



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD AND FAMILY SERVICES
4126 TECHNOLOGY WAY, SUITE 300
CARSON CITY, NV 89706
Telephone (775) 684-4400 • Fax (775) 684-4455
dcfs.nv.gov

**Nevada State Juvenile Justice Oversight Commission
and the
Strategic Plan Committee Meeting
May 31, 2018
Meeting Minutes**

Call to Order: 10:00am

Roll Call: Frank Cervantes, Assemblyman James Ohrenschall, John Munoz, Lorna Shepard, Sierra Fowzer, Sarah Bellows.

Noted: No Quorum

Public Comment: None

Commissioner Munoz: Well since it does not appear that we have a quorum, what I would like to do is probably just open it up to see if there are any questions on the Strategic Plan that Commissioner Shepard put together, which by the way I think is a fantastic plan you put together. I think it speaks volumes to the work that we have done and the direction we are heading. Ms. Shepard is there anything that you would like to add to that. Is there any feedback or questions that you have for the rest of the team?

Ms. Shepard: Thanks, I don't take all the credit it was a team effort. The place where we are in is where we left it on May 17th. The plan is sort of in review mode with the Governor's office, to be honest. We are just waiting on feedback there. I know I do not have any questions of the Committee. You know we are aiming for having a draft for a public document by Monday, if not earlier, for a Commission meeting. So, no I do not have any questions and I think we are in good shape. We sent the draft to Judge Walker the plan was complete, you know everything was done there were no outstanding issues or questions. We got to a lot on May 17th.

Staff Sarah Bellows: For the Record Commissioner Cervantes is on the call now, about five minutes in.

Ms. Shepard: I just wanted to say that I did not want to cancel this meeting. Well there are just two questions regarding the plan. Senator Ohrenschall I think that you were remotely attending part of the May 17th, but you know you have been running fast and furious and Frank I do not know if there is anything you want to talk about the plan, or if there is anything you want to say in view of preparation of the June 8th meeting. I think that the subcommittee report would basically be we have a plan, we are recommending this draft to be approved and

wanted the approval to be the final plan and be formatted for submission to the Commission for submission to Legislation and the Governor's office.

Commissioner Cervantes: The final draft has to be in on what date?

Ms. Shepard: July 1

Commissioner Cervantes: This one on the June 8 meeting is just kind of our prelude to our final draft right?

Ms. Shepard: Right, so at this point I do not believe that there is a Commission meeting scheduled again, so I think we are able to do, pending what feedback we get from the Governor's Office if we get feedback, I think what we are going to be able to do is submit a draft for the 8th meeting for approval. Then we will just basically button it up. You know basically format it better, so that the document can be submitted to the Legislature by the 1st. I have not actually coordinated or discussed with the co-chairs when they want to submit the plan, you know what their deadline is. Do they want to do it on the 30th, or sooner?

Commissioner Cervantes: Okay we can just ask that probably at that meeting. I like your plan, I think if we present this, and then if there are any suggestions or questions from the co-chairs, we could address those between that and the date that they chose for a final draft.

Ms. Shepard: That was my hope, so we could have a bit of wiggle room for any adjustments that need to be made and then we would submit it for review one more time and then we would button it up. Yeah exactly.

Commissioner Cervantes: I like it. Was there anything else at the last meeting in Las Vegas, was there anything else that we needed to modify or change on this before we submit that Ms. Shepard?

Ms. Shepard: I do not think on the plan. Mentions the Parking Lot activity. I do not think it belongs in the plan, but I think it belongs somewhere. I guess I would love to get everyone to help because it is going to land happily in your lap Assemblyman Ohrenschall. How do we tackle those and do not lose track of them? I am going to type them, that is the easy part, but then what, what do we do with those? I mean do we make them part of a public record that is probably fine. I probably should have done that for today. I did not actually think about that, but, I actually think it is better for me to ask, how do you want me to handle that, so we do not lose sight of that?

Commissioner Cervantes: Assemblyman Ohrenschall are you on the line?

Commissioner Assemblyman Ohrenschall: Yes, I am on the line and I would like to help in any way in terms of bill drop requests. You know I am still hoping I will be there, right now it depends on the primary. I am running hard and hoping I will be there next session. If I am I would certainly want to help as much as I can. There may be other homes that can be found for bill drops, but I am certainly committed to try assist in any way I can. This is assuming my candidacy gives me that opportunity. I am working hard.

Ms. Shepard: Yes, we are hoping for the best.

Commissioner Cervantes: I have a question for both Shepard and Ohrenschall. You know there is the Juvenile Justice Commission right, and we are looking for some possible future legislation and some things that have already wandered into this plan. But as you know Assemblyman Ohrenschall there are lots of other groups that are going to be forwarding legislation. For example, I met with the ACLU last week, and they are looking at some of this language around you know kids that are in Lovelock in the Adult System that have been certified or transferred to Adult Jurisdiction. Housing them somewhere other than in state prisons, or Nevada Corrections Commissions. Which is a topic, as you know, that has come up in previous sessions. As there is legislation that is presented outside of ours, I was just wondering how we not know if this Commission intends to absorb all of these other kind of other legislative drafts, or if we are ancillary and we play a control team role. I am kind of trying to throw out that fact, because I know that there will be other initiatives and drafts that

may not be aware that we are already working on additional reforms as we had in the past. Does that make sense Assemblyman Ohrenschall?

Commissioner Assemblyman Ohrenschall: That is true, certainly the current legislature on Child Welfare and Juvenile Justice has bill drafts, and other organizations, you know private, can try to look for bill drafts as well. So, there might be other ideas that don't completely mesh with ideas that are coming out of our Commission. Now it is always an issue at the Legislative session. (Explains, he has to get off call at this time).

Ms. Shepard: Commissioner Cervantes, you're a Commissioner can you make a recommendation that there needs to be a subcommittee, you know that would basically identify what the approach, strategy, or response is from the JJOC to that kind of legislation. Kind of open ended right, like when legislation comes in I guess will conflict or effect the JJOC bill or purpose. We need a group of experts say to move to review the bill, and here is what the bill does or does not do to contradict our support, what the JJOC is doing. Be interesting to charge the subcommittee with. It would be interesting to tack the subcommittee with, if you feel that any proposed legislation contradicts our mission, you know, than our job is to basically, make a recommendation what our position is on Legislation and then the co-chairs, I think, have the power to go to the Governor and then the Legislature and say "We are for this, or against this".

Commissioner Cervantes: Yea you know it reminds me a little bit of the Supreme Court history this is already on another Commission, and how do we really fully note that. It never really works out like this it is a messy process. Maybe at the 8th what we do is just bring up the question of purpose. Is there any responsibility of this commission? Does it definitely say that in the Legislation to review any contradictory bill draft, or Legislation? Like you said, I think we propose the question. I do not know if anybody has enough time because it is already time to intensify bills, and I do not know if the Commission is going to be able to find a subcommittee. We have tried that in the past and it's you know our NAJJA folks we do that Ms. Shepard.

Ms. Shepard: Can NAJJA do it?

Commissioner Cervantes: Yes. Each county has their own mechanism to follow legislation. In Washoe County we have a legislative preparer person I work with all the bills that are cumulative to its welfare. Then, in NAJJA we bring back the ones that mostly affecting Juvenile Justice directly and in association we can testify on those bills. So, it is weird, one day I will be testifying on behalf of NAJJA, or I may be testifying on behalf of only Washoe County Juvenile services, or Washoe County. It is really hard to bridge all that, I think, in one commission. I just think that we just ask the question, "Is there an appetite, or should we have a discussion about when Legislation moves forward it may contradict the bill."

Ms. Shepard: I think what we could do is we could add some points to our subcommittee report. One is the Treatment Plan, that is the big one, right? We are hoping that works out timing wise right? The other is we are approaching the deadline, the third point is what the responsibility of the commission is, you know asking the question.

Commissioner Cervantes: I am trying to figure out language for this. So, Judge Voy really wants regionalization. That is part of the long-range strategy. What I am gathering from you folks is that there is a common theme from the Juvenile Justice professionals that we don't do as great as years ago. If you can do appropriately in spite of all those things, right? In the Strategic Plan there is a section that we really need to get some legal help to write it correctly would be that the commission reserves the right to examine other issues around long-term strategic plans for Criminal Justice such as regionalization or Blended Sentencing. Those are all big topics that require intensive resources and legislation, but I just wonder in there is the commission supposed to be part of that? Because we are doing long range strategic planning, or not? It seems to me that it should be. If somebody comes along and develops a regionalization law on the Juvenile Justice Oversight Commission certainly has information on that at the list, right?

Ms. Shepard: Or permission to say we support it, we don't support it. I think that it would be legislated but you know actually weigh in and say we support it, or we don't support it. It does not mean the bill won't get passed if they don't support it.

Commissioner Cervantes: The perfect example would be if somebody comes up and said, "We need to do an Evidence-based program and I am writing a bill", and they do not know about this commission that we go let's not duplicate the wheel this is already, that kind of stuff. I would anticipate Commissioner Munoz I think the next horizon for us is that really, I think we are going to be back at this state correctional care, regionalization stuff is going to be big ticket items in the next couple of sessions I think, because we are back at the population growing for the youthful offender housing status, so I think that is going to be on the table. So, Commissioner Munoz, when I talk to Holly, I said maybe her presentation to the Juvenile Justice Oversight Commission is that there be a more formalized study of this in that we just forge on what we had in the Supreme Court subcommittee on all of our previous work around this. She was open to a lot stuff, I do not know what she will do with that, but this commission has all the players, and everybody should be fully informed on if there is outside big-time legislation around this stuff.

Commissioner Munoz: Just to let you know there is a subcommittee hearing on June 11th and my understanding is that the ACLU is going to be presenting a PowerPoint presentation on Blended Sentencing. Also, probably bringing up their tour at Summit View in Nevada that we sent them whether or not they want to, or if they are still considering placing certified kids at Summit View. I think I already shared with you that they had a misunderstanding before about what some of it was, and what our function was. Even after clarifying that I am still not sure, I have not seen any indication that they still want to consider doing that. So, I think that there is still a lot of indication that still needs to be done with some of these providers. Regionalization is still on Judge Voy's platform that he is pushing in our favor. As we discussed before, you know, research shows that regionalization only works when there is not targeted care but smaller community, like the Missouri Model right? Where there is a lot of family engagement, where there is a lot of keeping the kids closer to the community in smaller group home type placements that are secure of eight to sixteen kids, not up to forty-eight or one-hundred- forty that we use in state facilities.

Commissioner Cervantes: Yes, I still think that, we will talk about it later, a deeper examination of some of those systems. They are not talking about the kids that we currently have in Summit View. I still think those are more of the county camp type kids. That really deep end kid that we are talking about around regionalization is a different cohort, so I think that is where a lot of the education has to come because, you are right, the kids at Summit View, right now require a fully structured setting. You cannot do that in a Community-Based kind of group home like the Missouri Model. I have a really good example we will talk later about that. I just think that as we go forward, you know you're going to see a lot of these other presentations. If nothing else, we can always present it back to the Commission on current legislation, pending legislation, what is going on? The Criminal Justice outside of the Commission so you know there is some mechanism to keep the Commission informed.

Commissioner Munoz: Just to circle back to what we were talking about earlier about the commission reviewing bills and that kind stuff is that you know I kind of think we need to keep the scope of what the Commission does focused on what it is. I think as bill drafts come up, and they are discussed at legislative hearings that that is really our opportunity, right? To let the process work. That is really our opportunity for the state and for the counties to intervene then and inform everybody that this is contradicting this, or this would change that. Commissioner Cervantes, as you know, and others on this phone call will know as well, I do not want the JJOC to be used as an agenda platform to push forward some things. There are some things about AB 472 that need to be changed just procedurally.

Commissioner Cervantes: We do not want that to be the lobby of the group, right?

Commissioner Munoz: Correct.

Ms. Shepard: Well we also do not want it to be the heavy handed, sort of overlord of what the county does in terms of outside of its scope. You know beyond Evidenced- based practices and some of the specifics in the bill.

Commissioner Cervantes: Yea I like that. If some of these come up that are fully contradictory, I think those are the discussion points for the commission. Maybe not engage in a bunch of new projects. Is that what you are saying Commissioner Munoz?

Commissioner Munoz: It is.

Ms. Shepard: What happens after July 1st? Do we still have all the Commissioners who will be in a position to say this legislation that we look at as the county or the state is not practice of Juvenile Justice, because it is in our interest to know what is going on legislatively. Will they say, "We think this one contradicts, let me bring it to the co-chairs?" Versus every single bill. So, can we rely on the Commissioners who basically make up, well I assume that Judge Walker would read some of that legislation, or Judge Voy, to say, let's rely on the commissioners to say the bill contradicts our purpose.

Commissioner Munoz: Well I assure you that there are many leaders and directors and pieces involved in the JJOC and as an agency and administrator we all, as Frank stated, we all have our own mechanisms of tracking any legislation that comes through. We will all be very much aware of what is happening. If anybody has concerns about it, I am sure that it will be brought up and discussed.

Commissioner Cervantes: We also use NAJJA as a platform for that. So as individual counties have, they will bring forward, and we have that discussion. That might be the screening tool to just go ahead out of NAJJA who wants to report this to the co-chairs, you know for some information that may be subconscious to language in a bill or goes against. That does not mean that the Commission can do anything about it anyway, right?

Ms. Shepard: No, but I think they can decide how they want to wield their influence. You know without saying that in a public meeting. You know the idea that at least it has been raised to our attention and the commissioners at a commissioner meeting. Maybe they hold them formally after July 1. I do not actually know. It can at least say what we support and do not support, and we will communicate that. It will be a public record and that we will communicate that to the Governor's Office, or we will ask Assemblyman Ohrenschall, or whatever other elective officials are involved to represent the JJOC at legislative sessions.

Commissioner Cervantes: The other thing is that once this is quantified and the Strategic Plan is codified it is part of statute. So, if somebody writes a new bill, you know in researching, they would have to go back and change that statute in order to supersede that. So, part of the process itself, will weed out a lot of probably what we are talking about now.

Ms. Shepard: Ok, so it is not likely to happen that there would be great contradiction without some pretty intensive statute changes already in a big proposed bill.

Commissioner Cervantes: Yeah, I think if you want to go into stuff that we have part of the statute on data reporting, and all of those phases you would have to change AB 472 in order to modify this. So those parts, I do not think, would be under any kind of issue. It is just that outside big picture. Every year there is a ton of growth. Solitary confinement, regionalization, information, it is everything. You will see stuff that comes up and you will go "Wow where did that come from?" You know that nobody really controls, anybody in the Juvenile Justice and so that is what we are doing now is having conversations earlier with some of the folks that are probably drafting.

Ms. Shepard: So, bad example, but, if somebody were to propose a bill next year in June, or February and it said, "We want the State of Nevada never to use Evidence-based practices." We want to use all private homes, unlicensed, I don't know. That would be an example of it is not only requiring a change in statute to 472, but it is completely contradictory to the principles and mission of 472 in the commission. So, we are not talking

about like where there might be a bill that is being proposed that might ask to require statutory changes, and we might request our own changes to AB 472, but they don't generally change the principles of what we are trying to accomplish.

Commissioner Cervantes: Right, so I think we are good. So, we will do the draft on the 8th and then see if we can get this thing wrapped up right?

Ms. Shepard: Yes, we asked ourselves this question, we had this discussion, and this might be a recommendation. I might lean on you two, to sort of jump in and help. I might kick off the question. I am assuming I am talking, but maybe we should have you Commissioner Cervantes present the plan and also the question. I am more than happy to prepare the notes that you have in front of you.

Commissioner Cervantes: I do not mind doing that, just give me a note.

Ms. Shepard: Yes, I will give you a note. So, when we are asked to give the Strategic Plan Committee report what we are reporting. One is submitting a plan for approval the other discuss the question. This is the question, and this is what we think. How does the Commission want to vote? How does the Commission want to discuss it, does it need a vote? Coming from the co-chair of you is a good idea, instead of me.

Commissioner Cervantes: Agrees

Staff Member Sarah Bellows: Let's open for public comment just to make sure. Do we have any public comment on the phone?

Commissioner Munoz: Hey Lorna the whole thing, that I think we need to work on is I know that there was some "Parking Lot" items that we have addressed moving through all these meetings. Where there were a couple that Judge Voy had that he wanted some clarification on, or to be rewritten that may need to be submitted as a VDR moving forward. Do you still have the parking lot list?

Ms. Shepard: I do, that is kind of part of my "Garden" conversation. The one change I can tell you that he asked for regarding the plan, was to use the preamble AB62 and we included that. He included that as sort of the setup for the vision of where we are going in the draft plan. So, we just referenced the bill and said this is the preamble and we feel that the AB472 on this and the vision for the JJOC is building off of this preamble. That is basically how we presented it. The other parking lot, I apologize, I really should have written those up for this meeting and I have just been staring at my wall for some reason. I will type those up for you all and share them. I guess if we need to deal with anything at the commission meeting lets figure that out. What we will do is just basically have on the agenda we will have a strategic plan committee report, and we can add that to the items that we need to talk about.

Commissioner Munoz: That would be great thank you. That's all I have. Thank you everybody I appreciate it.

Adjourned at 10:33am Staff Member Sarah Bellows