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**MEETING OF THE NEVADA STATE JUVENILE
JUSTICE OVERSIGHT COMMISSION (JJOC)
STATE ADVISORY GROUP COMMITTEE
TRANSCRIPT**

DATE: Thursday, March 21, 2024

TIME: 9:00 AM

LOCATION: Microsoft Teams meeting

Roll Call:

(Members)

Pauline Salla
Katherine Maher
Eboni Washington
Liz Florez
Ethan Ewert
Sharon Anderson
Holly Wellborn
Derrica Daniel
Jennifer Fraser

(Staff Members)

Leslie Bittleston
Cindy Casselman
Jessica Villalobos

Pauline Salla: I'm going to call the State Advisory Group Committee meeting to order. Today is Thursday, March 21st, 2024. It is 9:01 a.m. Leslie, if you could do roll call to ensure a quorum we'll move through the agenda.

Leslie Bittleston: Okay, Pauline Salla.

Pauline Salla: Present.

Leslie Bittleston: Ethan Ewert.

Ethan Ewert: Present.

Leslie Bittleston: Jennifer Fraser is going to be late. Sharon Anderson.

Sharon Anderson: Present.

Leslie Bittleston: Holly Wellborn.

Holly Wellborn: Present.

Leslie Bittleston: Paula Smith. Elizabeth Florez.

Elizabeth Florez: Present.

Leslie Bittleston: Derrica Daniel. Dyland Tedford. Katherine Maher.

Katherine Maher: Present.

Leslie Bittleston: Madam Chair, we do have a quorum. If you bear with me a couple of minutes while I get the guests. Sabrina?

Sabrina Schnur: It's Schnur.

Leslie Bittleston: Schnur, where are you from, ma'am?

Sabrina Schnur: I'm with Belz and Case Government Affairs. You'll also see our little AI scribe under Belz & Case Government Affairs scribe.

Leslie Bittleston: Okay. Also, we have Leah Case, is that correct?

Sabrina Schnur: I don't believe Leah Case is with us today, but she is with my company.

Leslie Bittleston: Okay, Thank you. And I also see McKenzie Pool, Eboni Washington, Katie, Brandon, and Derrica Daniel joined us.

Leslie Bittleston: And Jennifer joined. We are only missing Paula Smith and Dyland Tedford as members. I believe I have everybody else. For staff today, Leslie Bittleston, myself Cindy Casselman, and the Programs Office also has a brand-new Administrative Assistant on week 2, her name is Jessica Villalobos. Jessica, do you

want to wave at everybody?

Jessica Villalobos: Hello!

Leslie Bittleston: The Program's Office is happy to have her. We, the office has been without an Administrative Assistant for about three months. Jessica is new to the state and new to juvenile justice. We are happy to have her. This will be her first meeting, welcome, Jessica.

Pauline Salla: Welcome, Jessica and thank you, Leslie. We have so many new names and faces under the agenda item of roll call. If people can introduce themselves, we're going to be working closely together. I think it'd be important for us to know what we do and where we are from. That way even our new members will know those of us who have been on here for a while. Can we do that? We will start with Katherine. I'm just going to go on how I see people on my screen.

Katherine Maher: My name is Katherine Maher or Casey. I'm a deputy juvenile public defender in Washoe County. I've been with JJOC since 2020, I think and happy to be on this committee.

Pauline Salla: Thank you, Katherine. Liz?

Elizabeth Florez: Good morning, everybody. I'm Liz Florez. I'm the director of Washoe County Juvenile Services and was appointed a couple of years ago when I became director. Nice to see everybody.

Pauline Salla: Thank you, Liz. Holly?

Holly Wellborn: Good morning. My name is Holly Wellborn. I'm the executive director of the Children's Advocacy Alliance. I'm newly appointed. Gosh, I'm trying to remember my first meeting with you all. I feel very privileged to serve on this committee. And I look forward to the work that we will do together.

Pauline Salla: Thank you and welcome, Holly. Sharon?

Sharon Anderson: Hey, good morning, everyone. My name is Sharon Anderson. I serve as the Deputy Administrator for Juvenile Justice Services for the state of Nevada. I am just under two years in this role, it's a pleasure to be here.

Pauline Salla: Thank you, Sharon. Jennifer?

Eboni Washington: Good morning, everyone.

Jennifer Fraser: My name is Jennifer Fraser. I'm the chief deputy public defender at juvenile division. I'm down in Clark County and I've been on the JJOC since 2019.

Pauline Salla: Thank you, Jennifer. Ethan is a voting member on here, correct?

Leslie Bittleston: Yes, he is. Ethan?

Ethan Ewert: Hey. Good morning. My name is Ethan Ewert. I'm newly appointed last year, and I am a youth member.

Pauline Salla: Welcome, Ethan.

Leslie Bittleston: Then we have Ms. Derrica Daniel.

Derrica Daniel: Good morning, everyone. My name is Derrica, but I do go by Darri. I am the finance coordinator for the ACLU of Nevada, and I'm the president of the ACLU of Emerging Leaders Youth Program. Happy to be here. I was appointed four months ago.

Pauline Salla: Thank you and welcome. Are those all our members?

Leslie Bittleston: Yes, those are all the members.

Pauline Salla: Okay, great. I'm Pauline Salla. I'm the director of Juvenile Services in Humboldt County. I've been on the JJOC since the inception of it, so it's been a while, and I'm the chair of the SAG committee since then too. Thank you and welcome. We have a great committee with lots of people. This is exciting. We're going to move on to agenda item Number 3, which is public comment. If we remember, action may not be taken on any matter brought up under this agenda item until a scheduled agenda for a later meeting. If anyone has public comment, we do limit public comments to three minutes. If anyone has a public comment, feel free to raise your hand or just start. Seeing no public comment. I'm going to close that agenda item. We'll move to agenda item Number 4, which is review and approval of our September 23rd, 2022, meeting. This was our last meeting that we held. If we remember, the JJOC went dormant for a bit. Hopefully everyone had a chance to review it. I had to remind myself of what we were talking about during that meeting. We have some of the same members, but mostly new members. If you had a chance to review it or if there's any changes, I'll entertain those and we can do a discussion right now, and if there isn't, I'll accept a motion to approve.

Holly Wellborn: Moved.

Jennifer Fraser: This is Jennifer Fraser for the record? I'll second that.

Pauline Salla: Thank you. I missed who made the motion?

Jennifer Fraser: That was Holly Wellborn.

Pauline Salla: Thank you, Holly. It's been moved and seconded, any discussion? All those in favor say aye.

Jennifer Fraser: Aye.

Eboni Washington: Aye.

Elizabeth Florez: Aye.

Holly Wellborn: Aye.

Sabrina Schnur: Aye.

Pauline Salla: Any opposed? The minutes are approved as submitted. Thank you. We'll move to agenda item Number 5. This is for information, discussion, and possible action. This is our Title II formula grant, and I'm going to turn it over to Leslie to do both bullet points. We can start with the review of the formula grant fund

balances, which is Attachment 5.

Leslie Bittleston: I have pulled up Attachment 5. Can everybody see the screen? Perfect. For those of you that are new to the committee. The state receives what's called the Title 2 formula grant. This is since the state has opted to participate in the Juvenile Justice Delinquency Prevention Act, which is a federal law guaranteeing protections to juveniles in the criminal justice system. The state has participated in this act and this grant since the 1980s. This is nothing new. This is something that the state has been participating in for many years. The formula grant is awarded annually. Which each grant is open for a four-year period. The state has four years of open federal grants at any one time. Recently, the state closed FY19 formula grant. What was awarded is \$406,333 which there is zero remaining, which that grant has been closed out. FY20, FY21, and FY22 are currently open. As you can see in the amount awarded, that was the amount the state was awarded. Then the next column amount expended, that is how much the state has expended in, funds, and how much is remaining. That's where we are with the grants, we do have FY23 still pending, which I will explain under the next bullet item where we are with that. That is just the general award information. Out of each one of those awards, the State Advisory Group, this committee is awarded \$20,000 out of each award for FY20 what has been expended is \$10,882.11 with a little over \$9,000 remaining and \$20,000 remaining in FY21 and FY22. Just to give the committee an idea of what these SAG funds are used for. They're used for two things historically and then a new one, which I will explain in just a second. The state does participate and is a member of the Coalition for Juvenile Justice. It's a nonprofit national kind of research and lobbying agency that lobbies on behalf of states and in support of the Juvenile Justice Delinquency Prevention Act. There are annual dues for the state to participate, and those dues are \$5,000 annually. That comes out of the SAG portion. Secondly meeting transcripts and anything related to the JJOC supply wise comes out of this allotment. Lastly, the JJOC approved a stipend program for youth members who attend meetings. Those stipends will be taken out of this portion as well. That is what that SAG allotment is for. Are there any questions at this point? Nope? Okay, so out of the formula, grant states are required to subgrant 66% of their award to subgrantees. As you can see, let's use FY20 for an example. 66% of that \$510,000 the state received must be awarded to subgrantees. This bottom sub-grantee information are the states, long-standing subgrantees that are awarded annually out of these grant funds. We have Clark County Juvenile Services. They are awarded \$130,000 annually for two programs one program is called SARP, which is Substance Abuse Assessment and Referral Program. The second program is called MET, M-E-T Motivational Enhancement Therapy. Those grant funds go to Clark County for those two programs. Project Seek in Sixth Judicial, which is Humboldt County they do a program related which I would call it alternatives to detention. They do a great program out there. Where they are bringing youth in the afternoons and doing interactive journaling, for instance Forward-Thinking®. If those of you have heard of Forward-Thinking®, it's great interactive journaling series to help kids identifying their issues and move forward. The third program is the Youth Apprentice program. This is out of the 11th judicial. That would be Mineral County, Pershing County, and Lander County. This is a mentoring/job skills program where youth are going out to various jobs and learning about what those jobs entail. That's what that program is. The city of Las Vegas has an annual DMC conference in Las Vegas once a year, in January which bring in guest speakers to talk about disproportionate minority contact or racial and ethnic disparities. A new program from the city of Las Vegas began in FY21. This is a mentoring program, which have the same premises as their annual DMC conference. It's an annual conference for youth, and they also bring in guest speakers and other programs around mentoring youth and how to help them achieve their goals. The Resource Center is the National Coalition of Juvenile Justice this is the state's evidence-based resource center vendor, so they receive \$51,750 annually. The mental health program from Carson City, is a program where they bring in a contracted mental health clinician into their office to do services in-house. Washoe County received \$30,000 in FY20 and \$95,000 in FY21, through a special request for proposal to subgrant additional funds. Their funds are being used for juvenile justice system improvement. Lastly, Tyler Technologies. For those of you who are not in the trenches every day, Tyler Technologies owns Enterprise Supervision, which is the case management system that the state and 16 out of the 17 counties use for their juvenile justice case management system. This

fund allotment is set aside annually to make updates or enhancements to Enterprise Supervision as necessary and that's under the auspice of juvenile justice system improvement. That is a very high-level overview of the formula grant. The funds, the SAG allotment, and the subgrantee information. Are there any questions about that?

Pauline Salla: Members, anybody have any questions?

Leslie Bittleston: Okay.

Pauline Salla: Leslie, you can move into the next agenda item since that is affecting our Fiscal Year 23 award.

Leslie Bittleston: Thank you. Let me pull up the document for the next agenda item. For those of you that were at the last JJOC full meeting you've heard briefly, the state of Nevada is currently ineligible for the FY23 Formula Grant award, that's why it was indicated as pending on the last attachment that I shared with you. The reason that it's pending is because the OJJDP, the Office of Juvenile Justice Delinquency Prevention, the federal office that oversees the formula grant and the Juvenile Justice Delinquency Prevention Act in states, has determined that Nevada does not meet the requirements of a state advisory group, as indicated in the Act and the formula grant. The state had to look at the requirements of the SAG. The state has put forward a, I'm pulling it up now. The state, to ensure that Nevada meets the membership requirements which the state then looks at the membership requirements of the Juvenile Justice Oversight Commission Membership in Nevada, revised statute 62B.600. In comparison with the membership requirements outlined in the act and the formula grants and looked at those two memberships together. The state proposed a bill draft review of BDR to modify or revise NRS 62B.600 to allow the state to recruit membership more in alignment with the federal requirements that way we can ensure we are meeting federal-state advisory group requirements on the go-forward. This is presented to the committee today as how the state addressed the membership discrepancy between the state's outline of the Juvenile Justice Oversight Commission and federal requirements. What you see in the blue highlight is new language the red strikethrough is what we're proposing to remove that language. We've added on Number 1, the Juvenile Justice Oversight Commission is hereby established to oversee the Juvenile Justice system and to act as the required state advisory group is outlined in the Juvenile Justice Delinquency Prevention Act. This is just ensuring that we are putting it in writing. The Juvenile Justice Oversight Commission has two functions to review and support the Juvenile Justice system, Number 1, and Number 2, to meet the federal requirements of the Juvenile Justice Act and the formula grant. Looking at the requirements, the membership is proposed to be raised from 25 to 27, that way we can ensure all those positions are covered. The new language is proposed in blue and what is important, and those are the areas which we're meeting right now.

Pauline Salla: Leslie, may I? This is Commissioner Salla.

Leslie Bittleston: Yes.

Pauline Salla: On Letter G, five members who are representatives of a nonprofit organization, lobbying firm is that new because previously the SAG could not participate in lobbying activities with the federal act that we could provide data and information. I'm wondering if that's a new area which has been approved by Formula Funding and the Act.

Leslie Bittleston: Yes, let me explain what I mean by lobbying firm. Members of a government agency, being a state, a county, or a federal agency may not lobby. However, a private firm may lobby. Somebody from like the ACLU, for example, we have Ms. Wellborn and Ms. Daniel. They may be a part of the JJOC. I hope that explains that It just cannot be somebody that is a government employee. It may be a private firm which has their role is lobbying.

Pauline Salla: Okay, I'm going to move onto Holly. She has her hand up, then I might have a follow-up. Go ahead Holly.

Holly Wellborn: Thank you. And just to clarify, I'm with the Children's Advocacy Alliance now, previously ACLU, but yes. I didn't say that at the beginning, did I? My questions are I was not able to attend the full meeting last time, I do have several questions. Is the language on here coming out of directly from those federal requirements? If we can cross-reference this, I would like to be able to do that. This would be helpful for me to be able to cross reference what's required with what's proposed in this language here. I'm curious about one elected official, which may include, but not limited to a Judge, a Supreme Court justice, a Mayor, Police Chief, or Senator Assembly person. That's a very broad range of people with very different perspectives. It seems to me that we're reading that all these folks are appointees of the Governor, with little recommendation from other entities. We did have the provision, for example, my seat. I'm recommended by the Assembly to have this seat. That would be so we would strike that. But of course, there's this nonprofit opportunity. I like that provision because I think it's more of an oversight. It's truer to our name as an oversight commission. I am curious if some of this language departed from what's required federally and what opportunities we must expand and think through some of the membership.

Pauline Salla: Thank you, Holly. Those are very valid points. Is there anybody else who have any questions, or comments? Liz?

Elizabeth Florez: I do. Hi, this is Elizabeth Florez. For the record, I want to concur with Ms. Wellborn's, request that we be able look directly at the language we've done. We have taken that same approach in other meetings in our Juvenile Justice Administrators' group. As we are working with the State on data reporting, that way we are all looking at the same requirements and interpreting them consistently. I just wanted to concur with that, Thank you.

Pauline Salla: Thank you, Commissioner Florez. Anyone else? This is Pauline Salla, for the record. I think that I concur also because I didn't see tribal representative from tribal entity. I do know that it's still a requirement of our commission. I might have missed it as we were scrolling, but I didn't see that.

Leslie Bittleston: It is under letter K.

Pauline Salla: It is K. Okay I see. Leslie is there, because I know this is listed as a possible to move this to the full JJOC, but I don't think we're there on any of these agenda items, since this is our first meeting as a new committee. Is there like number three, four, five, six, seven? All that is and still take in that language, still taken right out of the formula application because it used to be identified in there by the Feds.

Leslie Bittleston: The black language is, what is currently in NRS 62B.600, that is current statute, the blue language is what's being proposed as something new to add to the NRS, which that's how that works.

Pauline Salla: The Federal? I understand this is our statute, but the federal language for the makeup of the State Advisory Group. I think that would be beneficial for the members to receive after the meeting. And then we can, we can place this back on the agenda so that we have the, the federal language of what's required, then we can compare it to this. Does that make sense? It sounds like that's what the members are requesting, and I would agree with that. I think we need that.

Pauline Salla: Members? Any other questions or comments?

Pauline Salla: Go ahead Ms. Wellborn

Holly Wellborn: Thank you. Holly Wellborn, for the record. I am curious, it seems to be within our interest to have a legislature on this commission. I think when we're thinking through recommendations that come out of this committee in continuity between what we're doing and what we recommend in our ability to make changes to statutes and have people champion those or have an understanding that within that body is within our interests. If there is room and ability to narrow that and make it specifically for a legislator. I think we should try to do that. That would be my recommendation because I think that this list is too broad. It can be more specific. But if you're federally required to open it up to a variety of different officials. We do have Judges who are able to come in and talk about these things through a court context. It seems there's ethical boundaries for members of the judiciary. That would be my preference.

Pauline Salla: Thank you.

Leslie Bittleston: Yes. I think what I'm hearing is, at the next meeting just to go over those federal membership requirements in some detail. Just to kind of give you a very 10,000-foot view. The way that the Feds think of a State Advisory Group membership is not conducive with the way that Nevada's Juvenile Justice system is set up. I'm happy to present what the Feds requirements are, I will do that at the next meeting. Secondly, as we propose the language, we need to think about the Governor. Because if this committee or we the State don't provide some parameters, the Governor is going to appoint people that are extremely unfamiliar with the Juvenile Justice system and don't really understand the role. That is why there is some clarifying language in statute to help the Governor selects people that are appropriate for this commission. We need to think about that as well. As we go forward and talk about this. We will talk more about that within the next meeting. I just wanted to give that additional information for members to think about.

Pauline Salla: Thank you. Leslie, I do think that historically the position you're in took recommendations to the Governor. When I was in that position, I took recommendations to the Governor of the individuals who really understood our system and was active in our system, with the applications, right? We had the speaker at that point, on the commission. So that there is some feedback from people who are involved in the system of the next appointees. Of course, we want different sectors represented, and different sides is what we want. We want to make sure that people understand and can grasp the degree of reform the Juvenile Justice system has gone through. What we've been working on for years with our oversight commission. Is there room for that? Is there still room for your office or the State representatives to have the ability to meet with the commission agency of the Governor's office to provide that feedback.

Leslie Bittleston: That depends on the Governor, quite honestly. When Governor Sisolak came into the office as well as this current Governor, the recommendations seem to go by the wayside, so to speak. I don't have an answer for why. What I have been able to provide is if there is a no but not make an actual representation or a recommendation like this person would be great. Currently, the Programs Office is having that problem right now. We have recommended an individual to fill the role of, nonprofit and that person's application has been pending for two years and still has not been appointed. Again, I think that depends on the Governor.

Pauline Salla: Thank you, Leslie. I do think we can utilize the State Advisory Group to help you do that. I mean, when I was in your position, I used my State Advisory Group chair and my commission chair to help facilitate that. It does sound like there's some work we need to do with that because I do think that's important. I think it's important for us to keep our membership comprehensive and focused on our system and making it the most effective system we can. Sounds like we have some work to do with that.

Leslie Bittleston: Great.

Pauline Salla: We are going to keep this on the agenda for our next meeting with the addition of, sending our members the federal language so we can compare it to the recommended language that we reviewed today. Then after that we can consider, after discussion moving it to the full commission. I just think we don't have enough information yet. Is that good with the committee members? Are you in agreement with that? Thank you. Alright. Let's move to agenda item Number 6. Bill draft review ideas. Leslie, this is Attachment 6.

Leslie Bittleston: I'm pulling up Attachment 6. Before I pull up Attachment 6, I want to provide a little bit of background and context of what this Attachment 6 is and the work that this committee will do over the next, several months or year or whatever it'll take. The Juvenile Justice Delinquency Prevention Act was originally signed into law in 1974. That act has been reauthorized, which means gone through the federal legislature several times over the years. With each reauthorization, something is tweaked or added or subtracted or clarified. The last reauthorization occurred in December of 2018 and into December of 2018. Some major changes or tweaks were made in 2018. One of the biggest changes in 2018 was the treatment of juveniles who are in the adult system. Prior to 2018, the Juvenile Justice Delinquency Prevention Act just really looked at those kids as adults and did not include them in the purview of protections of juveniles in the system. With the 2018 reauthorization, it said, wait a minute. No, we're going to change this, and we're going to say now that anybody under the age of 18 or is still considered a juvenile in your State is offered the protections of a juvenile under the act. That was made in 2018 and it gave States three years to put that into practice which took States to December of 2021. Now, as you know, that was during COVID and during a time when, the juvenile justice committees were not meeting as often. Then we had a two-year break. Within those couple of years, the JJOC was dormant and this, committee was dormant, the Programs Office combed through the State statutes and really looked at those statutes that may conflict with the act. As of the 2018 revision, those intersections were well within the act prior to 2018. That reauthorization made some changes. The Programs Office staff looked through many of the NRS to see where there was conflict. What is being presented today as a project for this group to work through over the next however long it takes, the State will identify those areas which have been identified as conflicts and has proposed some fixes. They may not work; they may be completely irrelevant. It was just kind of to have a starting point for this group to do the work on the go-forward. Now that I've said that I'm going to share the attachment. Can everybody see the attachment? Perfect. The way that this attachment is laid out is the first thing that it does is it provides the guidance from OJJDP. This is their words, not the States. Basically, this says juveniles who, then the State recommendation. Then the NRS section that is in conflict. The first NRS section is this one 62B.340. It basically says a kid is on probation, violates a condition of probation where this NRS conflicts is the 18 plus and the 18 and under. It is not clear how to address those kids that are still on probation or parole because they are still considered a juvenile in Nevada. This is one conflicting to NRS. I'm just going to go through the conflicts and the States, recommendation. That doesn't mean it's final. It doesn't mean that's what's going to be. It just is a talking point to get it started. Basically, for this first NRS, the State recommends that maybe we talk about terminating jurisdiction for an 18-plus or just as something to consider. The reason is a federal violation occurs when an 18-year-old, and an 18-year-old plus is placed in an adult jail or lock up but remains under the juvenile court supervision and ultimately placed back into. That is a federal violation that doesn't violate State law, but it does violate federal law. That's the first one. The second one is, there are some exceptions laid out for juveniles placed in an adult jail. The first exception is a six-hour rule. The second exception is a rural exception. The third exception is weather exceptions and then safety. Again, this is all OJJDP language. The recommendation here, and the conflict here is there's already a current NRS section 62E.710 that allows the State to place an 18-year-old but under 21-year-old into an adult jail if they violate probation or parole. The State is recommending deletion of that. However, I'm not saying that's final. It's just a recommendation because this practice does violate the federal act as written since 2018.

Pauline Salla: Leslie, as we're going through this because there's a lot here. Let me just throw this out there because eliminating 62E.710, is a huge thing to eliminate. It's not typically with probation. This would affect youth parole kids, at least for Humboldt County. If our kids we're utilizing 62E.710, their jurisdiction in the juvenile court ends and they have 30 days per probation violation, whereas youth parole may be used and the kids would be coming out on youth parole, correct?

Leslie Bittleston: Yes.

Pauline Salla: I think that when I see eliminate 62E unless the State wants to build up the infrastructure for their kids, eliminating statutes in its entirety puts the onus back on counties versus what, State building up infrastructure. I'm just going to throw that out right now. I feel strongly about this area. I think that's going to include a lot of conversation with the Nevada Association of Juvenile Justice Administrators. Clearly, we need District Attorneys involved in this committee also because this affects like this is part of our system.

Leslie Bittleston: Yes, agreed and this will be a project, on the go-forward for this committee. We'll talk through how to address these. It may not be an elimination. It may be a revision; it may be something else. Just looking at it purely from the lens of the federal law, it does violate the federal law. So how are we going to get around that? Is what we will work on the go forward. I see Liz, your hands up?

Pauline Salla: Go ahead, Liz.

Elizabeth Florez: Thank you. Elizabeth Florez, for the record. This is not the first time we've had this conversation. In our strategic planning group, which was the only working group, even when JJOC was not meeting regularly. We've had preliminary conversations about this and we're aware of the 2018, amendments. I do have some questions. I know as recently as last week, we were advised by State staff that our local jail complied and there was recognition, during an audit related to these measures and that there was an understanding of the potential implications if an infrastructure was not built for detention centers prior to something like this occurring. To Commissioner Salla's point, without that infrastructure this wouldn't even work. The fiscal note associated with something like this would far exceed any formula grant that we get in Washoe County. I've heard other chiefs say the same, but I don't want to speak on their behalf. The other thing is, I would like to know, Ms. Bittleston, if an attorney helped with this language at all, because there are other statutes that are excluded that could potentially, be affected.

Leslie Bittleston: Yeah.

Elizabeth Florez: Also, if you have information on how many States are following the 2018 change? Thank you.

Leslie Bittleston: That is a great question. Commissioner Florez. The Feds do provide States and out with placing juveniles in an adult jail. Juveniles charged as adults in adult jails. That is addressed further down in this document. Right here it's called interest of juveniles and adult jails. Juveniles who have been transferred, certified, or waived to criminal. Basically, it's saying if the State wants to do this and if the State believes this is in the best interest of the State, they must have periodic hearings called interest of justice hearings, which means this is all new language on an interest of justice hearings. Basically, there are a lot of moving pieces and it's not just one thing or the other. There are many factors, coming in. This is why it's not going to be easy to go through. It's going to take probably both committees a lot of time to get through all this information. I can reach out and find out how many States are currently in compliance and currently not. I can also say, and believe I've said this in the Strategic Planning Committee, but some States believe that this is a heavy lift and have opted out of participation

in the Juvenile Justice Delinquency Prevention Act and the formula grant. I don't know if that's a conversation this committee wants to have or another, but the State is.

Pauline Salla: I think we have a robust conversation. After we review this, I'm not sure everyone had the ample time to review all this information with these changes. Just when it was reauthorized previously, we had to work on infrastructure. We built up the infrastructure. Then with them even moving out valid court orders or deinstitutionalization of status offenders, we had to beef up our infrastructure so that when we make these changes the system can absorb it, right? We're behind the eight ball with the reauthorization of 2018, and I still don't think that means we try to play catch up without building up our infrastructure to do it. There's a vast difference between, a large facility, which this is a heavy lift for Washoe, and Clark because they have most even kids charged as an adult. Then there's challenges for smaller facilities in the rural areas if these changes happen. I think that's why we're going to need a conversation. About the State building up the infrastructure also, it's not just the counties we're going to have to work together to do that. I do agree with Commissioner Florez' comments. I think this is one of those things. We'll of course, we'll take this conversation back to the Chiefs, and Directors Association because this affects juvenile facilities, not just the adult jails. Go ahead, Commissioner Florez.

Elizabeth Florez: Thank you. This is Commissioner Florez for the record, I just wanted to note that, this reminds me a lot of what detention centers are experiencing right now related to mental health needs of youth in our communities. There is a Department of Justice investigation that everyone here should be aware of, that found children were languishing in detention centers for lack of available services across the whole continuum and especially at the deepest end. This reminds me if we're not careful about how we do this, it could lead to youth sitting in, languishing for the ultimate outcome is in a certification case. Potentially, if this isn't done correctly. We're already seeing extended wait times for juvenile correctional beds, for juvenile mental health beds. Now this would be another category of youth who are waiting for the adult process to take its course, which is actually extended for the youth that we have held, which in Washoe County, for the record, our process, works well for youth who are certified in Washoe County because we have a process that allows them to come back to our detention center, and without fail, we have always accepted. We have protocols in place to ensure that our kids are safe, that the jail can assist us with things like medical care, psychiatric care, things of that nature. In the two instances where, after youth were placed here, they requested they go back to the jail. It's because of very significant egregious acts that occurred, one was a violent act, and another was related to a breach of a policy, but without those controls, we're unable to be all things to everybody. I just wanted to make that statement. Thank you.

Pauline Salla: Thank you. Liz.

Katherine Maher: Katherine Maher, for the record, if I may.

Pauline Salla: Go ahead then, Sharon, you can go next.

Katherine Maher: I appreciate all the concerns. I also appreciate having this before the commission today. I do just want to reiterate that I think it's going to be important for all of us to review these in full and start from a macro view and then work down into each statute. I feel like maybe we're getting into the weeds more quickly than we need to. We do have that petition to transfer in Washoe County. That is going to be a part of this conversation. I agree with Ms. Florez. I think the other part of the conversation is a little narrower, which is maybe addressed by these first two proposed changes where youth who are arrested on a parole or probation violation, but no adult charges are going to the Washoe County Jail, even though there's no criminal jurisdiction over them. There's, I believe more narrow issues that we may have an easier time agreeing on that are addressed by this group of statutes. I would just propose that we have a little more time for everybody to review everything

in full, go back and talk to their teams, maybe consider some of those additional statutes that are implicated. Just because I do think there are a lot of things, we can do with this in a positive direction. Just to, Commissioner Salla's point, it sounds like one of the concerns with the elimination of NRS 62E.710 might be parole losing a little bit of the contempt power that that statute provides. Just a lot more conversation, I am hopeful that if we can read everything, digest it, and then come back and parse out some of the narrower issues that we could make progress on, there are some things that we can do utilizing these changes, if that makes sense.

Pauline Salla: Thank you. Absolutely, there'll be a lot of discussion about this, and I agree. I hope there's some movement we can have. Sharon, go ahead.

Sharon Anderson: I just want to say, I appreciate being a part of this conversation and look forward to having further discussions on all the points that have been brought up. You guys bring up some excellent, and thought provoking, issues. Katherine, how you just delineated a path to kind of how we can strategically look at all these issues and look to address them all in a way that's methodical. I just want you all to know that I'm looking forward to the work and really appreciate all that is being shared.

Pauline Salla: Thank you. Jennifer, and then we'll go to Holly.

Jennifer Fraser: Thank you.

Jennifer Fraser: I just wanted to echo what Katherine, stated about kind of looking at everything macro, and a lot of times I've been on these committees for a while, some of the conversations, rightfully so, talk about fiscal impact and talk about how different agencies are going to be affected, I definitely know speaking for Clark County, we have the majority of kids under 18 in adult facilities. I think the intent behind the federal law, and the goal that our state should be that 14, 15, 16, 17-year-olds shouldn't be in adult jail and that's the primary goal. I want to keep bringing that up and focus on that instead of, and I understand why there's fiscal notes and fiscal concerns. I do think the goal is that we shouldn't have 15-year-old children in jails. I just want to revert to that. Thank you.

Pauline Salla: Thank you. Holly.

Holly Wellborn: Thank you. I appreciate Ms. Fraser's comments. That's something I've been talking about. What, I do want to know is and I believe that's what Ms. Bittleston is trying to get across is, how does this play into our federal funding? How much does the federal funding uplift and support our current system, and is our lack of compliance impacting our federal funding, and is there a deadline on that?

Leslie Bittleston: Leslie Bittleston for the record. The deadline was December of 2021. What that means is the state or states, not just Nevada, but all states must report violations to the feds in respect to these issues. What the Programs Office has run into is the fact that there's no reporting. This is happening in practice; the Programs Office is unaware. No member of the Program's Office can sit here today and tell you how many kids were placed in an adult jail on any of these statutes in the last 12 months. When we talk about infrastructure, we don't even have the basic infrastructure of reporting in place. What the Programs Office, and I know that Sharon and I have had this conversation, we've discussed it in the Strategic Planning Committee is if we were to get audited or somebody federally were to look at us more closely, I'm concerned that we would not look good. What I'm trying to say is we need to do something to move us forward. Yes, we're behind the eight ball, that's where we are. And I'm open to suggestions. I think all of us in the Program's Office are open to any suggestions of what we can do in the meantime, but we are already in an area of where we need to comply.

Pauline Salla: This is Pauline. There are a few concerning statements in that whole thing. One, the adult jails used to report that consistently to the Program's Office. If there was a youth who was either at that point, we had discretionary and automatic certification, they were reporting that monthly to the Programs Office so that we were aware of juveniles being in adult facilities. Number two, part of our DMC report is reporting how many kids were transferred to the adult system and has been until this new revision. Jurisdictions were reporting it that way. If the Juvenile Justice Programs Office isn't aware of how many kids are in the facilities, that does concern me because that was reported consistently during the time frame I was with the state. I don't know what happened? We reported on our jurisdictions, county jurisdictions reported it on our DMC report as kids transferred to the adult system.

Leslie Bittleston: Let me clarify, it is not being direct files because that bypasses the juvenile system. Secondly, those parole violations, these kids that are being placed into an adult jail for the 30 days, as indicated in 62B.710. Also, I'm not very much sure. This is an area of concern with the Program's Office of how many counties, and I know counties do things differently, but how many counties are placing kids in adult jails when they're 18, plus even on a probation or parole violation? That's what's not getting reported to the Program's Office.

Pauline Salla: Okay.

Pauline Salla: That is something the Programs Office can request adult jails to report. That was part of our compliance monitoring universe. There were forms for it. There they reported it monthly. Even any juvenile that entered their facility for whatever reason, even if the juvenile had lied about their age or their name because they thought they could get bailed out. Once they were identified who they really were, they would move them back. That was reported monthly from all the facilities so that the office can track the amount of youth that were being placed in adult jails, and not even the rural exceptions were being reported, and how fast they were move them out. That is concerning if the Program's Office is unaware of that.

Leslie Bittleston: Right. There's probably something we can do around some education with the adult jails again. In adult jails, look at anybody 18 and over as an adult. So those are not being reported. They're still under juvenile supervision, but the adult jails look at them as an adult. There's a lot of things that a lot of tentacles and a lot of pieces that are into this that are causing some issues. There's also a lot of conversation and a lot of things that I think we can do as a group on the go forward.

Pauline Salla: Agreed.

Pauline Salla: Any other comments questions? Sounds like we're going to review and spend some time reviewing this information and bring it back. Liz and then Katherine.

Elizabeth Florez: Thank you. Elizabeth Florez, for the record. I'm just going back to my previous ask that we understand which states comply. It's also for purposes of understanding how they approached it. What was learned from the process? What worked, what did not work. I know I'm not sure how heavy a lift that would be, Ms. Bittleston, but if there's something to learn about what has been successful for states, that would be helpful as well. Thank you.

Pauline Salla: Thank you, Liz. Katherine?

Katherine Maher: Also, I'm not sure how heavy a lift this would be, but going back to information not being collected by the jails, is that information we could get from youth parole or the county probation offices? As far as, youth that are held on parole or probation violations in the jail or how many, I assume the district attorney's

offices would have stats on youth who are automatically certified. I think we could get those numbers. It would just be collecting them from many different entities. I'm not sure if that would be helpful to the committee, but to Miss Fraser's point just maybe giving other areas some insight into how big of an issue this is in Clark versus maybe how we feel in other areas of the state that may give useful insight.

Pauline Salla: Thank you. Any other comments? Questions? Leslie, I'm going to look back through some of my flash drives because I believe I have monthly reporting form which the adult jails used to use, I can just send that to you, too, just so you guys can start looking at it.

Leslie Bittleston: Sure.

Pauline Salla: And we still capture on our DMC transfer to the adult system, right?

Leslie Bittleston: Yes.

Pauline Salla: Along our system. Our DMC yearly report should, should include at least at the county level.

Leslie Bittleston: Yes.

Pauline Salla: Because we're all reporting that.

Leslie Bittleston: Yes. We are getting the certifications or transferred, we're just not getting those direct files because those are bypassing you.

Pauline Salla: One of the benefits of being in a small community is that I can pull that and send it to you rather quickly. I know not everyone can do that. Liz?

Elizabeth Florez: Commissioner Florez, for the record. At the end of every year, I make a request of our local jail, which they send me what they call an under 18 reports. That's how we figure out who's been booked with direct files. In our community, most of those are in the paper, so it's an opportunity to reconcile. That's just and what I imagine potentially a government entity might be able to make that request as well. Thank you.

Pauline Salla: Thank you. Commissioner Wellborn.

Holl Wellborn: Thank you, Holly Wellborn. With changes in the law, those numbers should be very low at this point, correct, Ms. Florez? Small number of kids that are being direct filed over now.

Elizabeth Florez: Commissioner Florez, for the record. That is correct. I would have to look, but I think we had maybe one last year, or two. And traditionally that were direct file in 2023, Ms. Maher I'm going back to my annual report that we're putting together, in Washoe County we've always been 0-5. I think maybe there were seven back in like 10 plus years ago. There are some years we have zero. One is too many, but still consider a low number.

Holl Wellborn: Absolutely. Okay. Thank you.

Pauline Salla: Any other questions comments on this agenda item? Seeing none. I'll close out that agenda item. We'll move to agenda item number seven. For discussion JJOC full commission update. This is to identify the outcome of the committee recommendations presented at the February 12th, 2020, for full JJOC meeting regarding

corrective room restriction and use of force data elements. I'll start then Leslie can add afterwards. We have been having a lot of discussions on this and we have different subcommittees that are working on streamlining the information we're collecting, how we're collecting it, jurisdictions reporting it all in the same way.

We're comparing apples to apples and oranges to oranges, and room confinement and use of force, data elements have been one of our talking points and especially at our statewide, chiefs and directors committee. One of the things is because our previous JJOC at that point had requested so many different data elements that we were reporting and collecting on that jurisdictions were drowning in some of that data requests. We were also reporting it 2-3 different places continuously. We're trying to streamline all of that.

One of the things with our corrective room restriction and use of force data elements is that use of force, keep that request came through the previous JJOC of reporting it monthly to Leslie's office along with our corrective room restriction, I'm not sure who was involved on here with SB 107. Which at that time was our room restriction, room confinement, corrective room restriction, however you want to call it was our legislation that went forth that we were the state worked closely with ACLU on that legislation also because we wanted to really eliminate inappropriate use of room restriction while still tracking appropriate use of room restriction.

It's at that point we were tracking length of time in room restriction. Because length of time was really critical at that point for us. We were seeing some room restriction that was if there was a situation, it was an automatic 24-hour room restriction or 48 hours in a room confinement. That is what we were trying to get away from, because not everyone needs a set time in room confinement which is used for safety and security. Then once that is maintained we could remove them from room confinement. We're, I just want to throw this out to this group because we track all the room confinement, data for the state.

We present it under our committee to the full JJOC and along with the use of force data elements, but there have been some concerns about how we present that information, because it's a broad overview and sometimes it clearly doesn't track what's really occurring with room confinement. Sometimes we have a couple kids in our detention facilities that are continually fighting, acting out, attacking staff. It looks like we have all these episodes of room confinement, but we're not drilling down on that data, which I think is important for everyone to have a clear picture of that.

We absolutely want to review the corrective room restriction and the use of force, data that is reported monthly. I just want to throw it out there that we'll have some additional discussion as we're reviewing it. How to present the clearest picture of that data that we drilled down on that data if we need to. That way when we're presenting, it's capturing what's occurring because I think we're only as good as our data. Our data drives our decisions of if we're doing things ineffective or effectively, and this committee will be reviewing all of that and then presenting it to the full commission.

At the first commission meeting we had after we were dormant, it didn't go through this committee, but it was presented. We just want to make sure that all our members know that the information comes to us, and then we present it to the full commission. On the next agenda we'll have our room confinement data from each of the county detention centers, as well as the three state facilities and with the use of force data as well. The use of force data includes, mechanical restraint or physical restraint, mechanical restraint, and chemical restraint, so we do track that monthly at each of our facilities. That's coming to the committee, and this is where we'll have conversations about maybe the best way to provide the clearest picture of that information to the JJOC in its entirety. Did I capture all that, Leslie?

Leslie Bittleston: Yes, you did. I just want to reiterate that historically Pauline was correct. Room confinement

was presented in a very succinct manner at every meeting. The previous JJOC just kept requesting more information in more other ways to present the data, which I do believe added to how some of this data presentation has been convoluted over time. One thing I would like to point out to the committee, that there is no NRS requirement or anything regarding the use of force or restraints in facilities. I'm unclear as to why that is because there's nothing in there about what data we should collect or any of that.

I'm not sure if anybody has any information on that or if that's something that this committee would like to look at. Secondly, the room confinement corrective room restriction NRS, which is NRS 62B.215 is a little bit outdated as well. I don't know if this committee has any appetite to look at that. Lastly, my request would be to document a procedure for counties and for the Programs Office on the data we are providing and then how the Programs Office could picture that. Not sure if that's just an internal procedure or something. We are all on the same page in getting this data and reporting it correctly. Just on the go forward, with some ideas as we work on this on the go forward.

Pauline Salla: Thank you, Leslie. I think that would be great to include the statute in, in the member's packet so we can all review that and have that information with us, I agree. Let's start with the statute and then we can go from there and have a discussion as a committee about what that looks like, and if we're making sure we're meeting the needs of the statute. We will keep this on the agenda item also. Leslie, for our next meeting, we can make sure the committee members have the most recent data for room confinement with each jurisdiction and then the state facilities, so they have that to review too.

Leslie Bittleston: Yes. Currently the Programs Office is understaffed, so the office is behind on the data, not getting the data, but putting that data together. We will present what we can, we will try to get it up to date by the next meeting, but I just wanted to let the committee know that that position that normally does this type of work is vacant. We will try to get it up to date, but if we don't have it up to date, we'll present 12 months of what we do have.

Pauline Salla: Thank you. Commissioner Florez?

Elizabeth Florez: Thank you, Commissioner Florez for the record. As a follow up to that, I had learned in the past that the Office of Analytics would be attempting to extend support to the Juvenile Justice Office. I'm curious what the status is of that.

Sharon Anderson: This is Sharon Anderson, for the record. That is correct. That is something that's in the works. We are looking to add a position through the next session. So that is in process. It was something we discussed yesterday.

Pauline Salla: Any other questions? Alright I'm going to close that agenda item. We'll gather more information for our next meeting. Then let's move to agenda item number 8, which is confirm our next meeting date and time. And I'm wondering if Thursdays at 9:00-10:30 work for most of us. I think it works better if we keep a set date the same time every month. We're in the third Thursday of the month, correct? Third? Yes.

Elizabeth Florez: Commissioner Salla, this is Elizabeth Florez, for the record, the third Thursday of every month at 10:00 is our all-staff meeting. I'm missing it right now.

Pauline Salla: Okay.

Elizabeth Florez: However, I don't want to mess up everybody, there may be times where I'd have to sign off at

10:00.

Pauline Salla: Thank you. Liz, can we do, what about 8:30 a.m. to 10:00 a.m.?

Elizabeth Florez: That would work for me.

Pauline Salla: Sorry, I know, I'm sorry.

Holl Wellborn: I will do it for you.

Pauline Salla: Once a month?

Holly Wellborn: Do I have my camera on?

Pauline Salla: Once a month?

Leslie Bittleston: I'm hearing a recurring meeting on the third Thursday of every month, from 8:30 to 10:00 am, okay.

Pauline Salla: Thank you members. That way we have it set and we all know and it's much more helpful. Sorry about the 8:30 timeframe. Okay. I'm going to close that open agenda item Number 9. Is there any public comment? This is Commissioner Salla. I will just ask during public comment my recommendation would be to see if we can appoint a District Attorney or a law enforcement where we're missing that aspect on this committee. As I look around, especially the District Attorney's. I'm not sure if we have a JJOC member who's a District Attorney appointed, but I think we need to have a balanced view here so that when we take it to the full commission, we've vetted the topics completely. I'm just going to throw that out there.

Katherine Maher: Katherine Maher for the commission. We have District Attorney from Clark County and Washoe County who are on the commission at large. Are they on the committee?

Pauline Salla: No.

Leslie Bittleston: No, neither one of them reached out. I can reach out again to, Ms. Duffy and Ms. Gearhart. and our law enforcement position is filled by a Lyon County probation officer, Mr. Clapham. That was at his first meeting. We don't necessarily have a law enforcement individual.

Pauline Salla: Leslie, you can reach out to a District Attorney, and if you need help let me know.

Leslie Bittleston: Okay. Will do.

Pauline Salla: Alright. Seeing no other public comment, we are going to adjourn the SAG committee. I don't need a motion to adjourn. 10:29 a.m. we're adjourned. Thank you all for joining us. We have a great committee, and we have a lot of work to do. Have a great day everyone. Take care.