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

DATE: May 16, 2024

TIME: 8:30 AM

VIDEO CONFERENCE: MICROSOFT TEAMS

Roll Call:

(Members)

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

(Staff Members)

Leslie Bittleston
Cindy Casselman
Jessica Villalobos

(Absent)

Cindy Casselman
Derrica Daniel
Katherine Maher
Don Gearhart

Pauline Salla: Hey, good morning, everyone.

Leslie Bittleston: Sharon's in my office today, so she'll be over here.

Pauline Salla: Alright. Since we have quorum, people can continue to join. I'm going to call the meeting for the State Advisory Group Committee of the JJOC to order. It is May 16th, 2024, at 08:30 a.m. Can we do roll call, please?

Leslie Bittleston: Yes. Pauline Salla?

Pauline Salla: Present.

Leslie Bittleston: Ethan Ewert? I see him. Thank you. Jennifer Fraser? Sharon Anderson?

Sharon Anderson: Present.

Leslie Bittleston: Holly Welborn? Paula Smith?

Paula Smith: Present.

Leslie Bittleston: Thank you. Elizabeth Florez?

Elizabeth Florez: Present.

Leslie Bittleston: Derrica Daniel? Not here. Dylan Tedford?

Dylan Tedford: Present.

Leslie Bittleston: Thank you. Katherine Maher? Not here. Don Gearhart? And Brigid Duffy?

Brigid Duffy: Good morning. I'm here. I was just logging in as a member of the public because I'm not on this committee.

Leslie Bittleston: I saw you, so I called you.

Brigid Duffy: Since I was available, I wanted to listen in. Thank you. Good morning, everyone.

Pauline Salla: Good morning. Thank you for joining us, Brigid.

Leslie Bittleston: For staff, we have Leslie Bittleston and Jessica Villalobos. Cindy Casselman is not here today. We have a PREA auditor on site. She is not here. Katie Archuleta, who was our new Program Officer resigned in her second week. We are now down staff. The staff available today are Leslie and Jessica. Members of the public, I see Heather Plager, and Jennifer, I did get you as present. Oh, and Kelly Figueroa, I see you. Anybody that I missed. Okay, Madam Chair, we do have a quorum.

Pauline Salla: Great, thank you. Welcome, everybody. Let's move to agenda item #3. This is public comment. As a reminder, action may not be taken on any matter brought up under this agenda item until it's scheduled on a future agenda. Is there any public comment? I don't see any hands. We're going to close public comment. Let's move to agenda item #4, Review and Approval of March 21st, 2024, and April 18th, 2024. Let's take March 21st,

2024, first. I like to do these separately, just so we keep it all organized and clean. Hopefully, the members had a chance to review the minutes for March 21st, if so, I'll entertain a motion or if there's any changes, we will entertain that also.

Elizabeth Florez: This is Liz Florez for the record. I move to approve the minutes for March 21st, 2024.

Pauline Salla: Thank you. Is there a second?

Paula Smith: Commissioner Smith will second it.

Pauline Salla: Thank you.

Elizabeth Florez: This is Liz Florez for clarification. I just want to make sure that Ms. Smith was present for that meeting.

Pauline Salla: I think Paula, you weren't at that one, you were at our last one, right?

Leslie Bittleston: Sharon seconded it. She's here.

Pauline Salla: Okay, thank you.

Sharon Anderson: For the record and clarity, Sharon Anderson, I second.

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

Commission: Aye.

Pauline Salla: Any opposed? Any abstentions? Seeing none, the minutes from March 21st, 2024, are approved as submitted.

Pauline Salla: Let's move on to April 18th, 2024, minutes. Hopefully, the Committee members had a chance to review them. I'll entertain a motion or any changes or discussion.

Elizabeth Florez: This is Liz Florez. I'll move to approve the minutes from our April 18th meeting.

Pauline Salla: Thank you. Is there a second.

Sharon Anderson: This is Sharon Anderson, and I will second.

Pauline Salla: Thank you. It's been moved and seconded. All those in favor say aye.

Commission: Aye.

Pauline Salla: Any opposed? Any abstentions? Seeing none, April 18th, 2024, minutes are approved as submitted. Thank you, committee members. Let's move to agenda item #5, Formula Grant Compliance Report Update. Leslie?

Leslie Bittleston: Yes, I have some excellent news for the Committee. Thanks to a lot of recruiting efforts within DCFS. The Program's Office submitted a revised JJOC Membership roster with seven pending applications to OJJDP last week, and with those seven pending applications, OJJDP lifted our hold for Membership not meeting requirements. We do have seven pending applications, two that were submitted by the Chief Justice of the

Supreme Court, and then we do have a couple of other. Mr. Munoz from Clark County Social Services, and then we do have a pending application for a non-profit, and for an individual who works with Delinquent Youth, and for youth members, and two of those youth members have prior system involvement. With all these applications pending, OJJDP lifted the hold. With that being said on the formula grant fund, formula grant piece of this informational, the Program's Office will be sending Notice of Subawards, NOSAs, to the grantees that historically we have carried forward every year, which would be the City of Las Vegas for \$15,000, Clark County Juvenile Services for \$130,000, the 6th Judicial for \$36,120, NCJJ, which is the Evidence Based Resource Center, for \$51,750, the 11th Judicial for \$20,976, and Tyler Technologies for system improvements for \$30,000. Anything over and above that, that needs to be subgrant out of the FY23 formula grant will be done so through an RFP, but those are carried forward annually and have been for several years. Now that that lift has been lifted, those notices will go out to those ongoing sub-grantees. That's the formula grant update, and I see that commissioner Florez has a question.

Elizabeth Florez: Thank you, Commissioner Florez, for the record. As just a point of understanding, and I apologize because I believe it's been explained before, but regarding the applications to the JJOC, can you remind of the process from beginning to end please?

Leslie Bittleston: The process for beginning-to-end is Program's Office staff try to reach out to appropriate folks to fill certain roles as identified within NRS 62B.650. Cindy has been very instrumental in reaching out to youth members as a prior employee of China Spring. She did have a lot of contact with youth members, and then on the flip side I reached out to the Chief Justice of the Supreme Court who made two nominations, and then through discussion with certain potential members on roles they could fill, with that recruiting effort, once we've recruited certain members, we ask them to apply on the governor's board's office website, which is to complete an application and to submit a notarized waiver. Once that is done, the Governor's Board's Office reviews it, makes sure that the application is complete, and then puts those names on a list for the Governor to review or a designee. I don't know, if it's a Governor, or a designee, but once they go on the list for the Governor to review, which it's only reviewed once a month. My understanding is it's either the first or second Friday of the month that he will review pending applicants. If an applicant does not get on the list, so to speak, they wait until the next month. Once the Governor has reviewed, it is his decision to yep or nay. If he yep's the individual, then a member of the Governor's Office creates and sends out a notice to the new member that they have been appointed to the JJOC. A copy of that notice comes to the Program's Office. We keep a copy as well, and the appointments are good for two years, and then as those members come up close to their two years, the Program's Office will reach out and say, are you interested in continuing in your position? If so, please reapply through that same process. New applicants do take quite a bit longer than a reapplication, and especially for those positions, like the Director of Clark County Juvenile Services or the Director of Washoe County Juvenile Services. Those are pretty much, and if you're in that position, then it's an approval, but if you're filling a position outside of those, the governor does review those applications, and makes a determination if that is who they want on the board or not. So that is the process of providing or filling these positions, but in order to update the membership roster, I did verify with the board's office that those names that I submitted were pending applications. I can't just write some names down. I did verify that they were pending the Governor's review.

Elizabeth Florez: Thank you, Ms. Bittleston. I have a follow-up. This is Liz Florez for the record. In the instances of those who've applied, you mentioned the process if they are accepted, but if they're denied, is there communication back to the applicant?

Leslie Bittleston: That I am not sure about. I can reach out to the Board's Office and inquire about that. What I do know is that individuals that apply where there's no position that they fit into, their applications just remain pending. I don't know, if they are notified by the board's office that there are no positions available that they fit into, I can reach out and inquire about that.

Elizabeth Florez: Commissioner Florez, for the record, I think that would be helpful to know. Thank you. Ms. Bittleston, with those seven pending applications, would that fill the required membership if they're all approved?

Leslie Bittleston: Yes.

Elizabeth Florez: Okay. Thank you.

Leslie Bittleston: Yes, and with those seven applications, the only two vacant positions that will be remaining per NRS 62B.600 would be the two that are allocated to the Senate. I have been unable to find anybody in the Senate, who can nominate individuals, the assembly positions are currently filled, and then once these applications are reviewed, the Supreme Court positions will be filled. Every position will be filled with exception of those two Senate positions, and with those positions, we will meet membership requirements of the Federal JJDP.

Elizabeth Florez: Thank you.

Pauline Salla: Thank you, Commissioner Florez.

Dylan Tedford: This is Commissioner Tedford for the record. I just want to be clear that in general, I provide some legal oversight regarding whether people are legally qualified based on the position to serve in a certain role. Given my position on this commission, I will not be providing such oversight related to those positions, just so it's not like our office is having dual-handed involvement in that process.

Pauline Salla: Thank you, Chair Tedford, for that clarification. Leslie, this is Commissioner Salla. I think I missed, I'm checking to see if I heard it correctly, but John Munoz will fill the position for Clark County Director, right? I thought I heard you say Juvenile Services and Child Welfare.

Leslie Bittleston: If I said that, my apologies, he would fill the role of the Director of Clark County.

Pauline Salla: Okay, we were missing that one.

Leslie Bittleston: My apologies.

Pauline Salla: Leslie, I know I brought this up during our Full JJOC. I think it was during our Full JJOC meeting, but can we, for our next meeting, can we get a breakdown of, North-South rural representation, because I do know that's part of the formula seg requirements too, and just so we make sure we're maintaining that.

Leslie Bittleston: Yes.

Pauline Salla: Thank you. Any other questions or comments from committee members? That's great news that they have lifted the hold. Thank you for that.

Leslie Bittleston: Great, and I do want to talk briefly about the compliance report updates. The feds OJJDP has not yet released the FY24 formula grant or a request for the compliance reports. It seems to be different every year. One year it was in February, last year it was in May, but so far, we have not seen it, and just to update the group, all compliance visits have been completed for the compliance year 2023. We are still working on annual surveys from lockups. All jails are completed. Juvenile Detention Facilities are completed, and what am I missing? Jails, Juvenile Correctional Facilities, and prisons, those are all completed. We are still working on annual surveys from the actual police station, lockups, those facilities that are secure, but may not hold folks overnight, but they still have the ability to hold individuals securely. That's where we are with compliance to keep you up to date on that. Any questions for compliance? That's it for my update for #5.

Dylan Tedford: This is Chair Tedford again. I believe it was Commissioner Florez who asked the question about whether people are notified. When they are not selected for a position, and I just wanted to provide some clarity there. In general, our office sends out and a letter, thanking the person for their interest and informing them that their application will be kept on file for future positions.

Leslie Bittleston: Thank you.

Pauline Salla: Thank you, any other comments for agenda item #5? Seeing none, let's move to agenda item #6. This is for discussion. This is our Juvenile Justice Data charts. It's attachment #6, and let's start with room confinement data for March 2024.

Leslie Bittleston: Yes. Thank you. Attachment #6, room confinement is a requirement per NRS 62B.215 and it's a requirement to be reported to the Program's Office by the seven Juvenile Detention Facilities and the three State Facilities. There are three reasons indicated for the use of room confinement in that NRS modifying the negative behavior of a child, holding the child accountable for a violation of a rule, and ensuring the safety of the child's staff or others, or ensuring the security of the facility. We'll talk about that in a few minutes but wanted to provide some charts for discussion to assist the Program's Office in really honing in, the best way to present Room Confinement Data publicly, especially to the JJOC on the go forward. This first chart that is presented is County Chart #1. This is the total uses of room confinement broken down by the hours of use. On the right-hand side, you will see 2 hours or less, 2-5 hours, 5-10 hours, etc. Then the bulleted items just explain what this chart is indicating. There were 105 total uses of room confinement in County Facilities, 82.8% were males, 17.2% were females. This is not indicated in the chart. I'm just providing some additional context, and then the total hours of confinement for those 105 uses were 878.67. The average hours per use was 8 hours, 8.36, so in looking at this chart almost 50% were 2 hours or less 48.6, 34% or 32.4% were 2 to 20 hours, and 20% or 19% were 20 to 55 hours. There were no uses greater than 55 hours. With having said that, I'm open to discussion about the best way to present this data or this information. Would you like this broken down in additional charts, or just open for the best way to present this publicly?

Pauline Salla: Leslie, this is Pauline. I know our discussion has surrounded, duplicated, and unduplicated youth, and I'm looking at the charts and I don't see it, am I missing that? I think we've had a lot of discussion surrounding that and, I think that's important for us as facilities to collect also. Is it the same kids who are continually going on, having to utilize room confinement, because as we continue to be the catch all facility for kids who really are Mental Health and need a higher level of care, I think that we're going to have to have that conversation at the JJOC because as state beds decrease and out of state placements are harder to access, we remain the catch all for kids. Things aren't going to change if we don't do something with our infrastructure. The data falls on the backs of the Detention Centers, there's no other intervention for us or placements for us to access, and I think that unduplicated youth are critical for us to have.

Leslie Bittleston: Would you like that in a bullet, or do you want that in a chart? I just want to make sure I'm presenting the charts that everybody feels are the appropriate chart. Is that a bullet item or is that a chart item?

Pauline Salla: I'm open to either one. I would like to just see what that data looks like. I know when a couple months ago, when we had several room confinements, it was one youth over and over and over. I just think that this can be deceiving, then my other question is, does Clark County utilize something else and doesn't call it room confinement, timeout, cool off something, because Clark County's population is twice of Washoe's, right, Liz? Three times? What is it? Twice?

Elizabeth Florez: This is Commissioner Florez for the record, Washoe County's population is about 500,000, and I think Clark, somebody can correct me, is at least 2 million, if not 3.

Pauline Salla: And then detention centers, you're at what's your capacity?

Elizabeth Florez: Our capacity is 108 beds, but we're staffed. We're budgeted for 72, our average population last year was 29.

Pauline Salla: We know Clark County, I think they were running about 194 our last meeting, right, 190 around there. They've been really open about being positions down to and I'm just wondering that data just doesn't make sense to me.

Leslie Bittleston: In all transparency, the Program's Office has not had the opportunity to follow up. This is just raw data that doesn't, and yes that was noticed as well, and that is something that the Program's Office will follow-up with on Clark County, because right now sitting here, I don't have an answer for that. I will follow-up with Clark.

Pauline Salla: Thank you. Yeah, I just think that's important for us to have a clear picture. Committee members, questions, thoughts, comments?

Leslie Bittleston: If there's no questions, we can move on to County Chart#2 and County Chart#3. This is a breakdown of age and of race ethnicity. The ages reported are between 12 and 14, 15 and 16, and 17 and 18. I don't get an actual age. What is received is just where they fall within these age ranges. 57.7% of use were between 15 and 16, 22.1% were between 12 and 14, and 20.2% were between 17 and 18. There was no reported use greater than 18 years of age. For that, any questions on the age? I see you Commissioner Florez.

Elizabeth Florez: Commissioner Florez for the record. Thank you. I want to go back. I apologize to the previous chart, County Chart #1. It just clicked a little bit late for me, but when you're reporting on the total hours of confinement, the first category is two hours or less, and then the next two categories are broad periods of time. Is there a reason we don't break out by the next category, like 5 to 10, 10 to 15, 15 to 20, 2 to 20? That's 18 hours. I'm just curious if there's a reason for that.

Leslie Bittleston: No reason. It was just lumped together to cut down on the number of bullets, that can be expanded out if necessary. There was no reason, just to so we didn't have a whole page of bullets, but that can absolutely be expanded.

Pauline Salla: Leslie, I know in the statute, now that Commissioner Florez has brought that up, I agree. I think especially the 2 to 20, that's huge. That's a big length of time. The other thing is that in the statute after 24 hours, it kicks in some additional requirements, right? But you have 20 to 55 hours. Maybe we can look at breaking that down compare like, look at the statute, and especially when different timeframes trigger different requirements too, I think, that would be helpful.

Leslie Bittleston: Got it. Okay. Then we just talked about age. No question about age. Then County Chart #3 is the race ethnicity breakdown 29.8% white, 40.4% Hispanic, 28.8% African American, and 1% percent other, and other includes anything that is not White, Hispanic, or African American. It could be Pacific Islander, Native American, or Asian.

Pauline Salla: Leslie, again, even with our disparate treatment. That's in relation to what the population ratio is in those jurisdictions, right? It's disparate treatment when it exceeds per federal definition. Right?

Leslie Bittleston: Yes, we can add that population breakdown with this chart to show where there's disparity.

Pauline Salla: Right.

Leslie Bittleston: Okay.

Pauline Salla: Yes, I would because, I think that what's considered disparate treatment in Humboldt County is probably much different, you know, depending on what, our overall population and racial breakdown is in our community, I mean, for those of us who have tribes, Native American tribes within our County, that's really an area we need to focus on. Right? Because, we can have disparate treatment with different populations. We used to have to break it down that way for the feds. They don't have you do that anymore with DMC stuff.

Leslie Bittleston: Yes, I do break that down and that data hasn't been presented, however, I can absolutely bring that data to this Committee at the next meeting for the major contact points, which would be Referral, Arrest, and Detention, DCFS commitment certification to adult status probation placement, those big ones I can bring that at the next meeting.

Pauline Salla: Yes, and for purposes of this report, this would only be youth in detention, like in custody, or when you hit the State Facilities, that would be your commitment data, I think that's a critical piece to add.

Leslie Bittleston: Any questions about County, we're going to move on to the State Facilities and the exact same charts are presented for the State Facilities, a little bit different categories of hours, again based on the conversation we just had, I can expand the bullets to follow along with each of the breakdown of hours, but for the State Facilities, there were 65 total uses of room confinement in March, 82.2 were males, 17.8 were females, the total hours of confinement for all uses to 92.8, and the average hours per use was 11.84, and then there's the breakdown. I can break that out further and I can also add the unduplicated youth to that, and then moving on to the same age, race, ethnicity charts were presented for the State Facilities, and the same conversation we can present the data for the State Facilities in the same manner as the County Facilities. We can bring an updated set of charts to the next SAG Committee Meeting.

Pauline Salla: This is Commissioner Salla, I'm wondering, Leslie, not sure we can do in comparison to population breakdown with the State Facilities because I'm not sure if we'll be able to. Okay. Thank you.

Leslie Bittleston: I get it. Okay. Moving on to the next page. This is something that was brought up recently in NAJJA, but also bringing it up here for a continuation of the discussion. The reasons for room confinement as I mentioned a few minutes ago, there are 3 reasons identified within NRS, the data that is received by the Program's Office reflects multiple reasons as listed under room confinement reasons, and it's recommended that, this Committee determine the best way to present room confinement because the Programs Office is not able to break down all of these reasons in a comprehensive chart. The chart would be pretty ugly if we just added all of these reasons, at the NAJJA meeting that this was discussed at, one of the problems or barriers to reporting with A, B, and C as indicated in NRS is the fact that The State and Clark County are using PBS, and PBS reasons are broken down in a completely different way than what's in NRS. I think that the Program's Office would like to have this committee kind of identify the best way to capture the Data with NRS in mind and PBS in mind, and if that is, we capture A, B, and C in one column, then an additional breakdown for PBS in a second column. That's open for discussion.

Pauline Salla: Thank you, Leslie, and just to provide some more update for the Committee members, the discussion really surrounded that PBS is not in statute whereas A, B and C are for room confinement, and not all facilities are part of PBS reporting, but we all are part of our NRS statute reporting. As you look over the list of the reasons for room confinement, a lot of those are the same. They're just worded differently, and as I look through those, I can't find any that wouldn't fit into A, B, or C using the terms, using the definition of the statute. I think if facilities have additional reporting to do for PBS, that's one thing, but our responsibility as facilities is to report A, B, or C, modifying the negative behavior of the child, holding the child accountable for a violation of a rule of the

facility, and ensuring the safety of the child, staff, and others in the facility. That's what this Committee and the JJOC has oversight of. We don't have oversight of PBS. I think that if we're trying to keep our data reporting streamlined for NRS, and for the federal formula funding that we stay true to the NRS requirements. Just my thoughts. I'll open it up for discussion, and we can go from there.

Sharon Anderson: This is Commissioner Anderson. My thoughts are that if we could within each respective areas identify however, we're reporting it with this long laundry list, just within our own rights, assign it to one of the three ones and report it that way going forward. That we don't have the laundry list that we have currently today. Then the onus would be on each reporting body to report it based on the NRS language versus their own internal language. That would be my recommendation.

Pauline Salla: Thank you, Commissioner Anderson. Commissioner Florez?

Elizabeth Florez: Commissioner Florez, for the record, I concur with that 100%, and I think it's in alignment with the work that we're doing with the Nevada Association of Juvenile Justice Administrators, and I'm not sure if this is also a topic of conversation for the Data Subcommittee for JJOC, but this would have to be, I imagine this would be a topic of conversation for them as well. But again, we're definitely in most of our conversations aligning with the true statutory requirements. I'm in support of that. Thank you.

Leslie Bittleston: Just a quick question with that being said, reporting bodies need to select A, B, and C, so it looks like we may need to update our template room confinement templates for all facilities to indicate A, B, or C, they can't put anything else, it's either A, B, or C so I'm just, making myself a note, update room confinement template, and that may also be a change within enterprise supervision because some facilities are just providing the Enterprise Supervision extract for room confinement, and check on data reporting.

Pauline Salla: Leslie, this is Commissioner Salla. I think that Jurisdictions should have the authority to change what the reason, to capture what the reason is per statute. I had taken out a lot of them that didn't fit. I mean, in an enterprise supervision, medical isolation could be a choice. That's not room confinement. Right? I think that the jurisdictions can look back, can have conversations with enterprise and say, "Hey, these are our options for statute," right? Because then they can update that within their system so that it follows what the statute says.

Leslie Bittleston: Okay, and Commissioner Florez, we can bring this back to our NAJJA Data Subcommittee for further discussion, then add it to the NAJJA agenda. Okay. Got it. One other thing I wanted to bring up quick is Item #3 on the room confinement reason, which is Cool-Off. NRS does not indicate that Cool-Off is a reason for the use of room confinement, and that has been an area of I wouldn't say confusion, but conversation even within the State on the use of Cool-Off because there's a lot of confusion. If a youth themselves say, I need a break. I am at my limit. I need to take myself outside and take a few deep breaths versus a staff member saying, you need to Cool-Off, so there is some difference there, and I think we need to address that the fact that if we can't use Cool-Off, if a staff member is directing a kid to calm themselves down or whatever. It's one of these three reasons only. I think that if we can take that to the NAJJA Data Committee for clarification as well, but I'm open to comment.

Pauline Salla: This is Commissioner Salla. At one point for PBS, Cool-Off had a definition, and if the State Facilities, I know they use PBS, but even when SB107 came out, Cool-Off, was clear that it was youth requested. Like, I need a timeout. I want to go. We have kids that say, "can I go in my cell?" I need a timeout. Like, I need a break, and sometimes kids need to get away from the stimulus too, and that was Cool-Off, and that was my question around Clark County. Are they calling it something different, but it's not it's really room confinement, but Cool-Off was not intended to be staff directed. That was the intention, at least at that time, and at one point, there was a clear definition in PBS Cool-Off, time out, and room confinement all had all had different definitions. I think that maybe we can research that too because Cool-Off is not a reason, if its youth requested, it was not intended to

be considered room confinement. If staff is putting a youth in this, like, telling them you're in the cell for a timeout and they're in the cell for a timeout. That's not Cool-Off and confinement.

Leslie Bittleston: Correct. Agree. I'm wondering if the NAJJA Data Committee, can take this up. I'm not sure if this needs a policy memo or something, or what it needs, but having seen this for several years as a reason I think there is some confusion around it, and up to us to clarify that confusion.

Pauline Salla: Comments, questions, or thoughts from any of the committee members?

Leslie Bittleston: Seeing none, we'll move on to use of force. Use of force, there's no NRS section specifically for the use of force, which means that we wing it as we report this out, this first chart, County chart #1 is type of restraint. There were 34 uses of force by County Facilities in March. Restraints are reported based on the highest-level restraint used. When you look at this chart, Physical Restraint, Mechanical Restraint, and Chemical Restraint, it's only being reported based on the highest-level restraint used, 85% were males, 14%, almost 15% were females, 55.8% were mechanical, 29.4% were physical, and 14.8% were chemical. Another thing we can provide, which the Program's Office ran out of time, but we can provide the number of youth or uses where there were multiple restraints, which means more than one restraint. That was not included, but we can and will include that on the go forward, again, I think that probably this group would like to see the unduplicated youth as well.

Pauline Salla: I think that's a good idea. Let's keep it consistent.

Leslie Bittleston: Anything else besides the number of youths with multiple restraints and unduplicated on this?

Sharon Anderson: This is Commissioner Anderson. I think for clarity, for someone who is looking at this for the first time, the highest-level restraint used, I think maybe adding in an incident might help understand what that means.

Leslie Bittleston: In an incident?

Sharon Anderson: Yes. Highest level restraint used in an incident. To me that just provides a little bit more clarity on what you're speaking on when you say highest-level restraint used.

Leslie Bittleston: Okay.

Sharon Anderson: That make sense to everyone?

Leslie Bittleston: Yes.

Sharon Anderson: Alright. Thank you.

Leslie Bittleston: Commissioner Florez?

Elizabeth Florez: Thank you. Commissioner Florez for the record. I also think for clarity for the reader, since we know that we're not the only consumers of this, it might be helpful to define. I know a lot of time was spent on defining mechanical versus physical versus, other types of restraint, and that's just a suggestion, but I'd like to see what others think of that.

Sharon Anderson: This is Commissioner Anderson. I think that would be helpful. It makes a lot of sense.

Pauline Salla: Thank you. Any other comments? Go ahead Leslie.

Leslie Bittleston: Okay and moving on here. Oops, I meant to say state chart #2 and state chart #3. My apologies. This is State Data. Again, same broken down by those age categories, 12 to 14, 15 to 16, 17 to 18 and the race, the ethnicity breakdown, and we already discussed population versus race, but for the State Data, this really may not be the best way to present this data. Because we generally see and historically see a very high percentage of African American youth in these at the deep end of the system, so this presenting it is compared to the population may not be the best way to do it for the County, but for the state, not so much.

Pauline Salla: Leslie, I'm a little confused. When you said it should say State Facilities, where are you talking about?

Leslie Bittleston: I'm talking on the next page after, am I looking at the wrong thing? I might have the wrong page. I have the wrong page. My apologies. Okay, I have the State page 1 and the County page 2. State chart #2, breakdown of age and state chart #3, breakdown of race and ethnicity, and we already talked about the breakdown of that, and as you can see here on state chart #3, 64.4% African American youth. This has historically been the case where very disparate or a lot of disparity in the African American youth at this contact point commitment to DCFS.

Pauline Salla: Where is that, Leslie?

Sharon Anderson: This is commissioner Anderson, Leslie on that page, it says data incomplete, we all have.

Leslie Bittleston: I'm looking at that. Did we forget to add some pages to this document?

Sharon Anderson: It's saying state chart #3 right down at age, data, and state chart #3, race and ethnicity breakdown data on what we have you see that? Let's just table it.

Pauline Salla: Yeah, let's just table it because it does say on one of the pages, data incomplete for breakdown of age for state facilities, and then race, ethnicity breakdown data incomplete for the state facility. I think you might be, and I think you might be looking at the county ones, and again, there might not be disparate treatment. We don't know that because we don't have what the population is.

Leslie Bittleston: Yeah, okay. Then the same discussion regarding the reasons for use of force. Does everybody have that list? Okay, my apologies. I think maybe something got in my documents. The same thing for use of force. Unfortunately, there is no NRS section that outlines reasons to use force. The Program's Office is getting a lot of reasons for the use of force. Unfortunately, the Program's Office can't put together what belongs with what, or make that make that comparison, nor does the Program's Office know if a reason is a valid reason or an invalid reason, so that would be something for discussion maybe, and I don't know Commissioner Florez, if you'd like to take this up in the Data Subcommittee.

Elizabeth Florez: Commissioner Florez for the record. We certainly can, we have a long list of issues here, and we can certainly bring it up in that group for potential recommendation going forward.

Pauline Salla: This is Commissioner Salla, I think, because there's not any guidelines for use of force data and this came as a request from a few individuals at the JJOC years ago, this is one of those areas that, I would just cautious us to say, like, an inappropriate reason or appropriate reason for use of force, because things escalate quickly in facilities if they're not addressed. I'm cautious about identifying inappropriate or appropriate without a whole bunch more information.

Leslie Bittleston: Okay, thank you. That's the presentation or the information on room confinement and use of force. At the next meeting, we'll bring some more additional data breakdowns based on this conversation for continued discussion.

Pauline Salla: Thank you. Before I move on committee members. any questions on this agenda item? Okay. Let's move on, let's close out that agenda item. Let's open agenda item #7, status offender year to date data.

Leslie Bittleston: Yes, that is attachment #7. It's a one-page attachment. This one, I shouldn't confuse with other documents. The compliance year for status offense data is October 1st to September 30th, we capture this data on a Federal Fiscal Year. That's the requirement to report to the feds. What is captured is, of course, the total number of youths placed in a Juvenile Detention Facility placed, booked, whatever terminology you want to use in a County Juvenile Detention Facility for a status offense. For those who don't know what a status offense is, a status offense is a crime for a juvenile, but not for an adult that could be your truancy, your runaways, curfews, things like that. Year to date in six months of data, there have been 185 uses detained on a status offense as compared to a full 12 months in 2022 of 194. In six months, we are almost where we were in 12 months last year. The average age is comparable. Last year was 15.43 years, and this year it's 15.48 years. There's that, and then going down to the next section, the offense breakdown, 33 Runaways, 21 Incurable, 101 CHINS, 6 curfews, 8 MICs, which is a minor in consumption of alcohol. It's a delinquent offense in Nevada, however, it is a status offense federally. A new status offense possession of less than an ounce of marijuana, truancy, and other, then the last one which is something that I wanted to talk about the total number of youths held 24 hours or greater. Out of the 185 status offenders, 66 have been held greater than 24 hours, which already exceeds the total number held last year by 22, out of state runaways, 48, 45 of those are from Clark County, and this is another thing I'm going to have to follow up with Clark County on every status offense that they have reported year-to-date for the 2023 year, have indicated ICJ, which is the interstate compact of juveniles, which is an out of state runaway. However, some do have notes that indicate one youth from Lyon County, one youth from Elko County. Those are not, ICJ youth. Those are in state youth. I will be following up with Clark County to ensure that they are reporting runaways correctly, and the use of ICJ correctly. ICJ is for out of state runaways, not in state runaways. The average time held this year to date 7 days, 23 hours, and 5 minutes. Those are for those 66-youth held over 24 hours. The longest time 90 days, 10 hours, and 59 minutes, the shortest one day and 30 minutes as compared to last year 7 days, 0 hours, 32 minutes, and the longest last compliance here, 31 days, 0 hours, and 22 minutes. As of right now, with incomplete data we are looking at 47 potential violations of deinstitutionalization of status offenders, however, staff has not evaluated for weekends or holidays yet. This may be lessened once staff has the ability to look at that. That is a high number of DSOs in the most that has ever been reported since I've been in this position as 12. Those were actual confirmed. Like I said, this is highlighted because it is not confirmed, and that's why I have the word potential because staff will go through this data and confirm which ones are a violation, and I see a question from Ms. Florez.

Elizabeth Florez: Ms. Florez for the record. I'll wait till the report is concluded.

Leslie Bittleston: This is just kind of an informational something that I think we need. We, as a committee need to keep our eye on because it is looking like it's trending upward, and the out of state runaways are trending upward and the length of time that juveniles are staying in detention is trending upward, which may be in relation to what Commissioner Salla said a few minutes ago about detention being a catch. All this could absolutely be a symptom of that, but this is just data that I think this committee needs to keep its eye on, and it will be reported and updated every month or every committee meeting. We can keep our eye on it. Okay. That concludes my report. I'm ready for questions.

Elizabeth Florez: This is Liz Florez for the record. Thank you. For a point of clarification and looking at the report at the very top, it says 2023 to date. Is that supposed to be 2024 to date?

Leslie Bittleston: No, October 2023 is the start date to date. We will end this year on September 30th, 2024.

Elizabeth Florez: When we're comparing that column, that's about a year that's about a year and a half of data.

Leslie Bittleston: No, six months' worth of data. 2022 would be October 1st, 2022, to September 30th, 2023. Just the way we identify the compliance year that we are gathering the data, we have a full 12 months under 2022, but only 6 months under 2023.

Elizabeth Florez: Thank you for that clarification. The other thing is related to MIC under the offense breakdown delinquent offense in Nevada. That has the same, somebody correct me if I'm wrong, but MIC and MIP are like the possession of marijuana under announcing that the first two offenses are status in nature, and it's on the third one that it could be petitioned upon to the DA. If anybody wishes to correct me, but that's how we've been operating,

Pauline Salla: That's correct Liz.

Elizabeth Florez: Okay. Thank you.

Pauline Salla: I think it should be noted. It's the same that right. It went into effect July 1st, 2022.

Leslie Bittleston: Okay. My apologies for being a little bit behind on.

Elizabeth Florez: Then another point is related to in looking at the note in red at the bottom, looking at 47 potential violations without evaluating weekends or holidays. I'm a little bit concerned about producing a document prior to a full analysis and evaluation by the state. That's just my 2 cents. I would be concerned about somebody who didn't see that note and drawing conclusions and assumptions without a full vetting and analysis, and I think you had mentioned it's that the state has not had time yet to do this, and so, that's just a caution that I would provide, and then the other thing is I'd like to ask of perhaps Mr. Tedford, a legal question related to what rules apply to the public. On weighing in, or asking questions about any of these reports, I received a text from Ms. Duffy and I'm willing to ask questions on her behalf and they're good questions that I wish I had thought of as well, but if I could get clarification on the meeting law rules.

Dylan Tedford: Without having immediately reviewed the open meeting law issue to this specific incident. I would say she can certainly bring those things up in public comment, and we can just refer to this section during public comments. I would be the cleanest way to do it, but I wouldn't just as a member of this body. I wouldn't be opposed to bringing up those questions now just for the sake of ease and brevity rather than going through the process of reopening this if nobody else is opposed to that.

Pauline Salla: This is Commissioner Salla, our agenda item says for discussion. We're not taking any action. Like, Chairman Tedford are not opposed to having her ask those questions now, she's a member of the JJOC and the Chair of the Data Committee, and we're not taking action on this. We're having discussion. I agree with chairman Tedford. We can do it either way. I'm open to having her ask, bring them up specifically if anyone else doesn't agree with that, or has some concerns about that, please speak now. Seeing none. Commissioner Duffy?

Brigid Duffy: Thank you, Commissioner Salla. Leslie, I just had a question of clarification on the offense breakdown. There are certain specific CHINS categories that are broken out, and then there's just a general CHINS category. Is that because some facilities are just booking on a CHINS without it being a runaway incorrigible curfew?

Leslie Bittleston: Yes. On the document that I receive it just indicates CHINS. It doesn't say anything else. This data is reported based on how the data is reported to the Program's Office. Now, if this body would like the CHINS to be broken down more. I think that's a conversation we can have, but no, it just says Chins. That's it.

Pauline Salla: Commissioner Duffy, this is Commissioner Salla. At least from a rural area of Humboldt County. I can tell you what are youths that are brought in on CHINS because we've been working hard not to be the catch all place for things like CHINS. I think what happens in some of the rural areas, and at least this happens in Humboldt County, is DCFS has at least a three-hour response time for certain, like kids who are strictly CHINS, and law enforcement is unwilling to wait that long on the side of the road or at a house for them to respond. Our response on-call comes from Fallon, it's not here. Sometimes what happens is they'll bring in a youth for CHINS because they can't wait for an on call DCFS worker to show up. I don't know if that's everywhere. I do know that's here.

Brigid Duffy: Okay, thank you for that, Commissioner Salla, and then the other clarification, this is Commissioner Duffy again, could there be substantive charges along with these, or are these just one charge? Because we'll have kids that are arrested for a firearm that also may be out past curfew and also may have possession of marijuana under one ounce on them, and they're booked on everything, and then we decide what we're filing or not filing after that.

Leslie Bittleston: If additional delinquent charges are added that should be indicated in the comments, and we would just eliminate those because they are no longer a status offender at that point. They are a delinquent offender. If there is nothing indicated that additional delinquent charges were added, then the Program's Office has no way of knowing. If there is something in the comments that says added firearm charge, added controlled substance possession of whatever it is, then they would be removed, but if there's nothing added to that information, then all the Program's Office knows it's a status offense.

Pauline Salla: Just for clarification, Commissioner Duffy, we must report on the most serious charge. I'm hoping that other facilities aren't reporting it as a CHINS or a curfew, if there's a possession of a firearm, at least in our enterprise supervision, it wouldn't even trigger to be included on the status offender report because there's a delinquent offense.

Brigid Duffy: Commissioner Duffy again. Thank you. I was unaware of that, and that helps clarify my questions. Thank you.

Pauline Salla: Commissioner Fraser, you have your hand up?

Jennifer Fraser: I did. I just wanted to clarify when looking at the detention packets, which is how the front page, of how the kids are booked when they're booked as runaways, I usually adjust as CHINS. So to kind of put some clarification on that, I think it does depend on the data you're getting, obviously is how the booking person is entering it into supervision or family tracks, and I've noticed, I just went through my email file of that, and a lot of them where the email says, "run away, run away," but when you look at, it'll just say CHINS.

Pauline Salla: Thank you. Any other questions. Commissioner Fraser, do you have more your hands still up? Okay. Thank you. Anyone else? This is commissioner Salla. I do agree with Commissioner Florez this report provides me a lot of anxiety, and I'm just not an anxiety type of person, but I'm just a little concerned of having information like this without evaluating weekends or holidays. Are we evaluating that they have a court hearing in 24 hours, pre 24 hours, post 24 hours that makes a difference. It's not considered a DSO violation with the feds. There is a court detention and court hearing. The other thing is, that I'd be interested in some of these that are status offenders that are being held for a long time. Are they co-custody youth or is it should it be a DCFS pickup and it's not. I mean, I think there's so much that goes into this, and I know in the rural areas we're struggling. I had a status

offender in detention for 6 weeks because there was no DCFS, like child welfare placement. I think that, before we, put out a document like this, that it's vetted, I think that this is that we need to vet this information. Maybe before we release it, evaluate the weekends and holidays, evaluate if there's a detention hearing and report what true DSO violations are, because that's what OJJDP determines our compliance. Right? The ones that are confirmed, status offender violations.

Leslie Bittleston: Yes, will do. The Program's Office will clean up this data and represent next meeting with the true number of DSOs, what a DSO is and the number of these incidents over 24 hours that do have a detention hearing.

Brigid Duffy: Thank you again. I can give some clarification for Clark County perspective on these runaways. We have a lot of kids that run away from other jurisdictions that aren't ICJ until we ICJ them back potentially, but where their parents just come pick them up, but they like they're found on the strip. They've been reported as runaways from other states, and we don't have a runaway shelter here, and what had happened is we've had a few cases where the child would repeatedly running away from a certain state, and the parent was getting very frustrated that we were recovering the child, putting the child in an open air shelter, and the child was running away within, an hour of being there, and so Clark County is now under the CHINS holding these kids that are determined by NCIC hits as being a runaway from another state until their parents come and pick them up, and that's why we have an increase because we have a lot of kids, Arizona, Utah, Colorado, California that are here, and their parents report them as runaways and expect them to be held until they can come and get them. That's what's happening in Clark County for some of that clarification.

Pauline Salla: Thank you, Commissioner Duffy. I think all of us on the corridor get we get a lot of out of jurisdiction runaways to, and even if they're not part of interstate compact for Juveniles from a State, but the federal law does allow for additional time for transportation. Right? Because that does make a difference. A lot of times our parents don't have a car. They don't have a driver's license. They don't have money for gas. That takes us time to get all that, situated to get them home safely. I understand commissioner Duffy, we get a lot of out of state runaways too that us a while to get home safely. We don't want to put him on a bus or train back to wherever they're going. It's just not safe.

Leslie Bittleston: Okay. Yes, the Program's Office will clean up the data and ensure that it's presenting accurate data, and that's the conclusion of this, unless there's additional questions.

Pauline Salla: Seeing none. Alright, let's close out agenda item #7. Let's open agenda item #8, it says identification of next meeting date and agenda items. I believe our agenda date has been confirmed. The time has been confirmed. We're going to keep that the same. We have a wonderful turnout today. As for agenda items, we have a lot of follow up from the agenda today. I don't know if Jessica took notes on those, or if we can run through them very quickly. The committee members can help keep me on track also because I need that. We did discuss that for our next meeting, we would like a breakdown for the JJOC membership of rural Washoe and Clark to make sure we have appropriate representation throughout the state for the JJOC. We had conversation about that the programs office will do follow-up on all these data reports, but to make sure that we add a comparison to the actual ethnic breakdown of each jurisdiction to make sure we can clearly and accurately identify disparate treatment. If that is occurring, we can move forward on resolving that, and then we also just talked about for our status offender data to actually vet that that information prior to providing this committee with the information so that we know what we're looking at has been vetted, and then we can make decisions of how to proceed from vetted information. Commissioner Florez?

Elizabeth Florez: Thank you. Commissioner Florez for the record. I apologize if I missed it. I was trying to write notes. I think earlier on, you asked for a breakdown of between north and south related to, I don't know if that was just a room confinement and duplicated youth. I just wanted to make sure those. Thank you.

Pauline Salla: Yes. Commissioner Florez. Yes. Thank you, it's for the room confinement. We've had several discussions regarding adding the duplicated youth. I think that paints a clearer picture, for the data and for us to use it to make data driven decisions, so thank you. I think it sounds like the Program's Office needs to do some follow up a lot of follow up with the Jurisdiction. Leslie, we're all open to you doing follow up with us.

Leslie Bittleston: Okay, follow up with Jurisdictions.

Pauline Salla: To clarify the data.

Leslie Bittleston: To clarify data. Okay. Also a couple of questions moving to the NAJJA Data Subcommittee that we will bring back to this Committee when we have discussed that in the NAJJA Committee, and those again would be looking at ensuring that only the three reasons indicated in NRS 62B.215 are used for room confinement, clarification around Cool-Off and then a discussion around use of force reasons, not so much appropriate versus inappropriate, but looking at condensing, or identifying just a few reasons that could catch all of the reasons. Mr. Tedford is leaving. Okay. Thank you.

Elizabeth Florez: This is Liz Florez for the record. If I can add due to a holiday in May, the Data Subcommittee won't be meeting until after this next meeting. That's just for everybody's information, thank you.

Pauline Salla: Thank you, Commissioner Florez. I think we have plenty to do without just that. We can make sure after NAJJA meets; we can bring it back to this Committee. Thank you for reminding us of that, though.

Leslie Bittleston: For clarification, our next side Committee meeting is June 13th from 08:30.

Pauline Salla: Usually we do 8:30 to 10:00, we try 8:30 to 9:30. We can try to keep it.

Leslie Bittleston: Wait a minute, I've got the wrong meeting. My apologies. It's June 20th at 08:30 to 10:00.

Pauline Salla: If we can do it in an hour, always feels nice to release everybody early. Alright. Committee members anything for the agenda that you would like specifically placed. Thank you, Liz. Just got to sign off. Okay, let's close that. Let's open public comment and discussion action may not be taken on any matter brought up during public comment until it's on the agenda. Any public comment. Alright. Seeing none. I'm going to adjourn the SAG Committee meeting at 9:55 a.m. on May 16th, 2024. Thank you everyone, for the great discussion. Have a great day.