

DEPARTMENT OF
HEALTH AND HUMAN SERVICES

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

Nevada State Juvenile Justice Oversight Commission
STRATEGIC PLANNING COMMITTEE MEETING
March 2, 2023 @ 2:00 p.m.

Transcript

Called to order at

Roll Call:

(Voting Members)

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

Absent: Egan Walker

(Non-Voting Members)

Present: Mike Whelihan

(Staff Members)

Present: Leslie Bittleston, Kayla Williamson

Absent: Sharon Anderson

Elizabeth Florez: Thank you. With that, we'll get started. Moving on to agenda item #3, public comment and discussion. I don't believe we have any. So with that, we'll move on to item #4. For possible action review and approve the minutes of the January 30, 2023 meeting. It was attachment #4. If everybody's had an opportunity to review, we can entertain a motion.

Brigid Duffy: This is Brigid. I will move to approve.

Elizabeth Florez: I'll move to second the approval of the minutes. And all those in favor, please say aye.

Group: Aye.

Elizabeth Florez: Any opposed?

Jennifer Fraser: No.

Elizabeth Florez: With that, the motion carries for the approval of the January 30, 2023 minutes. The next agenda item is #5, update of the 2021 legislative items. And I'll turn it over to you, Leslie.

Leslie Bittleston: Sure. Just wanted to update you on the status of the report for SB 356, which was the study of the youthful offenders, housing for youthful offenders. So as you know, we do have a vendor doing that reports, and the vendor -- not last week, the week before -- went and visited some of you. Their initial thought was that some of you would be appropriate for the kids at Lovelock. However, after doing a site visit, it does not seem that that is the best placement for those Lovelock kids. So they're going

to go back to the drawing board on what to do with the Lovelock kids. The second piece of this study has to do with housing those youth 18 to 24. And we -- and I will be joining the vendor on the 16th to visit Warm Springs, which is a prison up here in Carson City. Warm Springs closed its doors on December 31 of last year and moved all of the male prisoners to other locations. Warm Springs can house about 530 individuals, which is the perfect size for the male population that is currently between 18 and 24 and will be released before their 25th birthday. So that would be part of the caveat of eligibility for this group. They have to have a release date before their 25th birthday. So we will be visiting Warm Springs next week -- week after next. Excuse me. On the 16th. My understanding right now is that Warm Springs does need some updates and upgrades in order to reopen. I believe there's some plumbing problems and some things like that. So we will find that out when we visit the site on the 16th. But that is progressing. The vendor is very engaged. I'm meeting with them every other week. And then my next question to this group is - and maybe it's more of a NAJA question, Madame Chair. This vendor is interested in hearing from those of you who have information to share and they have asked me if I can just include whoever on a couple of their upcoming meetings. So Madame Chair, I will ask you if you want to get back to me on who to include. You know, I don't think they want 10 people. I think they're just really looking for a couple -- you know, three or four. So that's where we're at.

Elizabeth Florez: Thank you. Related to that, when I was reviewing the prior minutes, I was reminded that we had this conversation and talked about including other folks. We do have a NAJA meeting next week, but I know for purposes of like past legislative sessions, typically there's a representative from the South, one from Washoe and then one to represent other rural. So I'm wondering if that would be a good way to approach it.

Leslie Bittleston: I think so. Yeah.

Elizabeth Florez: When would you need that information?

Leslie Bittleston: Probably -- I would assume that these individuals would join one of the April meetings. So, because the March meetings are really focused on visiting the facilities and trying to identify the best for that. So our April meetings are -- let me see, we have one on the 6th and we have one on the 20th, so it would be one of those two meetings.

Elizabeth Florez: And where are those held?

Leslie Bittleston: They're Microsoft Teams.

Elizabeth Florez: Oh, okay. So what I recommend -- I mean, I don't think this requires a vote, but as the President of NAJA, what I can do is communicate with the chief separately and on your behalf let them know that there's an opportunity to participate in these meetings but that we need to keep it a small group. And then I can report back to you who we recommend to participate and go from there?

Leslie Bittleston: Sure. That sounds great. But as I said at the last meeting, this is supposed to be done by June 30th. So I think with some of you not being what they thought it would be when they visited the site, they are now concerned if they're going to be done by June 30. You know, if they can't find another appropriate site. Another thing that has happened is Joel --- he's the CEO of, and I can't think of the name of the vendor right now.

Elizabeth Florez: Is it Pinnacle?

Leslie Bittleston: Yes. It's Pinnacle. Yes. Joel has made contact with somebody at NDOC so they are also having some discussions amongst themselves. Because NDOC is aware that we are doing this study and

they are fully supportive of this and that's what Joel relayed to me during our last meeting. So anyway, I think that it's all good. We're making progress and so I can report at the next meeting what we see at Warm Springs.

Elizabeth Florez: So for clarification, the Summit View was looked at specifically for the under 18s who were currently housed --

Leslie Bittleston: Correct.

Elizabeth Florez: -- at Lovelock. Does that -- I don't know, what is that typically, like 10 to 15 --

Leslie Bittleston: No more than 20. I think right now it's 16.

Elizabeth Florez: Okay. So that population, some of you - they have found it's not, it's not a great fit and that's why they're looking at Warm Springs.

Leslie Bittleston: Well, no. So there's two populations, the under 18s and then the 18 to 24.

Elizabeth Florez: So Warm Springs is for that older population.

Leslie Bittleston: Yes. They have to go back to the drawing board on what to do with the under 18s.

Elizabeth Florez: I see. Okay. Then I think, yeah, it is - that makes it even more critical to speak to the probation chiefs because I know in the past, juvenile detention centers were contemplated as part of that fix and there will be definitely conversation from anybody who has detention centers about their -- they would want to weigh in on that.

Leslie Bittleston: You know, and I think one of the biggest conversations that I've had - and I don't know how to reconcile this - is the separating the two groups from each other. You know, how to separate the kids at Summit View, you know, the kids on juvenile charges versus the kids that are on adult charges. I think that was what was most problematic. And I don't know if we have to separate them and I'm not a lawyer, so I - that's a piece that I asked them about and so I think they're still going to do some looking into that because I don't know if we have to separate them because they're all under 18.

Elizabeth Florez: Yeah. So - and Pauline Salla is an expert on this, but my understanding is that jurisdictionally, according to OJJDP they can all be housed together because of their chronological age.

Leslie Bittleston: That's what I thought too and that's kind of what I said.

Elizabeth Florez: But-- yeah. We'll let other people [interposing] I don't want to confuse it. Are there any questions or comments related to this item from anybody?

Unknown Speaker: I just have a, I guess it's a, I know there's, I think I - last I heard it was like 15 kids at Lovelock. So why is it not contemplated that they couldn't create a space in the Warm Springs unit for them since they're going to be becoming that 18 to 24 population? Like why going to keep them at Lovelock where there'll going to be a bunch of people that are there for long terms over the age of -- if you're there for, if you're 18 to 24, and you're going to be there past 25, you're there for a very long sentence.

Leslie Bittleston: Yeah. It was really the vendor putting some parameters around who would be eligible because right now there's more than 550 kids, males, that fit that, and so Warm Springs is not big enough.

So in order to make it fit, the vendor was saying, well, we can put some parameters around this and maybe some of the Lovelock kids would fit if they were released or have a release date before 25 and maybe some won't. I don't know. But that was one of the things they were looking at is kind of classifying this is the population that would fit, this is the population that wouldn't.

Brigid Duffy: It just seems to me -- this is Brigid for the record -- that if the purpose of taking 18 to 24-year-olds and putting them in a separate facility is to make sure that they're infused with appropriate services so that when they get out before 25, they're not just career criminals, that we're actually using -- then the sense would be to take that 15 kids that are going to be turning 18. I don't think many of them have sentences that are longer than 10 years, so if any [inaudible] And creating a little pod at Warm Springs for them so that they can use the same services instead of building services in another facility and then transferring them to Warm Springs.

Leslie Bittleston: Hmm. Yeah. Well, that's a good plan. I can mention that while in there. And maybe they're already thinking that. I don't know.

Brigid Duffy: Well, make sure you pipe up, Leslie. Tell them that's what we want. Carve out 15 beds.

Elizabeth Florez: So - this is Liz for the record. So the April 6 and the April 20 meetings -- you said you meet pretty frequently with them.

Leslie Bittleston: Every 2 weeks.

Elizabeth Florez: Every 2 weeks. So to date, there have not been county representatives at any of these meetings.

Leslie Bittleston: No.

Elizabeth Florez: Okay. To Brigid's point, I think it is important that we support you because you're not the holder of all juvenile justice information. There's a lot of advantage points and experiences and I'm unfamiliar with Pinnacle. I don't know what their understanding is of juvenile justice and Nevada law and OJJDP regulations. Maybe that's what they bring to the table. I don't know. But I appreciate that we're being invited.

Leslie Bittleston: Yes. And my understanding - their background is in corrections, so they have - and I don't know if it's so much adult or it's just corrections. So they understand how to staff and work in correctional facilities. So that's what their background is. I don't know if it's so much juvenile or adult.

Elizabeth Florez: And that's actually a really important -- we need to know the answer to that question because corrections, to me, implies adult versus juvenile, and so I think we need to get ahead of any potential discrepancies or misunderstandings.

Leslie Bittleston: For lots of things.

Elizabeth Florez: Yeah.

Leslie Bittleston: But anyway, I will -- they are in Las Vegas, so I will be meeting them in person for the Warm Springs visit. So -- and I already got my marching orders from Brigid about the 15 kids at Lovelock.

Elizabeth Florez: So that Warm Springs visit - potentially we could - if we come up with that small group, we could be included in that?

Leslie Bittleston: I don't see why not. I mean, I guess it just -- and this is where I get really confused is back to the separating of the kids. Do you need to separate -- you would need to separate under 18 and over 18. But I don't understand why they're talking about separating kids under 18.

Elizabeth Florez: You don't.

Leslie Bittleston: Yeah. That's why I'm getting really confused.

Elizabeth Florez: In California, they -- there are other scenarios that I'm aware of where they mix those populations to some extent, but - this is why you're bringing it to us, right?

Leslie Bittleston: Yeah.

Elizabeth Florez: We'll talk about that.

Leslie Bittleston: Hey, Mike just joined us. Hi Mike.

Mike Whelihan: Hello.

Leslie Bittleston: We're just talking about the vendor that's doing the work, studying the best options for the youthful offenders. They visited Summit View a couple of weeks ago. And then I will be joining them to visit Warm Springs, which is up here in Carson City, on the 16th. So we're just talking about that.

Mike Whelihan: So what is the age limit for a youthful offender?

Leslie Bittleston: Right now it is 18 to 24.

Mike Whelihan: And so we're going to put all the people from 18 to 24 in Summit View?

Leslie Bittleston: No, no, no, no, no. There's two different populations. There's the Lovelock kids, which are under 18, and there's about 15 of those.

Mike Whelihan: Right.

Leslie Bittleston: That's what they were thinking about putting at Summit View. They -- when they visited the facility a couple of weeks ago, they were not impressed with how the facility is laid out for those Lovelock kids. So they need to kind of go back to the drawing board with that. The 18 to 24, the size of that population is roughly the size of Warm Springs here in Carson City, which recently shut their doors. So we're going to go visit that facility. And Brigid brought up why couldn't we put a little pod at Warm Springs for those Lovelock kids. So it's just a work in progress is where we're at.

Elizabeth Florez: Mike, Leslie, will you be -- this is Liz for the record. Will you be at NAJA next week?

Mike Whelihan: I will not. Yeah, I have the dual-custody stuff we're doing.

Elizabeth Florez: Okay. And Leslie, will you be at NAJA next week? So Mike, I'll catch you up where we are, but we're going to put together a group of county representatives to participate in the meetings with Pinnacle going forward. And so I'm going to be reaching out to counties.

Mike Whelihan: So what about the 20 kids sitting in CCDC right now? What do we do with those?

Leslie Bittleston: Oh see that [inaudible].

Brigid Duffy: This is Brigid. They haven't been sentenced yet, so they're staying at CCDC.

Mike Whelihan: Okay. Is the law passed already?

Unidentified: What law?

Mike Whelihan: The one for the people vote for the ones in prison already. Like is there going to be a bill passed to move them to Summit View or the place up in Carson City?

Brigid Duffy: This is Brigid. No. I think they're just looking to figure out the -- well, part of this is SB 356.

Mike Whelihan: From last session?

Brigid Duffy: From last session. Yeah. So yeah. That's what this is with the vendor now.

Mike Whelihan: So my question on - because the numbers that I had - what they had were different when it came to the 18 to 24-year-olds.

Leslie Bittleston: What do you mean? The --

Mike Whelihan: What number are they saying --- so you're saying that -- how many beds is that facility up north?

Leslie Bittleston: 550. And we're talking specifically about the 18 to 24-year-old already -

Mike Whelihan: And there's --

Leslie Bittleston: -- convicted that are --

Mike Whelihan: In prison.

Leslie Bittleston: In prison.

Mike Whelihan: Right. But what are we going to do with the 18 to 24-year-old waiting to go to prison?

Leslie Bittleston: I think they're staying in jail.

Mike Whelihan: In jail. And then --

Leslie Bittleston: Yeah.

Mike Whelihan: -- they're going to create a facility just for 18 to 24-year-olds?

Brigid Duffy: That's the plan. But - this is Brigid for the record. So, I think - so, part of this is only 18 to 24-year-olds that would be released or, I would say, paroled by 25. So, that narrows it down.

Mike Whelihan: Oh. So, the life sentences wouldn't go there.

Brigid Duffy: Correct. 20 years and for some of them, 10 years, an 18-year-old who gets 10 years. But an 18-year-old who gets 5 years could go to this placement on a possibility of parole. So, they'll have to figure it out. The beds will have to open up by attrition.

Mike Whelihan: So, is that going to be run by the state?

Brigid Duffy: Yes, the DOC. And I --

Leslie Bittleston: Yeah. Unknown who at this time. There's discussion about maybe NDOC providing the security piece and DCFS providing the programming. But that's all going to be part of the report.

Elizabeth Florez: That's why, Mike, I feel it's going to be important now for county representatives to participate going forward to ask those questions, make sure all of those things are being contemplated, and that they hear from a county perspective what the issues are. I feel like they need to be informed about the reality of what's happening as they prepare to make a proposal to the legislature by June.

Mike Whelihan: Right. Because one of the things we discussed -- because I think I testified on this bill or - I was in front of some legislative subcommittee on this bill that one of my concerns -- because they were talking about probation running, most kids from 18 to 24. And one of my arguments was that it's hard not to get funding for juveniles as it is, and if we're going to have that responsibility -- and I said to make an intermediate agency. That was my suggestion in that meeting, was not DOC because they don't like NDOC. They hate NDOC, the people. These feels like -- they feel a do a bad job. I'm not trying to -- that's not my opinion on whatever they do. But juvenile probation running is crazy because it's just going to take from the lower-end kids because we're going to put that funding towards the back end of the 18 to 24-year-olds, you know. And a third of all crimes were committed between the ages of up to 24. Third of all crimes is committed by people from, like, 12 to 24, you know. It's like the revenue that's going to come cross over back to that is what my concern would be, you know, to make sure that the appropriate funding comes back. But on the other flipside with that, when you're talking about funding for adults right now, I mean, they were on, like 1 to 80 on a yard. So, the funding for them is, like, almost nothing. And that was my concern with the funding for -- if juvenile probation had to run. I'm, like, for us, like, we're running 1 to 8, 1 to 12 by PRIA standards. So, I don't know where this falls under PRIA, too. I don't know if that's been a conversation with PRIA, if we're going to change our law that they're not considered adults or are they adults and how does that impact the PRIA policies for the state. And if probations do have juvenile probations take them over, we don't have any staff. Would that be -- and the funding would go from diversion to back in because like I said, 1 to 70 ratio versus 1 to 8 and waking hours. They're not going to give you that funding. [Inaudible] -- because they don't even have it to be honest. I wouldn't even blame -- they don't have the funding for that.

Leslie Bittleston: Yeah. And that has been conversations, the staffing. And I have spoken to them about PRIA. So, it doesn't mean we can't speak to them again about it, but I have spoken to them about both of those.

Elizabeth Florez: There wasn't -- this is Liz for the record. And you're reminding me, Mike, that there was another study where NDOC, I think, was supposed to report on all of their expenses related to that youthful population. And I don't know -- I don't think I've ever seen it. I don't know the status of that. But that was due a while ago, and I -- hopefully, that would be considered, too, in this analysis.

Mike Whelihan: Right.

Elizabeth Florez: So, maybe, Leslie, you could follow up on that. I -- the bill is not jumping out at me. There were -- but it came out at the same time that this youthful offender one, SB 356 is this one.

Leslie Bittleston: Oh. Okay.

Elizabeth Florez: But it came out at the same time where NDOC.

Leslie Bittleston: Or was it SB 357 right afterwards?

Elizabeth Florez: That sounds right. That sounds familiar.

Leslie Bittleston: These are back-to-back bill numbers, I think. If it's not 357, it's 358, I -- something. They're right --

Elizabeth Florez: Yeah.

Leslie Bittleston: -- near each other.

Elizabeth Florez: So, thank you, Leslie, for looking into that. I think that'll be important to review.

Leslie Bittleston: Alright. Got it.

Elizabeth Florez: Okay. Is there any further discussion on Item No. 5 regarding SB 356?

Leslie Bittleston: Nobody's crazy. Hi.

Unidentified: Sorry. Just like to say hello. I'm like my senior in high school. Goodbye.

Elizabeth Florez: Okay.

Unidentified: I'm transitioning meetings. I have to be -- have to leave for Carson City at, like, 4:00 -- the airport, 4:00 a.m. tomorrow. I rushed home so I could get stuff done before I have to --

Elizabeth Florez: Oh, gosh.

Unidentified: I know.

Elizabeth Florez: Oh.

Mike Whelihan: You have fun with that.

Elizabeth Florez: Sorry. Okay. Item #6, 2023 legislative session, SB 8. If you could give a report, Leslie, please.

Leslie Bittleston: What's SB 8?

Elizabeth Florez: The request to DCFS by Assembly Judiciary to provide an overview of juvenile justice.

Leslie Bittleston: Oh. Thank you.

Elizabeth Florez: And I know -- this is Lis. I know -- I know Ms. Duffy presented on that day as well.

Leslie Bittleston: So, I was not at the judiciary committee for that presentation. But my understanding was that it was just a -- and Brigid, if you were there, you can fill me in. But what DCFS presented was just an overview of the functions of DCFS that we are the back end of the system. We do the corrections. We do parole, and then we have the oversight role in the program's office which is my office. So my understanding was it was just more of an informational because there are a bunch of new people on that committee. So that's what I know. Brigid, do you have any more on that note? Okay.

Brigid Duffy: No. This is Brigid for the record. It wasn't -- it was really one of those high-level, like -- this is what we do from the DCFS perspective how many beds they have in the facilities, staff, what programs they operate. So like Leslie, there's a bunch of new members to the assembly judiciary. And very few of them are lawyers, and then I did -- my office opted to have the juvenile division carved out from the criminal division for the presentation. So I just did a presentation on what my office does for juvenile delinquency and our -- with the assistance of Mike's team, the numbers -- what, you know -- how many filings we've had and the top ten charges that we've had for the last couple of years, and how the direct file bill from last session has impacted our processes and the numbers that we've had which were more than anticipated. And Mike knows because they're sitting in juvenile detention longer.

Elizabeth Florez: This is Liz for the record. I listened to that hearing, and if there's one -- if there's one comment I could make. In the past, juvenile justice administrators have been invited. And this time, we weren't. And ultimately, at the end, there were a lot of specific questions for data that can only come from probation departments. And so it left -- I observed Brigid and our DA -- our deputy DA trying to feel some of that and reflecting that that data has to come from juvenile justice. So, I'm just making that note for the record. But now, I'm helping our deputy DA gather that information, and she'll have to send it through. But that's just a comment.

Brigid Duffy: Right. And this is Brigid again. The information was around girls, specifically. And I made the statement that would have to come from the JJ partners. And I sent an email. Mike, I'm sure you may have heard about it. I sent an email to Jack and Joanne and Jacob, the county lobbyist, saying this is the request. And I don't know what -- if they've sent it up to the chair and the committee yet. But -- and then there was a request to know how many of these issues are gang-related. And I'm, like, I couldn't tell you that.

Mike Whelihan: With the girls?

Brigid Duffy: No. Just overall --

Mike Whelihan: [Interposing] would be, like, not a lot.

Brigid Duffy: -- overall [interposing]. We talked a lot about gun crime --

Mike Whelihan: Okay.

Brigid Duffy: -- talked a lot about our gun filings being way, way up. Seems like every kid's got a gun -- talked about let's -- a lot of that we got rid of the small stuff and diverted a lot of stuff. But now, we see a lot more guns that we've seen before. So, they want to know about gangs. And I was, like, yeah, I couldn't tell you.

Mike Whelihan: I mean, it's changed a lot when you look at gangs. I mean, the more cliques now that -- gang, you know.

Elizabeth Florez: Right.

Mike Whelihan: Unlike the LA Compton, you know, Chicago that have been around for 200 years shooting each other because of the color of their clothes, you know.

Elizabeth Florez: Okay. Is there any further discussion on Item #6? If not, we'll move on to Item #7 for discussion, bill drop review for the 2025 legislative consideration. I -- again, this is Liz for the record [interposing]. I noticed that Leslie, you sent us an updated --

Leslie Bittleston: Yes.

Elizabeth Florez: -- version from the last one you gave us.

Leslie Bittleston: Yes.

Elizabeth Florez: So, if you want to walk us through that, please.

Leslie Bittleston: Sure. So, one of the things that I've been really embedded in over the last couple years is interest in NAC. And sometimes, you find things that don't make sense or don't jive with other things. So, the first one, number one, the review of NRS related to -- do I hear something? We're good? Okay. Review of NRS related to the Juvenile Justice Oversight Commission membership. The reason that this is on here is because it's -- those of us -- we've all been around several years now. And we know that the JJOC came out of AB 472. It was really to oversee the implementation of all of these reforms on everything that was happening. What also happened is the JJOC was also made the stand advisory group for the Federal Juvenile Delinquency Prevention Act. Prior to the Juvenile Justice Oversight Commission, we had a Juvenile Justice Commission which was specifically in place per the federal requirement of the Juvenile Justice Delinquency Prevention Act. When the Juvenile Justice Oversight Commission was created, my first question is, well, this is very similar to this other group that's already in place. So the governor disbanded that group and made the Juvenile Justice Oversight Commission be function on both. The problem is that the NRS language of membership of the JJOC does not match the federal membership of what's required to be on the state advisory group federally. So, I laid out in code number one what is in our NRS. And number two, I put proposed. But that's for, like, what the federal requirements are. And I'm not sure what to do with this. And the reason that I have a little green thing -- green highlight there is under Governor Sisolak, the recommendation was to really merge the JJOC and the Children's Commission. Now, that -- and we were supposed to see a bill draft, a BDR, for that. As we know, there's a new administration, and I have not seen a bill draft on this. And I've asked the new governor's board's office. I don't know what's going on. We're down to about six JJOC members. That's it. Because the board's office has not appointed anymore in more than 18 months. So I'm a little confused on what to do here. What I recommend is we do need to make it a little more federally friendly. So I don't know if that's something you want to talk about now or put it on hold. So -- but that's what that is.

Elizabeth Florez: This is Liz for the record. Thank you, Leslie. And again, when I recalled our meeting from last time, we talked about generally, that work like this might better be suited for a larger body because there's so many legal implications for Nevada to get into 100 percent compliance with OJJDP that it's going -- and also, in recognition that there's -- what we had learned last meeting was that there would be a bill forthcoming, I think, sponsored by Senator Ohrenschall -- no, no. I found it in the minutes. I apologize. I think Brigid had mentioned it was -- oh, Hagar, I believe it was. Yeager was going to be bringing forward the bill related to the sunset of the JJOC and -- but maybe I'm -- maybe I misread that or -- or don't recall.

Brigid Duffy: No, that's true. This is Brigid for --

Elizabeth Florez: Okay.

Brigid Duffy: -- the record. So, Speaker Yeager is supposed to be bringing the bill on behalf of the Children's Commission to sunset some of these and sunrise them under the Children's Commission. I checked in with the supreme court lobbyist earlier this week. And there's still no update on that bill dropping yet.

Leslie Bittleston: But there is a bill. Is it -- does it have a number?

Brigid Duffy: I -- not that I know of. The BDR? I don't know it.

Leslie Bittleston: Yeah, the BDR. So, okay. But there -- the -- and just to clarify, they are still planning on dropping that bill.

Brigid Duffy: The last I heard -- because they asked me for my language that the Bailey Bortolin, who is with the governor's office, and I drafted. They asked us for our language. And so that's the last I heard. And then I checked to see where we were with it. And John's going to -- John McCormick's going to follow up.

Mike Whelihan: So I guess that answers that question. Let's put it on hold until the next [interposing].

Leslie Bittleston: It's on hold.

Brigid Duffy: Yes.

Leslie Bittleston: It's on hold. Okay.

Brigid Duffy: Yes.

Elizabeth Florez: So there's no further -- if there are no further comments on Item #7, which we will place on hold until we --

Leslie Bittleston: No, no, no. There's more to the document. That was just number one.

Elizabeth Florez: Oh. I'm sorry, Leslie. Proceed.

Leslie Bittleston: I got to keep you wine. No. So moving onto number two, this is my baby with Brigid, all about data. So -- and Brigid, we haven't been able to have a meeting because we don't have any folks to be on your group anymore unless this is it. Anyway, number two, so scroll down to -- oh, I'm sorry. I didn't do page numbers on this. So what we have in column number -- the left column, not the NRS column -- well, the two left columns are current NRS sections which requires data and reports from DCFS. One of them, the very top one, is on or before January 31 of each year. And that is NRS 62 Age 225.2. There is also an NRS section, NRS 62B64 which requires a report on or before July 1. And so, it's really trying to -- can we make one date. Can we make this uniform because it's really the same stuff. So that's number one. The second one moving to NRS 62 Age 200. That is when we were talking about the standardize system of reporting and collection. And that's really the next two. Oh, I think I have it there twice. Oh, I have it there twice. That was a mistake. Anyway, as we know, there is no standardize system for reporting and collecting data. So I don't know if this needs to be in there. I don't know. That's -- so that's why it's a request review. The third one which is NRS 62H2001B, be responsible for the retrieval

and analysis of -- again, this puts this on DCFS without the ability to pull data themselves. And then so, this whole second, number two, which is a couple pages long, it's really looking at what's required for data and who's supposed to pull the data. And it's not good to have stuff and interest that we can't do. So, that's one section that I think maybe we could start tackling as a group. And then moving on to number three. This is request review of language and tracking recidivism. So -- and that I'm talking about specifically in this section, I just giving you a very high-level overview, is recidivism requires specific measure and youths-specific information. It takes comparing one youth in one year to the same youth the next year. And there's been some conversations around data sharing, around confidentiality, around the sealing of records. Do we include these kids? Do we not include them? So that's all in -- within Section number three is really looking at, for data purposes, what are we going to gather for recidivism. And so that's what section number three is. Does anybody have any questions so far? Okay. And then moving on, section number four, review of NRS for authority. This is a couple of different things. The first one is outlines that the members of the commission will do an annual quality assurance review. But it's always been DCFS. So, the members of the commission are not doing that. The second thing is changing that quality assurance review to every three years rather than every one year. As a CPC assessor myself, it is quite burdensome to do that work. The reports are obnoxious. And when it's an extra duty is assigned, it is really a burden on those of us that aren't CPC assessors. It's also a burden on the facility. So, I think every three years would be okay because that's in line with PRIA audits. PRIA audits every three years. And so, there's that. The second thing that I find problematic, and this came up in a public hearing, 62B607.1. This was the NRS that was codified from SB 108 2021, the Implicit Bias and Cultural Competency training requirements. It went into NRS 62B that any -- that includes public defenders, prosecuting attorneys, peace officers. All these folks are trained in DCFS to write regulations for this. DCFS does not have the authority to ensure that peace officers and public defenders and all these people are trained. So why is that NRS? That's that big reason -- or big question. Because what happened when we went to public hearing with what we presented as our regulations, the advocates wanted teeth in there. They wanted us -- and we couldn't put any teeth in there because we don't have any jurisdiction. We don't even have jurisdiction over county juvenile probation departments. So, that's in there to really look at the authority piece. The next one in there is if you remember from AB 472, there was this push of evidence-based programs. One of the things that was put into NRS was DCFS should review providers to ensure they're using evidence-based programs. We don't have the capacity, the resources or the tools to do that. So we're really looking at this bigger authority piece in section four. In section five, this is miscellaneous information requesting to put some information in there around compliance with OJJDP. Liz and I have talked about that several times. Another thing in here is there's conflicting NRS around a minor and consumption of alcohol and one NRS just says it's a delinquent offense. In another NRS, it says it's a status offense. So, what is it, you know? So it's really -- so there's that. And then moving onto to number six, this is really big things to consider. The term, custody -- and we have Brigid on the line. So, maybe, she can shed some light on it. But custody means two different things for JJ and for child welfare. And when you are cross-mingling a kid, there is a lot of back and forth and butting of heads on who does what. So it's really, I think -- would behoove us as a state to really look at the finding in these custodies and what does it mean to have a custody of a kid in JJ and what does it mean to have a custody under child welfare. Because JJ doesn't have the same authority as child welfare. So, that bigger thing.

Mike Whelihan: So, Leslie, just so you know -- so our counties been involved in bringing in RFK for about ten months now. And we're not calling it custody. More, we call it duly involved. So it cleans up a lot of this right here. So once we're done establishing what we're going to do, I'm going to reach out to the state --

Leslie Bittleston: Okay.

Mike Whelihan: -- provide them with what we've been working on and then see if you guys want to participate or not. But I think it'll help with a lot of this because it's not going to be due custody. It'll be duly involved. So you don't have to --

Leslie Bittleston: Duly involved.

Mike Whelihan: -- worry about who's got what and, you know, it's more duly involved. And then when they're not duly involved, then they're no longer dule. Right? So I think sometimes, they like to hold onto kids, you know. Once they're done with JJ or with DFS or DCFS, then they wouldn't be dule anymore. We get that --

Leslie Bittleston: Yeah.

Mike Whelihan: -- whatever system has them, that's the s system they're involved in. But not [interposing].

Leslie Bittleston: But I think they're -- yeah. I think there's a second piece to that also, Mike. And that's the ones where the kids are in JJ custody, and we make a referral to child welfare for whatever reason. And child welfare is very hesitant to take on the referral because they think JJ can take care of all that stuff. Because in their mind, JJ has "custody." So they should be doing diligent searches. They should be doing this. They should be doing that. So I --

Mike Whelihan: So a referral alone wouldn't be enough to be consider duly-involved youth because they could close the referral. Right? So it's got to be one that's either they're currently on a case load or there's -- I don't know how to word how DEFS or --DCFS does their stuff. But - and we're [00:46:58] up, like, just being referred to the system wouldn't be duly involved. Now, once they get the pass, will they investigate it that point? Then they could be duly involved unless DCFS or DFS closes the case. So if they close the case on their end -- so it still wouldn't be duly involved. So it just -- it has to be -- I don't know what the term for DCFS would be when they find a kid that needs your services. Right? Then at that point, they'd be duly involved.

Brigid Duffy: Yeah. This is Brigid. So what -- we went through this a little bit in Clark on some kids that were, like, saying Spring Mountain Youth Camp, the county facility. And I think what you're describing is kid is ready for release, and parents are MIA or unavailable to pick them up.

Leslie Bittleston: Yeah.

Brigid Duffy: And so what was happening in the past several years ago, and I hoping it's not happening anymore, is Clark JJ would call a report into Clark DFS and say, we have a child at Spring Mountain Youth Camp who's going to be ready for discharge, and we don't have a home to discharge them in. Initially, Clark DFS was saying they don't meet our safety practice because they are safe.

Leslie Bittleston: Correct. That is still --

Brigid Duffy: Okay.

Leslie Bittleston: -- still happening.

Brigid Duffy: Alright. So for Clark DFS, way back when Paula Hammock was in charge, we were, like, okay. We can't -- that's not how this works. We're not going to have them discharge to Child Haven if we can -- if we know that we can make changes now and start that process. So that's kind of where we

settled it with Clark that if a kid was ready for discharge or soon to be ready for discharge and there was no parent, then they would work together. It should still be happening in my opinion on Clark. I don't know why that ever would have changed. So, I don't know if that's -- if it's a Clark issue or not coming out of -- I think I see the issues more of they're already duly involved. And now, they're ready for discharge and who's job is it to find that placement on discharge.

Mike Whelihan: Right.

Brigid Duffy: That's where I see the arguments now more than --

Mike Whelihan: So -- and that's the --

Leslie Bittleston: And I think the --

Mike Whelihan: -- whole point of the DIYT is that they work to -- so we're going to have DIY probation officers. We actually have two that handle these cases. So they're going to be working directly with the -- either one would be DCFS. But for us, it wouldn't be DCFS because it'd be on county DFS. So they'll work together to find a placement because really, when you're looking at the majority of the kids are going to be sitting on DFS or DCFS longer than they are with one of the counties because our average length of stay on a commitments a year including probation where a lot of these kids sitting on systems for years, the --

Leslie Bittleston: Yeah.

Mike Whelihan: -- abuse neglect system. So you can't -- we're not going to keep a kid on probation because they can't find a placement. So we're actually looking at -- I met with their deputy -- no, the new director, Jill, today. We're going to talk about looking about blending some of these contracts with some of these group homes.

Leslie Bittleston: Yeah.

Mike Whelihan: They're more blended. So they're not solely, you know, criminal or solely abuse. So we can have a little bit more flexibility to place kids. So that's what we're looking at right now.

Leslie Bittleston: Yeah. And I think that, you know, maybe Clark County's doing a good job. But the rurals are not doing a good job. And, you know, when you call in a kid and they won't take a case because the kid is considered in a safe placement. So that -- and I don't know how to word that. I don't if there's something that should trigger, you know -- but a detention facility or a correctional facility is not a safe placement. And so --

Brigid Duffy: Well, we -- so, I would say I had to get involved --

Leslie Bittleston: Okay.

Brigid Duffy: -- only with -- on the DFS side because remember, I have -- I kind of -- I have kind of both in that area. I think you should probably get the AG's office involved. And I -- and with -- along with the assistance director of DFS, was able to say, well, there's impending danger. So you have present and impending danger. And so since we can predict that this outcome is going to happen, it falls in the impending danger side and DFS's safety model. And so they can open the case without -- with fidelity to the safety model. That's how --

Leslie Bittleston: Yeah.

Brigid Duffy: -- we need to work it out. So, I'd get the AG's involved.

Leslie Bittleston: Okay.

Mike Whelihan: And then [interposing] a detention --

Leslie Bittleston: es: Yeah.

Mike Whelihan: -- facility is legally defined as a temporary holding facility. It's not legally a home. Right? So, I mean, we've actually taken kids, I'm not going to lie -- before Brigid got involved, I take a kid from Spring Mountain Youth Camp, drive him down in front of detention, tell him he released, no one's shows up, call the police and then take him to -- or call the CPS hotline and take him to my halfway house and wait for DFS to get involved. That's --

Leslie Bittleston: Yeah.

Mike Whelihan: -- to get around it.

Elizabeth Florez: This is Liz for the record. I know that this is a matter that we can probably talk a lot about. And Washoe, it's a very similar circumstances to what's occurring in Clark. And thankfully, since our numbers are so -- are relatively low, we just work very closely with our child welfare agency and coordinate a plan. We've been told that -- I mean, there was a period of time where we felt like when parents refused to pick up or when they were missing, it was -- and it would qualify as neglect under abandonment, we were told that doesn't satisfy that. So -- but our numbers are not to the volume of Clark County. And just based on prior conversations we've had in NAJA, it does seem that the rurals are where there is different challenges than what we face in Clark and Washoe.

Brigid Duffy: Yeah.

Elizabeth Florez: So, before we move on through this document, Leslie, and this is -- you put so much work in this. But before move forward, I just want to ask this question of the group. Knowing that some of us here are -- knowing the status of the JJOC and its limited membership, knowing that there will be forthcoming changes potentially through a bill draft of a sunset and sunrise of certain element of it, and knowing that this is a really heavy lift, this word here, my question for the group is because something like this would have -- would most likely carry over into a new group with a lot more membership, I'm wondering if the whole project should be deferred until that time? I feel like we can have really good conversation. But decision-making is not going to come from this group. It's not representative enough of the -- of -- I think of what the Children's Commission may potentially require to move items like this forward. It's just a thought open to discussion. I'd like to hear other people's thoughts on that.

Mike Whelihan: I agree, since no one else is saying anything. I think we're kind of wasting our time --

Elizabeth Florez: And you're not a voting member.

Mike Whelihan: Right. I -- but we're wasting time. I get it. So I mean, I'm not a voting member. But I'm here to --

Elizabeth Florez: I appreciate it. And --

Mike Whelihan: -- to offer support. I think we're spinning our wheel so to speak. And it'd be interesting if the bill doesn't pass, then we convene. If it does, then we [interposing].

Elizabeth Florez: Well -- and our -- this is Liz for the record. Our -- we're expire -- I know I expire in August. I think --

Leslie Bittleston: Everybody does.

Elizabeth Florez: Yeah. And --

Leslie Bittleston: Everybody.

Elizabeth Florez: -- So I just --

Mike Whelihan: Okay. I'm a [inaudible] --

Elizabeth Florez: I think --

Mike Whelihan: -- that never expire.

Elizabeth Florez: You're not spoiled.

Leslie Bittleston: [Inaudible].

Elizabeth Florez: But --

Leslie Bittleston: And we can absolutely wait on this.

Elizabeth Florez: Well, I'd like to hear what Jennifer and Brigid have to say about that.

Jennifer Fraser: This is Jennifer for the record. No. I agree. If we're not -- we're voting members but not really voting for anything at this point until we find out more, at least, after this legislative session. I think that makes sense.

Brigid Duffy: I agree. It's kind of why I stopped my data committee anyway because, I'm, like, I don't, you know -- I don't know if everything I'm -- it's a lot of time and effort and work. And I have no idea if it's going to go anywhere or who really cares that we're still out here spinning our wheels to -- or, you know, the betterment of a system. So, I think we do not reconvene until probably some time in June and see when -- see what happens with the session.

Leslie Bittleston: Okay. I like it.

Elizabeth Florez: This is Liz for the record. So Leslie, what groups are still convening, subcommittees of JJOC? This -- I think the SAG committee, maybe.

Leslie Bittleston: No because Pauline is expired.

Elizabeth Florez: I think they had a meeting yesterday. No?

Leslie Bittleston: Not that -- no.

Elizabeth Florez: Okay. I misunderstood that, then.

Leslie Bittleston: Yes.

Elizabeth Florez: Okay. So --

Leslie Bittleston: Nobody's meeting.

Elizabeth Florez: -- well, that's dumb-dumb.

Leslie Bittleston: Yeah. You're the last of the last.

Elizabeth Florez: This -- I am such a rule follower, that that's why [laughing]. So I think with that being said, I'm -- and I don't even know if we take a vote on it. I -- we -- I say we suspend this until we know that our efforts are going to be lending, you know, information towards whatever the next iteration is of all of this. I think we're off to a good star with a lot of the work that we did. And the work that you did on this draft for future work, Leslie, I think, is really -- and the way you organized it is -- I mean, each -- this version is a lot more succinct than the last one. So, I [inaudible] --

Leslie Bittleston: Yep.

Elizabeth Florez: -- just continue to get refined. And so I'll close Item #7 unless anybody else has anything to say about that or -- okay. And then for No. 8, I'd like to suggest that we suspend meetings until we have further direction related to the future of JJOC. Do I need to -- does anybody recommend I do a vote on that or -- legally policy? No? Okay. Then I think what we'll do is just suspend the subcommittee meetings for the -- this strategic planning subcommittee meetings until further notice. And --

Brigid Duffy: [Inaudible] - I'm sorry, Liz. This is Brigid. Maybe just schedule the next meeting in June. Don't use those, you know --

Elizabeth Florez: Okay..

Brigid Duffy: Yeah. Just -- our next meetings going to be post legislative session and then at that time, we'll decide what happens next.

Leslie Bittleston: Right. And I should also have the update on the SB -- the 356 report, the youthful offender report by then.

Elizabeth Florez: Wonderful. That's a great suggestion. So --

Leslie Bittleston: Yeah.

Elizabeth Florez: -- do we want to look at our calendars now or do we want Kayla to do another Doodle pole.

Mike Whelihan: Doodle.

Leslie Bittleston: Doodle.

Elizabeth Florez: Mike likes Doodle, but those are work for people.

Leslie Bittleston: They are work. I got two sitting in my box now.

Elizabeth Florez: My assistant hates me when I ask her to do those. Could we just look at our calendars right now and put a date. And then maybe Ms. Williamson could confirm the date by sending an email. But could we look at -- let's see. We are on a Thursday right now. Could we look at maybe June 22 just to -- or 15th or 22nd or 29th at 2:00? We'll put a placeholder in there, and we can get an official--

Brigid Duffy: So far, any of those three Thursdays work. So that's a --

Elizabeth Florez: Okay.

Brigid Duffy: -- not [inaudible].

Elizabeth Florez: 15th --

Leslie Bittleston: Yeah. I --

Elizabeth Florez: -- or 22nd is best for me. 15th --

Leslie Bittleston: Let's do 22nd. That's best for me, too.

Elizabeth Florez: Okay, great. So, if Ms. Williamson can please set up a calendar invitation for June 22. And that way, it's on the calendar. And she doesn't have to do a Doodle pole.

Leslie Bittleston: Did you get that, Kayla, June 22 at 2:00. Kayla? Where did you go?

Mike Whelihan: She Doodled.

Leslie Bittleston: [Inaudible] and remind them.

Elizabeth Florez: You'll -- I'm sure you'll direct her to send that out to us. [Laughing]. Okay. Item#9. Is there any public comment or discussion? Seeing none, I will adjourn the meeting at 3:00 p.m. And thank you so much everybody.

Leslie Bittleston: Thank you.

Elizabeth Florez: Okay. Bye-bye.

Leslie Bittleston: Bye-bye.

Mike Whelihan: Bye.