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DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
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Administrator

Nevada State Juvenile Justice Oversight Commission *STRATEGIC PLANNING COMMITTEE MEETING* May 25th at 10:00 am

Transcript

Called to order at 10:00 am.

Roll Call:

(Voting Members)

Present: Elizabeth Florez (Chair), Brigid Duffy, Jennifer Fraser

Absent: Egan Walker, McKenna Finnerty

(Staff Members)

Present: Leslie Bittleston, Kayla Dunn, Dan LaBarbera

Elizabeth Florez: Yes, so congratulations and I just wanted to explain the name change, so good stuff. Okay, with that we'll move on to agenda item number 3, public comment and discussion. Do we have any public comment? I don't see any. Therefore, we'll move on to item number four, review and approval of the February 1st, 2022 meeting minutes which are attachment number 4. If everybody had a chance to review and if there is no discussion, I would seek a motion to approve those minutes.

Brigid Duffy: This is Brigid, I'll move to approve.

Elizabeth Florez: And I'll second. Okay, thank you. I beat Ms. Fraser. Am I supposed to be asking -- oh, okay so --

Leslie Bittleston: After -- yeah, you just ask for all approved.

Elizabeth Florez: Yes, so all those in favor, say I. Aye.

Committee: Aye.

Elizabeth Florez: Any opposed? Not seeing any opposition, the motion carries. And -- am I supposed to ask for public comment at this point on that?

Leslie Bittleston: No. You've already asked for public comments and then there will be another area at the end.

Elizabeth Florez: Okay.

Leslie Bittleston: For another public comment.

Elizabeth Florez: Okay. Thank you for that. Okay, moving on to agenda item number 5 for discussion strategic plan updates and I'll refer you to attachment item number 5, right Ms. Bittleston?

Leslie Bittleston: Yes. Item number 5 for discussion, update on legislative bills. The first update -- unless I have the wrong agenda.

Elizabeth Florez: Am I -- oh, I'm sorry, am I looking -- I apologize, for discussion -- let me correct myself. Item number 5, update on Legislative Bills from 2021, Ms. Bittleston. I apologize.

Leslie Bittleston: Just a quick update on the two bills that are listed, the first bill is SB356 and just to remind everybody that SB356 is the study bill regarding looking at the housing placement options for the youth that are currently placed at Lovelock Correctional Facility. There was a \$50,000 fiscal note with that bill. The state did do an RFP to look for a vendor to help write that bill but I just found out five minutes before this meeting that nobody applied. So, we do not have a vendor to write this bill but there is a little speck of good news is we finally got some contacts with Lovelock and we are meeting state staff, myself and a couple other state individuals are meeting with the warden and assistant warden of Lovelock this afternoon. So the fact that we do not have a vendor doesn't mean that we're not going to continue to work. We maybe writing the bill -- the study report in-house but anyways, I just wanted to let you know where we are on that. I don't have any data to share. This is our first meeting with Lovelock staff. So, are there any questions on SB356?

Elizabeth Florez: So -- this is Commissioner Florez for the record. Just so I'm understanding, this is not -- this is not the one that was studying pilots, was there a separate bill regarding Summit View being a pilot placement and --

Leslie Bittleston: I don't -- I don't think that passed. I think that died. Yes, there was but I'm pretty sure that died.

Elizabeth Florez: Okay. Okay for the clarification. And so what I'm understanding then is that, as it stands the state will then attempt to take on this study?

Leslie Bittleston: Yes.

Elizabeth Florez: Okay.

Leslie Bittleston: Yes and it will probably be -- we'll just have to see. So -- so nobody applied to the board -- to the RFP and we have our first meeting with Lovelock staff this afternoon.

Elizabeth Florez: Great, okay.

Leslie Bittleston: So, we'll see what happens going forward. SB385, moving on to the one, that is the bill to study prevention activities. And I like to refer to prevention activities as more activities around diversion because that's what -- how people understand what prevention activities are. So, we are looking at the services that the counties provide on when they divert youth from deeper [ph] system

involved then. So, I have received information from all but two jurisdictions and I am currently writing that report. I did get some help from some other DCFS staff who did quite a bit of research for me around what other states are doing around this. So, I did get that information from some other state, so it's in process, it's not ready for-- to be pared [ph] at this point but it's in process.

Elizabeth Florez: Excellent. Thank you for those reports. Are there any questions for Leslie regarding this?

Brigid Duffy: So, Liz this is Brigid for the record. On SB356, Leslie, did -- did you talk to Holly [ph], the ACLU? Does she know there was nobody that applied and do they have a -- this was their bill, like do they not have somebody in mind that they think should do [ph] the study?

Leslie Bittleston: I don't -- like I said I just found out five minutes before this meeting about nobody applied. I didn't -- I'm not -- I was not on the RFP committee, so they -- so -- anyway I just asked about it and was told five minutes before that nobody applied. So no, I have reached out to nobody. You are the first to know, so --

Brigid Duffy: I'm sorry, I didn't catch that you had just learned that a couple of [inaudible]. Okay.

Leslie Bittleston: Yeah, I had just -- just learned that. So -- anyway I have to figure out what to do from here but yes I -- I do plan on reaching out to Holly [ph]. I did meet with her last month about this bill and she did say she has a lot of information she can share with us, to be part of the study. But no, I have not talked to her about nobody applied.

Elizabeth Florez: Interesting. Okay, thank you. We'll move on to agenda item number 6 for discussion and possible action SB398 report. Ms. Bittleston, can you walk us through this, please?

Leslie Bittleston: Yes. SB398 and it may be beneficial to look at the attachment which is attachment 6A and -- so this bill was requiring the JJOC to provide a report to the committee on the Judiciary regarding the status of the strategic plan. So if you look at this bill, there were specific things that this bill would -- this bill requires. So, I'm looking directly at attachments 6A and I'm in Section 1 -- 1A. It says any update on the progress of the Division of Child and Family Services in achieving the measure set for the strategic plan. B. Any recommendations for legislation relating to, and there's three areas, improvements for the next strategic plan, disparities in the juvenile justice system and compliance with the Juvenile Justice and Delinquency Prevention Act. So, that was what was required in the bill, so I -- so what I did is I wrote this bill draft, wrote this report and the draft is attached as attachment 6B. So, just to walk you through the report and how I laid it out on page number -- starting on page number 3, short executive summary introduction which is the bill pieces that I just read. Requirements of the strategic plan, I took that directly from NRS 62B 615. And then, I added some key accomplishments, and I'm on page 4 now, of the JJOC over the last few years. And then moving on to page number 5, the way I laid out this report is I went through each goal of the strategic plan and address each goal and each objective to say, okay this is what we did, we're complete. This is what we did, we're partially complete or incomplete. So, I did that for each of the goals and then moving way past that, moving down to page -- where am I going? Page -- way down there, page number 13 is when I started discussing the general recommendations based on their strategic plan. So, there's still some recommendations there and then moving on to page 14, disparities in the juvenile justice system. This information came directly from the racial and ethnic disparity committee. So, I just took this information directly from them and then moving on to page 15, compliance with the Juvenile Justice and Delinquency Prevention Act. So there are some -- there's a lot of things in

this report and I don't know Madam Chair, if you want me to go through each thing or -- or how you'd like me to talk about -- I talked -- that was the layout.

Elizabeth Florez: Okay, if I may before we -- before we decide that, if committee members had an opportunity to review it at all prior to today? I know it was a lengthy document. So then -- then I think it would be appropriate then, Ms. Bittleston, to go through it and then -- but -- and if I could ask when is it that -- because I know this is for possible action and I imagine this body would have to approve this report prior to its release. So, what are your timelines that you're working within, so that we know?

Leslie Bittleston: So, the way this works, this is due to the Committee on Judiciary on or before August 1st. However, once it is approved by this body, it will go to the, you know, internal state review process which goes to the director's office. And they need about two to three weeks to review, so probably -- if we could probably have this done by 1st of July, I think we can get it to the Committee on Judiciary by August 1st, the due date.

Elizabeth Florez: So, presumably if we're to have -- we go through this report now, we ensure that we have a meeting prior to July 1, so that this group will have an opportunity to bring forward any comments, any edits and give you enough time by July 1 to submit then. We would need that vote. Our next meeting needs to happen before July 1 to allow for that.

Leslie Bittleston: Yes.

Elizabeth Florez: Okay. So, I just want to understand the parameters before we move forward. So, let's go ahead and go through it. Thank you.

Leslie Bittleston: Okay, so starting on page number, where am I? Page number 5, goal number 1, screening and assessments. This -- this is an easy one. This is the selection and implementation of the YLS tool. So, this is actually complete. The JJOC -- what was the name of that committee? I can't remember, anyway the -- the assessment committee. There was a short committee, anyway the one from back in 2018. Anyway, they went through the three tools, their YLS, ODS and -- and t another tool and they selected the YLS and brought it to the full JJOC, who them selected it. So, this is a complete objective of goal number 1. Objective number 2, reporting policy. The bill policy for reporting requirements for the use of the tool, the use of YLS establishes processes, requirements and time for state and all of that. This is partially complete and the reason that this is partially complete is because, whereas we have selected a tool, we implemented the tool and we have embedded the tool within Tyler Supervision, we are still pending a report from Tyler Supervision to provide this information to us. So -- so this is partially complete. We can get some basic information about completed YLS but the piece that we are missing is that piece that provides the -- how do I say this? The YLS comparison at the beginning of service or at referral or adjudication and then at termination because that is one of the pieces we were looking at. So as you can see, the partially complete and there's a little bulleted item on the top, page 6. It says pending the completion of report in web-based case management system or we can contract with the vendor of the YLS to provide a major -- a comprehensive report package for between \$50,000 and \$80,000 annual cost, so there is that piece as well. I have spoken to the vendor about this several times, so this would just be a funding issue, if the vendor or I mean if the state wants to go this route as well. So there are-- we're either pending report or we're going to go this other route which is much more expensive.

Elizabeth Florez: This is Commissioner Florez with the question. So when you talked about the vendor, in this particular case that's Tyler or it's -- or it's --

Leslie Bittleston: MHS.

Elizabeth Florez: MHS?

Leslie Bittleston: That's right. Yeah, Multi-Health Systems which is the vendor of the YLS.

Elizabeth Florez: Okay.

Leslie Bittleston: Yes, so we -- as you know we pay -- we pay MHS an annual, you know, fee to use the YLS. So what happens is, they have a huge database where they keep all of our information and they have data mining systems and all of the stuff where they can provide a comprehensive report package to us. And that would include -- include all the counties as well. So if it were up to me, I would go with contracting with the vendor because they could probably do a much better job than anybody within the state.

Elizabeth Florez: Commissioner Florez again for the record and so because we're not on Tyler yet in Washoe County --

Leslie Bittleston: Right.

Elizabeth Florez: So, right now when all of the counties are inputting the YLS into the system, that information doesn't just live in Tyler, it also gets communicated to MHS?

Leslie Bittleston: That is correct. So --

Elizabeth Florez: Okay.

Leslie Bittleston: -- what happens is, so we've embedded the YLS within Tyler Supervision. So, the way that it works is a -- employee whatever county or state employee goes in and they fill out the embedded tool, then what happens is there's a button that you push. It's like an interface with MHS and MHS sends that interface back with a score. So, once we hit that interface, it goes to their system. They score it but they -- but that -- but all that data is housed in their data warehouse, so yeah.

Elizabeth Florez: Thank you for that clarification.

Leslie Bittleston: Yeah and I realized you're not on Tyler, so you didn't quite understand that piece, yes. It's actually -- it works really well. You know, we -- yeah, it just -- it works well. And that's -- that's what we pay for. We pay for the use and we pay for them to score the tool for us. And then once the scoring is completed, what pops up is a PDF report. If you remember from way back when, we all saw the sample PDF report that comes from YLS. That's what comes back to us. Okay. Any more questions or you want me to move on? Okay, move on. Case planning policy, so the case plan is another piece that we -- we embedded right after we selected the YLS tool. Along with the YLS tool, there was a case plan that was -- it went directly with that YLS -- with the YLS. So, the state adopted the YLS case plan document with some tweaks. That document -- that case plan has been embedded into Tyler Supervision just as the YLS has. So we -- so this is complete because there is a statewide case plan. The case plan has been embedded into YLS and I know Washoe is probably using the paper case plan, so that is complete. Any questions on case planning? Okay, moving on to goal number 2, proven programs. This was all around

the evidence-based resource center and the utilization of the state funding for evidence-based programs and services. So, objective number 1 was to establish an evidence-based resource center. This -- this is partially complete and -- and the reason that it is partially complete is yes we -- we did an RFP. We selected a vendor, we have a website, the Nevada -- what is it? The -- for Center for Innovation, whatever it is, anyway but the reason that it's -- this is partially complete is because there was a whole list of things that the vendor was supposed to do that was outlined in AB472. Due to lack of funding for this particular entity, not all of those things were accomplished. We were supposed to have like a quality assurance or a mechanism to review programs and services to ensure that they meet requirements, that -- that is not done. So, there was just some pieces that were not completed within -- within that. The evidence-based criteria, and that's what I was just talking about, the vendor is not create -- not yet created a process for DCFS to evaluate evidence-based programs practices based on the criteria created by the JJOC due to lack of funding, and the criteria, if you remember that evidence-based matrix which is part of the strategic plan. So, we have the matrix, we have the outline of what is an evidence-based program service, we just don't have a mechanism to review to ensure they're meeting that. So, that's the second-- first and second. The third one, evidence-based inventory. So again, this one is lack of funding. The intent around number 3 was that the vendor would go out and find a bunch of programs and services that met our requirement and have them available on our website for folks to use. But again due to lack of funding, this is only partially complete or actually incomplete. Let's see, evidence-based practices, strengthened evidence-based practices to improve outcomes. So, this is really around the quality assurance reviews where the JJOC selected the correctional program checklist. And this is an area of confusion for me because in AB 472, the language in AB 472, the intent was to do quality assurance reviews of the state facilities, the youth camps and the detention facilities, the county detention facilities. However, what was placed in Nevada Revised Statute only provided authority for these three-state facilities and the two youth camps. It did not include the juvenile detention facility. So, this is my area of confusion on number 4 here. I'm not sure if the intent is still to review juvenile detention facilities using the CPC tool or not. Any questions on that? No? Okay. Youth [ph] engagement, this one is really around --

Brigid Duffy: I'm sorry, I had a question. I was just -- I'm like opening [ph] screens, this is Brigid.

Leslie Bittleston: Tell me about that.

Brigid Duffy: For the record. So when you say that you're not sure of the intent, is that something you're -- like that needs to be brought to us, so that we can help clarify that intent or how --

Leslie Bittleston: We're going to look -- I guess because -- I guess what's confusing to me is when I started this work, there was nothing in NRS yet. All I have was AB 472 which was a massive document, we all know that. So then -- and in AB 472, there was this whole section about doing quality assurance reviews for all of the facilities. So then when it was codified into law and I think it's NRS 62B.620. It only includes the -- anyway it excluded the juvenile detention facility. So, I'm not sure if that -- if the intent was changed from -- or what is going on there.

Brigid Duffy: So, what I think I hear, this is Brigid for the record. What I think I hear is that you -- like it would be helpful if maybe we have somebody go back and look at the AB 472 and maybe the legislative history to see if it just didn't -- it wasn't carried over into this by the LCB into statute, so we had more -- better understanding of what it's supposed to do?

Leslie Bittleston: Right and because I would remove this if the intent was never to include juvenile detention facilities. You know, I would say that this was complete because we selected a tool, we

implemented quality assurance reviews of the intended facilities. I'm just confused about the additional juvenile detention facilities, so.

Brigid Duffy: Okay and then -- so this is Brigid again. So, Commissioner Florez, the other option is, because we're trying to figure out what the intent was is perhaps somebody from the legislature would ask for an LCB opinion on it. We can't ask for an LCB opinion but a state legislator can. So if we had clearly in there that we had some concerns over not understanding the intent of whether or not it applies to certain county [ph] facilities and probation departments that maybe -- maybe a legislator will ask to clarify that for us. If we can't figure it out by looking at legislative history which we can do but that -- that bill kind of just soared through, so I'm not sure there is much discussion that we'll find, so.

Elizabeth Florez: This is Liz Florez for the record and thank you Commissioner Duffy. I was -- I'm very unfamiliar with that process and didn't even know how that work. So, I'd like to direct Ms. Bittleston to inquire and research about that option. I -- I don't want to impose upon the commissioners here to attempt to go hours and hours of reviewing, you know, legislative history and video and conversation. So if that is an option for the LCB to provide assistance, if you could please explore that, that would be very helpful. Thank you.

Leslie Bittleston: Yeah. And it looks like I jumped to quality assurance reviews and then I'm -- I'm now on page 9 and Caseload Pro called Tyler Supervision is complete, except for phase 2. So -- and talking about Tyler Supervision and this -- this is a lot -- a bigger conversation that I didn't even realize until we were about a year and a half into -- to Tyler Supervision into -- after we went live in all of this. My understanding, based on talking to folks and in my experience with Tyler Supervision and talking to Tyler staff, is that with negotiations with Caseload Pro, now Tyler Supervision occurred, there was a lack of understanding on the state's part with what the functionality of Tyler Supervision was at the time that we selected them versus what the functionality could be with some enhancements. So you know, when we go to the negotiating table we say we need this, this, this, this and this and Tyler Supervision said, yep, we can do all of that. But what was not clear and I -- I don't have the history. I wasn't in the discussions but what I can tell you today is that there were things that were just not even available at the time we selected Tyler Supervision and there are still some things that are still not available. And one of the biggest things that is not available is that data sharing piece, those bridges between, you know, may be unity or even between counties, you know, to share data from the counties even up to the state. Because the intent has always been for my office to be able to click a report from a county and be able to get just that report data, you know. So, that functionality is still not there and -- so I'm not sure what the intent, again, going forward with this is. Is the intent to fund this or if the intent is not to fund this, then we need to remove it because it's not going to happen without additional funding. And it is so difficult for me to go into a meeting with the counties and say I need data, when what I get back from the counties is, you know you're supposed to be able to pull the data, what's going on? So, I can't do it, it's not there, so that's kind of that. So, I don't know if you have any questions, that was kind of the very big block.

Brigid Duffy: This is Brigid. I don't have a question but will say Leslie I appreciate, I understand what you, you know, what you're going through. And I know from chairing the data subcommittee, we've actually changed some of what we we're looking for because we knew we weren't going to get it without additional funding. So, I don't know, maybe a legislator will scoop up some money and fund it. I think we could have saw this coming since there wasn't any funding of that.

Leslie Bittleston: But I think -- I think it's not, and I don't know the right word to use, it's frustrating on my part because I know the counties struggle to gather all the data the state needs. And I'm not saying

they don't do it, they absolutely do, do it but it is difficult for them. They need staff to do it and if we could just find a way, you know, for the state to click a button and get the report, everybody would be happy. But we're not there yet, and I don't know if we'll ever be there. So -- but the intent was to do that very thing and there's no funding for it.

Elizabeth Florez: And this is Commissioner Florez for the record. And Ms. Bittleston, can you, also along these lines, report on -- so for example the DMC report. My understanding from other meetings and other conversations with probation chiefs is that for those reports they're still not having 100% confidence in the data that is being pulled out of Tyler Supervision. Therefore, many of them are either providing the data with a disclaimer saying, we don't have confidence that this is accurate or they're submitting a Tyler data in conjunction with their own still prior -- prior mechanisms of pulling that data. Can you comment on that, please?

Leslie Bittleston: Yes, I can and this -- this was another learning curve for me as well and it took me a while to figure this out but now I understand it. So, what happens within Tyler Supervision is -- is a computer system. So, basically, if folks do not do the same thing and input data in the same exact way and call the -- call like a referral the same exact thing, a generalized report is not going to work for them. So, what happens is, when you look at a question, let's just take a question. How many referrals came into your county? Okay, great, general question but every county calls a referral something different. So that means a Tyler Supervision developer has to go in there and look at their database and say, oh, they called this, this, and this, these are all referrals. So, our report has to pull all of this stuff into that one question. So, you heard Commissioner Florez in the NASH [ph] meetings many times that when we don't do the same thing, the things the same way, that's when we have problems. So, the state pays for a report, right. The state paid for the creation of the DMC report. The problem was the way that counties were entering the data, each county had to be configured to make sure that the data they input answers the questions of the generalized DMC report. So, that is where the problem lies. It's not a problem with the report and it's not a problem with the counties. It's the fact that a person needs to figure out how to configure the back-end of the system, you know. I don't know anything about databases but when you input data, it goes into this big sphere of the data warehouse. We have to go in and plug that sphere into that question somehow. That probably made no sense.

Elizabeth Florez: Okay, thank you. I just wanted to -- and I know we talked to -- this is Commission Florez for the record, that we talked about in other meetings but I wanted that just stated in this group, just for informational purposes. Thank you.

Leslie Bittleston: Alright. We've already talked about quality assurance reviews, so I am moving on to page 10, performance reporting. The counties provide annual performance reporting based on approved performance measures. So -- so let's talk about this and I want to thank Commissioner Duffy and the data committee for -- for all of the work that it's done over the last couple of years to really refine this performance summaries scorecard. So, we realized that some things we just weren't going to get, so the data committee did provide or did approve kind of a revised scorecard, you know, by eliminating some of those things that we just couldn't get. There are still some things on the performance scorecard summary document that are still incomplete like victim and family surveys. Those are still on our to-do list. So again, going to performance reporting, so this task has fallen upon the states to complete the scorecard for the state and each county based on the information that we get from the state -- from the counties, excuse me. And there is no way to verify that county data is accurate and -- so -- and again, I think this is around what we just talked about where the state would be able to click a button and pull a report. So, all of this is tied together, so -- so as you can work on page 11 under the status incomplete, I have some

bulleted items where I said is, the performance scorecard summary is completed by DCFS based on self-report data by each jurisdiction. There's inadequate systems for tracking individuals from referral to case closure and then to the adult system. Brigid is well aware of this because we talked about it over and over in the data committee. There's authority issues to share data across county and state lines and across systems. So, data was included on the scorecard summary. The DCFS can't collect direct file data, adult convictions, so there are pieces of that -- of what's required on that score that I still can't complete, even with all the information that the jurisdictions provide. So we had, like I said, lots of robust conversations about this. And -- and Commissioner Duffy and Florez, if you remember from my testimony a couple weeks ago to the judiciary committee, I talked about these very things. So, I don't know, I don't know what we're going to do. Are there any questions?

Elizabeth Florez: This is -- this is Commissioner Florez for the record and just as an aside from these challenges that you indicated, Ms. Bittleston, has there been further conversation or clarification around the implications of -- I think it's AB 251, it's the record sealing and about the automatic sealing of cases at age 18 in certain circumstances. Even though I've read it multiple times, I'm -- it seems to me like that then would be cut off even more information related to understanding the trajectory of the case in juvenile justice into adulthood. I don't know if Commissioner Duffy has looked into at all but I haven't -- I don't know if there's been subsequent conversations related to that.

Brigid Duffy: This is Brigid for record. We have not -- I have not -- I haven't had a data committee meeting in a very long time, at least since the implementation of 251 probably, so -- but is a really great point. I -- we're going to lose all of that ability because we're -- because before we can keep cases, we're staying open until 21 and now we're -- now we're automatically sealing at 18 on the misdemeanors at least. So, it's going to impact some of the -- that ability.

Elizabeth Florez: So, Commissioner Florez again for the record. I'm wondering if under status it would be appropriate to add a bullet that we, this group, would seek clarification on. I don't know -- I don't know if the intent -- I know ultimately the intent of 251 was to protect children and their histories. There is language in there, when I remember the bill, it said it -- there was something in the bill in 251 that talked about the ability of DCFS to continue to collect information that is required. So -- but I don't know how they intersect and I don't know if that would be another thing that perhaps we can ask for LCB to provide direction on, if that would be appropriate.

Leslie Bittleston: I think so because I have not had any conversations around what to do for the sealing of records either. I just got back from a conference. I was in Washington D.C. last week and I did talk to some folks from other states about this very issue. And some states are keeping the -- and from -- they're sealing records but they are keeping that the juvenile specific information to track them only for recidivism purposes. So, there has been, like I said, discussion in other states about, you know, of course sealing the records but -- but keeping that information available just to compare against additional arrests. So, I did have those conversations and I know that's what a couple of other states are doing but there's no -- but I think it's appropriate to put here because what is the intent of our state? So -- okay, any more questions on this one? Okay. Cross agency collaboration on page 11, engaged children service providers, child welfare, all of this stuff, this is partially complete. And I looked at this one only from a lens DCFS. And DCFS does not have the authority over county jurisdictions or providers nor do we have staff to do any type of community outreach or recruitment of new providers. So this one, you know, this is a really great thing and I think we've done a lot of stuff, but there's still a couple pieces missing and like I said, I just looked at this from the lens of DCFS only. Any questions on that one? Okay. Tailored services, goal number 4 on page 12. This one, family engagements, this one if we look at this from the

lens of DCFS again, DCFS does not have the authority or ability to verify that family engagement has been implemented in each jurisdiction based on comments that I've, you know, discussed with each jurisdiction they have all implemented family engagement. DCFS has implemented family engagement but I don't have the authority to review policies or anything to verify that. So, looking at this again from the lens of DCFS, I can say they've all said they've implemented it, but I don't have the authority to verify it. And I do want to make this comment really weekly about what was discussed in AB472, this monster bill. It really required DCFS to ensure that implementation was completed by DCFS does not have that in authority. So that was always a really confusing piece. Again, is why require DCFS to verify implementation if that authority piece isn't there. So, that was just another piece that I did want to put on the record and, you know, just to say hey, that looking from the DCFS lens I can say it's complete, but I can't verify it. Moving on to page 1213, case plans and reentry plans, this is completed actually. I can say yes, we completed this. How this was completed is we have embedded a re-entry section on the case plan which is in Tyler supervision. So that piece is completed. Moving on to the middle of page 13, we start talking about general recommendations. So, thinking back to all of the stuff we just discussed I've included recommendations in here. So the first recommendation is consider funding those MHS reports for the YLS, you know, rather than the state doing that. So that was one recommendation. The second one was around the quality assurance reviews. Compare AB472 to NRS62B620, that was the intent. What is that intent? Was it to adopt the quality assurance review for just the three state facilities and two youth groups or was it to include detention? So that's recommendation number two. Recommendation number three is around that recidivism piece and I probably need to expand on this a little more with what we just talked about with the sealing of juvenile records so I probably need to add another bullet here. But this is really talking about the functionality of being able to track a youth from referral and then on for three years after or three years after that because sometimes they may cross [inaudible] or they cross into the adult system. So that's what recommendation number three is. Recommendation number four, review of the recommended phase two of Tyler supervision to determine how to proceed. That was that building of the bridges and all of that. Number five, review the intent of AB472 regarding the state's authority to verify jurisdictions have policies in place. And then number six, review the intent of the AB472 regarding the state's ability to outreach with providers. So, all of that we've discussed within those goals. So those are the recommendations around the completion of the strategic plan. Moving on to the disparities in the juvenile justice system. This recommendation is taken directly from the work of the racial and ethnic disparity committee. And then the last one, compliance with the Juvenile Justice Reform Act previously the Juvenile Justice Delinquency Prevention Act. For those of you who do not live in that act like I do, probably don't know all of the nuances, but the Juvenile Justice Delinquency Prevention Act was reauthorized in 2018. That reauthorization really changed the requirements of how to handle those juveniles that are charged as adults. So, previously, prior to 2018, any juvenile that was charged or convicted as an adult were outside the purview of what we do to monitor to ensure the safety of juveniles. With this 2018 reauthorization, they expanded the monitoring requirements to youth that are charged as adults and pending trial as an adult. So, basically the act prohibits the placement of juvenile pending charges as an adult in an adult facility. So, there's a lot of information around that. So, if you look at number one and read it, the problem lies with what we do with direct files. We are allowing, Nevada is allowing kids charged as adults to just bypass the juvenile system and go into the adult system. One of the recommendations that I have and I've talked Commissioner Florez about this recommendation, you know, is removing the direct file piece and allow and requiring all kids to start in the juvenile system. It doesn't mean they can't be sent to the adult system, but they would all start in the juvenile system and then we can collect data and all of that. So there's a lot of stuff on page 15 around what the act says with kids around this. And then number two at the bottom of page 15, another area of weakness within the state of Nevada is now that we have to monitor those kids that are pending adult charges in adult jails, we need adult jails to start reporting to us if they've got kids in their jails. And

there's no mechanism to -- for them -- to require them to report and we have a hard time getting them to report. So, I -- so consider putting something in NRS or somewhere to require these adult facilities to report if they've got juveniles in there. And then moving down to miscellaneous recommendations, these miscellaneous recommendations came about after two years of work within DCFS to write a dual custody policy. We have determined that we create a lot of barriers for ourselves for a lot of reasons. So we -- through this process we would like to consider legislation requiring that the same judge or hearing master preside over both dependency and delinquency if the kid is active in both systems. We don't require that now. The second thing that we discovered is there is massive confusion on the term custody. Child welfare staff are very hesitant to get involved with juvenile justice kids because they look at the term custody in their own lens. They say juvenile justice, you have custody, it's your responsibility. But custody means two very different things. So, I am proposing some clarification that custody and juvenile justice does not mean custody and child welfare. Parents never lose their rights under juvenile justice. So, and then the last one I put down is consider funding the data warehouse of somewhere to throw all that data that we can start looking and comparing, you know, kids and additional arrests. So, I don't know what that looks like and maybe it will be removed. I don't know. Well, that is the whole report.

Elizabeth Flores: This is Commission Flores for the record. Thank you Ms. Bittleston. That was a lot of work and I know that you and I had actually -- you had submitted this before and I have sent some, just some minor edits and you've incorporated a lot of them and I, and or, you know, it prompted discussion. Relative to the compliance or lack of compliance according to the JJRA with the compliance monitoring manual, I have had -- I know that other conversations have taken place with Commissioner Sala regarding this document because she had prior experience and was responsible for this in her previous professional career. And my understanding and correct me if I'm wrong, is that there is all of the recommendations that for us to remain in compliance related to especially the direct file, but there's also compliance that can occur by merely as having this manual updated to reflect where the state is relative to all of the recommendations. So, an example that was provided me was that for many years, federally, minor in possession of alcohol was viewed as a status. However, in the state of Nevada for up until recently it was a delinquent act and that didn't necessarily mean that funding wouldn't be provided to Nevada as a result of the difference. It's just that we had to report this in this manual that that was Nevada's -- we just had to report on what our statutes reflected and that got us in compliance and it didn't affect funding. So, related to all of these other requirements that went through in 2018, is this the same? Is it merely that the funding will be released provided we just update our manual to reflect Nevada's current practice or is the funding contingent upon us doing 100 percent as prescribed.

Leslie Bittleston: That is a really great question. So, the way -- so funding will not be held up if we don't change our ways. That's that. But what could happen is if we don't change our ways and I'm not saying we have to, but if we don't and we do have children or what we consider children in adult facilities, we just start counting those as violations. And there is an algorithm on determining the number of violations. So, if our violations exceed whatever the ratio is, and the ratio changes every year, that means that a portion of our funding could be withheld. It's not that we have to change our ways. It's just that we would have to start counting those as violations where they were not violations before. And so the way that we get funding is we have to be within whatever the set violation ratio is. And so for example, let's say the ratio is two per 100,000. So, if -- I'm just making that up. And if we are above two per 100,000 then that's when we have a problem and what we talk about to 100,000, that's juvenile population. So when you look at the population of juveniles 0 to 17, let's say we have 700,000 in Nevada and we have -- so that would say we could have up to what, 14 violations and still be in compliance. But if we go over those 14 violations, that's when we are over that limit and that's when funding can be withheld. I hope that makes sense. Okay.

Elizabeth Flores: Thank you for that clarification.

Leslie Bittleston: Okay.

Elizabeth Flores: So, Liz Flores for the record again. So, Ms. Bittleston, thank you for going through this report. As we indicated, if I could task the commissioners to review this and be ready at the next meeting yet to be scheduled to provide any feedback to Ms. Bittleston so that she can have this report ready for release by July 1st to the, I think you called it the internal committee, I'm not sure what the name was, but it's -- you said that you'd have to submit it to an administrator group within the state, correct?

Leslie Bittleston: Yes.

Elizabeth Flores: Before final release.

Leslie Bittleston: Yes. It goes into the director's office for their input and then we have a formal process to submit reports to the legislature. So, all state agencies have that same process. So we just have to follow what's required of us.

Elizabeth Flores: So, I may, this is Commissioner Flores again. Just a couple things of note that jumped out at me. On page three where it says executive summary, the second line says enacted June 5, 2022. I believe that should be enacted June 5, 2021.

Leslie Bittleston: Probably.

Elizabeth Flores: And on page 9 under objective number one, bullet number -- I guess that would be two, number two, let me know Ms. Bittleston if you're seeing what I'm seeing. Under status --

Leslie Bittleston: Okay. I'm not there yet.

Elizabeth Flores: Okay.

Leslie Bittleston: I just changed June 5, 2021.

Elizabeth Flores: Okay.

Leslie Bittleston: Where are we?

Elizabeth Flores: So, on page 9.

Leslie Bittleston: Nine, nine, nine.

Elizabeth Flores: Under objectives number one, caseload Pearl [ph].

Leslie Bittleston: Oh, yes. I'm there.

Elizabeth Flores: And if you go down to status partially completed, the first bullet that starts with negotiations as the first word.

Leslie Bittleston: Yes.

Elizabeth Flores: The last sentence of that it says number two, lack of questioning, vetting of the vendor. I would select either questioning or vet -- I would pick one or the other, questioning or vetting.

Leslie Bittleston: Which word do you like better?

Elizabeth Flores: I believe vetting is more appropriate. And then on page 14 -- let me know when you're ready with that.

Leslie Bittleston: Okay. Slow computer. Okay. Page 10, 11, 12, 13, 14, okay. I'm there.

Elizabeth Flores: On the bottom half of the page where it says law enforcement training and it has A through G. On G where it says transporting juveniles based on the severity of the offense, is that -- does that mean transporting or does it mean arrests? I'm just uncertain.

Leslie Bittleston: So, and maybe this needs to be better worded. So, my understanding with law enforcement especially around juveniles is some law enforcement will not transport a juvenile to a juvenile facility. So, I'm just -- I don't know how to say that. We want, I mean, law enforcement has every right and every responsibility to transport juveniles, so.

Elizabeth Flores: So, this is Commissioner Flores. So, what it sounds like is that something about -- something more towards law enforcement discretion.

Leslie Bittleston: Okay.

Elizabeth Flores: Related to transporting juveniles.

Leslie Bittleston: So, discretion around transporting juveniles. Okay.

Elizabeth Flores: This is a suggestion, but I know this group will have further conversation about this. And those where all my comments related to that. So, if there's no further discussion on item number six, we can move on to item number seven for discussion of possible action recommendations from the center -- for coordinated assistance to states, Ms. Bittleston.

Leslie Bittleston: Yes. Yes. Thank you. So, we just briefly mentioned the Nevada's compliance manual a few minutes ago. So, this is a big long drawn-out conversation but the Office of Juvenile Justice Delinquency Prevention which is the federal office that oversees states compliance with the Juvenile Justice Delinquency Prevention Act, and also releases or holds or has the funding for the Title II formula grant that we get on an annual basis. OJJDP did not release the FY-21 funding which should have been released October 1, 2021 to any state. They held up the funding because they required or requested states revise their compliance manuals with how they are going to address the changes of the 2018 Juvenile Justice Delinquency Prevention Reauthorization specifically around those youth and adult jails. So, no state have been provided their funding and states were required to completely revise their manual with the due date of June 13th of this year, 2022. So, as I wrote this manual or revise the manual, I decided that I needed some technical assistance just to help me through some of these nuances within the Juvenile Justice Delinquency Prevention Act. That is a legal document. I am not an attorney so there

were some areas that were just confusing to me. So, I reached out for some technical assistance through the OJJDP's approved technical assistance vendor which is the center for coordinated assistance to states. I submitted the draft compliance manual that I revised to them and they provided the attached document -- attachment number seven. Now, many of these things I addressed in -- as I -- in a revision, but there were a couple things that I found interesting in here and it was really around bench cards for judges. Judges may or may not be trained in how to deal with juveniles, I don't know. I'm not a judge. I'm not an attorney. But sometimes a good recommendation is to help judges with some of these nuances by providing -- what am I trying to say? Bench cards around certain thing. And so this recommendation is providing judges bench cards around a couple of things. How to determine or how to utilize a valid court order and that ease around determining if a juvenile should be held in an adult jail. I think we can put this off and discuss it after our report to the legislature is done, but you know, and maybe we need some clarification on what we want to do especially around compliance. But if we are going to really address the issue of having juveniles in adult jails, judges need to understand how to make those determinations because the feds laid that out very specifically in the reauthorization in 2018. So, we can kind of put this off until after the report is done, but I just wanted to kind of share this with the group and let the group know that I did revise the manual per OJJDP's requirement and I submitted it to technical assistance for their review. Many of these things have already been fixed so, and I don't know if you would like to read this. It doesn't matter. You don't need to read it, but I think I wanted to talk more going forward about using some bench cards for judges. And I don't know if this is the right group, strategic planning beta, I don't know.

Elizabeth Flores: Thank you. This is Commissioner Flores for the record. When I look on page 3, where -- I'm looking for the bench cards. Where does it say that? I just can't see it.

Leslie Bittleston: Yes. At the very top, there's a little blue area and it says -- the very, very top of page 3 where it says manual should allow. If you go to the second paragraph, it says it may also assist the state, integrate checklist and bench cards in the development of DSO valid court order, all of these things.

Elizabeth Flores: Okay. Thank you. Thank you for pointing that out.

Leslie Bittleston: Yes.

Elizabeth Flores: So, as to the -- this is Commissioner Flores. So, answer the question as to whether or not this should live in this committee. Has this committee routinely been a part of reviewing the compliance manual or has that -- that's mostly been in the side group, correct?

Leslie Bittleston: Yes. And I think the reason I brought it to this group was the piece around the bench cards. Not -- it's not really around the compliance manual. It's -- the piece around developing a bench card. I didn't know if that lived in this committee.

Elizabeth Flores: And I'm going to defer to the lawyers. Commissioner Fraser and Commissioner Duffy on their opinion related to -- if they believe that this group, that the strategic planning committee should review this bench card recommendations from the Center for Coordinated Assistance to states.

Leslie Bittleston: Yes.

Jennifer Fraser: Commissioner Fraser for the record. I'm in favor of doing or looking at the bench cards and presenting those. I just don't necessarily have an opinion if this is the right group to do that, but if we are the right group, then I'm in favor. I'm always in favor of bench cards for a court.

Brigid Duffy: And this is Brigid. I -- can you hear me okay?

Leslie Bittleston: Yes.

Brigid Duffy: I had to like move again. So, I think that the decision of who -- which group reviews it is a decision for the entire JJOC. I think if we were like, yes, it should be with strategic planning like I did with the competency for my data group, we could go in and say, we'd like to handle it if you all would vote for us to handle it, but ultimately, I think it's something that needs to be in front of the full JJOC to say which - where it lies in which subcommittee group.

Elizabeth Flores: So, this is Commissioner Flores for the record. Thank you to Commissioners Fraser and Duffy for their opinion on that and my recommendation would be then that we take it to the larger group based on historically how these decisions are made just to be consistent with that.

Leslie Bittleston: Okay.

Elizabeth Flores: So, I do have a question, Ms. Bittleston, related to the June 21 deadline for this compliance manual to be returned. Well, just as a matter curiosity, will the SAG group have the opportunity to review this prior to that date?

Leslie Bittleston: Unfortunately, our last SAG group was canceled because we weren't going to meet a quorum. So, unfortunately, no. They will not have the ability to review it prior to the due date. That is not ideal, but you know, work still had to go forward and so.

Elizabeth Flores: Yes, okay. Thank you. So, Commissioner Flores for the record. So, just -- and going back to comments that were made in a prior agenda item number six related to my understanding of us, are you updating this compliance manual that hopefully if this prescriptions are put into place based on this technical assistance you've received and you incorporate these changes into the newest draft of the manual and turn it in by June 21, the hope is that that will suffice to get us into enough compliance to release the funding.

Leslie Bittleston: Yes.

Elizabeth Flores: Okay.

Leslie Bittleston: That is my hope.

Elizabeth Flores: And recognizing that it may be that the funding that there would be new metrics put into place as far as our compliance goes with the first -- the 2018 updated requirements recognizing there is this metric where we may not get full funding. There may be some penalties associated with us not being a full compliance just like that was the case with, for example, the minor in possession, so were the valid court orders, things of that nature, right?

Leslie Bittleston: Correct.

Elizabeth Flores: Okay. Okay. Thank you for that clarification. Because I know prior conversations we talked about whether or not the funding related -- the funding that was received for us being in compliance with OJJDP regulations or JJRRA -- I'm sorry if I'm getting them confused. We were -- the discussion was around whether or not that funding was worth. The cost is so -- associated with full compliance especially around direct files because it was going to have significant impact particularly on Clark County. So, what I'm hearing is that we're not talking about that necessarily. Provided our manuals updated to reflect how the state of Nevada -- sorry, my motion sensor went up. That we're in a better place now our under -- the understanding is that provided we update the language, you update the language in this compliance draft or manual, the funding will be released. However, if we're not -- however, we're not in full compliance there may be these penalties associated with not being in full compliance.

Leslie Bittleston: That's correct. Yes. We also do still have another problem around funding and that's around our state advisory group, JJOC. So, there is that issue as well. So, I don't know if you've -- and I don't know if I've talked to this group of really around the JJOC issues. I just -- I testified in front of the Sunset Committee of a couple of months back, a month and a half ago. So, and we all know that there's a lot of discussion around the JJOC and we all received that e-mail from the governor's office around the intent to get rid of the JJOC and to do some -- and I don't know what that looks like. So, but the funding, 100% of the funding is contingent upon the state having a state advisory group that meets federal requirements. So, there is that piece as well that may be problematic and I don't know what that looks like. So, I don't want this group to walk away saying, hey, we're doing great. You know, our compliance manual is revised, we're going to get the funding. Well, there's another issue and that surrounds the state advisory group. So, the man -- if we don't get funding it won't be because of the manual. It will be because of our state advisory group.

Elizabeth Flores: Okay. Thank you for that.

Leslie Bittleston: Yes.

Elizabeth Flores: Okay. Is there any just -- do any commissioners have any questions or comments related to item number seven before we move onto the next item?

Unidentified Female: Yes, no.

Elizabeth Flores: Okay. Thank you. Okay, agenda item number eight, for possible action new business. Is -- and this is open discussion to any members have any comments for new business? Okay. So, moving on, assigning tasks to committee members as needed. So as stated previously, I'm asking all of the commissioners, myself included, to review the SP 398 report that Ms. Bittleston has submitted and be ready for discussion on that item and any comments or suggestions at the time of the next meeting. And Ms. Bittleston, another task I have asked you to do is to seek guidance from LCB regarding the intent of AB472 related to the quality assurance over local detention centers as well as intent regarding AB251, which is the record ceiling bill. If we could seek guidance and clarification regarding the -- I'm trying to word it -- within the strategic plan of the JJOC to track recidivism and how those two interplay. If you could please seek clarification on that. And then the next plan of action would be to confirm our next meeting date and time. I believe this group -- let's see if -- I know that we want to provide Ms. Bittleston feedback in time for her to submit a report by July 1 to the state administrative groups. So, I'm wondering if either the 15th or the 22nd would work for this group.

Brigid Duffy: I did want to bring up -- excuse me. Judge Walker did say that Wednesdays are not available for him, so.

Elizabeth Flores: So, if we look at either the -- well, I'm not sure we want to do a doodle poll then related --

Brigid Duffy: Yes. Whatever works.

Elizabeth Flores: Okay.

Brigid Duffy: And I just won't put Wednesdays on the next ones so, we won't have that issue.

Elizabeth Flores: Okay. I'd like to ask -- this is Commissioner Flores for the record. Commissioners Fraser and Duffy, if we remove Wednesdays, does that create a host of other issues for you going forward?

Jennifer Fraser: No, not necessarily.

Elizabeth Flores: Okay. Okay.

Jennifer Fraser: And this is Commissioner Fraser. I just wanted to comment regarding to the records to help out. Ms. Bittleston, if you look at 62H170, that is the provision that allows for inspection of record -- of sealed records for recidivism studies et cetera. So, I think would still apply to the sealed records for kids at 18 versus 21. The difference with that statute -- the 251 is the expungement of records. And so expungement means destruction, so that's going to be the concern. I do think there's going to be a limited amount of expungement. I know we haven't done any in Clark County. I don't know how prevalent that's going to be versus just ceiling, but I just wanted to make that distinction.

Leslie Bittleston: Thank you. I wrote that down.

Brigid Duffy: And this is Brigid. I -- Wednesday is off the table are fine with me, but for what it's worth I'm leaving town from the 24th to July 3rd. So, if you put any of those dates on there, I am -- I will not be available.

Elizabeth Flores: Okay. I'll go ahead and do a doodle for the week before that then the week of the 13th if that's okay with everybody.

Brigid Duffy: Perfect.

Jennifer Fraser: With no Wednesday.

Elizabeth Flores: No Wednesdays. Yes. So, this is Liz Flores again. So, Commissioner Duffy, you said starting the 23rd of June?

Brigid Duffy: Well, I'm leaving on the 23rd at night, but my calendar on the 23rd is already pretty packed because I'm going for a week so. So, it's [inaudible].

Elizabeth Flores: So, this is Commissioner Flores. Yes. And this Commissioner Flores, and you get punished before and after a vacation always, right? I know I do. So, I'm just wondering if we should also include in that doodle poll the 20th and 21st just to provide more options maybe 20th, 21st, 22nd or you think, Commissioner Duffy, that that's not a good idea?

Brigid Duffy: No. It's fine with me. This is Brigid for the record.

Elizabeth Flores: Okay. So, Ms. Williamson, if the doodle poll could include 13th through 17th as well as the 20th through 21st just provide more options, it might open the door. Thank you so much. So, with that, we'll move on to item number nine, public comment and discussion. Is there any public comment? Not seeing any, we will adjourn the meeting and I thank everybody so much for all of their participation.

Unidentified Male: Thank you.

Elizabeth Flores: Thank you. Bye-bye.

Unidentified Female: Bye.

Unidentified Female: Bye.