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**Nevada State Juvenile Justice Oversight Commission**  
**Full Commission**  
**Committee Meeting**  
**July 17<sup>th</sup>, 2020 at 1:30pm**

**Meeting Minutes - DRAFT**

**Call to Order: JJOC Co-Chair Judge Egan Walker called the meeting to order at 1:30 PM.**

**Roll Call:**

**Voting Members Via Phone:** Judge Egan Walker, Eve Hanan, Ross Armstrong, Pauline Salla-Smith, Frank Cervantes, Jack Martin, Gianna Verness, Brigid Duffy, Jo Lee Wickes, Jennifer Fraser, Rebekah Graham, Katherine Maher, Scott Schick

**DCFS Staff:** Leslie Bittleston, Jennifer Simeo, Kathryn Roose, Kayla Landes, Kayla Dunn

**Absent:** Joey Orduna-Hastings, Kevin McMahill, Dr. Lisa Morris-Hibler, Mckenna Finnerty, Mayra Rodriguez-Galindo, Alejandro Gonzalez, Alexis Waddel-Upton, Paula Smith, Ryley Harris, Nancy Saitta

**Public:** Frank Mournihan, Ken Young, Andrew Walker, Marcy Mistrett

**Introductions: Meeting Called to Order at 1:36pm**

**Commissioner Judge Egan Walker:** Glad to hear it. Thank you, Leslie. Let me next open the agenda to public comment. Is there anyone on this call who would like to offer public comment?

**Andrew Walker:** Hi, this is Andrew Walker from NCJ FCJ representing the National Juvenile Nevada Center for Juvenile Justice Innovation. I just wanted to let you know that I was here as well.

**Commissioner Judge Egan Walker:** Good afternoon, Andrew.

**Andrew Walker:** Thank you.

**Ken Young:** It's Ken Young, if you'll please, on the call as well.

**Commissioner Judge Egan Walker:** Welcome to you. Anyone else want to offer public-I'm sorry, go ahead.

**Marcy Mistrett:** I'm sorry, sir. This is my Marcy Mistrett from the Campaign for Youth Justice. I just wanted to let you know I was on as well.

**Commissioner Judge Egan Walker:** Thank you very much. We look forward to your comments here in just a few minutes, Ms. Mistrett.

**Marcy Mistrett:** Thank you.

**Commissioner Judge Egan Walker:** Judge Voy, I don't know if you wanted to share some public comments about updates and challenges you're facing.

**Judge William Voy:** Yeah, and I think that-I know Jack Martin is on and he can give you the numbers later about our staff reductions here in Clark County and the reduction in beds at Spring Mountain Youth Camp, and how the budget's going to be affecting our-excuse me-reporting centers and everything else. My concern at this point is-and we haven't got-unless someone knows, it would be nice to know, but my huge concern I have is what the state is doing with the correctional beds and what's going to be available there. From a fiscal standpoint, having three institutions open in the state, who are having difficulty filling the vacancies to begin with, and now it's budget cuts and the numbers they're proposing to cap at each of the three institutions really doesn't make a lot of financial sense. Right now, given the current caps of the bed day based upon the budget for each one of those institutions is over 500 bucks a day per kid. And so I think that's something that the Commission should be looking at and weighing in on that. It would make more sense to me from a fiscal standpoint only again, I'm not even talking about best interest and public debt at this point in time, I'm just saying I'm just talking purely from a fiscal standpoint, trying to keep three institutions open when your capacity bed limits are so small, there's no scale of economies here. And so you're going to be-end up-I hate to see what the total number is going to be as far as the cost, when the change has happened that are being proposed as far as caps, but that's also because those caps are going to back up the local detention facilities, of course, like-again, like back in 2005, when we had 60 kids waiting to go to the state, for example, for several months at a time, each one of those kids. I do not want to see us back in that world that existed back then. I'm afraid that's where we're going to end up to some degree, and it's also going to have a ripple effect across the entire juvenile justice system. And if we don't have realistic programming, realistic opportunities to intervene with these kids, we're going to be losing a whole generation of kids going through. It's going to be putting pressure on the juvenile courts down here, and I assume in Washoe and even the rural areas. You may end up seeing those lack of resources come up in increase in certifications, for example. So there's a lot of things that really scare me coming into this situation that a lot of the work we've done for-that I've done for-participated in for 17 years is going to be pushed aside, combination of lack of bed space, lack of early intervention programs. And again, some of its driven by the budget and some of its driven by the virus issue, but I see huge-I see hurricane clouds, not storm clouds coming over the horizon here, and it's going to substantially impact what we do with kids here in Nevada for probably the next at least two years to come at this rate. So it's a huge concern, and I would implore that the Oversight Commission to look at that issue and weigh heavily on it. I know we've got a lot of other agenda items that were brought up and issues brought up, but this one seems to be, in my opinion, transcends all these other issues that the Commission is working on. And should be pushed to the priority list of what can we do as a state in conjunction and coordination with the County's Juvenile Justice Programs to see what we can hold on to. Because, again, I just in 17 years doing these cases here in Clark County, I'm seeing the situation develop that is going to make 2009 and '10 look like child's play. So that would be my public comment. So thank you so much for giving me the opportunity to say that.

**Commissioner Judge Egan Walker:** You're welcome. Thank you, Judge Voy. You had alluded to, for example, among the challenges more than 30 open positions in your juvenile facility in Clark County, that of course, Mr. Martin manages, and a lack of [inaudible] of those. And so I hear loud and clear those challenges. Of course, during public comment, we can't act on it, but one thing I'll make a request of you, Ms. Bittleston, is to add as an agenda item, call it a plenary conversation about distribution of resources throughout the state. Mr. Armstrong's going to give a presentation today, of course, about budget. I'm sure that will factor into a conversation and/or action we could take in the future. Is there any other public comment anyone would like to offer? Hearing no further public comment then, the next agenda item is approval of the minutes from April 14th, 2020. I move to approve the minutes. Is there a second?

**Commissioner Pauline Salla-Smith:** Commissioner Salla. I'll second it.

**Commissioner Judge Egan Walker:** Thank you, Ms. Salla. Is there any additional discussion related to the minutes of April 14, 2020? Hearing no discussion, I'll call for the vote. Please signify your approval by saying aye. [ayes around] Any opposed, please signify by saying nay. Hearing no opposition, are there any abstentions? The minutes are approved. The next agenda item, I'm glad we could move expeditiously to it, is Ms. Marcy Mistrett from the Campaign for Youth Justice. I believe, Ms. Mistrett, you wanted to speak with us about some national trends related to COVID-19, some jail removal suggestions and proposals, et cetera. Please, ma'am, the floor is yours.

**Marcy Mistrett:** Thank you, and I appreciate you having me on today. And I also appreciate the Judge's comments from Clark County, because I think that that is a real tension that is being felt across the country. To give you context of who I am, my name is Marcy Mistrett. I am the executive director of the Campaign for Youth Justice. And I'm here kind of with two different hats on. First is my hat is as the executive director of the Campaign for Youth Justice. We've been working on tracking responses to COVID-19, across the country and trying to work with some of the system providers around best practices. So I'm going to share that first. And then the second hat I'm wearing today is my role as a cochairman as on the Act for JJ Coalition, which oversees the implementation of the federal law, the juvenile justice and delinquency prevention act, would have the jail removal provision. So just to add more pressure to some of the comments you were making to us around the jail removal provision in that federal law. So I guess I wanted to start by saying that, you know, there is certainly the threat of a global pandemic, I think, has everyone with very good concerns around next year's budget at every single level of government. So I think what that begs all of us to do is to invest in things that we know that are very effective, that kind of give us the big bang for the buck. But if I can give you a quick national overview of what we have found and some resources, if you want to keep tracking this, the number of both young people and staff who are testing positive for COVID is not going down. It has doubled both there's about from what we've been able to track, there's more than 1100 kids who have tested positive in the past month. That almost then doubles the numbers that we had from March through June. So in one month, we doubled what took us three months to get to, and then the number of staff is a little bit higher than that at about 1200 staff has reported testing positive to COVID. Most things are still running a no contact with outside providers. So whether that is family members for the visits or in-person attorney visits or programming, we're still seeing a lot of those programs suspended. Despite those increases, there are only, to our knowledge, four states, New Jersey, Maryland, Maine, and Texas who have committed to uniformly testing every child in their facility. There are other places like Nebraska, Tennessee, and Rhode Island, who are testing once somebody comes up as positive or shows symptoms. Then they are testing anyone that that young person had contact with, but those are system-based. The first four I gave you are any single new child and new staff member that comes in will get a test. So what I can say in terms of what we have found with new admissions, again, the NE KC Foundation surveyed their JDAI sites. They came up with 30 states in the months of April and May, new admissions were down a quarter from where they were at this point last year. So they were down 24%. However, by June, those numbers started to creep back up again, and racial and ethnic disparities were again growing increasingly. So the children who are being locked up are largely children of color. One thing I will say is there has not been-there's been about 35 states whose advocates, in some this has included unions, have written letters asking for a directive action, either from the governor or the court, but very-we have seen in Colorado and Maryland, their executive orders led to significant releases. And then in the counties, in Travis County, Texas, Fresno County, California, and Clayton County, Georgia, we actually heard that Travis County will actually reduce its entire youth population by next week. So there are some places to go to, if you want to know how and where and what they're doing with young people. I would star those counties and those dates as places you might want to go look. And I think you guys already have access to this, but there's quite a list of letters, including from the National Governors Association and the American

Academy of Pediatrics that does have some good recommendations. But to your point, again, earlier, if we're following those recommendations, social distancing gets hard. It does reduce the number of beds. And we are hearing all over the place that-either staff calling in sick or not showing up to work, because they're either caring for somebody who is sick or have somebody who is immunosuppressed in their household. It is also causing major concerns for both child wellness and the safety of young people and staff in the secure facilities. So I'm going to take a breath there to see if you guys have questions or what information I can provide you that is helpful, but it does concern me, because we do know that there's always space to reduce our youth population when we are able to put good and responsive community-based support. So it does concern me when I hear things like evening reporting centers are getting cut because we know that that's, you know, an effective strategy to keep low-level kids or even kids with status offenses out of the deep end.

**Commissioner Judge Egan Walker:** So I hear an overture. Any questions for Ms. Mistrett? I'll simply say thank you for the information, Ms. Mistrett. And on my own behalf, this is again, Egan Walker talking. I have the privilege of being one of the co-chairs. You know, one of the challenges, Ms. Mistrett, is trying to undertake a policy to reduce population that's not evidence-based-let me hastily add, that's not an indictment of the idea that we would want to reduce our youth populations. But all of the jurisdictions in Nevada, and the two largest jurisdictions in particular, use evidence-based screening tools in terms of their detention decisions. And neither of those tools contains-this is a gross oversimplification, but neither of the tools contains a check box for is the kid positive or negative for COVID-19 or have a family member or close associate that is positive for COVID-19. And so what you're discussing is an idea that we would, as a matter of policy, say we're going to-overt, gross- oversimplification, but we're going to just let these kids out. And therein lies the rub, I think.

**Marcy Mistrett:** Yeah, I don't know that that's what I'm advocating for actually. Um, I think, you know, in talking to Nate Bayliss at Annie Casey Foundation and he said, you know, we've been promoting the use of these evidence-based screening tools that are based on, you know, risk and needs, and all of a sudden what our definition of risk has been is flipped on its head.

**Commissioner Judge Egan Walker:** Yeah.

**Marcy Mistrett:** Right? So that's where I agree with you that the tension lies there. And I think the question becomes, what can we do when we are seeing young people who come in that might be on the border or who were not-maybe they have high needs, but they're not high risk to public safety. Does that cause us-ask us to be more creative in coming up with alternatives to detention when we don't have enough staff or precautions of safety in our facilities to keep the kids there. So I think that's the-

**Commissioner Judge Egan Walker:** Any other quest-

**Marcy Mistrett:** -of real rub.

**Commissioner Judge Egan Walker:** Thank you. Any other questions or comments for Ms. Mistrett? I hear none. You wanted to take a pause, Ms. Mistrett, was there additional information you wanted to offer?

**Marcy Mistrett:** Oh, I did. I know this group has worked and listened to other jurisdictions in the past in talking about the jail removal provision and JJ DPA. I know this probably feels very stressful at this time to be having this conversation, when you're already talking about an essential backlog at the local level in your detention programs. It does look like Nevada's numbers have crept up in terms of the young people who are being housed in adult jails on adult charges. And so if, you know, as people are scrambling for

dollars, you know, the JJ DPA, while it's not a lot of money, does provide some federal dollars to help they stay in compliance with the federal act. And if there are resources again, we've got about 70% of the youth population now, who are charged as adults currently being housed in youth facilities, and by the end of next year, states will get penalized if there are children in the adult jails financially. And so there are jurisdictions all around you, Utah just passed a bill this past session. I know you've-I believe you've heard from Washington and Oregon states, who also have moved all of the young people back to their youth facilities. So I would just, you know, encourage you to keep puzzling through that so that there is no federal penalty.

**Commissioner Judge Egan Walker:** Indeed, thank you for highlighting that. It is a pervasive and pernicious challenge in Nevada, so.

**Marcy Mistrett:** Yeah. Is there information I could get you to make-is there a pressure point there? Is it that I could get you information from other places to help you get there?

**Commissioner Judge Egan Walker:** Well, again, this is Egan Walker for the record. I would just reflect Ms. Mistrett, and I promise I'm not being flip when I say this, if you could find a way to help us just print money like the federal government does, that would be a great benefit to us. And I-please, I don't mean that in a flippant way. We live in Nevada, in a desert, and it is often a resource desert, as well as a physical desert, and the rub-this is just my own personal perspective, the rub always comes down to where the dollar is going to come from. And in the time now that I've been involved in this commission, the Supreme Court Commission, and the Governor's Commission, the commission that preceded this commission, it's always come down to the dollars, and it probably always does. In terms of the information, I think you'll find all of us-I don't want to speak for anybody, but I think all of us are "converted" quote-unquote to the idea that our children shouldn't be housed in adult prisons, even after they're adjudicated on adult crimes, as an example. What to do physically with those kids becomes the challenge. Those are just my thoughts. Anyone else have any comments or questions for Ms. Mistrett?

**Marcy Mistrett:** And the last thing I will say is there will be a fourth federal package in response to COVID-19, and the House, as you may or may not know if you have House of Representatives, have passed what they have called the Heroes Act. We were able to get a \$75 million investment in Juvenile Justice to respond to COVID. That would go through a formula grant process. So you would get that money based on your youth population in Nevada. Now that the Senate is recognizing that another stimulus package will need to be passed before the end of this session, we are working really hard with our Senate counterparts to ensure that that \$75 million does stay in that act. So I am happy to keep you updated on that. If you have relationships with your senators and can talk about ways that that money would help you, I'm not asking you to lobby for us, but to educate your members about what that money could be used for, I think we could get a shot at getting that to remain in the final, in the fourth package. So just wanted to flag that for folks, because that could-that's actually more money than is allocated, sadly, for the regular title \$2 in the federal law. So I will do that, and I will try to dig a little bit deeper for some of the financial-I know every state is really different in this, so it's a little hard to do, but I can try to give you some financial scenarios that other states have used to remedy the tension that you're talking about, Judge Walker.

**Commissioner Judge Egan Walker:** I would welcome that, and I'd happily share with the other commission members. Again, this is Egan Walker for the record, a ray of sunshine in addition to that \$75 million that I know you know about Ms. Mistrett. And I will have contact with my congressional delegations through the National Council, not in my role as the co-chair of the Juvenile Justice Oversight Commission, but CIP funding is being lobbied to be increased fairly substantially under the current budget as well. So a piece of good news.

**Marcy Mistrett:** Yes, exactly.

**Commissioner Judge Egan Walker:** Thank you. Anything else, ma'am, you wanted to offer?

**Marcy Mistrett:** Nope, that's it. I appreciate you letting me jump in here and address you all this afternoon.

**Commissioner Judge Egan Walker:** Thank you very much for your time. One last time-

**Marcy Mistrett:** Yes, sir.

**Commissioner Judge Egan Walker:** -any other questions for Ms. Mistrett. I hear no other questions then. The next agenda item is a COVID-19 update for the state. Ms. Bittleston.

**Leslie Bittleston:** Yes. In your packet of material, there is a facility information COVID-19 document. It is a working document that I will reference through this update. I have been requesting an update from the counties on a monthly basis. The last update was June 25th, and I will do another update next week. As of June 25th, the state had tested 46 youth and 37 staff with zero positives. We are not testing all youth or staff. We only test based on symptoms and need at this point. So that's what we're doing. All facilities, in all detention facilities and state facilities are doing a 14-day quarantine period for all new admits. Some facilities have allowed some visitations to begin. It's a case-by-case basis, but some are slowly opening up some of their services. But the important thing is, is that all of them are doing a 14-day quarantine period for any new admits. So that's the update for COVID-19.

**Commissioner Judge Egan Walker:** Thank you very much, Ms. Bittleston. Questions for Ms. Bittleston in terms of the information? Again, this is Egan for the record. Leslie, thank you for recounting this information. It fits a number of categories. First of course, it gives us a snapshot of the tested children. Let me emphasize I recognize unequivocally that we're talking about the results only for those children and staff who've been tested, and this is not a criticism it's instead an observation, the numbers of children and staff who've been tested are but a small percentage of the numbers of children and staff who were actually at these facilities. And we have to be cautious about drawing any real conclusions about what that means. Until we test a statistically significant percentage of the children and staff, we won't really know what it means. But, nonetheless, I appreciate very much knowing the physical capacity, legislative capacity, current capacity of each of the facilities, and then that tests would have been done. So thank you for that. Again, any questions for Ms. Bittleston? Hearing no question then, thank you for that reporting, Leslie, and we'll ask you to continue, of course. Mr. Armstrong, you have the unenviable task of the DCFS budget update, my friend. Please, let us know what you know, to the extent you may know it.

**Commissioner Ross Armstrong:** Well, thank you. I have really-when we talked at the last meeting about putting this on the agenda, I had assumed that we would know for sure by now what the budget looked like, but they are-you know, the special session is still ongoing. They are not meeting today. They're intending to return, I think, tomorrow around noon. But, you know, the proposed cuts are public, and we spoke to both the Senate and the Assembly on them last week, most relevant for the Juvenile Justice Oversight Commission. Although, I know that that it's use of child welfare and children's mental health are linked to our juvenile justice system and, you know, the juvenile justice budget cuts. And so to get to the required 14% scenario, the capacity of Caliente Youth Center is reduced to 64, to NYGC was reduced to 48, and some of youth center, although we'll be holding a handful of positions open, there will remain at 48 to compound just some of the operational difficulties. You know, we have these proposed reductions. Since March there's been a hiring freeze and although adult corrections received a blanket exemption from the

complex process they've now put in place to hire positions, we did not. And so, you know, Suzy has been working hard to get through that process to get the special permission required to hire staff at the facilities, and so that is ongoing. The youth parole budget, the county camp budgets, and the juvenile justice program office budgets are not proposed for reduction. So that is where we stand. You know, we did have to come up with proposals for 6, 10 and 14. At 6 and 10%, the proposal would have taken Caliente just down to 80 in order to hit that 14%. We had to get down to 64, keeping those PREA ratios in mind. There was a moment where it looked like we might have to come up with another 5%. At that point, certainly closing a facility was a real possibility, but currently we're able to maintain all three options at those reduced capacities. It is not that far off of the capacities we were at, when we were requested to make the budget reduction. So, that's where we are. We'll wait to see if there are any changes to the budget as the session goes on. You know, both the Republicans and the Democrats released their list of priority add-backs, which would be those cuts that they want to uncut. And the juvenile justice cuts are not on either list. So that is where we sit. Suzy is working with her team to explore options, how to operationalize these cuts, and whether that's multiple uses on the-not so much some of you, but at least at the properties at Caliente and MYTC. Additional specialization, so it's real clear that we've got-so that all three facilities, although they're at reduced capacity, can be aligned with it. You know, a YLS profile of a youth coming from a county, and so that is where we are today. Obviously, it's a moving target. Once the session ends, we will have explainers for each of our three systems, juvenile justice, child welfare, and children's mental health in terms of what the resulting cuts were. You know, as a side note, the division was spared, in large part, I think due to some of the sweeping of accounts that occurred and the proposal to do furloughs. You know, I'll be completely honest to this commission that our initial 14% proposal, essentially, just decimated our community services, children's mental health, and so those programs, including early childhood and children's clinical, the main, there's going to be some reductions, but not nearly as much as we had originally anticipated. There are no cuts to beds at our four children's mental health facilities.

**Commissioner Judge Egan Walker:** All right. Well, thank you, Ross for-this is again, Egan Walker for the record. Thank you, Ross, for telling us what you could tell us about it. Before I offer my comments, are there any questions or comments from the commission members for Ross?

**Judge William Voy:** Judge Walker, this Judge Voy. Is it okay if I ask a question or-I don't know what my-I have no idea what my standing is in this situation as commission commissioned anymore?

**Commissioner Judge Egan Walker:** Well, unfortunately you are not a quote-unquote official commission member.

**Judge William Voy:** Right.

**Commissioner Judge Egan Walker:** You know I would change if I could. And so I don't believe you can ask a question, but it should upset you greatly, Judge, that I think I know where you may be going or I may be able to head there with my comments and my questions. So until the public comment at the end, I-

**Judge William Voy:** Okay, I can wait.

**Commissioner Judge Egan Walker:** You could also e-mail me, you know, apart from the commission meeting and offer suggestions. I'll just leave it at that. So Ross-first, other than Judge Voy, any questions of commission members? So Ross, I know, you know this better than anybody else, but to Judge Voy's point, if I look at the exhibit that Leslie put together about-for COVID-19, that also includes, for example, the legislative capacity of Caliente, if I heard you correctly-and please, none of my comments are directed at you, Ross. You don't build the budget, you have to live with the budget, I know. But if I heard, for example,

correctly, what the cuts that are anticipated to be, or what you were told to plan for, Caliente would be cut below its current census in terms of capacity. Is that correct?

**Commissioner Ross Armstrong:** That's correct.

**Commissioner Judge Egan Walker:** All right, and so to Judge Voy's point, and to my point, I would offer these comments. I think you all know that there is tension in our state North to South, Clark to otherwise, but Judge Voy and I both have, in my view, become much closer aligned in a lot of ways, because both of us—Mr. Martin and Mr. Cervantes, as well—all of us on this commission feel that a failure of a child in Nevada is a failure for all of us. But if Clark County in detention has 126 kids right now with a stated capacity of 192, but 30 open positions that they can't fill, and Caliente is going to be closed to additional admissions, we're in the crux of Judge Voy's concern. It's writ large in the evidence before us. So that you know, Bill, I hear it loud and clear. And to the rest of my colleagues in Clark County, I see that emergency on the wall. In fact, the thing I would emphasize is the detention population in Clark County is multiples of the total detention population across the rest of the state, outside of the state facilities. Jen Evans, as at the time of this tabulation, had 23 kids. Today's census may be different. I don't know what today's census is, but let's assume it's in that ballpark. If you add up that census and the censuses outside of Spring Mountain Nevada NYTC, Aurora Pines, et cetera, Clark County has way more kids in detention than anybody else and they're situated for a crisis. And so we're going to have to help, and how we're going to help, I don't know. But Bill, I hear you loud and clear and I see writ in the evidence what is the looming crisis for our kids, and I would emphasize that as the large casinos in Clark County close and/or I saw that one of the casinos, for example, was going to now only book rooms on the weekends, that multiple of the casinos have announced layoffs in the thousands of persons. As that continues, I fear children will be driven into delinquency to poverty and other means, as we know they always are. So I'm just trying to echo to my colleagues in Clark County for whatever my opinion's worth that I see and I feel very much their pressure, and we're going to have to figure out what to do. Back to you Ross, can I ask you to ask Leslie when the budget recommendation is finally made by the legislators, can you ask Leslie to e-mail it around to all of us? I know it's a public document. It would be available, but that'll highlight it for all of us. And then we should talk about—once we have that, we should talk about setting another meeting outside the quarterly meetings that we've got set, because is, in fact, an emergency as I see it.

**Commissioner Jack Martin:** Chairman Walker, this is Judge Martin. If possible, I've got a question here for Mr. Armstrong, if that's possible.

**Commissioner Judge Egan Walker:** Yes, please. Thank you, Jack. Go ahead.

**Commissioner Jack Martin:** And just as a point of clarification, Chairman Walker, our population has been capped at 120 in detention because of this. We're way over 34 vacancies. We're nearer to 70 vacancies when you include total vacancies before COVID, an early retirement package that was offered to staff, and then just put positions that were just frozen. So we're in a place where—a little direr than we think, but the question that I would like to ask is, you know, a lot of our population is oftentimes kids languishing for the state, either parole kids or kids pending placement, and it's clever of Ross and his team to put caps on their beds when there's really no economic impact for them when the kids languish in my custody. So is there going to be any efforts to change how business has been done or any kind of creative solutions that'll be done in the community to keep kids from languishing in other areas or other detention facilities, or just this churn?

**Commissioner Ross Armstrong:** Sure, and so I know, I think this week we have two, you know, parole youth in detention that are mostly, it looks like, waiting for, you know, final court action, too, that are

waiting for certification. So, you know, I think we've made great efforts to reduce that number, especially in Clark County. One of the reasons we did not want to cut the community corrections block grant is we know that that money goes directly to the counties who do the important prevention work to try to keep youth escalating, and then also to make sure that parole was maintained so that they can work hard to make sure that youth are not returning. In addition, prior to COVID, we were working on a budgetary ask and we submitted it to the Interim Committee on Child Welfare and Juvenile Justice for consideration. We're also working at building it into our budget. That would take any savings from our-it's going to-and so I don't know that there's another budget account, but we're going to give it our best shot-to take any savings from our three correctional budget accounts rather than reverting to the general fund, would transfer to the next fiscal year into the community corrections block grant to enhance that funding for the county probation department. So we're still trying to figure out how to mechanically do that, but it is, you know, our intention to try to come up with some fiscal mechanisms to increase it since, you know, a blanket increase is unlikely. But certainly, you know, I would open up to, you know, this commission and our stakeholders in terms of, you know, NASH is also another great place to have the conversation, you know, if there's a specific way to do things differently that can make the pain of that bed reduction hurt less. I think to echo what Chairman Walker said, and some of Judge Voy's comments at the beginning of the meeting in terms of, you know, we're all in a bad situation now, and it's not like, you know, our economy is back up and roaring and COVID is gone. And so I would anticipate that as we approach the next session, we'll be required to, you know, take a look at additional cuts. And so, you know, I definitely think, you know, having an agenda item next time to continue to discuss the budget-I know that, you know, Leslie has done a great job in terms of trying to figure out what all of our different jurisdictions, what the impact of COVID is. I think it could be helpful to do kind of a similar sheet to consolidate, so when we talk to the interim committee and child welfare or juvenile justice, or we get to the sessions, we can highlight the cuts that everyone is facing, you know, in each of the county jurisdictions that are trying to figure out how to deal with the absolute collapse in revenue.

**Commissioner Judge Egan Walker:** Jack, did that answer your questions?

**Commissioner Jack Martin:** It did kind of, but it's now this convenient argument of COVID, when this has been a problem with reduced beds long before COVID, and the excuse before COVID was we couldn't hire anybody. And not excuse, I don't want to lay this at Ross's feet. These are issues that are systemic and have been systemic long before Ross was the boss. So, you know what I mean, it's always one issue after the next and the county is left carrying a lot of this weight. I appreciate what Ross is saying. I hope that I can-I believe there's more than two in my detention. I believe I got closer to 16, but, you know, what 14 between us, right is. You know, the reality is for us is that it's going to get tough when I get at my cap of 120, and you have your cap of whatever that is, what happens then? Then it becomes a situation of, you know, we'll both stand flat footed and see who blinks first. I mean, that's kind of what it feels like.

**Commissioner Judge Egan Walker:** So this is Egan again, for the record. Jack, I just want you to know, speaking just for me, I'm your ally. I see it. If this is not a North/South thing, in my view, this is not Clark County, you know, trying to push the rest of the state around, I see it, Jack. And all I can tell you is to the extent the commission can be an ally, it's only by communicating. So for example, if we set-we'll call an emergency meeting. I don't care what we call it. But if we set a meeting where the agenda is the possibility of authoring a letter to the Governor, who Joey and I have been repeatedly trying to get time with. He's got an awful lot on his plate. I understand, but the Governor and to the interim finance committee at the legislature, et cetera, I think we can gain some traction with them, because to Judge Voy's point and your continual point, look, if we ended up certifying more kids, they're going to be more kids sitting in Lovelock out of compliance. There are going to be fewer dollars coming to Nevada and, you know, the immeasurable

cost in lives lost. So I'll be your ally Jack. I try to, you know, ring the alarm bells and shake the tree. I welcome any other constructive suggestions you might have.

**Commissioner Jack Martin:** Thank you, Chairman.

**Commissioner Ross Armstrong:** Yeah, and Chairman Walker, I'd open that to anyone. You know, we are really looking at we understand the pain of the reduced bed capacity and we are taking a hard look. We know one of the struggles we often have, and it's going to take some frank conversations with our child welfare partners, you know, sometimes we don't have a bed open because there's no bed for a kid to return to, and, you know, they've completed our program and sometimes they sit for weeks just waiting for a bed. That can't happen anymore. That absolutely is not acceptable. So we're looking at all fronts, and if anybody on this call or, you know, any jurisdictions have ideas, you know, send them our way and we're evaluating them constantly. In terms of the cuts, the JJ ones have the most operational gut punch. And so, we're continuing to focus on how to mitigate the pain. We're not going to eliminate it, but we're going to try to mitigate it the best we can.

**Commissioner Judge Egan Walker:** Any other questions, comments, or concerns for Ross? So obviously we'll continue to agenda budget going to the next series of meetings whenever they may be scheduled, please, Ms. Bittleston.

**Leslie Bittleston:** Yes, sir.

**Commissioner Judge Egan Walker:** Thank you. If there aren't any other questions for Ross related to that budget item, let's move next to the correctional program checklist QA update, Ms. Bittleston.

**Leslie Bittleston:** Yes, in your bunch of materials, the first document that I'm going to go over is titled the 2018-2019 CPC Info. This lists out the dates of the most recent reviews at the five facilities that are within the purview of the QA requirements. China Spring was reviewed in October of 2019, and their overall score of course was 59.9 with a high adherence to evidence-based programs. CYC was last reviewed April of 2019, and their score in YTC, Summit View, and Spring Mountain, all of those facilities have provided a facility improvement plan. Those facility improvement plans are being reviewed by the Grants and Quality Assurance Committee, which you will hear from later. So that's just an update of the most recent reviews of the facility. The next document I'm going to go over is titled the CPC Schedule, CPCQA Schedule. And you will notice here that we had to move—due to the COVID pandemic, we had to move two reviews. NYTC was moved from May. It is now going to be done in August, and Caliente Youth Center was also moved from May and it will be done in October. So we are scheduled to review Summit View at the end of this month, and NYTC in August, Spring Mountain in September, China Spring in October, and Caliente in October. The reviewers listed may change. We have lost a couple of reviewers. They've either left their positions—one from Clark County retired. So we are kind of struggling with finding reviewers for these reviews. But this is the schedule for the next five reviews and also for next year, barring anything happening. So are there any questions on the annual quality assurance reviews?

**Commissioner Jack Martin:** Chairman Walker, through you—Jack Martin of Clark County for the record. Ms. Bittleston, we will offer as many staff as you need to assist in that. If you're willing to train them, I'll have your four or five staff to learn that auditing process ASAP.

**Leslie Bittleston:** Thank you, Mr. Martin, I will reach out.

**Commissioner Judge Egan Walker:** Thank you for that offer Jack. This is Egan for the record. Leslie, I wanted to emphasize for purposes of my understanding and by way of a bright note, my understanding of these percentage compliance scores is that scores in the mid-range, i.e. the 40s and 50s, are sort of the norm. And it's not like 90 is an A, 80 is a B, 70 is a C, and so on, but instead, there's a recognition using the CPC tool that the goal, of course, is the highest compliance score possible, but a 59.9 for CYC, a 49.4 for NYTC, et cetera, those scores are not poor scores necessarily. Is that accurate?

**Leslie Bittleston:** That is correct. This tool does not act like a score that you would receive on a test, so to speak. Like you say, like 90 to a hundred is great. This score looks at a whole bunch of different factors and rates those factors separately, and based on a-and I believe we talked about this in January at the January meeting. I provided the breakdown or the matrix of how the scores are looked at, but that is correct. Just because you have a 50.6 doesn't mean that that's bad. It means you were in the moderate range. And this tool is also geared towards not really receiving a perfect score. There's very rarely a perfect score with any review using this tool, and a lot of the people end up in that moderate range. So it's really how you're classified the moderate, the high adherence, that's the important factor, not really the percentage.

**Commissioner Judge Egan Walker:** Thank you for that, but let me-this is Egan again for the record. Let me again quickly offer my own personal observation that 32.1 overall score for Summit View is something we need to examine very clearly, particularly given Judge Voy and others repeated concerns about programming at Summit View in particular, but thank you for that, Ms. Bittleston. Any other questions for Ms. Bittleston or the scoring results or instrument or schedule? And thank you again, Mr. Martin, for your generous offer in your already overtaxed staff. I know the state will take you up on that, or at least I believe they should.

**Leslie Bittleston:** Yes.

**Commissioner Judge Egan Walker:** The next agenda item-go ahead.

BITTLESTON:I do have one more thing under this agenda item, Chairman Walker. It the CPC compared documents at the-oh gosh, probably about a year and a half ago, the JJOC members requested kind of a side-by-side of what the differences between the correctional program checklist and PBS are. And state staff did prepare that document and it is titled the Correctional Program Checklist and PBS Compared Document. So it really lays out what the differences are between those things, and just to give you the highlights, the CPC review includes observation of programming interviews with staff and kind of a review of program curriculum, whereas PBS centers more on data points. So these two areas are completely different, but this was done at a request that we are way late on, and I apologize to the commission for that, but this was done at the commission's request. And if you want time to look at it and reach out later, that's fine, but here is this document.

**Commissioner Judge Egan Walker:** Thank you, Ms. Bittleston. Questions, comments, or concerns from the commission members? Hearing none, was that the balance of presentation of your presentation under agenda item eight then, Ms. Bittleston?

**Leslie Bittleston:** Yes, Mr. Chairman.

**Commissioner Judge Egan Walker:** Thank you. The next agenda item then is fiscal year '19 scorecard and performance summary document review.

**Leslie Bittleston:** Yes, that is also me. In the packet of information, you have a document titled FY '19 Scorecard and Performance Summary. This is a document that was created by the commission more than a year ago to address some of those performance measures that were voted on and approved by the commission. This document includes the data from fiscal year '19, the best that I could provide it. And you will hear from Ms. Duffy a little later in her committee reports about some of the ways that we resolved some of this missing issue, or excuse me, missing data. So as you scroll through this document, on page number four, you find statewide juvenile justice system trends. For example, percent of youth who are minorities, and I did put what that came from, for example, the arrest data, and that came from the counties, so-and then under that, the percent of families in the juvenile justice system at or below poverty. Not all counties reported, but I did provide the reporting counties. And then moving on to page number five, this is-includes the total number of referrals, charges, total number of arrests, violations of probation, dispositions, and then the top five arrests, and then it breaks it down by each county. So the whole point of this document is that data was aggregated statewide, and also separated by county. And there are some blanks, which Ms. Duffy will discuss in her report later, but this is just a presentation of this completed benchmark data for FY '19, and that's pretty much it, and I can take questions if there are any. Oh, and just to let you know, Washoe County is blank, because I met with Washoe County about a week and a half ago. There were some discrepancies in the way that they presented the data. So they requested to resubmit the data, which I just received today. So I will get Washoe County's data input after this meeting, but that is why they are blank right now.

**Commissioner Judge Egan Walker:** So thank you for that. This is Egan Walker again for the record. This is a potentially very rich document, let me say at the outset. For example, I cannot think of a time in my tenure in juvenile justice in this state when we could-again, garbage in garbage out is the problem. I recognize the Washoe County is not included in this data, which is a potentially huge change to the data. But nonetheless, I cannot think of a time in my tenure in this state, when we could say on a statewide basis, there is a percent increase or decrease in recommitment state revocations and show a 14% decrease. Now, if that number is accurate, that is something to applaud, but that we are collecting the number is also something to applaud. I think that's remarkable and I very much appreciate the data, Ms. Bittleston. Questions or comments for Ms. Bittleston about the scorecard?

**Commissioner Pauline Salla-Smith:** Commissioner Walker, this is Commissioner Salla.

**Commissioner Judge Egan Walker:** Pauline, go.

**Commissioner Pauline Salla-Smith:** Hi. Yeah, I think that-and we'll talk about this in our seg committee presentation too, because I do think that we just need to have some conversation about all the data requests that are coming out. I mean, I love data. This is great, but I do think that there's just so many new things coming our way, that we need to continue to have just sessions to allow the jurisdictions to really be able to capture all the data requests that are coming.

**Commissioner Judge Egan Walker:** So, Commissioner Salla, this is Egan Walker, for the record. I just want to make sure I understand the communication. Is it fair to say your communication is to be effective, the data's great-and we agree, or I agree for my jurisdiction that we need to collect the data, but you need to slow the roll a little bit, because we're feeling overwhelmed by the data requests.

**Commissioner Pauline Salla-Smith:** Thanks, Commissioner Walker. I would say that I'm not so much about slowing the role. I'm about organizing all the different entities that are requesting data and to ensure that that our Tyler supervision is collecting that data and that when we have data requests that we set a date. If jurisdictions aren't collecting that data, that we set a date in the future, so that we're not all trying

to backtrack on collecting data for two years, three years, because a. I don't think that that's really a hundred percent accurate data and b. I think that if we really-we have to build the infrastructure within our case management system, so we're all collecting the same data, the same way. So when it's presented, we felt confident with that data.

**Commissioner Judge Egan Walker:** Thank you for clarifying, Pauline. I better understand. Thank you. Other questions or concerns of Ms. Bittleston related to the scorecard and performance summary here? I hear none. The next agenda item then is the YLS CMI data presentation by Ms. Simeo. Ms. Simeo.

**Jennifer Simeo:** Good afternoon. Jennifer Simeo for the record. I'm going to review the YLS data and on the Google drive, it is at the bottom there in the middle. So this is data from DCS commitments from January to June of this year. And taking a look at the first graph, we had 108 youth committed to either Caliente, Nevada Youth Training Center, or Summit View. And this gives us a total YLS risk level breakdown. So between January and June, we had two youth with a low total risk level, 19 with a moderate-risk level, 68 with a high-risk level, and 19 with a very high-risk level. Moving onto the second graph, it's just kind of the same data just represented in percentages. So we had 2% that were low risk. We had 17% that were moderate risk, 63% that were high risk, and 18% that were very high. Moving down into the second page, the third graph, this is just looking at the male youth committed to us and their risk levels. So that was 90 youth. 14 were very high, 58 were high, 16 were moderate, and two were low. And then moving on to the next graph, we're looking at the female commitments, and there were 18 total for January through June, five were very high, 10 were high, three were moderate, and zero were low. And then moving onto the last page, this is our commitments broken down by county. So Clark County, there was one low-risk youth, 10 moderate-risk youths, 41 high-risk youths, and 12 very high-risk youths. For Washoe County, there was one low-risk youth, six moderate, 18 high, and six very high. Carson, there was one moderate and four high. Lincoln County, there was one high. Churchill County, there was one moderate and two high. White Pine, there was one moderate and two high. And in Lyon County, there was one commitment that was very high. And then moving down to the last graph, this is our YLS domains by risk level. So this is taking into account every single domain in the YLS. So you can see prior and current offenses. This is accounting for all 108 youth committed to either CYC, NYTC, or Summit View. Elven were low, 28 were moderate, 69 were high. In our family circumstances domain, 26 were low, 40 were moderate, 42 were high. In the education and employment domain, one was low, 44 were moderate, 63 were high. With peer relations, two were low, 22 were moderate, and 84 were high. In the substance abuse domain, 10 were low, 29 were moderate, 69 were high. In the leisure recreation, seven were low, 20 were moderate, and 91 were high. Personality behavior two were low, 74 were moderate, 32 were high. In attitudes and orientation, two were low, 64 were moderate, 42 were high, and so obviously, in looking at this, peer relations and leisure and recreation, they do have the highest number of youth in that high-risk level. And DCFS is working to identify some new resources and services that might work well with addressing these domains. So if you guys have any, you know, tried and true resources for those two domains, we would love to hear some ideas on that.

**Commissioner Pauline Salla-Smith:** Commissioner Walker?

**Commissioner Judge Egan Walker :** Yes, ma'am, go ahead.

**Commissioner Pauline Salla-Smith:** Commissioner Salla. I do think that with some of the domains that we know, like with the wall of recidivism, that there are certain domains with the YLS that really help us understand like the wall of recidivism, right? So even like personality and behavior, attitudes and orientations, those are two that even if they're in the moderate range, really help identify that if they untreated, the really help us identify the path that the youth can take. So I think that when we're looking at the YLS domains by risk levels, that we need to be really cognizant of the fact that, you know, and even

if they have the beautiful diagram with the YLS of the wall of recidivism in which domains really affect our youth, even if they're scoring moderate and if that stuff's really an area that we need to provide a response to. It's not just the high or very high. And so like when I look at this and I look at the youth that have been committed, and when you look at personality and behaviors and attitudes and orientation and the moderate level kids out-exceed the high kids, I mean, to me, that's an accurate portrayal, because those are two of the domains that really are in the top three of the wall of recidivism. Does that makes sense?

**Jennifer Simeo:** This is Jennifer Simeo, for the record. Yeah, I know that my staff when they came out and trained us, they really made an emphasis about that, absolutely.

**Commissioner Pauline Salla-Smith:** Right, like the peers and personality and attitudes that really can, you know, give us a clear picture on their recidivism risks.

**Commissioner Scott Schick:** Judge Walker?

**Commissioner Judge Egan Walker** :: Please, go ahead.

**Commissioner Scott Schick:** Jennifer, I just want to thank you. This is an exceptional-I think it's just an exceptional data and it's been really been helping our department really make better decisions sooner and in the right categories. And I think it was everything that we hoped and like with Pauline saying those areas of, you know, the moderate area thing, you addressed them all based on individual case basis. And I think we're getting services to kids sooner to address those higher risk areas. So thank you very much for this chart.

SIMEO: Thank you.

**Commissioner Judge Egan Walker** : This is Egan for the record. Jack and Frank, I would ask you and I think Pauline's weighed in, and now Scott's weighed in. I would ask you-when I saw this data, it said to me, wow, we're using the YLS appropriately. Is that what you guys feel is happening?

**Commissioner Frank Cervantes:** This is Commissioner Cervantes for the record. Chairman Walker, yes, we do-would like to provide a qualifier though on one of the numbers. It shows Washoe County and Clark both having a low. On the Washoe County case specific, there was what was is allowed in the YLS system is called the structured judgmental override. And it allows for 8% of your commitments or high scores to be overridden. And so in the case of the Washoe County one, the actual offense that was involved in this particular child was extremely high in risk, and therefore it was overridden. So I don't know that the data reports identify that or acknowledge that. So I thought I would put it out there.

**Commissioner Judge Egan Walker** :: I'm pretty sure, not to identify any particular child, but I'm pretty sure that was a Project One kid. In other words, I think I know who the kid was. So this is again, Egan for the record. I hear you, Frank. I wasn't concerned when I saw the one from Clark County and one from Washoe, but Jack, do you feel the same way about it?

**Commissioner Jack Martin:** Well, yeah, I think, I believe the couple of lows that we had were negotiated certain cases. You know, the reality for me is that Clark County needs to get better. And we're developing an assessment team. We're taking eight officers and we're realigning all of our resources because of the 80 positions we're going to be missing. We've bought into the YLS. We understand its value, but we also believe having 12,000 intakes a year, that there's some need to have a more high quality YLS conducted. We're, we're putting together an assessment team to do it. I think in six months to a year, I think we're

going to be looking at much, much higher quality, and that's going to be our goal. We're developing CQI components around it so we can internally get better. But yeah, in terms of the YLS and its effectiveness, I think we're seeing what we wanted to see. I think we just need to see more of it, and it really focuses on the idea that we need to keep kids out of the system completely, right.

**Commissioner Judge Egan Walker:** Well, thank you for that Steve, both of you gentlemen. Anyone else want to weigh in? Ms. Simeo, I concur in the thanks for the data that Scott so eloquently identified. Anyone else want to weigh in?

**Commissioner Ross Armstrong:** This is Commissioner Armstrong, and I just think, you know, we had the data last time, or whenever we looked at it, and then again this time and, you know, youth to have to one or two lows, I mean, I think I looked at one of the lows and the actual offense was clearly you had a youth who was pimping out other children. And so that clearly makes sense, too. You know, that to me, even though the YLS score may be low, it's appropriate to remove that individual from the community for a bit. And so, just from my perspective, I mean, certainly it helps us. We want to, you know, attack those lows and the mediums next. But, you know, when you take a look at the breakdown, I don't take a look at it and go like, oh, my gosh, we have a whole bunch of inappropriate kids with us. So that's just my two cents.

**Commissioner Judge Egan Walker:** Thank you, Commissioner Armstrong.

**Commissioner Jo Lee Wickes:** Judge Walker, Commissioner Wickes.

**Commissioner Judge Egan Walker:** Yes, please, go. Please go.

**Commissioner Jo Lee Wickes:** This is Commissioner Wickes, and actually the next agenda item was placed on the agenda at my request, because at our last commission meeting, in looking at this YLS and commitment data, I was surprised to see that a Washoe County youth with a low quote and unquote risk rating had been committed. And so I did some looking into that. And on that particular case, we had a young man who was on probation. He was one month shy of his 18th birthday when he ended up being arrested for possession of a firearm, attempted burglary with a firearm, attempted robbery with a deadly weapon, and assault with a deadly weapon. This very quick factual summary is that he went to a home, knocked on the door, pointed a gun at the person who answered the door, and demanded money. He ended up admitting to possession of the firearm and attempted robbery with a deadly weapon. And he stipulated to commitment in order to gain dismissals of other felony offenses and to avoid a possible certification. In that sense, he did come out initially as a low risk, but Frank's staff exercised their right to have a professional override. And he was deemed to be a high risk based on the professional override. So in my opinion, one of the issues that we should look at as a commission is the fact that I believe that we need to continue to have this kind of transparent data. But one of the strengths of the YLS is that it does allow for professional overrides, because I don't think there's evidence-based scoring system out there that believes it can capture the nuances of every case. And so I think as the commission, we have a duty to our stakeholders and to the public to recognize overrides. Now, I'm not suggesting that's necessarily easy to do, and I kind of hate the idea of an asterisk, but I think that we need some way to identify beyond the raw number and recognize when there are overrides. And I think-and I don't want to put more pressure on the counties and I'm not on the data subcommittee anymore-to give us more data. But one of the issues, as Frank stated, is that the YLS has an acceptable override percentage. And so I think, at least when it comes to commitments, that we need a way of indicating if there's a professional override. Obviously, I'm the prosecutor and so it may be my vent, but I would suggest to you that it's entirely appropriate for someone who's a month shy of their 18th birthday, who commits an armed robbery with a deadly weapon while on

probation to be committed. And I would suggest that the professional override is reasonable in that circumstance, but more importantly, big picture, I think we need a way to be transparent and honest with our stakeholders and the public that overrides the curve. And if there's an override, we need to report more than just the number. We need to report an override if it occurred, because when I went back and read that dispositional report, and I look at YLS equals, the answer in the report is high. There is an explanation contained in the report that it was initially low and that they exercised their professional override. So at first glance, I'm like this was a high, not a low. Indeed the answer is the override, but I think we need a way to account for that, because it's honest and it's transparent and it is what it is. So that kind of dovetails into the next agenda item anyway, but I do think that perhaps we can ask people who are much better at data and statistics than I am to think of a way that we could incorporate maybe one more graph or even like a subgraph to where any of these numbers-if this is the wrong number, which I think is what's happening-was there an override?

**Commissioner Brigid Duffy:** Right, and this is Commissioner Duffy. I agree as well, cause our low, like Ross alluded to, was a young man who was up for certification for having young women perform sex acts. So he could make some money. He also had graduated high school and was the star of the football team. And so we did not want to throw his life entirely away by certifying him on those charges, because that's a pretty substantial sentence as an adult. So we negotiated it to DCFS and I believe rightful that we did that, because there has to be some sort of consequence and these were still children he was doing this to. So, anyway, I just don't want to ever have these go out and think that we just put kids in there without there being a reason if they're low risk, or maybe-and in that circumstance, we didn't have the YLS before he was committed. And it was only after we had negotiated that it came back that he was low. So that was another issue we need to work out, which is something we are working out. So we have all of these different stages of YLS where we're at decision-making points, because in the beginning it was kind of, we were getting them later, like after we negotiated a cert to commitment. So I think we will get better in that process, but I do agree that we need to have some sort of indication as to why we have low-risk kids going into commitment.

**Commissioner Frank Cervantes:** Chairman Walker, Mr. Cervantes, again.

**Commissioner Judge Egan Walker:** Yes, please.

**Commissioner Frank Cervantes:** I think this is a really excellent conversation for a couple of reasons. One, I think that the DCFS report demonstrates that the right kids are moving to the right locations at the right times, by way of an instrument, and the conversation about the low mirrors a conversation we've been having for years when we have different reforms. And that is that there's been some data in the past that suggests that there's too many youth being committed on probation violations. Well really, it's the same discussion as this, if somebody was placed on probation for a quite serious offense, the probation violation was anchored to that offense, and then it looks like either through negotiations or some other mechanism, that essentially we were just committing youth probation violations. But I think that this data will help in the future on that conversation as well. Thank you.

**Commissioner Judge Egan Walker:** You're welcome. Any other comments before I ask-make a request of Ms. Simeo? I hear no other comments. Ms. Simeo, is there a way to add additional granular details to this report that would include when there is a professional override that affects the YLS score?

**Jennifer Simeo:** Yes. Jennifer Simeo for the record. I could certainly do that. I could provide a separate graph that details any overrides. So what the YLS risk level was and why it was, you know, what it was overridden to. Would you want for the explanation about that?

**Commissioner Judge Egan Walker:** Well, I think I heard Ms. Wickes and her colleague in Clark County both request that we have more granular detail, especially about low-scoring youth who end up committed. And maybe if you could begin by simply-you know, Ms. Wicks suggested an asterisk-but a reporting that indicates the child scored low using the metrics of the tool, but there was a professional override as an example.

**Jennifer Simeo:** Yes. Jennifer Simeo, for the record. I could certainly provide that, absolutely.

**Commissioner Judge Egan Walker:** Thank you. Any other questions or comments?

**Commissioner Pauline Salla-Smith:** Commissioner Walker?

**Commissioner Judge Egan Walker:** Yes, ma'am, please go.

**Commissioner Pauline Salla-Smith:** Commissioner Salla, and, I mean, I like this data. I like the way it's presented. That's nice data, Jennifer. Thank you. I think maybe just as a reminder for all of us that maybe we can do an asterisk that-you know, in our training, we were constantly reminded that we don't base the overall risk on just a certain domain, like, you know, each score in the domain. We do it on the overall score. So just, I don't know if, for those who don't use it all the time, if that could be confusing, like with the specific domains> I'm not sure how we would address that or even if we need to address it, but just as a reminder, that separating out by domains like that doesn't determine, you know, like it doesn't determine the overall risk. It's all of them together that do. I don't know if that's confusing to people or not, just a thought.

**Jennifer Simeo:** Jennifer Simeo for the record. I think the reason we wanted to provide that is to show service needs. If we were maybe lacking services in one area that it would inform us internally, you know, what we might want to focus on.

**Commissioner Pauline Salla-Smith:** Okay. So it's for your-this is Commissioner Salla. It's for your service matrix, like with the state.

**Jennifer Simeo:** Jennifer Simeo for the record. Yes, to kind of see where those needs are and just to make sure that we have those resources and services in place, or if we need to, you know, try to create them.

**Commissioner Pauline Salla-Smith:** Got it. Thank you.

**Commissioner Judge Egan Walker:** Any other questions or comments for Ms. Simeo? So this is Egan Walker for the record. The one compliment I want to offer to all of you is this, to the extent I'm useful to all of you anymore as a member of the commission and as a co-chair, I would offer an observation in this way. You all know that I've had my feet in two worlds now for going on three years, meaning the juvenile justice world and the adult criminal world. And for those of you who aren't exposed regularly or haven't been exposed as much to the adult criminal world, you should be very proud of how hard you work to really understand these kids before you make dispositional decisions. I can tell you up to and including the death penalty, I've signed now a death warrant in the last year for a human being, and the amount of granular detail and the amount of information you all gather and apply in the lives of these children is remarkable. That's just my observation for the record. The next agenda item is you, Jolene, Ms. Wickes, the YLS CMI for DCFS commitments. I don't know if you covered it already. Did you want to offer some additional information?

**Commissioner Jo Lee Wickes:** I'd like to get credit for getting rid of two agenda items in one swoop, and I don't have anything additional to put into the record. Thank you.

**Commissioner Judge Egan Walker:** Very well done. Any questions for Ms. Wickes? I hear none. The next agenda item is the room confinement data. Ms. Landes. Do we have Kayla with us? Hmm.

**Kayla Landes:** Hello, sorry, I had you on mute.

**Commissioner Judge Egan Walker:** Go ahead.

**Kayla Landes:** Okay, as you can tell, all the room confinement numbers have gone down drastically, and I believe that that's due to COVID and the number of youth that are not being held in detention, and I will state that for the month of May for the institutions for Summit View, there was an incident at Summit View that had the number skyrocket and had 31 youth being put in confinement. But aside from that main jump, county and state facilities have decreases in confinement since March. Like I said, I believe due to the COVID and due to the lack of youth in detention.

**Commissioner Judge Egan Walker:** : So this is Egan. Those graphs made me happy, I'll tell you. Other comments, concerns, questions for Ms. Landes?

**Commissioner Eve Hanan:** Hey.

**Commissioner Judge Egan Walker:** All right, please go.

**Commissioner Eve Hanan:** Yeah, my question was just, so is it possible to sort out how much of this is due to reduces populations in the facilities and how much might be due to changed practices?

**Kayla Landes:** Sure, I can look into that, absolutely. I can do it for both the counties and for the state.

**Commissioner Eve Hanan:** I think that would be helpful, but I don't know if others also think that would be helpful just to understand the meaning of the data.

**Commissioner Judge Egan Walker:** This is --go.

**Commissioner Ross Armstrong:** This is Commissioner Armstrong for the record. I know when I always take a look at the confinement data, the raw number is somewhat helpful to me. I think that probably has the greatest change based on, you know, population or sometimes the milieu of, you know, what's going on in that facility any given month. I think where you see the really good progress in terms of practice is any changes in the duration. You know, getting the average length of confinement down to as low as you can, I think shows good practice. The raw number is helpful. You can kind of always like want to take it into consideration how many folks are there and there's all those factors. But for me, it's just, if there's folks who haven't taken a look at the confinement data before that, that duration to me is always the most telling in terms of practice.

**Kayla Landes:** And I will speak up regarding Clark County Detention. I did visit them last year, and from the time I visited last year to this year, I will give them kudos as far as they are reducing their time. So I wanted to put that on the record.

**Commissioner Judge Egan Walker:** To echo that and offer a compliment, Jack-this is Egan, of course, for the record. To do that in the context of drastic reductions in staff and reorganization is particularly-deserves particular attention and compliments. So kudos for you on that.

**Commissioner Jack Martin:** Thank you, sir.

**Commissioner Brigid Duffy:** This is Commissioner Duffy, just to add to Clark County, I think the hiring practices of Clark County over the past several years in the academy, most of our cadets that come out of the academy start in the juvenile detention facility, and the hiring practices of Clark County Department of Juvenile Justice have been so amazing that they are hiring the right people for the right job to engage these youth, instead of confining them in a room. I'm witnessing it in the back myself. And I really think that has a lot to do with what's going on in their detention facility right now.

**Commissioner Judge Egan Walker:** Other comments or questions for Ms. Landes? I hear none. The next agenda item then is the mental health screening discussion, Ms Salla-Smith.

**Commissioner Pauline Salla-Smith:** Thank you. For the record, Commissioner Salla. Thank you for allowing this agenda item on. We have been having-well, I've been having lots of different discussions through (inaudible), through phone calls from other jurisdictions through the State Advisory Group Committee also. We moved this topic through the SAG to the full commission, because we wanted to bring this up for, hopefully, robust discussion, and then we'll see where that leads us. But if we look at NRS62b.60, zero, as it's currently written, Section 3b identifies a validated mental health screening tool that uses a currently accepted standard of assessment to determine the appropriate actions to take for each child in need of supervision pursuant to this title. All right, it shows up again in 62e.506, Section 1, beginning on the date selected by the commission for implementation of the requirement for use of the validated risk assessment tool and the validated mental health screening tool selected pursuant to the statute I just read, before the disposition of a case involving a child who is adjudicated delinquent. Then the Department of Juvenile Services shall conduct a validated risk assessment and a validated mental health screening on the child using the tool selected by the commission. So as a commission, we approved the MAYSI-2 on January 12th, 2018 as the statewide mental health screening tool. However, we have identified there's additional other screening tools that are validated and reliable that we could take a look at. Jurisdictions could continue to use the MAYSI-2. The POSIT, which is the problem-oriented screening instrument for teenagers, is validated and reliable. The Patti-5, the Global Appraisal of Individual Needs Gain, there's other assessments or screening tools out there that are as reliable as the MAYSI. The MAYSI-2 has always been identified for youth involved in juvenile justice. But through a lot of discussion, I would like to make a motion, because I know it'll open up discussion, for the JJOC to allow for each jurisdiction to identify a validated and reliable mental health screening tool as required in NRS 62b.601 and NRS 62e.506 that matches the youth needs and allows the communities with their service matrix to provide the services needed to that youth.

**Commissioner Judge Egan Walker:** Sorry, I had it on mute. This is Egan for the record. I hear the call for question. May I ask a few questions before I respond or second?

**Commissioner Pauline Salla-Smith:** Absolutely.

**Commissioner Judge Egan Walker:** So I hear Pauline's concern. I'd be curious to know if Frank, Scott, Jack, and then Brigid, and Jo Lee, and anyone else have the same concerns. I've heard this concern percolating in the background that there's a mismatch between the MAYSI-2 and how we're using it and

what we're seeing in the kids. And so I just wonder if we could just go around the room, for example. Frank, what do you think?

**Commissioner Frank Cervantes:** Commissioner Cervantes for the record. I am in complete agreement with Pauline's recommendation on this. We've studied it internally here with our clinical staff. We've talked about it. And I think Pauline makes an accurate appraisal that it could be that if the instrument is validated, some of the instruments may be more particular or more appropriate for individual communities. And so I think that for us, in particular, that the MAYSI seems to work for us when used in detention, but I also know that in other communities there are instruments that we looked at that may actually be better for that particular jurisdiction. So I'm in agreement with that recommendation and motion.

**Commissioner Judge Egan Walker:** : Scott, what do you think?

**Commissioner Scott Schick:** Yeah, this is Scott. Yeah, I-as long as we can continue to use the MAYSI or somebody wants to use another validated screening tool, I think that's just fine. I mean, I like the immediate emergency response of the MAYSI and, you know, it alerts us to the potential need for longer range rehabilitation and it identifies youths with chronic and persistent mental health problems. What we're finding in our jurisdiction is that typically we're already addressing those things when we get to disposition and adjudication, and, you know, there's mental health screening or, you know, drug and alcohol evaluations or whatever that might be already being ordered and taking place. So it works for us. And I think if there's other tools that we can validate and agree on, then I think we should be able to do that.

**Commissioner Judge Egan Walker:** Jack, what do you think?

**Commissioner Jack Martin:** I sit on the committee with Pauline, so I'm supportive of her recommendation, sir. Thank you.

**Commissioner Judge Egan Walker:** Thank you. Jo Lee and Brigid.

**Commissioner Jo Lee Wickes:** This is Commissioner Wickes, and back when we were on the risk assessment committee, there were just lots of discussions about the MAYSI, so I know that it's a long-term concern for some of the probation departments. If Commissioner Salla could tell us the statute numbers again, cause I couldn't write fast enough and juggle my phone at the same time.

**Commissioner Pauline Salla-Smith:** So NRS 62b.610 and Section 3b is the mental health screening tool. And then 62e.560 is the section where it talks about for our kids we're moving to disposition on health that needs to be included in there.

**Commissioner Jo Lee Wickes:** Thank you. So my only concern is number one, I think that it makes sense for the jurisdictions to be able to use something that works for them because, frankly, this legislation came out of that monumental effort years and years ago, and the legislation was written very quickly, and I was uncomfortable at the time that we didn't have as much time as I would have liked normally to kind of really be thoughtful about it. My only question is whether or not a change in statutory language is going to be required, because my memory is that the commission was supposed to pick a validated risk assessment. And I don't want any of the jurisdictions to get sideways with not being in compliance with the statute, and I have no problem with concept. I just question whether or not are some statutory language changes going to be required in order to effectuate that.

**Commissioner Judge Egan Walker:** So I think the answer to that question is, yes, this is even for the record, but before we even get there, Bridget, did you want to add anything?

**Commissioner Brigid Duffy:** This is Commissioner Duffy for the records. Yes, I, I am in agreement. I do also while looking at the statute while sitting here, think either going to change them, but maybe not even change them, just make sure that each jurisdiction brings whichever mental health screening tools are going to use to the commission for the full commission's approval to make sure that they comply with the statute. It doesn't say everybody has, I don't believe it says everybody has to use the same mental health screening tool. It says the commission shall select so I think we could, each jurisdiction can do what they would like to do as long as the commission agrees that it's a validated mental health screening tool.

**Commissioner Judge Egan Walker:** Anyone else before I turn to Ross? Don't hear any other comments, Ross, what are your thoughts?

**Commissioner Ross Armstrong:** This is Ross. I, I think I'm in alignment with Bridget, I think at least to the point of just, is there a change in the need of the NRS? I think, you know, given the, the Bad administrative law and if these, to give deference to the executive agency that has to execute, I think if, if we determined that the definition of a validated mental health screening tool is that we have, we've developed a definition and that is, it has to be validated and we have to be noticed and, and essentially give approval. I don't know that it has to be, you know, it's not a uniform validated mental health screening tool across the state. so I, I think it would be fine. It, in, in my perspective, it's far less important to, let me, let me re pre-briefing a little bit, I think, you know, the purpose of the YLS, so we can compare apples to apples and see how the, you know, the health of our system and analyze services to the needs of the, of the kid. And it really helps us look at our system. I think the mental health screening tool requirement is just to make sure that each jurisdiction is addressing mental health needs and that they have, that they're empowered with that, you know, particular, information and that they're checking that that piece of the kid's profile out. So, I mean, I think there's less of a need to have that apple to apples comparison for the mental health screen than there is for the risk and needs assessment tool.

**Commissioner Judge Egan Walker:** Well, I hear a unanimity among the speakers in support of the proposition commissioner Sala that I should second your motion. Can you reiterate your motion again please?

**Commissioner Pauline Salla-Smith:** Oh, I sure can. I wrote it down so I gotta get it back up, so I would remember. All right, I'm making a motion for the JJOC to allow for each jurisdiction to identify a validated and reliable mental health screening tool as required in NRS 62B.610 and NRS 62E.506 that matches the youth needs and the community service matrix.

**Commissioner Judge Egan Walker:** Would you accept a friendly amendment to that?

**Commissioner Pauline Salla-Smith:** Maybe?

**Commissioner Judge Egan Walker:** My suggested friendly amendment, this is Egan again, for the record would be that the, consistent with Ms. Duffy's recommendation that each jurisdiction would bring their tool to the commission. I guess for affirmation, for lack of a better word.

**Commissioner Pauline Salla-Smith:** I will absolutely accept that amendment.

**Commissioner Judge Egan Walker:** I'll second your motion. Is there any additional comment, anyone who would like to offer? Hearing none, I'll call for the vote? If, if you are in support, please indicate by saying, aye.

VARIOUS SPEAKER: Aye, aye.

**Commissioner Judge Egan Walker:** Anyone opposed? Please indicate by saying nay. Hear, I hear no opposition. Are there any abstentions? So the motion passes. My requests next, Pauline would be through an adjunct and or in cooperation with the attorneys, the district attorneys and the public defenders who are on the commission. We make sure that there doesn't need to be a legislative amendment. I, I don't have an opinion on that. I agree completely with Joe Lee, that the legislation was rushed. It came out in a form that none of us expected it released, I didn't expect. And so we should just take a hard look with some legally trained eyes at whether or not we need a statutory amendment.

**Commissioner Scott Schick:** Judge, Judge Walker.

**Commissioner Judge Egan Walker:** Yes, sir.

**Commissioner Scott Schick:** This is Scott Schick. Is it possible to have a subcommittee review the possible, you know, mental health screening tools that people bring forward versus having to do it in the commission? Is there, is there more appropriate venue for it?

**Commissioner Judge Egan Walker:** So this, this is Egan for the record, I'm just reflecting Scott. I'd welcome. Any of that? It was a giant-

**Commissioner Scott Schick:** Yeah, go ahead.

**Commissioner Judge Egan Walker :** I'm sorry. I'm sorry. I was just going to say with a giant amount of work to look at the Navy and the YLS back when we did it. And Joe Lee carried much of that weight as [inaudible]. I, I welcome anybody who would want to volunteer for subcommittee.

**Commissioner Scott Schick:** Oh, there isn't one that we could assign it to right now.

**Commissioner Pauline Salla-Smith:** Well, Commissioner Walker, this is Commissioner Sala.

**Commissioner Judge Egan Walker:** Yes, ma'am.

**Commissioner Pauline Salla-Smith:** I think we've been gathering lots of information because when I brought this up before I was told that I better come up, come with some backup. Yeah.

**Commissioner Judge Egan Walker :** You did.

**Commissioner Pauline Salla-Smith:** SO we, I mean, we've talked about it in NAJA we talked about it through the SAG. I think between NAJA and the SAG, since we're already addressing it, that, that we can work through what jurisdictions tools they would like to use and bring and bring it to the full commission with documentation and evidence that it is reliable and validated.

**Commissioner Scott Schick:** Excellent.

**Commissioner Pauline Salla-Smith:** I'm not sure we need another committee because I think we've already been working through this.

**Commissioner Scott Schick:** If the SAG can do it, that's perfect.

**Commissioner Pauline Salla-Smith:** And I would just, this is Egan for the record. I would reflect speaking only for me, of course. I trust NAJA the great strength of Nevada is we're small enough that everybody's on the same commission. That's also one of the challenges, but I trust NAJA and if, speaking only for myself. If you came to me and said, Humboldt County is going to do this, Clark County is going to do this. Washoe County is going to do this, from my perspective, I don't need to take a deep dive into each of those tools. I trust the jurisdictions to do that. So I don't hear it, I don't feel a need to develop a subcommittee as it were that all of those possibilities.

**Commissioner Scott Schick:** So be it.

**Commissioner Judge Egan Walker :** But I don't want to dictate that, I'm welcome, Scott, if you, if you feel strongly-

**Commissioner Scott Schick:**No, no. I just want, you know, I think we just answered my question. Thank you so much.

**Commissioner Judge Egan Walker :** All right, you're welcome. Any, any other comments then on the mental health screening discussion that Ms. Sala has brought up? I hear none then. The next agenda item is updates from the subcommittee's, turn first to the data performance subcommittee, Ms. Duffy?

**Commissioner Brigid Duffy:** Good afternoon. Brigid Duffy for the record, I, I think the most relevant item in your packet is the document, oh, I gotta pull my statutes down, that didn't sound good. What's it titled Leslie?

**Leslie Bittleston:** Hold on. [inaudible] performance committee documents.

**Commissioner Brigid Duffy :** Okay. So if you pull that up, we had two very intense meeting, meaning that the agendas were full, we used every minute allotted to us, scheduled to answer some very interesting questions that likely brought to us. And Leslie, I just want to also say that putting it all together in this document is so helpful. I don't know if that was you or another DCFS staffer, but thank you very much. So what I'd like the committee to look at, and it goes to our deliverable, number one, and our deliverable number three is this, this chart and it goes to the scorecard and each, there were some performance measures that were either in statute or were created by the previous data committee. And there was a lot of questions about how to interpret those performance measures. So as our subcommittee went through and caught rhythm of what we were trying to do, we created a list of our recommendations of how they should be interpreted. I think ultimately we need the full commission to review our recommendations and make sure it meets the needs of each individual county. As it stands, we have Ross, myself and Gianna as members of the committee that made all these decisions. So I think it would be good to have our juvenile justice partners take a look at them, [inaudible] isn't juvenile justice partner, but our county juvenile justice agencies and make sure it meets what they would like as well, and possibly bring it back on the next agenda for a deeper discussion, unless people are ready to discuss it today. So I'll give you one example. One of the performance measures is disposition by type. And so there was a lot of questions from each of the counties on what, what do you mean by dispositions by type? So we talked about, you know, dispositions by type would be county camp placements, formal probation placements, or DCFS commitments. We left

it at those three, but then had a discussion around whether or not we needed to have another disposition such as, you know, denied, dismissed, you know, closed. So that actually nothing happened at all or so anything else that we might need as a catch all at the end, but we had come up with three dispositions by type. If you look at the second page there was, there's a, this performance measure of percent of youth who are minorities. So that came up with a question of, at what point in time of a case, is that just in every situation, like at the point of arrest at the point of disposition, at the point of commitment, at the point of referral, so what percentage youth are minorities? And then we have a reference to the red report, which has a lot, holds a lot of that information in it already, same thing for percent of youth in the juvenile justice system. So compared to what? So percentage of youth in the juvenile justice system, compared to the, the percentage of youth in the entire state, and again, at what point in time in the juvenile justice system, do we want to look at? So it was a incredible conversation, I believe among the three of us and Leslie and the DCFS staff to come up with what we did. So we'd like the full commission to look at it, to digest it, to come back with any other suggestions or needs that they may have, so that we can make it clear to the individual counties when we are asking for data pools, what we really want. There were also some holes. Do you want me to pause there for a minute?

**Commissioner Judge Egan Walker** : Yeah. That's up to you, Bridget. That's up to you.

**Commissioner Brigid Duffy**: So there are also some holes, if you look at my report, there are also some holes that we need to really kind of ask this commission to either give the, the subgroup permission to address or in one I need the commission's assistance with. So my three recommendations for the commission on my report is this issue of referral to the juvenile justice system. It is a nightmare because each county interprets the word referral differently. And if those of you were involved in the 2015 legislative session where we were discussing record feeling statutes, we actually pulled the term referral out of the statute at that section, because it was so confusing over what anybody considered a referral to the juvenile justice system. And, and then just was more clear about what we meant as to whether or not you earn the ability to early feel your record. And then the word referral still maintains itself in the juvenile justice statute. So defining a referral to the juvenile justice system, I think is something we really need to do. In our little chart, we refined, we defined it for the purpose of data collections as petitions and diversions, so that we at least can tell the counties that when it comes to data pools, we want to know how many petitions are being filed. And we want to know how many cases just come into the system that are being diverted either through programs like the Harbor or just our programs where they're dealt with that probation intake level. So, but I think overall our statute, we need to clean it up and define statutorily what referral to the juvenile justice system means. The second thing is, in late February, there was a data request sent to all courts across the state with little or no reply. And those are data points we need specifically for the courts to pull. And so we are respectfully asking for assistance from the commission to communicate the data request to the juvenile judges. Maybe a letter with the chair or the commission, all of our signatures on it saying to the juvenile judges across the counties or across the state, we need you to provide that information to us. And then finally, we have no definition of what a family survey means. So we have a performance measure of families who can create, participate in the family survey. And we don't know what the family survey means at that level. We, we have family surveys for PBS at the detention and commitment levels. And I know that our diversion program, the Harbor here in Clark County has a family survey, but as far as the juvenile court involved in a system and family survey for kids that are going out onto probation, we do not have that. And so we are asking for the full commission to authorize my subcommittee to create that survey for your review and vote. And that's my report. Happy to answer questions, talk about it.

**Commissioner Judge Egan Walker** : Great report Bridget. Thank you all for the work. I can tell you how to very robust discussion. First from the commission questions, comments, concerns to Ms. Duffy.

**Commissioner Pauline Salla-Smith:** Commissioner Walker?

**Commissioner Judge Egan Walker :** Yes, ma'am go.

**Commissioner Pauline Salla-Smith:** Commissioner Sala. Thank you, Commissioner Duffy for this, I can tell you guys had lots of robust discussion too. I think that, that, and one of the things we've been talking about in set in the SAG and NAJA also is that we had all spent a lot of time doing the data dictionary back in the day with the, the reform, the Supreme court commission on reform. And, and we had some of the same issues like, you know, what is the referral? You know, what does referral mean? And so I think it gets confusing because we all have to report, you know, on our, on our DNC report, we have to use federal definitions. They clearly identify what a referral is. And then we identified that in like in our data dictionary. And so I can see how that's going to be problematic because we all agree to report our data on those definitions because we were getting different data elements from jurisdictions when we didn't have like a specific definition that we're going to use. So I think that this is one of those things with the data elements, is that, are we, are we still operating under that data dictionary? Are we operating, which includes our federal definitions and then our state definitions for things that aren't addressed in the federal law. Because like for us, for Humboldt County, we report using those definitions. So a referral to us is with the federal definition, is it, is any, any kind of referral to our system, whether it's an arrest, a citation, a police report. I mean, the federal definition is really clear. I think that's where, where some of the concerns are coming from is that we've been operating and agreed to report under those definitions. And if we're not going to use that data dictionary, then yeah, I agree, the jurisdictions are going to have to all come together too, because that's going to really change how we're inputting our data.

**Commissioner Judge Egan Walker :** This is Egan for the record. So let me make a couple of these recommendations, easy, I hope. As to the second recommendation, I offer to author a letter for all of the commission members signature on my letterhead, to my colleagues in the judiciary requesting their assistance to communicate data. Will that answer your need Ms. Duffy?

**Commissioner Brigid Duffy:** Yeah.

**Commissioner Judge Egan Walker :** All right. And I'll ask, I'll ask Ms. Bittleston, for your help in coordinating that letter.

**Leslie Bittleston:** Yes, sir.

**Commissioner Judge Egan Walker :** I move to request the data subcommittee to create a family survey for the full commission approval and I'll call for a vote and discussion on that after a while. Back to the, uh, need to define what referral means.

**Commissioner Brigid Duffy:** I'm sorry to interrupt you, Judge Walker, but can I, can I just make a comment?

**Commissioner Judge Egan Walker :** Yes.

**Commissioner Brigid Duffy:** I'm not sure, but I mean, I appreciate Pauline's comments that she had mentioned. She had mentioned this before, which is why we had asked her to be a part of it, or, or she had volunteered to be on the data subcommittee. I'm not sure if she's getting the invitations because I had two meetings to come up with everything that we worked on very hard for. But I'm missing both. I'm missing

people that, that, you know, it's landed in the last of the three of us. And I don't know whether that's just bad timing on meetings. We try to work with everybody's schedules and it's, you know, we can happily take it back and cross reference whatever it is. But when I look at the members I was supposed to have on the data committee, I'm missing two that our juvenile justice partners at the last two meetings. And so it would be helpful to have people following these subcommittees so that we're not, you know, working very diligently and doing a lot to only be told there's this whole other thing out there that we're, we is now in conflict with what we did.

**Commissioner Judge Egan Walker** :: So this is Egan for the record. I you're your frustration. I seek to excuse no one and everybody at the same time. The only thing I would reflect Ms. Duff, as you might know, better than anybody candidly, on the call, given all the hats you wear, what extraordinary times we're in. I hear your frustration. I guess I would reflect this. I remember it was Commissioner Schick, I believe who chaired the data dictionary in the Supreme Court Juvenile Reform. I mean, at least, I remember Scott's voice talking a lot about the data dictionary. And I would suggest that the reflection I would give is that perhaps the data subcommittee could make reference to that data dictionary, but give us a suggestion. This is just me talking, Bridget, give us a suggestion about what you think referral means. It doesn't have to cover all the possibilities. It doesn't even have to cover most of the possibilities, but let's start small would be my suggestion about what we mean by referral. And then we can build onto that, if that makes sense. So for example, you could suggest that referral means, when the district attorney's office gets a referral from any law enforcement agency. I'm using that as an over, overly simplistic example that doesn't cover the entire field, I recognize. Does that make sense? And then we could add to that. That would just be my suggestion.

**Commissioner Brigid Duffy**: Well, the different points on our, on our report. I mean, there are, I mean, a referral, is it arrest, right? But there's also a separate performance measure of arrest. So yeah, under the word referral. So there's different, there's, there's performance measures for increased decrease of arrests and there's a performance measure for types of arrest. So when you look, when this committee goes back, and this is what I'm asking, is that this is a lot of information because I know, because it was a lot of work. So and not to say I wasn't, we weren't up for the work. In fact, I think it was the best meetings that I've had on my, on my data committee with, you know, plowing through this and having some really great conversations. But there are questions within this data and performance committee report that you all have, under, let's just go to types of arrests? So request assistance from the full JJOC to tie, the find referral to find juvenile justice system and clarify, or file charges, highest level or all charges. So we want to know if this is what you want to be, because we don't, the three of us don't make the decisions in a vacuum, but now having this two very big players in my subcommittee, I feel like we need to wait. Like, I don't feel like this is a good report to you all because I'm missing a huge piece of the puzzle that we're just going to end up dissecting in a full commission meeting. And it shouldn't be dissected in the subcommittee meeting and then brought back to you all.

**Commissioner Scott Schick**: This is Scott Schick and am I on that subcommittee, Brigid?

**Commissioner Brigid Duffy**: Yes. And we send out reminders for the meetings, with so.

**Commissioner Scott Schick**: Okay. Well I apologize. That's all.

**Commissioner Pauline Salla-Smith**: Commissioner Sala, I hear what you're saying and I get it. I couldn't come to them on. I'm going to try, I didn't know which just giving feedback again about that. We have a lot of the definitions already decided, so I hear you, I hear your frustration.

**Commissioner Judge Egan Walker:** Let me help, perhaps, this is Egan for the record, Ross, in the past, my understanding has been that we could, in essence, have a subcommittee meeting with the entire commission. Is there a, is there a problem with that legally that you're aware of?

**Commissioner Ross Armstrong:** This is Ross. I mean, at that it would be, I wouldn't call it a subcommittee with the entire commission there. I would just call it an agenda item and an action item for the entire commission. Where you get into some open meeting law difficulties is if you have a pre-established subcommittee and a majority of the full commission attends that meeting, then if you didn't properly notice that meeting as a full commission meeting, there's some open law, open meeting law issues. You know, I do think that the work done in the past on the data dictionary by the Supreme Court was helpful. And I do believe that Leslie and her team used that to help inform some of those definitions as indicated there were some that, that we needed the perspective of the entire commission. You know, the Supreme Court data dictionary has no statutory authority or, and was never, you know, adopted as administrative code or binding. So it is a guidance document rather than a binding document. Whereas the JJOC is specifically statutorily authorized to adopt these data requirements and then hold all the different players accountable to those data requirements. So I think, I mean, I guess I would just, perhaps some clarification, in terms from either the chair or Bridget about the next steps. I think, we wanted to highlight that there were these particular, issues that we struggled to kind of come to consensus on to avoid like email, open meeting law issues. Certainly everybody could provide their feedback to the committee staff and that could get to the commission or sorry if I could get to the subcommittee, you know, for presentation of a final consolidated document that has everybody's comments for the next commission meeting.

**Commissioner Judge Egan Walker:** So Brigid, did I hear, did I hear correctly that really what I think you need is this topic as an agenda item for the entire commission so that each commissioner has an opportunity to speak down or forever hold their peace as it were as to any input they might want to have.

**Commissioner Brigid Duffy:** Correct. I think that my subcommittee should make a recommendation. There should be a discussion about the recommendations since there has been issues among the counties and making sure everybody is clear on what data we want and what, what the performance measure means. So it would be me saying, I make a recommendation, I make a motion that we approve the definition of a referral for the purposes of our scorecards to be petitions and diversions. Is there any discussion? Well, I think it should include arrest. Well, I think as you include this and then the full commission can discuss it and then we can vote on it. Just like we did each individual performance measure, but I think that people need, because the data is so important and making sure everybody is consistent with what they're referring over and some are just leaving it blank, which is what Leslie was saying earlier, because they don't know what's intended. So we're trying to clarify it for this state. So everybody's on the same page and nobody has an excuse for not sending it, saying they don't understand what it's meant to be, and we can get some real good data and start looking at what's going on within our state.

**Commissioner Judge Egan Walker:** So I commit then Bridget, that, or, or, sorry, I direct as co-chair that the data subcommittee develop a, I'm going to call it a library or a set of definitions that it believes will cover the need for data reporting to the commission and all agendaize that as a full commission item. So that conversation it'll, it'll probably take up an entire meeting for the bulk of the meeting. And that's just fine with me.

**Commissioner Brigid Duffy:** It will definitely take up some time, but our next data committee, which is all my report is August 20th at 10:00 AM. If I cannot get juvenile justice partners at that meeting, let me know I'd be willing to move it.

**Commissioner Scott Schick:** \_\_\_\_\_ What was the date again?

**Commissioner Brigid Duffy:** there that way we won't have to take up an entire debate time of this full commission. And we can just hopefully get something that not just the public defender and the administrator of DCFS and the prosecutor in Clark County agree on. I'm not given the data. So, so anyway, it's August 20th at 10 o'clock and anybody from juvenile justice services, I already have a nominee from Clark. So anybody else that wants to show up on the phone, let's do it, and then maybe we can bring back something that won't take up too much debate, Cheryl Walker.

**Commissioner Judge Egan Walker:** This is Egan again, for the record. I welcome that. I thank you for putting us in the position of giving explicit direction, and I look forward to your recommendations and our conversation about it.

**Commissioner Brigid Duffy:** Thank you. That's my report. And thank you. We will also move forward with the family survey and looking at a possible definition in our statute of what a referral is.

**Commissioner Judge Egan Walker:** Wonderful. Any questions or comments for Ms. Duffy about the data performance committee report? I'll then turn to the SAG advisory group planning committee. Ms. Sala.

**Commissioner Pauline Salla-Smith:** \_\_\_\_\_ Okay. yes, we met on May 15th, and we reviewed the SB107 data. We also had a presentation from Marcy, the executive director to the campaign for youth justice. It was the same presentation we had today. We had a discussion on the evidence-based resource center. And as we know, we haven't been really active with the, with the EDRC just because of our formula funds. We've been discussing the federal compliance in our frozen formula grant, which I'll give an update here in a minute. And we've been working with the YLS case plan discussion entire YLS and case plan in Tyler supervision. But we're still working out some kinks in there. But we're moving forward. That was our May 15th meeting. We also had a meeting on June 18th of 2020, which we didn't have quorum. And we met yesterday also and had a lot of discussion on the formula grant, our room confinement, our amazing conversation, data elements, because we have other data requests coming from other agencies also. So we're going to streamline all the requests that are coming in for the jurisdiction. They, we, we had a quorum yesterday. We had a great meeting and we can talk about, with, with, we have a formula grant update and Ms. Bittleston updated us that our federal fiscal year 18, there's been a partial release of funds in the amount of \$370,000. It's still not finalized with the grant management system with OJJDP, but partial amount of that grant will be released so that sub grantees can be, can access their funds from the federal fiscal year 18. Federal fiscal year 19 is still frozen, which moves us to our federal fiscal year 20 formula grant slate, which you have in your, your packet. And the decision was made because of the formula grant is still frozen that rather than, rather than spend the time doing their RFP and then for the jurisdictions to complete the entire grant process and grant application that the, the recipients from federal fiscal year 19 carry over into federal fiscal year 20, which, which is it's allowed us to do through OJJDP. So we were, we were just asking, we approved it from the SAG to move to the full commission. And so we're asking the full commission. So thank you.

**Commissioner Judge Egan Walker:** So thank you, Ms. Sala. I heard an action item in there. The action item, as I heard it was to approve the fiscal year 20 formula grant slate. Is that correct?

**Commissioner Pauline Salla-Smith:** Commissioner Sala. I move to approve the federal fiscal year 20 formula grant slate. Um, yes.

**Commissioner Judge Egan Walker:** For the record, this is Commissioner Walker. I second discussion as to the grant slate recommended for fiscal year 20, please. Any discussion or questions?

**Commissioner Pauline Salla-Smith:** Commissioner Walker, this is Commissioner Sala, I will need to abstain, just, we are one of the jurisdictions that receive funds through the formula grants.

**Commissioner Judge Egan Walker:** Thank you for that clarification. Any other discussion? Hearing no discussion, I'll call for the question all in favor, please say aye.

VARIOUS SPEAKERS: Aye. Aye. Aye. Aye.

**Commissioner Judge Egan Walker:** Any opposed please say nay. I hear no opposition. There is an abstention Commissioner Sala. Thank you. So the slate is approved, Ms. Sala. Were there any other reports? I jumped into get rid of the, or to resolve the action item? Are there any other reports or information you wanted to provide Ms. Sala?

**Commissioner Pauline Salla-Smith:** Nope, that was it. Thank you.

**Commissioner Judge Egan Walker:** Thank you for that report and for your work. Questions of Commissioner Sala that where the SAG advisory group? We're, we're so lucky to have you Pauline in that position. Let me just say, I'm thankful for the work you do to keep us in SAG compliance. So thank you.

**Commissioner Pauline Salla-Smith:** Thank you.

**Commissioner Judge Egan Walker:** You're welcome. The next report is from the racial and ethnic, ethnic disparity group, Ms. Graham.

**Commissioner Rebekah Graham:** Hello, thanks everybody for hanging in there. The whole meeting, and this is Rebecca Graham for the record. Just a small correction on the committee report that I submitted. It is available on the list of documents under the racial and ethnic disparities committee report. We did not have a meeting on May 1st. We had one scheduled, but there was no quorum. We did have a meeting on June 5th and we had a meeting on June 24th. We do really, really appreciate Ms. Duffy, because she called in from her vacation to make sure we had quorum. We have some listed members, so I've not participated in any of the meetings. Our next meeting is July 23rd. So we've reviewed the data extensively. The largest identified area of disparity is at law enforcement referral. We did add members to our non-voting members to our committee to better represent, um, the needs of people of color. In noting that the committee did not have much racial ethnic difference of its own. So our action items in progress, we've been invited law enforcement. We very much struggled to get law enforcement to call us back, participate in our meetings. The data is very clear that it is at arrests and it's the largest disparity exists. Which means the conversation that we need to start is with law enforcement. And we, we, Ms. Duffy was able to connect someone from Clark County, Metro. Washoe Sheriff's returned my call, but ultimately did not participate in the meeting. Reno police department does not recur returned several calls to several different people. And the Clark County schools had indicated they would participate and then did not, were not able to appear. So we're that, but in our conversations with, with Metro and to their credit, they were very forthcoming and transparent. And that was, that was much appreciated. There is no dedicated or specific training around racial, ethnic disparities, disproportionate minority contact. The officer who spoke to us was extremely transparent saying, well, we tried that the officers didn't like it. But given the, the, the significant disparity that exists particularly among African American youth, it seems like a training like that is only more important, especially if it's met with resistance. So we saw no training around racial disparities, no training

around trauma informed policing, and no, no training around the needs of juveniles specifically. And those seemed like three very key areas for law enforcement. So our recommendations and questions for the committee from this smaller subcommittee is, does the com- does this larger commission have any feedback around those targeted areas of focus? So Ms. Bittleston was kind enough to review extensive data with us, but are there any other comments from any of the other commissioners around that focus on apartment referral?

**Commissioner Judge Egan Walker:** So the question is for all of us. Any questions or feedback? Questions?

**Commissioner Eve Hanan:** Hi. Yeah, this is Eve Hanan and thank you for your report on this troubling the racial disparity. And I just wonder if you are able to get your data distinguished, I'm more familiar with Clark County, but whether the arrests are coming from Metro, like the percent that are coming from Metro and the percent that might be coming from?

**Commissioner Rebekah Graham:** Ms. Bittleston may be able to clarify further. In my memory, we looked at it by county. So we were not able to see whether it was the school police or the Metro. And it was, again, our, primarily our most populous counties, like Washoe and Clark that had these significant disparities. Which is why we were trying to include law enforcement, those, from those two primary jurisdictions where the disparities existed.

UNKNOWN SPEAKER: Ms. Graham -

**Commissioner Eve Hanan:** This is Eve Hanan again. I wondered because you mentioned that you didn't get, you didn't get a response from the school police in Clark County, or they said they would attend and then they didn't.

**Commissioner Rebekah Graham:** Yes. The second. Ms. Bittleston, did you have something to add?

**Leslie Bittleston:** Yes. Thank you. I was going, this is Leslie Bittleston, for the record. I was going to clarify the data for the committee members. I do get a breakdown of referral data, but I do not get a breakdown of arrest data, for example, if it's Metro or, or who's arresting the kids. But I do get a breakdown from, at referral that may be helpful for, for the discussion. And for, or to answer Ms. Hunan's question.

**Commissioner Brigid Duffy:** I'm sorry, this is Brigid. I just want to laugh because there's that word referral again. You said you don't get the arrest, but you get the referral?

**Leslie Bittleston:** Right.

**Commissioner Brigid Duffy:** So, so that being when the petition is filed or when the citation comes in?

**Leslie Bittleston:** You know, I, I don't believe that, that, I think it's when we talk about referral on the DMC report, which is where I get this data from, I believe it is more of that global referral of anything that is referred to the to the County. And where are those referrals coming from? So is it Metro dropping the kids off? Is it -

**Commissioner Brigid Duffy:** Okay.

**Leslie Bittleston:** Yeah, that's, that is kind of a bigger, bigger pot than that.

**Commissioner Rebekah Graham:** So that's our first, this is Rebecca Graham again for the record. So that was our first comment or question for the commission. The second is that it's in our limited participation that we've had thus far, training struck us as both a very important remedy and a low-cost remedy. In the sense, you know, encouraging or mandating training in these specific areas could promote different outcomes and there's necessary hours of training for all law enforcement to attend anyway, if the commission or this, the subcommittee were to suggest that these areas be priority areas for training that could, could move the needle or make a difference in outcomes in this area. So that, that's where we're, we're starting to shift our focus for our next meeting, July 23rd. We are hoping to have some additional law enforcement presence to finalize that discussion. But if there's any other comments around training or other identified solutions.

**Commissioner Pauline Salla-Smith:** \_\_\_\_\_ Commissioner Walker?

**Commissioner Judge Egan Walker:** Go ahead.

**Commissioner Pauline Salla-Smith:** Commissioner Sala. I think at least during the, was it the last session AB478, like racial profiling training for all law enforcement. So maybe we can look into that requirement to provide additional training.

**Commissioner Judge Egan Walker:** Go ahead.

**Commissioner Frank Cervantes:** Correct to AB478, it's actually under interest 289.510, under the, not less than 12 hours of continuing education and it's subsection one racial profiling. So it's in there.

**Commissioner Rebekah Graham:** This is Rebecca Graham for the record. It sounds like it's in there, but maybe they're not doing it. I will, I appreciate both of your comments around that, and I will do more research to present that back to our smaller subcommittee. That is it for me, unless there are any other comments for their racial and ethnic disparity subcommittee.

**Commissioner Eve Hanan:** This is Eve Hanan again. Do you know, as well that Attorney General Aaron Ford is, you know, moving forward with the proposed reforms with the regular legislative session. So that's something to keep track of because I would be surprised if there weren't some sort of proposals on the table legislatively to increase oversight training is, and what it looks like to have some kind of outside review of training for police departments in, in the state. So that was just a, just somewhere sort of to keep an eye on that. If there might be some kind of synergy there with the concerns of this commission.

**Commissioner Rebekah Graham:** This is Commissioner Graham, thank you very much.

**Commissioner Judge Egan Walker:** Other, other comments or questions for Ms. Graham? So Ms. Graham from, a cochairman, just for whatever my opinions were, the answer to your question, does the committee agree with the targeted focus or referral is, yes. And the request I have is that you coordinate not by attending yet another meeting or otherwise, but whenever you can connect with Ms. Duffy so that you can coordinate that the definition of referral that her subcommittee makes to the commission to the definition or the targeted focus of referral that you undertake, if that makes sense.

**Commissioner Rebekah Graham:** Yes, it does. Thank you.

**Commissioner Judge Egan Walker:** Subcommittee.

**Commissioner Brigid Duffy:** And I do, I do want to point out that we do have representatives for the Clark County school district that are listening in as members of the public. And I just think it was a misunderstanding on the meeting date. I believe they are not to speak on their behalf, they can talk for themselves, but they, they are aware that these subcommittee is formed and have been invited. So if they want to speak up, because I think they are on the call.

**Mike Blackeye:** Yes, Bridget this is Mike Blackeye, I'm the interim chief for Clark County School District Police Department. Thank you for allowing me to, to attend the meeting. And yes, we put in for the, to attend that first meeting and Rebecca Graham, I apologize somehow, I, I didn't receive an email of a date. The last I received was that, you were playing around with a date of the 15th and that wasn't confirmed. So it was our fault. I apologize, but however, we are definitely going to be committed to attending the next meeting. So thank you.

**Commissioner Judge Egan Walker:** Thank you for being here today, sir. Thanks for that comment. Ms. Graham, I mean this humorously, it will no doubt percolate otherwise, but, like Ms. Wickes and Ms. Duffy, I'm a former prosecutor. I dealt a lot with police agencies. Many of my friends are police officers. Trying to tell the police to do anything is a challenge. So you have my condolences, the only commit- the only commitment I'll make to you is if, if you continue to have difficulty connecting with our law enforcement brothers and sisters, please let me know as a cochair and I'll reach out to the attorney general himself so, he has little influence, I mean that is no disrespect to him, but he has little influence with the attorney general, but he does have an influential position and I'll try and help you through that connection, if I can.

**Commissioner Rebekah Graham:** Thank you.

**Commissioner Judge Egan Walker:** You're welcome. Any other comments or questions for Ms. Graham? The grants and quality assurance committee, Ms. Wicks.

**Commissioner Jo Lee Wickes:** Thank you. Commissioner Wickes, for the record. This is a newly formed committee and we had two meetings between our last school commission meeting and today's date. I filed reports for both our April meeting and our May meeting. We have not had another meeting since May 28th. I'm going to focus on the May meeting because we actually made a fair amount of progress between April and May. The short version you've already heard about a little bit this afternoon in that there is kind of a sad lack of people who can you, the, who have been trained through the University in Cincinnati to do the correctional program checklist quality assurance reviews of the five facilities across the state that has to do it. That has to be reviewed. As you all do have heard, some of those early assessments were bumped out because we were early in COVID and there were obviously appropriate restrictions about the number of people coming into facilities. And so it looks at this point that as you heard in the earlier report, that those reviews have been rescheduled. And at least by my view, it looks like approximately three people are assigned to each of those reviews. And there's quite a bit of redundancy in terms of who is doing that. So again, it just points out the challenge that we're having statewide for a variety of reasons on having enough people who are trained to do the CPC review process. There was supposed to be some training by the University of Cincinnati in July, and I don't know if Mr. Martin was able to stay on the phone or if Ms. Bittleston has an update. I'm unclear as to whether or not that is still scheduled, or if that occurred. The State of Nevada, I believe wanted to send some employees, but the cost of the training was, was making that impossible. And I don't even know that the University of Cincinnati people were able to come out to do that training. So part of our concern was the lack of people available to do the training. It's a fair amount of work. And we were told in this committee that you really need between three and five people in it, it's a fairly in-depth process. So the good news is that those trainings are now scheduled. And the bad news is we still have some challenges it would appear, with having enough people who are qualified to do those

trainings. We have been able to reach a quorum every time. So we haven't had those kinds of issues. And we also talked about the templates for the facility improvement plan, which all of the facilities are required to do in all of the facilities. As you also heard earlier, have done for their 2019 reviews. BCCFS staff, and Ms. Bittleston had provided a template. The statute allows the jurisdictions to use, to do their own kind of report, but the template was provided to them if they wanted to use that form, which I think at least the prior ones that have been reviewed were done, were done with that template in mind. So our next step was really just to see if we could get a subcommittee members and educational overview regarding the correctional program checklist. And we've not yet scheduled the next meeting if the University of Cincinnati was going to be unable to attend that maybe telephonically together that educational overview. Ms. Bittleston thought that there are trained evaluators, or trained assessors in the state that could divert that. So at this point, that's quite, kind of a quick summary of the two meetings and we don't get to have the next meeting scheduled. But at least the quality assurance reviews are scheduled and hopefully as indicated in the CTG schedule for 2020 they may be adding some additional evaluators going forward. I appreciate Mr. Martin offering to provide DCFS staff for training. I don't know that there's any money for training to be honest, but obviously we're kind of coming back full circle about the concerns about budget cuts. That is my report and I'm happy to try to answer any questions if there are any.

**Commissioner Judge Egan Walker:** Detailed reports that report this week. Thank you. Thank you for the ground you're covering. Consistent with the ground the other committees are covering. Any questions or comments for Ms. Wicks, please? Again, thank you Ms. Wickes. I hear no other questions or comments. The strategic planning subcommittee, Mr. Cervantes.

**Commissioner Frank Cervantes:** Mr. Cervantes for the record. We were able to meet the end of April and did have quorum. You know, there's a couple of things that we're looking at is, you know, reviewing, treating the inventory of what has been completed thus far in the original strategic plan, taking a look at monitoring AB449. I think Leslie's going to talk about that. And the plan that we have now actually expires in June of 2022. So trying to determine a process and how we want to update that. But I just want to back up a little bit because, you know, we've got some structure obviously, because this is a strategic plan that we've developed and implemented. Most of it, we got through about a third of our review at the last meeting, but I think today's conversation going all the way back to the remarks that Judge Voy had made and, you know, the current kind of health crisis that the country's in, is, you know, we know what we have on the strategic plan. Are there going to be modifications? Are we going to incorporate new considerations due to the change in climate? And so I think I may be reaching out for additional members on the strategic planning committee and from the chairs of the other subcommittees about what, if any, we want to incorporate and how so into the overall strategic plan moving forward so that when we update it, we'll have relevant and contemporary information moving forward. So at this point still, it's kind of a work in progress for us. And we will be meeting again, I think at the end of July or early August. And so what we will try to do before the next full commission is, is prepare a paper that shows, you know, where we are in the progress of the original strategic plan that we have, we've been implementing thus far. That's my submission. Thank you.

**Commissioner Judge Egan Walker:** Thank you, Commissioner Cervantes. Questions for Commissioner Cervantes? I don't hear any. Frank, there's feedback, I'll give you is this. I'm going to work two hours, two hours and 30 minutes into the agenda. And I'm going to talk in a moment with Ms. Bittleston and/or Ross about perhaps ruling to the GGC work plan can even perhaps the regulation updates for the next meeting, because that's the hardest. Your question is, is the observation I have, which is our world collectively changes day by day and week by week. And I think as a commission, we need to have something of an emergent meeting related to budgets and structure. What I mean more particularly as a Judge Voy has accurately for the last 10 years that I've worked with him, identified what you and Jack have identified is

[inaudible]. And that is how to get kids out of the county and into the state or back from the state and into the county. And how do we do that with the limited dollars we have and what are we going to do about the fact that Jack has more kids in his facility than he can staff and, and he's, he's not going to be able to get them, even with Judge Voy's help, out of his facility in a timely manner very, very soon. We're going to have to talk about that. So I guess that's the feedback I would give you Frank, it's a whole lot of nothing I know, but we're going to have to set another commission meeting, I think, to talk about structure and the budget once we have a firmer information from Ross. Does anyone else have any comments or questions for Frank? Go ahead.

**Commissioner Jack Martin:** Commissioner Walker, this is Jack Martin. And Frankie, do you have anybody on the commission or on your subcommittee from Clark County?

**Leslie Bittleston:** This is Leslie Bittleston.. I can answer that. Yes, we have Mr. Wheelihan, is on the subcommittee as a nonvoting member.

**Commissioner Jack Martin:** Okay. Can you also add me those emails? Cause I'll be, I'll be joining that subcommittee if that's all right with Frank.

**Leslie Bittleston:** Okay.

**Commissioner Frank Cervantes:** I welcome that. Thanks Jack.

**Commissioner Jack Martin:** Thank you.

**Commissioner Brigid Duffy:** And this is Commissioner Duffy. I just want to add to the importance of this, of that conversation, Judge Walker, because it's going to have an impact on certifications, at least in Clark County, because a lot of times we make decisions to keep children in the juvenile justice system because we have the beds available and the programming available here, and we see that as the better outcome, but they do need to be removed from the community for a time being for community safety. So it's going to have intense impact on our certification numbers. If we don't have the beds and the services to put these children in, in our system.

**Commissioner Judge Egan Walker:** This is Egan for the record. All I can reflect Bridget is I, I want you all to know, I hear that loud and clear. Now I know talk is cheap and I apologize for being a lot of talk, but I'm an ally is all I can say. I see it written in the numbers and it helps now in my position as an adult criminal judge, as you would know, because if we don't help these kids in our system, if we don't give the right services of the right kid at the right time, I'm going to send them to prison in the adult system. It's as simple as that. I mean, and that's the most expensive way to deal with people. So I hear you loud and clear, Bridget, and I'm an ally. I'll work on it. It's the best I can offer. Any other comments for Frank? So, all right, the next two agenda items are the GGOC work plan and the regulation updates. And I don't mean to minimize those in any way. Leslie, are there any urgent or emergent things we need to discuss in either of those agenda items?

**Leslie Bittleston:** Chairman Walker, no, these, both of these items can be put off to the next meeting.

**Commissioner Judge Egan Walker:** I think that would be wise under the circumstances. Does anybody disagree with that?

UNKNOWN SPEAKER: No, sir.

**Commissioner Judge Egan Walker:** All right. So the next agenda, I will, will simply roll 15 into 16 then to the next quarterly juvenile justice oversight commission meeting. The next agenda item is for possible action. I think I have assigned tasks and specified agenda items. Let's talk about, first, the next quarterly meeting date please, Ms. Bittleston.

**Leslie Bittleston:** Yes, sir. Let me pull up the calendar. Let's see. So that would be the, if it's the second Tuesday of the month, that would be October 9th or is it the third Tuesday? Excuse me, Friday, third, Friday. That would be October 16th.

**Commissioner Judge Egan Walker:** So October 16th at 1:00 PM will be the next quarterly meeting. Folks, let's talk about, I'm going to call it an emergency meeting. It's really a meeting to discuss the implications of instructional conversations about this state budget. Ross, I should know this and I don't, when does the special session end?

**Commissioner Ross Armstrong:** This is Ross. It, it ends when they finish. A helpful answer that constitutionally it's limited to 20 days. You know, they have been known to just throw a blanket over the clock and pretend the days have stopped. So you know, both, both parties released their budgets. You know, their kind of their budget plans last, late last night. I mean, I imagine it will be done sometime in the middle of next week, but, but 20 days is their constitutional max, which would be I guess, around the 27th, 28th, somewhere around there.

**Commissioner Judge Egan Walker:** Or it seems to me, but I'm open to suggestion folks. It seems to me July 31st will be a little too soon after that to meaningfully digest, whatever the budget, the legislative budget decisions are, they make. I would suggest you all try to meet August 7th. Judge Voy, I know you're not a commission member, but if we met August 7th, could you make that work?

**Judge William Voy:** Well, this is Judge Voy. Are you talking about the full commission meeting?

**Commissioner Judge Egan Walker:** Yes.

**Judge William Voy:** Yeah, I can try. Yeah. I mean, I don't know what input I can give since I've I'm unless the public comments, I don't know. I mean, I don't even know. I was going to say I, I couldn't make the last strategic planning subcommittee meeting because I was stuck in court. And I don't even know if I'm still an advisory member since the governor was supposed to send out reappointments and I have not received anything. So just throwing that one out. If you want me there, I'll be there.

**Commissioner Judge Egan Walker:** What I was going to, well, you read my mind Bill. What I was going to suggest is if you can be there I'll, I'll agendize an advisory committee input, agenda item, and that's you. Right?

**Judge William Voy:** Okay.

**Commissioner Judge Egan Walker:** And then, and then you can be a part of the conversation unless Ross tells me I'm somehow crossing a line. Is there a time of day that a time that afternoon, that would be better for you? I think you said you have a one o'clock docket we started to, or later would that help?

**Judge William Voy:** Yes, it would.

**Commissioner Judge Egan Walker:** So pick the time Bill, two or three.

**Judge William Voy:** For the 7th of August?

**Commissioner Judge Egan Walker:** Yeah. Yes.

**Judge William Voy:** 2:30 to be safe.

**Commissioner Judge Egan Walker:** Okay. So anyone else who's opposed to number two? Can you weigh in if the seventh at 2:30 does not work.

**Commissioner Jo Lee Wickes:** This is Commissioner Wickes and I will need some guidance perhaps from Ms. Duffy. We may have a conflict on that day.

**Commissioner Brigid Duffy:** This is Commissioner Duffy. Yes. The interim committee on child welfare and juvenile justice is planning on meeting that day. I mean, I say planning on, it's scheduled and they have asked myself and Ms. Wicks to present. So I have it scheduled from nine to 12, just blocked off on my calendar, but some, I don't know how long they, they go.

**Commissioner Judge Egan Walker:** and they tell you, I know they tell you when and they can tell you nine o'clock and then say, Oh, by the way, we're going to roll you to the afternoon. Would the 14th work better for you guys?

**Commissioner Jo Lee Wickes:** I don't see any conflict on my calendar at this time for the 14th.

**Commissioner Brigid Duffy:** I am checking one thing on my other schedule. Nope, August 21st. So I'm good on the 14th.

**Commissioner Judge Egan Walker:** bill will the 14th, will the 14th at 2:30 work for you.

**Judge William Voy:** Yeah, I can make it work.

**Commissioner Judge Egan Walker:** Jack and Frank, can you guys make the 14th at 2:30?

**Commissioner Jack Martin:** Jack Martin for the record. Yes, sir.

**Commissioner Judge Egan Walker:** All right. Anybody, is there anybody who can't make the 14th at 2:30? So I'm hearing none. I'm going to schedule; we'll call it an urgent or an emergency session. Again, I'm trying to make the agenda as broad as possible. We'll make sure that the advisory committee is an agenda item to have a plenary discussion about all issues relevant to the juvenile justice oversight commission. Bill, my rationale is that subject to any reappointment, you continue to be on the advisory committee. And that's, that's, we'll try and open the discussion as broadly as possible. The purpose for the meeting will be to discuss the implication- The purpose will be discussed the implications of the budget and structural recommendations we need to make about juvenile justice. I'm trying to fashion it as broadly as possible so we can talk about those things we need to talk about. Ross, do you see problems, or do you have suggestions?

**Commissioner Ross Armstrong:** No, that sounds great.

**Commissioner Judge Egan Walker:** All right. So the last agenda item then is a public comment. Is there any additional public comments that would like to make?

**Judge William Voy:** This is Judge Voy. I'm just out of the risk of delaying the sale. There was a couple of items and there's some stuff I'll bring up on the 14th, but I, I do want to make a couple of comments if I can, for the record, I'll make it quick as possible. As far as the YLS is concerned, after working with it for some time now I have not found the domain to be really, really helpful at all. The domains are, are somewhat generic, unfortunately, and the domains that come up as noted in the report that needs to be given attention to don't tie into any specific programming and those domains, and I'll be honest, I mean, and I don't mean to sound flip it or anything like this or no disrespect to the YLS instrument, but most of the stuff they come up with everyone in the room looks at each other like, duh, I'm sorry, how that translates. That's a legal term. And so I haven't found that very useful, but there was some dialogue about trying to figure out how to tie in specific programming to some of those domains that come up. You know, just for example, when you say needs peer relations that need to be addressed well, yeah, really, you know, everyone in the room already knows that from the additional information we already have. So I found that to be a really not really very helpful at all, just for the record. And then lastly, I just wanted to add that we were in the same in 2004, when I took over, we had 300 kids in detention. We had 50 kids waiting to be transported to the state had been there for over almost 60 days or more. We found a safety valve, but the Silver State Academy at that time, some of you have been closed. It reopened 2005 that gave some relief to the numbers. And then during that process up until 2000, about seven, eight, our numbers lowered our commitment lowered as we instituted different practices and also expanded our or, that's the most expanded, but, lean more heavily on Spring Mountain Youth Camp. Spring Mountain Youth Camp is going to be reduced its numbers. The population's going to be reduced capacity wise. And we're going to be in that same boat here shortly with kids awaiting for the, these 160 beds in the state facilities that are going to be open. So yeah, this is, we need a roadmap and we need to do it now and we need to come up with some, a plan. We can't wait for the proverbial stuff to, to, and the fan to collide with each other. It's going to happen. And, as as long as I'm in 17 years of sitting here and here in Clark County and watching this, I feel I'm back to the future in 2004. And especially the cuts to mental health, it's, it's in the works. That's going to also increase the number of cases that we have in my courtroom, where we're sitting there with kids stuck in detention. Cause we have no other options, or they're stuck in the state facilities because we have no options for step-down placements and other things like that. That's only going to be, increase in, in the numbers that are going to be affected by that. And the difficulty is going to increase. So we can't stick our head in the sand here. We need to be proactive. Otherwise we're going to be behind the curve and we're going to be back to 2005 when Mr. Burgess was the director at the time. And I threatened the state that we were going to put all the kids in a bus, drive them up to Kelly Anthea and leave them. I did not want to be in that same position again. Thank you.

**Commissioner Judge Egan Walker:** So we will have a robust discussion and it will be the beginning of a series of discussions, I'm sure, at the meeting on August 14th, is there any other public comment that anybody would like to offer? So all I have to say then in conclusion is this; I continued to be the draw strength and encouragement from all of you. I've not worked with a better group of professionals who are more committed and hardworking than the professionals I know in the juvenile justice system in Nevada. I will entertain a motion to close the meeting. I move to close the meeting, any second?

**Commissioner Jack Martin:** I second.

**Commissioner Judge Egan Walker:** All in favor. Please say, aye.

VARIOUS SPEAKERS: Aye, aye.

**Commissioner Judge Egan Walker:** See you on the 14th.

Meeting adjourned at 4:23 pm.

DRAFT