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DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
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Ross Armstrong
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Public Workshop Revised NAC 62B and 62H January 26, 2022 9:00 am

Transcript

Leslie Bittleston: Good morning, everybody. We'll give it a couple more minutes. Please make sure you are muted. Good morning, everybody. I see a couple more people connecting, so just another minute or so. OK. Good morning, everybody. I don't see anybody else connecting, so let's go ahead and get started. For the record, my name is Leslie Bittleston. This is the public workshop for the division of Child and Family Services to discuss revisions to Nevada Administrative Code 62B and 62H. So, I call the meeting to order at 9:01 a.m. And following the agenda, number 2 is public comment. So, I'm going to open it up to public comment right now. Please limit your comments to three minutes. And also include your name and organization you're from. So do we have any public comments?

Catherine Jorgensen: Hi. My name is Catherine Jorgensen. I just got a question, a procedural question if that's okay? I was wondering if --

Leslie Bittleston: Sure.

Catherine Jorgensen: I was wondering if will we have an opportunity to make our comments regarding CC2B and CC2H when those are called specifically, or do we make our comments during the public comment period?

Leslie Bittleston: Two things. So, number one, I'm going to provide a written comment deadline at the end of this meeting. Also, I can take some notes if you do have some specific questions or comments at the end of the presentation of each one. So, I will present --

Catherine Jorgensen: Okay.

Leslie Bittleston: 62B and then ask for any questions and then 62H.

Catherine Jorgensen: Perfect. Thank you.

Leslie Bittleston: Sure. Any other public comment? Okay. Hearing none --

Tiffany Tyler-Garner: Good morning. My name is --

Leslie Bittleston: I'm sorry. Go ahead. Go ahead. Sorry.

Tiffany Tyler-Garner: I'm sorry. No worries. My name is Dr. Tiffany Tyler-Garner, calling on behalf of the Children's Advocacy Alliance from the Strong Start Prenatal-to-Three coalition. I just want to thank you for leadership and attention to these issues. I look forward to our [inaudible] this day. Thank you.

Leslie Bittleston: Thank you. Any other public comment? Okay. Okay. Hearing none, we're going to move on to agenda item number 3. Introduction of presenter and division staff. I will be the presenter today. My name is Leslie Bittleston. I am the chief of the Juvenile Justice Programs Office for the division of Child and Family Services. We do have other DCFS staff on the call. Kayla Landes who is also a member of the Juvenile Programs Office here in DCS, DCFS and Jennifer Simeo. They are available for comments as well if necessary. So, but I will be the primary presenter of, of these two NAC revisions. Moving on to agenda item number 4. Pre, presentation of the proposed NACs. Letter a, 62B. So in your packet of materials, you do have a proposed revision for NAC 62B. It is titled training for certain employer, employee's draft SB 108 DCFS regulations for training. That is what I will be presenting for 62B. Just giving everybody a minute to pull it up. Okay. This regulation is in response to SB 108 which was enacted in the last legislative session that the SB 108 requires cultural competency and implicit bias for folks that work in the juvenile justice field. So, this, the bill required regulations by the division, so these are our proposed regulations. And just for informational purposes, I did work with Jay, I'm sorry. Is somebody asking a question? For those of you not talking, could you please move your lines? Thank you. As I was saying, I worked with Jay Cafferata from University of Nevada Reno to address these regulations. The reason that the division reached out to Mr. Cafferata is that he recently participated in the drafting of regulations for Nevada Administrative, Nevada Administrative Code 449, which is specifically to licensed facilities, such as group homes for the elderly nursing facilities different kinds of homes like that. Those are licensed by the division, or the healthcare income qua, what is it? DHC, no. I'm blanking on the regulatory agency right now. I'm sorry. Anyway, but they are licensed by the state. So, in working with Mr. Cafferata we took some of the pieces of the regulation that he had written with a, with NAC 449 and incorporated it here. So, I just wanted to give a little background of where these regulations, proposed regulations came from. So, going over the proposed regulations on the document that was provided. Cultural competency implicit bias and sexual and gender minority were definitions taken directly out of SB 108. The division responsible is the Division of Child and Family Services. The regulations. I will read the regulations into the record. Regulations number 1. Each Department of Juvenile Services the Youth Parole Bureau local facilities for detention of children and regional facilities for the treatment and rehabilitation of children so, shall show, shall provide training and cultural competency in implicit bias to all staff within 90 days of hired every other year thereafter. All existing employees shall be trained by December of 2022. And agency that operates an institution shall include training records related to cultural competence and an implicit bias to the office no later than February 15 of 2023 and annually thereafter. A course or program subject to these requirements must include without limitation the following course materials. Sensitive, sensitivity to the needs of children, lesbian, gay, bisexual, and transgender persons, racial and ethnic minorities, religious minorities, and women. Information regarding socioeconomic conditions in various areas in the state, historical in equities the juvenile justice and criminal justice system and the impact of trauma and adverse child experiences on the decision-making behaviors of children. Training on implicit bias to include without limitation, what bias is, where bias comes from, excuse me, where implicit bias comes from, the importance of understanding implicit bias, the negative impacts of implicit bias, and the types of actions that can be taken to reduce implicit bias. Number 3. A Department of Juvenile Services the Youth Parole Bureau local facilities for the detention of children and regional facilities for the treatment and rehabilitation of children may create a training which shall be subject to the approval of the division prior to providing that training and upon any major revision or update. The division shall request necessary information to review the course or program. The division shall ensure the training is in full compliance with these regulations. A course program that is not been approved by the division is not in compliance with these regulations. Number 4. A Department of Juvenile Services the Youth Parole Bureau local facilities for the detention of children and regional facilities for the treatment and rehabilitation of children may use an internal trainer or training team that may contract with, may

contract with the external trainer or trading team. The qualifications of juvenile trainers shall be submitted to the division for approval prior to providing the course or program. The division may request additional, may request necessary information to review the qualifications of the trainers. The division shall ensure that the trainer qualified to provide the course or program. The course or program completed by a trainer or trainers that have not been approved by the division is not in compliance with these regulations. Any course or program approved pursuant to this section may be provided online through a training system or in person. The division shall re, review the course of program information submitted pursuant to subsection 3 and 4 within 60 days of receipt. During the review process, the division may have the course or program reviewed by a person who is an expert in cultural competency or a committee of persons who are experts in cultural competency. If the information that is provided to division meets the requirements set forth in subsection 3 and 4 of this regulation the administrator or their designee may approve the course or program. If this, if the information that is provided to the division does not meet the requirements set forth in subsections 3 or 4 this regulation, the administrator or their designee shall not approve the course or program. Number 8. Within five business days after completing the review of the information pursuant to subsection 6, the administrator or their des, designee shall notify the entity that submitted the information whether the course of programs approved or not approved. If the administrator or their designee does not approve the course or program inform the entity of any additional information that the entity needs to submit for the course or program to be approved. Number 9. The facility shall submit the additional information, that the facility needs to submit, I think there is a typo in number 9. I will correct that. Make a note. It needs to submit pursuant to paragraph B of subsection 7 within 45 after being notified that the course or program is not approved pursuant to paragraph a of subsection 7. Upon receiving the additional information, the administrator or their designee may approve the course of program. If the additional, if the additional information is not received or fails to include all of the information the administrator of their designee informed the entity it needed to submit the administrator, or designee shall not improve the course of program. Number 10. Courses or programs that meet the following requirements will be approved without further review by the division. As described in numbers 3 and 4. The courses provided by a nationally recognized organization as determined by the administrator of the division, a federal state or local government agency, or, a university or college that is accredited in the District of Columbia or any state or territory of the United States, and provides proof of completion upon the participation of the course program completing the course or program that the administrator of their designee determines satisfactory. That is all the new language that is proposed. Moving on, we do have a couple of revisions to. These re, revisions are more focused to the state facilities, NYTC Summit View and Caliente. The first addition is number 3. It is in red. It says, in addition to the instruction required by subsection 1, subsection 2 and NRS 62B 250, a facility pursuant to NRS 62, 63 030 shall ensure training for all employees in the following emergency procedures is conducted and included on the annual report to the office pursuant to NAC 62B 110 on a template provided by the office beginning February 15, 2023 and annually thereafter. Basic first aid. CPR. Youth mental health first-aid and quarterly emergency drills. Moving on to the next revisions under NAC 62B 110. Number 3 and number 4. No later than February 15, 2023 each Department of Juvenile Services and the Youth Parole Bureau shall, shall submit to the office on a form developed and provided by the office a report concerning training required by NAC. This would be the new language. Number 4. In addition to the report pursuant to subsection 2 and 3 of this section, a syllabus shall be provided for each training course or program. The syllabus shall outline all components of the course or program, the name and agency of trainer and the time allotted for the course or program. If training course or program differs for new employees and existing employees for the same subject, a syllabus for each course or program meeting the requirements of a, shall be provided clear, clearly indicating the focus on new or existing employees. Moving on to the next paragraph. This is specifically for the division office, which is myself. It provides a timeframe for me to complete the training report no later than June 30th of each year. And then moving on to the last subsection 62B 120. The inclusion of including the withholding of state money. If, if a facility fails to provide the training report as required. Those are all of the revisions and I am open to the questions or comments.

Pauline Salla: So, Leslie, this is Pauline Salla from Humboldt County. I'm just gonna, I'm going to through the areas just where either I need clarification or just to provide some feedback. Is there, is, can we possibly add, there's couple of things. Okay. So, in, on number 6 when the division may have the course or program reviewed by a person who is an expert or cultural competency, in cultural competency or a committee of persons, are we taking into consideration how different jurisdictions are, and with our ethnic makeup of the jurisdictions. Some of us have a higher Native-American population than others, and so I'm just making sure that that committee understands the differences between rural and urban areas, that's one. And then, under number 8, within the five business days, is there going to be an appeals process for jurisdictions to appeal to the division if something doesn't get approved, or wants like to, to appeal to some other agency or some different, a different level if it doesn't get approved? That's another question. And then on number 10 there's several of us who use police 1 as training for our facilities and probation officers. And police 1 is, our police 1 trainings are approved through post. They have wonderful trainings with syllabuses and, and its great curriculum. We already do the implicit bias. There's lots of other topics on cultural competency and juvenile facilities. So, at least for Humboldt County we would like to see and I believe Clark, Clark County too has that same approach but they can speak to that. That if it's post-approved that we are allowed to use that training also so it doesn't increase our costs and create another unfunded mandate. And then just to clarify the revisions for NAC 62B are only for state facilities?

Leslie Bittleston: Sorry, I was on mute. So, yes, it is only for state facilities but that is open for discussion. And the reason that I only included it for state facilities right now is because DCFS last year went through a process. We received a technical assistance grant to write emergency, emergency plans for our DCFS facilities. And one of the things that that came back from that technical assistance is all staff should be trained in these medical, you know, basic first aid, CPR. So, we wanted to add it to make sure that our facilities are doing that. I, I didn't want to add it to detention facilities without your approval. If you want to add it to the trading report and everything, I am okay with that, but just for this revision I only proposed it for DCFS facilities. So that could be a top, that could be up for conversation.

Pauline Salla: Okay. Thank you. I, I, I'm not I'm not asking for it to be --

Leslie Bittleston: Okay.

Pauline Salla: for detention centers --

Leslie Bittleston: Okay.

Pauline Salla: only because youth mental health first-aid we, we utilize mental health and juvenile justice certifications so I wanted to make sure we weren't being so specific on, on what we choose for our youth mental health training.

Leslie Bittleston: No, it's not, it's not, it's not that. It's just, you know, we want our facilities, that the state facilities based on that technical assistance to have those trainings. So we are including it on their training reports.

Pauline Salla: Okay. Thank you. And then my final one is the revision for 62B 120. What state funding are we talking about that would, would be withheld for a facility training noncompliance?

Leslie Bittleston: The only state funding that we can withhold from a facility is either direct funding that we give to facilities which we may or may not, or the community corrections partnership block grant. Those are the only two types of funding that the state can withhold, withhold. And if you remember from

the last 62B revision we talked about how DCFS would go about withholding state funding. That still applies to this as well.

Pauline Salla: Okay. Yeah. It seems a little overreaching for CC like community corrections money to be withheld from a detention center with the goal of that money to be front in services, so it just, it seems like that's really defeating the entire purpose of that funding source.

Leslie Bittleston: Okay. Thank you, Pauline. Could you, would you please put that in, all of those comments in an e-mail to me so I can make sure that I address those in, in the revision or in the, in the draft.

Pauline Salla: Absolutely. Thank you.

Leslie Bittleston: Thank you. Anybody else have comments or questions?

Andre Wade: Hi. This is Andre Wade. For the record, services data quality. I noticed that, that materials can't be accessed in the Google Drive, at least I can't, and a couple of the people can't. So, are unable to review the documents in real-time and write feedback here or in written form later.

Leslie Bittleston: My apologies for that, Mr. Wade. I did not know that. Kayla Landes who is one of the staff, if you put your e-mail address in the chat Kayla will send you the materials via e-mail as we're still on this meeting.

Andre Wade: Okay. Will there be another meeting schedule to discuss with people having proper access to the materials before our meeting is heard [ph]?

Leslie Bittleston: I, it is my understanding that the state is only required to have one public workshop but I, for the last revisions I did hold two public workshops. So the state can absolutely hold a second public workshop to discuss any revisions that may come from comments today or written, written comments.

Andre Wade: Thank you.

Leslie Bittleston: Thank you, Mr. Wade. Anybody else have any questions or comments? Hi, Christine. I saw you raise your hand. You're unmute.

Christine Eckles: Can you hear me now?

Leslie Bittleston: Yes.

Christine Eckles: Okay. Sorry about that. Christine Eckles, division director, Washoe County Juvenile Services. I just want to make sure I'm understanding correctly on the revisions section of 62B 100, number 2A and B. It, in the revisions it says that any employee would have to be trained on the detention standards and disproportionate contact. In the current NAC it reads, that employees who have supervisory duties over employees have to have that training. So, it is changing the NAC which is it's not in red and would create another mandate for more training to all staff persons to start a detention supervisor, which I think those two topics are, should, should remain with just the supervisors.

Leslie Bittleston: Thank you. And as my same request to Pauline, so you can, you put that in an e-mail to me.

Christine Eckles: Yes.

Leslie Bittleston: Thank you. Anybody else questions or comments?

Catherine Jorgensen: Hi, Leslie. I'm Catherine Jorgensen calling well, with the D.A.s office in Clark County I work with the Department of Juvenile Justice Services. I got a, I have a few comments, if I can go through them.

Leslie Bittleston: Absolutely.

Catherine Jorgensen: Thanks. The first is related to paragraphs or section 7, 9, and 10. So 7 uses the language may approve. Nine uses that language again, may approve, and then 10 uses will be approved. As to may approved in section 7 and 9, I would suggest that the language should be changed to shall. Using may indicates that it is still discretionary. However, if all the requirements have been met, then it should change to shall. If there are additional criteria that the administrator or designee would consider, then those criteria should be included in section 7 and 9, otherwise my suggestions change that to shall. So, if we meet the requirements, then it shall be approved. With regard to section 10. Courses of programs to meet the following requirements will be approved. I would recommend using the term shall instead of will, given the other language in the other sections. And then my final comment is related to 62B.120. Adding that language including the withholding state money. Reviewing NRS 62.2 250 which is the statute that is being used as a basis to make these changes at the NAC. I, there is no authorization in that particular statute to allow the state to withhold money. There is a particular statute in 62H that does talk about withholding money. I don't believe that extends to this. If it does upon review, then at least that should be referenced as a basis for this particular NAC, but again, for my review, I don't believe the state has the authority to add that language into this particular NAC based on the language and statute. And those are my comments.

Leslie Bittleston: Thank you very much. And I will also say to you, Ms. Jorgensen, if you could send that to me in an e-mail. And just for clarification, and L, LCV has not yet reviewed this. So, they are the ones that do verify legal requirements and they would be doing the ones or the one to reference all of that and to determine that. But I can, for the next draft make a comment that says please verify, you know, to LCV, so yeah. So, LCV will get the draft after our next public workshop, and then when that draft comes back from LCV, we will hold the public hearing at that time to go over what's they have written in response to our request for revisions.

Catherine Jorgensen: Okay. And actually, there was one other small thing to talk about. In section 9 it says that if the facilities to with additional information, then it will be reviewed and if it needs it then, what I suggest should say shall approved.

Leslie Bittleston: Yes.

Catherine Jorgensen: However, there is no timing in there in terms of the amount of time that the division or the office would have to review and approve. So, their, so I would suggest like paragraph or section 8, perhaps section 9 also need some tiny language in there. So, the division or the facilities will have some idea of when how soon they'll be notified if they provided that additional information.

Leslie Bittleston: Okay. Thank you. And please, as I stated, put that in an e-mail to me. That would be great.

Catherine Jorgensen: Thank you.

Leslie Bittleston: Thank you. Any other public --

Elizabeth Florez: Yes.

Leslie Bittleston: Hi, Liz. Go ahead.

Elizabeth Florez: Hi. This is Elizabeth Florez, director of Washoe County Juvenile Services. I do have a question on the SB 108 draft. When it looks like in the new language number 6 where it says the division shall review the course of program information submitted and that the division may have the course or program reviewed by a person who is an expert on cultural competency or a committee or persons who are experts. Has there been discussion on how that expertise is determined?

Leslie Bittleston: Yes. There has been discussion on that. What DCFS would like to do going forward is to have a, a new position who would oversee racial and ethnic disparities and would have that expertise. So, this is kind of a forward-thinking approach. Of course, that's all dependent on legislative, you know, approval and, and, and something like that. If that does not get approved, we do have a current contract with UNR and Mr. Cafferata is also another resource. But our ultimate goal is to hopefully get an expert within the division in the next legislative session. So that is kind of the plan.

Elizabeth Florez: Thank you.

Leslie Bittleston: Yes. Any other comments?

A.J. Huth: Hi. My name is A.J. Huth. And I am the youth and family services manager at the LGBTQ Center of Southern Nevada. I just wanted to kind of share some experiences. I work directly with LGBTQ plus youth. And several of the youth in my group have been in the system and they've had, you know, pretty poor experiences. Do you get calls from people who work within the system, you know, expressing that they have this person and they don't, you know, they're transitioning they don't really know what to do with them? And so, I feel like this kind of training is really important for everybody involved. Working directly with the youth not just supervisors. I mean, we've had supervisors in the system that are very well intentioned and, and, you know, very supportive but that doesn't always trickle down to people that are working directly with these young people. And so I think that this is really important. And as far as funds being withheld, there been so many things that have been mandated in Nevada to protect LGBTQ youth, and nobody really has any incentive to do anything about it or may just, you know, smallest step forward which is training. And training can do a lot and it's a small step to take. And so, I think that that's why there is some withholding of funds language in this because nobody is held accountable. It's like we put these laws into place and they're like, well, you have to do this now and then everybody goes, well, we're not doing it. And there's no repercussion for that, so might as well not even be a thing. And so, you know, our feeling is that, anybody who comes in direct contact with young people in any of our system across the state should at least have that minimal training. And we also want that training to be meaningful training so when we say things like experts in the field, you know, I, I don't necessarily to like, to classify myself as an expert but I have been working direct service with LGBTQ youth for many years and I feel like that gives me, you know, a level of experience and expertise that, you know, would be congruent in these types of situations. Other places that I've seen have, sorry, some basic, you know, stock information that doesn't really have any emotion behind it and it's, you know, an hour-long webinar that people can check a box. And you know, for me personally, I know that, you know, the types of trainings that we do, do share our, our experiences with the very people that you're working with. And it comes across as more meaningful, I think. And I think people get a lot more out of it.

And so, I think, I just wanted to put some of that into context for other people on this call that, I know that there's a lot of training that we all go through, but a feel like all that training is important. Because we

need to be the best that we can to serve the youth that are in our care. And, and I think this is one of those pieces that should not be just cast the side of, now we got to check this box. Because the, the, the young people that I will work with are, are having a really tough time in these situations. And just like any of the youth in, in the juvenile justice system we want them to have positive outcomes and be, you know, self-sufficient good citizens moving forward. And the better trained that we are to be able to help them get there the better outcomes we'll have in the future. And so, thank you very much.

Leslie Bittleston: Thank you for your comment. Anybody else have any comments or questions?

Mayra Pacheco: Yes. I would like, hi, this is Mayra Pacheco. I am the program coordinator for Prevent Child Abuse Nevada. And I am, I'm [inaudible] definitely, that's, that's what I, I am present here for too. I want to make sure that all staff is trained in this. Part of our job in PCA Nevada is to provide a similar training on cultural competency. It's not as comprehensive as the one that A.J. provides which is fantastic, but everyone needs it. The best way to provide positive outcomes from youth is for us to understand and to be able to, to truly address them. And when I give this training, especially youth, you know, for example, with the LGBTQ youth, you know, a lot of providers that work directly with youth have questions on pronouns, and have they want to know how to address, they want to know how to, how to talk to the youth and they don't have those tools. So just by having, and again, my training is, is, is just a two to three-hour one but they really appreciate those tools. Just by knowing, you know, what if I, if, you know, I don't know how to ask some questions, or what if I don't know anything of our refugees. And being able to have that space in which they can learn the tools and know where to access some of those tools, I, I think they are extremely important. I, you know, I, I know there's a lot going on, you know, and it can be difficult to get things done. I do want to support funding for this if possible or, you know, just being able to, to provide some of that where it's not just another unfunded mandate where we, we cannot make it through because our children need this, and I just want to really, really highlight the importance of this training for equity and for, and for true justice and healing in our communities.

Leslie Bittleston: Thank you very much for your comment. And just to clarify, I think the question from Ms. Eckles earlier was a little confusing. The implicit bias in the cultural competency training is required for everybody. What Ms. Eckles was asking specifically about was disproportionate minority contact and detention standards, which are current requirements for supervisors. So, I think there's some, some question about should those two areas be expanded out to all staff, rather than supervisor. So, so please, just for clarification, the implicit bias in the cultural competency and all of that is, is required for every single employee. So. But thank you again for your comment. So, are there any other comments or questions? Okay. Hearing none, again, thank you for this --

Andre Wade: Hi. This is Andre Wade for the record. I just think that Ms. Huth and Pacheco should be encouraged to submit their comments as well.

Leslie Bittleston: Yes. Thank you very much, Mr., Mr. Wade. I was just going to say for those of you who provided comments or, or questions, if you could please send me an e-mail. I believe my e-mail address is on the agenda. If not, I can, I can get that out to everybody.

Unidentified Female: Can you just pop it in the chat real quick? Please?

Leslie Bittleston: That would be a good idea, wouldn't it? Okay. My e-mail address is currently in the chat, so again, thank you for all the comments and, and please follow up with an e-mail to me. Okay. We're going to move on to B, which is NAC 62H. This NAC is in response to SB 366, which is specifically around the competency of juveniles in our system. SB 366 is quite a large bill. In this NAC revision only is focused on one small piece of that bill and that is data collection around the number of youths that are being sent for competency evaluations, the number deemed incompetence, and the number who have

been after services have been restored to competency. So, this, again is just addressing that the data gathering of, of this. So, in your packet of materials there is a document titled NAC 62H revision, SB 366. And I'll give you a second to pull that up. And I will read this. Youth competency data. It is new. Number one. Pursuant to NRS 62H/SP 366, that language is in there just specifically for when, for L, so it won't say this the final draft. It's just saying this now. So pursuant to 62 NRS 62H SB 366, December 1st of each year, each Department of Juvenile Services and the Youth Parole Bureau shall submit data and information for the preceding 12 months regarding any proceeding to determine the competency of the youth. The following shall be provided, provided on a form prescribed by the division. A, total number of youths referred for competency evaluations broken down by gender, age, race, ethnicity. B, the highest-level offense associated with the referral. C, the Nevada Offense Code or the NOC code. D, total number of youths referred who were deemed incompetence. E, breakdown of the reasons for incompetent determination using the, one of the following: developmental, intellectual, mental illness. F, total number of youths recommended for restoration services. G, type of restoration services provided. And H, the total number of youths recommended for restoration services that were deemed incompetent. I also provided in the packet of materials the form prescribed by the division, and it is titled SP 366 spreadsheets. I'll give you a second to pull that up. So, the SB 366 spreadsheet has three tabs. The first tab it's titled referred for competency evaluation. And as you can see it is broken down by the areas identified gender, age, race, ethnicity, offense type, and NOC code. And then moving on to the second tab, deemed incompetence. We have included the dates that the youth was deemed incompetent, gender, race, gender, age, race, ethnicity and the reason. That would be one of the three reasons identified. And then was the youth recommended for restoration services, yes or no. And then going on to tab number 3. If the youth was referred for restoration services, then we would complete this tab, so gender, age, race, ethnicity, reason for the referral and the type of restoration provided and then the date deemed, deemed competent. So that is what we have right now. I can take comments or questions on the NAC 62H revision.

Pauline Salla: So, Leslie, this is Pauline Salla, Humboldt County. When you say Nevada Offense Code, the NOCs, what, what are we talking about?

Leslie Bittleston: So, the NOC code was recommended by our previous administrator, Mr. Armstrong. I'm not sure why he referred the NOC, preferred the NOC code over the NRS code, but I can, if you would all prefer the NRS code we can absolutely change it.

Pauline Salla: My, my only feedback with using NOC is title supervisions not set up with NOC or set up with NRS.

Leslie Bittleston: Okay.

Pauline Salla: So, if we're going to NOC codes then that's a switch entire for all of us and --

Leslie Bittleston: Okay.

Pauline Salla: and I, I just think NRS makes it easier. And then one more question. If we're, if we're reporting on the highest-level offense associated with the referral, when that be, when that take care of the NOC. We're only reporting on the highest charge in, in most, in most things we do. Bookings, our data reports. So, it seems like B and C is just duplicative information.

Leslie Bittleston: I think to be perfectly honest. It depends on how your jurisdiction reports. Some jurisdictions just for say, battery, that's how they report. So we, so the NRS code really provides more specificity of what battery means or what something else means. So the reason that that code was asked is just so we can be very specific on what that offense is. You know, you can have in line number, which is

that I don't have it up. Line number B could be battery but then C would be the specific NRS code related to the battery.

Pauline Salla: Or you just do NRS whatever the --

Leslie Bittleston: Just forget it.

Pauline Salla: whatever the point is for battery. NRS.

Leslie Bittleston: Great.

Pauline Salla: That's why it's duplicative because the NRS --

Leslie Bittleston: Okay.

Pauline Salla: is going to identify, at least for me, I think you will --

Leslie Bittleston: Okay. Got it. Thank you.

Pauline Salla: I'll put it in writing, though.

Leslie Bittleston: Thank you, Pauline.

Pauline Salla: Yes. That's it.

Leslie Bittleston: Alright. Any other comments or questions on NAC 62H?

Elizabeth Florez: This is Elizabeth Florez, again Washoe County director. In looking at the revision under 1E, it says the breakdown of reasons for incompetent determination using the following. There are a couple things. One, right now we would have to seek that information through the narrative portion of the competency evaluations that we get. I have concerns about, about we certainly have expertise and training to interpret the reason for the competency. So that would just be something. And I, I don't know if that's something that the state is funded as they, I know that there were funds allocated to create some sort of structure and made perhaps certification for the evaluators but that would just be a barrier for us at this point. The other thing is that it limits it to development intellectual and mental illness. However, in 62D 160, it lists that there could be other reasons that contribute to competency. So, I would just want to be ca, cautious about narrowing the options for that.

Leslie Bittleston: And Liz, really quick, can I provide an answer to that. The reason those three were selected, those three were selected specifically by the data subcommittee off the Juvenile Justice Oversight Commission as the three reasons they would like to see. So that is why there were only those three reasons.

Elizabeth Florez: So, okay. I guess I would just have question about if something doesn't fall neatly into any of those categories how are they to be coded?

Leslie Bittleston: Great.

Elizabeth Florez: And I can, would you like me to put that in writing?

Leslie Bittleston: Yes, I would. Thank you.

Elizabeth Florez: Okay.

Leslie Bittleston: Do you have any other comments, Liz?

Elizabeth Florez: No. Thank you very much.

Leslie Bittleston: Okay. Any other comments or questions?

Andre Wade: This is Andre Wade again with Service Data Quality. I just had a question about how this square with SB 109 around? So did data collection citation identity. If we're collecting demographic information around gender, age, and race, I believe sexual orientation and identity should be included because for some reason to find out a high number people of these young people are fall in that demographic, then that might be, you know, something to look at and might be problematic. So, I want to include that piece as far as demographic added, information being added.

Leslie Bittleston: That is an excellent point, Mr. Wade. Thank you very much. Any other comments, questions? Okay, hearing none, so that concludes the presentation of the proposed NACs agenda item number 4. So, moving on to agenda item number 5. This is just an open public comments section. Public comments are limited to three minutes. And provide your name and organization. And do I have any public comment? Okay. Hearing none. Moving on to the next agenda item, which is NAC steps. An announcement of written comments deadline. So, I provided my e-mail address into the chat, and respectfully request that those that made comments provide me an e-mail. Those public or written comments are due by close of business on February 23, 2022. And then the state will review all of those, those comments and, and, and, questions and develop a revised draft and hold a second public workshop. So that we are hoping that will be sometime in April but it depends on what type of public, you know, written comments we get in addition to what was presented to today. So again, written comments are due February 23, 2022, close of business. And then, be, be looking out for the second public workshop. And if there's no other comments that concludes our public workshop for today. Thank you very much, everybody.

Unidentified Female: Thank you.

Leslie Bittleston: Bye.

Unidentified Female: Thank you. Have a good day.

Unidentified Male: Have a great day.