



**Nevada State Juvenile Justice Oversight Commission  
State Advisory Group Planning  
Committee Meeting  
May 15<sup>th</sup>, 2020 at 12:00 pm**

**Meeting Minutes - DRAFT**

**Chair Pauline Salla-Smith called meeting to order at 12:01 pm.**

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

**(VOTING MEMBERS)**

**Present by Phone:** Pauline Salla-Smith (Chair), Joey Orduna-Hastings, Rebekah Graham, Jennifer Fraser, Ryley Harris

**Absent:** Jack Martin, Paula Smith

**(NON VOTING MEMBERS)**

**Present by Phone:** Heather Plager, Christine Eckles

**Absent:**

**(STAFF)**

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

**(PUBLIC)**

**Present by Phone:** Marci Mistrett (Director of Campaign for Youth Justice c/o Mindspace, Guest Speaker), Melissa Sickmund (Director of National Center for Juvenile Justice)

**Meeting Minutes:**

**Pauline Salla-Smith:** Thank you Leslie. Okay let move to Public Comment. Anyone for public comment?

**Public Comment: None**

**Pauline Salla Smith:** Okay hearing none let's move to Review and Approval of the April 10<sup>th</sup> 2020 minutes. Hopefully everybody had a chance to review them. If you did, I would welcome a motion to approve.

**Joey Orduna-Hastings:** This is Joey. I'll move to approve the minutes.

**Pauline Salla Smith:** Thank you, it's been moved. Is there a second? (Pause) This is Commissioner Salla and I will second. All those in favor say aye? (Unanimous ayes) Any opposed? (Pause) Minutes are approved as submitted. Moving to agenda item number five, we have a guest speaker today. Marcy Mistrett, the Executive Director for the Campaign for Youth Justice. She's going to be talking about COVID-19 and youth in detention. I didn't know you wanted to do all of the items at once or how you wanted to do it but you have the floor.

**Marcy Mistrett:** Hi everybody. I hope you guys are all doing well on this Friday afternoon. I want to thank you for including me. To give you some context, I'm the Executive Director at the Campaign for Youth

Justice. We are a national campaign that are dedicated to ending the treatment of children as if they were adults. But I also am the Co-Chair of two national coalitions that work on federal responses to youth justice. Particularly around the JJDP (Juvenile Justice Delinquency Prevention Act). My Co-Chair is Naomi Smoot with the Coalition for Juvenile Justice there. So we have been working a lot on both with system stakeholders at CJCA (Council of Juvenile Correctional Administrators) Mike Dempsey, and Wayne Bear who runs the National Partnership for Juvenile Services. As well as with advocates on the ground to try to collect information on what is happening across the continuum of care for young people during this crisis. So I was invited to just give an overview and I want to make sure that you guys get some resources that are keeping this information up to date. I think I want to start with just the fact that we now have thirty one states and DC that have publicly reported positive cases of either young people, staff, or both, in their secure facilities. And that number has not dipped once since we started collecting this about six weeks ago. There's now three hundred and eighty one children across the country and four hundred and sixty one staff that we've been able to track that. The Sentencing Project has continued to update that on a weekly basis on Fridays. And that staff person is Josh Rovner. I don't know if you guys are on social media but he does post it on Twitter every Friday afternoon. So I think that's just to say that while we have had some good successful movement on this, I think that what this has done is really uncovered a short coming in terms of our emergency planning, in terms of our resources. I mean everything that's hit the country has obviously hit the Youth Justice System. So we are seeing a lot of things to celebrate but we're also seeing things for concern particularly once we do have those positive cases because not surprisingly that goes to staffing concerns, whether it's safe enough to let kids who aren't positive out of quarantine. Because of staffing there's a whole host of—a ripple effect that those positive tests can yield not in a secure placement. I can continue what some of the highlights are or I can stop and take questions from folks to tailor my talking points. What do you guys prefer?

**Pauline Salla-Smith:** This is Commissioner Salla. Can you go through the highlights and then we can open it up for questions from the members?

**Marci Mistrett:** I would be happy to. Thanks Commissioner. So there's been a couple things that we know are working. I'm going to start at the editorial level. Both in Colorado and in Michigan the Governors' have taken defensive action through Executive Order to limit the number of children entering secure placement in the Youth Justice System. In Colorado the Governor gave the releasing authority, so on the commitment side to their Juvenile Justice Agency that has led to a twenty two percent drop in the commitment rate. In Michigan the Governor required there to be a substantial and immediate threat to public safety in terms of any new admissions to the detention side. Again they have not reported on how that is correlated to the number of jobs but we know nationally that there is about a twenty four percent drop in the number of young people in detention since COVID started. Then in California the Governor also suspended new admissions to detention in his Executive Order. And I do want to say that the National Governor's Association, and if you don't have this information I would be happy to give it to you, they have come out with a pretty strong statement talking about the need to ensure wherever possible that we are in terms that even kids in secure care have social distancing, appropriate PPE, access to soap and water. Those are things that the National Governor's Association came out with and I'm happy to share that with you. In terms of Judicial responses there has been about eight states that were tracking that the judges had made—at the higher courts- had made decisions about how to operate the courts. I think this is another another avenue that other states should be considering. And Illinois, Maine, Maryland, New Jersey, North Carolina, Oklahoma, Virginia, and Florida. Places where this happened, all of them have led to significant numbers in children being released. Whether that is blocking the front door, in terms of not letting any technical violations of probation admissions or misdemeanors of admissions or status offences. Or whether that is at the back end allowing for, again these are all through individual case reviews, but letting folks drop the numbers by either the time of disserve or that the town has met their rehabilitation needs. Maryland is probably the biggest number there. They had two hundred youth released from their facilities as a result

of the judicial order. Now I do want to put a little of caution in raw numbers here because what you could also see is a state that locks up a lot of misdemeanors or status offenses getting a bigger group of kids out at the end, right? So you always have get in context what the overall approach to youth justice is in each one of these states. Then we also have states that have set up procedures that expedite release. So they either have special courts that are looking at expedited release or they have changed the way that they do intakes. I heard a really interesting quote from somebody in the JDAI site, they said "Our concept of risk has been flipped on its head." Right? So while we have all of those validated risk assessment tools, we certainly didn't have this overwhelming public health risk that challenges all of the ways that we considered risk previously. And then there's actually been three states that have closed entire facilities. In Kentucky and Vermont they have closed two detention facilities and Maryland closed one of their commitment facilities. Well they didn't close it, I shouldn't say that. They removed all of the children in Maryland from one of their facilities in case that they needed a place for the number of children that have tested positive and they need to be quarantined in one place. So they opened up space in one facility and moved the children. The only state that has required testing of every single child and staff person is in New Jersey at this point. There are many states that are testing children based on when they start to show symptoms. I think the news is when more public health information gets collected on this I think we are seeing how asymptomatic people are able to spread the virus so I think that we're just at the beginning and with the tests becoming more available people will start to shift that way. But we are seeing quarantines in the majority of states, however, a lot of that quarantine is once they're in secure custody. We are seeing lots of it before they are on their way home or to a less secure placement. And I think that's something else that's going to shift with time. And in 19 states, of course including Nevada, have updated and put publicly again their emergency plan. And then the last thing I want to say is just, I'm talking about secure placement right now but certainly there has also been changes on the way that probation operates since everyone is in many places and is working remotely now. And how the courts are operating also remotely. We've heard a lot of difficulties in ensuring due process rights. In those virtual meetings we just heard of a county today that was a Facebook Live Streaming Juvenile Detention Hearing. So I think again people are still trying to figure this out. But overall what I think we are seeing is some good questions about where your referrals are coming from because that was the biggest drop in the first JDI scan that Annie Casey released a couple weeks ago. That the number of incoming cases was the lowest. It was a drop of thirty percent. I think the schools in most places across the country are not operating so we would expect that number to be dropped considerably, but there was also a twenty four percent drop in detention. Again I think it's about looking at those pressure points and really thinking about knowing the limitations in secure custody in terms of how we are actually able to social distance kids in a safe way, protect the staff who doesn't often have access to PPE, and to ensure that young people aren't getting any of their human rights or due process rights violated. So im going to take a breath, because I know that I just threw a lot of information at you. But that is kind of the broad scope of where we are at this particular moment.

**Pauline Salla-Smith:** Thank you. This is Commissioner Salla. Do any of the members have any questions or want to talk? ... This is Commissioner Salla again. I think at least at the county level, because we're bifurcated so we operate our state facilities and the counties operate their county detention centers. At least I haven't had any direction from our Governor to the county level. Leslie, with the state facilities did they just decrease submissions? Or what's the process with the state facilities now?

**Leslie Bittleston:** This is Leslie Bittleston for the record. I think a couple of things. They've been looking at releasing some of the youth early based on how they've done in the program. They have also decreased some of the admissions and the admissions that we have received we are holding them in a fourteen day quarantine period, separated from all of the other youth. So we are still taking admissions but we are separating them just to make sure they don't have anything and we are also taking temperature checks and separating youth that may have symptoms that are put into the medical portion of the facility. So we are

doing all of those things. We are also testing staff, not weekly but periodically we are testing all staff and all kids.

**Marcy Mistrett:** This is Marcy. Can I just ask, when you say “testing” are you talking about the actual test or like a symptom test? Like a fever and cough and things like that?

**Leslie Bittleston:** My apologies for not being clear. This is Leslie. We are doing both. We are doing symptoms tests when youth are admitted, and we are quarantining them for fourteen days. And then periodically like every couple of weeks we are doing an actual test test on staff and youth.

**Marcy Mistrett:** Great thank you.

**Pauline Salla-Smith:** This is Commissioner Salla. I think at least for our detention center, we don’t have pods either. And I have six cells right now for detention, because we are remodeling the other half to be non-secure. But for us it would be really difficult to quarantine a youth because we do not have pods. We have one main area with six cells. So that’s been a concern of ours all along. The good news is, and I don’t want to jinx myself, I’m empty right now so we’re lucky for that but that’s something that we’ve been working with our medical officer to figure out what we would be able to do. Because we can’t quarantine them in a different area.

**Marcy Mistrett:** And I can say that some of the other struggles that we’ve heard is around things like education, being able to switch to online learning, or at a minimum worksheets. I think everyone would prefer online learning if it’s possible, and then therapy is the other thing. Unless you guys are still able to have mental health staff doing programming with kids.

**Leslie Bittleston:** This is Leslie. I can answer that for the state side. What we have been doing education wise is not have kids transport to the school. And we’ve been doing education in their ruling areas. So in their cottages or where their living area is so we’ve been doing that. We still have teachers on site or available but they’re doing a lot of worksheets. We’re using iPads or tablets and my understanding is that we are not back to normal on education. They are still doing education in their living areas.

**Melissa Sickmund:** This is Melissa Sickmund. Am I allowed to ask a question as well?

**Pauline Salla-Smith:** Sure go ahead.

**Melissa Sickmund:** I was just curious because I know we’ve heard in a lot of places around the country that either for social distancing or in order to kind of quarantine kids that they are being placed in solitary confinement? Basically in some sort of isolation, which is detrimental. Marcy, maybe you can talk about that a little bit and then I would be curious to know how Nevada is handling that.

**Marcy Mistrett:** I think that that is a real concern. Particularly I think that’s the one reason that they’re pushed to really decrease population and it’s so pressing. Because the alternative we’re finding is that—I think that once a child tests positive, right? There’s a difference between quarantine and children that are actually sick in some places. But I do worry. We’ve heard things like “Well we leave the kids doors open.” Or bringing them things to their room. But again I would imagine as we’re running out of time now, that it doesn’t feel very different to young people especially places that they don’t have access to volunteers, they’re not getting access to their families, they’re not getting access to teachers. So we’re starting to see some reacting behavior to that which we would expect but I do know that there are people who are advising from the public health perspective that the difference between quarantine and medical care versus solitary confinement and isolation.

**Leslie Bittleston:** And this is Leslie. I can answer Melissa's question for the state side. I think a couple of things. Yes we are trying to reduce population in our state facilities, that's number one. Second, it is very difficult to keep kids six feet apart in cottages and open dorm-like settings. So kids are pretty much staying together. Like I said, we do quarantine the kids for fourteen days when they are admitted. We don't call that room confinement or isolation, even though technically they are isolated because we do want to keep them separate for the first fourteen days. I know at Summit View they are keeping the youth in the medical area for the quarantine days. At NYTC, the one in Elko, they are just in a separate cottage. Same thing at Caliente, they're in a separate cottage. But we are still keeping the youth together in the same cottages and in the same dormitory. We are still doing that whether they are spending a little more time in their room with their doors open, that is a possibility. However I haven't really addressed that or talked to the facilities about that. But within their school work, they are probably doing more in their rooms with their doors open. That would be my assumption.

**Pauline Salla-Smith:** This is Commissioner Salla. I think that if kids are being—I mean to me there is a difference between quarantining for the fourteen days—this still goes back to our SB107. So even in that legislative language, what the intent was, we had the portion in there that if someone had an infectious disease that we logged it and tracked it and made sure they had medical and the services that they needed. But that the infectious disease part didn't fall into our SB107 language as the intent of it was. So I think that that's something we need to visit with all of the facilities. And of course we don't want our kids in room confinement, I mean I don't like our kids in room confinement either. I'm a supporter of SB107 but if you look at my facility and the protocols we have in place, which we're not going to detain youth anyways unless it's an eminent and clear public safety risk right now. There is no way that if I had a youth showing symptoms that I could have them anywhere else but in my main area in their room and if the door was open I wouldn't be protecting others either. So I think that of course as we're continually working on our room confinement issues, in Nevada we're not really talking about large facilities in our rural jurisdictions.

**Marcy Mistrett:** Mhm. The other thing that I would encourage you guys to look at. I know you're looking at this overall as part of your study but if the kid is in the adult jail they are just to remember to try to check on them and their conditions because I can guess that they're not having the same experience.

**Leslie Bittleston:** This is Leslie. We are not allowed to visit right now. So visitations are limited whether they are juvenile or adult facilities. One of the things that we do is we do visit periodically, kids in adult jails. We do have several in a Las Vegas detention facility. They do have a separate pod, so to speak. The juveniles in the facilities up north, we do like to visit them but unfortunately we can't right now because there are no visits allowed. And the better news is I'm not aware of any juveniles in adult jails up north as we speak.

**Marcy Mistrett:** Well, thank goodness.

**Leslie Bittleston:** Yes. So I'm just saying that even if we wanted to we could not do visits right now until they say we're able to. Because technically we are a visitor.

**Marcy Mistrett:** And Nevada is not alone in that. I don't know anywhere where people are allowed to go do visits and monitoring. Melissa I don't know if you know differently from me on that one but that is definitely something I think is somewhat concerning. It really becomes concerning when you start to see staff get sick and call out. Because we know that facility is moved in to security first.

**Pauline Salla-Smith:** Is there any other members that have questions or thoughts?

**Melissa Sickmund:** I would just point out that both—this is Melissa Sickmund, sorry—that the Bureau of Justice Statistics will be including some COVID focused items on their jail data collection that I think goes out to the field this summer. We've talked with OJJDP and IJ to do the same for the juvenile residential facilities census. There will be a public comment period on that, so there may be the opportunity for folks to chime in particularly regarding how much burden and that kind of thing the—I was just looking to see—the public comment for the BJS items last until June 8<sup>th</sup>. So you can go on now and comment away on the Federal register. But yeah I think it's a unique opportunity that these facility data collections happen to be the right one for the kids to be going out in 2020. So we can find out in hindsight what the facilities do and what were the issues and responses from facilities to protect kids and staff as well. The facility stuff for a long long time, and I think even now, there's actually more staff in juvenile facilities that tested positive than there are kids. That doesn't mean the kids that are asymptomatic and nobody knows because they don't have symptoms so they haven't been tested. They don't seem sick. But that's a little bit different pattern than have been seen in adult jails facilities and prisons.

**Marcy Mistrett:** And then the last thing I would say is I just feel like this is a moment for all of us thinking three to six months down the line about what are some of the lessons that we're learning here about—and again, Commissioner you mentioned that Nevada's already had some significant reforms in this area but you know what else can we be doing to shift resources to communities? We've heard from a couple places some funny stories, some not so funny stories. But you know, if the front door is closed to like an interfamily fight and the detention centers aren't taking those cases anymore. Where probation takes the kids, buys the family groceries, takes them back home, and all of a sudden the stress of not having food is off the parent and the tension goes down right away. So what are some of the ways that we could be taking what we're learning during a crisis and really hoping to advance practices that keep kids safe and communities to keep those numbers down in secure facilities because this is going to be a long term fight I think with this pandemic? I know we're all just waiting for it to end but it looks like it's going to take lulls and come back. So I just really want to encourage us all because there's information I could be getting you on a regular basis about other strategies that we're hearing at the national level. I'm happy to do that. Because I do think creativity is bounding right now in some great ways.

**Pauline Salla-Smith:** This is Commissioner Salla. I mean I think the more information that we can receive, and from other places who maybe even have much higher numbers than Nevada does, and the lessons they learned. I would love to have those.

**Marcy Mistrett:** I will make sure to get back to you guys.

**Jennifer Fraser:** Hi, this is Jennifer Fraser. I just wanted to comment that in Las Vegas our booking in the County Detention Center has significantly decreased. Because the criteria has changed. At a recent meeting there was a discussion between the probation administration and the detention manager about maintaining that criteria into the future, because everyone has kind of understood that the sky has not fallen and that is something that seems like a silver lining through all of this. That those kind of changes can be made and I'm happy to be in a seat at the table of those discussions. I would like more info too on what other jurisdictions are doing.

**Marcy Mistrett:** Yeah that's great.

**Melissa Sickmund:** This is Melissa Sickmund. I think a lot of places will be rethinking, right? The world didn't fall apart when we didn't detain all these kids and all the states and counties are facing a new fiscal crisis as a result of COVID. Monies had to get spent and not enough revenue is coming in to the coffer so detaining fewer kids is potentially a way to save money in the future. So I think there's a lot of incentives to really look at what policies were before and try desperately not to go back to them.

**Pauline Salla-Smith:** Agree. Anything else on this agenda item?

**Joey Orduna-Hastings:** This is Joey. I just wanted to take a moment and thank Marcy for making time in her schedule to be on this call and also to be in attendance of our next JJOC meeting. So thank you Marcy for this, it's really helpful.

**Marcy Mistrett:** Yes! Thank you for the invitation. I'm happy to be here. And I'll send some more of that information out to folks because I've gotten updated information since the initial bunch of data I've sent to folks.

**Pauline Salla-Smith:** Thank you, your presentation was helpful.

**Marcy Mistrett:** Thank you for having me. Have a nice day everyone.

**Pauline Salla-Smith:** Thank you. Bye. Okay let's move to agenda item number six, an update on Evidence Based Resource Center. Melissa Sickmund, you're on.

Melissa Sickmund: So because of the funding freeze that DCFS has been experiencing basically we have a website. Occasionally if we have materials—we have posted stuff, but we've sort of just been in a holding pattern because we didn't want to—we can't afford, as an organization, to pay staff to do stuff and not get reimbursed. So until all of that was settled we communicated with Leslie—was that earlier last week, Leslie? Or this week? There is something that could be done on some funding that she's applying for that would be outside of the free zone. So there's certainly a lot of things that can be done. We have I think two pending things that we have in the queue of what we have to do. We want to help you but we can't work for free, so.

**Leslie Bittleston:** And this is Leslie. To add to what Melissa said, I did reach out to her last week because another grant opportunity came about of us so I asked Melissa and her staff to give me an outline of conditional work that needs to be done and outline kind of outside of what the Formula Grant is supposed to be paying for. So she and her staff provided me with an outline and we are going to include it in our JAG Grant, the Edward Burn Grant from public safety that's available every year. So we are going to include that in the JAG Grant which is due at the end of May. So I'm looking for other funding sources to help get this jumpstarted as well, and that was just one source that came available. So thank you to Melissa and your staff for that quick turnaround time and that outline.

**Melissa Sickmund:** Yeah. I would like to also just put so it's not just you and me, Leslie, talking about this every year but the Bureau of Justice Statistics gives out about forty grants every year that are maybe forty thousand dollars, maybe a little bit more depending on how much money they have available, that goes to the state statistical analysis centers to do work and they usually have some pretty broad categories. I think that some of the sort of data infrastructure things that the Commission is doing could qualify. The money I think would have to go through the Statistical Analysis Center which is at the University of the State of Nevada Las Vegas. The trick is to figure out with them well enough in advance to craft the proposal. It's certainly not a hundred percent certainty like every state's going to get some money, but they're pretty good odds and sometimes there could be continuation kind of money reapplied the next year and you can get them more money so it seems like there would be some opportunity to get some funding for the work that the Commission is doing that would help things that the State Advisory Group also wants to accomplish around data collection, information system development, training of people. And I think a ton could be done for data use so once you collect all your data from the new system then what do you do with it?

**Pauline Salla-Smith:** Anything else on that?

**Melissa Sickmund:** Well we've talked about it the last two years. I think the solicitation comes out pretty early in the Federal Solicitation Season, so especially because the resource center has been on hold it wasn't something I really thought about until I saw the solicitation again and went "Ahh darn" you know. We've approached, I'm not going to remember the gentleman's name at the University who runs the Statistical Analysis Center. I think the first time that you talked to him, Leslie, his comment was that he doesn't really get access to that kind of juvenile data so I think mainly the focus in many states is on law enforcement data and what I would call adult data, more than juvenile data. So if there can be some reach to make connections with the Statistical Analysis Center or find out more about who can get their information you know consider their audience. It didn't sound like they had ever applied for or received one of these awards. So it can't hurt, and if that's something that Leslie or Leslie and the Resource Center could draft the proposal. Somehow a little bit of pass through from the Statistical Analysis Center I would think it would be a doable thing but I don't know how they operate within Nevada.

**Leslie Bittleston:** And this is Leslie. Really quick. The Director of the Statistical Analysis Center is Dr. William Souza. I have spoken to him a couple of times, he's a very nice man. However, he's been skeptical of applying for the grant with the state for two reasons: Number one, he doesn't think the money that's offered is really worth the effort. Secondly, he stated that he does not have a direct line with adult collections data. So the Statistical Analysis Center in Nevada relies on people feeding him or organizations feeding them the data rather than a direct line so they can do a lot of data analysis. That doesn't mean that Dr. Souza is not willing to listen, but I think we need to engage him in a more long term rather than when the grant becomes available because I think he's somebody that based on my conversations with him he's somebody that may need to have several meetings and really vet an idea before he is willing to get on board with it.

**Pauline Salla-Smith:** This is Commissioner Salla. I think that probably fits in with some of the goals of the Oversight Commission though, right? Because they want the direct line to the adult system to track our youthful offenders and especially if we're looking at accurate data to capture recidivism at some point we're going to need that. With the adult system and I thought that was coming up in some of the committees, the discussion is how to work towards that.

**Melissa Sickmund:** This is Melissa again. I would say in most states the Statistical Analysis Center is not outside State Government. It's usually in a Department of Criminal Justice or State Police kind of entity. There are no other states that have them located at Universities but in other states the Statistical Analysis Center can be a tremendous resource to something like the Commission or even to the SAG where they are the ones that pull together all the DMC data. So because of the way it's structured in Nevada, and the fact that he for whatever reason is not getting direct access to the very data that a Statistical Analysis Center is supposed to have access to. I don't know who controls all of that but it would certainly be worth having some conversations. There's an organization of the Statistical Analysis Centers called the Justice Research Statistics Association. We can probably talk to folks that are running facts out of Universities to see how their world is different and perhaps how we can help him maximize—to him data is the resource. Data is what he needs to work with and if he has an unofficial way of getting data that strikes me as a limitation. That he might not be particularly happy about. The work that we do nationally, we can't make anybody give us data on the archive but we are representing the Federal Government. We are the data collector. Or we get the data from the census bureau for the CJRP. To have the fact be a more official thing rather than it's just something that keeps his career going.

**Paulina Salla-Smith:** This is Commissioner Salla. I would imagine that UCCR, the repository, which is state operated correct? So I would think that between UCCR and the Statistical Center that maybe there's already some kind of MOU or something there that we can just build on. That would take addition conversations with Dr. Souza I guess. I was just thinking out loud.



**Melissa Sickmund:** I do that all the time.

**Pauline Salla-Smith:** Yeah sometimes I have to talk myself through it. Okay it seems like there is a lot more discussion that needs to surround that topic. But I'm under the belief that, especially right now, any additional grant funding that all of us can successfully obtain is going to be really important. Especially for our Juvenile Justice reform because we all know what our budgets are going to start looking like. Between COVID and budget meetings, that's taking up the majority of all of our days.

**Melissa Sickmund:** Oh, certainly. I mean how are your service providers doing on the ground? I mean if you have limitations because of communities basically being shut down, have they been able to pivot towards providing remotely? Because if you don't have internet access or you know the bandwidth to do things, I could see it being quite challenging and being an upfront cost to becoming more remote.

**Pauline Salla-Smith:** This is Commissioner Salla. At least for us we have been purchasing internet card services for all of our kids so they can do Tele-help. Our treatment providers have to Tele-Help, so we're just making sure that our families have access to internet. For our high risk kids we're still seeing them and we're still meeting with them while following all precautions. But for our outliers because we do have McDermott and tribal land, we do have a lot of outlying little communities. Then we work with a local network provider whose been helping us get internet service to them.

**Melissa Sickmund:** Yeah. I think for courts and probation agencies and everything, at the beginning of COVID there may have been some upfront costs. Today there was discussion in Washoe County that they spent maybe sixty thousand dollars or more getting computers for Judges' and folks to be able to work from home. Agencies and service providers don't have that kind of cash to be spending on—you know to re-applicate at least could be a challenge. And with budgets likely to get cut, that's just hard. That's just really hard. If you're not confining kids, I think the assumption is to provide services to them in the community but if the service providers collapse because of COVID then that's a problem.

**Pauline Salla-Smith:** Agreed. Okay, I'm going to keep us moving on our agenda. Is there any other discussion on that agenda item? Let's move to agenda item number seven, SB107 Room Confinement. Is this new data from our last meeting?

**Leslie Bittleston:** Yes it is and I'm going to have Kayla Landes present the charts and talk about the 72-hour reports so take it away, Kayla.

**Kayla Landes:** These reports are all the numbers for April. So the first issue that you guys are probably going to see is this report that says "Total Number of Youth in Room Confinement". This is an internal document so I don't know that it's ever been presented to the SAG before. And if you notice that in Fallon and Teurman Hall, they show eight confinements. I believe Teurman Hall is the last of the packet which is on page eleven. On there its reported that they had one confinement for over 72 hours and when I received this report they were reporting that they had youths in confinement for two hundred and twenty two hours, so of course that was a huge red flag for me. So I then called their Detention Manager and spoke to him, and found out in speaking to him that they've been reporting incorrectly their room confinements. They've been reporting kids if—basically if a kid wants to cool off, or if a kid doesn't want to be put into their day room. They were counting separating the kid just to the day room as a confinement. And I said well that's not a confinement. So even if a kid wasn't in trouble and they were putting him in a day room or like the school just for the kid to be by themselves for a minute, they were counting those as confinement. So that's where the two hundred and twenty two hours came from. But the graphs will show something completely different. The graphs will show that in March—because when I spoke to the Detention Manager I asked him what were their numbers for the beginning, from January to current. He said they would have

zero. So then I asked him to provide me a copy of their policy to show exactly what they're doing and he reported back to me that they are currently rewriting their policy. So for the month of March we're reporting zero and we're looking into issues that their having understanding what is considered room confinement for them. So that why those two will look odd with an eight and then a zero on the graph. I hope that makes sense and I apologize for that mix up.

**Leslie Bittleston:** And before Kayla goes on, when we are allowed to visit facilities again we will be scheduling a visit with Teurman Hall to go over their revised policy and just to make that they are understanding how to properly capture a room confinement because they have in the past reported suicide watch as room confinement. So we just want to make sure that they are on the right page and so we will do a visit once we are able and work with them on their policy. Go ahead Kayla, if you have anything else.

**Kayla Landes:** That's about all I had that would stick out on the—the institutions, Summit View is doing great. Their confinements have gone down tremendously. And I've also—sorry, to go back to probation, even though we don't necessarily report it I did notice on their reports that for the month of February they've been reporting all of their confinements received room checks but on their marks down the whole list of room confinements they reported no checks. That was another red flag for me so I brought it up to their Detention Manager and through speaking to them and their IT, they aren't recording it in Tyler Supervision but they are recording it in a different program they have. So it was my understanding that they're going to take that section out that they report to us, but I just told them as long as they are recording it somewhere so that if we do need to check on it that we can have that information. But again just so that you know that I do my best to make sure that these kids are being checked on and that these crazy numbers of over two hundred hours isn't taking place.

**Leslie Bittleston:** And she's talking about Clark County on the room checks.

**Kayla Landes:** And that's all I had.

**Pauline Salla-Smith:** This is Commissioner Salla. So when you say room checks does that mean if a kid goes into room confinement they're not checking on them?

**Kayla Landes:** That's what their report had reported to me and it reported for the whole month of March on every single every single youth. So I was like that can't be right because they had a number of youth in confinement for quite some time. I immediately got in contact with their Detention and I said are these kids really not being checked on or what is going on? And according to him, they are being checked on they just aren't putting it into Tyler Supervision. They're putting it into another system that they have. And the report that they send me they generate out of Tyler Supervision now. So it's a brand new report for me to see also that's why it really stuck out to me. That I see all of these "no's", and then when I went back to the February I had all these "yes's" so I mean something wasn't adding up there.

**Leslie Bittleston:** And I think what's important to know about Clark County is that they transitioned to Tyler Supervision at the end of February. So they are still transitioning from their old system that they used to report on to Tyler Supervision so that's something else to know. So we're working out the kinks as we go forward the reporting especially as counties move to Tyler. We are still waiting on Washoe to move to Tyler. All the other counties are up and running.

**Pauline Salla-Smith:** Well we'll just keep this on our agenda so we can keep monitoring. Okay any other questions? Anybody on the phone have any questions? Okay let's go to agenda item eight, Update on Formula Grant, and thank you Kayla for your presentation. I forgot to say that.

**Leslie Bittleston:** This is Leslie for the update on the Formula Grant. I was able to have a phone conference with Nevada's Federal Grant Manager on Monday of this week, so this is fairly new information. My understanding from her is that the high risk designation that is on DCFS is still in place so our grants are still frozen. She was unable to tell me when that would be lifted and in speaking to her I stressed to her—she's the fourth Grant Manager that I've had in the four years I've been in this position and she was assigned to me three months ago. So prior to her I sent two requests to draw some funds from the Formula Grant. So on Tuesday I just submitted my third request to draw some funds from the Formula Grant specifically to pay the grantees because we are required to sub grant sixty six percent of our total allotment out to sub grantees. So if we can at least pay one year of the sub grantees or reimburse, and you heard Melissa talking about it earlier—it's kind of hard to do work when you're not being reimbursed for it. So on Tuesday of this week just submitted a third request that is pending so we will see if we can draw partial funds from our frozen grants. So that's the update I have on that.

**Pauline Salla-Smith:** Okay. Any questions? Okay, let's move to agenda item number nine, Update on Federal Requirements. Is this updated information from—I feel like we just had a meeting.

**Leslie Bittleston:** We did. Really quick, we skipped over number nine. Update on Federal Compliance. This is just informational, but now that we have a Racial and Ethnic Disparities Committee led by Ms. Graham who's also on this committee, that committee will be addressing the Required Action Plan which is now a Federal plan that is required. And I will update the SAG as progress is made. So that was just informational.

**Pauline Salla-Smith:** This is Commissioner Salla. Was the Action Plan developed out of DMC Report results?

**Leslie Bittleston:** Yes.

**Rebekah Graham:** This is Rebekah Graham for the record. We did not have quorum at our last meeting so we do have another Racial and Ethnic Disparities Meeting. So there is not an Action Plan yet because we were not able to vote on Action Steps. But both Leslie and I will both keep this group informed.

**Leslie Bittleston:** Yep.

**Pauline Salla-Smith:** Thank you. Any questions?

**Leslie Bittleston:** And then moving on to number ten, we did discuss the value of a Court Order at our last meeting. I didn't know if we were done discussing it the Valid Court Order so I left this on the agenda. I did want to inform that the juvenile and adult jails have been assigned to the Strategic Planning Committee. That was a change with the 2018 reauthorization and there's also some additional data requirements that came out of the 2018 reauthorization that is currently not being collected. So maybe that is a question for you, Madam Chair, if you want to tackle this or send it to the Data Committee?

**Pauline Salla-Smith:** Well let me back it up a little bit. For the Valid Court Order at our last meeting we discussed that we're tabling having any more movement on that until Commissioner Orduna-Hastings spoke to Judge Walker and then we would all come back to that. So we can keep that as a place holder or—I know we discussed tabling that. The SAG's responsibility is really to ensure Federal Compliance with the aspects of the JJDP Act. Right? That's the main responsibility for the SAG. So I get a little concerned when we're splitting up pieces of Federal Compliance to other Committees, although I do think juveniles in adult jails have already been moved. So that's a core requirement of the Act. Then the additional data requirements—I mean I guess if the Data Committee has completed all of their tasks that were previously assigned and are looking for other things then we can have that discussion. But if our State Advisory Group

and our planning and development committee is responsible for the compliance of a Federal Act, I think that should remain here.

**Leslie Bittleston:** Okay.

**Pauline Salla-Smith:** I'm open to other members' thoughts and ideas. I was just sharing mine. Is the Data Committee done with their tasks?

**Leslie Bittleston:** No, they are not done with their tasks. They will be reviewing the complete FY19 scorecards and some issues that came up with reporting and clarifications so they have some work to do. My question was—I mean I put it here because it is data. But I was leaving it up to this Committee if they want to address those data requirements or pass them off.

**Pauline Salla-Smith:** This is Commissioner Salla. I think because we all come back to the Oversight Commission that this Committee could start the process and then we can always work in conjunction with the Data Committee. But I just get a little concerned when its Federal Compliance stuff. If it's going to come out of this Committee and distributed out directly to other Committees that we all know what the requirements are and where we're at with it. Because that's what a SAG Committee does. Federal Compliance.

**Leslie Bittleston:** This is Leslie. I could have sworn, Kayla Dunn that I attached the document that talked about the additional data requirements.

**Kayla Dunn:** I'm sorry if something is missing. I swear I posted everything that was sent to me.

**Leslie Bittleston:** Oh dear.

**Rebekah Graham:** This is Rebekah Graham for the record. I don't see it in our little Google bucket.

**Leslie Bittleston:** Okay. I apologize. There is a document that I will make sure we have for the next SAG meeting that does have a list of additional data requirements. I must've forgotten to add that Kayla, I'm sorry. But a couple of the things on there are the number of girls that are pregnant in detention, the use of restraints, which we have talked about previously. Then some other random things. Some of the data requirements I think you'll find are a little confusing. Which I haven't addressed them because I find them confusing myself.

**Pauline Salla-Smith:** This is Commissioner Salla. Let's put it on the agenda for our next meeting and make sure all the members have what the additional data requirements are. Then we can make a more informed decision whether we can begin the process and then join in with the data or present it to them what we're looking for and if it can be handled through here.

**Leslie Bittleston:** Okay.

**Melissa Sickmund:** This is Melissa. The Coalition for Juvenile Justice may have some information materials that would be helpful. Or there may be things posted on that Act for the JJ site that Marcy's involved with.

**Leslie Bittleston:** For the new data requirements you mean?

**Melissa Sickmund:** This is Melissa. Yeah when the reauthorizations happened they did a series of webinars. I know that at least some of them addressed the data requirements. I'll have to poke around on

their website. Or you could contact Naomi Evans. She would be able to direct you to the right places. And relative to the Racial and Ethnic Disparities Committee planning, I would fully encourage you to look and see what plans have been submitted because OJJDP has posted what states are providing to them. I think there would be a year in the links so you can look at other states and maybe talk to your OJJDP contact people and see if there is any that have been submitted or particularly good.

**Leslie Bittleston:** Okay. Thank you.

**Melissa Sickmund:** What is that saying, borrowing another person's stuff is the sincerest form of flattery?

**Leslie Bittleston:** Correct.

**Pauline Salla-Smith:** Thank you Melissa. Any other comments on that? Okay let's move to agenda item eleven, Training Opportunities.

**Leslie Bittleston:** I can present it. I did not have a chance to read through every document that I attached. This information came from the Coalition of Juvenile Justice to help State Advisory Group members understand their role. Also with a focus on youth members. Why are youth members important and things like that? So I want to get this to the group to see if this is something we want to provide to the JJOC or what we would like to do with these because a couple of items that I reviewed were pretty good. I did not read the National Standards. So it's really talking about the role of State Advisory Groups to not so much lobby but apply change through State Law changes or other things like that. So it's just good information at least to keep here or share with the JJOC.

**Pauline Salla-Smith:** Commissioner Salla. Is this an updated version? I can't find the date.

**Leslie Bittleston:** I couldn't either. But I just received it within the last 45 days.

**Pauline Salla-Smith:** Let's do this. If all the members can give you the document—it seems like the same one from before, but maybe there's some additional information since I haven't read it all the way through. If all the members could review the document, we will keep this on our next agenda and then we can decide how we move forward with it. Any questions or comments? Okay let's move to Update for YLS/CMI Case Plan. Tyler Supervision status update. Leslie?

**Leslie Bittleston:** Yes. Just yesterday the YLS was completed in its entirety and is available for use in Tyler Supervision. Which is really great news and what I mean by that is it was released a while back but some bugs were discovered. Some of the bugs included the YLS Score was doubling, the YLS score was disappearing when an update to the screen was made, and the YLS PDF Report that printed out at the end was not accurate. So all of those things have now been corrected and are ready to go. Jennifer Simeo, one of my staff members, who is also on the line created an excellent "How To" enter a YLS document into Tyler Supervision which has been shared with DCFS staff and with the county leaders. They can use that to create their own document or procedure. So that's really good news. The Case Plan is not yet ready. It is pending a couple of minor enhancements. One of those enhancements is adding a box for the re-entry piece. So because we talk a lot about re-entry and policy so we have to have a piece for that. Secondly, a place will be kept to enter the overall risk of the previous YLS and the current YLS. So we can see if there's any changes. So we are pending those enhancements. That work has been placed on hold until we can get the YLS up and running. So now that the YLS is up and running the Case Plan should soon follow.

**Pauline Salla-Smith:** Any questions from Committee members? Our referrals are quite down so we haven't had to enter one since it's been working so I'm excited to get our first one to enter it and see it work.

**Leslie Bittleston:** And I apologize, the other thing that was problematic was the override piece. That has also been corrected. I hope that the counties that are on the line use the supervisory review process. That works really well. There's also a QA process, that's for the larger places that are going to need QA. Excited that we are at the end of this.

**Pauline Salla-Smith:** We are too. Alright let's move to agenda item thirteen, MAYSI2 Discussion. For probation, I did reach out to NYSAP to request some information on if they could identify some mental health screening tools that were reliable and validated. Also I've had conversations with Cheryl Wright at Clark County Juvenile Services and she's going to be submitting some information to me. So I want to keep this on our agenda so that as I get some tools identified I can send out the information with all the documentation for the validity and reliability. I'm always open to hear any body's suggestions. You can email me any good mental health screening tools. We just need to make sure that we vet it appropriately before we take it to the full commission. But hey, share away. Any ideas you have. Any questions or thoughts? Let's move to, any new business?

**Joey Orduna-Hastings:** Well I just wanted to pass on a message. This is Joey. From Marcy. We might want to reach out to our Delegation to see if they can offer some support. Maybe get a letter from the Feds for our Delegation. Just to let them know how those funds would be helpful. I'm happy to talk about that offline.

**Pauline Salla-Smith:** Thank you. Okay, we already talked about our agenda items for our next meeting. Our next meeting, Friday afternoons are really yucky for me. I don't know about everyone else. But if we can move it back to the Thursday like we were doing before—hold on let me pull up my calendar.

**Leslie Bittleston:** Madam Chair, do you want to do a month or two months out?

**Pauline Salla-Smith:** Let's do a month. Just because we have some things that we need to talk about before our next Commission meeting. Especially if we get some mental health screenings. So I'd like to one next month if we can.

**Leslie Bittleston:** So the third Thursday would be June the 18<sup>th</sup>.

**Pauline Salla-Smith:** That's a good day for me. Members? June 18<sup>th</sup>?

**Rebekah Graham:** What time?

**Pauline Salla-Smith:** I'm open on the time. Whatever works best?

**Rebekah Graham:** This is Rebekah Graham for the record. My only obligation is from ten to eleven on the 18<sup>th</sup>. Otherwise I'm available.

**Pauline Salla-Smith:** How about June 18<sup>th</sup> at 1:00 PM? Does that work?

(Unanimous yes)

**Pauline Salla-Smith:** Okay. Let's do that.

**Leslie Bittleston:** Ms. Dunn, please send out the meeting invite for Thursday June 18<sup>th</sup> at 1:00PM.

**Kayla Dunn:** On it.

**Leslie Bittleston:** Thank you.

**Melissa Sickmund:** This is Melissa Sickmund, can I be included on that invitation?

**Leslie Bittleston:** Of course. I am so upset there was no archive meeting. I was really looking forward to sitting down and talking data with you.

**Melissa Sickmund:** Oh well we've been talking about trying to have some kind of zoom equivalent. I don't know.

**Leslie Bittleston:** Okay

**Pauline Salla-Smith:** Thank you everyone for participating. We made it here, we made quorum. Everyone stay safe and I'm going to adjourn the meeting at 1:23pm.