

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.*



Ross Armstrong  
Administrator

---

### Nevada State Juvenile Justice Oversight Commission Full Commission Committee Meeting Friday, September 10<sup>th</sup> 2021 at 1:00 PM

This was a **virtual only** meeting as authorized pursuant to AB253 (2021).

#### Meeting Minutes - **DRAFT**

**Call to Order:** JJOC Co-Chair Joey Orduna-Hastings called the meeting to order at 1:03 PM.

#### **Roll Call:**

**Voting Members Present:** Judge Egan Walker (Co-Chair), Joey Orduna-Hastings (Co-Chair), Ross Armstrong, Pauline Salla-Smith, Gianna Verness, Brigid Duffy, Jennifer Fraser, Katherine Maher, Jessica Valdez-Ramirez, Jo Lee Wickes, Liz Flores, Daniel Peirott, Jacquelyn Nadar,

**Absent:** McKenna Finnerty, Alexis Waddell-Upton, Jack Martin, Rebekah Graham, Paula Smith, Jeremy Setters

**Non-Voting Members Present:** Christine Eckles

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

**Public:** Cpt. Kenneth Young, Thad Rucker, Frank Mournihan, Dave Laity, Cindy Pitlock – DCFS, Mike Whelihan

\*Leslie Bittleston took roll and quorum was confirmed. \*

**LESLIE BITTLESTON:** Anybody else? All right. Thank you. Madam Chair, we do have a quorum.

**JOEY HASTINGS:** Great job everybody. Thank you so much. So, with that, I will turn it over to public comment. As a reminder, public comment, individual comments are limited to three minutes each. Do we have anyone who would like to provide comment?

**JEREMY SETTERS:** This is Jeremy Setters. I just want to apologize. I just logged back in.

**JOEY HASTINGS:** Thank you, Mr. Setters. Okay. I am not seeing anyone wanting public comment. Ms. Bittleston, is that consistent on your end as well?

**LESLIE BITTLESTON:** Yes, Madam Chair. I don't see any hands raised or anything.

**JOEY HASTINGS:** Okay. All right. Now, I'll close public comment. Because -- thank you to those of you that made note of your time commitment today. I would like the indulgence of this body to move the agenda around so those things that have action items we can move to the top so we can make sure we have a quorum to get those action items done. So, looking at the agenda, I would like to move item number nine, the updates from committees that may have approvals needed up to or to come after item number six. So, we'll do the CSEC update then we'll go to item number nine because it looks like there may be possible action necessary. Then, we'll go back to item seven and then item eight. Is that okay for everybody? So, we can ensure that our commissioners can vote. Great. Thank you so much. And so then the next action item is approval of the -- is that June 11th, 2021 meeting minutes. Do I have a motion?

**EGAN WALKER:** Move to approve. Egan Walker.

**JOEY HASTINGS:** Judge Walker. Do we have a second?

**PAULINE SALLA-SMITH:** I'll second. Commissioner Salla-Smith.

**JOEY HASTINGS:** Commissioner Salla, thank you. Any discussion? Okay. All in favor, please raise your hand or use your reaction button saying yea. Okay. All right. It looks like --

**ALL:** Aye.

**JOEY HASTINGS:** -- aye. Okay. Looks like the minutes are approved. Well, let me offer, is there anyone who objects? Sorry, I forgot to do that. Okay. Seeing none, the minutes are approved. Okay. Item number five, Ms. Bittleston, our COVID-19 update please, which is attachment five, everybody, in your packets.

**LESLIE BITTLESTON:** Thank you, Madam Chair. Pulling up attachment number five, COVID-19 testing data. Table number one indicates 12 months of testing data from June 2020 to May of 2021. During that time, 1406 youth tests given, 63 positives for a positivity rate of 4.48% and 1227 staff tests given with 103 staff positives for a positivity rate of 8.39%. Table number two is that same timeframe, June of 2020 through May of '21, indicating what facility had both youth positives and test positives total during that time. Moving on to table number three, this started a new 12 months of collection. We only have available to date, June and July 2021 data. So, for June and July of 2021, 270 youth tests given, six positives for a positivity rate of 2.22%, 221 staff tests given with eight positives for a positivity rate of 3.62. Table number four indicates the positive -- the total number of tests broken down youth and staff and the positives by facility. So, I am a month behind on -- for August testing, so I will have updated data, hopefully, up to date at the next commission meeting. I can take questions if there are any?

**JOEY HASTINGS:** Are there any questions of Ms. Bittleston? Please use your reaction button or turn your video on so we can see you. Judge Walker?

**EGAN WALKER:** Egan Walker for the record. Just a positive comment to be consistent, I think, with my prior comments related to this. I note that the positivity rate among tested youths and the positivity rate among tested staff are both fractions of the positivity rate in the state. I congratulate my colleagues who administer the facilities for keeping children and staff, relatively speaking, safe and whatever policies

they've undertaken to tamp down the positivity rates both within facilities and within their staff are to be commended.

**JOEY HASTINGS:** Thank you, Judge Walker. Are there any other questions or comments from any commissioners?

**ROSS ARMSTRONG:** This is Commissioner Armstrong. Just a breaking news as of this morning related to this COVID topic is that the state Board of Health voted this morning on an emergency regulation which will require all staff at our three state juvenile justice facilities to be vaccinated. Their deadline for achieving full vaccination is November 1st. And so, we'll be rolling out a policy next week to make sure that all of our staff at our three facilities are vaccinated.

**JOEY HASTINGS:** Thank you, Commissioner Armstrong. Are there any other commissioners that would like to make comment or ask question on Ms. Bittleston? Okay. Seeing none, thank you, Ms. Bittleston. Okay. So, I really appreciate those that might be here for this next item, item number six, and update from our Commercial Sexual Exploitation of Children committee update. Many of you may have seen the Washington Post article that came out last week about the victims of trafficking in our states and the call to action for us to continue to prioritize efforts in this area. So, we ask that CSEC attend this meeting for an update since so many of these children and victims are children that we serve, and I offer this to you and something that we may want to think about going forward in a way to work together and maximize not only the expertise on this committee and that of CSEC but also our efforts so that we can continue to try to create a safe environment in our state for those that are victimize. So, I would like now to welcome Ross Armstrong for that update.

**ROSS ARMSTRONG:** Thank you. This is Ross Armstrong. And just some quick history in the 2017 legislative session, a bill passed that -- I'm sorry -- in the 2019 legislative session, a bill passed that allowed child welfare agencies to take reports of Commercial Sexual Exploitation of Children, right, so that sex trafficking of children. And so, the child welfare agencies have been working to implement that on how they take in report, how they enter that information. And in that same year, there was a bill that required us to study what the best way to respond to child sex trafficking victims is. And that report recommended a model called receiving centers, which is a secure facility that's not a detention center that focuses on assessment and mental health resources and coming up with a plan of care that keeps the youth safe and starts providing those intensive traumas and form the services that are needed. So that was presented to the legislature this last session. There's a bill to allow for the creation of a licensure of receiving centers and a little bit of a delay in what was a statutory deadline for not allowing CSEC to be entered into detention center in certain circumstances for offenses that are primarily related just to sex trafficking victimization. We all know that this was not a session for great investments in resources. That the fiscal situation started out quite dire at the beginning of the session and gradually improved to a point where we made small cuts instead of big cuts. And so, the piece of the dough that survived was a part that talks about that licensure of receiving centers granting the division the authority to get regulations going for what would be the qualifications for a receiving center so that they could be established in the different jurisdictions as an alternative to detention for those individuals that are found by law enforcement or other resources. So, the Division of Child and Family Services is contracting with an expert to help us work through those regulations, so there'll be a public workshop and I imagine there'll be probably more than one workshop and we'll let this commission know what that is, so we know what

those licensing and standard regulations that we are going to be adopting for those receiving centers. And there's also the ongoing work of the CSEC Coalition, which the first version of the CSEC Coalition did a lot of research and came up with a strategic plan and the current version of that coalition really focuses on implementation, the implementation that model that Nevada has chosen is local task forces and then child-specific multi-disciplinary chain. And so, the work of the statewide coalition is really to support the establishment of those local task forces where they don't exist and to inform the work of those task forces that are already up and running. So, that coalition really has three subcommittees. They have a local task force subcommittee that is really focusing on that task force support. They have an external engagement committee which works on public awareness, legislative and regulatory issues, recommendations to community partners about best ways that they can identify and respond to CSEC. And then one that is funding data and sustainability, how do we actually have a system that is funded to treat this population in the way we know that is most effective to treat this population and just to really dive into the data and come up with what are the different funding streams that go into it. So, that's the status where we are with our coalition and the laws that passed last session. So, I'm sure there may be some discussion. Commissioner Duffy has worked tirelessly on this issue for a long time. We've worked in partnership together, and so I'm sure she has some insight as well.

**JOEY HASTINGS:** Commissioner Duffy, would you like to comment?

**BRIGID DUFFY:** Yes. Good afternoon everybody. Commissioner Duffy. thank you, Ross. I will say there has been some good work going on in this subcommittees on one-two, the external engagement, and the local task force subcommittees. One of the things in the last few months that I think was one of the best things that came out of it is there was kind of a revelation that there were some mandated reporters in our state that did not realized that they now had a requirement to re-mandated -- report if they have a suspicion of a child being a victim or at risk of being a victim of sex trafficking. So, one of the subcommittees and I can't remember because I crossed over so much. I believe it was engagement work together to draft a kind of a memo letter to go out to the Board of Education and to local probation offices kind of saying hey, by the way, this is laws on the books and now you have this requirement and under 432C and the child welfare agencies will take these reports now, not screen them out because there's not an eligible perpetrator and then screen them in for services and then refer out for services. So, that was one, I think, one of the biggest revelations was that there is really this gap and really understanding that there is this mandated reporting requirement. And I think that even within the Clark County full district that's largest in the country, they weren't exactly aware of it either on some level and they're now working toward ensuring that it is trained within the school district to know that they have to call these reports in. So, that was -- that would be, I think, the biggest step we've taken forward as well as working with 211 to get some tab specific to victims of sex trafficking so that they can find resources through that 211 and we'll be presenting that to the full commission, this full CSEC Commission in a couple of weeks, I believe.

**ROSS ARMSTRONG:** And this is Commissioner Armstrong. I would note the one, I guess, publicly facing thing I have seen really since this work is that Washoe County currently has a public awareness campaign where they've got TV and other advertising that says, if you see a child who you think is a victim of sex trafficking call this number and so that we can process it. I know that's still something, I think, we're a bit a way away doing in the rural region to figure out what our approach is in terms of that public awareness piece in that broad, general, you can call CPS in these types of situations.

**JOEY HASTINGS:** Thank you, Commissioner Armstrong, and Commissioner Duffy. Is it possible for that memo to be sent to the JJOC so that we can share it with other partners we may have?

**BRIGID DUFFY:** Sure. Ross -- this is Commissioner Duffy for the record. Commissioner Armstrong, I think it was Beverly who has it. I think she was the last one from your staff that may have it after I tweaked it.

**ROSS ARMSTRONG:** Yeah. We'll make sure that CSEC team gets that to this group.

**JOEY HASTINGS:** All right. Thank you. Are there any questions or comments from any of the commissioners for Commissioner Armstrong or Commissioner Duffy? Okay. Seeing none, I would just extend that the JJOC can be of assistance. I know some people recording back in progress. But if we can be of assistance or maybe there's ways to work together, I don't want to speak on behalf of Judge Walker, but I think we're both of the same mind that we're here to assist as well to get the information out. Judge Walker, to do want to comment on anything?

**EGAN WALKER:** Only that as we go forward, Ross, I'll look to you to keep us up to date about the CSEC Commission and the Children's Commission. As an example, I'm on the Children's Commission but I don't think I've made a meeting in a year because it fits on a -- on a day of the week today when I have a dedicated docket that I can't miss. And so, using myself as a bad example, perhaps, we just need updates about sort of gaps between the three commissions and then collaborative work. And then, the only other question I would have, Ross, is whether or not you could keep us updated about potential funding streams. You know, Judge Voy has plans in his office that he, I think, shared with the New York Times that are now probably 15 years old for a facility that he's tried to stand up in Clark County for at least that many years and has, you know, found a desert of funding available even just for construction, for example. And so, I'd welcome any suggestions you have to this commission, Ross, about how we can support more long-term funding stream issues.

**ROSS ARMSTRONG:** This is Commissioner Armstrong. I can certainly do that and the funding -- one of the things I made sure when we were thinking what kind of subcommittees we wanted, there was one focused on funding because we often overlook that and lots of commissions and committees come up with these great ideas and then there hasn't been real investigation into the funding. And so that's why we wanted a committee that particularly had that as one of their charges. We know that behavioral health now has parity and so there should be an ability to link the services to Medicaid reimbursements. I think the capital construction project is always the, you know, one of the difficult hoops to jump through to get that funding secured. Once you have a place, you can find different funding streams to weave together to make the operations happen, but the building of buildings, I think, remains the biggest barrier to entry in terms of that. So, that's something we'll certainly be tapping into the expertise of this group as we look at the regulations of what it means to be a receiving center as this team has been working with this population for quite a long time and understands -- has a good understanding of what the boots on the ground needs are.

**JOEY HASTINGS:** Thank you, Commissioner Armstrong. Commissioner Duffy, did you want to make any last comments?

**BRIGID DUFFY:** I just to say for those that read the Washington Post's article and that reporting, she followed up around and spent a lot of time talking to us for a year. I thought she did a very good job in understanding kind of the dynamics that we have. I think the feeling was, in my conversations with her, that she understands that all of us, especially in the law enforcement side, we want better for these victims. We just don't have it. And nobody feels good about the girls and young men that are locked up in detention that are victims, but we just need better for them. So, that would be my final comment and hopefully working -- continue to work with the CSEC Coalition we'll be able to get there.

**JOEY HASTINGS:** Thank you, Commissioner Duffy. A great deal of gratitude to the CSEC and all the work that you all are doing. It's important work and it's hard, especially when you don't know where some of the victims are. So, thank you again for that update. Moving along to, as we noted at the beginning of the agenda, we're going to now take action item number nine, for possible action, the updates from the committees. So, Commissioner Duffy, it looks you are up again.

**BRIGID DUFFY:** I am up first, which is great, because I also made note that I have leave at 2:30 today for something I did not expect. So again, good afternoon. This is Commissioner Duffy for the record. I am the Co-chair along with Gianna Verness for Washoe County Public Defenders of the data committee. We met on August 11th and my report should be in the materials. I know we now have our next meeting. So, I'll have Kayla shout that out at the end of my report because I -- I'm pretty sure I saw that we settle on a date in October, but I'm not quite sure of the exact date. So, for -- in my report, just to bring you up to speed, during our subcommittee meeting, we reviewed the new federal requirements for statewide recidivism data collection. I'm actually going to punt that to the SAG Committee because I was told during my subcommittee meeting that this was gone on in depth at the SAG Committee meeting and so they might be reporting out to that to you, so I'll save you that, except I will say that the general idea that we got was that there's going to be some challenges and gathering some of these new data that's required by the federal government because we don't have a way to measure it. So, we don't know how to collect -- we don't measure or collect data around IEPs, children with child welfare involvement, and pregnant youth in secured facilities. So, that's going to end up coming to one of my recommendations at the end of my report. Another update, if you recall as I reported at the last meeting, we've made a lot of headway and kind of figuring out children that enter into the adult system when they leave our system as far as recidivism goes, and I reported at the last meeting how we could collect that with some of the demographic information that would be provided from each county to the states and that they could then cross reference that with the public safety records. So, an update to that report from our last meeting, which I believe is in June, is that the 11th and 8th JD have provided spreadsheets to the state. I forgot what the -- what your team is called up there. But they provided that spreadsheet to the state and that they will be able to cross reference that with the public safety -- and excuse me, I just had to mute my phone -- public safety records and find out a percentage of our kids that then recidivated into the adult system. That is a huge step for us and something we've been working on for a while. Again -- and also now, the conviction rate is a little bit more difficult. County probation officer -- offices don't hold that information and we can only collectively -- effectively collect that data on certification but not on direct files. Meaning, we hold it in my office and other offices when we certify children into the adult system, but we don't have it on a direct file because it bypasses us. So, everything goes over to the adult side. And so, it's hard for the prosecutor's office at Washoe and Clark at least to collect that data. And then, we found it was a little easier in the rural because their numbers are so small. So, they know which

individual child has entered into the adult system and they can track that conviction that way. But for the bigger counties, it's a little more difficult. My little update to my report is I did get the ability -- so this is a spreadsheet from my criminal division that has told me every case for 2021 that was filed in the criminal system on a child. So, I now have their names. So, I was able to pull that report, which is one step further to figuring out the conviction in 2021 rate of children. So, I have a big thick report. I think it's about 68 children. So, I'll be able to get a little bit closer, but we have to get better because you could not rely on a human being to do that because that's subject to error, but we are trying to figure out a way as we build in case management systems. And I -- I know Washoe County, Jo Lee, if you want to add to it, but I know that -- I've heard that they are also working on their ability to collect direct file data in their criminal case management systems. And then, this is the big part of our report out at the last meeting in June. This body has allowed us and my data committee to take on the SP366 data collection, which is our competency data. So, I think we need to have a little discussion as the whole commission on our recommendations for that data collection. So, if you look at my report, which -- which one is it? Is it attachment 9A? That looks like mine. If you go to attachment 9A, my paragraph five, you'll see this is the recommendation of the data subcommittee for what we want to collect from the juvenile justice agencies across the state. How many children per year were referred for competency? How many of those children came back incompetent? So, in paragraph A, they came back incompetent. What was the basic -- basis for the incompetency determination; developmental, intellectual, or mental illness? Is the child recommended for restoration services? How many children are actually restored to competency? And how long did that process take? What offenses brought the child into the juvenile justice system? And because ultimately, we would like to kind of focus, I think, on CAT A and B felonies, now I'll talk about that a little more, and then demographic information; age, gender, race, ethnicity, that type of information. So, the whole purpose of collection of this competency data after Ross and I were handling this bill throughout the legislative session is it's hard to tell the state what we need if we don't know what our numbers are. We don't know what we're servicing as far as the Delinquent Acts. So, it's really hard to say we need a facility when we may be only needing two beds in a facility. It's hard to say we need restoration services when this may be a child that cannot be restored ever. So, what -- what is it that we need? And we can't figure that out unless we have the data to support it and then -- and then we can go to the state and say this is what we need. So, that's our recommendations. And then ultimately, in my paragraph F about the CAT A/B felonies, and this was a conversation that Gianna and I had and with the subcommittee is, what are we really in need of? And what we're in need of is making sure that we have proper placement for children who commit violent offenses. So, right now, so I -- we, in Clark County, within the last couple of months, had a stranger sex assault in a bathroom at a water park. The offender is nonverbal, autistic, and he sexually perpetrated on a young child who went in to use the restroom, completely not competent. And so -- and I have his mother all upset wanting him to come home. I have, you know, you know he preyed on this -- he waited in that bathroom. So, what do I need for that child because I have a victim's family that I have to tell, you know, he gets to go home to his mom after -- after he did this, and we can't even provide services? So, that's one example that has recently come up. And in Clark, we really hold our breath when a child commits a homicide because it were like if a child is accused of committing a homicide, we're almost like, oh please be 16 or 17 because if you're 15 and you're not competent, I don't know what we're going to do. So, we just had a homicide, random, in a homeowner's house in the middle of the day, during a school day, broken through a back bedroom window and killed the homeowner, complete stranger homicide. That kid is 16 and -- and has had ongoing treatment for mental illness throughout the years. So, if that child was 15, it would be a lot more difficult for us because what are we going to say to that young -- that man's family he had just dropped off his 9-year-old to

school. So, that's the purpose of collecting this data. So, I feel, as you can tell, I'm really passionate about making sure that we're getting it because we need something because I don't want to be sitting in my chair having to tell a victim's family, we don't have something for them. So, I really need this group to look at these categories, tell me if there is something more, debate it, do anything you want with it, and then vote it out, and let us move on to try to collect this data. And then finally, we can go back to the family surveys, which we can talk about. But I really like to get into this competency data if I can share Judge Walker and Jo Lee.

**LESLIE BITTLESTON:** Madam Chair, this is Leslie. Liz Flores has a question.

**JOEY HASTINGS:** Go ahead, Ms. Flores.

**LIZ FLORES:** Hi.

**BRIGID DUFFY:** I see you, Commissioner Flores.

**LIZ FLORES:** Okay.

**BRIGID DUFFY:** This is Brigid, for the record.

**LIZ FLORES:** Hello everybody. This is Liz Flores, for the record. I believe I read it or heard it somewhere else but that there would be further definition or assistance provided to the evaluators who are conducting these evaluations because it's not always clear what the basis is for the incompetency. You mentioned developmental, intellectual, and mental illness. And oftentimes, we have to extract that through the narrative. So, I'm hoping that with the work that continues to be done in this regard there will be some clarity in that regard.

**BRIGID DUFFY:** Okay. I appreciate that comment. It's been a long time. It was before I came to run the juvenile division here and so longer than 13 years ago, 12 years ago. There was a training for providers, at least in Clark County, that was sponsored by the court to talk about competency. So that anybody that had gone through the training then would be those that could provide for competency, but I don't -- there hasn't been one for a long time, but yes, I agree, we need to be able to kind of figure that out because that makes a difference on the facility.

**UNIDENTIFIED:** Can I ask a question?

**JOEY HASTINGS:** Commissioner -- sorry -- Commissioner Duffy, I think -- did Commissioner Wickes want to say something? I thought I saw you raise your hand a bit ago.

**JO LEE WICKES:** Jo Lee Wickes for the record. Thank you for this very important discussion. To dovetail off Commissioner Duffy, Washoe County is working to try to identify the direct files. As you may know, we use a software program. That software program is also used by the public defender's office in our county. And unfortunately, the provider of that software program has, this year, stopped providing technical support. So, we are in the process of going through the arduous task of getting approval to change into a totally different software system. But we are working on trying to identify those direct files



and obviously, because of the size of our county, we have a lot fewer than -- than Clark County does but that's been an ongoing challenge for some period of time. With regard to the data that we might need to gather, that we need to gather to determine what kind of competency issues we're facing, I, too, would also like to focus on violent offenses, but I think we need to go beyond CAT A and B felonies in that we have a fair number of youth who have come into Washoe County who thinks like possession of a firearm, hasn't been used yet, but obviously, we've seen an uptick in possession of firearms in Washoe County and we've seen, especially around gang-related issues, the use of firearms, obviously, is extremely dangerous. And when you're talking about impulsive -- brains that are not fully developed, to me that's a dangerous situation. I also think that there's a fair number of injuries that can be caused before you actually would hit battery with substantially bodily harm. So, I would like to include simple battery and definitely batteries against protected persons because I think a lot of these youths are challenged and may tend to reaction in educational settings. They react with police officers. They react with probation officers, mental health people, and unfortunately, they're also seeming to be reactive at a fairly significant degree in some our mental health placement. So, I think we need to kind of look at crimes of violence or crimes against person with maybe a broader brush than just A and B felonies to make sure that we understand what the needs of these children are in hopes that we can provide those services and they won't end up committing more serious offenses.

**JOEY HASTINGS:** Thank you, Commissioner Wickes. Did I see Judge Walker? Did you have your hand up?

**EGAN WALKER:** Yes. I'd like to propose a motion. First, thanks as always to Ms. Duffy and Ms. Verness for moving the ball forward. This discussion is long needed and long been debated. To Ms. Wickes's point, I think we can finesse the specific data collection points both within the data subcommittee and within the JJOC. But I move, on behalf of the JJOC, that the commission adopt the data collection points proposed by the data subcommittee in 5 A through G. And once adopted, we could then certainly finesse, broaden, or narrow those data points. So, I move to approve those data collection points.

**JOEY HASTINGS:** Thank you, Judge Walker. Is there a second to that motion?

**PERIOTT:** This is Commissioner Perriott. I second.

**JOEY HASTINGS:** Thank you, Commissioner Perriott. Is there any discussion?

**BRIGID DUFFY:** I'll just add to the discussion that I think under F, the question is, the data collection point is what offenses brought the child into the juvenile justice system, and as a subcommittee, we want -- we'd like to focus on just CAT A/B felonies. But I think we could pick up all offenses and bring them in and then decide whether or not that's all we need to focus on.

**JOEY HASTINGS:** Okay. Any other discussion?

**JENNIFER FRASER:** This is Commissioner Fraser. I was just wondering if there could be to keep track of the sort of kids that are facing certification and when competency is raised in those cases coz that would also be a focus on those A/B and -- A/B felonies?

**JOEY HASTINGS:** Thank you, Commissioner Fraser. Commissioner Duffy?

**BRIGID DUFFY:** I think that would fall under what offenses, so we can track that as a subgroup under the, what offenses brought the child in.

**JOEY HASTINGS:** Thank you. Any more discussion? Okay. All in favor, please raise your hands or use your reaction buttons. Okay. Those that do not agree with the motion. I got to wait for the reaction buttons to go down. Okay. So, those that don't agree with the motion, please raise your hand or show your video? Okay. Motion passes. Thank you.

**BRIGID DUFFY:** Thank you.

**JOEY HASTINGS:** Commissioner Duffy, you have --

**BRIGID DUFFY:** And then my --

**JOEY HASTINGS:** Yes, you have more reports?

**BRIGID DUFFY:** Yup, just a family surveys, which is also -- sorry -- my meetings, we do a lot in an hour and a half, like, I have the family surveys. They are attached. Thank you, Pauline Salla. There she is. Okay. So, we have -- these were out in -- they're being used out in Humboldt County. I don't know if Pauline can kind of update us on whether or not they've launched them out on their SurveyMonkey. We were hoping that the commission would review them, provide some feedback, see if there's things in there they'd like us to change. We, of course, are not asking -- we're not telling jurisdictions that they have to implement them, but we'd like to be consistent across the state if -- if going to implement a survey either for victims or families which are attached as documentation to your -- to the materials that we all use the same one. Pauline, do you have anything to add?

**PAULINE SALLA-SMITH:** Only that we haven't rolled them out yet. We were waiting for feedback from the oversight commission. And then, with the victim survey, we're going to discuss that again, I think, with Duffy and the data collection group after some feedback from the Victim's Advocate Group. I just will say that when it's posted like this it looks like a very long survey, but the way it's created in SurveyMonkey it's broken into smaller pieces. So, although yes, there's that many questions, it doesn't appear that way when -- when you first log in.

**BRIGID DUFFY:** And so, in the effort of making sure our meeting moves along since we're going to lose people, please review it in the materials. We're not asking for any action on it today. We're just asking for feedback and we can bring it back after you've all had a chance to really dive into it and review it and let us know about it. And then our final recommendation for the commission is just to kind of a shout out. I see your hand up, Liz. I'll get right back to you -- that if there's any members from juvenile justice agencies that have knowledge on what reports can be run at a Tyler Supervision for your county coz the state and the counties and everybody can run different reports depending on what you've built in TS, please send their -- send an employee to our subcommittee meeting coz it's hard when we don't know what reports can be run or cannot be run when we're trying to decide what data to collect. So, just a little shout out to my partners. Liz, you had your hand up.

**LIZ FLORES:** Yes, thank you. So, going back to the family survey, I apologize. I'm just kind of catching up to this. But I know in Washoe County the family survey that we send out it was one that we created in conjunction with the university to ensure, you know, there's the science around surveys. And they provided us valuable input to make sure that, you know, the language was appropriate for all -- for various reading, you know, levels and things of that nature that it was very simple and not duplicative. So, I'm just throwing that out there and I'm happy to assist however I can, and I will provide feedback. Thank you.

**BRIGID DUFFY:** We appreciate that. We have Washoe County DA and public defender on our subcommittee. And then, we have some rural probation department. So, that would be helpful if you can just review the one from Humboldt County and compare it to the Washoe County one. That would be helpful. Judge Walker?

**EGAN WALKER:** I have a technical assistance request, Joey, and you can tell me if it's feasible or not. So, the National Council has conducted surveys locally and nationwide on a variety of topics. And they have some expertise especially through the research arm. And Joey, my request would be for technical assistance to the JJOC to ask the council to look at the survey that Brigid and Pauline have put so much work in with an eye to the kinds of things that Liz points out that the university helped with. I think that's a technical assistance request that the council could answer, is it not?

**JOEY HASTINGS:** You're correct, Judge Walker. I'm happy to share that with our research team and they can give feedback as well. So --

**EGAN WALKER:** Thank you.

**JOEY HASTINGS:** Yes.

**PAULINE SALLA-SMITH:** And this is Commissioner Salla. Those questions weren't just picked by us. Those were pulled from best practice through McArthur Foundation and with some of the research-based family surveys research articles that have been done. So, they have been vetted to a certain level that we -- we just didn't make those up. And the other thing is I would think jurisdictions their judges may want to collect data on information that other jurisdictions might not. So, we have that discussion in the data subcommittee too that if we're, you know, if we're conducting a family survey for Humboldt County, we want to collect maybe certain things that are important in our county right then. It may not transfer over to other jurisdictions.

**JOEY HASTINGS:** Thank you, Commissioner Salla. At least from my next steps, I'll make sure that our research team is coordinated with you as well so that they understand the context. And then Commissioner Flores, you've agreed to also look at it and provide feedback as well, correct, specifically?

**LIZ FLORES:** Yes.

**JOEY HASTINGS:** Thank you. Commissioner Duffy, did you have anything else before I ask for questions for you?

**BRIGID DUFFY:** October 12, 11:00 to 12:30 is the next data subcommittee for anybody that'd like to attend. I just looking that up. And that's all I have.

**JOEY HASTINGS:** Thank you very much.

**BRIGID DUFFY:** Thank you all for the support on the competency.

**JOEY HASTINGS:** Great work. It's amazing what -- like you said, what you all get done. Are there any questions for Commissioner Duffy? Okay. Seeing none. Thank you again. Moving on to Commissioner Salla-Smith, the SAG Advisory Group.

**PAULINE SALLA-SMITH:** Thank you. We actually had a meeting yesterday and there's not an updated included in our packet, although our -- our most critical task that we wanted to move -- we moved forward to the full commission is the use of force template that is actually attached to our -- let me -- it's attachment 9B -- it looks 9B. As -- as we discussed during our last full oversight commission, the SAG Committee's been working closely with NAJJA, which is our Nevada Association of Juvenile Justice Administrators, to develop a template for use of report -- use of force report so that we're all recording on the same information consistently. So, here it is. Here's our draft, hopefully, or will be soon to be approved template. We -- we -- we will report our average population and our average length of stay in our facilities within this report. Those are two new reporting items that we've been asked to -- to report on monthly. So, that will be included in this report. As you can see on the template, we'll providing the information, but the Tyler Supervision unique ID number will be our identifying number for our kids that are involved in use of -- use of force. Yesterday, during our meeting, we added the -- the sex of the child. We went with sex just to throw it out there so that we are now capturing in Tyler Supervision gender identify and gender expression as well as biological sex. So, for this reporting template, we -- we chose the male and female way to report on our kids here, the reason for the use of force, the race, the age, the ethnicity, the use of force date, where the location in the facility, where did it occur, and then what level of use of force was utilized. So, we did have some robust discussion yesterday in our side committee. We add NAJJA and presented to SAG. We identified that we would report on the highest level of use of force. And let me explain, I mean let's talk about that for a little bit. So, it's not much different than we report to the on our juvenile crime data. We report on the highest charge. We don't report on -- on everything underneath that. We report the highest charge. We all have policies and procedures and standards that govern our use of force modality, whatever we use, handle with care, man , defensive tactics, whatever we use, we all have policies of a continuum system of use of force. So, we all -- we all commit to use nonverbal before we -- we move on to the next level that we need to control the situation. So, with our template, we'll report on the highest level. That means if it's -- if we report on mechanical, then, the highest level of use of force was mechanical. If it was physical, that -- that's the highest use. Because we're going to report on the total number of incidents of use of force, we're going to report on -- we're going to break that down for mechanical, physical and OC spray. Several facilities do not use OC spray. So, that they -- they won't need to capture that part. And then, we're going to report on unduplicated youth, so that we can start seeing our data with unduplicated youth. So, we're going to have incidents, we're going to have the level and we're going to have unduplicated youth and then through that, DCFS -- will determine I'm sorry, then the facility will determine that youth that had more than one restraint type in a single incident. So if it continued on -- on the continuum of use of force, then that will be identified in

that area and I'm open for questions or comments or -- and we have a lot of NAJJA representative on here today and they're -- they are all experts within this field too. So, feel free to bring up any questions or concerns that anybody has.

**JOEY HASTINGS:** Thank you, Commissioner. Are there any questions? It looks like Judge Walker.

**EGAN WALKER:** Pauline, thank you for answering my challenge last meeting. I appreciate it. Thank you to the work at NAJJA to develop the matrix. Rather than critique the matrix, I intend to tee it up by moving that the JJOC approve the use of force matrix proposed through the SAG committee.

**JOEY HASTINGS:** Thank you, Judge Walker. Is there a second to Judge Walker's motion?

**BRIGID DUFFY:** This is Brigid, I'll second.

**JOEY HASTINGS:** Thank you, Commissioner Duffy. Is there any discussion? Okay, all of those in favor of this motion, please raise your hands. Use your reaction buttons. Thank you. Okay, anybody opposed. Okay, motion passes. Great job. All right --

**PAULINE SALLA-SMITH:** In NAJJA, we've all agreed to begin reporting October 1st, so we'll start collecting that data and submitting it to Ms. Bittleston.

**JOEY HASTINGS:** Thank you, Commissioner Salla and thank you to NAJJA great partnership and really efficient way to get this done, so thank you. Moving along to the next committee, Commissioner Rebekah Graham, Racial and Ethnic Disparity? We didn't see her. I don't --

**EGAN WALKER:** We reached out, Joey, I apologize, during the roll for not mentioning it but she reached out. She is unavailable today due to some unforeseen circumstances and sends her apologies.

**JOEY HASTINGS:** Great. Thank you, Commissioner or Judge Walker. Is there anyone from that committee that wants to report?

**LESLIE BITTLESTON:** Madam Chair, this is Leslie. The committee has not met since the last JJOC, so there is no report.

**JOEY HASTINGS:** Thank you, Ms. Bittleston. All right moving along, Grants and Quality Assurance Committee, Commissioner Wickes?

**JO LEE WICKES:** Good afternoon, everyone. I have a very short report because we have not met since the last meeting. I also have a very small subcommittee and would ask that we add on to the next agenda a specific item about increasing the membership on our committee. The good news is we probably didn't really have a serious need to meet in this time period. And as you can tell by one of the attachments that Ms. Bittleston has supplied to us and I think it's 7.B as in boy and Spring Mountain underwent their quality assurance. That report is pending. Nevada Youth Training Center is scheduled for mid-November. Some of you is scheduled for early November. China Spring Youth Camp/Aurora Pines is scheduled for late October and Caliente is scheduled for mid-January. So, we will need to be meeting to

review those reports and provide updates to the full commission but we had a small committee, hour long, and I think with the departure of Ms. Hanan, we're even smaller. I believe Mr. Setters was added to the committee but I do think that I would like to agenize an item to increase by a small amount our committee members.

**IOEY HASTINGS:** Thank you, Commissioner Wickes. We will add that to the next agenda. Any questions to Commissioner Wickes or people that want to volunteer to be added for future meetings? Okay, well, we'll let you all think about it.

**UNIDENTIFIED:** Oh, Liz has -- Liz had her hand up.

**IOEY HASTINGS:** Thank you. Okay, Commissioner Flores. Fantastic. Okay, I don't believe we have any per report from Strategic Planning. Is that correct Ms. Bittleston?

**LESLIE BITTLESTON:** Yes, Madam Chair. The Strategic Planning Committee has not met and there is no report.

**IOEY HASTINGS:** Thank you. Okay, then going back up into the agenda. I believe we've taken care of all possible action items and now we're on information items and presentations. So, we'll move back up to item number 7, the state update. Ms. Bittleston?

**LESLIE BITTLESTON:** Thank you, Madam Chair. I just want to make sure I do this in order. So, attachment 7.A is commission membership update. So, let's pull up 7.A, I just wanted to update the commission. We had several committee members expiring, August 31st of this year. So, I just wanted to update the commission with the status of all of those members. Eve Hanan has chosen not to reapply due to workload. So, that position is now vacant. Scott Shick has not reapplied. Commissioner Hastings and Commissioner Maher have both reapplied; however, they are pending nomination by the Supreme Court and I believe the Supreme Court is meeting next week to discuss this and Judge Hardesty -- Chief Justice Hardesty has stated that both members are to continue in their roles pending this nomination. Moving on to -- Nancy Saitta, she has not reapplied. Elizabeth Flores, Liz Flores from Washoe County has been appointed. She is our new commission member, so welcome, Commissioner Flores. Jack Martin has been reappointed. Brigid Duffy has been reappointed and Jennifer Fraser has been reappointed. Moving on, Rebekah Graham has reapplied, pending -- she is still pending. And for the youth members, Alejandro Gonzalez and Alexis Waddell-Upton have not reapplied. So, we will have two vacant youth members. That is my report on Commission updates. I can take questions.

**IOEY HASTINGS:** Any questions for Ms. Bittleston? Ms. Bittleston, can you remind this group just how they can maybe send out the opportunity to their colleagues and networks and where they could find the information for people to apply?

**LESLIE BITTLESTON:** Yes, Madam Chair. I would recommend that if committee members have individuals that they would like to apply to just refer them to me and I can have a conversation via e-mail or phone call with them to give a little update about what the commission is and how to apply.

**IOEY HASTINGS:** Okay. All right, next bullet please.

**LESLIE BITTLESTON:** Yes, the next bullet is the Formula Grant update. I have exciting news on the Formula Grant update. The Formula Grant funds have been released effective September 1st. The high-risk designation that was placed on DCFS has been lifted. So, we are good to go. Funds are all now available. I have notified all of the subgrantees of the Formula Grant funds that they could begin services, if they had stopped services and/or can bill for services if they -- or invoice for services if they have continued to provide services. I got a couple of e-mails back from the subgrantees expressing joy. So -- so that is my update on Formula Grant funds, current funds. We are also pending notification from the Feds on the FY '21 grant. The Formula Grant gets awarded every year, so we have not yet been notified on the FY '21 grant. It is still pending. So, that's my update on Formula Grant.

**EGAN WALKER:** Are you able, I'm sorry, this is Egan Walker. Are you able Leslie to give us a breakdown of the funds now available, the amounts?

**LESLIE BITTLESTON:** Yes, I can. I provided that yesterday to the SAG and this is just the best information I have available and may not be accurate. I am still pending some information from our fiscal department, but I can read to you what I got. And -- just bear with me a moment, I have to pull up a document. Okay. As I stated, the Formula Grant is awarded annually. So, we have active three grants, currently pending a fourth grant. So, moving on from back to front, the first active grant we have is FY '18. The total award was \$411,267. We did receive a partial release of \$370,976 and the remaining which was recently unfrozen was \$40,291. That is the FY '18 grant. The FY '19 grant, we were awarded \$406,333. We did receive a partial release of \$217,627 and remaining that was recently released is \$218,910. The FY '20 grant, excuse, FY '20 grant, we were awarded \$510,482. We did not receive any release, so that whole amount, \$510,482 has been released. The total funds that were released with all three of those grants added together is, excuse me, \$769,683.

**JOEY HASTINGS:** Judge Walker, does that answer your question? You're on mute.

**EGAN WALKER:** It does. I'll be curious to see how as Commissioner Salla so carefully guarded it and [inaudible] in it, how it helps bring some relief to some agencies for whom these grant funds are their chief source of funding. And so I don't know -- I don't want you to invest a lot of work in it, Leslie, but maybe by the next meeting, you could give us some easy bullet point updates about how it has allowed sort of the reintroduction of some services, et cetera. That's a chunk of money. I mean three quarters of a million dollar is long overdue relief and so I'm happy it was finally released.

**LESLIE BITTLESTON:** Yes, Judge. Just to provide a little bit of context to how that money is spent, this is the 10,000-foot view. Some of those funds go to paying a full-time salary person within DCFS, some go to travel to do compliance audits and reviews and about 66% of the total funds are sub granted out to two subgrantees. So, at the next meeting, I could provide a list of our current subgrantees and the funding provided to them. We will do, based on the amount that we get awarded for FY '21, we will have some additional funds to grant out because I'm expecting a little bit of a higher award around 600,000. That was verbally what I was told, so we will have some more funds to subgrant out down the road, but I can prepare some -- some information for you on how that money is spent through subgrants, through that 66% that we subgrant out.

**EGAN WALKER:** Thank you.

**LESLIE BITTLESTON:** Yes.

**JOEY HASTINGS:** Thank you. Are there any other questions of Ms. Bittleston or comments from the commissioners? Okay, seeing none, Ms. Bittleston?

**LESLIE BITTLESTON:** Sorry, I was on mute. Moving on to the Correctional Program Checklist, first of all we -- we had a retrained eight folks back in 2018 to become assessors of the selected quality assurance tool, the Correctional Program Checklist. By the end of last year, we were down to four due to retirement or taking other positions. Just last week, we trained seven new assessors, so we are up to 11 folks that are trained in the use of the -- the Correctional Program Checklist. I would like to publicly thank Clark County for providing a training room for the -- for Monday through Thursday of last week for this training, and also to Spring Mountain Youth Camp who was our guinea pig facility to -- for the trainees to do their first assessment with the trainers. So, the training will continue for the seven new assessors. Each of those assessors will participate in all of the upcoming -- not all of them but each one will participate in one upcoming quality assurance review and based -- and will write that entire report and provide it to the trainers who will sign off. And once that is done, those seven folks will become official CPC assessors. So, we are up to 11 which is -- which is great news and something we talked a lot about in the grants and quality assurance subcommittee. So, I did want to provide an update and also to publicly thank Clark County for their cooperation. They not only provided the training room as I said and Spring Mountain to be the guinea pig, they also provided four people to be assessors and to be on the assessment rotation. So, thank you again to Clark County. That brings me into the next piece which is the quality assurance review schedule which is attachment 7.B. Commissioner Wickes referred to that just a few minutes ago. This attachment outlines that Spring Mountain was completed. We're pending a report on that and then NYTC, Summit View, China Spring and Caliente are all coming up with one or two assessors on each one of those. So, that is my -- my updates.

**JOEY HASTINGS:** Okay. Are there any questions of Ms. Bittleston? Okay. So, Ms. Bittleston you're done with item number 7?

**LESLIE BITTLESTON:** Um--

**JOEY HASTINGS:** I think there's two others, maybe announcements?

**LESLIE BITTLESTON:** Oh yes, thank you. That was -- that was my -- that was it for the Correctional Program Checklist and the quality assurance reviews. Moving on to NAC revisions. NAC 62B and 62H, we held a public hearing that we did have to reschedule the public hearing. There was a miscommunication, so the public hearing had to be halted and rescheduled. So, the public hearing for the NAC 62B and 62H changes has been rescheduled for October 5th, 2021 at 11:00 a.m. And NAJJA and -- and stakeholders have been notified of that reschedule. I also wanted to say briefly regarding NAC, there will be a new NAC 62B revision based on SB 108 which was just signed this year. It will include cultural competency and implicit bias training within training requirements for facilities, state and local facilities, probation and parole departments. So, that is all of my updates under 7, Madam Chair.



**JOEY HASTINGS:** Okay, one final call. Any questions for Ms. Bittleston? Okay, thank you. All right moving on to item number 8, these are the data presentation. So, our first person is Jennifer Simeo, I see you. Are you ready to proceed?

**JENNIFER SIMEO:** I am. Thank you so much. Jennifer Simeo for the record. Good afternoon. For time purposes, I'm not going to go over all the graphs, but I did want to highlight graph number 1 and this is attachment 8.A. This is a new graph, some new data. This is July 2020 through June 2021 and it's looking at the average YLA scores each month. And as you can see, there's a downward -- downward trend and the score seemed to be decreasing from about 25 to about 21 in June of 2021. So, graphs 2, 3, 4, 5, 6, 7 and 8 are the typical graphs that we present. They are for January through June 2021. So, I also just wanted to bring your attention to graph number 9. This is also new information. This tracks the changes in risk level between the pre-adjudication YLS and the YLS done before parole termination. This is based on 83-youth in 2021 and so as you can see for a very high-risk youth, there was a 75% decrease in risk level. For high-risk youth, there was a 45% decrease in risk level. For moderate risk youth, there was a 35% decrease in risk level. And for low-risk youth, 67% were unchanged and there was a 33% increase. Any questions on that?

**JOEY HASTINGS:** Commissioner Wickes?

**JO LEE WICKES:** I have a quick question with some help understanding graph 1 and what a pre-adjudication YLS is, is that the initial one? Oh, I'm sorry it's not related to graph 1 but to the graph in terms of the decrease with the pre-adjudication YLS refers to.

**JENNIFER SIMEO:** Graph number 9, it's the pre-adjudication YLS is the YLS done by the county before commitment.

**JO LEE WICKES:** Okay. Thank you.

**JENNIFER SIMEO:** Yes.

**JOEY HASTINGS:** Any other questions? Judge Walker?

**EGAN WALKER:** My question is to Commissioner Salla, Commissioner Flores, Mr. Morningham, Mr. Whelihan, anybody who like to chime in. As an outside observer, what the reporting related to the YLS usage reveals to me is that at least for this reporting period there were no children for whom YLS score of low was recorded, who were committed which in general is a good thing. And it appears to me as though the trend overtime is that use of the YLS is providing useful as one tool in the assessment of when children need commitment, in other words, the fidelity to the tool seems to be pretty high. But my question for again Commissioner Salla, Commissioner Flores, Mr. Morningham and others is whether or not that's what you feel as administrators, if what we're seeing in the data is reflected by your feeling in use, if that makes any sense?

**PAULINE SALLA-SMITH:** So, this is Commissioner Salla. I mean we love the YLS here. I think it's a great tool for us to use like you said in the totality of assessment. I'm not surprise that maybe our scores are decreasing a little bit for our state commitment. I think that COVID halted some admissions into other

program and are intermediate sanctions for some of our kids, some of that change up too that started to change up. So, I can speak for Humboldt County, we actually had a state commitment this year in 2021 and that youth went directly to the state, although score was very high score, very high on the YLS. So, it was supported by that, but I'm not surprise that it's decreasing a little bit and I think that when things start settling down some more and there's actually the opportunity for some additional program can be opening in our state that we'll see that go back up.

**EGAN WALKER:** And let me help with the question, I -- because it was a terrible question, Pauline and I apologize.

**PAULINE SALLA-SMITH:** And I answered it.

**EGAN WALKER:** I remember when CSG came back to us, remember when CSG came back to us and you said, you all in Nevada are giving the wrong treatments to the wrong kids at the wrong time. You're recycling kids, kids with high risks aren't having the risk reduce, kids with low risks are getting overcommitted, and I for one took it pretty personally. I think others did as well and so I guess my question is broader or -- or hopefully less nebulous and that is do you think it's working? And I think your answer was yes.

**PAULINE SALLA-SMITH:** I absolutely think it's working, and I too was offended by that, Judge Walker, so I understand that.

**EGAN WALKER:** Mr. Whelihan?

**MICHAEL WHELIHAN:** Yeah, I agree with Pauline. I think like for us we created a whole unit to do -- to do the YLS and kind of look at our -- our recommendations for commitments we've changed or violation of probation processes. And I think the biggest part is that the DA and the PD and the judges are working together on, you know, as best they can to listen to our recommendations. And they're not always going to listen to them, but I think overall the DAs, the PDs and the judges have agreed in most cases and I think this is a positive step in the right direction.

**EGAN WALKER:** I very much appreciate that feedback because it looks to me like it's working but I'm not in the trenches. Liz, did you want to weigh in?

**LIZ FLORES:** Yes. Thank you. This is Commissioner Flores for the record. I would agree with my peers. What I would add is that we also measure ourselves against our overwrite rate because there are that -- there is that group that falls into those categories but our overwrite rate is -- is within the range that is prescribed. And so I would just add that -- that's further support that the tool is working as intended.

**PAULINE SALLA-SMITH:** And Commissioner Walker, this is Pauline, if I can -- Commissioner Salla, I can add one more thing. I think that the jurisdictions have done a great job of creating their service matrix in response to the YLS and our state commitments are of course for our -- our most at risk, highest need, so highest to re-offend. And so I think that between the YLS and our service matrix, right, we were able to really treat the -- the youth, the right youth at the right time at the right place with the right dosage. And so I think that the data supports that also.

**EGAN WALKER:** Thank you very much for that feedback because I'm trying to be a cheerleader today. There's much we can do improve in Nevada and always will be, but I will tell you guys, because I am an outsider as you all know now, I'm connected to the adult criminal justice system and you all are my supplier unfortunately or fortunately is the case maybe, but I see much -- much very good news in -- in this reporting. That's what I see, and I just want you all to hear it for whatever my opinion maybe worth to you. I'm really impressed.

**JOEY HASTINGS:** Excellent, agree. Any other questions or comments from the commissioners? Okay, moving on to Ms. Bittleston?

**LESLIE BITTLESTON:** Yes, the first report that I'm going to go over is the out of the state placement data. This is out of state placement data is for both Nevada Juvenile Justice and Child Welfare Youth placed out of state for 15 days or greater. There was a total of 134 in state fiscal year '21. There is a breakdown of jurisdiction and type in table number 1. Table number 2 is a breakdown of gender. As you can see, close to 70% are male and just over 30% are female. Moving on to table number 3, the state with the highest number of placements is Utah with 92 and then table number 4 is a breakdown of facility in the different states that we are sending youth. I do want to say quickly that we're still trying to iron out the best way to collect this data, so we have the most accurate data. Some jurisdictions are reporting this data directly to the Legislative Counsel Bureau and some are reporting to the -- the Department of Health and Human Services data team. So, we do need to tighten up this data collection, but this is the best information that I have available today on out of state placements. I could take questions on that.

**ROSS ARMSTRONG:** This is Commissioner Armstrong. I would just that we develop a public-facing dashboard for out of state placements and so if you go to the DCFS website and click on the data tab under dashboard, there's a report for out of state youth. So, we won't need to use these charts again because there's a -- a publicly facing dashboard that will be updated monthly. And you can dive in and click on a specific agency and see exactly how many youths they sent and where they sent.

**LESLIE BITTLESTON:** Perfect. Okay, moving on, if there's no more questions, moving on to the next data update which is the community corrections partnership block grant. I think this update will make Judge Walker happy with the right services to the right kids. Community corrections partnership block grant state fiscal year '21 data, we served, or the county served the total of 1,044 youth. There is some demographics data on chart number 1 and 2. Chart number 3, and for those of you following along, this is attachment 8.C, chart number 3 is how those funds were spent, the types of services. The majority were spent on outpatient counseling and group homes. Moving on to page number 3, this is an assessment if -- based on an AB472 requirement which was the usage of community corrections partnership block grant funds on evidence-based programs and services. And based on the information that I had, I was able to determine that 57.33% of the funds were in fact used -- used on evidence-based programs and services. And 42.67 I am pending additional information. So, over the next few months I will be doing some additional reviews of these programs just to make sure that they do meet those requirements. It will be a -- like a desk got it just to determine that the remaining 42.67 does meet those -- those -- the evidence-based programs. Moving on to chart number 5, we got a breakdown of charges, the types of charges that the youth, the 100 -- 1,044 youth charges. But I do want to add quickly that what I have seen is you will notice under the summary information, the 1, 2, 3, 4, 5th bullet down says average risk and needs score is

14.6 moderate to re-offend. What we are seeing is that the counties, the local jurisdictions are providing the services to the lower risk folks that it looks like the YLS is working as intended and the services and funding from this block grant is going to serve those moderate risk kids. And I can take questions on this report.

**LIZ FLORES:** This is Commissioner Flores for the record. Thank you, Leslie. I do have a question about the breakdown of charges, and everybody please educate me. This -- so the breakdown of charges includes sexual assault and open and gross lewdness and I think you made the comment that you also overlay this with the YLS scores. Is that correct?

**LESLIE BITTLESTON:** So -- no, not --

**LIZ FLORES:** Okay.

**LESLIE BITTLESTON:** -- not really. What I do is I just take a total number, or I looked at all of the charges and I just break them down in categories. Then, I took an average of the YLS. I did not look at YLS score as compared to a type of charge.

**LIZ FLORES:** Okay.

**LESLIE BITTLESTON:** So, it's just an average of the 1,044-youth served.

**LIZ FLORES:** Okay. The only reason I -- I asked because I -- I know through our training that the YLS is not a predictor of future sexual, you know, delinquent or criminal activity. So, I just wasn't sure if that should be something that should be considered when you're coming up with an average but is -- that's perhaps just somebody needs to educate me later about that is just a question I have.

**LESLIE BITTLESTON:** Yeah, I -- I have not been able to do a deeper dive into this data to really look at YLS score versus a type of charge.

**LIZ FLORES:** Okay.

**LESLIE BITTLESTON:** This is just very high-level data that I'm able to provide.

**LIZ FLORES:** Thank you.

**LESLIE BITTLESTON:** Sure.

**JOEY HASTINGS:** Are there any other questions for Ms. Bittleston? Okay. And then, Ms. Bittleston, are you finished?

**LESLIE BITTLESTON:** Yes, Madam Chair.

**JOEY HASTINGS:** Okay, thank you. I now call in Kayla Landes please.

**KAYLA LANDES:** Hi this is Kayla Landes for the record. If you want to pull up attachment 8.D, the first one is for the county detention I did through May 2020 through July 2021 for room confinement. I also included each facility average monthly population to show. So, you will see the top graph will give you the total number of youths for each facility each month. And then it gets broken down by the total number of youths again and then the average number of youths in the -- in confinement and then it will breakdown even more into each facility. So if you have any questions on that?

**JOEY HASTINGS:** I'm not seeing any.

**KAYLA LANDES:** Okay. Then, we'll go to the next one which is also attachment 8.D; however, this one is for the state facilities and it's the -- it's in the same format where you will see the average monthly population for each facility. The top graph will show you the total number of incidents each month and then it is broken down again for total number of youths in confinement, then the average number of youth and then each facility broken down. And I can answer any questions on that as well.

**JOEY HASTINGS:** Judge Walker?

**EGAN WALKER:** Just a comment, again looking from 100,000 feet, you all may recall we insisted on this reporting through the state because there was some controversy over room confinement and how room confinement was, in my words, no one else's arguably out of control. I note that room confinement for example, total -- total confinement incidents in Clark County for the period, given Clark County's detention, 25 incidents in July is relatively small in number. If you look likewise at Jan Evans, while there are peaks and valleys, there are 14 incidents of room confinement for -- proportionally a much smaller population. But it appears to me that room confinement is being utilized judiciously is only the reflection I would give. I don't know if the administrators or the facility administrators feel the same way about it. Pauline, for example, you have much more depth of experience than I do but it looks like the trends to me are that we have room confinement better at hand or better utilized. That's what it looks like to me. Is that what you're seeing?

**PAULINE SALLA-SMITH:** I would -- this is Commissioner Salla for the record. I would completely agree with that. We reviewed this data every month in our SAG Committee and -- and I would agree with that statement and we're going to have those peaks and valleys, that's [inaudible].

**EGAN WALKER:** Yeah, but look at Clark County, I mean as I said 25 incidents given their daily population is a very -- that's a remarkable number --

**PAULINE SALLA-SMITH:** That's a very small --.

**EGAN WALKER:** -- Mr. Whelihan.

**PAULINE SALLA-SMITH:** That's a very small number.

**MICHAEL WHELIHAN:** Yeah.

**EGAN WALKER:** Mr. Whelihan?

**MICHAEL WHELIHAN:** So, recently within the last month, we changed or added to or we call it our case plan. So, in our institution we've take away room confinement to more severe incidents and for shorter periods of time. So where kids used to be allowed to be in the room for four hours for like a simple fight, it's like 30 minutes and an hour now, more of a cooling out period. So, there will be some room confinement but a lot less, so the duration is going to be a lot less too and they can't use it for, you know. Anything over four hours I think has to be -- be approved by the detention manager now where before it was anything, over a day. So, we -- we've really revamped our entire system to -- to try to get even still better than what we're doing now because we still have improvements to make.

**EGAN WALKER:** But I -- I commend the improvements I see. I'm sorry, go ahead.

**KAYLA LANDES:** No, I'm sorry. I was just going to say, and this is Kayla Landes for the record. I also get reports monthly from the facilities and from the detention centers and they have -- I can tell you that they're hours, like Mr. Whelihan had just said, they may have room confinements, but they definitely gone down in their hours that they keep the kids in the confinement. And I've noticed that across the board but definitely with Clark County they've done a good job.

**EGAN WALKER:** It's great work.

**JOEY HASTINGS:** Thank you. Are there any other questions or comments from the commissioners? Okay, Ms. Landes, so are you finished?

**KAYLA LANDES:** I am done. Thank you.

**JOEY HASTINGS:** Thank you. Okay, now moving along to item number 10, county training request. Ms. Bittleston?

**LESLIE BITTLESTON:** Yes. Thank you, Madam Chair. A couple of months back several of the counties reached out to me and requested a training specific or training from the state to four specific areas. The training was requested to be provided by the state to the directors and to the chiefs of each county. And the four training topics that they requested were the JJOC strategic plan and status, NAC updates and the importance of data collection, presentation and uses. Number 3, programs and outcomes to make educated decisions to determine the validity of programs for families and number 4, evidence-based program requirements. In discussing these four training topics internally, as the Chief the Juvenile Services Programs Office, I believe our office can realistically provide training on topics number 1 and 2 but I'm a little less certain about topics 3 and 4 due to the -- our lack of knowledge or maybe not qualified to provide these trainings. I know I personally do not feel qualified to provide training on educated decisions to determine the validity of programs and families and evidence-based program requirements. At the time, I prepared this agenda I did not know that our funds were released. So knowing that, I believe that I can reach out to our evidence-based resource center and discuss trainings around 3 and 4. So, this is up for discussion for the JJOC to see if this is something that the JJOC wants to be provided.

**JOEY HASTINGS:** Any questions or comments for Ms. Bittleston?

**PAULINE SALLA-SMITH:** This is Commissioner Salla. I had my hand up but let me -- let me take it down, hold on. Can -- I -- I like the training request to come back to the SAG Committee because we're the planning and development committee of the Oversight Commission and we can -- then we can work with our evidence-based resource and Ms. Bittleston to develop the trainings and make sure that -- that we're providing the information that our counties are requesting. I think that the programs and outcomes to make educated decisions to determine the validity of programs for family, if we're using evidence-based programming in our jurisdiction. Some of us already taken care of from the evaluation piece of those evidence-based program, so I just would like to request that this come back to the SAG.

**EGAN WALKER:** So, I move that the training requests which had been made public for discussion listed in topics number 1 through 4 be referred to the SAG Committee for evaluation, recommendation and action. And I know Pauline, you'll -- you'll reach out to Joey and to the council in terms of the contract we have with the council for evidence-based programing. And I agree with you that I think the answers for the training needs can likely be found there through the council. But I move that we return it to SAG for action.

**JOEY HASTINGS:** So Judge Walker, I appreciate that motion but I'm not sure we have a quorum, so -- so I didn't -- I don't -- Ms. Bittleston, I don't know if you're keeping track of people that have left.

**LESLIE BITTLESTON:** No, Madam Chair, I haven't but I can do a quick count 1 --

**EGAN WALKER:** Well -- so let me amend my motion because by my count we don't have a quorum. Thank you for noticing it Joey. I don't think we have to vote on it.

**JOEY HASTINGS:** I don't either.

**EGAN WALKER:** I think -- I think you and I as the Chairs can say, we'll just return it to the SAG for evaluation, recommendation, and action and then SAG can come back to the Commission as a whole for how to answer the needs.

**JOEY HASTINGS:** I agree with you as for the process Judge Walker.

**EGAN WALKER:** Will that work, Pauline?

**PAULINE SALLA-SMITH:** Yes, that's perfect.

**EGAN WALKER:** Mr. Whelihan, did you want to weigh in?

**MICHAEL WHELIHAN:** Yeah, I'm the one that requested 1 and 2 and I would kind of like to explain why so, you know. Everyone on the phone is amazing and you know they do a great job and we got great ideas on that but I think if we have like a formal training that we can hand down to our staff at the -- at the entry level, we'll get a better buy end and I don't understand the importance of it. So oftentimes when it gets handed down from the director, assistant director or just becomes another tedious task right, when you see it's more of the state level and this is something that we need to do, you know, and/or required to

do that we'll need more buy end and I think a little bit more effectiveness from everyone in our agency, not just the administrators.

**EGAN WALKER:** So, Mr. Whelihan, does referring this to SAG answer your need? What I mean by that is I hear loud and clear, it helps for you to say, look it's not just me, it's not just Jack, it's the JJOC saying that we got to do this. So, taking it to SAG will that answer your need?

**MICHAEL WHELIHAN:** Yes, yeah. Pauline and I and Leslie, we kind of discussed it before, so I think this is a great step to -- this isn't something we're going to do like overnight. So, this is -- I'm not saying we need something like right this moment, but I think it's something that we need to plan for and -- and provide to really take this strategic plan NAC requirements to the next level.

**JOEY HASTINGS:** Excellent points. Thank you all. So, this will be deferred to SAG and we'll hear about it at our next meeting, if not before, okay? Okay, any other comments or questions about that item. Okay, Ms. Bittleston, does that conclude your remarks?

**LESLIE BITTLESTON:** Yes, Madam Chair.

**JOEY HASTINGS:** Okay, so we're now moving on to item number 11. I don't know Commissioner Armstrong; do we have any items that we need to discuss?

**ROSS ARMSTRONG:** You know, I think we hit the main legislative topics in other reports. I would just note for SB366 there is a study in terms of looking at how competency services are provided, and I think we're looking at provider requirements. And so some of the comments we heard I think are in alignment with what we are looking at. Other than that, I think we hit all the major legislative topics the division is working through its implementation plan, a number of them. There is one bill that has the JJOC have to report to the Legislative Counsel Bureau by next summer on how it's doing with its strategic plan and what it needs -- if it needs any legislative changes for the next strategic plan to be successful. So, that would just be a note to the Co-Chairs that we -- we probably need to fire up that Strategic Planning Committee that we had as kind of ad hoc and may now have an assignment. So, that's all I have for number 11.

**JOEY HASTINGS:** Thank you. Are there any commissioners that have any items for item 11 or issues? Okay, we're in a homestretch folks. So, moving on then to item 12, we have a couple of agenda items that had been suggested for future -- for our next meeting. And one of those was from Commissioner Wickes related to her committee and adding additional members. Commissioner Armstrong just referenced to starting up the Strategic Planning Committee again, so we can prepare for that report. Are there any other items anyone, any of the commissioners would like to recommend for future agenda? Judge Walker?

**EGAN WALKER:** I'd like to propose a -- I guess I'll call it crosswalk or a crosscheck of our strategic plan with the CSAC and Children's Commission Strategic Plan. I know Ross sits on both of those committees and I sort of relied upon and deferred to Ross to make sure that we're in sync, but I know -- I think Joey you can share that you had a conversation with Justice Hardesty who was concerned about the three commissions working in sync. I don't mean to speak for you or for him but --



**JOEY HASTINGS:** We had a conversation about the Children's Commission and JJOC and better aligning those efforts. The CSAC commentary came up after, so I did not speak to Justice Hardesty specifically about that, but I think this is a great idea.

**EGAN WALKER:** All right.

**JOEY HASTINGS:** Okay, so add that. Any other topics?

**LESLIE BITTLESTON:** Madame Chair, this is Leslie for the record, just a question. Do you two or talking about the Strategic Planning Committee, that committee is currently without a chair as Mr. Cervantes has left. So, I don't know if you want to discuss a chair today or wait until December to identify a chair for that committee.

**JOEY HASTINGS:** Thank you, Ms. Bittleston. I thought when Miss -- Commissioner Flores was added, she just took on all of Frank's work. I'm just joking, just joking. Yes, we maybe -- Judge Walker if it's okay, we can -- maybe if anyone here wants to volunteer, you can e-mail Judge Walker and I or Judge Walker and I can talk offline and identify a chair, unless there's someone who wants to volunteer today.

**LIZ FLORES:** This is Commissioner Flores for the record. I think I was -- well, I'm told at the last meeting when I was offline but I am more than happy to take that on, provided perhaps Ms. Bittleston, if you could or somebody else has identified could orient me a little bit as to -- as to where we are. I have reviewed all the materials. It will be nice to have a conversation with somebody.

**JOEY HASTINGS:** Thank you, Commissioner Flores. I was really joking but I appreciate you volunteering to at least explore the opportunity. And Judge Walker and I also I think we'd be happy to meet with you too and let you know how we can support you in that role too.

**EGAN WALKER:** And we can give your insight, Liz, into the strategic planning that Joey and I and Ross did with the strategic planning independent contractors who were hired. That process was very useful and helpful, and we could rebuild it to some degree, and it was me who [inaudible] and told you. I'm sorry. Thank you for volunteering.

**LIZ FLORES:** I appreciate the apology. This is Commissioner Flores for the record.

**JOEY HASTINGS:** Well, thank you that's -- that's really wonderful. Okay, so not seeing any other hands of any other ideas, we'll move on to scheduling our next meeting. And by my calendar, we keep the same schedule, the next meeting would be December 10th at 1:00 p.m. Does that work for the commissioners, December 10th at 1:00 p.m? Raise your hands.

**ALL:** Aye

**LIZ FLORES:** This is Commissioner Flores. I'm out of town but I will -- I will patch in from wherever I am.

**JOEY HASTINGS:** Thank you Commissioner Flores. Okay, well let's go ahead and just put that on the books for now. And you know we're -- it seems like as a country and as a community we're taking it day by day, so if anything comes up, we will communicate via e-mail but for right now please hold, December 10th at 1:00 p.m. to reconvene JJOC.

**EGAN WALKER:** Any public comment before we close the meeting? I hear and see none, Madam Chair.

**JOEY HASTINGS:** Thank you, Judge Walker. So, I'll take that motion to adjourn?

**EGAN WALKER:** Move to adjourn.

**JOEY HASTINGS:** Second?

**UNIDENTIFIED:** Oh yeah.

**JOEY HASTINGS:** Any discussion? All approved? All right and we -- and no objections I assumed. Okay, folks, thanks again for your time. Have a great weekend, stay safe. Bye.

**UNIDENTIFIED:** Thanks everyone.

**UNIDENTIFIED:** Thank you.