



**STATE OF NEVADA
DEPARTMENT OF SENTENCING POLICY**

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NEVADA LOCAL JUSTICE REINVESTMENT

COORDINATING COUNCIL

MINUTES DRAFT

Date and Time:

May 10, 2023 1:30 PM

Location:

VIRTUAL ONLY

MEMBERS PRESENT

Demar Dahl
Brenda Ingram
Eric Kern
Julia Murray
Dorothy Rowley
Elliott Sattler
Tick Segerblom
Clinton Zens
Denni Byrd -- Vice Chair
Garrit Pruyt – Chair

MEMBERS EXCUSED

Erik Levin

MEMBERS UNEXCUSED

Jeff Clark
Dylan Frehner
McKinzie Hilton
Curtis Schlepp
Bryce Shields

STAFF

Executive Director Victoria Gonzalez
Manager of Policy Analysis, Jorja Powers
Management Analyst II, Erasmo Cosio
Administrative Assistant, Jose Sepulveda

1. Call to Order / Roll Call

Chair Garrit Pruyt: Thank you. I will now call to order the May 10, 2023, meeting of the Nevada Local Justice Reinvestment Coordinating Council. Good afternoon, it's good to see everyone. I also want to welcome everyone who may be viewing on the Department of Sentencing Policy's YouTube channel. This is the sixth meeting of our 2021-23 meeting cycle. I will now ask Director Gonzalez to take roll call.

Executive Director Victoria Gonzalez: Thank you Chair.

(ROLL CALL IS CONDUCTED BY DIRECTOR GONZALEZ; QUORUM IS NOT MET)

2. Public Comment

Chair Pruyt: All right, while we wait for a quorum, we will move on to item two which is our first period for public comment. There will be a public comment at the beginning of the meeting and one at the end of the meeting. Members of the public have two options for submitting public comment. First, members of the public may do so in writing by emailing the Department of Sentencing Policy at sentencingpolicy@ndsp.nv.gov. Public comment received in writing will be provided to the Council and included by reference in the minutes of the meeting. Members of the public who wish to testify may also now do so by telephone. Due to time constraints public comment is limited to two minutes per person. Any member of the public that exceeds the two-minute time may submit additional comments in writing to the Department of Sentencing Policy. At this time, I will ask staff to manage and direct those who wish to testify by telephone.

Mr. Sepulveda: Thank you, Chair. Members of the public who would like to testify by phone, press star 9 to raise your hand. When it's your turn to speak please slowly state and spell your first and last name. We currently have no callers, Chair.

Chair Pruyt: Thank you. As we have no callers, that will conclude our first period of public comment.

3. Approval of the Minutes of the Meeting of the Nevada Local Justice Reinvestment Coordinating Council held on February 1, 2023.

Chair Pruyt: All right, we're going to skip over item number three until we have a quorum. Which item number three as many can see would be the approval of our minutes but that would require a quorum to review.

4. Update on Assembly Bill No. 388 (2023)

Chair Pruyt: We'll move on to item number four which is the update on Assembly Bill number 388. So, I will now open that agenda item. As many of you know, Assembly Bill 388 is an appropriations bill put forward by this group for a three-million-dollar appropriation to the Coordinating Council in order to for us to administer grants and actually start to implement and do the work that the statute sets out for us to do. The bill was sponsored by Speaker Yeager, the bill was heard in the Assembly Judiciary on March 31st, presented by the speaker and myself.

First, I want to thank all those who called in. I was actually really excited to hear, obviously I couldn't see those who had called in but once I started hearing call after call, it was fantastic to hear the larger number of people who called in and voiced their support. So, thank you to all of you. I do hope that I was at least able to do our request some justice with answering the questions. They had quite a few different questions on what was the purpose of our appropriation, how would we administer the appropriation, what is it that we wanted to accomplish and there were even questions on what would you do if, you know, we got a request and we tried it and that didn't work? How would we kind of address those issues and so we did our best to answer those questions. The current status of the bill is, it did pass out of Committee, and it was heard in Ways and Means on April 20th. Now, it will next be heard in the Senate. So, I don't have a specific date for you on the hearing in the Senate. It's expected that you know, as the legislative time winds down, that it will pop up so it will be another one of those short notice things and I imagine we will all get an email from the Director letting us know. So, I would encourage everyone who does get that email if you could take the time -- I know you're all busy -- to call in and voice your support for the bills, so that I hopefully come our next year, we can start the administration of the grant process and get started on the work that we're trying to accomplish. Are there any

questions so far about Assembly Bill 388? No? I don't see any raised hands, I don't see anyone nodding, so being no questions, I will close agenda item number four. We'll pop back to agenda item number three.

3. Approval of the Minutes of the Meeting of the Nevada Local Justice Reinvestment Coordinating Council held on February 1, 2023

Chair Pruyt: This will be our review and approval of minutes. Members of the Council have been provided copies of the minutes from the February 1, 2023, meeting. If there are any edits, comments, or corrections, please, if you could let us know now by the raise of hand, turning your mic on, if anyone has any edits, comments, or changes to those minutes. All right, I am seeing no proposed changes and hearing none. I will now entertain a motion to approve the minutes from the February 1, 2023, meeting, as they have been sent out to everyone. Do I have a motion?

CLINTON ZENS MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 1, 2023, MEETING

JULIA MURRAY SECONDED THE MOTION

MOTION PASSED UNANIMOUSLY

5. Discussion and Potential Approval of Grant Administration Guide and Application

Chair Pruyt: All right, that will close out agenda item number three. We will jump back forward now to agenda item number five. This is the discussion and potential approval of a grant administration guide and application. This is a huge undertaking, so first I want to thank the Department of Sentencing Policy for all the work that they put into it, to give us somewhere to start. I could say following a few conversations with the Director this was obviously something of great importance. If we did happen to receive the money that we have requested, having a vehicle to administer that is absolutely necessary. So, first you should have all been provided with those materials by email. Is there anyone on this call who has not been provided with those materials? Did not receive them for any reason? All right, excellent! Looks like everybody's got them. So, staff and part of this item will walk us through the guide, of the application, and we should discuss what changes and edits we

would like incorporated. It is my understanding that staff used other guides including Oregon's to aid in the assistance of drafting our guide. It will be important for us to carefully consider what is important to us when we administer grants and what needs to be included in the guide and application. If we decide to approve the guide and application today, then the guide and application would then be forwarded to the Sentencing Commission for their input and approval. However, this is not one where it has to be done quickly, so I would certainly admonish everyone to read through it as thoroughly as possible. Even at the conclusion of our discussion on the guide, if there's further questions or if you just want simply more time to review it before we move to a vote or adoption, this is something we prefer to get right from the outset and so taking the time up front is our best course of action. I will now pass the time over to staff for the presentation of the guide.

Ms. Jorja Powers: Good afternoon, Council, Chair. If we haven't met, I'm Jorja Powers, the Policy Analysis Manager for NDSP. I wanted to present the progress and status regarding the creation of a grant administration guide and preliminary grant application for any grants to be administered by the Council through the Nevada Sentencing Commission for justice reinvestment dollars.

During research for these deliverables NDSP reviewed documents from many states, as the Chair mentioned, and agencies who have awarded comparable grant funding. There is much information available out there as you can imagine. Similar to the very comprehensive information we heard at the past meetings from the Oregon Criminal Justice Commission and the other Victoria from the Nevada Office of Criminal Justice Assistance. I'm going to start with a very thorough review of the Nevada Local Justice Reinvestment Grant Program Grant Administration Guide. You should have these in your materials and Director Gonzalez has shared them on screen.

It begins with sections to introduce the Council and the Commission. The next paragraphs give the purpose of the grant program, which is to support counties to strengthen local responses to the behavioral health needs of incarcerated persons, focusing prison resources on serious and violent offenders, improving efficiency and effectiveness of community supervision, minimizing barriers to successful re-entry, all while maintaining public safety. Next the goals, which are to fund data-driven programs and treatment while reducing prison usage, recidivism and victimization, while again, maintaining public safety. Both the purpose and goals of the program

have an expectation of data-driven results. The next section lays out the program requirements, which state that funds must be used to reduce recidivism, that least ten percent of the funds when awarded must be distributed to organizations which provide services to victims of crime, and that three percent of the grant are to be used for data-driven evaluation of the funded programs. Grantees may conduct their own evaluations or opt to have the funds reverted to the Commission and Council to conduct the evaluations. Local governmental agency applicants will be required to have matching funds. This requirement promotes sustainability in the funding program. Regular reporting will be required by grant recipients, these reports will include qualitative and quantitative data, outcome measures, and evaluations. NDSP staff will assist with this monitoring via correspondence, face-to-face and virtual meetings, and site visits. Total available funds will be equally available to each county, which works out to one-seventeenth of the total funds. Any funds not initially distributed will be made available to other counties based on information from the existing applications or a second application solicitation if needed.

Any Nevada non-profit organization, faith-based organization, or local governmental agency is eligible to apply for funds as long as they support approved Nevada programs which reduce recidivism, victimization, and maintain public safety in the community. The following budget categories are allowable uses of grant funds as described in each bullet point for this section. Personnel, contractual services, housing and facilities, equipment, supplies, training and associated travel, and administrative and indirect costs. This last item may not exceed ten percent of the program's award. Prohibited uses are alcohol, compensation of federal employees, fines and penalties, lobbying or political activities, marketing or branding to generate a profit, performance or merit-based bonuses, rewards or surveys, supplanting, and weapons. Entertainment, food and drink, land or construction, lease or rental agreements, passports, facility improvements or remodels, polygraphs, items over five hundred thousand dollars, and taxes would require additional information for consideration and prior written approval.

Applicants must submit an application, scope of work, and a budget form. NDSP staff will conduct the initial review of applications received to determine adherence to the application guidelines. Help with revisions or modifications would be available to the applicants at this time. NDSP staff will recruit and organize a grant

review committee for application evaluation and grantee selection. Recommendations and decisions will be made focusing on adherence to the goals, priorities, and preferences outlined by Legislation, Council and Commission Policy, and the Grant Review Committee process. Funds may be awarded in whole or in part or as a provisional award with continued funding contingent upon program performance and progress. Timelines will be developed as funding is identified. Next, you will see the rubric that will be used to evaluate each application in the areas of project scope, adherence to goals, priorities and policies, the funding plan, and project sustainability. The grant review committee will carefully grade each application using this system. Once evaluations are complete and grantees are chosen, grant agreements will be issued. This will be the legal contract and contain all terms and conditions of the award. This agreement will govern all recipient programs and guide compliance with the requirements. Once signed the grant award will be fully executed. At this point disbursements will begin as scheduled within the agreements. NDSP staff, the Commission, and the Council as the grant administrators will ensure that all awards comply with federal and state laws, rules, regulations, and/or guidelines as well as the goals of the grant program. All attempts will be made to formally resolve any issues with compliance. If resolution cannot be achieved, funding may be suspended in whole or in part, terminated, or sanctions imposed. Grant funds must not be used to supplement existing funds. Supplanting is not allowable; any presumed supplanting will require documentation to prove resource origin and use.

We will now look at the Nevada Local Justice Reinvestment Grant Application. As I mentioned, this is a preliminary version of the grant application to show the general information to be collected from the applicants. The county and contact information for the council member representing the county of the program requesting funds will be collected along with the applicant's contact information. Applicants will be guided to the report and dashboards regarding prison population by county to look at prison usage over the last year to help identify factors that may be contributing to the local rise in prison usage in their counties. Applicants will be able to look at parole and probation violator information to determine recidivism by county and will be asked to identify possible factors contributing to any increases. In a few minutes, staff will present a comprehensive look at this report and a walkthrough of the areas of the referred to dashboards available on the NDSP website. These resources are available to guide identification of areas where need exists and where grant monies may be

most useful for your communities. NDSP staff plans to meet with each of you and the grant applicants to help analyze the data and help provide insight into possible factors that led to the numbers.

The next part of the application will help us get to know the programs that are requesting the funds; what type of programs they are, a description of the program and its purpose, the overall goal of the program and how that goal aligns with the overall grant goals and requirements, the target population of the programs, if there's a specific crime that the program is serving, and also an explanation of any assessments required of the participants in that program. The next piece of information requested is what type of internal methods of evaluation will be used by the program to determine success. So, while we will require evaluations and reports, this will let us know how else the program may measure success, and then, as mentioned in the guide at least ten percent of the funds granted must be given to a victim service provider in the community and grantees will be asked how this process will be completed. Grantees will be asked for two letters in support of the application and statements of commitment from each leader and partner of the program to include commitments to reduce prison usage, recidivism, and victimization, while maintaining public safety.

The final section is the budget narrative. Applicants will be asked to complete a worksheet detailing the costs of their program in the areas of personnel, travel and training, operating, equipment, contracts, other costs, and indirect costs. We will be developing this worksheet and applicants will each be providing all budget information into this document. As I said, these are our preliminary documents that can be modified as needed prior to publication, we welcome any ideas the Council may have at this point. I also wanted to give a quick update on the Department's bill, Assembly Bill 32, which is before the Legislature at this time. With passage it would allow NDSP to solicit and accept other grant moneys, which will give the Council more opportunity to obtain funding for the local jurisdictions. As a reminder, the Nevada Sentencing Commission would have the final approval on all grant activities. I want to thank you for your attention, and we welcome any comments or questions at this time. Thank you.

Chair Pryut: All right, I will open it up if anyone has general comments. I probably have a few different questions, but I will let everyone else throw some out there. Comments, concerns about any of the materials that have been presented so far. I will go first with a few of these.

Some of the first that I had, when I was looking at the funding formula section, the guaranteeing right of one seventeenth to all funds, I know that we had many discussions last time about, obviously there being a need sometimes for some jurisdictions to take a larger share of the funds, simply based upon scope of project, whatever it may be. If there's always a guarantee of one-seventeenth, I think that is something policy-wise we would need to address as to, how are we going to break up those projects? Is this something we're almost like a draft? You seed your pick one year and get a better pick the next year on positioning, but I think we would need to address that.

Then one of the other things, with the percentages, with the ten percent guaranteed for victims--which is fantastic--I think there's many programs that can be applied there. What do we do in instances, where all applications that we get or the best ones that we would receive but as a Council, are all looking for other areas? How do we decide perhaps which county then doesn't get what they wanted because it doesn't comply with that ten percent rule and which counties then would we have to pass to a different application to bring that into conformity? So, those were some of the concerns I first noted on just what we would do as a Council if we're put in those positions.

Director Gonzalez: We definitely want to provide the Council with a starting point. So, as far as your question about the funding formula, we just kind of decided to come up with something. I know in our previous meetings I appreciate that the Council did bring up that issue as far as other counties. Each county is going to have a different type of need, especially if there was a priority for maybe smaller counties, depending on what the need is. So, we don't need to put a specific formula in, depending on what the Council wants to decide. What it could be is, as the applications are approved, we could start with which applications have made it through the first process, as far as meeting the requirements for the programs, meeting the goals, and those kinds of things. Then bring it to the Council as far as like, now how we prioritize funding, and we would just maybe need to put it another way. We could go off of scoring for the rubric, we could go off, I think maybe putting something on guide to help but give applicants some reference to, if we don't have a formula. I will say I got that idea from another existing grant program, I believe it's for victims in our state, where there's a baseline amount that everyone's generally entitled to with the assumption that probably not everyone's going to apply and if they do

apply, they're all not going to apply for the same amount. I think some entities might only apply for maybe they have an idea for a program that's just about a publication. So, they just need a couple thousand dollars to print some brochures and get some information out to their community. So, I want to throw those out there too so the Council can deliberate on what other ways could we fund or have a funding formula or not one at all. We could just say this is the amount available, or we could also do first come first served based on the scoring of the rubric and based on what the grant committee then reviews and brings back to the Coordinating Council.

Then, I want to clarify your question about the amount to go to victims. So, we actually took that from Oregon. So, what they had in their grant application guide, was that anyone who got an award they would take ten percent of whatever their amount was, right. So, if they were only awarded twenty thousand dollars, it would be ten percent of that twenty thousand dollars for their award that would go towards the victim program in their community. So, just to clarify your questions, I want to make sure I understood what you were asking. It would just be just how we've got in here to 0, three percent of their funds also it needs to be spent on data collection and analysis. So, it's whatever amount they've already been awarded, that percentage must go to those other things but again, that's just based on Oregon. We can adjust those amounts if the Council thinks that those are priorities that are not as important, we can incorporate them in other ways but there's different ways to do that, but if we're looking to address that potential need and have everyone kind of give back, that's one way to do it is whatever amount they're awarded, then they could then use that small percentage to go back and put into the community in certain ways.

Chair Pruyt: Okay, does anyone have any thoughts or comments on that as far as method for award or essentially divvying up or deciding between counties?

Vice Chair Denni Byrd: I think I wanted clarity on how it was written for those if there were counties that didn't apply, how that would then get it incorporated? I know there was a reference in there to, you know, a second application or whatever. What were your thoughts in regard to using the funds then if there's counties that don't utilize it? I hope my question makes sense.

Director Gonzalez: No, it does. We worked through how to articulate it. So, the idea was we were very curious to see what the reception is when we have the grant money and what sort of volume of applications we get and

how many we get. So, the idea would be that let's just say we got twenty applications and we happen to get one from each county, plus two from a couple other counties. Well, the idea would be if we start with a baseline of every county is generally entitled to an amount of funding, they know that's kind of what they'd be looking for and once we have an amount available, we would put that out in the solicitation. We'd say, we have this total based on our funding formula. Our baseline is each county is entitled to applying for this amount of funds. So, based on if they had a number of applications come to from that county that was up to the amount that was one seventeenth of the total, then we would consider all the applications for that county. They don't have to be awarded that amount but it's what they would be entitled to apply for. So, you know, I think we did some math depending on the money but let's just say it was about, I can't even remember the amount was maybe like one hundred thousand available or was available for each county. So, we knew that each county knew that like whatever programs that they could apply, and then knowing that they're looking for that amount, that that amount might be available to them. Then, we go through the award process and maybe of those twenty applications, only ten of them were actually eligible. Maybe they had some problems with the application, and we weren't able to resolve any of the errors and so maybe when we're done, let's say we had that three million based on the applications we had, we were only able to award 1.5 million to the applications we had. Then, we would know we had another 1.5 million available and so at that point, I think the funding formula has been already met. Right? We already offered that initial solicitation; everybody had the opportunity to apply. Now, we're just going to open it up as a lump sum, so then we would go and solicit a second round of applications. So, now we get another round of applications, we bring them to the Grant Committee and then we go through the scoring process, bring them to the Coordinating Council and the Coordinating Council can then decide how do we want award this. It is a quasi-competitive process which we could kind of put in there or if the Council wants to do something else, as far as, first come first served. So, then there would be this lump amount we could work from. So, I guess the idea is we start first with let's offer everybody the same amount, see what kind of applications we get, I'm going to assume we're not going to get all of them or we're going to get some counties who don't need anything. As far as the program's concerned or they don't need as much, so then, that amount would then get put back and then we would do a second solicitation and offer it again. Does that make sense?

Chair Pruyt: That does make sense. The one concern I guess that would come up for me, is I would hate to dissuade a county for not bringing forth a project when they're like our project is 375,000 it obviously exceeds the one-seventeenth and even if they're willing to match, they're like we got the other 375,000, we can put this, it just wouldn't make it to us because of that. The way it reads that it's a preclusion to them.

Director Gonzalez: I totally agree and so that's why I figured if we could start there and then again, if we just want to open it up and we don't want to put a funding formula in there, we don't have to, because we could leave it more open and see what happens with the first round of applications. So, I agree, I think the potential for that is tricky. I think especially to base it on the conversations the Council has had on the needs that are in each county and so I think the things for the Council to consider are what are the priorities when it comes to funding as far do you want to make sure that amounts are appropriate to the needs of the county which means some counties only need ten thousand. Others might need, you know, maybe seven hundred thousand. So, we can definitely leave it open, we don't need have to put anything in detail there but if you want to this would be a way to approach a funding formula.

Chair Pruyt: If we were to leave it open, the other thing that may be helpful, is to simply provide a priority or a bump in scoring to those counties who did not receive on the last cycle. I know on the first cycle no one's received it so it doesn't really work that way but, if cycles in two we get consistent funding from the State who certainly allow a county would maybe didn't have anything up front but now has something that it could obtain some type of priority because they've never taken, but it's just a thought. Does anyone else have thoughts on this? Or how do they perceive this could work or not work?

Mr. Sattler then I'll move to Ms. Murray.

Mr. Sattler: What would we do, I'm trying to think of an example when you've identified everyone gets one seventeenth. Let's say for example, that you have two outstanding programs in Pershing County that exceed Pershing County's one seventeenth and then, you get one application from Lander County that technically meets the qualifications, but we look and see clearly it's a better use of our resources to give more money to one county and look at the other counties and yeah your applications meet all of our criteria but we just don't think it's the best use of the money. That's the struggle I have with instantly identifying you get one

seventeenth because that technical qualification would say, well you told me we get one seventeenth and we're the only ones asking for it. So, I guess I would say I'm not a huge fan of identifying right away everyone gets one seventeenth. Especially also given the disparity in county sizes and county needs that we have throughout the State of Nevada.

Chair Pryut: Thank you Mr. Sattler. Ms. Murray?

Ms. Julia Murray: If the decision was made to abandon a funding formula on the front end to leave it open to see what kind of applications come in upon an initial granting from the Legislature, what sort of interest is actually out there from the counties and where you use it as a learning process. How difficult would it be prior to the next session if we sought additional funding to add in a funding formula based on what we learn?

Ms. Powers: It's my belief that with each funding cycle, with each pot of money that we have available to us we can decide how to distribute it.

Ms. Murray: I think given that answer, since so much of this feels a little bit like trial and error and how do we, a first come first serve approach to me could really limit the people that might just not have heard about all of this yet, they might just not be aware enough. When we're trying to reach into communities that don't necessarily have the same level of access or representation, I think making something first come first serve could eliminate people we're really trying to reach just by the fact that they don't know yet. So, I do think that the idea of having maybe a looser set of terms, for lack of a more fine-tuned way of saying that. A looser set of qualifications on the funding formula for this first stab at getting this right, might allow us to learn the most and might draw us the largest pot of applications to be able to then see what is really working and we sit back down and readdress that down the road.

Vice Chair Byrd: I concur with that thinking because I don't want to see us limit counties the same token when you put a number on it, you're kind of locked into some decisions. I know at one point there was even discussion of do the bigger counties get a bigger portion than the smaller counties and I think that's a total backwards way of thinking because it might be the little communities that need more to get started. So, if we can give ourselves that room and then maybe refine it for the second round if needed, I agree with that.

Chair Pruyt: Is there anyone who is opposed with I guess, widening our funding formula or providing you with a little more room up front so that we have I guess, more discretion in evaluating all the applications that could possibly be received and come from all the different counties? All right, I don't see any opposition to that.

Mr. Clinton Zens: You ought to forgive me, I have a certain level of I suppose ignorance in the way of grant administration but kind of echoing Ms. Murray and Ms. Byrd. I think that obviously kind of giving like a first come first serve or free reign to counties that have you know, have far more resources than other counties where it would make it inherently unfair and because this is certainly sounding and must be this sort of trial-and-error period for us to really figure out how this goes. I suppose I wonder why it couldn't work kind of as written, it seems to work, let's say we have a county that's like well we do have this great program and we need you know three hundred thousand dollars for this. Which you know goes over the cap that would be allowed if it's split evenly between each county, why couldn't that application still be considered in round one? If it's accepted, if it meets you know all the criteria that is necessary, and it's accepted and then held to see what the end of round one brings the potential to fund more than that one seventeenth. If there are counties who either need less or don't need anything at all to then bolster it, to say okay we can give you the full three hundred thousand, you know on round two for better lack of terms. I mean, I think I would advocate for starting evenly is certainly fair for each county especially the smaller counties with less resources. I think it could work the way it is, if we give it a shot and then of course metrics upon the results of each one would kind of give us that direction to move forward from there, and better inform on how we can streamline this process or how can we better help each one of these counties.

To segue for just a second, I did want to give my opinion briefly on the ten percent toward the victims, I would strongly advocate for that remaining in there because I mean, my county is pretty rural. We don't have a lot of resources but what we do have is a victim outreach program and I would assume that every county does. And I see absolutely no issue whatsoever with bolstering that and requiring each county to help their victim outreach programs in whatever way possible with ten percent of the funding that they get. So, I just kind of wanted to advocate for that.

Chair Pruyt: Thank you. Is there anyone else who would like to continue to comment on that issue since we have this discussion rolling.

Vice Chair Bryd: I just wanted to make sure to take a moment for Tick to speak too but I know that if the question was specific to where we were at, and he had started speaking because I saw he had gotten unmuted so I kind of hesitated but that's why. Thank you.

Mr. Tick Segerblom: Oh, thank you but you answered my question. Thank you.

Director Gonzalez: So, one thing I can throw out there as we continue to deliberate because we could put language together for the Council to consider. We could kind of take everything together, if I'm hearing all the comments, would be the Council would start at a funding formula of considering evenly distributing the amounts but that the Council is going to prioritize the awards based on needs and scoring as well. I don't know if that works, but it might be a combination of the two or maybe it's just the Council will consider an even distribution but will also take into consideration the needs of the county and the programs and the scoring.

Chair Pruyt: And perhaps in other ways that our priority could be to award each county if they have qualifying applications but not necessarily outright put a monetary cap allowing for us to just have full consideration, but everyone know that for the goal is to allow every county to participate, and every county is going to be subject to the same deadlines and everything for the application. So, by the time we get to consideration, each county should have had equal opportunity to get in. And I don't think we would be in a position when we're considering applications well after the fact or once we're into that point of consideration or deliberation.

Any other thoughts or concerns on that one? All right, I'm going to kind of just pop back thought then the grant administration guide, and I'll probably, if everyone wants to follow along, I'm jumping specifically to start on page two. Just to make sure, I don't want us to miss anything as we're going through this or for anyone to kind of miss a thought.

So, when it came to program requirements, does anyone have any positions, they would like to put forward their concerns, anything like that? Ms. Murray?

Ms. Murray: I just have a question about the three percent of the grant funds that are to be used for data-driven evaluations. The concept here I totally understand, we can't evaluate how we're disbursing money if there's not a tangible thing that's measurable that we're looking at. To say how that's going, and what's happening, and how it's impacting the issues we're addressing. If that money, I presume maybe wrongfully, but I presume most of these smaller non-profits and agencies we will be working with aren't necessarily set up to do that. Much like we're finding the state's not totally set up to do that just yet. So, I suspect the majority of grant recipients would elect to give that money back into the larger fund. Which I think has a great benefit to the larger scale picture of analyzing some of the factors we've been looking at, but it causes me concern with how do we analyze the efficiency and the productivity of the individual grant recipient. What would we do in those circumstances where that money's been reverted to figure out whether or not we made a good choice when we gave money to the agency or whoever.

Chair Pruyt: Director Gonzalez do you want that one or do you want me to take it?

Director Gonzalez: I'm going to be curious to hear what you think too, and I guess what everyone thinks. I think what you bring up is a great point about the size of the entities, I will say we took this from the Oregon guide, and I thought it was an interesting idea and I'm wondering if they have a different structure in place also, for how they could address those needs and I'm curious what the counties look like as far as that. I guess, I want to understand too what you're asking, my thinking is if it was reverted it would be up to us. So, us, the Council, and the Sentencing Commission to make sure that the amount that was reverted specifically being used for that entity and program. So, it would be our staff working with them to collect the information. I guess that what's I pictured. I figured that they have information they just don't know how to report it and how to organize it. So, they would submit it back to us and then we would develop the report and the analysis and go back to them. It's almost like we are their assistants in that area. I do also wonder too, I again, we threw it in because of Oregon. I think it might be possible to not include it and our staff can still provide that support, because we've already got it in the grant administration guide that we're going to meet with each of them and have a very close relationship with each of the recipients of an award. And so, as part of their grant agreement includes how staff is going to help them get their data reported and either they need to make sure they get it to

us or we're going to collect it from them and then develop it into a report. That's what I pictured what it would look like, is that we take all the information and help them put it together.

Ms. Murray: Okay, that clears it up significantly in my mind. You guys are pretty strapped, to put it pretty bluntly. Like do you have the manpower and hours to take that on. I mean I'd have to imagine you're going to be doing this for the vast majority of the recipients, is that even a sustainable idea that you'll be able to support that. And if it is, is three percent for that give back enough to cover the additional costs that it's obviously going to create within your very tiny office, that does quite a bit.

Director Gonzalez: Thank you, yeah, I think it's possible. I think actually to your point too, trial and error. Because that's what we've already talked about as well. I think even if we step back to just administering the grants, we're already like this is an undertaking, but we have evaluated our infrastructure and figured out what that looks like. So, I think this data piece is possible, if I were to say that you know, if I consider it wouldn't be the full amount right, because I think a lot of agencies are going to have the capacity. There are going to be some entities that have the capacity but let's just say we said you know, three percent of you know half of a million dollars, you know, enough applicants, when we go through the grant application process, we're going to have a good idea of based on their budget narrative if they've budgeted data into their request or not. So, we'll have that upfront notice about will they need our support, and my thinking is we will have an idea at the outset; here's how much money is going to be reverted back to our agency for data. Which means I think, it would be enough that we would know we have this much to spend on a contractor. So, then we can solicit a contractor and then get that to help us with that grant cycle. Then, we're working within the actual confines of the amount and the applications before us, and we're not trying to project and anticipate all the things that could happen. I think, that is the first place we can start practically because we'll have that lump amount and then, we can move it and start getting a contract position in place. Additionally, then our data people could help them. Additionally, I think once we get through a cycle we're going to have a good idea of how this works and we'll know with an amount of money like, this is what we anticipate for data, and so then we'll have some concrete numbers that if we need to we could requesting an additional position in the next budget build, but I think if we set it up this way I think the flexibility for getting a contractor and if we know what that amount is—the agency is

going to have to put that in their budget or the application is going to have to have it in the their budget narrative. So, that's what I pictured right now.

Ms. Murray: Yeah, that makes more sense. I certainly didn't want anything to sound like an opposition to it more of a, is this even feasible? So, it sounds like there's a plan for that and as long as that's been like you know, fully considered, then I understand where we're going.

Director Gonzalez: Oh no, not at all! We appreciate bringing this to you all because this is all new and I'm like, have we thought of everything? And so no, please bring us your input and your feedback because I have to say actually, I don't know if I had fully thought that through until we had started doing this, right and so, what that would look like. So, I think I had kind of an idea what it would look like, and I think just quickly staff and I were able to consult and figure out this is what it would look like. So yeah, we definitely don't see it that way and thank you, because this is new for all of us and we really need the critical eye on this, because grant administration is no small task. So, anything you guys think or anything the members of the Council think of we really appreciate, so thank you so much.

Chair Pruyt: I would agree with Ms. Murray on that. I had the same concern. So, I don't even know that it has to say three percent, however that would be. I think having strong language up front that the responsibility is on the person who receives the grant. If they want your help, we may have to tell them how much that would cost and so, you want our help on this, it's a big program it's a six percent cost because that's what it is for the data that's needed, and they could know that before they accept the award. I think tightening there because I hate like she said, I hate to see your office stuck in a hole of a whole bunch of administration that is not possible.

Mr. Sattler: Actually, Ms. Murray asked my question. The initial question that she had asked was basically the same question that I was going to ask and so the follow-ups were very illuminating, and I had nothing to add. Thank you.

Chair Pruyt: All right. Are there any other questions, comments or concerns with the paragraph section program requirement? All right, I'm not seeing a hand or anything. What about the matching proposal? Does anyone have concerns with requiring a match?

Vice Chair Byrd: I'm wondering what percent you're thinking of for a match, and the purpose of just conceptualizing it, so that, I know there's not a percent in there right now, but I think that makes a big deal on how people can apply and how they look at that. Do we want to attach a percent to it?

Ms. Powers: I think the original thought was matching dollar for dollar, but that is absolutely up to the Council and what you would think.

Vice Chair Byrd: I think dollar for dollar might be pretty hard for some of the rural, small counties, just from a perspective of having to manage a grant that was a match and so that might be a little much in my opinion, strictly my opinion.

Chair Pryut: Does anyone else have thoughts or concerns on matching or echoes those thoughts?

Ms. Dorothy Rowley: I'm in agreement with Denni. I'm from a smaller county, I think the dollar for dollar is a little tougher to sell to you know commissioners and people to approve. So, if there is some flexibility in that I think it would better serve the really small counties.

Chair Pryut: Does anyone have a proposal on an amount or is anyone opposed to a match altogether? Of some type?

Vice Chair Byrd: I will say a match does help on the backside of when you are going back to your commissioners to keep your program going since you didn't have a buy-in. So, I'm not opposed to having to match.

Ms. Murray: I'm also not opposed to the concept of a match. I think, particularly when we're talking about topics that we have discovered can be divisive even against all of us that live in this part of the public sector. I think you need to know that you're going to have to be able to take this money and put it into use in the ways you envision in the community you're going back into and a guarantee of that is that match. I also agree that a dollar-for-dollar match is probably going to limit who truly ends up qualifying to the larger financially based counties. Which is an obvious concern for everyone, so I think we need to either talk about a range of you know, if you're asking for above this amount the matching needs to be X, or if you're asking for below it maybe it's dollar for dollar but once you go above it, it becomes a percentage, or I don't know. Denni, you sound like

you've thought about this in the rurals, having administered a grant of this nature, what did you think would have been more useful in the situation you were in?

Vice Chair Byrd: The one I walked into was already set there, so I didn't really have a choice. It made me get creative on how I did the match, and that one was a twenty-five percent match of my total because I just calculated it because I couldn't remember. It was feasible, it was just creative of how you were going to account for it and actually, it ended up being salary based. You know, another county employee that was assisting in creating the program ended up being the match. So, I think that's where you end up coming from a rural site, is that your manpower to create the department because you don't have all those other things in place already. So, that's just what I guess I can speak to from the past.

Chair Pruyt: Is there also any other thought of I know for some federal grants I've seen allow for an in-kind service match. Is that something we would like to consider? I know that we had previously talked about transportation being a need in some areas just to get to the services that were there. So, obviously the grant may provide the transport, but the service may be the driver or any number of other things. Is in kind in the form of service that has a dollar amount that attaches to an in-kind. Is that something we would want to consider as being part of a match and if so, anyone have thoughts on I guess wording that or putting that one for it?

Mr. Zens: I wouldn't be opposed to an in-kind match at all. As long as you know, I suppose the effort, or manpower, or money, or something could be proven in the sense that this is what we are putting forward to make this happen. I'm also not opposed to a static number. Then, the reason a static percentage I should say, and the reason I'd say that is, let's say we you know, we end up making it a fifty-percent match, it would, I think inherently work simply because I couldn't fathom say my county is developing a program and asking for as much money as a county like Clark or Washoe would be able to put together. It just wouldn't be feasible for my county to implement something like that. So, I would guess maybe foolishly but assume that more rural counties or smaller counties. Being that they wouldn't ask for such a high dollar amount that they would then have to match would inherently be lower and also, of course, require whatever agency is being awarded that grant to make sure that their stake is in the game and that they're doing this for the right reasons, and being

held accountable because they're not just for better lack of terms getting free money. So, I would advocate for either or a percentage you know, probably not to exceed fifty percent I would say or an in-kind match. I would definitely approve that.

Chair Pruyt: Thank you. Any other thoughts on a specific percentage? Sounds like we're between maybe twenty-five and fifty percent here. Any other thoughts or comments on that? Or preferences?

Mr. Dahl: I think that the fifty percent match makes a lot of sense. I think most would be able to handle that and then they would have the incentive to maybe do a better job with it when they have that much invested in them.

Chair Pruyt: Thank you. Is there anyone opposed to a fifty percent match? That's either a combination of dollars and in kind or do we want to keep it just at dollars and keeping in kind of separate? Or any other thoughts on that?

Ms. Murray: I like the idea of having an in-kind option as well. I think your example fits pretty squarely. I mean if it's a transportation grant and we're trying to get people to expand, for example, a bus route. Like and what we need on that is somebody from your transportation department to drive that bus, I think that absolutely should be considered to qualify. So, I liked your example, I like your idea there, and I think it creates more flexibility in the grant applicant to try, to find ways to match. I have some concerns over the fifty percent as a hardline number after hearing Denni's example of a struggle with figuring out how to come up with a twenty five percent match. This is not an area that I'm well versed in so I'm going to leave that to those of you that have done significantly more research but, what I don't want to do is set a bar where we have a number of applicants who are all disqualified, because the counties can't support it. I think that would kind of be like our biggest problem and our biggest thing that we would for forever be facing or explaining to the Legislature down the road. So, I don't want to set any fences around this money that are so high that nobody's getting it.

Vice Chair Byrd: I think that if it is going to be fifty percent, I would like to propose that there is an option then for it to be both in kind and otherwise from the county. Like mentioned before, I think it gets creative on how

you provide the documentation to support that, but if we were clear on what they would need to like, it would at least give people the option to come up with how they could match, if we're going to leave it.

Chair Pruyt: Would it be okay Director, if we were able to ask you and your staff, I guess to draft some type of rubric that covers different percentages and perhaps even at different grant levels. So, maybe it's more at the bottom and then as the numbers increase, that we decrease the amount of required match to give us some other types of concrete things that we can look at to reach a consensus on doing what we can do to appeal to the most possible counties. While ensuring that counties move forward with these and that they're not one and done.

Director Gonzalez: Yeah absolutely, I just wanted to clarify something too, just to make sure. So, the intent of the matching was just for agencies, not for any non-profit or entity, just for agencies. I see a lot more flexibility needed for programs and treatment that are by non-profits or any faith-based organizations. So, the intent with the matching is just anyone who's a local like, an entity of either the county or the city, and that's where the matching seemed to make the most sense for sustainability in promoting that. So, Vice Chair Byrd's point about even still like, within the entity like having that was a thought I had just to clarify that.

Then, the other thing I know that Mr. Zens mentioned this too was putting language up to a percentage, you know. So, we can look at the language to research about figuring out ways to navigate that where that for these entities they are required a match. So, I don't know if it's possible for them to propose one and then we work with them with their application and do up to that fifty percent or we could do whatever we choose it could be up to that based on what the agency has proposed in their application for their program.

Chair Pruyt: Excellent. Does anyone else have any specific comments on the matching section, looks like we'll have a lot more to review probably at a subsequent date but before we would move on to the reports and monitoring process.

Ms. Ingram: I just have a question on whether or not it's going to be allowed to apply for funds in subsequent years? My own story started twelve years ago when we started the Core Services Department. We were one hundred percent funded by the Department of Criminal Justice Assistance and we were able to go back for

funds for three years. Obviously, we had to get a commitment from the Commissioners locally to continue it on once the funding ran out. I just wanted to know if this was a one-time, here's your money for your program now it's up to you to carry it on or if you can apply in subsequent years.

Chair Pruyt: Director? Or I can?

Ms. Powers: That would be dependent on whether we had money to grant. The original thought was if we had ongoing money, that yes, people could reapply to keep their programs going. However, again, it will be dependent on if there is money available.

Director Gonzalez: I will add too that was the distinction too with the agencies having the matching requirement. So, that the local agencies were looking for opportunities to find additional funding just to get them started on programs, but then the matching. Of course, like smaller entities, and non-profits, and faith-based organizations might need a little more help. Then, of course, we're going to leave it up to the Council to make that decision. It absolutely seemed like something that would be up to the Council to decide do you want to make that opportunity. The grant administration guide is silent on that for that reason. So, if you want to be explicit about that we can, that they can reapply in subsequent years.

Vice Chair Byrd: Then, I think we have to look at if they could reapply for the exact same purpose or if they have a new component or piece to it that they're trying to continue to develop. I mean sometimes that's what I've ran into is the grant funding I had before, I wouldn't have been able to reapply for the exact thing but if there was a version that helped continue to facilitate and build upon that program, then it would have been available to reapply.

Chair Pruyt: I can say for me, when we had talked about it, I had envisioned that some groups would have to reapply for a year or two or perhaps three to get fully funded and off the ground. Obviously, it's not something we can guarantee but yeah, it's not that a lot of counties or entities are going to do it over the next fiscal year in just one go. So, the nice thing for us is we would be able to look at their first report back, is it working and if it's working it would certainly be then probably be a good application to consider for a re-fund. Then, go through with them specifically as well, okay we're on round two, what are going to do really. So, that you get this going

completely without us but yeah, I never saw this and maybe I'm wrong on that as you got it once, you're out from there, good luck, sort of thing. I don't think that would be the right way to go.

Ms. Ingram: I agree with that and that's exactly how we got started. Had there been a mandatory match in the beginning though, the pre-trial program in Churchill County probably wouldn't be here right now. We were able to get one hundred percent funding and we had to hit the ground and really convince the Commissioners with our results. Then, you know, over the next couple years they obviously agreed to sign on in the beginning but their contribution towards the program got bigger and bigger over the course of three years. It was a little easier to get it to fly, had I come in with you know, I need a fifty percent match right now, they would have just said no because we didn't have the money. So, I'm sort of for a smaller match or certainly the in-kind match to begin with and then, those matching numbers perhaps increasing over the years if they get subsequent grants.

Vice Chair Byrd: I kind of like that idea too because if you're thinking of just one year, some of these programs, okay I took a two-year grant and extended it over five years before I could use the funds, just because of the nature of what it took to create relationships to create the program in our small jurisdiction and so you know, we're looking at just one year and then like Garrit said, that may not be enough time for them, but if they are showing progress and that it's working. I also like the idea, maybe as a subsequent request is maybe where the match continues, or part of that formula is built into it might make a lot of sense.

Chair Pruyt: Any other thoughts or concerns on matches before we move onto our next paragraph?

On the paragraph that's reports and monitoring process, anyone have concerns with the language or what's noted in that section they would like to add or comments they would like to add?

Vice Chair Byrd: I just had a question because I know you said you would consult with people to determine the timelines for regular reports and programs. Does that mean you are thinking different counties would have different timelines or would everybody be on the same timeline for everybody?

Ms. Powers: No, the thought was that everyone would be on the same timeline.

Vice Chair Byrd: Do we have an idea of what I mean, when you say you would talk to people, did you like, after the grant awards are out you would want to talk to people. Would that be something we would give feedback, so they know what to expect if they get the award?

Ms. Powers: Yes, we just wanted to make it apparent that we were available and that we would be there to help people and answer questions, and help them with the first reporting processes, and evaluations as needed.

Chair Pruyt: The way I had understood it --I'm sure you all can correct me if I am wrong-- is that the reporting requirements and monitoring would be outlined at the forefront, at the time they received the application, so, there's no questions about what it is their deadlines and all that stuff. I got a lot of nods, okay.

Vice Chair Byrd: Okay, that makes me feel better. It seems kind of vague and if you don't know that going into it, that could like a throw someone for a loop.

Director Gonzalez: One of the reasons it's vague is because we don't have the deadline set up for the application process and so, we didn't want to impose the requirements right now. If you know, we don't have the distribution of the awards until the end of the year, and so it won't align perfectly with quarters you know. If we were to say the first quarter of the fiscal year or things like that, it's just it would be laid out in their grant agreement and then based on whenever the awards were finally set up. So, the idea would either be --and we could go back to the Council on that too as far as do we want to set up monthly reporting, quarterly reporting, we could put something more concrete about that and that the start date of their report would be based on their grant award, their grant award document. So, it was flexible for that purpose but only that everything will be laid out in their grant award document.

Chair Pruyt: Fantastic. Thank you. If there's no more on the reports and monitoring process, we discussed funding. So, I was going to jump to eligibility. If anyone has any comments, concerns about what's lined out in eligibility for those who may receive or apply for the grant? All right, I see no one unmuted or hands raised.

All right, we'll jump over to page three, the same questions then for allowable uses. Any comments, or concerns, or additions that anyone would like to make for allowable uses? All right, I don't see anyone unmuting or raising any hands.

We're moving along now. Prohibited uses, including both those paragraphs there for the funds may not be used for and then the ones that would require a written exception. Anyone have comments, concerns, or additions they would like to make to those? Mr. Sattler?

Mr. Sattler: It may sound strange but why would we even suggest that we're going to give someone over five hundred thousand dollars? All the way down at the bottom. Is that ever going to happen? The reason I bring that up, is if you put that in there does it let people think, ooh, maybe I should ask for over five hundred thousand dollars. I'm not quite sure why it's there.

Ms. Powers: Like the rest, a lot of these things came from other states or other agencies. Yeah, we can absolutely change that number if the Council so wishes.

Chair Pruyt: My question with that, when it's saying single item or object, let's say someone did have a request for five hundred thousand dollars, let's say in the next ten years, if we get an even better round of money, right, and five hundred thousand dollars is an option. I would say well we're giving them approval anyway because we're reviewing it, is this referring to like they want to buy something that's five hundred thousand like, I don't know, we're not in farm county, if someone wants a combine, is that like what it's meaning is, one object?

Director Gonzalez: Yeah, or like if there was a program, or a system technology, you know that are like, this is going to be the thing. It's just we need an additional level of review for that amount for an item, or you know, I mean it does say that they can't buy the land. I mean, if they were going to buy a facility, that we need additional approval for that. So, yeah, in my mind I imagined, like what if they had this amazing technological system that was going to, I don't know or a set of tablets, or you know. Plus, like a program to operate them and I could see something like technology costing quite a bit. So, I think it's a good thing to have in there just for protection as far as, if something were to show up, you know, it's just going to need additional approval

because maybe somebody has some great idea out there and we didn't realize it was even possible. So, that's going to help reduce recidivism and so that was what I was thinking and while it did come, Ms. Powers is correct like we did get this from other guides but it's consistent. We looked at several grant guides and this is list of allowable prohibited uses and then, uses for with exceptions, is pretty standard, and so it's possible someone had this horrible thing happen once and they said you better put that in there to protect ourselves.

Mr. Sattler: I guess the reason I raised the issue was if we're looking at some form of pro rata county-wide distribution of whatever funds that we have, I'm trying to do the math in my head, but I think we would need to be getting north of thirty-four million dollars from the Legislature in order for that to be an issue. But I get it, I mean it could be theoretically that somebody comes into us with a program that would benefit all seventeen counties and exceed you know, so there's some sort of benefit there. I don't know, I guess we can all sit and make things up that would fit but it just seemed a little bit excessive.

Director Gonzalez: Yeah, and with the funding formula that we had originally established in the guide. It did leave us open to the potential that, let's just say no one applied and we ended up with you know, or not very few people applied, and we ended up with two million dollars left and one person came and applied for those two million dollars, and they had a program. There was a possibility even with the prorate that we had established that someone could ask for something that would exceed that amount. We will do some more research on that too. I would actually like to know where that number comes from. I'm wondering if there's like a tax thing or if there's some other threshold that might be triggered by that amount so actually, we'll look into that somewhere.

Ms. Ingram: Regarding the weapons including firearms, I don't know if that's just a standard thing that grants just don't give money for that, but the person that was helping us research prospective programs in our county came up with an alternative sentencing program, which would obviously have to have uniformed officers doing that, and they need to be armed and is there an exception for that, or is that just something that just never is granted?

Chair Pruyt: Personally, when I read through that on the few grants, I mean I can't say I have officiated many grants. I have provided the data on a few. My thought when it came to the firearms, I was not aware of an

exception, if there was some kind of match provided by the county, I'd expect that that's where they'd use their money. It could come in the same of a MOST team, okay, we're going to hire the social worker or the psychiatrist who's going with the officer and we want to cover both salaries, and we're doing a piece that whatever their portion was would likely cover the weapon. If we want to consider an exception we can, or we can just leave it as a blanket. Just simple our grants don't fund weapons of any kind, if the counties need them to accomplish the rest of that part, then they can fund that small portion of whatever it is. I know a lot of law enforcement doesn't issue them anyway, a lot of them have to purchase their own now so.

Ms. Ingram: That makes sense, thank you.

Chair Pruyt: Mr. Sattler? What's on your mind?

Mr. Sattler: Is the prohibition the purchase of a weapon or having people who are there that we're paying for who use weapons in their employment? I read that distinction, when I read that, I just read that to mean that the funds that we're using or that we're providing will not be used to purchase weapons of any type including, firearms. Not that if you've got a sheriff's deputy there who has to pay for his own weapon, his own sidearm, we're not paying for anything there.

Chair Pruyt: That was my understanding as well.

Mr. Sattler: Okay good thanks.

Chair Pruyt: Unless does anyone else have a different understanding as they read it? We can clarify the writing if they did, just to make sure. All right, I don't see anyone else with their hands raised or unmuted. Any other concerns on prohibited uses before we flip the page?

Seeing none, does anyone have any issues with the three items outlined for the grant application, that it would require an application, a scope of work in a budget form. I don't see anyone raising their hands or unmuted.

So, for the application review process, is any comments, concerns or additions that anyone would like to add or subtract from that section. I am not seeing anyone raise their hand.

So, obviously the application timelines are to be determined but does anyone have any other timelines they would want to specifically be laid out other than the five that are set forth in this initial portion of explanation of the grant. All right, I don't see hands raised or anyone unmuted.

That will take us to page five, which is the rubric. Is there anything anyone would like added, or concerns, or comments they have on the criteria, or the scoring system as it's set forth. I don't see anyone raising a hand or unmuting at the moment, fantastic.

Then, moving on to grant award. Any additions, comments, concerns for grant award.

All right, I will move on then to termination. Any additions, comments, or concerns for terminations last paragraph on the bottom of page five. All right, seeing and hearing none.

Then on to page six, supplanting. Any concerns, additions for the paragraph about supplanting. All right, fantastic.

I think that leaves us with a good bit of work and additions to move on there. I do quickly want to go through the application. I know that you all have many things to do, and this is probably turning into one of our longer meetings, but we will get through this. Thank you everyone for staying on the line. For application I will kind of open this one up more, generally we don't need to go section by section, but if there's any specific points that anyone would like to bring up, or additions they would like to have, I would say to do that now. I know that I had thought of to myself as I read through this and both of mine were on page two. So, for program, do we want one that would specifically note some type of diversionary program? I think that's where many of our counties are considering something like a MOST team. I see them fitting in more there, the whole idea is that they're not making it to incarceration in any way, the whole goal is, and I know our teams have because of prior grants have actually had to report on that number of calls they take. All those different types of things to show the amount of people who didn't come into custody, that otherwise might have. Then, the other thing that had come up for me is, just further down on the page endnotes reducing prison usage. I just want to know if we wanted to include the term jail in there as well, given its counties that are funding a good portion of this. I mean, my county doesn't pay for the prison, we happen to have a bunch in our county--lucky us for such a

small county--but their dollars and cents are going to be calculated out of the jail and amount of officer calls that are going to be there. Our alternative sentencing calls, those kinds of things are where they're going to see dollars and cents which would help us get our programs funded in the future and I think obviously that if it reduces jail, it reduces prison just naturally, but if we want to include that as a measurable topic or a measurable piece.

Ms. Murray: I am in agreement of including the word jail under prison. I think it's important to point out, we're not just seeking post-conviction related changes here. We're looking for even entry and, on the street level changes so I think that's really important.

Chair Pruyt: Okay, any other thoughts, additions, anything that you went through as you guys went through the application that you would like to see added or have questions about what we could put in there, or any other different types of programs you would want listed.

Vice Chair Byrd: I'm sorry, maybe you said this, did you want the jail added to this same line or a separate line to include jail on them.

Chair Pruyt: I don't have a preference; I think I would like it to be a measurable rubric because even if I looked at one of the programs, we considered was simply speeding up our mental health evaluations for persons who may lack competence, that's days in jail. That's the easiest thing for me to measure for my county to say if you pay for this in the future, I can show you thirty-five, fifty, seventy days less of jail per person and it costs you this much a day. Very simple math that could get program paid for.

Vice Chair Byrd: Right.

Chair Pruyt: No other thoughts? I guess the application was the easier part.

Ms. Murray: I just didn't want to jump in while that topic was still open, because mine's slightly off, this is probably silly but it's something I've noticed in all of our meetings. I don't think any of us can agree on what the word recidivism means or how we reduce it.

Chair Pruyt: Fair.

Ms. Murray: So, I wondered if there wasn't maybe a better way to word that one line on page two that says the goal and it's pronged to it says reduce recidivism while maintaining public safety. I don't have a proposal for what that might be, but I just know how many very lengthy debates I have been privy to both here and at the Sentencing Commission, over what we're even talking about when we use that word. That I thought it might clean up some nonsensical answers.

Chair Pruyt: I agree, I think it's a fantastic idea.

Vice Chair Byrd: My other comment would be on where it allows you to pick the type of offenses and violence is listed in there. Are we going to get any guff if somebody does say violent offenses? This is a soft spot or a sore spot maybe, I'm not sure how to word that, because a lot of those people that are mentally unstable will have violent behavior but, if they're stabilized, it's not and so I don't want us to get into trouble if somebody marks that they have a violent offender and if what that looks like. Are they going to be restricted because of that? I was thoroughly restricted within my grant, yet it was a mental health targeted population, and they were not by any means violent offenders, they just weren't stable and when they were stabilized people were like, whoa they're the nicest person. Yeah, because they're stable. So, I guess I just don't know here that falls under in and what parameters we have to work within under the worker primary.

Chair Pruyt: I think it's an excellent question. If anyone has more thoughts on it, I didn't read it as a preclusion, more as of a like a checkbox. I would say any program that's successful in reducing any type of offense that ends up being a violent offense is probably good. I didn't know if we wanted to include within the offenses, I'm trying to think of a way to, I don't have a good way to word it. So, when I do, I'll just email it to the Director because I don't know. Some more of your vagrancy offenses, I guess a lot of them are included in your property type anyway, or how they would fall in there but oftentimes they can be a class of their own, just by what's there. Any other thoughts, additions that anyone wants to make? All right, I am not seeing any hands raised now or anyone unmuted. I would say for that one in lieu of moving to adopt those I would say over the next few weeks, if you could email the Department of Sentencing Policy any thoughts or concerns that you have as you review these within your offices. Discuss them, just think about them in general, all of that would be greatly appreciated so that we can send out an additional draft to everyone for review with many of the

different things that we have discussed today. Director is there anything else that your staff would like to add as it pertains to section or agenda item number five?

Director Gonzalez: I don't have anything else, and I'll check in with Ms. Powers, but yeah, I think that's a good plan we'll incorporate this and anything else you see. We can then send that out to the Council and continue too. You can individually send your information to us as we get ready for the next meeting. So, if you want to have additional discussions, we can absolutely do that. Offline, one on one, and then work towards the next meeting and get the Council some additional drafts.

6. Presentation on Prison Use by County

Chair Pruyt: All right then, I will close agenda item number five. We'll move us to agenda item number six, which is a presentation on prison use by county. Which is a performance measure used to grant applicants and recipients will be prison data collected and analyzed by the Department of Sentencing Policy. As you may recall Oregon used prison data to understand how each county was using the prison. Our staff conducted a similar analysis and prepared a report that was included in your materials. As we saw in the application, grant applicants will be required to consult the prison data for their county and then apply for the program and the treatment that will address the needs of their county as indicated by the data. The grant recipients will then be required to monitor outcomes of the grant funded program using the data collected and analyzed by the Department of Sentencing Policy. I will now turn the time over to staff for the presentation of that data.

Mr. Cosio: All right, perfect. All right, so good afternoon, Council. I will be presenting data on individual counties. The purpose of this data will be to identify where the priority should be within each county when requesting grants. Now for a road map of what's to come in this presentation, we will show you data from a report that we did on prison use by county. Each county will have a total of five slides based on total prison population as of December 31st of each year. The first slide will end up being overview totals, the second slide will be a breakdown by offense group, the third slide will be a breakdown by felony CAT, a fourth will be imprisonment status and the fifth slide will be a brief breakdown by gender. The second part of my

presentation, I will show you guys a couple slides from our dashboard that will also help you identify priorities within each county.

So, I will be going over a couple counties but don't worry, I won't be going over every single county. Here's the table of contents, all the counties are listed alphabetically and a quick note on aggregates down at the bottom. An aggregate is individuals who committed crimes in multiple counties.

All right, so just for example, just want to be able to show you this, first let's go ahead and look at for example, Churchill County. Churchill begins on page nine, so let's go down to page nine. All right, so Churchill County, you can see their portion of the prison population was at a decline from 2017 to 2022, and in 2021 and 2022 it began to increase. So, then we have the breakdown by offense group, each occurrence of offense is on there, and then we have the breakdown by felony CAT. For example, something to note on this one is that B's have been declining up to 2020 and began to increase in 2021 and 2022. Then, this is the breakdown for Churchill by imprisonment status. So, as you can see the new commits do make up the majority of the imprisonment statuses, but just for example, just want to take a quick gander here at probation violators with no new convictions, so those almost doubled, I mean they could go from eighteen in 2021 to thirty-one people in 2022. So, perhaps on a program dedicated at probation might help in this instance. Then, we have the breakdown by gender and as you can see with this one, males do make up the majority of the population, and that's going to be the case for every single county.

Next, we want to look up at Humboldt County, so that's going to be on page forty-five, so we're going to go all the way down to forty-five, Humboldt County. First, we got that breakdown by total population and as you can see with Humboldt County, the prison use has been going down every single year from 2017 to 2022. Then, this is the breakup by offense group for Humboldt County. I wanted to direct your attention over just quickly look at, for example, the offense group sex. Okay, so that did decrease down to thirteen people in 2019 and 2020, but then in 2021 and 2022, it began to increase so perhaps a program directed towards that might help in this instance. Here by felony category, so for the most part B's, C's, D's and E's have all been going down. A's were going down, but then slightly increased in 2021 and 2022. Then again, we have the imprisonment

status, and again how you saw the last one, and new commits did make up the majority of imprisonment status. Then, we have Humboldt County again and here by gender, broken up by males and females.

So, the data I just showed you is based on NDOC population within NDOC at the end of each year and the dashboards that I am going to show you is based on admissions and releases from NDOC. These are all going to be tools in order to help you assess your county's needs. So, the first one we're going to look at is admissions dashboard, this is updated monthly based on the most recent data that we have from NDOC. Let's go ahead and click on that one. So, I want to direct your attention over to well, the final two slides. So, for example, on this one we would just happen to be wondering about, okay so, let's go ahead and click on Clark County. Then, within Clark County, you can see the total number of people that were admitted in all the years we have. So, this is all the A's, and this, sorry this is all the categories, and this is all the offense groups. So, for example, we just wanted to compare what it was in 2017. So, click we'll just go ahead and up here next count and we can begin to sort it by highest occurring to least occurring, and we can do the exact same thing for CAT. So, we just quickly appear by count. So, for example, on this one we could see that the highest occurring in 2017. Our offense groups were property and followed closely behind by violence. So, we just happen to wonder, okay so, what happened, what were the changes in 2022. So now we see that violence is the highest occurring, but then it's not neck and neck anymore, but it did fall behind and that was property as being eight hundred and sixty-one was the next the second highest. Then, next, we're going to focus on the next slide, so this is going be admissions by county of commitment, and felony category. For this one, which just happened to be wondering for example what's happening in Elko. So, let's go ahead and select one of the years, select this from least to highest. Okay, so the highest occurring in 2018 admitted into NDOC was property with forty-two, followed by drug which was thirty-one. Then you just want to compare that to the most recent years of 2022, and then we got our property at thirty and violence at twenty-three, in total those over eighty-eight people admitted into NDOC, based on the county commitment in Elko.

All right, so the admissions data I just provided to you is about people going into prison and the releases data I'm about to provide you is regarding individual returning back into your communities. This data can be identified, if possible, to identify possible priorities when thinking about programs and other needs. So, let me just go

back out, okay, so now like I said we're going to be focusing on releases dashboard this is also updated once a month. I want to direct your attention over to one of the final two pages. Just for another example, on this one real quick, all right, so let's go to Washoe County, from this we thought it might interesting or you might think it might be interesting to know what was happening in 2017. Again, we'll do a sort of the count, all right, so property was three hundred and eighty, followed by drug with two hundred and twelve, and we want to know how that compares to the 2021. So, property was three hundred and thirty-two, followed by violence at two hundred and sixty-five, and see this might be able to help you when assessing where it's best to put the money when requesting grants.

All right, for the next one, all right so now we have releases by county of commitment and felony category. So, you might be happened to be curious and want to know what's going on in Carson City. So, Carson City is based on releases and let's go ahead and click on 2018. Now okay, so, we can see on here that drugs are where thirty-eight people, property was the second highest occurring with thirty-four people and you want to know where that compares in 2022. So, with that now we have property being thirty-four and violence is the second highest occurring at thirty, following closely behind by drug.

Okay, so that concludes my presentation on possible tools that would help you identify where the priorities would be within each county. We do plan on having a meeting with each council member and applicant individually to review and analyze each county, and to assist in developing programs. If you need any help in navigating these tools, please do not hesitate to reach out and thank you very much.

Chair Pruyt: Thank you for that presentation and the collection of data. Are there any questions from the Council. All right, I'm not seeing anyone raise a hand or unmute. So again, thank you I found the data to be very insightful, I think I'm going to do more review on that, it's quite interesting. That will close our presentation by our agenda item number six, since I am not seeing any questions or comments.

7. Discussion of Potential Topics and Dates for Future Meetings

Chair Pruyt: That will move us onto agenda item number seven. The dates for the meetings for the rest of the year are provided in the agenda, our next meeting will be August 2, 2023, and then we will meet on November

1, 2023. Our staff is already working on more topics and items for discussion of future meetings, but as always if you have any questions, or concerns, or things you want us to consider in our future meetings, please contact the Department of Sentencing Policy and we will make sure that we have those up for consideration. Are there any items at this moment that anyone would like to add to our next agenda? All right, seeing no one raise their hands or unmutes their mic. We will have nothing to add at this moment that will close out agenda item number seven.

8. Public Comment

Chair Pruyt: This will now take us to agenda item number eight. I will now open our second period of public comment, just as we did during the first period of public comment. Those who wish would testify may do so by telephone. Due to the time constraints, public comment is limited to two minutes. Any member of the public that exceeds the two-minute limit may submit an additional testimony in writing to the Department of Sentencing Policy at sentencingpolicy@ndsp.nv.gov. At this time, I will ask staff to manage and direct those who wish to testify. Mr. Sepulveda?

Mr. Sepulveda: Thank you Chair. Members of the public who would like to testify by phone, press star nine and raise your hand. When it is your turn to speak, please slowly state and spell your first and last name. We have no callers Chair.

9. Adjournment

Chair Pruyt: All right, thank you. That will conclude our second period of public comment. That will move us to item number nine, which is adjournment. I do imagine before I see you all at our next meeting in August, hopefully I see some of you on the phone, at the Senate Committee to support the Appropriations Bill for 388. I want to thank everyone for all their time today, I know it took more time than normal, but please review all of the application and the administration guide and get any comments, corrections, concerns that you have back to the Department of Sentencing Policy. So, I want to thank you all for everything and I will see you all in August. This meeting is now adjourned.

DRAFT