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Administrator

**Nevada State Juvenile Justice Oversight Commission (JJOC)
State Advisory Group Committee Meeting
April 18, 2024, at 9:00 AM
Transcript**

DATE: Thursday, April 18, 2024

TIME: 9:00 AM

Location: Microsoft Teams meeting

Roll Call:

(Voting Members)

Pauline Salla
Jennifer Frazier
Sharon Anderson
Holly Wellborn
Liz Florez
Katherine Maher

(Staff Members)

Cindy Casselman
Leslie Bittleston
Jessica Villalobos
Katie Archuleta

(Also, Present)

Tyler Peterson, Assistant Superintendent - Caliente
Marlo Butler, DCFS
Kelly Figueroa, Signs of HOPE, PREA advocate.
Kristan Russell, Project Director - Nevada Center for Juvenile Justice Innovation.

Pauline Salla: We have quorum. We will begin to call the meeting of the Nevada Juvenile Justice Oversight Commission State Advisory Group Committee meeting to order. It is Thursday, April 18th, and Leslie's birthday today. We'll call the meeting to order at 8:32 a.m. If we can do roll call, Leslie, or Jessica, whoever is doing roll call today, please.

Leslie Bittleston: Yes, I've got the roll call. Pauline Salla?

Pauline Salla: Present.

Leslie Bittleston: Ethan Ewert? Jennifer Fraser?

Jennifer Fraser: Present.

Leslie Bittleston: Sharon Anderson.

Sharon Anderson: Here.

Leslie Bittleston: Holly Welborn?

Holly Welborn: Present.

Leslie Bittleston: Paula Smith? Liz Florez?

Elizabeth Florez: Present.

Leslie Bittleston: Derek Daniel? Dylan Tedford is excused. Katherine Maher?

Katherine Maher: Present.

Leslie Bittleston: Madam Chair, we do have a quorum. For staff members today, we have Cindy Casselman, Leslie Bittleston, Jessica Villalobos, and I am proud to introduce Katie Archuleta, who is the new program Officer 1. She is on day number four today. She goes by Katie. Katie, would you like to introduce yourself to the group?

Katie Archuleta: Hi. Thank you so much. I am excited to take this position and I look forward to working with all of you guys. Thank you.

Pauline Salla: Welcome, Katie. Will Katie be doing compliance?

Katie Archuleta: Yes.

Leslie Bittleston: Yes, she will be doing compliance as well as doing room confinement, use of force, all the things that Kayla originally did, and then Dan and then Ethan. I will also introduce Katie to the NAJJA group when our next NAJJA meeting. We also have on the line Tyler Peterson, who is the Assistant Superintendent at Caliente and then I see Marlo Butler. Ms. Butler, where are you from? Maybe she can't talk. She's also with Kelly Figueroa.

Pauline Salla: Leslie, she was trying to unmute, I believe. Marlo, if you could just put it where you're from in chat, that'd be helpful for our record.

Leslie Bittleston: We also have Kelly Figueroa. Ms. Figueroa, where are you from?

Kelly Figueroa: Hi, good morning. I'm from Signs of HOPE, I am the PREA Advocate.

Leslie Bittleston: Great. Thank you.

Kelly Figueroa: Thank you.

Marlo Butler: Hello. I'm from DCFS.

Pauline Salla: Welcome Marlo. We also have Kristan Russell from NCJJ, which I believe they've changed their name that I can't remember off the top of my head. Welcome, Dr. Russell. Can you just introduce yourself and give us the new name?

Kristan Russell: There's no new name. Our primary Organization is the National Council for Juvenile and Family Court Judges. I am also in our Research Division, which is the NCJJ, so the National Center for Juvenile Justice.

Pauline Salla: Okay, thank you.

Leslie Bittleston: I thought there was an Innovation in there somewhere.

Kristan Russell: I'm the project director of the Nevada Center for Juvenile Justice Innovation.

Leslie Bittleston: Got it.

Kristan Russell: There's too many acronyms over here.

Pauline Salla: Thank you.

Leslie Bittleston: Madam chair. We have a quorum.

Pauline Salla: Alright. We've also got everybody who's online also for the record.

Leslie Bittleston: Yes, we do.

Pauline Salla: Perfect. Let's move to agenda item number 3. This is public comment and discussion. Just as a reminder, action may not be taken on any matter brought up on this under this agenda item until it's scheduled on the agenda for a later meeting. If there's any public comment right now, please raise your hand to speak if you're online. Any public comment? Right, I see none. Let's move to review and approval of the March 21st, 2024, meeting minutes. This is attachment four. Hopefully everybody had a chance to review. They did come out on Monday. If everyone had a chance to review, if there's any changes, we'll entertain that discussion right now. If there's not any changes, I will entertain a motion too.

Katherine Maher: Katherine Maher for the record, our motion to approve.

Pauline Salla: Thank you.

Elizabeth Florez: This is Liz Florez for the record. I'll second.

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

Group: Aye.

Pauline Salla: Raise your hand. Any nays or any abstentions? I see none. The minutes are approved as submitted. Alright, let's go, agenda item number 5 is status update by the Nevada Center for Juvenile Justice Innovation, which this will clearly be Dr. Russell, I think, providing us an update. I'll turn it over to you, Dr. Russell, you can have the floor.

Kristan Russell: Thank you for allowing me to join and provide an update. I will be brief. I'm giving an update today on our progress with our quality assurance tool for evidence-based practices. Some of you may know that we started piloting that towards the end of last summer, or towards the beginning of last summer. Unfortunately, despite some follow ups and giving people lots of time, we only received our pilot materials back from one jurisdiction. We recently decided to move forward with the feedback we got from those folks. They were extremely helpful. The pilot had two purposes. It was for us to understand, and make sure NCJJI can use the tool on our side, then make sure the tool can be completed by folks. There were no issues. The feedback was positive. They had no recommended edits other than asking if we could attach our evidence-based practices to the tool, which we're going to do. We have a finalized tool, which is great news. Our current plan is to move forward with it. I'm meeting with our programmers here at the council in early May to work with them to get the tool up on our website and to have a page that features that toll, explains who should be using it and why. As well as the information about how to submit. That's really our main update. We hope to have it out by the end of May. We'll for sure be sending it out on the LISTSERV as well, letting people know it's there.

Pauline Salla: Questions from any members? Comments? No.

Leslie Bittleston: Thank you, Dr. Russell.

Pauline Salla: Alright, let's move to agenda item number 6. JJOC membership update. Leslie, I'll turn it over to you for the BDR.

Leslie Bittleston: Yes. I am trying to find the tab that I would like to share. Okay. Jessica, do you know how to share on Microsoft teams?

Leslie Bittleston: Hover over, more options? Oh, thank you, Jessica.

Pauline Salla: She's got it.

Jessica Villalobos: Okay. I was going to say, did that work?

Leslie Bittleston: Yes. At the last SAG meeting on March 21st, this was an item for discussion. Internally, DCFS had some discussions around how to present membership update to the Juvenile Justice Oversight Commission. One of the things that members know is that when the Juvenile Justice Oversight Commission was created in 2017, the membership outlined in the legislation, 62B.600 did not match federal requirements. It has been difficult for the Governor's Board's office and for DCFS as well as the chair to ensure that we've got the appropriate members to meet those federal requirements. More recently, this year, Nevada has been found to be ineligible with the Federal State Advisory Group membership due to the makeup of the Juvenile Justice Oversight Commission. Having said that, DCFS internally has determined that the best course of action is to sponsor an agency BDR that is extremely simple. As you can see on your screen, number 2, we've inserted the information members who meet the requirements specified at section 223.34 U.S.C. 11133(a)(3(A). And have removed all the membership requirements. Internally, DCFS determined that this was a better way to go than trying to insert members here and there, just delete what is there and to put in what is required federally. Jessica, if you can pull up Annex 6.1 for the group, that's another attachment. For the members, this is the specific language of the Federal State Advisory Group. It reads, shall consist of not less than 15, not more than 33 members appointed by the Chief Executive Officer. Which members have training experience and special knowledge concerning adolescent development, prevention, and treatment of Juvenile Justice, of Juvenile Delinquency, the Administration of Juvenile Justice, and the Reduction of Juvenile Delinquency. Then under number 2, you have a series of positions. That's what the federal requirements says word for word. That is what DCFS is presenting to correct the membership

requirements to ensure that we're meeting the federal membership requirements. That's the presentation on that document, Madam Chair.

Pauline Salla: Thank you. Any comments, questions, or committee members?

Elizabeth Florez: This is Liz Florez for the record. Thank you, Ms. Bittleston. I don't have the two side by side, but does this in any way alleviate some of the challenges associated with gaining the appropriate members?

Leslie Bittleston: Leslie Bittleston for the record. Yes, it does, because the federal language is written in a way that can include many members. Number 1, for example, at least one locally elected official that is specific, must have one locally elected official. Then as you read down, it says, representatives of law enforcement and Juvenile Justice Agencies, representatives of public agencies, representatives of private nonprofit. It kind of opens the door to say, "Hey, if you've worked with juveniles in the past or currently, and you meet one of these requirements," which most people would if they've worked within the Juvenile Justice system. It's not so specific as the current statute, which says one law enforcement individual, two people from a nonprofit organization. This kind of gives a little flexibility on who is applying and do they fit in one of these areas.

Elizabeth Florez: This is Liz Florez again, for the record. Thank you for that clarification. My comment would be, and I appreciate how this affords us more latitude. I think as members of the JJOC, we would still want it to the best of our ability, ensure that we have a good distribution of people from these various groups, so that it's not heavy and to the best of our ability. There's good representation across all these categories. That is my only comment. Thank you.

Leslie Bittleston: Thank you.

Pauline Salla: This is Commissioner Salla. I do think one of the things we struggled with as membership was for our youth membership, right? Which, that is a federal requirement. Although the federal guidelines tend to be broad on who can be on there. The youth population and requirement for us has been the difficult part. I mean it looks from our new appointees that we're getting closer to that. That's also a great thing too. I agree with Commissioner Florez, we really want to make sure that we have the balance between north, like Washoe/Clark and rural on our committee because that's our whole system. So that'd be important to have the appropriate balanced representation from all areas, too.

Leslie Bittleston: Thank you. The other thing I would want to indicate is the NRS 62B.600 allowed for youth membership up to age 24, the federal requirements allow up to age 28. That gives us a little more flexibility. I also would like to call out a member of the program's office, Cindy Casselman, who has been instrumental in recruiting youth members. We have a potential youth member that she's going to meet very soon, that does have prior system involvement. I do want to thank Ms. Casselman for her work in recruitment. We are working diligently to fill these roles and to get a SAG that is appropriate federally so we can be in compliance and receive the federal Title II Formula Grant.

Elizabeth Florez: This is Liz Florez. One more point of clarification, and I apologize if I missed it. The bill draft request, that would be generated from DCFS or from JJOC's recommendation?

Leslie Bittleston: Leslie Bittleston for the record, that would be an agency. Sharon, would you like to answer the question?

Sharon Anderson: No. You were doing fine. I didn't want to interrupt.

Leslie Bittleston: Having these discussions internally, the onus is on the division to support the JJOC. It was determined internally that the division would sponsor the bill to update, revise the membership just based on the, the federal membership. The answer is yes, the division will sponsor this BDR.

Pauline Salla: Thank you. Any other questions or comments? Alright. Seeing none, I'm going to close this agenda item, but we need to backtrack a little bit because I believe we approved minutes. I'm going back to agenda item number 4 right now. I believe we approved minutes that were not shared or online, Commissioner Florez cannot find them. I believe we were looking at older minutes, and I can't find them either. It doesn't look like they were posted on the DCFS website. So, unless someone can find the actual minutes, we approved something we didn't really have.

Elizabeth Florez: Liz Florez for the record, I was looking at older minutes. I apologize that I didn't catch that sooner.

Pauline Salla: That's okay. Thank you.

Elizabeth Florez: I must have been as well.

Leslie Bittleston: Jessica, I thought we posted those minutes.

Jessica Villalobos: I'll double check.

Pauline Salla: Because the minutes were not posted on our website. The public and the committee members didn't have a chance to review them. Just for the record, I would like to add to the record that agenda item 4 needs to be tabled until the minutes are posted for public review. The action we took under agenda item 4 is a moot point. We didn't have them, so I just want that on the record so that our next meeting we can approve our March 21st meeting minutes, and then today's minute meeting. That'll give you guys some time to get those posted.

Leslie Bittleston: Yeah. Thank you, Madam Chair. We will get those posted and ensure that it's on the agenda for the next meeting.

Pauline Salla: Thank you Commissioner Florez for catching that. I was looking in different ones too. Okay, Leslie let's get back on track here. Let's move on to agenda item number 7, which is our Juvenile Justice data review. We'll go in the order that we have them on the agenda. Our first one will be our room confinement, most recent available data, which is attachment 7.1. Leslie, I'll have you start the conversation.

Leslie Bittleston: Okay. I'm going to see if I can share. Jessica, can you share attachment 7.1 please? Thank you. While Jessica's pulling up attachment 7.1 to start the conversation around room confinement. For those of you who are new to the State Advisory Group Committee.

Pauline Salla: Leslie, just for the record, I just shared it.

Leslie Bittleston: For those of you who are new, the room confinement is a state requirement pursuant to NRS 62B.615. It allows Juvenile Detention Facilities and State Juvenile Facilities to use what's called Corrective Room Restriction for certain reasons. This data is provided to the Program's Office monthly. We are a little bit behind on data gathering because the position that is responsible for this has been vacant for roughly six months. Katie is here now, so Katie will be getting that up to date very soon. What we will be presenting today is state fiscal year 2023. The first charts that you see is the total uses of room confinement by month for the State Facilities. That's NYTC, Summit View and Caliente Youth Center. Each facility is represented by a color from July to June. NYTC is

Blue, Summit view is Green, and Caliente Youth Center is Orange. What that does is, it just tracks the number of uses of room confinement per month by facility. Going on to chart number 2, the same premise NYTC is Blue Caliente is Orange, and Summit view is Green. This is the total hours of all the uses of room confinement by those State Facilities. As you can see, Summit View is down there hovering around zero and then NYTC between 50-100. Then Caliente Youth Center. What this chart does not tell you is how many uses. For example, when you have 50 uses versus maybe 5 uses, this chart will be greatly affected because 50 uses of room confinement at 3 hours each of course is quite a lot of hours. However, this is just how this data is presented. Can we go onto the next page, please.

Pauline Salla: Leslie, just because we do have new members. Can we clarify a specific part, such as how many beds each facility has, due to Summit View also being our smallest facility, right? Our maximum facility, but with smaller numbers. In between NYTC, Caliente and Summit View, who has the most beds available?

Leslie Bittleston: Correct. I don't have that off the top of my head. Sharon, are you able to answer this specific question? Do you know that off the top of your head?

Sharon Anderson: I do. I'll talk about budgeted capacity. We have Caliente Youth Center with a budgeted capacity of 80, NYTC has a budgeted capacity of 64, and Summit Youth Center has a budgeted capacity of 48.

Pauline Salla: Thank you. I think that's critical; this is one of those data element points that when we're talking about data, we can maybe add that as information. I believe that does make a difference when we're talking about total hours, total uses all that stuff.

Leslie Bittleston: Katie, could you please note that for future? Thank you so much. Moving on to the next one. Average hours of confinement. Again, the same lines. NYTC is Blue, CYC is Orange, and Summit View is Green. This data element is taking the total number of uses divided by the total hours for the average hours per use of confinement. Again, Summit View is noted at Green at the bottom, along with NYTC. And then Caliente is in Orange. Then State Facilities that should say County Facilities, my apologies. This one is the same data, total number of uses for the Seven Juvenile, County Detention Facilities. This is along the same line that Chair Salla, just indicated a little bit ago about the number of beds available. As you can see, Clark County, and Washoe County are noted at higher, but they have more beds than some of the other facilities. For example, Leighton Hall in Winnemucca has 4, I believe.

Pauline Salla: Six.

Leslie Bittleston: Six. Excuse me.

Pauline Salla: Don't make us smaller than we already are. We're small enough. I like it, but we're small enough.

Leslie Bittleston: Yeah. 6 beds. And then, Washoe County, how many budgeted beds do we have, Commissioner Florez?

Elizabeth Florez: Our capacity is 108 beds. We're budgeted for 72.

Leslie Bittleston: 72. Then Clark County is, nobody's on here from Clark County. That is 112 or something.

Pauline Salla: No, they're up to like a 100, I believe maybe budgeted there at 175 or something. Their capacity is up there.

Leslie Bittleston: Okay.

Jennifer Fraser: This is Jennifer. The detention numbers have been ranging from 180 to 200 for the past few months.

Leslie Bittleston: Wow. Having said that, knowing in the background, when we look at this data, we can't just say, "Oh, well this one do this, this one does that." It's because they do have different capacities. Moving on to the next chart, total hours spent, this is the same premise as the state facilities. We're looking at total hours, and at average hours. Now on the page that is showing now, we do collect some additional data elements. We collect gender, ethnicity, age breakdown, and we also collect the reason for confinement. There are some examples below. It is the Program's Office request of this committee to discuss, narrowing the reasons for confinement. Currently the Program's Office is seen roughly 30 different reasons for the use of confinement.

Leslie Bittleston: NRS 62B.615 lists only three reasons. It's difficult for the Program's Office to lump this data into an appropriate category when we have 30 different reasons. One of the requests from the Program's Office to Madam Chair is to look at all the reasons for confinement that the Program's Office is currently getting, and to also narrow those or limit those to just a certain number that all facilities can use. The Program's Office can present data on the reasons individuals are being, or uses of room confinement.

Pauline Salla: When I look at the reasons for confinement, a lot of those are similar, just worded differently.

Leslie Bittleston: Differently. Yes.

Pauline Salla: I'm looking at those and thinking of the 3, like within our statute, the 3 areas of room confinement, and I really can't see any that wouldn't fit into one of those three.

Leslie Bittleston: Agreed. However, when we have a new person like Katie who's been here for 4 days, or vs somebody like me. For example, I could sit and look at all of these and know where each category goes. It would be easier for our data people who don't maybe not know the system as well as some of the rest of us do. It's just a request to look at these and see it, as well as maybe we can do it internally. It's very difficult when we have an Excel spreadsheet with 30 different ways of indicating a reason for confinement.

Pauline Salla: Leslie, this is commissioner Salla for the record. I believe that if we have this conversation in NAJJA regarding the three areas, even on our spreadsheet, if we have a dropdown box with a statutory requirement, like the labelled ones, then we would all be using the same terminology for the report. When we're filling out our reports, then we would have the dropdown. One of these 3 areas is what we list. Because I think people are just using different terminology for it.

Leslie Bittleston: That's a good point. Perhaps that could be a question too. Commissioner Florez, if we want to revisit the template for room confinement in the NAJJA Data Committee to really look at narrowing these things to the three statutorily allowable reasons.

Elizabeth Florez: This is Commissioner Florez. I absolutely agree with that. My recommendation for the groups feedback is in that now just Data Subcommittee, it's the primary users of and detention centers who are reporting this data. What I would like to see is because we have membership that overlaps into JJOC and all JJOC Committees, we make proposals to this group as a whole. Who then vet it, review it, because this is the group that's in charge of making recommendations to the larger body of JJOC. I like that process, because it's important for the primary users to educate everybody related to the challenges associated with capturing data. We're trying to focus data collection to what is statutorily required, also following federal regulation, because otherwise, when we have too

many things that the data becomes so large that it's difficult to derive any meaning that would help us change policy or really analyze if we're doing the right thing. So, that's my 2 cents. Thank you.

Pauline Salla: Thank you. Commissioner Florez.

Holly Welborn: This is Holly Welborn

Pauline Salla: Go ahead.

Holly Welborn: I agree, keeping, collecting data, streamlining that, and ensuring compliance with the statute. I've been dealing involved in that, the statute for a while. Wanting to have that clear data is important. I just want to say that I think that having that level of self-reporting, it provides some clarity to me on what's happening with some of these individual circumstances. Because we know in the past where, when looking at these charts and I see those big spikes, and see, 50 kids here for 3 hours or whatever it is, I start to think, "Okay, what were the circumstances around that? Why, were all kids confined at the same time? What was happening at the facility that led to the staff feeling that they had to confine kids for a certain period to do what?" Right? Those are the questions on these charts when I look at this data. That is all, I just want to ensure we're not losing sight of what it is that the data is telling us about those individual circumstances. I'll just leave it at that. Thank you.

Pauline Salla: Thank you. I appreciate that comment. I think at least for those of us who are reporting the data, if we're not all reporting the same, you're not comparing apples to apples and there's so many mitigating factors which come into using data appropriately. If one kid is in room confinement five different times and in a facility, in some of our larger facilities, that can create a spike in our data without all the backup information, right? For people to really use that data effectively and not have to read into it. I agree with what you're saying that we want to make sure our data includes a way that captures what is really occurring and not allow for us to just add in what may have been happening in that facility.

You're correct. That's why our NAJJA Committee's been trying to really get back to what's required, what are the definitions that are identified in the statute, we're all reporting the same way. What are some of the mitigating factors that happen with that? Because I think if we're not all reporting the same way, then the data's not effective to make policy changes or informed decisions. I do think that with the reasons for room confinement my definition of major behavioral is probably different than your definition of a major behavioral incident. I think that's why we try to come back to what the statute says for us to all be reporting the same way.

Leslie Bittleston: Thank you. Just to take this a step further in looking at the statute, it was last updated in 2013. It may be time for this committee to look at that statute again for a future legislative session or to look and see if it still makes sense in where we are today. At the time it was written in or updated in 2013, it made sense for 2013, but here we're 11 years later. We have new information and different things that we're looking at. I also think, Madam Chair, that it may be time to look at the statute as well.

Pauline Salla: Agreed. It's always important to look at the statute. Any other?

Leslie Bittleston: Yes, that's it on room confinement.

Pauline Salla: Okay, let me go back to my agenda really quick. Let's do use of force, most recent, recent available data attachment 7.2. Do you want me to share that one too or?

Leslie Bittleston: Yes, please.

Pauline Salla: Give me a second here. Can everyone see it? Go ahead, Leslie.

Leslie Bittleston: Okay. Use of force is presented for State Fiscal Year, 2023 for the same reason we're behind on data collection. Now that we have our positions filled, we will be more up to date at future meetings. For those of you who are not familiar with use of force and new to this committee, use of force data elements collected for Juvenile Facilities are the total numbers of uses of force broken down by 3 types of force, a physical restraint, mechanical restraint, and OC spray, which is a chemical restraint. I was asked very recently if we use medication as a restraint. And the answer to that is no, we do not use medication. The 3 types of restraints in Juvenile Justice facilities, physical, which is a physical hold, which is hands mechanical, which includes handcuffs, belly chain, leg chains. It could be a restraint chair.

Leslie Bittleston: Those are, and then OC spray would be some type of a chemical substance like pepper spray, for example. Those are the three types of restraints. We also collect unduplicated youths with more than one restraint type, the average population, and the average length of stay. However, that is a lot of data, and we are not up to date on that. What is being presented today is just the bare minimum, just the number of uses and the type. As time goes on, we will present more specific data around those elements that we do collect. For today, the average numbers of uses of force within detention facilities per month is just over 23. This is all seven detention facilities combined for state fiscal year 23. As you can see, there's spikes, there's drops. I today cannot answer for the spikes or drops. We could just present, just the very high level. Moving on to chart number two, this is taking those total uses by month and breaking them down by the type. OC spray, mechanical and physical. 56% of all the uses involve a mechanical restraint. 18 points, almost 19% involve a chemical restraint or OC spray. That's just taking the same data from the first chart and breaking those numbers down by restraint. Moving on to this is telling us, the use of force breakdown of uses unduplicated youth and the youth with one or more restraint type. For those who don't know what unduplicated youth means, those are unique individuals. For example, we may have 42 uses of restraints in a month, but only 23 unique uses, which lets us know there are some uses that are having multiple restraints in a month. For July, as you can see, 23 unique youth, and 15 youths had more than one restraint type within the use of that month. As I said, we will break this data down more as we go forward. This is just a very 10,000-foot view of what is going on. Moving on to the next page. Again, this is the same data, but presented for the state facilities, NYTC, Summit View and Caliente, for the same time period, state fiscal year, 2023. The second chart on this page is the same data broken down by the type of OC spray, mechanical and physical. As you can see, roughly 62% of all the uses of force had a mechanical restraint, a physical restraint, or both. There were two total uses of a chemical restraint in all fiscal year 2023 for the state facilities. As I said, as we go forward, now that the position is filled, we will look at presenting this data a little differently to tell a better story of what is happening, happening with the uses of force. This is just the high level of the total uses for the state fiscal year 2023 and the types. Any questions on that?

Elizabeth Florez: Ms. Bittleston, this is Liz Florez for the record. I think it's important to just recognize and acknowledge that when we talk about use of force, you can't have that conversation distinctly from the room confinement. They're highly correlated, in my opinion, and based on experience of having operated a detention center. Because if you are corrective room restriction, part of the reasons is to minimize outbursts, minimize physical restraints, minimize violence amongst OC sprays, violence between youths. One affects the other. If use of force could potentially, one could argue be minimized. If you appropriately use corrective room restriction. The point of corrective room restriction is partially prevention for escalation of, and to prevent restraint. I just wanted to throw that out there. There's probably a better way to say that, but hopefully my point is understood.

Pauline Salla: Thank you, Commissioner Florez. Any other questions?

Sharon Anderson: This is commissioner, Anderson. I wanted to respond to Commissioner Florez. Maybe one of the things we can do is even have a side-by-side comparison, just to see what that looks like and see if there's a

story that could be told. That's just a suggestion. I'm not sure. You've made a good point. That might be a way for us to look at what the trends are and if there seems to be some type of correlation there based on the numbers. That would be a suggestion that I have.

Pauline Salla: Thank you, commissioner Anderson. Any other comments, thoughts? Okay, seeing none, let me go back to our agenda. We'll move to Community Corrections partnership Block Grant. July 1st, 2024, to current.

Leslie Bittleston: I believe current. To current.

Pauline Salla: Shouldn't that be July 1st, 2023?

Leslie Bittleston: Madam Chair, what I did was, take this current fiscal year, starting at July 2023 to current.

Pauline Salla: Okay.

Leslie Bittleston: My apologies.

Pauline Salla: Let me pull it up just because I'm like, "oh, I didn't do my final report when I saw 2024", but I'm okay now. That's fine. Let me bring that one up. Alright, Leslie.

Leslie Bittleston: Thank you very much. It is my apologies for the number. It is July 1st, 2023, to current. Again, for those of you who are new to the SAG, the Community Corrections Partnership Block Grant is a block grant of State general funds that is allocated annually and placed within the juvenile justice program's office budget. The amount is roughly \$2.349 million. That's separated or split up based on school enrollment within each county. The recipients of this block, grant of money is each county. This is funds to support front end services and to reduce placements in the DCFS state facilities. The Community Corrections Partnership Block grant provides funding for local jurisdictions to provide community-based programming to youth who are at risk for State Correctional Care. That is the premise of this funding. The following elements are collected as part of the dissemination of funds to the counties. The counties report to the program's office, this data. They report gender, age, race, ethnicity, the county, the current service that the funding supports. If the youth have a substance abuse diagnosis, if they have a mental health diagnosis, the primary charge, the charge type, which is a felony misdemeanor, gross misdemeanor, or status. The YLS risk level. The summary of data as of current, as you can see in column number one, at the very bottom, the total is two \$2,349,805. That is the same amount that is awarded annually. Then the breakdown of that amount is seen by county. Amount requested, this is the amount the counties have already requested and utilized. Then the rest of the columns is the data that the program's office has received to date for the use of those funds. Far, 593 youth have been served, 134 of those youth were female, 459 were male, 295 had a mental health diagnosis, and 225 had a substance abuse diagnosis. Then next page, please. Okay. This is a breakdown of age. We get an age range in the program's office. You will see the breakdown of this block grant by an age range. 0% under 10, 5%, 10 to 12, 38%, 13 to 15, 45%, 16 to 17, and 13% over 18. The next chart is the breakdown of race ethnicity. 55% of youth served are white or Caucasian. 45% are minorities broken down in various categories. Next page please. The services provided to date are broken down into six categories. The first category, which is just over 49%, is outpatient counseling. The second service is YLS assessment. One county uses their block grant money to fund the YLS assessment piece for their county. Just under 7% is Eagle Quest, which is a group home. Just under 3% is electronic monitoring. Just over 19% is evaluation. That is an outpatient evaluation or assessment obtained by a clinician. And then just under 11% is group home type of settings, either a residential substance abuse or a specialized foster care. The next chart is a breakdown of offense type. 48% are felonies. The next highest level, 26, just over 26 are misdemeanors. Then we have gross misdemeanors, status offense, violation of probation and administrative. Administrative does not have any other information with it, I can't provide any information on what exactly administrative means. Next page please. Thank you. The top nine offenses as

reported for the youth served. The, the highest offense is the second bar from the left is open and gross lewdness. The second one is unlawful possession of a controlled substance, followed by sexual assault, assault battery, use of a firearm, grand larceny. Those are the offense breakdowns. The last chart we have is the breakdown of the wireless risk level. Roughly 63% of youth had a risk level. 37% did not. The reason that some of these folks did not have a risk level is because these are used as prevention services. And a YLS risk and needs assessment is not required for prevention services. It's required for disposition. That is why not all of the youth served have a risk level, but out of those that did have a risk and needs assessment, most fell within the low range, followed by high and then moderate, and then very high. We also had some reports just under 1% of youth that have been found to be not competent. So that is the presentation of the community Corrections Partnership Block Grants. This data is normally presented annually, but since this committee has not met in a while, the program's office wanted to provide an update to this group on where we are with this block grant. That's all for that Madam Chair.

Pauline Salla: Thank you. Any questions for members? Comments? Alright. I see none. Let me go back.

Leslie Bittleston: Next one is status offender 7.4.

Pauline Salla: There you go.

Leslie Bittleston: Thank you so much. Okay. For those of you new to this Committee, a status offense is an offense for a child or a juvenile. That is not an offense for an adult. Those types of offenses include runaway truancy, curfew, incorrigible. Those things that you may hear out in the community. That's what a status offense is. Status offense data is required federally, so this data is collected per federal requirements and reported annually to the Federal Office of Juvenile Justice Delinquency Prevention. This is part of one element of the Juvenile Justice Delinquency Prevention Act that Commissioners have heard me talk about quite often throughout the various committees and the JJOC. The Juvenile Justice Delinquency Prevention Act has four core protections. One of those core protections is what's called deinstitutionalization of status offenders. The feds promote the practice of not locking up status offenders in juvenile detention facilities. For status offenses. But when we do lock up kids on status offenses, that data does need to be collected, and presented federally. What we are looking at today is the status offense summary on a federal fiscal year. Any federal data is collected and presented by federal fiscal year. This is October 1st, 2023, to current. The number of status offenders reported to date is 134. 65 males, 69 females, 74 or 55% white and 44% minority. The average age is 15.2 years. Females is 15.6 years. Males are 14.7 years. The offense breakdown for those 134 youth, as you can see, runaway and corrigible CHINS. Does anybody need me to define what CHINS is? Nope. Okay. Curfew, MIC, which is minor in consumption. This is a delinquent offense in Nevada; however, it is a status offense federally. Truancy, and a possession of less than one ounce of marijuana. What the program's office does when they receive the reports of status offenders in juvenile detention facilities is look for one thing. They're looking at staff in the program's office is looking to see how many of those youth were held over 24 hours. Because that 24-hour mark is the threshold to determine if there is a violation or not a violation. Weekends and holidays are exceptions. Those are not a violation. MIC, we remove MIC from any type of violation because it is a delinquent offense in Nevada and handled differently by the court. Out-of-state runaways, any out-of-state runaway can be held in detention for longer than 24 hours pending ICJ or contact with the other state to return that youth safely to the other state. Those are not counted as violations. Far to date, we have 11 violations. Three out of those 11 had a detention hearing. The longest time that one of these 11 youth was held was 13 days. The shortest was one day, and two were reported to still be in custody at the time of the report. Do I have a second page, Madam Chair? Oh, yes. Valid court order, which is a VCO. There were zero reported valid court orders, which is totally awesome. The average time and detention for those 35 youth over 24 hours, was six days, nine hours, and 30 minutes. The remaining 99 youth, so we've moved on from the 35, and we're looking at the other remaining youth that were released in under 24 hours. This is the breakdown of how long they were held. Nine were held less than an hour. 39% were held between an hour and three hours. The average hours were six, almost seven hours. The shortest amount of time was 11 minutes, and the longest was 23

hours and 30 minutes. The breakdown of this data as presented is the same way that it is shared with the Feds. What is a little concerning and what I wanted to bring to the attention of this committee is the 11 violations. That is the most violations that I have seen in the last few years. I don't know what is going on here, but I did want to bring that to the attention of this committee to see if we want to dig into this a little bit more. That's the presentation on that Madam Chair.

Pauline Salla: Leslie, there's a couple things. I have a question. On the release time of those needed held 24 hours or less of the 99 kids, did we back out weekends and holidays for that? Because that's exempt anyways because we don't operate court on the weekends.

Leslie Bittleston: Correct. That's true.

Pauline Salla: So that would be my first question is, weekends and holidays backed out of that or, or else that's not capturing accurate?

Leslie Bittleston: Yes, the 99 kids, none of them were held over 24 hours. If you're asking, if I looked at which ones were held on weekends versus which ones weren't, no, I did not do that for the kids that were held under 24 hours, I did do that for the kids that were held over 24 hours. I did verify weekend holiday for those kids.

Pauline Salla: Okay. And then my second question is, those 11 violations we had, do we know, because I think with our status offenses, if all the spokes of our system aren't working accurately or correctly, juvenile detention centers become the catchall, right? I can say that because we had a CSEC youth who probably should have not been with us, but DCFS had no placement for her and was with us for a long time because there was no safe place for her to go. I'm wondering, if we're going to look at those violations, and I agree that is concerning data, but why do we have those violations? Like, is it a detention center saying, "oh, we're just going to hold them because we want to hold them", which I doubt because we don't want status offenders in our detention centers? And two is there are no placement option. There are so many things that can happen that we become the catchall for, and kids shouldn't be stuck in detention center if it's not appropriate. I would like to have more information on those 11 because I think what we're seeing, and at least our experiences, is that resources have been dwindling, dwindling, dwindling. And if kids are considered safe in a detention center, the other resources don't come in and help us and, and to find a different placement for them. I think that we must build up the infrastructure of all of our spokes in the wheel, to help us move these kids out of detention because we become mental health holding facilities. We become our CSEC youth holding facilities. We just become a safe place because there's nothing else.

Leslie Bittleston: Agreed. Now that the position is filled, the program officer, I can have Katie reach out to the individual detention facilities for more information on these 11 youth. One of the things that the program's office would like to institute on a go forward is, with this compliance data, is an investigative mechanism, so to speak. When we get something like this, we have a process, to look further into this. That's what we are looking at internally on the go forward. But I did want to bring this up to the group and to let you know that we will look into this. I will have Katie get on this project shortly.

Pauline Salla: Thank you. Commissioner Florez, your hands raised.

Elizabeth Florez: Thank you. Commissioner Florez, for the record. I agree we need to look further into these cases. But I do know from Washoe County standpoint, we not only provide fill out a template reporting this information, but we also are required to provide a narrative. Is that not something that, that the state is getting from every county?

Leslie Bittleston: That's correct.

Elizabeth Florez: Okay.

Leslie Bittleston: That's correct. There's sometimes there's nothing. For those two youth still in custody at the time we received the report, there was nothing to say why they were still in custody. Yes, that does come from Washoe County, but it does not come from all facilities.

Pauline Salla: Any other questions? Katie, you have your hands full. Because that should be coming from all of us if they're held longer than they're supposed to be.

Leslie Bittleston: Unfortunately, Katie has not been trained yet in status offender staff. She has started with room confinement. I think step two will be status offenders because we have some work to do. It's coming, Katie. Great.

Pauline Salla: Thank you. I'm just going to reiterate though, we must work on our other spokes of the wheel because if it's not functioning, we become the catchall and then our data looks horrible. It must be everybody, not just Juveniles' Justice. For our status offender kids. Because that's where we're seeing a break in the system. Okay we're going to move to the next agenda item because we're coming up on 10 o'clock is our timeframe here. YLS commitment data. Leslie, take it. Yes.

Leslie Bittleston: Thank you. YLS commitment data. This is so for the youth that are committed to DCFS for correctional care, this is the data from those youth. We collect data internally in the program's office by calendar year for the, for the YLS commitment data. In calendar year 2023, there were 172 commitments to DCFS. The average YLS score was 21.92. The score falls within the moderate but would tip too high at 22. And I'm going to talk a little bit more about that in just a second. I'm just going to share the, the data as it is right now. Then I'm going to talk a little bit more about some deeper level information around this data. Currently 69% of the total, total commitments to DCFS were from Clark County. 17.4% were from Washoe. The remaining were from seven rural counties. Moving on to chart number two, most of the youth committed fell within the high-risk need level. As you can see from, from the bars, 98 were fell within the high-risk level. What I mean by risk level for those of you who are not in the juvenile justice acronym and, and lingo, risk is risk to re-offend. This is what this tool does, it evaluates a youth's risk to re-offend. And what are the areas that they need services in? This is their risk to re-offense. 98 are at high risk, 66, moderate, five low, and three very high. Moving on to chart number three, this is the average score by month of those committed to DCFS. As you can see, it ranges from, from 25 is a high and 18 is the low. We included the score key. Folks know where those breakdowns of number scores are. Like low would be zero to nine for male, moderate 10 to 21 for male, high 22 to 31 very high, 32 to 42. And it is slightly different for female youth. As you can see, the trend line hovers around 21.22, which is right at that high, moderate, and low high, with that average risk score of 21.92. Chart number four, what this chart tells you, there are, there are eight domains on the tool that is used to evaluate the risk of re-offending. Those eight domains are listed in chart number four. Prior and current offenses, family circumstances, education and employment, peer relation, substance abuse, leisure and recreation, personality and behavior and attitudes and orientation. This chart is a little bit misleading because each domain has a different set of questions. Like one domain may have seven questions, whereas another domain may only have three. When you see something that says four and one that says two, it could be because there's varying number of questions. Again, the Program's Office has included the score key for each of these domains. The only domain that is high, individual domain that is high is leisure and recreation. The remaining domains all fall individually within the moderate range. Chart number 5.

Pauline Salla: Leslie, can I just add something to that real quick? Because you're right, it is misleading because in the wall of recidivism and because the tool is validated and reliable, there's certain domains that increase the criminogenic factors of recidivism, right? Not each domain holds an equal piece to recidivism. When we're breaking it down by the domains like that, it's misleading. If we were just put like average risk score by domains and not tie that to anything else, that's one thing. But if we're talking about criminogenic factors, we know that

family circumstances and parenting is increased. It increases the risk of the criminogenic factor, also personality and behaviors. And, like criminal history that helps build, like, help with the wall of recidivism and leisure and recreation is huge for our kids. I think that you're right, that is misleading. When we're talking about criminogenic factors, each domain has a separate weight in that based on evidence and research and all that good stuff.

Leslie Bittleston: Yes. Correct. Thank you. And moving on to chart number 5. Moving on to chart number 5, the four-year average YLS score. DCFS does have 4 years, four full years of data now on the YLS score, which is incredible. But what we have seen is a drop in total score. Again, the total average score, which I'm going to talk about a little bit more in just a minute. We have seen a drop from 2019 where the average score was 25.64 to 24.4 to 24.38 to 21.92. In the Program's Office, we look at data holistically, we look at data at face value, and then what we do is we look at data at face value, but we also look at data a little deeper. The summary analysis of this is, there are a lot of moderate and lows that are being committed to DCFS. Again, I'm going to talk about this in just a minute, but when you look at the surface data, this data indicates that DCFS facilities are receiving too many inappropriate uses. You know, and the high-level questions, are we focusing on punishment or rehabilitation? Are charges dictating placement rather than the risk of re-offending? Is the YLS being done to fidelity are overrides being used appropriately for egregious charges? With those high-level questions, the Program's Office did a deeper dive into those moderate and low YLS's to see what is happening. Staff looked at 71 moderate and low YLS's. And here's what we found. 10 of those were Juvenile Sex Offenders. Four of those were overrides due to the severity of the offense. Here is what's interesting is 42 of those were firearm related charges, and 15 were other violent felonies. What we are seeing is, and I don't know if this is a system problem or something else, but we are seeing a lot of those egregious charges of youth that may have a lower risk of re-offending, but they're charges are quite serious coming to DCFS. Part of that is because the youth camps, I don't believe, accept offenses with gun charges. There is a, a piece missing in the community for some of those lower-level youth and why they are being committed to DCFS. Because like I said, 42 out of 71 were just gun related charges. One of the other violent offenses, there were 15 other violent offenses, one was involuntary manslaughter. We are seeing some very egregious crimes even though the data is showing us that we are possibly admitting or committing kids that may not be appropriate for DCFS. I see a question, Commissioner Fraser.

Jennifer Fraser: Good morning. Yeah. Just to add some more context, I would imagine that most of those are from Clark County. What's happening is in our certification cases when the state is seeking certification, fortunately the vast majority of those negotiate. The negotiation always includes a stipulation not always, but like 95%, a stipulation to Spring Mountain Youth Camp or DCFS. And that's done before the YLS. The court will get the YLS and regardless of if it's low or moderate, the court is going to follow the negotiations and send the youth to Spring Mountain or DCFS. Kids can go to the camp with gun charges. At least Spring Mountain, I don't know about China Springs, but kids can go there with firearm offenses. It's up to the court. Then in those cases, sometimes the negotiation doesn't even will like preclude Spring Mountain. A lot of times we have co offenders, so the court will say, one kid goes to the camp, one kid's going to DCFS. I would imagine that it's a big contributor to how those lower level or moderate level kids are going. And if you probably see too, a lot of them are like their first petitions. So that that puts that into context.

Leslie Bittleston: Yeah.

Pauline Salla: Thank you. Commissioner Fraser, I have a follow-up question on that before we go to commissioner Maher. Jennifer, because we did so much work about reform that the wireless drives our dispositional decisions as much as possible. How does that work in with Clark County if negotiations are completed before a validated and reliable risk instrument is completed to help drive our decisions when we all work so hard on reform, that it wasn't going to be offense or negotiation based?

Jennifer Fraser: No, I 100 percent agree. I think that's probably a question for the district attorney because they're the ones driving this. I can say what their position is a ton of meetings with them. It's just that the YLS can't be, like when they're talking to victims or when they have serious offenses, it just doesn't matter if it comes back lower or moderate. They're looking at, they want commitment or, it's more, I guess, more punitive than the rehabilitative. That's just not something they're willing to go with. That's a struggle, like even on our end, when we have kids with misdemeanor offenses, but then they're high risk, so like we must follow that. For whatever reason, we just have so many certifications too. I'm sure, that's driving the numbers here. I think that's just a bigger question for the district attorney.

Pauline Salla: Thank you. I was just wondering how that was working out, so thank you.

Jennifer Fraser: Yeah.

Pauline Salla: Alright. Commissioner Maher, go ahead.

Katherine Maher: Thank you. I also see this trend in Washoe County. Some of it is, as to what Commissioner Fraser was saying, we have a similar kind of negotiation process, although on a much teenier tinier scale. I think for us, what we're seeing is an increase in gun related offenses where the court is responding to those types of charges with the higher-level commitment. Because at least in our community, that's far more serious than what we see overall. I think it's driven by the gun related offenses increasing in our community. The biggest thing I would suspect, is just really a complete lack of community resources to fill the void. For example, in 2020 we had hand up homes, which was a treatment residential program for our sex offender youth. That program has closed. We really have the option to either send them out of state or commit them. Similarly, our main intermediary placement, China Springs, I don't believe generally accepts gun related offenses. They've had a lot of issues that have reduced their capacity. And that has really increased the commitments for us as well. Going back to what Commissioner Salla said earlier, in all of the spoke's kind of needing to work together, I do think the increase in commitments is really a sign and symptom of a lot of the other bigger issues in the Juvenile System. That's what we're seeing in Washoe County at least.

Pauline Salla: Thank you for that. This is Commissioner Salla. I think if we're looking at the big picture, State Commitments are still down because our beds are cut in half. Although we have a spike right now in State Commitments, they're still down from 7, 8, 9 years ago. I think that we need to remind ourselves of that if our state beds are cut in half, then we have less access to that.

Leslie Bittleston: Right. And then just to maybe say Madam Chair, if this is something that should be brought to the larger JJOC, what Commissioner Fraser and Commissioner Maher just said, it's the focus on punishment or rehabilitation and our charges dictating placement. Because it sounds like, from what they both said, we are veering away from the intent of the law, which is to look at the risk of re-offending and you know, and there's some gaps in the community services. I'm wondering if I know it's not going to be solved, but if that needs to be brought to the larger JJOC to begin the conversations.

Pauline Salla: Thank you. That'll be brought up with our SAG report and we can open the discussion. I think that's a loaded statement, is the focus on punishment or rehabilitation when we don't have the community resources to support rehabilitation. I think that puts the onus on Juvenile Services when it's not just Juvenile Justice. It's the supportive services of mental health treatment, co-occurring substance, like inpatient, we have no inpatient adolescent programs for substance use only in the state. I think, if we're going to focus on punishment versus rehabilitation, let's focus on the entire system. Because it may look like we're focused on punishment, but when we have no nothing else available, again, we become the catchall.

Leslie Bittleston: Yeah.

Pauline Salla: Everything we do here will be brought to the full commission and open for discussion. All the members will have a chance to have robust conversation about it, because I do think it's time, we beef up our supportive services,

Leslie Bittleston: Right.

Pauline Salla: Any other comments on our YLS? Good.

Leslie Bittleston: And that is it for data.

Pauline Salla: Right. Thank you, Leslie. Alright. We're going to close out that agenda item. That was a lot of information. We're over our hour and a half. Let's move to agenda item number 8, which is determine our next meeting date and time. How was 8:30am? I know we were a little iffy last time, but we're, we're okay with it. Go ahead, Catherine. You, you're good?

Leslie Bittleston: That was an accident. I meant to give a thumbs up.

Pauline Salla: Okay, perfect. If this works for everyone, I'd like for us to keep it at the same time, so we all know. It's the third Thursday of the month at 8:30am to 10:00 am, on May 16th.

Leslie Bittleston: Madam Chair, do you have any specific agenda items you would like us to include on the next agenda?

Pauline Salla: Yes. Commissioner Florez and I have been talking about this also, just that we can present NAJJA, what we're doing in NAJJA for all our data, that this group is aware and that we're like our data reporting. Just so we're on the same page. Then, there was one other thing I made a note about. We need to make sure for our minutes, we have our last meeting and this meeting so we can get caught up with that. I thought I made a note about something else, but let's see. Oh, and then I do think I liked what Commissioner Florez and Commissioner Anderson said that maybe our next meeting we can focus on a side-by-side comparison of Use of Force and Room Confinement because those two, do have the potential to affect each other. Maybe if we see it side by side, if our Room Confinement is up, but our Use of Forces are down, then we can start looking at what works. Because even with SB107, which was our room confinement bill, we all knew that if we were taking away an intervention for facilities, we had to implement programming that worked, or an intervention that helped our youth learn different self-regulation and coping skills so that they, we didn't have to do room confinement so much. We focused a lot on training for like statewide training of evidence-based interventions that worked. And I know we haven't done that for at least the last 9 years, so maybe we need to revisit that too.

Leslie Bittleston: Okay. Room Confinement training. Another recommendation, we may not have it for the next meeting, but maybe the meeting in June is some additional information on those 11 violations, status offender violations. I can put that on the agenda. If we have it, If not, we can skip it to June.

Pauline Salla: Perfect.

Leslie Bittleston: Okay.

Pauline Salla: Members, does anybody have any agenda items they would like for at least us to put up for discussion to open the conversation? Okay. Seeing none, I'm going to close Agenda item number 8. Open agenda

item number 9 for public comment. Just as a reminder, we will not take any action under any public, anything brought up under public comment, but we can request to have it placed on the agenda at a later meeting. Any public comment. Right. Seeing none, I'm going to adjourn the meeting of the SAG Committee of the Juvenile Justice Oversight Commission at 10:08 a.m. Y'all did wonderful. Thank you for all of your participation and thanks for joining at 8:30. Have a great day, everyone.

Leslie Bittleston: Bye everybody.