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Ross Armstrong
Administrator

Nevada State Juvenile Justice Oversight Commission *Data Performance* Committee Meeting *November 8th 2021, at 9:00 AM*

Meeting Minutes - **DRAFT**

Roll Call-

Commissioner Brigid Duffy, Chair, called the meeting to order at 9:02 AM.

(VOTING MEMBERS)

Present by Phone: Chair Brigid Duffy, Gianna Verness, Pauline Salla-Smith, Ross Armstrong

Absent: none

(NON VOTING MEMBERS)

Present by Phone: Ali Banister

Absent: none

(STAFF)

Present: Leslie Bittleston, Kayla Dunn, Kayla Landes, Jennifer Simeo

(PUBLIC)

Present in Person: none

Present by Phone: Valeri Balen – Children’s Advocacy Alliance, Lexie Beck – Youth MOVE NV, Kayla Mariani

Meeting Minutes:

LESLIE BITTLESTON: Okay, thank you, got it. All right, Madam Chair, you do have a quorum. Or Madam Vice Chair?

GIANNA VERNESS: All right, perfect. Yes, I don't want to take Brigid's title. Perfect, all right. Thank you for roll call and then before we get started do, we have anybody who is present on video or on phone who would like to make a public comment, open it up for public comment and discussion? Okay, no public comment, then moving on to our next item, agenda item which is our minutes. Those were by [inaudible] attachment, it looks like our last was on August 11 of 2021. First of all, does everybody have a comments or corrections that they like to make to the minute?

ROSS ARMSTRONG: This is Ross. I move to approve.

GIANNA VERNESS: Thank you, Ross. I will go ahead and second. And then all those in favor for approving the minutes?

UNIDENTIFIED: Aye.

GIANNA VERNESS: Aye. Ayes would be great.

MEMBERS: Aye.

GIANNA VERNESS: Okay, do we have any nays? Perfect, so those minutes are approved. All right, our first report, we'll turn to Leslie which should be attachment five, the COVID testing updates.

LESLIE BITTLESTON: Thank you, Madam Vice Chair. This is a standing agenda item, the COVID testing update. In table one and two, you will see that includes 12-month of data from June of 2020 to May of 2021, broken down by the number of youth and staff test positive and where those positives were identified. And then moving on to table three, this is starting a new 12-month series of data points. So, we do have from June 2021 through September of 2021, currently our positivity rate is 3.52% for youth and 1.72 for staff. And table four identifies or breaks down the total number of tests and positive for -- positive for youth and staff. What's important to note here is that we see a lot more testing just in the first few months of the new 12-month period than we did the previous 12-months. So, we are seeing a lot more testing this cycle. So, that is where we are with COVID. Are there any questions?

GIANNA VERNESS: All right, hearing none, great work. Thank you so much, Leslie for compiling all that data for us. Okay any -- if there's no comments, we'll move on to item number six which we have listed for information and discussion recidivism, the update from Leslie. We have go to attachment six for this.

LESLIE BITTLESTON: Yes, so attachment six, so a couple of meetings back, I presented an idea to this committee to start looking at one of the recidivism points, the number of arrest in the adult system. I had done some research and met with the Department of Health and Human Services data team and they have an individual within that group of folks that does have access to adult arrest data. So with that being said, I presented that data point to the counties and ask if they would provide the number of case closures that they received of youth, 18 and older, from a certain period of time. And what I received were -- I received information from Carson, Clark, Lander, Mineral and Pershing. I have not received any request for data matching from any of the other counties. So, based on what we have seen, we were provided 258 names. We have six matches for a 2.32% recidivism rate for those few counties. I am a little concerned about the Clark County data match with 204 names and only finding three matches. I will be meeting with the data team again just to make sure that they are looking at adult arrest in each month and not just finding -- or in one month and stopping. So, they need to look at each month's submission of data arrest against these names. So, I just want to make sure that they're looking at the data correctly. So, that's where we are with adult arrest. I will get into data agreements a little bit later in the meeting which I think is part of the reason why some of the other counties have not provided data for data matching but this is what we got to date.

GIANNA VERNESS: Before I go -- does anybody have any questions related to the data, I just have one.

ROSS ARMSTRONG: Yeah, this is Commissioner Armstrong. So, Leslie just so you can maybe help confirm for me, the total -- what is use to get the total number of youth? Was that youth terminated from supervision that month?

LESLIE BITTLESTON: Yes. It's -- so, I gave them a period of about nine months and I said please provide any youth terminated that was 18 or would be turning 18, you know, within the next few months and those counties did provide that data. It's very youth-specific, so it has to be youth first name, youth last name, youth middle name, if there is one, a Social Security Number, if there is one, a date of birth and a closure date, the data that the county closed it. So, we are asking for very specific data to provide to the data matching or the data team, so they can match those records.

ROSS ARMSTRONG: And then -- this is Commissioner Armstrong again, the match is just arrest?

LESLIE BITTLESTON: Yes, the matches are just arrest. My understanding is they do not have any conviction data. They only have arrest data.

ROSS ARMSTRONG: Okay, so just I -- and it has been a while and I know that the data has changed but I guess my feedback would be that when if we were producing reports, we should make it clear what each of these things are for folks.

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: So, that you don't say with recidivism, right, because the commission has defined different prongs of recidivism and so it's difficult to say that's the percentage. I will say what I recall was helpful when we did a previous data match and this maybe a way to say to get to convictions without really getting to convictions as they compared our parole terminated youth to people within the Department of Correction, people who had been in Department of Corrections custody and so --

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: The other things that was interesting and so I would say the -- in the numbers, Clark seems really low. Carson and Pershing seemed about right but when we did the data match with parole and people who had been in corrections, what was helpful is they were able to take a fiscal year or we could do a month. And then they showed a certain time period afterwards and so what we saw or what I saw when we did that data match is in that first like quarter after they were terminated, that was a really low number. And then, it kind of peak at about two year after termination is when we have the highest percentage of folks that were within DOC custody. So, I don't know, those are just food for thought in terms of -- as we continue to mature this report. This is like -- this is good stuff but I would just say make sure that we're being really clear about what the numbers represent and then think about doing some of those timeframe. And if you don't have that old data match, I think Alexia [ph] did it for me back in the day, Leslie, but I can search some of my binders and see if I can find it to find that format.

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: I do think that there was some crazy thing or maybe they lost access to Department of Corrections and may input -- but they have to have it because they have the -- anyway we threw [ph] that piece out. Those are just my initial thoughts into this report. I think it's a great first step and lots to - lots of room to grow.

LESLIE BITTLESTON: Yes, there -- this is -- this is going to be something that's going to take some time to get where we wanted. This is just step number one.

GIANNA VERNESS: This is Gianna Verness for the record, building on what Ross just said I think it's important right now to denote on those report that these are, if I heard you correctly, these are arrests only. These are not indicative of convictions, so making that notation that these are arrests only and if we're able to get conviction data, we may want to further break that down.

LESLIE BITTLESTON: Right.

GIANNA VERNESS: And then -- but I do think it falls in line with our previous discussions about what recidivism is because we've included referrals, arrest when we're tracking our youth data. So, I think from my perspective having it being based on from arrest at this point is not a bad thing because I think we've included that as part of recidivism.

LESLIE BITTLESTON: Right and we will get juvenile arrest, like that data point from the counties that comes in the annual DMC data which will be provided in December to my office, so we will get that data piece. This is -- and like I said I should have provided some context on this but this was just adult arrest, so -- but we will get juvenile re-arrest with that DMC data in December. So, we'll have multiple recidivism data points that I need to do a better job of clarifying. So, this is a big project and a working progress.

GIANNA VERNESS: No, it appeared -- Gianna Verness for the record, it appears to be a huge project that we're going to be working on from I hope [inaudible] and I appreciate the start. The last question I had is, do you anticipate receiving data from the counties for instance Washoe that are marked NA or do you -- or at this point do they just not have the capability to provide any data?

LESLIE BITTLESTON: So, Washoe was one of the counties that was very concerned that the data sharing agreement that we currently have in place is not expensive enough to provide the level of detail needed to do a data match. As I mentioned, just a few minutes ago, first name, last name, middle name, Social Security Number, date of birth, all of that, I will be addressing this later in the meeting.

GIANNA VERNESS: Gianna Verness for the record -- oh Pauline has a question

PAULINE SALLA-SMITH: For the record, Commissioner Salla. For Humboldt County, that's our concern also, just the type of data and so specific and our powers to be had some concerns about the data agreement anyways, so we're just -- we're still working through that. The other piece is I was waiting to see how this data was going to show up because that to me is a big deal, how it's presented. And because it becomes public record once it's posted on our -- on the DCFS website. So, I agree like that a context has to be included in this because this just -- this looks like that's actual recidivism in totality whereas we do have different prongs, arrest, technical violations, conviction, adjudication. So, at least for Humboldt

County that's where we were at, I'm not saying we won't share that data I'm just trying to make sure that data comes out appropriately and that we have an agreement to that type of specific data with names, numbers, Social Security Numbers, I mean we've always been taught not to share that stuff, so this is different.

LESLIE BITTLESTON: Yes.

GIANNA VERNES: Thank you, Commissioner Salla. Does anyone else have any comments or questions? Okay, thank you so much, Ms. Bittleston. We appreciate that update. Moving on, we're not letting you off the hook just yes, Ms. Bittleston, to action -- oh to item number seven. We're moving on to youth competency and our 62 H Revision in the NAC. This is going to be looking at attachment number seven and I'll turn it over to you.

LESLIE BITTLESTON: Thank you, Madam Vice Chair. So, youth competency as this committee knows has a bit of find [ph] to this committee and based on a couple of the conversations of this committee, I wanted to present a draft of NAC 62 H to this committee to ensure that I am inputting or requesting the correct data that this committee has already approved. One of the things that I put in here as you can see on attachment seven, the new definition of missing, that is only included because I was opening up NAC 62 H for the AB 366 revision anyway. One of the things within DCFS that we have talked about is the term AWOL which is very commonly known as, you know, the youth is, you know, what AWOL means. However, there's been a lot of discussion that we want to mirror what child welfare uses and they do not use the term AWOL but use the term missing. And the only difference with this definition and the child welfare definition is the age. Since we can have youths in custody up to -- up through age 20, I just included age 20 here. I don't know, Ross, if you would like to add some additional context to this but this was something that has been discussed within DCFS that we wanted to kind of change the terminology, so that's why it's there.

ROSS ARMSTRONG: This is Commissioner Armstrong. I'm just not sure why it needs to be in the NAC. Is there some -- something in the NAC that talks about collecting data on "AWOL youth"?

LESLIE BITTLESTON: Only for parole.

ROSS ARMSTRONG: Because I don't --

LESLIE BITTLESTON: So maybe -- okay.

ROSS ARMSTRONG: I mean I don't see anything that -- I know we have the big one that just changed and so I have to take a look at that but I don't think there --

LESLIE BITTLESTON: This is the right place.

ROSS ARMSTRONG: Yeah, I don't think there be any need to put it in the NAC if we're not asking anybody to report AWOL.

LESLIE BITTLESTON: Okay. So, I just didn't know where it went. So, I can remove it but anyway, okay, moving on to new, youth competency data to satisfy AB 366 data reporting requirement. So, this is for your review, Madam Vice Chair, to make sure that I have captured what this committee wants in terms of data. So as you can see -- do you want me to go through or do you want to, Madam Vice Chair?

GIANNA VERNES: I will let you -- yes, would you please.

LESLIE BITTLESTON: Okay. So, the first data point that I believe was discussed was the total number of youth referred for competency evaluation. And my understanding was that this group wanted to break down by gender, age, race, and ethnicity. I don't know if there was anything else that this group wanted to include in this. That's just demographics.

GIANNA VERNES: I think those -- this is Gianna Verness for the record. I think those covered the ones that we typically looked at when we're looking at the demographics. I don't think that there's anything missed here. Does anyone else on the meeting have any concerns about these demographic?

BRIGID DUFFY: This is Brigid. I am safely in a parking spot, so I can participate. That is the -- yes, Leslie, what I heard you say is exactly the recommendation from what we would be collecting that was discussed. That's one of them.

GIANNA VERNES: Okay.

BRIGID DUFFY: So, the number referred, no demographics.

LESLIE BITTLESTON: Okay, so -- and then -- so there's a number B, the next data point would be the highest level offense associated with the referral.

GIANNA VERNES: And this is Gianna Verness. I think that's appropriate. We want the highest level of offense, whether it be a felony or gross misdemeanor or just a minor offense, we want to know what the highest level is that they had been referred for. I think that [inaudible].

LESLIE BITTLESTON: So with that being said, under level B, do you want me to add a breakdown of felony, gross misdemeanor, or misdemeanor?

ROSS ARMSTRONG: This is Commissioner Armstrong. I would -- I would reserve that for your form, so in case that ever changes, you don't have to go back and change the NAC.

LESLIE BITTLESTON: Okay.

PAULINE SALLA-SMITH: And this is Commissioner Salla. That says highest level offense associated, so that is misdemeanor, gross misdemeanor, or felony. It's not the specific charge.

LESLIE BITTLESTON: Okay. So with that being said, do I want to put or does this group recommend that we put highest level offense and NRS code or something to get more specific?

GIANNA VERNES: So -- this is Gianna Verness for the record. I think the question becomes how do we see this data being utilized; do we need to know the specific offenses for which these youths are being referred for?

BRIGID DUFFY: So, this is Commissioner Duffy. Knowing that -- well, my belief is that this data is going to be used for determinations on what types of placements we're going to need in the event that the child is incompetent. So, I think there are some relevancies on whether or not it's a -- the felony is an attempt murder or murder versus, you know, a possession of a stolen vehicle, right. Because it's -- because that's -- that's where this data is ultimately in my opinion and my hope is going to be used to say every year, we have one or two kids that had been deemed incompetent, that have committed violent felonies against a person. And so how do we treat them and where do we put them for treatment is what's going to be relevant. So, I think we're going to need to know what the offense is.

GIANNA VERNES: So, this is Gianna Verness. So, Ms. Bittleston, is there a way that we can -- because if we just do the NRS that will make the report I think -- the data more difficult to interpret if we don't include the charge-type. It will just be an extra step. Is it possible to include both the NRS and the charge-type, the charge name or would it be best to just include the charge name and the level of offense?

LESLIE BITTLESTON: So, what I can do is like, you know, leave A and B and then I will add a new C that -- so we'll have highest level offense and then we'll have a new C that says NRS code or charge. I don't know what the best terminology would be. Would it be just charge?

ROSS ARMSTRONG: I mean this is where I think using the NOC codes makes a lot of sense, the NOC codes, because you might have one NRS that has different variations, but the NOC codes give you very specific what the crime was. And so, if you use a NOC code there, then you'll know exactly --

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: -- what the offense was.

LESLIE BITTLESTON: And what does NOC stand for because I probably have to spell it out, won't I?

ROSS ARMSTRONG: The Nevada Offense Code I think.

LESLIE BITTLESTON: Oh Nevada -- oh. All right, so that's what I'll do. I will add a new C that says Nevada Offense Code associated with charge or offense. All right, moving on to the current number C, this is really the summary of A, so you have the total number of youths referred. This is the total number of youths that we deemed incompetent. And I do not have a breakdown of age -- gender, age, race and ethnicity. Is that something you would want under the current level C -- the current number C?

ROSS ARMSTRONG: I guess I would imagine it. This is Commissioner Armstrong for the record and I would defer really to Pauline and any of the other maybe chiefs, even the -- anybody other than me. I guess I haven't [inaudible] but I would imagine that as this gets operationalized, you would create an Excel sheet to collect this data and it would have this information going from left to right. And so you have all that information in terms of the referrals and then further down the Excel sheet, you would have

deemed incompetent, yes or no. If it's no, you can just quit the additional data and then as you go further to the right, if it's a yes, then develop mental -- intellectual mental illness and then go from there I guess. I just don't -- so I think you already have that data from --

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: -- the previous stuff and your data will just kind of get smaller as you go through the process.

LESLIE BITTLESTON: Right.

BRIGID DUFFY: This is Commissioner Duffy for the record and Commissioner Armstrong, that's exactly what Clark did for me as I tried to pull it. They gave me the Excel spreadsheet that had everything like right down the row. So, competency referred, highest level of offense and you already have their demographic information at the beginning but I guess the question is, if we don't spell it out or the county is going to give it out.

PAULINE SALLA-SMITH: This is Commissioner Salla. I think that what Commissioner Armstrong is saying is accurate. It's like our CCP grants that -- funding that we report on. We have the youth and all the different columns and it's diagnosed at the end, diagnosed with the mental health issue, diagnosed with the substance use disorder, right. And this one would look -- I mean I picture it looking that way with deemed incompetent as one of the columns. So, you have all that -- the ethnicity, the gender, the age -- the gender, all that. You already have that in that same youth's row.

LESLIE BITTLESTON: Okay, perfect. Okay, then going on to breakdown of reason for incompetent determination. It is my understanding that we identified three developmental, intellectual and mental illness. I just want to check with the committee if that is accurate.

ROSS ARMSTRONG: This is Commissioner Armstrong and I'm going to lean on Gianna and Brigid on this one. So, I know we want to capture this information and you may have a youth that has a combination of both but I wonder if what we need is an item that says there's like that three-prong test for competency, right. And so sometimes I've seen some competency evaluations where they're comp [ph] one and two but then maybe number three, you know, they're deemed not competent. I don't know if that information should be more helpful to this group or just understanding, you know, maybe we don't need to dive that deep into the specific prong of competency that was determined but just be aware of the diagnoses of the youth being deemed incompetent.

GIANNA VERNES: And this is Gianna Verness for the record. So, I can't speak for how any evaluators do it in Clark County but the evaluators, I think that the three-prong approach that you're referring to is more of an adult concept as opposed to what they utilized for the youth here in Washoe County. The reports that I see don't discuss really a three-prong approach because very frequently what we have is a lot of youth who are deemed incompetent purely because of age and maturity. They simply lacked the age and maturity level necessary to make decisions on their own and tend to defer very heavily to figures of authority, i.e., an attorney or a parent and they don't have the maturity to make independent decision - - decisions for themselves which is not typically an issue that we see for adult. It's very -- I don't think

I've ever really seen that discuss for adults. So when I look at the developmental, those are the type of youth that I see and I think that the breakdown that you have here is really good. I don't know if you maybe want to add to it to incorporate what Ross is referring to, which I think is, you know, the ability to participate and just this council, I'm blanking on the other tooth is now and on the spot. But so there may be an opening to add more if we want to get into specific reason, but I like personally based on evaluations that I've reviewed, the three areas that we've identified because it is most frequently developmental that they just need more time to mature. It's an intellectual issue or it could be even a combination. And it could be mental health issues that are significantly impairing the child. Although I don't think that just because a child has significant mental health issues that they are necessarily incompetent. So, from our perspective in Washoe, I do like the way it is, but I have not married to it if we want to add a little bit. Any --

BRIGID DUFFY: This is commissioner -- yes, this Commissioner Duffy. For my review of it, last night it captures what I -- what my original intention of what needed to be captured but like you, Gianna, I'm fine if people need to add to it, but our reports are similar to yours. It doesn't just says, you know, it's based upon intellectual disability or -- you usually just get one reason why they're incompetent.

LESLIE BITTLESTON: And what reason -- why those one reasons are one of these three?

BRIGID DUFFY: Commissioner Duffy, yes.

LESLIE BITTLESTON: Okay. So there's no other reasons other than these three.

BRIGID DUFFY: This is Commissioner Duffy, for the record. In Clark County, I've never seen any other reasons besides one of those three. But you could always put I guess in other category. But then I'm always afraid that people just default to that instead of using the ones that, you know.

ROSS ARMSTRONG: I mean -- this is Commissioner Armstrong. I think that the raw numbers of these are going to be low enough that if you had somebody turned one where they were all blank, the programs office could reach out and see what occurred in that particular case.

LESLIE BITTLESTON: Right.

ROSS ARMSTRONGH: So based on the discussion -- oh, I'm sorry. Go ahead, Leslie.

LESLIE BITTLESTON: I probably was gonna ask the same question you were. Is the consensus to leave at these three?

ROSS ARMSTRONG: Yeah, this Commissioner Armstrong. I'm good with that.

GIANNA VERNESS: Commissioner Verness, same. And Commissioner Salla is giving is the thumbs up.

LESLIE BITTLESTON: Okay.

GIANNA VERNESS: And I think we've already heard Commissioner Duffy, so.

LESLIE BITTLESTON: Yup. Okay. So the next one, this one was a little confusing because -- so the total number of use that are now found incompetent who were recommended for restoration services, this was confusing to me because I didn't know if all of the use were referred already or just a few. So this is an area that was a little confusing to me.

GIANNA VERNESS: So, Commissioner Verness for the record. Here in Washoe County, the vast majority of the youth are recommended for restoration services. In the vast majority are. There are the few exceptions, where the evaluator will indicate that the child is not likely to gain competency in the future or in the foreseeable future. And then a lot of times the evaluator will include a recommendation or an observation that the child, especially with developmental -- not developmental delays, but with development that's this the age and maturity level being the issue, then the evaluator will include the notation that it is likely the child will gain competency in the next six to 12 months or 12 to 24 months. So, frequently, there are timeframes that are given but there are occasionally youth that the evaluator opines that they are not likely to ever gain competency. I think those are the rarity, but they do certainly occur. I don't know if that helps to clarify the issue, but I think that the reality is that most of them are going to be recommended for some type of restoration service.

LESLIE BITTLESTON: So do we need this question or do I need to rework this question somehow?

ROSS ARMSTRONG: I think -- this is Commissioner Armstrong, it sounds like its fine the way it is because those who --

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: If the evaluation says this individuals not going to gain competence then they're not going to be referred to restoration services, and that I think it's important to know what that percentage is.

LESLIE BITTLESTON: Okay.

GIANNA VERNESS: And, Commissioner Verness for the record. One other observation, I think it depends on how the data collection form goes out and then the format that you're talking about that it's actually recorded if it's a large spreadsheet. I think the next column in line would be was this youth recommended for restoration services, yes or no kind of thing.

LESLIE BITTLESTON: All right.

GIANNA VERNESS: And then -- I'm sorry. Ross, were you speaking? You were muted. Okay. So anyway, I think that logically it would just say was this youth and then we'll have a total number and we'll know for each child. Again, if we're talking about that spreadsheet format, we'll know their gender, age, race, ethnicity, as we go along. We'll see certain kids that were not recommended, but I think the vast majority are.

LESLIE BITTLESTON: Okay. And then moving on to the current number F, which is type of restoration services. I don't know if we need a breakdown. I mean, I don't even know what restoration services are, so.

GIANNA VERNES: So, Commissioner Verness for the record. Here in Washoe County, until just this year, we did not have any formal methodology for restoration to competency in our delinquency system. We have recently contracted with someone out of Las Vegas that I believe was maybe someone that we were put in contract with through Juvenile Services in Las Vegas, who is now running a competency restoration program remotely that our youth are typically referred to. Historically, it involves maybe the probation officer reviewing the petition and processes with the child. But until recently, there was nothing formal. And so from Washoe County's perspective, it might be really difficult to obtain data for any youth who are not referred specifically to that person that we just started contracting with and their program. It might be really hard to define what restoration services look like.

PAULINE SALLA-SMITH: This is Commissioner Salla. I was just going to say the same thing. I think it varies with all -- with the juveniles also and in the rural areas. If we can't access specific restoration services, we have to try to match as best as we can. And I don't even know how we would drill all of that down.

ROSS ARMSTRONG: I think -- this is Commissioner Armstrong. In thinking about the long, like further down the road, I think when -- so it may not be tight in terms of like what is the actual clinical type of restoration. But I think the important thing for us to know, understand in the context of SB366 is, are those restoration services being provided while the youth is in the home? Are those restoration services being provided in a residential placement? Or are they like waiting in detention and receiving those restoration services there? So, I think that may just be a clarification in the options for agencies about where -- like how those restoration services are provided. I don't know. I don't know if other commissioners have thoughts on that, but those seem to be kind of the big breakdowns across the country when you look at restoration services. Is it facility based? Is it community based in the home? Is it JL based competency services?

BRIGID DUFFY: This is Commissioner Duffy. I completely agree with you, Commissioner Armstrong, that that's really the relevant piece of information. I think, initially, the type of restoration service, at least in my mind was really around is it like something that medication was assisting with restoring so those children that may have a mental illness at the time who are not competent or deemed incompetent, versus, you know, a typical restoration service with a with a clinician. So those were the -- those were kind of defining how it was -- how a child was being restored. But I think really the more relevant thing as you said with regard to SB366 is where are these services taking place? Will we match up all the data together?

LESLIE BITTLESTON: With those three options, facility-based, community-based or jail-based, or I mean, do we want to use the term jail-based?

ROSS ARMSTRONG: No, I mean, we don't have jails. And I wouldn't necessarily put it in the NAC. I would just put it on that form in the instructions on how to execute the form.

LESLIE BITTLESTON: Okay.

ROSS ARMSTRONG: Because we -- because I -- further down the road, I mean, because the other part of SB366, right, is DCFS has to contract with somebody to come up with a plan on how we're actually going to do restoration services in Nevada.

LESLIE BITTLESTON: Right.

ROSS ARMSTRONG: And so you may be able to tweak that further down the line as we develop a more mature rest, you know, restoration service system.

LESLIE BITTLESTON: Okay.

GIANNA VERNESS: So, this Commissioner Verness for the record. What I'm hearing from the committee at large is not necessarily the type but the location would be a better subsection here for F instead of type of restoration, but location of services received or location of trialed when services are received. Is that the data that everyone's looking for?

ROSS AMSTRONG: This is Commissioner Armstrong. I would just keep it as tight. And then because if that changes going forward and we get more options, then that can be added in the instructions later on. I would just keep it as tight and then let the instructions in the packet and the options in the drop down on the Excel sheet define it for folks.

GIANNA VERNESS: Okay, Commissioner Verness for the record. So when we say type, we're saying inpatient versus outpatient essentially, or in custody versus out of custody.

ROSS ARMSTRONG: Yeah.

GIANNA VERNESS: Okay. Last one, Miss Bittleston.

LESLIE BITTLESTON: Yup. And the last one is the total number of views that were recommended for restoration services, whatever kind that were successful and eventually deemed competent. And again, on the form it could have the gender, age, race, ethnicity breakdown.

GIANNA VERNESS: So my only suggestion is, I don't know that it's necessarily successful because it could just be again, maturity and -- Commissioner Verness for the record. Can we just say total number of youths that were recommended for restoration services and eventually deemed competent?

LESLIE BITTLESTON: Okay.

GIANNA VERNESS: That would be a suggestion that I would make.

BRIGID DUFFY: This is Commissioner Duffy. I think that is what is the relevant piece to the data collection -- is are our restoration services successful and actually restoring children to competency. So,

that's what we want to know or are they not successful, and we have continued incompetency and therefore unable to adjudicate and provide other services.

GIANNA VERNES: So this is Commissioner Verness for the record. I appreciate that concern, but what timeframe are we also looking at, too, because if -- or is this an annual -- if this is an annual report, there are youth that using competency extends beyond a year but they eventually attain competency. Is this a ruling over like, including data from kids who were still incompetent last year into this year?

LESLIE BITTLESTON: That was a question that I had as well, and with that being said, I think we can tweak the number one for how it needs to read because I don't know if we want to include anybody on the report that doesn't have complete from A to Z. Does that make sense? Because that's just an incomplete data set. Yeah.

ROSS ARMSTRONG: Sorry, this Commissioner Armstrong. I would disagree because of what Gianna just said in terms of, you know, I think they have to have a hearing, what, six months down the road. So, I guess I just go back to actually -- it's always that balance when you're doing the NAC, right. Like what needs to be in the NAC and then how do you operationalize it. But I would imagine, Leslie that, you know, the first year, you just provide a tab for the first year and then there's a tab for each year of the reporting and so you can track folks from 2021 when they submit the 2022 report. You want to make sure they complete and get the dataset finished for the folks in the 2021 report data set. If you're going to have to create some stuff across different tabs, but I think keeping it all in one workbook makes the most sense.

LESLIE BITTLESTON: With that being said, we may have to include the use identifying number under number A just so we can make sure we're matching the right kids year to year.

GIANNA VERNES: And this is Commissioner Verness for the record. Is it possible also to break it down into smaller chunks because Ross point made a good point that we revisit competency every six months as a general rule and if the child has not attained competency within six months, then we may do a reevaluation or we look at where they are in, say treatment from at that point and make a determination moving forward. So, is there any way that we could say in six months because restoring -- I can tell you right now the restoration services that we refer them to, the program that I was speaking of earlier, is like a matter of classes maybe a few weeks. And that's the only restoration service, formal restoration service that we utilize. That's why I have a problem with saying that our restoration service was successful because there are so many factors that can go into it if we don't break down the type of restoration services we're providing whether they're a formal program versus just time for medication.

LESLIE BITTLESTON: So with that being said, do you want this -- recommend this report be provided every six months rather than every 12 months? Is that what I'm hearing you say?

ROSS ARMSTRONG: This is Commissioner Armstrong. I don't want to put that burden on the counties.

GIANNA VERNES: No, I don't want it --

ROSS ARMSTRONG: But I think you can -- I think maybe the way to do it is on that tab where it says was competency restored. You could have a column that says was competency restored within six months

because that could be a month or it could be five months, right? Yes or no? Was competency restored within a year? Yes or no? So that you understand how long it's taking youth to develop competency.

GIANNA VERNES: Okay. I like that suggestion that it's definitely -- thank you, Commissioner Armstrong. That addresses I think the concerns that I was raising.

LESLIE BITTLESTON: Okay.

GIANNA VERNES: Okay. So --- and that is the last portion of the competency data that we're recommending be collected or the last subsection. Is there any others that we didn't cover or that the committee believes needs to be discussed further? Okay, I'm not seeing any. So, it was possible that we might vote on this to begin making the processes, but I think we made a couple of recommendations for changes. Do we want to move forward with that or do we want the changes to be made first so that they can be reviewed one final time?

PAULINE SALLA-SMITH: This is Commissioner Salla. Can we table the approval until we have the rewrite available to us?

GIANNA VERNES: Okay. Absolutely. Okay, so we will table approval to hopefully our next meeting. The next section we have for discussion, unless there's anything else on that item. Okay. The next item that we have on our agenda for discussion is our surveys, the family survey draft and the victims' survey draft that, let's see. Let me pull those up. Those are our attachments. Bear with me. Computer error.

LESLIE BITTLESTON: 8.A and 8.B?

GIANNA VERNES: 8.A and 8.B.

LESLIE BITTLESTON: Yes.

GIANNA VERNES: Okay. So let's start with 8.A. This is our family service draft. And in looking at this, it is a total of 23 questions that -- forgive me if I get this incorrect, but is this going to be sent out electronic - - is it sent out electronically or in a paper format? Anyone?

PAULINE SALLA-SMITH: This is Commissioner Salla. So this is our version of our family engagement survey. And we actually are implementing it on iPads for the families. It's on a Survey Monkey. And so they will actually complete them in our office when we're finishing up with the youth. We don't want to mail them out. We don't want to wait to get them back. We're going to ask families to just complete it at their last meeting with us. So that we get that information. So it's Survey Monkey. It's going to be done on iPads, in that way Survey Monkey helps us analyze the data, too and create beautiful graphs that we can utilize for presentations. So that's how we're going to roll it out.

GIANNA VERNES: And Commissioner Verness for the record. Is that the same also for our victims' survey draft? We just lost Brigid, who I think is our only DA. I apologize if there's another DA on here.

PAULINE SALLA-SMITH: This is Commissioner Salla. At least for Humboldt County that's how we'll do it just because we do -- we do follow up with our victims.

GIANNA VERNES: Okay.

PAULINE SALLA-SMITH: So that way we'll ask them to complete it while we're working with them, too.

GIANNA VERNES: Okay. Okay. And so, 8.B is the victim survey draft. And I think I had made an observation about the family survey one and the victim survey draft is a lot further. I had made an observation with the family survey draft regarding their contact with their attorney. And, you know, it depends on who's filling out the survey. I just want to reiterate that. Commissioner Verness for the record. If it's the parents for the child who is filling it out or are they doing it together. And you may have spoken on that previously, Pauline?

PAULINE SALLA-SMITH: I think we did talk about that before and we took that feedback, you know, like how you guys were when we were talking about it, said that really the defense is for the youth and not the family, not the parents per se. And so sometimes the parents do get upset with the defense attorneys because they think that the defense attorneys are their attorneys, too. So, we took that into consideration. And we do -- we're implementing a youth survey, too, at the end. We just haven't finished that draft yet. So -- and it has that same question like I felt like my attorney explained things to me. But I guess our thoughts are with the family survey because we're trying to capture how the family felt about -- how the parent -- the parents felt about the services. So with that caveat and we can include that when we are reporting on or presenting our data, that differentiation between the attorneys are not representing the parents, but the youth, but we just want the parents perception of that just to try and get an idea. Our defense attorney wants that also just to get an idea how to see. It might be bigger -- it might be different in larger jurisdictions. And from the very beginning, I said, you know, hey, this is just ours, Humboldt County's, people who do what they want to do with it. So we did choose to leave that in just with that caveat after that discussion.

GIANNA VERNES: And this is Gianna Verness for the record. I think the information in here in total is amazing that you are gathering and that is only - its one small question. I love the idea. Selfishly speaking that you're going to do one for the child because that would be very, very interesting and helpful for us to know as feedback directly from our clients. We haven't been able to figure out a way to implement a survey for -- solely for our clients that they will fill out and return to us at the conclusion of the case. So I'm really excited to see how it works. And I think overall, the information that you're gathering is going to be very enlightening. I love it.

UNIDENTIFIED: Yes. I'm excited, too, to see because I think we'll just get shredded, honestly. But I mean, it'll be good.

GIANNA VERNES: I hope not. I hope that's not the case. And I hope that we are able to identify some areas of real strength that our agencies in our system overall are doing really well. But certainly, there's always going to be some feedback that we might want to look at moving forward. Does anyone have any other concerns, issues recommendations with regards to the family survey draft or the victim survey draft?

LESLIE BITTLESTON: This is Leslie and I do have a question. There is nothing in statute that requires counties to do this or to provide the data to the program's office. So is that something this group wants to include in the next 62H revision to require that counties do the family survey and the victim survey and provide data annually or something?

PAULINE SALLA-SMITH: Can I -- can I speak on this part? So, I think that's really going to be dependent on what the family engagement plan is with each jurisdiction because we are -- we were required per statute to develop a family engagement plan. That's going to look different in all jurisdictions. The survey was part of our family engagement manual, which is why we had to do it. That was just one of those areas. I'm not sure that that's in everybody's. And they may have different family engagement pieces that are just as critical that might even gather more better information than this. So at least my recommendation is when [inaudible] NAC yet as jurisdictions are working through their family engagement piece, that's a huge piece and takes years, honestly, for us to create some of those pieces. But each jurisdiction has ways that they're engaging families.

ROSS ARMSTRONG: This is Commissioner Armstrong. I don't think there's a need to add it to the NAC and require that data at this point. And we're going through a process where we're redoing our five year strategic plan and I think that would be the appropriate venue to say whether the commission wants that information or not.

LESLIE BITTLESTON: And just FYI, the performance scorecard summary did include that information as data points. So, which is why this group has taken it up. So, I didn't know what if that was a requirement, if it's on that performance scorecard summary, or not.

PAULINE SALLA-SMITH: Commissioner Salla again. Well, we were also told with the scorecard that if we didn't have the ability to either do that or collect that, that we had time to do that. So again, I'm going back to this process -- this process took us a long time to develop and get the drafts in our family manual. So I think with all the other requirements that we have and maybe jurisdictions all get there about the family survey, I'm not sure. But I just think that people or jurisdictions are working towards their own family engagement piece because it's different in communities, what's available, what's not available, what's critical, what's not critical, things like that.

GIANNA VERNES: One last note from Commissioner Verness. I love the idea that your jurisdiction is taking this on, Pauline, and will provide hopefully some great feedback. Maybe the questions need to be tweaked, maybe the information that you're gathering is not as informative as you had hoped and the item needs -- and it needs to be tweaked and changed in how it's gathered or from who or the questions need to be changed. And so rather than making it a requirement of all counties, I appreciate you being beta tester and agree given the amount of work that it takes. We hold off on that for now.

PAULINE SALLA-SMITH: Thank you, Commissioner Verness. And I will share our information as we collect it with this -- with the commission. It will become part of our annual report to our commissioners also. So, I will be willing to share any of the data.

GIANNA VERNES: Awesome. Okay. And so if there isn't any other discussion on item eight, we can move on to item nine, the Statewide Data Management System. Tyler Supervision, formerly CaseloadPRO, and where we are. I'll turn to you Ms. Bittleston.

LESLIE BITTLESTON: Thank you. So one of the major concerns with a lot of the counties that came up in the previous 62H revision and just the conversation around, you know, more and more data requirements and things like that is that part of AB472 was to create a statewide data management system that allows the state to pull reports, you know, for some of these things like the DMC report is a good example. Corrective room restriction is another example, status offender data is another example. However, we aren't there yet. And part of that or part of that is due to counties doing things extremely different in the configuration that it requires. But another part of that, I mean, I really don't understand why I don't have a log in to just run reports for counties, but I don't at this point. So that's kind of piece one. I just kind of wanted to update the data committee on where we are with reports. We are still placing the burden on the counties in the jurisdictions to provide the data reports as requested. I still do not have capability to go into a county and run any report. So the county -- the burden is still on those counties. The second piece that we kind of touched on just a few minutes ago was about the data sharing agreements regarding -- so what I provided to this group is a copy of the current data sharing agreement, which is attachment 9.A. This is just -- this has been signed by every single county in the -- or every jurisdiction. It's signed by judicial districts. So the 11 judicial districts have signed this. However, there's some concern that the current data sharing agreement does not go far enough in identifying what the state and the counties can share. So I brought this to this group to see if there were any recommendations from this group on how to rewrite or beef up the data sharing agreement that we can share with our jurisdictions to get the data that we want.

GIANNA VERNES: Okay. So, Commissioner Verness for the record. I think that at this point we have to defer to Commissioner Salla and anyone else who wants to chime in with if they feel comfortable doing so with some of the concerns or if they have any suggestions, if it's something that you want to review more in definitely and maybe discuss it in-house or with others within your district before making any suggestions.

PAULINE SALLA-SMITH: Thank you, Commissioner Verness. I do think, Leslie, this is probably a good topic to put on NAJJA agenda because you're having issues with us. I mean, you know, you're having issues with the jurisdictions, not this committee. So that's just -- and NAJJA we're all there. And I can add it to the agenda so we can have that, like robust conversation about it and see if we can work through it internally. And then if we can't, then you can bring it to this committee and be like, yeah, they're not playing nice in the sandbox. And then Ally and I, we'll all just be here like, yeah, we're not and these are the reasons why. So -- but let's bring it back to NAJJA and see if we can work through it. And hopefully we won't have to come back to this committee and call each other out. So, I can add it to the agenda.

ROSS ARMSTRONG: This is Commissioner Armstrong and I -- that's exactly the direction my head was thinking that this is a NAJJA thing. I think it's important for this committee to know the status of how that's going, but we don't have anything -- we don't have any say in that. I mean, it's helpful to know, for example, if there's a jurisdiction that is refusing to complete a data sharing agreement, and then isn't turning in their data, then I mean, that's a bigger -- that helps us withhold their money to be frank, and --

UNIDENTIFIED: Stop withholding our money.

ROSS ARMSTRONG: And I think that, you know, the other thing is like, if there are counties or jurisdictions or programs, even within DCFS that are complaining about the burden of the data sharing and it could be made super easy for them just by having you have a login, then that's the stuff that's important for this committee to know. But I don't think this committee should be writing any data agreements.

GIANNA VERNESS: And this is Commissioner Verness for the record. I agree with what Ross is saying and I would put it out there, Commissioner Salla. If you think it is helpful to have anyone from this group participate in that meeting or -- years ago, Jo Lee Wickes and I appeared at a NAJJA meeting and with some information. If you think it would be helpful to have any additional input from someone either on the JJOC or on this group, in addition to yourself, if there are additional questions that might be helpful in coming to you hopefully, [inaudible], we're here for you.

PAULINE SALLA-SMITH: Thank you, Commissioner Verness. I think we will -- we'll get an [inaudible].

GIANNA VERNESS: Okay.

PAULINE SALLA-SMITH: And then if not, well, we'll call you guys in. We've been able to resolve lots of things at NAJJA. So I think we can do this one, too.

ROSS ARMSTRONG: All right.

PAULINE SALLA-SMITH: But thank you. Thank you, I appreciate that.

GIANNA VERNESS: All right. Then we will table that and allow NAJJA to do their business and get back to us. So, the next item, unless there's anything further on that, no raised hands. So the next item that we have on here is item number 10. Additional data measures for adult convictions and direct files and how to obtain this. We touched a little bit on the adult conviction issue. I think when we went over the earlier chart or graphs and direct files. I know we have talked about this in the past about how we're going to be able to obtain this information. I'm not sure what ideas or information that Commissioner Duffy may have had or discussion on this. I don't know if any of the other commissioners have made any progress in this regard or if this is an item we might need to kick out to our next meeting when we have Brigid.

ROSS ARMSTRONG: This is Commissioner Armstrong. And I mean, I think we've talked about it a little bit. It would be helpful. I think my request would be to have it on for the next agenda item. And then to also have a representative from the Office of Analytics, the HHS Office of Analytics because they could discuss what data they currently have access to and that might give us some better ideas about connections that can be made.

GIANNA VERNESS: Okay. Do any of the other commissioners or anyone in attendance have any other suggestions or concerns to add? Okay. So with that request from Commissioner Armstrong that we have a representative from HHS Analytics. Thank you for that. We will add that to -- oh, well add that. Okay, I thought Ally [inaudible]. Okay, so moving on to item 11, new business? Do we need anything added to

our plates? Do we have any new business that we would like to address or bring up at this time? Okay, everybody feels like our plates are pretty full as what I'm picking up. Okay, do we have any additional tasks? I think that Leslie just thought a couple of tasks in rewriting and finding someone from HHS to join us at our next meeting. Are there any other tasks that we want to either assign to anyone else or asked Ms. Bittleston to follow up on? Good. So, should we set our next meeting time, or do we need to -- I think we better do a doodle poll or a Survey Monkey since Commissioner or our Chair is not present today and make sure we don't schedule it on a day when -- although I'd love filling in. You guys have been wonderful, and it sustains me, especially Ms. Bittleston and walking us through the agenda. I appreciate that. But all right, we definitely need our super fearless leader to tackle some of the other tasks that we were unable to finish today. So let's do a survey to get that done. So we'll open it up again for public comment or discussion at this point in time. Is there anyone who has any public comment? Okay. Well, then I think that it would be safe to move to adjourn the meeting.

UNIDENTIFIED: Thanks, everyone.

GIANNA VERNESS: Take care everyone.

LESLIE BITTLESTON: Bye.

UNIDENTIFIED: Have a great --

GIANNA VERNESS: Have a wonderful Monday.

UNIDENTIFIED: You guys, too.

GIANNA VERNESS: Bye, everybody. Thank you.

UNIDENTIFIED: Thank you. ...