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DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES

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Cindy Pitlock, DNP
Administrator

Nevada State Juvenile Justice Oversight Commission STRATEGIC PLANNING COMMITTEE MEETING June 22nd at 2:00 pm

Meeting Minutes

Called to order at 2:00 p.m.

Roll Call:

(Voting Members)

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

Absent: Pauline Salla

(Non-Voting Members)

Present: Mike Whelihan

(Staff Members)

Present: Sharon Anderson, Ethan Ewert, Cindy Casselman, Leslie Bittleston, Kayla Williamson, Jenna Sexton (China Spring), Vanessa Dunn

Leslie Bittleston took roll and it was determined that quorum was made.

Elizabeth Florez: Okay. Thank you very much. Number three, public comment and discussion. Is there any public comment? I'm not hearing any. So with that, we'll move on to item number four for possible action, review and approve minutes. I see that we have attachments 4A2, 4A, and 4A1. If everybody's had an opportunity to review the minutes and if there's no corrections, we'll accept a motion to approve.

Brigid Duffy: This is Brigid for the record. What was -- the date of the last minutes was March, right, or May? March? I don't have them in front of me, but I reviewed them.

Elizabeth Florez: I believe that was -- second .

Brigid Duffy: I reviewed them yesterday and at that meeting we had already approved the minutes from the January meeting and the other meetings so --

Elizabeth Florez: Oh.

Brigid Duffy: I think we had to approve them today, but the most recent minutes we approved the prior minutes, so.

Elizabeth Florez: Correct. I think, I agree, Brigid and I had sent that e-mail today and such. The July meeting, I think the only correction that was required was the spelling of my name, which I believe has been fixed.

Brigid Duffy: Right. So, I'll make a motion to approve the most recent minutes.

Elizabeth Florez: This is Liz, I'll second that. Okay, with that, will all those in favor of approving the last meeting's minutes say aye.

Unanimous: Aye.

Elizabeth Florez: Any opposed? Okay, the motion carries, and those meeting minutes are approved. Okay, we'll move on to agenda item number five for information, youthful housing, youthful offender study and update by Ms. Bittleston.

Leslie Bittleston: Thank you, Madam Chair. So, we haven't met in quite a while, but one of the outstanding items that we did talk about in a couple of previous meetings was the Housing Youthful Offender Study, which was part of SB-356 that was signed in the 2021 legislative session. SB-356 required the Division of Child and Family Services to conduct a study on housing youthful offenders that are currently in the Department of Corrections. There were two populations of youthful offenders to look at. One was those offenders under the age of 18 that were convicted as an adult and placed in an adult prison. And then the second area was looking at possibly housing together those individuals 18 to 24. So DCFS did contract with a vendor Pinnacle to conduct this study. They are well on their way of completing the study. It is due next week. So, just a little update on where we are with this and what I expect to see from their report next week is two things. One, I'll just talk about the offenders under the age of 18 at this point. So, those folks were previously housed at Lovelock Correctional Facility out in Lovelock. On May 1st, those folks were moved to Northern Nevada Correctional Center in Carson City. This was a positive move, and it was better for those 16 juveniles that were at Lovelock at the time to move to Northern Nevada Correctional Center. What Northern Nevada Correctional Center provides is room to grow. There are -- there was room for up to 60 youth if each youth doubles up in one cell. Another thing is they have their own yard. Out at Lovelock they were not able to go out on the yard without locking down the adults. So, that just was a kind of a little bit of a nightmare for the Lovelock staff. So, the place that they are at now at Northern Nevada Correctional Center, they do have their own yard, so they are out more often. Ethan, for those of you who are, who we haven't seen in a while, Ethan is one of my new staff members. He and I went and visited the youth at Lovelock on their actual second day there, and they seemed extremely happy with their move. So, with that being said, that is going to be the long-term plan for those individuals under the age of 18 to house them and keep them at Northern Nevada Correctional Center. So, I will stop there. Are there any questions on that population specifically?

Mike Whelihan: Mike Whelihan.

Leslie Bittleston: Oh, hi Mike.

Mike Whelihan: Hello. How are you doing? My computer was struggling to get on. So, I guess the one point that I want to make about the under the age of 18, obviously, because if the study is to bring them back to the juvenile processes, right? So, I think that was SB-410. No, no, 408 had a certification bill but they didn't pass this time because of the fiscal costs that we put on it. But yet the study that was conducted, Pinnacle never talked to us about what our costs were. So, to me, the costs are going to differ from what we have, but ours is based on actual times and costs in the juvenile system versus that cost in the adult system, which is obviously going to be a lot more because the adult system standard or supervisions not the same as what we do in juvenile. So when that comes out, I just kind -- I just think it's kind of strange that no one reached out to Washoe or Clark since we're the ones that had the majority of those children.

Leslie Bittleston: Yeah, and my understanding -- I did meet with Pinnacle last week. My understanding is they didn't look at any kids under the age of 18 other than those that have been convicted and there was no recommendation to move them out of Northern Nevada Correctional Center. So, there was no discussion of kids that are pending trial as an adult. That was not part of their purview, and there was no discussion or even suggestion to move them out of Northern Nevada Correctional Center at this point. So I don't know if that may be a study down the road, but not part of this.

Mike Whelihan: Well, I think what -- sorry, Mike Whelihan for the record. So, unintended consequences are when they're saying this is the cost for the adult side. When legislation comes, they're going to use that as the supporting economic factors when they're going to try to press this legislation again, instead of actual fiscal costs that would cost the juvenile. So that's my only thing moving forward that we need to pay attention to. I understand what -- there are differences in programs and processes in adult juvenile. So I just want to make sure that it's -- if that bill comes across, that obviously, it needs to take into account the juvenile system and not just be like, oh, here's the kids with no fiscal cost or no thought on how it impacts the kids that are currently in the system when it comes to no cost because it was a very high cost bill for us, SB-408. So, obviously, when -- if there's no money, then it's going to come out of diversions and other things that I know the entire state has worked on hard to try to keep kids out of the system. And if there's no money for that, then those will be the first things to go.

Elizabeth Florez: Okay, are there any other questions regarding the study?

Leslie Bittleston: So, Madam Chair, I got to go over the second piece of the study.

Elizabeth Florez: Oh, I'm sorry. Go ahead.

Leslie Bittleston: Okay. So, the second piece of the study is looking at housing youthful offenders ages 18 to 24 together in some type of one facility or something like that. So, again, I met with Pinnacle last week and talked about kind of the final -- some of the final conclusions that they have or they will be presenting in the report when it comes out. A couple of things. Based on their research of other states, as we all know, no state is like Nevada and every state is different. And some things that may work in one state may not work in Nevada, and some things that don't work in other states may work in Nevada. But there really is no guideline for Nevada to follow in any other state for this type of project. So, Pinnacle is going to be recommending a pilot type of a program to house a portion of the 18- to 24-year-olds based on some type of a classification system of those folks and begin collecting data on that. Once some data has been achieved or gathered and looked at and presented, Pinnacle feels that some decisions can be made, but without any data or without any real information about how this would work in Nevada, they feel that they're really handcuffed on providing a solid recommendation of yes, do this or no, do this. So that is how they will be presenting the 18- to 24-year-old information in the report when it comes out. So are there any questions? I know that's kind of a very high-level overview. I have not seen the report, so I can't talk intelligently about the report. I just had a quick 20-minute update with them last week. So, any questions on the 18- to 24-year-olds?

Mike Whelihan: Mike Whelihan, again, for the record. So, one of the things I am concerned about with this bill is, okay, you already have next door California Youth Authority that did the same thing, and it failed miserably. And once you start these programs, they tend to take 34 years to get rid of them, right? So, that was an awful program for that age range. And from my understanding, not too long ago, recently in Nevada, they tried to house the majority of the younger kids in one of their prisons and then they had to shut it down because the violence was too high. So, my concern is if you're going to -- almost it sounds like they're going to hand pick who they want to put in this program. Well, I can pick, you know, 20 people and have a pretty good program if I get to pick the kids, right? And you know, but that's not going to be, you know, relative of what, like a random, randomizing thing where we just randomly get 20 or 40

or 60, whatever they're going to do in their pod. It would be more reflective of the general population instead of, oh, we're going to, you know, kind of pick who we want in this program and then we're going to use this as a role model moving forward when, you know, it's going to be based on charges and priors and behaviors, and you could be looking at mental health records and all sorts of things that go behind it to make it more successful. So, that would be my only concern with that. I don't even know if I would agree with that because like I said, the California Youth Authority, you know. I know we were talking about the prison up north -- I can't remember the name, but we were talking about putting 500 --

Leslie Bittleston: Warm Springs.

Mike Whelihan: Yeah, Warm Springs --

Leslie Bittleston: Warm Springs.

Mike Whelihan: -- but 500 of that age group in the same prison is good for those -- for those young individuals because when you're looking at violence in a prison and you're looking at the age ranges of where most of the violence occur, that most of the violence is going to occur between the ages of 24 and 18. So, if you're going to put them all in one institution, you know, it's like it's survival. I mean, and that's an awful way to put someone into a program that they got to survive. What are, you know, 2, 5, 6, 10 years, whatever is that they have in those prisons. So, I think I'd like to be a little bit more careful and have a lot more involvement with the rest of the state other than two people doing a study that where they didn't talk to any -- as far as I know, they didn't really talk to anyone else on NAJJA on, you know, what they felt would be best. And from my understanding, when you're talking about some of the things they want to do for these young individuals, they want to do things similar to the juvenile justice does and get away from what, you know, Department of Corrections are doing, but yet no one, none of the experts, even the D.A.'s were even involved with the P.D.'s on, you know, what processes they'd like to see. So, I'm hoping if we do something like that, it can be more at a larger view with a lot more people involved than two people from Pinnacle.

Leslie Bittleston: Thank you. Brigid, I see your hand up.

Brigid Duffy: Thank you. Brigid Duffy for the record. So, at the last meeting, we did talk about Pinnacle wanting to include the chiefs and they were -- there was conversation about the -- who was attending the next NAJJA meeting. Did they not in the last few months include the chiefs from at least Washoe and Clark? Just in conversations?

Leslie Bittleston: Yes, there were two meetings that Pinnacle -- that we had separately, and Clark and Washoe did attend those meetings. How Pinnacle is going to address those concerns, I believe based on my conversation again, I have not seen the report, but based on my conversations with them, I think they are going to at least outline some of the concerns and indicate that they need future study or additional looking. So, I think that will be addressed that way. But yes, they did -- they did just have two meetings, but they did not attend NAJJA. It was just two separate meetings with Clark and Washoe.

Mike Whelihan: So, Mike Whelihan for the record. So, we express our concerns. We still don't really know what the study is because I think we did most of, what I would say is complaining to be on it and I'm the one that did the most of this, obviously, as you can tell by my conversations today is. You know, I talked about bail, I talked about, you know, blended sentences, we don't have blended sentences laws in the state of Nevada. You know, I talked about CYC, and I talked about, you know, the fact that NAJJA wasn't involved. So, I think they did a cursory listen to us, even unless it says we don't know what -- I don't know if they were in a car when we were doing it, which is fine. But, you know, I don't know how

much value there is and, you know, just two individuals. You know, I think it was Liz, myself, and someone that works for Liz. I can't remember.

Elizabeth Florez: Christina.

Mike Whelihan: Yeah, Christina. And she was on the first one with me. So, she was on the first one. And then I think she was kind of blown away by some of the factors that I was looking at. And then Liz came around the second time. And I think we addressed some concerns. But still, you know, even when we're talking about their prior sessions from, I think it was two, three sessions ago when they were talking about the 24 and under and then it went to 2019 and then the study was issued and then it didn't get really done, started until the last session. And then, in the meantime, we've had other certification bills come out, right? So, you know, I understand what the survey is. It's -- to me is what's going to be the ramifications when you have a survey that you know, no one got to see. So, they did send me the budget that they put, like a piece of the budget, which was NDLC's budget, but it didn't have ratios in it. It didn't have any overtime in it. So, I was like, well, how is this going to be factual because you can't tell me that the state prisons don't run overtime in it. And where's the ratio, which is the biggest factor for us when we're talking cost, right? I'm not saying we're anti-moving, you know, this group to a separate population, but I don't want to make it worse for him. I want to sign him and be like, okay, well they're not coming to the juvenile justice system so I'm not going to worry about it. You know -- you know, only got three to four years left so, fine and wash my hands, but we don't want to do that. We want to have something that is based on expertise and a little bit more in-depth conversations and look at both sides of the house. You know, I mean, I thought they should come and talk to us at what we do, see the differences. Then, you know, then they could be more of an expert on both processes instead of only looking at NDLC.

Leslie Bittleston: And just to -- that reminds me of one of the things I did talk to them about last week, which was the ratios. I did talk to them about that and based on the feedback I got is they are not going to be recommending one to eight and one to 16 because they believe that they are working within the DOC parameters with not asking for more staff. So, I don't know what the report's going to look like or what the ratios are, but I do not believe it's going to be juvenile ratios. So, that just reminded me that I did ask. So, I don't know. So, going forward, the report is due next week. Once they provide the reports, my goal will be to send it out to the members of NAJJA and for them to review, and also, we will be sending it to LCB per requirements. After that, we are just on a holding pattern from LCB. They will tell us what they want to do if they want to do more study, or they want us to do something else. DCFS's obligation is over once the report is provided to LCB. So, I don't know, Sharon, do you want to say anything else over and above that if I said that right?

Sharon Anderson: No, you shared it accurately. That's just where we are.

Leslie Bittleston: Okay.

Sharon Anderson: And I do want to say, Mike, I do appreciate all the comments that you made, really good observations that definitely need to be considered. And so, I'll just put that on the record. I really do appreciate that and the meetings that you all had. It's been understood that there may have needed to be more to flesh out a few more things. But I believe that my understanding was that the scope was what they work within. And so, I think that them recommending -- looking at some of the issues that you all have brought up is something that will go before LCB, and you know, we'll just see kind of what direction we get from there. So fortunately, you guys' concerns are of record and will, you know, be mentioned within that report and we'll just kind of see where we're able to go from there and know that we will support, you know, further work in this area, you know, once we get direction from them, okay? I think that's helpful.

Elizabeth Florez: This is Liz for the record. Thank you very much, Ms. Anderson for indicating that as well. I think we certainly appreciate when the state keeps us informed about any results of reports or recommendations that come out. Sometimes we're not the first to know. So, your communication with us, it will be critical, and we appreciate that. Are there any other items related to this agenda? Okay. Thank you, Ms. Bittleston for that report. And with that, we'll move to agenda item number six, the status of Juvenile Justice Oversight Commission. And I believe there was a membership document attached 6-A and Ms. Bittleston, if you could fill us in to where we are.

Leslie Bittleston: Yes, thank you, Madam Chair. So, the JJOC as we know has been in flux really over the last couple of years. And Part of that was due to some discussion around moving or morphing the JJOC with the Children's Commission. And part of that discussion came about because many of the members of the Children's Commission were also members of the JJOC. So, there seemed to be a little bit of duplication of efforts. So, that bill did come out in the last legislative session. And I believe there was a fiscal note placed on that bill by the courts. I don't know the amount of the fiscal note, but the bill did not pass. So, where we were left was back with the JJOC. So, recently the Governor's Board's Office reached out to me to discuss how to move forward with the JJOC. So, as you can tell from the document that I provided, attachment 6-A, we only have a few members remaining that have not termed out. So I did mention that to the governor's board's Office. I have reached out to a couple of folks, previous members to see if they are interested in reapplying for the JJOC. So, what I've got here just to give you a kind of an overview of how I've set this document up, the governor's designee, we are waiting for Governor Lombardo's team to appoint their designee. So, no names have been floated around yet. The next four Member nominated by the state and the assembly are number two. DCFS and the board's office reached out to leaders of the Senate and assembly, but we have not been provided any nominations at this point. Number three, Joey Hastings. She has confirmed that when her term will expire -- when her term expires, she will not be seeking re-appointment. And then number four. Oh, for those that are currently members that are not termed out, I believe the board's office did reach out to you to see if you are interested in re-applying and to have you re-apply because you are coming close to the term date. And then number five. My apologies on number five. I need to correct what I've said here. I misunderstood. So, Deputy Sharon Anderson will be applying as the Deputy Administrator. Dr. Cindy Pitlock has indicated that she wants Sharon to take the lead of the JJOC. So, we will be looking to fill the other position, the administrator position with possibly another DCFS deputy administrator, but that's yet to be determined.

Sharon Anderson: Leslie, quick, I need to correct that. My apologies to everyone. So, I will be the designee administrator applying for that. And then I believe Dr. Wade will be the deputy administrator applying. I just wanted to point out on the record.

Leslie Bittleston: Okay. Thank you for clarifying.

Sharon Anderson: I just wanted to point that on the record. Yeah.

Leslie Bittleston: I was really confused on that one. So, thank you for clarifying, and for those of you who do not know Dr. Jacqueline Wade, she is the Deputy Administrator over the Children's Mental Health side of DCFS, and she would be a good addition -- Sharon and Dr. Wade would be good additions to the JJOC. Okay. Number six, that is the director of juvenile services representing a county whose population is less than a hundred thousand. Those are rural. There are -- according to the board's office, there are two pending applications for that position. Number seven, we already went over --- number eight, that is a member of law enforcement and we do have an application for that. And number nine, there is one pending application for a representative of a nonprofit. And then we have two pending applications for youth members right now. So, really where we are is in build mode. We want to build the JJOC backup so we can start having regular JJOC meetings and get some of the subcommittees that

have not met in a long time, get them back up and running. I don't know, Brigid, do you miss the data committee? Because I do.

Brigid Duffy: Nope.

Leslie Bittleston: Oh.

Brigid Duffy: I'll be ready. I'll be ready.

Leslie Bittleston: You'll be ready. You'll be ready for the data committee. So -- so that's where we are. That's the update of the Juvenile Justice Oversight Commission. I know there's been a lot of rumors out there. I've heard rumors myself. So, what I'm sharing with you is what I know. So, those are the things I know. Whatever rumors are out there, we'll just have to let those go. And if something changes or I get additional information, I will, you know, share it with Madam Chair as needed. So, are there any questions on the JJOC?

Elizabeth Florez: This is Liz Florez for the record. Thank you for that report, Leslie. So, can -- and I apologize if I missed it, but do we -- with all of these submissions that likely have been made or will continue to be made to make the JJOC a full working body, is there a proposed timeline by which they hope to have this fully organized?

Leslie Bittleston: N. I actually spoke to the board's representative this morning by phone and she told me that the board committee, I guess there's a committee that recommends folks, meets once a week and of course, we are not the only board and commission out there that needs people, but she did say they would review the applications as they come in and do it as quickly as they can.

Elizabeth Florez: Thank you for that. This is -- oh, I'm sorry, go ahead.

Leslie Bittleston: I was going to say, and yes, that's what I've got. So, hopefully very soon.

Elizabeth Florez: Okay. So, this is Liz Florez again for the record. So, just from a -- maybe the attorneys can help me with this, but just from an authority standpoint, our -- I know that some of us, our terms have not been -- were not expired yet, but there's still the larger body is not necessarily intact. So, from a -- you know, from an organizational or legal standpoint, our -- should -- should we continue to proceed as is and meet regularly, but I also don't know by what authority we can make any votes. So I'm wondering if this is something that until the larger body is organized, we continue to meet from an information sharing standpoint, but not necessarily for decision-making. But I'm open to that dialogue.

Brigid Duffy: This is Brigid for the record. I tend to agree with you, Liz. I don't know that there's anything legal that says we can't decide what recommendations we want to make to the -- because when we vote, we only vote to make recommendations to the larger body. The larger body is just not meeting right now until their membership is back up. So, I think if I recall, this is statutory, right? The JJOC? So --

Elizabeth Florez: Yeah.

Brigid Duffy: Yeah. So, I mean, I think continuing the strategic plan committee, which ultimately brings all the subcommittees together in my experience, like as we go through the strategic plan, like the data committee comes in and some of the other committees come in and it becomes part of that strategic plan, that it's good just to continue and not lose our pace. Because when you look at who's involved in this subcommittee you have with -- if Pauline was here, she's not today, but you have like everybody you need

at this point. And maybe this will keep us from being appointed chairs of the whole committee because we can say we're exhausted from doing all this.

Elizabeth Florez: I like that position. Okay. I have -- I have no further comments on this item. Does anybody else before we move on? Okay, with that we'll close agenda item number six and move on to item number seven for discussion legislative update. It has my name on here and I have a list of bills that I know in Washoe County we've been particularly involved in, invested in, we're tracking closely. But Ms. Bittleston, was there something specific you were looking for on this item?

Leslie Bittleston: No, this is just an open item in case anybody would like to discuss anything from the legis -- the recently closed legislative session.

Elizabeth Florez: Okay. So, this is Liz Florez again for the record. I know the ones that we were tracking closely and truly since the -- I haven't checked to see which ones survived past the deadline, but I know for us SB-415 probation term limits was one that Ms. Duffy did a lot of work on and I was involved in. We -- I believe also AB-193 passed. Somebody can correct me if I'm wrong, but that's the one that provided during custodial interrogations. Peace officers were not allowed to misrepresent any information to youths they were speaking to. I believe that went passed unless somebody has other information.

Mike Whelihan: Mike Whelihan (inaudible) those bills. The governor didn't beat up either one of them.

Brigid Duffy: Yeah, they both passed. Brigid.

Elizabeth Florez: Okay, thank you. Are there any other ones that anybody would like to discuss? This is Liz.

Brigid Duffy: This is -- I would. This is Brigid. I will refrain since we are a recorded meeting, but I think the fact that the assembly judiciary killed the community service bill is a tragedy to kids in the system. But that was ridiculous. Because everybody who works in the system agreed that that was a good bill for what we do. And somehow somewhere in the background, all the way up to the speaker of the assembly decided that it was not good policy to expand community service options for children. So, that's -- I'm embarrassed by our legislature on that one.

Elizabeth Florez: And this is Liz Florez for the record. I know we had some hand in that language, too, and really felt very good about all the work that had been done by Clark County representatives, yourself included, Ms. Duffy. So, we're very surprised that somehow that became something that seemed pretty simple and straightforward became contentious and quietly, I guess. Are there any other comments or related to legislative matters?

Jennifer Fraser: This is Jennifer Fraser for the record. I just wanted to concur with those statements. I candidly wasn't even following that bill as closely as others because I kind of assumed that it was going to pass and I was proud of Senator Earnshaw bringing that forward and working with all of the stakeholders. So when I found out that that didn't, that was such a bummer for our clients and for all of our systems in this state. So I agree with everything that everyone's already said about that.

Mike Whelihan: Mike Whelihan for the record. I'm not done with this bill. I'm going to try to see if I can work some assembly people because we worked with Orange Hall to get it on. And same as you, it really passed out of the Senate unanimously. I didn't see any issue rolling through the assembly and obviously the assembly killed it. So I think this session, obviously I'm going to reach out to some of you to help me get some assembly people on board and we're going to re-present. And this time I'm going to ask the

county if I can testify in the bill in person because of the way we were doing the legislation this year, we weren't testifying in person, but on this bill I'll ask.

Elizabeth Florez: Okay. Alright. Anything else related to item number seven? Okay. Seeing none, we'll move on to item number eight. Confirm the next meeting date and time. I believe we've decided in the past that this particular day of the week and time tends to work for most. So perhaps Ms. Bittleston, you can help us look at the calendar to get a date.

Leslie Bittleston: How far out do you want to go, Madam Chair?

Elizabeth Florez: I believe we do -- well, we were attempting to do every other month if I'm not mistaken.

Leslie Bittleston: Okay.

Elizabeth Florez: So, we could try for August if it works for most.

Leslie Bittleston: Okay. That would be August the 20 -- August the 24th.

Elizabeth Florez: Okay, if --

Leslie Bittleston: At 2:00 p.m.

Elizabeth Florez: If folks could look at their calendar and at least give us a sense whether or not that might work, we could set that meeting time. That works for me, this is Liz Florez.

Brigid Duffy: This is Brigid, it works for me.

Jennifer Fraser: This is Jennifer, that works as well.

Elizabeth Florez: Great. So those are our voting members. So, we will -- we will go ahead and set the next meeting date for August 24th at 2:00 p.m. and Ms. Bittleston, if Ms. Williamson could send an invitation out so we could lock that into our calendars, that would be very helpful.

Leslie Bittleston: Yes.

Elizabeth Florez: Wonderful. Thank you. And then item number nine, public comment and discussion. Is there any public comment? Okay, seeing none then we can move on to item number nine, which is to adjourn. Thank you everybody.

Leslie Bittleston: Thank you. Bye.