

Steve Sisolak
Governor

Richard Whitley, MS
Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
Helping people. It's who we are and what we do.



Cindy Pitlock, DNP
Administrator

Nevada State Juvenile Justice Oversight Commission *Racial and Ethnic Disparities* Committee Meeting August 16th, 2022 at 10:00 am

TRANSCRIPT

Call to Order: Leslie Brittleston called meeting to order at 10:03 am.
Leslie Bittleston took roll and confirmed there was quorum.

Roll Call:

(Voting Members)

Present: Brigid Duffy, Katherine Maher, Jennifer Fraser, Kenneth Young

Absent: Rebekah Graham

(Non-Voting Members)

Present: Daniel Pierrott, Sarah Bruce, Capt. Blackeye

Absent:

Public Present:

DCFS Staff Present: Leslie Bittleston, Dan LaBarbera, Kayla Dunn

Leslie Brittleston: Good morning everybody. Our fearless leader, Ms. Rebekah Graham, has told us that she has had an emergency and will not be able to join the meeting today. We are thinking about cancelling and rescheduling but I'm going to see who -- how many we get on the call. Brigid, I see your eyeballs and that's it. Oh, better. If you're talking, I can't hear you. You're on mute.

Brigid Duffy: I just figured it'd be easier to raise my chair up than -- because the camera is kind of wonky.

Leslie Brittleston: It was kind of weird. We saw like this. Okay. Kayla, we actually have a quorum right now. I'm wondering if -- if I should just go ahead and run the meeting in Rebekah's absence.

Kayla Dunn: Yeah. I don't -- I don't know the regulations on that but if you can do that and want to.

Leslie Brittleston: Let's ask our attorneys on the line. There's three of them, I think. Can a staff member run a meeting in lieu of the Chair?

Brigid Duffy: I don't think you need to have the chair run the meeting. I mean, I've had meetings where the chair can't be present and they just asked somebody else to run it for them.

Leslie Brittleston: Okay.

Brigid Duffy: So, I haven't had that issue before.

Leslie Brittleston: Okay.

Brigid Duffy: And for the recorded record, this is Brigid. But the one thing that I read on agenda item number six, I think Rebekah, since Rebekah found that article, would probably want to be here.

Leslie Brittleston: Yeah.

Brigid Duffy: To discuss that so --

Leslie Brittleston: So, maybe we'll -- so maybe what we can do is go through the first five items and table item number six so that would be a really quick meeting. So maybe that's what we'll go ahead and do so. All right, because we do have a quorum and I love it when we have a quorum so -- I don't see anybody else signing in. So, I'm going to call the meeting to order at 10:03 AM. This is Leslie Brittleston from DCFS for the record. I'm going to take roll call. Rebekah Graham is excused. Jennifer Fraser?

Jennifer Fraser: Present.

Leslie Brittleston: Katherine Maher.

Katherine Maher: Present.

Leslie Brittleston: Daniel Pierrott?

Daniel Pierrott: Present.

Leslie Brittleston: Thank you. Jacquelin Nadar? Brigid Duffy?

Brigid Duffy: Present.

Leslie Brittleston: Sarah Bruce? Okay. We do have a quorum. I also see on the line Kenneth Young.

Kenneth Young: Present.

Leslie Brittleston: Zaide Martinez? Capt. Blackeye?

Capt. Blackeye: Good morning.

Leslie Brittleston: Good morning. And then for State staff. Jennifer Simeo is excused. Three of Leslie Brittleston, Dan Labarbera, Kayla Dunn, and Sharon Anderson is excused. So with that being said, we will go ahead and get the meeting started. Is there any public comment at this time? Hearing no public comment, we'll go on to the next agenda item which is -- I'm sorry I'm pulling up my agenda as we speak. Agenda item number four for possible action, review and approve meeting minutes from July 12, 2022 which is attachment number four. I am not a voting member so I cannot make a motion or second or vote so I will rely on those members who motion and second.

Brigid Duffy: This is Brigid. I'll move to approve the minutes from July 12th of 2022.

Leslie Brittleston: Do I hear a second?

Katherine Maher: This is Katherine Maher, I'll second.

Leslie Brittleston: Great, thank you. All those approve?

Unanimous: Aye.

Leslie Brittleston: Any oppose? Okay, motion approve. Thank you. Going on to the next agenda item, agenda item number 5. This is a follow-up from the meeting from July 12th where we discussed measures to improve data regarding racial and ethnic disparities. One of the things that the committee asked state staff to do was to provide an overview of racial categories. So, state staff did prepare an overview of racial categories which is attachment number five. This overview of racial categories is the federally approved overview of those categories. So, the feds use the following categories. They use Hispanic. They use American-Indian or Alaskan native. They use Asian, Pacific Islander, Black or African-American, white or Caucasian and other/mixed.

And just to provide an overview of how we can do this is Hispanic is sometimes people want to lump Hispanic in an ethnicity saying either somebody is of Hispanic origin or not Hispanic origin. Generally and historically, the state has used Hispanic as a race. So, if you look under the first bullet item data gathering maybe done in one of two ways for Hispanic. The first way is to select Hispanic for race rather than Hispanic for an ethnicity. My experience in doing data collection for the last several years in this position has been Hispanic as a race rather than an ethnicity. So, we highly recommend bullet number 1 which is just select Hispanic as a race. All of these categories have been defined as to hoof it into what category. So that is what state staff has presented to this committee. Is there any questions or discussion?

Brigid Duffy: This is Brigid for the record. So the purpose of this is to make -- like standardize it statewide so we don't have what happened with our last meeting with -- okay, so that this subgroup would then determine that we want to follow these federal definitions and then break them down to which ones we want and then make that the recommendation for the entire state.

Leslie Brittleston: Correct.

Brigid Duffy: Okay.

Leslie Brittleston: Is there any other discussion or questions? This is a possible action item for the committee so I don't know if anybody would like to make a motion to say this is the racial categories that we will accept statewide as we gather data around the racial and ethnic disparities.

Brigid Duffy: So, this is Brigid for the record again. I -- I mean I can make that -- I can make the motion but I guess the conversation is around that Hispanic for race or Hispanic for ethnicity and I don't know enough to know what is acceptable and what is it to people within the Hispanic culture so I don't -- I don't know if they consider it a race or ethnicity. So, I don't know if anybody has any insight on that that could possibly share that?

Zaide Martinez: I just -- this is Zaide, I don't know if I can speak right now of public comment or -- I think there needs to be a little bit more thought around the Hispanic as a race and also just let alone just Hispanic.

I'm wondering why Hispanic or Latinos could be applied to this because this term could be interpreted differently throughout the various Hispanic and Latino cultures as ethnicity so I think there needs -- you know, I don't know who else is reviewing this or what -- you know, what other committees are reviewing this so -- you know, it's just me giving my thought but I don't know if just Hispanic or non-Hispanic, sometimes I get confused and that's when -- data can get skewed from my experience with data collection research is that oftentimes, they usually think of Hispanic as non-Hispanic because that's how historically the data has been collected. There's not really been a good way to identify the differences sometimes when people are filling up documents.

Brigid Duffy: This is Brigid for the record. So, my instinct was correct. Okay, so that's what I figured. Like there might be a little bit -- I mean I recognize these are the federal definitions but being from a state where the Hispanic community is the dominant cultural background in our entire state, we might need to be thoughtful of how we just check that box in our systems. So, Zaide, you weren't here for last meeting and Jen, you weren't here for the last meeting right? So, just so -- you know, I know you can see in the minutes but the Clark County completely skewed the data on many different categories of room confinement, use of force, arrest, adjudication, everything because when we brought a child into our booking facility, they were marking everybody as white and not breaking it down to Hispanic. So, it looks like we were overrepresented in arrest and on white children which we know is not true because we've been in court.

Yeah, it was completely skewed. So this is a very good attempt to trying to figure out how to make sure that we are getting the appropriate data in place. Maybe, I don't know if we have -- I'm trying to think of who we have out in the community that we could take it too but -- we have Dannies on here for probation right?

Leslie Brittleston: All the school district do it for their data.

Zaide Martinez: I think it's the same which is really confusing as a person from that culture and that race and the boxes are often weird and I usually don't check them just the way the format is because I do say it like race as Hispanic but some people don't and like there's no consistency of how the boxes are -- and sometimes I'm forced to check a box that I don't believe. So, I think just how we present it or how we word it in our categories need to be more specific. So, often, if I don't check the boxes, I don't agree that's my race, I can be categorized as white. I would want others who, you know, would provide input but that's just my input with this, you know, box selection. It can get very confusing.

Daniel Pierrott: Good morning, as far as I know from the district, I believe it's described as not a race but an ethnicity. In my experience. That's what the district says.

Brigid Duffy: So, in the Clark County School District sheet they're saying -- they're accusing it as ethnicity so it might be they check white Hispanic, non-Hispanic right?

Daniel Pierrott: Right and I can confirm that if it's needed.

Brigid Duffy: That's what I'm used to.

Daniel Pierrott: Yeah, that's my [inaudible].

Zaide Martinez: I don't know, I think maybe like race or ethnicity because some, you know, there's not really like culture 101, you know, or identifying people. So, it can be really confusing for some. So if we kind of put it in the same category if we're allowed to like race or ethnicity/Hispanic or Latino, it think that that

would be more appropriate and it can be interpreted kind of universally because if one gets separated it gets really confusing for a lot of different Hispanic populations.

Leslie Brittleston: So, this is Leslie, just to follow-up. So, federal definitions for race/ethnicity and then Hispanic/Latino and that would cover it you think?

Zaide Martinez: I think -- I think it would clear it and then I just -- also, if there's a way to separate like non-Hispanic and then the dash from Hispanic, I never -- that's just confusing. Because also if my research was school and like my graduate period, there's always a thing where like, "Well, Hispanic is not accounted for. There's like the non-Hispanic few data in it." There's no accurate data on that and it's just I honestly think it's because the way the box checked and growing up, you know, very heavy Hispanic culture, we often do not check that box.

Leslie Brittleston: So, you check white as a race?

Zaide Martinez: Usually from most recently, there's been the option to check race or ethnicity and you can put Latino or Hispanic but before, it's like separated so I don't -- I wouldn't check anything or my family wouldn't check anything because it doesn't -- if you aren't fluent in English, you're not going to understand that and I know that this is also for, you know, professionals but we -- they can also interpret it as the same.

Leslie Brittleston: So, this is Leslie for the record, so I propose a kind of an alteration to the document attachment number five to remove race and ethnicity and just to make it race/ethnicity for more clarification or better understanding of what we're looking for I guess.

Brigid Duffy: And then what you propose would be the subcategories underneath of that? Brigid for the record, sorry, I forgot.

Leslie Brittleston: I propose for the Hispanic Latino as an option and then the remaining, you know, American-Indian, or Alaskan Native, all of those remain the same.

Brigid Duffy: Anybody have any other discussion on that recommendation? I think that clarifies it.

Leslie Brittleston: Great.

Brigid Duffy: So, I do want to -- this is Brigid for the record. I love our discussion but I hate, because Rebekah has been such a great leader for this group and her input has been so important, I kind of feel uncomfortable taking a vote without her input on it.

Leslie Brittleston: Okay. What we can -- what we can do -- Leslie for the record -- is we can -- I can adjust this document based on the conversation that we had today and then post it for the next meeting which I'm sure will probably -- I will reach out to Rebekah to see if she wants to do a group poll or just to cancel it for a month out but we, like I said, adjust this document based on our conversation and put in on the next agenda for approval.

Brigid Duffy: This is Brigid, I like that.

Leslie Brittleston: Is everybody shaking their head yes? So, it's like that's a good plan.

Katherine Maher: Yes.

Leslie Brittleston: Okay. So, I think that finishes up item number five. Item number six, we are going to table --

Brigid Duffy: I'm sorry Leslie, this is Brigid. What's the second bullet point under agenda item number five?

Leslie Brittleston: Oh, sorry, I was not looking at my agenda. Oh, thank you for reminding me. The second bullet point was determination of additional data request regarding racial breakdown of youth level of service/case so the YLS needs assessment. So, this tool is required for disposition but not for all arrested youths. So, based on the conversation of last -- the last meeting, there were some discussions around wanting to look at the YLS -- administered YLSs in with the lens of a racial/ethnicity breakdown. So, at that time, state staff explained that the YLS stated that we received is little bit fragmented. What we do have is we do we have commitment YLSs for all of those individuals that are committed to DCFS. We do have those YLS scores and risk levels.

Also, for the Community Corrections Partnership Block Grant, so for those youths that are served with those block grant funds, the state does receive a breakdown of the YLSs by their racial -- race/ethnicity categories. So, we do have that data available. I believe this group wanted to discuss if they wanted something in addition to just those two breakdowns that we can provide. If they want to request from the county's additional data for all youth disposition because that is something the State does not get. So, that is what this bullet point -- bullet item is. It's Justice Committee want to look at what the State already has or do they want to request additional data.

Brigid Duffy: So, this is Brigid for the record. So, that kind of blends into the article that Rebekah gave us for agenda item number six, I think. So, this would be -- So, for every kid that goes to disposition, we get a YLS on and right now, we have a score but the state is not keeping data on racial/ethnic backgrounds and keeping a certain score. So, we don't know if all kids that are put on probation, their risk levels based on their racial and ethnic background. Is that what I'm getting?

Leslie Brittleston: Yes. So, what the State -- the State does not receive a YLS score on every youth that goes to disposition. So, that is something we do not get. We do get the score for all of the youth committed to DCFS and we can provide that to this committee broken down by gender and race/ethnicity. So, we do get that. So, we have a small subset of data that we can provide. But being that a lot of youths were handled in the county and never touch the State, there's -- we don't get all of that information on every kid that goes to disposition or that gets to disposition. So, I think it's really up to this committee on what data do they want. Do they want to look every youth in Nevada that has had a disposition? If so, then we need to request additional data from the county. If you want to start at looking at our commitment data first, we can provide that. So, it's really what do you want us to provide or do you want us to request additional information from counties.

I mean I can provide a recommendation. I would recommend looking at the small subset of DCFS commitment first because we can easily provide that and based on the results of that, maybe this committee might want to look at a bigger subset but my recommendation is always to look at this data that we can readily easily provide first.

Brigid Duffy: This is Brigid for the record. Are we able to get the data for the youth camps for China Springs and Spring Mountain Youth Camp?

Leslie Brittleston: No. That is still county. That is still -- well, I could request it but it's not something I have right now.

Brigid Duffy: Anybody have any discussion about it? I would recommend that we at least get for our next meeting all the commitment data so we could see what that looks like and that would -- so just to get kind of understanding that, it's going to be the kids that are committed to DCFS custody, what their risk -- YLS score was and then what their race/ethnic background is?

Leslie Brittleston: Yes, we do have all of that information. We -- we would just put it together in a chart or graph for a way to present it to the State but yes -- but we -- just knowing everybody that the commitments to DCFS are about 2% to 3% of the total referrals that come in to the system. So, we are again -- just want to make clear, we're looking at a small subset of youth in the system. So -- but just my recommendation is to look at that first and see where you want to go from there because we, the State, can easily provide that.

Brigid Duffy: This is Brigid for the record. Do we know if Clark Counties check the right boxes?

Leslie Brittleston: No, good question. I think that we will discover that as we start pooling the data. But from my experience, Clark County does select Hispanic as an option so we're going to have to see what we get there but -- and we can provide more than one year. I believe we've got almost three full years of data.

Brigid Duffy: Does this require a motion? Because I would just make a motion that we look at DCFS data as it pertains to commitments and YLS and the race/ethnic background of our youth for our next agenda item or next agenda, I should say.

Leslie Brittleston: This is Leslie. I don't think we need a motion because we do have that data. I think a motion would be around requesting additional data. So, we're not doing that at this point. We'll just make a note that we want to provide that data at the next meeting.

Katherine Maher: This is Katherine Maher for the record, can we add as an agenda item further discussion as to whether we want to request additional data at that next meeting as well?

Leslie Brittleston: Absolutely. I will write that down. Okay. Any other discussion for agenda item number five? Nope? Okay, agenda item number six will be tabled for our fearless leader and then agenda item number seven, discuss ideas for additional racial and ethnic disparity work. I think we've already addressed that under agenda item number five so we will move to agenda item number eight which is any new business. Any other agenda items besides what Commissioner Maher just brought up? Okay. Perfect. Without our fearless leader, I don't know if we should be looking at the next meeting date or time but -- I mean we can if anybody has any suggestions? I'm sure Rebekah would want to meet within about a month or so since she did miss this meeting. So, if this time and day works for everybody, maybe we can just go ahead and propose the next meeting being -- my apologies, I'm having a problem with my calendar -- would be the 20th of September at 10:00 AM. How does that work for everybody?

Brigid Duffy: I have a CSEC Coalition meeting. I think it's 10:00 to 12:00 that day or at least that's showing on my calendar.

Leslie Brittleston: I'm not part of that so that's not on my calendar. Does anybody have time that same day in the afternoon two, three-ish? How about 2 o'clock on Tuesday the 20th of September -- September 20th at 2:00 PM?

Brigid Duffy: That's open.

Leslie Brittleston: All right. So, Kayla, next Racial and Ethnic Disparity meeting September 20th at 2:00 PM. Thank you. So please send that out. Our next agenda item is public comment. Is there any public comment? Hearing non. I thank you to the members today and we did miss our fearless leader but we will have some additional work and presentation of data at the next meeting. So thank you very much everybody. Meeting's adjourned.

Brigid Duffy: Thank you.

Katherine Maher: Thank you.

[end of meeting]