

Gianna Verness: Yeah.

Leslie Bittleston: Not generally. I think that Clark County – because they provided me some direct files. They don't know if it was all of them. But none of the other counties stated they had that data.

Gianna Verness: I mean, we have so few in Washoe County. It is – if a youth is on some sort of supervision up here, and they end up with a direct file case, it's kind of a big deal. It doesn't happen all that frequently. But I don't know if there's any way for us to track it. But I think anecdotally, they are very aware when they have a youth who's being supervised and they end up in the adult system on a direct file case.

Brigid Duffy: We hand count them. So, we do have a process where our direct files, they'll come to juvenile detention first so the DA can review. Because a lot of our direct files are prior firearms cases. Right? Prior felonies.

Gianna Verness: Mm-hm.

Brigid Duffy: And now they have a firearm. So, that's a—that's most of them. And then on the attempt murder, we make sure that we have the intent before we alley-ooop them to criminal. Because that's, you know, difficult on the attempt murder charge. And then the actual murder charges are the ones that could potentially go right to juvenile. Or right to adult—the adult—the juvenile pod at our adult facilities. But they usually stop here as well. So, that's how we're able to hand-count them. And we have about, you know, 20 or 30 a year on direct files. But I mean, that's of course all hand-counted and, so, subject to plus/minus a couple. But that's how we do it. That's mostly how it is.

Gianna Verness: We probably – if Jo Lee doesn't already have a mechanism for somewhat keeping track of those, we could probably hand count, because we—I guess—I'm guessing we have less than ten a year. And that would be a high number. But, you know. I don't know though—I think that solves the issue that we're seeing.

Leslie Bittleston: And Ali Banister's on the phone. Ali, do direct files go through your juvenile probation before they – or do you know? Is she still on the phone?

Ali Bannister: I'm sorry. I guess it would be helpful if I mute—I took my mute off. We don't see them very often. So, I can't speak about that, because I think in the last three years, I'm not sure we've even had one.

Leslie Bittleston: Okay.

Brigid Duffy: I mean, if there was a way for – I mean, my—you know, my secretaries to, you know, click a box on a kid as a direct file in Tyler Supervision that would be helpful. But, you know, I don't know if that's possible.

Ali Bannister: for us too in Carson, we're—we would be hand—I mean, we're hand counting all the adult certifications. All by hand.

Brigid Duffy: Yeah.

Leslie Bittleston: Right. Because there's nowhere to even put – well, unless we—we could put it as a status. Can we do that in the—as a—in the referral? Can we put it as a status?

Ali Bannister: Yeah. I think that would be fine if that's how we all did it.

Leslie Bittleston: Okay. And then maybe we can add direct file as – oh. The—but we wouldn't have the kids in our system if they're direct files. So, how would we put that in Tyler Supervision?

Brigid Duffy: Well, I mean, if we know that it occurs, right? So, say Isaiah has a felony conviction for robbery – or adjudication, excuse me – and then picks up a gun charge at the age of 17, he's going to be a direct file. So, the police don't know that he's adjudicated on the robbery when he was, you know, 15 or 16.

Leslie Bittleston: Right.

Brigid Duffy: And so, he ends up in juvie. And then when we screen it, we say, "Oh, shoot. He's a direct file, because now he's got a gun." So, we could mark direct file and he's on his way. Like, just somehow have it in as a direct file.

Gianna Verness: Yeah, and that's how it happens in Reno too. Absent like, a murder.

Brigid Duffy: Right.

Gianna Verness: It's usually caught at some time in the process. I mean, I had one recently that was actually caught on the day of trial after it had been pending for like, five months. So, it's—that's how it's usually caught.

Brigid Duffy: Yeah. So, I would say a majority of them are going to be ones that are going to be in CaseloadPRO. Or I'm sorry, Tyler Supervision. Because they're going to initially be booked in one of our facilities on a charge that could be a direct file, because our police departments don't know—they don't have records of these kids when they are in the streets. They don't pull it up on that juvie record and see they were adjudicated.

Leslie Bittleston: Right.

Brigid Duffy: That's all held by us. And then like I said, on the attempt murders, they—by policy, they all come here first, just so we don't unnecessarily send a child to an adult facility if we're not going to find the intent on the attempt. And then the murders, well, the whole world knows about them. Because their faces are going to be on TV. Juvenile arrested for—you know, 17-year-old arrested for murder, so. But most of them come here. So, maybe there is a way to fill it in. Or a note somewhere that we can put it.

Leslie Bittleston: But what I have for this is, as I said, just a question. Can we mark a youth at the screening process as a direct file in Tyler Supervision? Which I will assign to myself.

Brigid Duffy: Okay.

Leslie Bittleston: Yeah, and then the next one is youth certified or certification as a status in Tyler Supervision. So, I need to share that with all the counties.

Brigid Duffy: Okay.

Leslie Bittleston: Yeah. So, but that still doesn't help us with adult convictions. That's just gets us through adjudications and direct files.

Brigid Duffy: Yeah. That—the—you know, whether or not they're convicted, again, when I go—I just have my secretary pull those stats for me. Because we have the names of the kids that were certified and direct filed. And then he follows up with me. Because not even—I don't even have a criminal system in my database. Like, I can't even pull up my criminal case management system. So....

Gianna Verness: Okay. Can I ask a clarifying question, Brigid?

Brigid Duffy: Mm-hm.

Gianna Verness: When we're talking about this total number of adult convictions, are we concerned with youth – separately we kind of talked about this at the beginning – youth who had turned 18 and have picked up a new offense from the adult system and then end up being convicted in the adult system.

Brigid Duffy: I mean, I think that was part of our conversation about recidivism as to, you know, how do we know that the juvenile system worked?

Gianna Verness: That happens up here, you know, fairly frequently -- a couple of times a month. Maybe less. But that is more frequent, and what typically happens is when they get that adult conviction and are placed on either some sort of adult supervision or sentenced to be incarcerated, our juvenile cases are then closed. So, I'm wondering again if that's something that could be built into Tyler that case closed child convicted in adult system. And does that include misdemeanors? Because we do have quite a few that pick up misdemeanor convictions, not necessarily grosses and felonies. But sometimes. Are we talking about any conviction in the adult system?

Brigid Duffy: I'd have to go back. Because I remember that, because there was a conversation about that as well. Like, you know, if they're—if you're convicted on a petty larceny as an adult, they both are. Yeah. I don't remember what happened with that rabbit hole.

Ross Armstrong: Yeah, I remember—my opinion was I don't care.

Gianna Verness: So, we were only concerned with grosses and felonies, or are we only concerned with felonies?

Ross Armstrong: I don't know. Well, probably just felonies.

Brigid Duffy: Yeah. I would say felonies.

Gianna Verness: So, again, I mean, at least up here, we usually track those kids pretty closely if they're on juvenile supervision and end up having those adult cases—those charges in the adult system, and then they're closing ours once that adult case is closed. So, I wonder if that could be something that's filled into Tyler as a box for them to check under closing.

Ross Armstrong: Yeah. The reason for closing is adult conviction.

Gianna Verness: Yeah, potentially. Or like, you know, with—yeah, closing with adult conviction or child – some—I'm sorry. I haven't been through Tyler Supervision. So, forgive me if that's not possible. But when they close it, one of those could be adult convictions.

Leslie Bittleston: And I don't know then – and this is Leslie. I don't know if that's even possible because we—what we call those in Tyler Supervision are statuses. So, when we close a case on the juvenile side, the adult certification—there's a certification or direct file would close the case for us. And we wouldn't follow it any further. Ali, am I saying that right?

Ali Bannister: Yes. That's correct.

Leslie Bittleston: Okay.

Gianna Verness: So, wait. Wait, what does that mean? I'm sorry.

Leslie Bittleston: So, when we—in Tyler Supervision, we have what's called the status of the youth. So, when it's a referral, that's a status. Referred to the DA is a status. Adjudicated or found delinquent is a status. And then when they're committed to DCFS, well, they're committed, that's a status. So when we close cases, we close them for a variety of reasons. And the last closure that we would have would be certification or direct file. That's it, case closed. So my point is, is we wouldn't call it adult conviction. Because we wouldn't follow the case after that. It would be done at certification or direct file.

Gianna Verness: So, I'm talking about the youth that are remaining on juvenile supervision but they have turned 18—

Leslie Bittleston: Oh.

Gianna Verness: —and they have picked – it's not a certification or a direct file, it is a youth charge in the adult system that results in a conviction.

Leslie Bittleston: Oh.

Gianna Verness: As a separate data point. But it would be adult conviction.

Leslie Bittleston: Ali, how do you do that currently?

Ali Bannister: Well, if they're still on probation, then they would still be tracked. So, even if they—if they have an adult charge, that's something that I think that we could still track. Does that make sense?

Leslie Bittleston: Yeah. And what status would you call – I mean, what would the status be? Adult charge or a—or—

Ali Bannister: Yeah. Probably adult charge. But they're still going to remain under juvenile probation supervision. So, yeah, I guess adult charge.

Leslie Bittleston: Okay. And I'm still taking notes.

Gianna Verness: Mm-hm. Do any of the other counties – Brigid, do you guys keep kids on juvenile supervision once they are convicted of a felony and they are on adult probation?

Brigid Duffy: No. Not ones convicted. I've had them stay on pending the process. But in case, you know—

Gianna Verness: Right. So, I don't know if there's a way to build that in to say, you know, case closed, adult conviction or something. Or have that as a status, adult conviction, closed.

Brigid Duffy: Yeah.

Leslie Bittleston: These are all fine to me. I will work with Tyler to see if there are. We already have certified—or certification. So, we already have that. I need to ask about direct file, and I need to ask about adult charge.

Brigid Duffy: Yeah. So, this—was it last week? Some—recently, we had a female who we had certified. And she was convicted as an adult. And she is still 17. And she was arrested again for another offense and brought to juvenile detention. And juvenile detention was like – the—they—she was a frequent flier, so one of the booking techs was like, "Wait a minute. Weren't you certified?" And she's like, "Oh, yeah. I went—you know, I went and I spent" – you know, she did some time. Heh. So, I don't even know – or no, she said she was—she didn't do time. She said she was on adult probation. She had an adult probation officer. And so, they called me. And they're like, "I don't think we can put her in – and she's an adult. So, we don't charge her. She can't be charged as a juvenile." So, we had to tell the police to take her back to—she had to go be booked in the adult jail. I mean, we'll hold her as a courtesy, but they don't have a juvenile pod for women. But we didn't—we can't book her. Because she's a convicted adult. But there was no indication in Tyler Supervision that she was a convicted adult. Even though she's 17.

Gianna Verness: Yeah. So, if we had our druthers, I wouldn't want to see adult charges of the status but adult conviction.

Brigid Duffy: Yeah. Yeah, so we red-flagged her. Somehow, we were able to add flags. And we're going to try to keep that going. You know, like, add flags like that so we can tell. But yeah. Definitely conviction would be a good way because of this. So—

Gianna Verness: Okay.

Brigid Duffy: All right. Are you good, Leslie?

Leslie Bittleston: Yep. I got the notes.

Brigid Duffy: I know this is a whole lot for you.

Leslie Bittleston: It's okay.

Brigid Duffy: Okay. So, dispositions by type. So, this is another one that I see in 62H. Let me back up. It is – so, in 62H, it says we are required to keep the disposition—or the nature of the disposition of each referral of the child. So, that’s statutory.

Leslie Bittleston: So—

Brigid Duffy: So we need a count of how many kids are put on probation, how many kids are put in camp, DCFS commitment.

Leslie Bittleston: I’ve got all of that.

Brigid Duffy: Yeah.

Leslie Bittleston: I’ve got—so, I just wanted to clarify. So I have county camp placements, I have probation placements, I have DCFS commitments. If there’s something else besides those three.

Brigid Duffy: You said probation, com—DCFS, and county camp?

Leslie Bittleston: Yes. I think that’s it.

Brigid Duffy: I’m looking to see. I’m just looking at the statutes. Yeah. I think that’s it.

Leslie Bittleston: Okay. What—

Brigid Duffy: I don’t know about the other two members. I mean, what other dispositions do we have?

Ross Armstrong: I mean, it could be dismissed, right? Wouldn’t that be a disposition? Or no? And it just—

Gianna Verness: Well, it could be. But usually, it most frequently – I don’t know about Brigid, but most frequently, the dismissal happens at the end of the case through a supervision and consent decree or through completion of informal consequences. But in the meantime – or even sometimes after formal adjudication and lowering their status. Oh, what about supervision and consent decrees? Because we consider—

Brigid Duffy: Is that a disposition? Like, for me, it’s like, to the case, right? To get a disposition?

Gianna Verness: But ours, we have defined it as supervision and consent decree as a final disposition for purposes of final disposition within 60 days. Yeah, the child could end up being adjudicated much further down the road if they are non-compliant. Same thing with diversion. Or informal handling. So, what do we mean by disposition not to complicate things? Do we want to go down that – that’s a potential rabbit hole.

Brigid Duffy: We’ve got lots of them.

Gianna Verness: We do.

Brigid Duffy: I feel as if we need to gather as much information that we can at a very like—

Gianna Verness: High level.

Brigid Duffy: Yeah.

Gianna Verness: I get it.

Brigid Duffy: Like, not like—not because – one, I really am—I really don't want to overwhelm the state right now. Heh. I mean, I feel—I don't—I just—I think any data that we can collect going forward is better than where we've been where we start pulling it apart to see what's working and what's not working. So, what I-- I just think of, you know, they were adjudicated, now what's next? So, they enter a plea. Now what's next? It's the sentencing.

Ross Armstrong: Right. And I think you could do just—you could – all those other, you could capture an "other," and then if all of a sudden the data comes back and like, 50% of the dispositions are "other," then we need to dig in and maybe pull out a specific classification to track.

Brigid Duffy: Yeah, that's a great idea, Ross. And we can even like – if people want, like, in the other, we could say, you know, diver—you know, diversion, consent decree, like, just have like, a catch-all of a category.

Gianna Verness: Informal handling. And even that it's deferred, because sometimes we send youth to RTCs who are real mental health kids, and we send them to RTC, and upon successful completion, then the case is dismissed at that point.

Brigid Duffy: Right. Yep.

Gianna Verness: But the disposition is basically deferred, pending RTC.

Brigid Duffy: Yep. I like the other thought.

Gianna Verness: Okay. I like that too.

Leslie Bittleston: Just FYI, I do capture diversions. So, I can provide diversions, county camp, formal probation placement, and DCFS commitments right now. The "other" topic will be new.

Brigid Duffy: Okay. Okay. Perfect. Increase/decrease of arrest. What does this mean? Is this a total number of or unduplicated by youth?

Leslie Bittleston: Yeah, the—so, the counties are asking, is that just taking the number of arrests from that last year versus the number of arrests for this year? Or do they have to narrow it down and look at youth by youth?

Brigid Duffy: Well, just—I don't think that's in 60—in 210. But 210's very specific to the child. Repeatedly says "the child, the child."

Gianna Verness: Mm-hm.

Brigid Duffy: Well, I don't think that – so, I think it can be all.

Leslie Bittleston: Okay.

Brigid Duffy: What do you guys think?

Gianna Verness: I think maybe we just want to track this from year to year.

Brigid Duffy: Yep. Yeah.

Leslie Bittleston: And that was just total number of arrests, not looking at youth.

Brigid Duffy: Right.

Leslie Bittleston: Okay. Total number of arrests.

Gianna Verness: Yeah. Not by individual youth, but total number of arrests a year.

Brigid Duffy: Right. But one could—one kid in Carson could account for 100 arrests.

Gianna Verness: Right.

Brigid Duffy: Right.

Leslie Bittleston: Right, heh.

Gianna Verness: Let's hope not. But yeah.

Ali Bannister: Just for— this is Ali. Just for clarification on that, is that new or is that arrest by law enforcement agency like the sheriff's office or police department and including probation officer arrests? Would it be both?

Brigid Duffy: I think so. What—is there a reason why we would want to separate them?

Ali Bannister: I don't think so. But I do think that that's going to come up, whether it be a new arrest by a law enforcement or a new arrest by a probation officer.

Brigid Duffy: Yeah. I know that we have a way. Well, I'm assuming its Tyler Supervision's way of pulling information to see which law enforcement agencies are arresting our kids at the higher rates. So, and that's—that all comes down to the booking stats when they book a kid in, which agency is bringing kids in, versus which agencies are using citation versus which agencies are using our diversion program, the Harbor. So, I know there's a way to do it. Right?

Leslie Bittleston: Mm-hm.

Brigid Duffy: Yeah. So, I think like Ross had said before, if we need to break it out, if there's an increase, you know, and we want to say, "Why did we jump up so high in 2021?" we might be able to then go back and pull that information to see where the increases happened. If that sounds feasible.

Leslie Bittleston: Yep.

Brigid Duffy: People that know Tyler Supervision.

Leslie Bittleston: Yep.

Brigid Duffy: Okay. So, I would just say lump them all in together.

Leslie Bittleston: So, this is what I put. I put total number of arrests year to year any – and in parentheses, I put “any arrest by law enforcement or probation parole officer.”

Brigid Duffy: Yes.

Leslie Bittleston: Okay. And that’s going to answer the next question too I think, is total number of adjudic—

Brigid Duffy: Yep.

Leslie Bittleston: Okay.

Brigid Duffy: And the next one is in 62H. Level type and number of super—and numbers of supervision.

Leslie Bittleston: The problem is—the problem with this is, is Tyler Supervision doesn’t keep a history of supervision levels as they change. What we can do – and I have this as a pending report. It’s not done yet. We can look at overall risk scores and how they change over time. But every time the supervision level changes, that history is not kept.

Brigid Duffy: Hm.

Leslie Bittleston: So, if a kid is on intensive or high supervision and they’ve done a new YLS or something’s happened and now they’re on moderate, so the PO, the parole officer or probation officer’s going to go in and change it to moderate. Well, that history is not there. It’s just now moderate.

Brigid Duffy: Okay. Well, the statute says – so, that we have to maintain the following information from the courts, probation, facilities, rehab, correctional regarding each child. Refer to the system of juvenile justice in this state. And it includes the supervision of a child including without limitation whether the child was placed in a residential facility.

Leslie Bittleston: Oh. So, maybe that we mistook the question. Maybe that’s the placement, not the—maybe the supervision means placement.

Brigid Duffy: Yeah. It just says the supervision including, without limitation, whether the child was placed in a residential facility.

Gianna Verness: But that could also—nature of the disposition could also include I think at this point diversion or deferring it, holding it in abeyance. Because—and then the RTC. Because doesn’t—isn’t the statute—it seems the nature of the disposition of each referral for the trials and the disposition of any petition. So, we have to be tracking both referrals and petitions, and it would seem separately.

Brigid Duffy: Right.

Gianna Verness: Because a lot of referrals are simply handled informally. I mean, the vast majority of the misdemeanors. And I apologize if that’s a question that’s later on.

Leslie Bittleston: So, Gianna, you just said need to track the disposition of both referrals and petitions.

Brigid Duffy: Yep.

Gianna Verness: Yeah.

Leslie Bittleston: Okay. And disposition. Okay.

Gianna Verness: So, I mean under referrals, that would be either – it—we could super simplify the referral to petition or no petition. Right? We could super simplify it that way. Or we could make it a bit more complicated with petition, informal consequences, or no action. I mean, we could probably really go into how the referrals are handled differently. Is there more ways?

Brigid Duffy: I don't—I mean, the referrals are handled, I mean, for us, are handled like, at intake, refer to diversion program.

Gianna Verness: Mm-hm.

Brigid Duffy: Yeah. There's really-- or referred for filing a charge. Or, you know, denied.

Gianna Verness: So, when the re—so, do we want to simplify referral handling – like, how are referrals handled. So, either a petition being filed, or no petition being filed. And we don't care if they did informal consequences or it was not filed at all because of a lack of evidence or the kid couldn't be located—I don't know. Or do we just want to keep it simple that a petition was filed, or a petition wasn't filed, and then we're tracking if the petition is filed, how those petitions are disposed of.

Brigid Duffy: Right.

Ross Armstrong: Yeah, that makes sense. It's simple—it's possible that one makes sense to me.

Brigid Duffy: I'm fine with the simple. Once we get all this out, I think we can advance into a more, but I think we need to get the basic—

Gianna Verness: So, then adding—adding the question for each referral. Petition, no—petition filed, or no petition filed. And then we handle how the nature of the disposition of each referral of the child. Right. But back to the original – oh, sorry. Go ahead.

Leslie Bittleston: I was just going to say, is that the answer to the level and types of supervision? Or does that need to go somewhere else? That needs to go back up with disposition, right?

Gianna Verness: I think—yeah. It goes—we're—that referral question probably should go towards the beginning, because when we're talking about disposition, we're talking—we have to start with a referral.

Leslie Bittleston: Okay.

Gianna Verness: So before disposition, do you want—do you think before disposition by type it is disposition of referrals? Petition or no petition?

Leslie Bittleston: I'm adding a column.

Brigid Duffy: Okay.

Leslie Bittleston: Yeah. So, just called referral. Referral. Okay.

Gianna Verness: And then if you're ready, Brigid, I think we need to discuss the residential treatment tracking.

Brigid Duffy: Yeah. That's the—so, the supervision of the child, whether—including whether the child's placed in residential treatment facility. So, I guess that means—for me, that means – when I read that, I feel it means probation, camp, DCFS, RTC. So, I don't--.

Gianna Verness: Is residential facility defined anywhere?

Brigid Duffy: Residential facility?

Gianna Verness: The residential facility. Is this defined anywhere?

Leslie Bittleston: No

Brigid Duffy: No.

Ross Armstrong: Not really. I mean, there's provisions in the statute for placement. Like, commitment to DCFS for placement in the mental health facility. But other than that, I mean, there's licensure definitions under HCQC statutes for psychiatric residential treatment facility. That's as close I think as – I mean, so there's nothing in our statutes that really define it other than the provisions that say you can commit to the division for placement in a mental health facility if you need to.

Gianna Verness: So, do we want to break down was the child placed in residential facility and have different options? Camp, DCFS, RTC – and does that include dependent living for them? And —

Leslie Bittleston: I already—I was going to say, I already received DCFS commitment and camp. I do not receive RTC or any type of independent living.

Gianna Verness: And I think RTC especially would be a really important – from the defense point – perspective, because we get a lot of questions from other agencies. I had a conversation with somebody from the Department of Justice last week that was asking about available services, both outpatient and inpatient here locally, and they wanted to know how many kids are sent out of state to RTCs. And I know that for a long time, juvenile services here was tracking that because it was a big deal.

Brigid Duffy: Yeah, I think it's very important to know how many kids we have to send out of state to residential treatment facilities.

Gianna Verness: Right. That—I mean, I don't know – again, I would just like to see that added--

Ross Armstrong: Sorry. This is Ross. There's an annual report we publish that has that. I don't know that we have – I think we have it broken down by jurisdiction that we could produce. I'll send you the link to the latest—the last one we did. But there's a statute, last session that requires an annual report. But we—I get that on like, almost on a monthly basis of who's sending who where. And it's—

Gianna Verness: Okay, perfect.

Ross Armstrong: Yeah. It's primarily more JJ than child welfare youth. And I think Washoe has a disproportionately high number of youth out of state. These are just out-of-state ones. Not necessarily— not in-state ones.

Brigid Duffy: Okay.

Gianna Verness: Okay. So, what you're saying is our anecdotal experience that we send a lot of kids out of state here, and Washoe is actually supported by numbers that we didn't know you kept?

Ross Armstrong: Correct. We have had—we're working on another one that we're trying to tweak it a little bit before it goes out that's more like, clinical focused. But out of state, we've had a substantial drop in the last four years in terms of youth going out of state. But I'll shoot you that report right now. I'll send it out to this meeting invite link.

Gianna Verness: So is that something we could include—do we want to include it in this report? In-state versus – do we want to break it down by in-state and out-of-state?

Leslie Bittleston: So, as Ross stated, we probably can get the out-of-state internally, but I would need the counties to provide in-state. So, that's not something they're currently providing. And Ali's on the phone. Is that something easy you can provide, the number of kids you send to RTC in-state?

Ali Bannister: Yeah. That shouldn't be—we do that monthly anyway.

Leslie Bittleston: Okay.

Ali Bannister: That shouldn't be a problem. At least for Carson. And I think the other treatment facilities that we commonly use – and probably Washoe too – is drug and alcohol programs, whether they're in-state or out-of-state.

Leslie Bittleston: Oh.

Gianna Verness: Right. And like, Sierra Sage and all those.

Ali Bannister: Yeah. We use WNRYS a lot.

Leslie Bittleston: Okay. But what I have here is I have this means placement, RTC in-state, RTC out-of-state. And then I have a slash for ICPC. It's an ICPC report, right, Ross?

Ross Armstrong: Hm?

Leslie Bittleston: The RTC out-of-state.

Ross Armstrong: No. It's not a—I don't think it's an ICPC report.

Leslie Bittleston: Oh. Okay. I was just—

Ross Armstrong: I mean, I think if – Kathryn might know. I think—I mean, our data team puts it together.

Leslie Bittleston: Oh.

Ross Armstrong: So, I mean, ICPC would be a whole different thing than the facility placement one.

Leslie Bittleston: Okay. I'm just going to put data team report. Okay. Got it.

Brigid Duffy: Okay. So, are we good with our supervision?

Leslie Bittleston: Yep.

Brigid Duffy: Oh. There's a question captured as a snapshot in time.

Leslie Bittleston: Oh. And I was talking about supervision levels. I wasn't thinking about--

Brigid Duffy: Okay. Okay.

Leslie Bittleston: Forget it. We can move—we're good.

Brigid Duffy: Okay. So, percent of youth who are minorities. So, I would think this is just the annual—you know, annually. I mean, statutorily, we have to collect the age, sex, race, or ethnic—other ethnic background? So, I would just probably venture to say they want it, you know—

Leslie Bittleston: At referral, at arrest, at whatever.

Brigid Duffy: Well, I think all of those are pretty relevant to our DMC reports at minority contact. So, you know—so, at arrest—

Leslie Bittleston: It would be—

Brigid Duffy: So how many are diverted—how many, you know, diversions versus adjudications versus commitment versus – I mean, we all pretty much can guess what the numbers are, but...

Gianna Verness: Well, and don't—isn't there a report though already that talks about it?

Ross Armstrong: I would think we could just use the DMC report. Or the RED—is it the RED Report now?

Leslie Bittleston: Yeah, the RED Report. Racial and Ethnic Disparities. I just posted it on the DCFS website, so...

Gianna Verness: And does it break it down by referral, citation, arrest?

Leslie Bittleston: It breaks it down by the major contact points, which are referral, arrest, detention placement, DCFS commitment, certification – am I forgetting one? Diversion. But some of those major ones.

Gianna Verness: Oh.

Ross Armstrong: Oh. Okay. Well, good.

Leslie Bittleston: Yep. So, okay. So, I'll just put the RED Report and move on.

Brigid Duffy: So, the percentage of youth in the juvenile justice system. So, do we—does each county have a census of children ages ten to one day before 18 in their—

Ross Armstrong: The state demographer produces a report every year that has estimates based on growth in the most recent census, and they can even – sometimes, the report—like, I’ve seen the report for the counties around – Tesla have—like, if Tesla comes, this is the projected populations. And if it doesn’t – so, we can probably get that from the demographer’s website and then just take the number of youth that are, you know, have JJ involvement and do the quick math on that one.

Leslie Bittleston: Okay.

Brigid Duffy: Right. And so then the question becomes, what does “in the system” mean, right?

Leslie Bittleston: Right.

Ross Armstrong: Right. I mean, I would think adjudicated and on probation or deeper into the system.

Brigid Duffy: I would agree that’s a good – let’s just stick with that. Did you say formal adjudication?

Ross Armstrong: Yeah. Or a formal probation. I guess.

Gianna Verness: Because I think we’re—that will not capture a lot of kids who have the low, low level referrals, the one-time referral and if handled informally.

Brigid Duffy: Right. Well, that’s what we do to keep them out of the system though.

Gianna Verness: Exactly.

Ross Armstrong: Yeah, I mean—

Brigid Duffy: Right.

Ross Armstrong: I think it would—I think we’d want to capture like, how many are—so you get a sense of who are actively receiving services from the JJ’s system. Right?

Brigid Duffy: Right.

Gianna Verness: I feel like then we – because we do a substantial number of petitions that result in less than formal adjudication. But they’re receiving pretty decent services, especially youth on supervision and consent decrees. And even some kids on diversion, they do a number of different programs—can frequently. And a lot of kids on diversion are subject to search and seizure, I mean. With their agreement, obviously. While they’re on diversion. So, I feel like you might be missing some if we don’t quantify it through petitions filed—youth with petitions filed. But then—I don’t know.

Brigid Duffy: Well, I would—I could see the argument that if we’ve gone as far as filing a petition, you’re in the system.

Gianna Verness: Right.

Brigid Duffy: Whether you’d be staying or not. Like—

Ross Armstrong: Yeah, that’s a good point.

Brigid Duffy: And, you know, we have all those kids that are incompetent that we can't adjudicate that we're providing services to.

Gianna Verness: Right. Right.

Brigid Duffy: So—

Gianna Verness: So, maybe it would be better to utilize petitions filed.

Brigid Duffy: Right.

Gianna Verness: Percentage of youth with a petition filed.

Brigid Duffy: And that would be a distinct—like, a distinct youth, not because one kid could have 50 petitions in one year. That would do the numbers. So, it would have to be kid-specific.

Leslie Bittleston: No, I'm trying to write this down and you're talking fast.

Brigid Duffy: Oh, I'm sorry.

Leslie Bittleston: That's okay. So, petitions filed, and you said youth-specific.

Brigid Duffy: Right.

Leslie Bittleston: And then I also have youths who are actively receiving services in the JJ system. And then I also have number of youths who are deemed incompetent. I don't know--

Brigid Duffy: No, no, no. It's all—that's—

Gianna Verness: No.

Brigid Duffy: —all that we need to start—all that we need to do is collect the number of kids that we filed a petition on.

Leslie Bittleston: Oh, from the state demographer's report.

Brigid Duffy: Yeah.

Gianna Verness: Yeah. And comparing that, like, if there are 500 petitions filed for 300 youth, what percentage is that 300 youth versus the total demographic?

Leslie Bittleston: Oh, okay. And then—okay. So—

Gianna Verness: We don't want 500 petitions filed in that percentage. We want it specific to the number—the actual number of kids that have petitions filed, whether it was one or ten per kid.

Brigid Duffy: Right.

Leslie Bittleston: Okay. I guess I was typing stuff I didn't need. Okay.

Brigid Duffy: Yeah, so—

Leslie Bittleston: Okay. Sorry. Go on. I'm good.

Brigid Duffy: Okay. So then the next one is types of arrest.

Leslie Bittleston: That was my question, if – you know, there were over 8,000 arrests. And what I normally do – and I provide this in our annual Governor's Report, whatever the top five are is what I provide. And I'm just wondering if that's okay. Do you want our top ten? Do you want a top 15?

Gianna Verness: I don't want it limited to arrests.

Leslie Bittleston: Oh.

Brigid Duffy: Well, the—

Gianna Verness: Because the—

Brigid Duffy: Well, yeah. The statute requires the charges for which the child is referred. Including any charges of violation of probation or parole.

Leslie Bittleston: Right. And that's what I – I get the highest-level charge on every arrest. And then I compare—I take all of those – you know, I have to put them—I have to hand count from all of the counties, and whatever the top five are, I just put that out. But because if I didn't, I'd have a list of, you know, 300 or more different charges.

Gianna Verness: Mm-hm.

Leslie Bittleston: And so, is that what you want? A list of all of them?

Gianna Verness: Well, I don't—

Brigid Duffy: I'm pausing because I struggle with the answer to this. But go ahead, Gianna.

Gianna Verness: Well, and the—you know, I'm thinking if we're talking about the number—the top types of crimes for delinquent acts that we receive, again, anecdotally, I'm guessing ours is possession of a controlled substance, concentrated cannabis. Right now. I mean, we went from 20 referrals last year to like, 120 in the first four months of this year. That has exploded with the legalization of marijuana. The concentrated cannabis.

Leslie Bittleston: Wow.

Gianna Verness: And most of those kids are not arrested. They are referred. They are, you know, referrals, because they're—we had the president of the high school senior class and the football star and the cheerleader and the debate nerd. I mean, everybody—I swear, they're giving it out in the bathrooms at these high schools. I swear.

Brigid Duffy: The debate nerd.

Gianna Verness: I mean, just—and it's just not specific to any one kid. It's like, every type of kid has them. You know, not kids that we historically would see in the delinquency system, and I don't want to not capture that. Because we have just seen an explosion in those types of referrals. So that's why I don't want to see it limited to arrest is my point.

Brigid Duffy: Yeah. So, I—we have—I often ask for this information, especially when I do presentations to the legislative committee. And it's very different when you ask for the top five refer charges and the top five file charges.

Gianna Verness: Uh-huh.

Brigid Duffy: Very, very different. So, our top five referred are battery, the possession of marijuana—

Gianna Verness: Mm-hm.

Brigid Duffy: Those are our top referrals. Our top filed is robbery, like—heh. It gets significantly more serious when you talk about which cases the DA's office is actually filing a petition on.

Gianna Verness: Right.

Brigid Duffy: So, it does make a difference if we—how we pull the data and what it says in the statute is “the charges for which the child is referred.” So, that's a referral and not a filing of a petition.

Gianna Verness: Right.

Brigid Duffy: And then—so, then Leslie, your question is, do you really want all, you know, combinations of 2,000 different charges?

Leslie Bittleston: Right.

Brigid Duffy: Or just the top five? And the reason I paused before answering is because I always—every time I asked for the top five, I'm like, well, you—the top five that we pull are, you know, battery and marijuana, and then a category called “other.”

Leslie Bittleston: Yeah.

Brigid Duffy: So, however they lumped it together to pull all these little stuff together in “other.” Like, I don't know how they do it. So, if it's really top five substantive charges, that's fine. But if it—there's a category that captures a whole slew of “others” in the top five, I don't want that.

Leslie Bittleston: Okay.

Gianna Verness: Can we break it down by referral versus filing or referral/arrest versus filing?

Brigid Duffy: Well, I think it's—yeah. I think a referral is either a citation or an arrest, so it would lump those two things together.

Gianna Verness: Do we care, though, what kids are being arrested for? Go ahead.

Leslie Bittleston: So, I do not get charges for referral; I get charges for arrest.

Gianna Verness: And how do you get those?

Leslie Bittleston: So, the counties provide me a bunch of numbers, like the total number of referrals, total number of arrests. So, the tot—for each arrest, they provide me a list of the arrest charges. So if they arrested 100 people, they might say 20 controlled substance, 15 sexual assaults, and whatever. So, it—so, that's what they provide me. So I get the charges for arrest, but not for referral.

Gianna Verness: How do you use that data? Is it just for a report?

Leslie Bittleston: Yeah. I use it for the Governor's Report, and I also use it for federal reporting. I usually provide only the top five or top ten.

Brigid Duffy: But the number one arrest, is it domestic battery?

Leslie Bittleston: It is.

Ross Armstrong: Oh, Lord.

Leslie Bittleston: Yep.

Gianna Verness: Yeah.

Leslie Bittleston: It is.

Gianna Verness: It is. That's who gets arrested is the domestics.

Leslie Bittleston: Yep.

Gianna Verness: Which is so not representative of the JJ system and the work they do. Like, it—you know? That just sucks.

Ross Armstrong: and not even representative of like, real domestic violence. Heh, that's what always kills me about that one.

Gianna Verness: Right. I mean, it sucks that that goes into a bunch of reports that the number one thing that kids are arrested for is domestic battery. Heh.

Leslie Bittleston: And then a lot of just general battery, a lot of assault.

Gianna Verness: Uh-huh.

Leslie Bittleston: A lot of fighting. A fray or fighting.

Brigid Duffy: Yeah. Right.

Leslie Bittleston: You know, then a lot of different controlled substances. Now, when I get controlled substances, sometimes I specifically get marijuana. But sometimes, I get nothing. I don't know what drug it is. It just says possession of a controlled substance. So, I don't know if I can even provide the top drug of—you know—

Gianna Verness: Right.

Leslie Bittleston: Yeah, so I just don't have that.

Gianna Verness: So is it possible to get the top five referrals versus arrests, or is that just not captured anywhere?

Leslie Bittleston: I would have to change what I request from the counties.

Gianna Verness: Hm.

Leslie Bittleston: And that data does not get sent to me until January. December-January. So, I get it annually. So, usually between December and January.

Gianna Verness: Because the arrests, I don't think that that's going to tell us a bunch of information if we limit it to just the top five arrests.

Leslie Bittleston: Madam Chair, we've got two minutes until the end of our meeting.

Brigid Duffy: What's that?

Leslie Bittleston: I said it's 3:28. We have two minutes to the end of our meeting.

Brigid Duffy: I know. I was just think—sitting here thinking if we were going until 4:00. This is a really— heh. I actually very much appreciate going through all of this with every—all these experts here. I—just finishing up this one, I completely don't know that—how we're going to – I mean, the statute requires us to keep track of the referrals.

Leslie Bittleston: Okay.

Brigid Duffy: That's what it requires us to do. And I get—I agree with you, Gianna. I don't really know that it's going to be—you know, will demonstrate what we really do in the juvenile justice system. Because—and that's why I always have both the file charges and the—what we get referrals for.

Leslie Bittleston: Right.

Gianna Verness: Right.

Brigid Duffy: Because everybody in the world thinks we, you know, are bringing kids into the system for every fight, every this, every that. But I'm like, no. While these might be why they get to us. These are the ones we actually take to court. To give, you know, probation.

Gianna Verness: Yeah, I think—it would be really interesting if there were any way to see what the referrals, arrests, and filed charges are. And then compare.

Brigid Duffy: So, let's—

Gianna Verness: That would be really interesting.

Brigid Duffy: Yeah. So, let's come back to this one. I'm going to pretend that we didn't finish this one up, because I don't think we really have. Except, of course, you know, what the statute says we have to do.

Leslie Bittleston: Okay.

Brigid Duffy: So, do—shall I take a motion, since I have a quorum right now on the ones that we have gone through? Do we need Leslie to summarize them? Did we all take our own notes and kind of remember what we talked about? So kind of a motion to approve, Leslie moving forward with the information that we vetted on what types of data we're actually looking for when she reaches out to the counties? Up through—the last one was the percentage of youth in the juvenile justice system.

Gianna Verness: I would move to approve.

Brigid Duffy: Okay.

Ross Armstrong: I'll second that.

Brigid Duffy: And no other discussion? Are all three of us in favor? [Ayes around] Okay. So, we'll stop the meeting today and try to schedule one probably – I don't know when the next JJOC is. Is it in July?

Leslie Bittleston: July 17th.

Brigid Duffy: Okay.

Leslie Bittleston: Is that—

Brigid Duffy: So I'd like to try to finish up this list before we go—

Gianna Verness: Agreed.

Brigid Duffy: —to that meeting. So, try to get a date in June. Are Wednesday's bad for you, Gianna? I mean, it's so weird with the virtual court now for us. It's just--

Leslie Bittleston: Yeah. I'll make it work. Wednesdays do tend to be a little bit worse. But I feel like that's true about every day.

Brigid Duffy: Yeah. And again, I'm allegedly out of town the 20th to the 27th, depending on whether or not I have to quarantine when I come back. Of June. So, we could maybe do – let me look at June.

Gianna Verness: I have Wednesday—like, the week of the 17th—or I'm sorry, the week of Monday, the 15th of June before you go, or?

Brigid Duffy: So, I actually could do June 9th. Which is a Tuesday.

Gianna Verness: Mm-hm.

Brigid Duffy: I could do June 11th any time before 2:00. That's a Thursday. Any time on June 16th, which is a Tuesday.

Gianna Verness: Is Ross good on any of those?

Brigid Duffy: You what?

Gianna Verness: I'm good. If Ross can make any of those work, I can make it and be fine for me.

Ross Armstrong: The 11th out of those works best for me. It's most open.

Gianna Verness: Okay.

Brigid Duffy: Okay. So, we want to do—can we do it earlier? Can we do like, a 10:30 to a 12:00 on the 11th?

Gianna Verness: I think we should plan on at least an hour and a half, if not two hours. Although, maybe it'll go more quickly than—

Brigid Duffy: Can you do 10:00 to 12:00?

Gianna Verness: Yep.

Brigid Duffy: Okay.

Ross Armstrong: Yeah.

Gianna Verness: Yeah.

Brigid Duffy: All right. Let's do that. Perfect.

Leslie Bittleston: Please don't forget—

Brigid Duffy: And then if we get a chance, maybe we can kind of look at all of these, since Leslie laid them out. And since we're kind of thinking about them, that way we're not—then we can move through them maybe a little faster, now that we understand what it is that we're needing to assist with. So.

Gianna Verness: Yes. And can we also address the minutes at the next meeting?

Brigid Duffy: Yes. We can do that at the next meeting. That'll give you guys a chance to review them. And Leslie, again, this—when I reviewed this report—this report card, unbelievable amount of work. Thank you.

Leslie Bittleston: Thank you.

Brigid Duffy: And I know it's not easy dealing with the counties. I'm sure they're not—not all of them are pleasant.

Leslie Bittleston: Well, it's not—

Gianna Verness: Yes. Thank you, Leslie.

Leslie Bittleston: Yeah. It's not that they're not pleasant, it's just sometimes they, you know, need clarification on what exactly, you know, we're looking for. So—

Brigid Duffy: Okay.

Leslie Bittleston: Yeah.

Brigid Duffy: Right.

Leslie Bittleston: So—yeah. But I appreciate the team, you know, going over this. It'll help me provide some answers to the counties.

Brigid Duffy: Right.

Leslie Bittleston: Yep. Okay.

Brigid Duffy: So, we'll talk—I'll talk soon. And before the meeting appointment and—thank you, guys.

Leslie Bittleston: Thank you.

Ross Armstrong: Thank you.

Gianna Verness: All right. Bye.

Ross Armstrong: Have a good one.