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Governor

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Justice Lidia Stiglich
Chair, Nevada Sentencing Commission

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STATE OF NEVADA
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NEVADA SENTENCING COMMISSION
MINUTES

Date and Time: March 31, 2023 9:00 AM

Location: VIRTUAL ONLY

MEMBERS PRESENT

Chief Michelle Bays
Dr. Shera Bradley
Chief Aaron Evans
Judge Scott Freeman
Athar Haseebullah
D.A. Chris Hicks
Jim Hoffman
Dr. Jennifer Lanterman
John McCormick
Julia Murray
Jon Ponder
Director Beth Schmidt
Director Christopher Sewell
Vice Chair Christine Jones Brady
Chair Justice Lidia Stiglich

MEMBERS EXCUSED

Chairman Christopher DeRicco
Director James Dzurenda
Evelyn Grosenick
Judge Tierra Jones
Kimberly Mull
Assemblyman David Orentlicher
Senator Nicole Cannizzaro
Senator Pete Goicoechea

STAFF

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

1. Call to Order / Roll Call

[Meeting called to order at 9:00 a.m.]

Chair Justice Lidia Stiglich: I'll now call to order the March 31, 2023, meeting of the Nevada Sentencing Commission. Good morning, again sorry for the late start; it's good to see everybody and welcome to those who are viewing the meeting on the Department of Sentencing Policy's YouTube channel. We have a new member representing the Washoe County Public Defender, Evelyn Grosenick; we look forward to working with Evelyn however she was not able to attend this meeting so Katie Reynolds will be filling in for her today so welcome Katie. I will now ask Director Gonzalez to take the roll.

Executive Director Victoria Gonzalez: Thank you Chair.

(ROLL CALL IS CONDUCTED BY DIRECTOR GONZALEZ; QUOROM IS MET)

2. Public Comment

Chair Stiglich: At this time I'll open agenda item two, the first period of public comment. There are two periods of public comment, one at the beginning of the meeting and one at the end. 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 Commission and be included by reference in the minutes of the meeting. Members of the public who wish to testify may also do so by telephone. Due to time constraints public comment will be limited to two minutes. Any member of the public that exceeds a two-minute time limit may submit your comments in writing to the Department of Sentencing Policy. At this time I'll ask staff to manage and direct those who wish to testify by telephone, Mr. Sepulveda.

Mr. Jose Sepulveda: Thank you Chair, members of the public who would like to testify by phone press star nine to raise your hand. When it's your turn to speak please slowly state and spell your first and last name. Caller with the last three digits 576 please slowly state and spell your first and last name for the record, you will have two minutes, you may now begin.

Mr. Michael Jones: Thank you for the time. As I said, my name is Michael Jones. My son Travis River Jones was killed on the intersection of Wigwam and Maryland Parkway on February 25, 2023. I apologize I'm not good at public speaking. In contact with the police department and the district attorney, the person that killed our son was doing somewhere between 80 and 100 miles an hour driving in the wrong direction and struck my son's vehicle where he was a passenger and in addition to my son being killed, who was in the front right seat passenger seat, there was a child in the back who was critically injured and will require months of care. Prior to the passing of the offender that killed my son, we were informed under Nevada guidelines that there would only be one to six years of possible criminality associated with the crime. We found this insulting. Upon further review we found that the individual had actually had a reckless driving conviction in November of last year and was in violation of that and had an outstanding bench warrant that even with the repeat and violation of his previous conviction one to six years is the maximum that the district attorney would have had available to them to prosecute him so like I mentioned this individual did subsequently pass so he will never be on the road again. However I'm here to advocate on behalf of my family and other families in the future that we draw some attention to holding reckless drivers and reckless criminal drivers accountable for their actions and that under no circumstance should one to six years for an individual driving 80 to 100 miles an hour in the wrong direction ever be suitable for a one to six year penalty. That's all I have to say; I'm hoping someone wants to champion my cause.

Mr. Sepulveda: Chair, we have no more callers who wish to testify.

Chair Stiglich: All right, thank you Mr. Jones for your comments. Jose at this point then I'll close the first period of public comment.

3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission held on January 23, 2023

Chair Stiglich: Moving on to agenda item three. Members of the Commission have been provided copies of the minutes from the January 23, 2023, meeting; are there any edits, comments, or corrections? All right, hearing seeing none I'll entertain a motion to approve the minutes from the January 23, 2023, meeting.

JON MCCORMICK MOVED TO APPROVE THE MINUTES OF THE JANUARY 23, 2023 MEETING

JOHN PONDER SECONDED THE MOTION

MOTION PASSED

4. Report from Executive Director

Chair Stiglich: I'll now open agenda item four, a report from our director at the Department of Sentencing Policy. As always our staff stays busy collecting and analyzing data but recently they are also staying busy by being involved with the legislative session. I'll now turn the time over to the director to provide an update on their legislative activity and some of the other things they've been working on. Director, please proceed with your presentation.

Director Gonzalez: Thank you Chair. I have provided a slide presentation with your materials, and I will display that now. All right so, as you can see we generally identify our legislative activities in these four areas. So we track legislation and I'll talk about what the parameters are for tracking the legislation and how we determine what might be worth keeping track of for the Commission and for the Department. We meet with legislators and stakeholders upon request, if there are questions about the information we may have or if we've been asked to participate in legislation, we of course we'll collaborate and work with them. We provide data analysis which we've been asked to do already on a few bills and then we look for bills where we could offer analysis based on what is available in our prison data that is submitted to us, and then of course we make presentations upon request. So, what I have here on this slide is our tracking priorities for how we decide what types of legislation we're tracking. Generally, we track legislation related to agency administration so anything that will affect how our agency itself operates so that might include anything related to the open meeting law, anything with general government administration. Of course we track anything related to any type of corrections policy. We track legislation for the criminal justice system generally so this includes anything with policy, anything with procedure, anything where we can anticipate that it could have an impact on any part of the criminal justice system we think is relevant for us to keep track of. Anything that would change our statutes whether it's the Department of Sentencing Policy statutes or the Sentencing Commission statutes. We look for legislation where it might have an impact on re-entry or recidivism so treatment programs, maybe opportunities for ID's and so those are the types of bills that we put into that category. Then of course sentencing, anything where there's a change in penalties. We also put any bills that may change the procedure of parole in this priority. So also I want to note is that generally we don't testify in response to bills and if we do it is in the neutral position and most importantly we see our role is to provide data and analysis and research to assist everyone in making data-driven policy.

Then on the next few slides I'm going to show you a list of the bills that we are currently tracking grouped by the priorities that I just explained. We've only included the bill name and the summary for now and although the summary doesn't always tell you everything about the bill this list just gives you an idea of what we are tracking. Of course I know many of you are tracking legislation so you're probably already familiar with many of these bills. I will note also too that our list here does not include all of the bills that were introduced on Monday as we wanted to make sure we had materials to the Commission in time and so when we see you next month we'll have an updated list based on not only those bills that were introduced but there will be a deadline at that point that would have passed that would have eliminated some bills and so this list will be changing again. So as you can see here these are bills that we are tracking related to agency administration so several of these are related to the open meeting law which might have an impact on how we govern some of our meetings. None of the changes here are major to what we're already doing they're slight administrative changes. There's a bill related to the deadline that's required by the governor's office to submit names for vacancies should they occur, that's in SB 210. Then of course anything that we are required to do as a state agency is included here which is that providing important documents in different languages. Under the corrections policy priority anything that is related to corrections we're tracking. One of the things I'll highlight is this SB 284 which it looks like based on the summary here makes changes to the

DUI laws. What that actually does is impacts how DOC would classify those individuals and house them so we caught that as something we want to keep an eye on because if we're able to provide data or analysis or fiscal analysis that would support the impact of this legislation, that's the kind of thing that we caught here that we're tracking here with legislation related to corrections.

Then under the criminal justice umbrella of one of our priorities obviously the list gets a little bit bigger and so again these summaries don't really tell us everything when it comes to what's being tracked in legislation, I can provide more information about some of these bills. As I know many of you are tracking them as well. So we just think anything here that -- it could be related to pre-trial it could be related to anything with the criminal justice system -- we anticipate we could see changes that could then impact sentencing and impact corrections and so we've really made sure to look at everything that we think might be helpful. I think in our discussions, because of the stakeholders we have on the Commission, we end up discussing everything about the criminal justice system and not just that related to sentencing because everything does impact sentencing so we've cast a wide net with the types of bills that we're tracking under this priority. Under our NDSP and NSC statutes we only have three bills that we would actually put under that. One of the things I want to highlight is well I guess both AB 32 which is the bill that encompasses the policy that came out of this commission as a recommendation, that bill had a hearing and we worked with stakeholders on some amendments and that bill just had its work session this week and so appreciate the work that we have with the stakeholders on that so the bill has evolved a little bit as we know happens after a recommendation comes out but that's the status of the bill of AB 32 that came out of the recommendation from this commission. Additionally I wanted to highlight SB 103. So what that does is that came out of a recommendation from the Fines and Fees Justice Center; they would like the Commission to conduct a misdemeanor study and that's what that bill provides. So in working with them, we looked at where these studies have been conducted in other states and so made some recommendations to the change of the membership of the Commission and what that would look like. And what I've talked to with Fines and Fees in terms of what this study would look like for this commission is we would gather the data and bring it to the commission to discuss and explore all the policies. The ultimate goal of this study would provide a comprehensive report of everything that was studied. I don't anticipate being able to, I guess to keep our expectations modest, I don't anticipate being able to come up with a unanimous recommendation. I think what would be most beneficial for this commission would be to work towards exploring the issues, making sure we have them all in the report so that the stakeholders can then use the report to make data-driven policy for the 2025 legislative session. Currently that bill has had its hearing; it has not been work sessioned yet but we will keep you updated as that will directly impact the duties of the Commission and what we could anticipate to want to work on over the next biennium and in the future I anticipate.

Then of course we're tracking legislation related to re-entry and recidivism. We think this is really important to note what are areas that could actually help improve that so anything where someone might be able to improve their opportunity to get an ID, those issues related to homelessness as we heard at our previous meeting from the Homeless Alliance, and then anything that might also offer programming or health care as you can see just based on these summaries and then we're hoping that these are the kind of things that if we were trying to measure recidivism and measure re-entry and success, these are the kinds of things we want to keep track of and collect data and then bring back to this commission to report. Then finally of course there's all the bills that would change sentencing offenses and so we have all those listed here and we're tracking those. As we get to that next deadline I think we're going to work towards getting some additional data that will help the stakeholders decide what is the impact of this legislation going to be. We've already started working on a case study specific to drugs where we've taken the population at a certain point in time and we went through and did a file review of what drugs were related to their offense. That information is not readily available and because of the many bills that are being proposed related to fentanyl, we anticipate that this data will be very helpful when it comes to discussing those bills in the direction they want to go with that policy and so we're going to do something similar with other bills where we see there's a change in a penalty, we can do a file review of some of those offenses for the current population and then put together a report that will help the stakeholders and the lawmakers in making those decisions.

So, what I wanted to then switch gears to would be updates on the National Association of Sentencing Commission Conference that as you all know we're hosting. We've kept you up to date with the information

that we're getting from the board related to the conference. We're hosting it; it's going to be August 7th to the 9th at Harveys Lake Tahoe. The theme that they have is "The More Things Change, The More They Stay The Same? Challenges Faced by State Criminal Justice Systems and Approaches to Reform 1993-2023". This is a two-year celebration of the anniversary of the Association so it'll be this year and next year as we explore what have states done during this time. There's been a call for proposals and breakout sessions, those proposals are due April 6. If you have an idea for a panel or a breakout session that you think you would like to either work with us to put together or you have stakeholders you would like to work with to put together, let me know and I can send you the form and then we can work with you to prepare that. I've already had a couple commission members mentioned that they're interested in something so we're going to meet next week and if there's anybody else who's interested, we would appreciate that. We look forward to really being able to show off the newest version, iteration of the Sentencing Commission and show the great work that you all have done and so we're excited to have you there and be able to meet your partners in other states and hear what they're doing. Then just so you know, there is going to be a block of rooms associated with the conference that we have that's going to be at the state rate and so we will make sure to keep you updated with those deadlines so that you can reserve those in time and also the registration fee has not been finalized yet but once we have that information we'll pass that along as well, but we're really looking forward to this and very excited for this opportunity.

So, the last thing I just want to say about the legislative piece, if there's anything else that the Commission would like us to track or if you want to meet with us and have us make sure that we present additional information related to legislation I think that's something we would like to be able to offer to the stakeholders and the lawmakers. If there's something in particular that you think you wonder if we have data on and can we present that, I think it would be appropriate for us to present that information in the neutral position and put together those reports. So just wanted to let you know of course that's something that we would want to partner with you on if there's anything in particular that you want to make sure we're working on and so with that I'll turn the time back over to the Chair for any questions.

Chair Stiglich: All right, thank you Director. Does anyone have any questions for the Director or her staff? All right, seeing none hearing none I will close this agenda item and thank you for that report.

5. Report on Criminal Justice Data

Chair Stiglich: We'll turn to item five, report on criminal justice data. I'll open this agenda item as we can see from the meeting materials, our staff has created a new dashboard about prison admissions data. I'm going to turn this time over to Mr. Erasmo Cosio to provide a demonstration of the new dashboard.

Mr. Erasmo Cosio: Thank you Chair. Good morning. So I just want to let everyone know that beforehand I am more than willing to walk you through it once afterwards or a thousand times afterwards. It doesn't matter, I'm more than willing to help anyone out with this. So we did send a link out and in case we do make any changes in the future that link won't always work so it's always best that you go through our website you can go to our website at sentencing.nv.gov. You can go to here Hub or here Hub; either way it takes you to the same place and what we're going to focus on right now is on the monthly admissions dashboard. So these will be my navigation tips on how to navigate through the dashboard. So the timeframe for this data is from 2017 in January 2017 through February 2023. So just a few navigation tips on this, as you're clicking through everything, all the different slides, you can also click down here as well and this will provide all a list of every single slide we have on here so on the last one, we're on the fourth one, and then of course we're going to start off with now with the first one. As I go through this and throw on my filters, just pay attention to the Y-axis and the numbers will change on there depending on what items are selected. Another thing that you can also do as you're navigating through this, you can also hover over a different section and it will let you know what's going on with that timeframe. So let's begin the filter on down. Okay so if we filter down to just B's and this is everyone that came in from 2017 to 2023, you can see what's going on with the B's. Say you want to look at just cats so you can select drugs for example, and this will let you know over here on these tables what's going on with those drugs. So, there's a total of this amount of drugs that came in and so these are the cats associated with those drugs that had come in and then as I just showed you with the B's. So out of all the B's this is what's going on with those B's that were admitted. Another thing you can also do on here is you can filter down to a certain time frame so if you just wanted to focus on from the 2019

to 2022 and you say you just wanted female population or just the male population, if you only wanted to know a certain time age time frame or for example if you wanted just to know the new commits within this time frame you can change all of that. The way to clear things up is you can just revert back to the original one, you can also select this little eraser icon that shows up on each one and always make sure that you don't have to make sure that it's fully cleared before you move on but just in case you want to look back at the original view for example if you click on this little filter icon, it will let you know what filters are still affecting this visual. So for example over here we can see that imprisonment status is still selected so that's still what's affecting this filter so go over here hit this little eraser icon, come back over here, and just if you want. Another quick navigation tip on this is it's all on here alphabetically but say if you wanted to know the count from greatest to least you could do that on the cats, you can do that on the offense groups, and you can go back select it as this one you can go the other way. Another way you could also do it as well, but it will bring you back to the first page always, is if you refresh so that's another option as well. So all these are just going to be navigation tips to help you move through this dashboard.

So, on this one we have admissions by year and month. So, for example, on this one if you wanted to focus first on C's, D's, and E's you can see what's going on with them within the time frame. You can hover over it again in order to see what's going on within that particular month and year. Say you just wanted property again all the totals are here totals and say if you just wanted to know what was going on within this certain time frame from January '21 to 2023. So again if you just wanted to focus on males within that time frame you just wanted to look at parole violators within that time frame, so again to unselect everything just go through it just to make sure and so before you start filtering down again, say you wanted to do a whole new filter down and so you just want to make sure that you un filter everything first and then you can begin to throw on or apply more filters. Next we have admissions by felony category. Okay so with this one if you just wanted to focus first on each individual cat, you could select it on here and again the Y-axis is changing so keep that in mind. We just want to look at one at a time or for example if you wanted to look at just one offense group and so this is the same information we just displayed in a different way just to give you a different visual representation of what's going on and if you wanted to shorten up the time frame that we are looking at. Again, hit the little eraser icon to undo everything. So, another button on here as well is going to be the focus mode. So say you already filtered down to whatever you wanted and you just wanted just that with none of the other distractions on there, you could hit this button, little focus button, and it gives you a visual representation on a widescreen view, you can go back. So for this one we have the admissions by offense group and so this is broken out by each offense group, you can focus on just one offense group at a time. Again, you can see that say if you just wanted this, just wanted to know what's going on with the cat B's and again a certain age timeframe. I'm just making sure, like I said it won't break it by how many filter you throw on or how many of you just happen to move the next page without ever releasing all the filters everything will be just fine; I promise you won't break it.

So now we have the admissions by imprisonment status. So, we can see on here that each imprisonment status and what's going on within them and so if I selected on B's you can see that we had 9,626 new commits and so on. We just wanted to know what's going on with the sex, violence, and DUI so you can see what's going on with those as well. So we got admissions by felony category and offense group so for this one let's switch down to drug and property so you can see what's going on with those. So like I said it's going to be a lot of the same information but just different ways to look at it and on here also we have on it by year so you can see what's going on within that particular year. So say you just wanted to know what's going on with drugs within that particular year, for example you just want to know what's going on with property in that particular year. All the totals are in here as well and the totals are on here as well and you can also hover over everything.

So on here we have admissions by offense group and felony category. So we got offense groups on the X-axis. So say you just want to look at one at a time, one offense group at a time, or say you just want to look at one cat at a time. For example, on this one I went in this full time frame, you can see that violence and sex are the two highest-occurring. So now we get into the breakdown by counties. For this one is just an example, so all the counties are on there but if we just wanted to focus on Washoe and Clark and then just want to know what's going on with the B's within that timeframe. Then these are violent and say you only wanted to look at one particular year or two years or just wanted to compare the 2017 to 2022 within that timeframe for those two counties. And to undo everything just that good old little eraser icon and it reverses

it back. So like an example on this one, you could also hit county up here and it will give you the highest-occurring to the least-occurring and you can just bring it back to that. Last but not least we have admissions by county of commitment and felony category. So we could still look at the comparison of counties, you want to compare a couple counties on here or if you just want to look at one particular county at a time you could also just do that. So say you wanted to know what's going on with Elko in the B's within that full timeframe so if you just wanted one particular year and probation, so these are all going to be the navigation tips and again I'm willing to help out anyone through this. You can call me, email me, or even send a letter whatever you'd like. So another thing so all the filters have been released here but say I did still have this one filter on there, it'd let me know and if you refresh, the only bad thing is it's going to throw you to the very first page again but knowing how to navigate this might make it a little bit better and get to the correct page. So I can't stress this enough that I'm always willing to help anyone like I said it can be a one time or can be a thousand times. It can be difficult trying to get used to this but I feel with a little bit of help anybody can do it and so these are my navigation tips and since you now know how to navigate this dashboard a little bit better, I invite you to check out our other dashboards. We've got the monthly trends dashboard and the yearly admissions and releases dashboard so thank you very much.

Chair Stiglich: All right, thank you Mr. Cosio, it's great presentation, great dashboard. I'm going to turn it over for any questions the commission may have. I just have one comment when you use the bars for representative, they are I guess wide enough that you can see the distinction in the colors but when you do lines I mean I can't tell so maybe a more contrasting color just for people of limited sight like myself would be helpful. Are there any questions for Mr. Cosio from the Commission? All right, seeing and hearing none again thank you for that presentation I mean I look forward to playing with it myself, it looks very cool. We'll now close this agenda item.

6. Update on Project to Study Parole Violators

Chair Stiglich: We'll open agenda item six update on Project to Study Parole Violators. As we know Ms. Jorja Powers has been working on a project collecting qualitative data from parole violators to inform our efforts when it comes to understanding what will improve success upon their release from prison and reduce recidivism. We'll now hear a presentation from Ms. Powers about her most recent findings. Ms. Powers please proceed with your presentation.

Ms. Jorja Powers: Good morning Chair, Commission. I'm happy to be speaking with you again today with a short update regarding our Parole Violator Project. So, at the last two meetings we had heard requests to expand this research to the southern region. I am pleased to report that we were able to start gathering data in Las Vegas this month. Here are the main intake facilities for NDOC, the Northern Nevada Correction Center, High Desert State Prison, and Florence McClure Women's Correctional Center. When parolees are brought in to await a revocation hearing with the Parole Board they are admitted to one of these facilities and if revoked they currently serve the revocation period in the NDOC. I was able to spend a day at Women's and a day at High Desert State Prison speaking with the individuals who were there awaiting their parole hearings. The information I will share on the next slide is data from just the one week in March when I was able to visit all three facilities. As I'm able to speak with more participants in the Las Vegas area we can present patterns and trends.

This shows the average time on parole for just this interview week again. It is broken down by timeframe and the gray bars represent northern commits and the white bars are southern commits. Visually it is interesting that Las Vegas is more heavily represented on the right side of this chart and the north is from the midline going left; we will see if this presents as a trend moving forward. Here you see self-reported information on substance use history for all the participants, dark blue represents northern commits and the light blue are southern commits. Again, this is a small data set, and it will be interesting to track the trends. We have seen this chart that represents self-reported resource and support needs in each of my presentations, the light blue bars represent the northern commits and the dark blue here is southern commits. This initial information makes sense because of a large geographical area of Las Vegas as an example transportation was brought up quite often in the interviews in the south. Excluding identification and telephones other concerns seem consistent between north and south. I will be returning to Las Vegas in

April and look forward to continuing to collect more data at each of the intake facilities to represent what is happening statewide.

I'm going to switch gears now and talk a bit about temporary revocations of parole. As we know AB 236 enacted temporary revocations of progressing time for technical violations of parole. We are regularly receiving data from NDOC regarding these temporary revocations. Today I am presenting information including only data from individuals who were revoked on all three levels. Here you see information on the average time spent on supervision broken out between the first, second, and third temporary revocations. Again, this data represents those 28 participants who returned to DOC for three separate revocations of parole for technical violations. The average time these parolees stayed out between their original parole release and their first temporary revocation was 196.3 days. The average time between their subsequent release and their second revocation was 94.4 days and the time on supervision before their third revocation averaged 88.7 days. The actual numbers the previous average days represent actually show a vast difference. Prior to the first revocation the shortest period of time on supervision was 20 days while the longest was 512. Prior to the second revocation the numbers are 2 days and 280 days and the periods of time on supervision prior to the third revocation spanned from 17 to 314 days. In preparation for this presentation, Director Gonzalez and I questioned what the in-between of lowest and highest days looked like. I will be delving more deeply into this question but with a cursory look at the specific data points, no overwhelming highest occurrence range in the timelines is readily apparent so they are spread quite evenly between the 20 and 500 days or 2 and 280 and so on. So on average, offenders in this data set spent less time on supervision with each subsequent release. There was a 66.4% decrease in time in community from the first supervision period to the second supervision period and that went down to 41.3%, there was a decrease in time in community from the second supervision period to the third supervision period. As Director Gonzalez presented we are tracking all legislation which involves criminal justice processes and policy. NDSP is closely following bills introduced that involve these temporary revocations. We are continuing to dissect and analyze the temporary revocation data and we will be presenting more findings as they become available. Thank you and I will answer any question you may have and as always if there are any other areas involving parole violators that would interest you, please let me know and we can fit it into our interviews.

Chair Stiglich: All right, thank you Ms. Powers for that presentation. Any members of the Commission have any questions for Ms. Powers? Ms. Lanterman.

Dr. Jennifer Lanterman: Good morning. So it looks like there's a significant decrease of the periods of time a subsequent, on supervision between subsequent revocations or releases and I was wondering if maybe Deputy Chief Evans could speak to whether the level or intensity of supervision increases after revocations and releases so that we can maybe start to sort out whether those decreased periods of community supervision are a function of increased surveillance where you might observe more violating behavior or if they're a function of changing behavior and maybe the deleterious effect of repeat, detention incarceration on the individual offender, thank you.

Chief Aaron Evans: Thank you. I think part of it is when we're applying those sanctions you know we have to take in those responsivity factors, how are they going to be successful in completing those violations? And when you've used sanctions on somebody one time and they don't change the behavior and we take them for the first temporary revocation, they serve that time, they come out again, we maybe less likely to use those same sanctions that we used the first go around because they proved ineffective or you know kind of like when we talked with developing AB 32, a 30-day temp revo kind of can upset somebody's living situation so when they come back out after that first temp revo, they may not be as well established so options like electronic monitoring may not be available to them after that first one. So I wasn't surprised by that data that it gets shorter and shorter. You know, violations happen, we sanction, violation, sanction and if it's not changing the behavior we're just going to run out of sanctions faster. So I wasn't surprised that those numbers decreased after each one because our officers kind of get their hands tied and you can't keep going back to the well and hoping that it works when it hasn't worked multiple times before. So, haven't really dived into it much deeper than you know that initial look but it would be interesting to know some of those specifics that you asked.

Dr. Lanterman: Thank you for that Deputy Chief Evans. Do you think that it would be useful in trying to address this challenge for staff and Parole and Probation to have a broader range of graduated sanctions available to you that you could use independently or in combination to respond to repeated acts of non-compliance?

Chief Evans: We have tried to address that with you know AB 32 with some different sanctions and taking some of the red tape out being able to use sanctions. Our biggest issue right now, I pulled up our vacancy report, I'm 35% vacant in my officers so where the big concern was communication with Parole and Probation I think in Ms. Powers' presentation, I just don't have the staff to adequately be there and provide the things that are needed, and you know with lower case loads people are going to get a better level of supervision and more quality supervision and more time can be dedicated to each of those persons and right now everything is reactive. You know we get our hands tied but we don't get to do as much proactive enforcement as we'd like because caseloads are well over what they should be so you know access to treatment and programming's again Ms. Powers presentation, the north had a much higher number on that because we have a lack of resources here. We don't have like Mr. Ponder's program, something like that in the north a one-stop shop where somebody can go and get resources for any issues they may be facing. So regionally there's issues with what's needed in one place versus the other again Las Vegas transportation, our office is you know the north part of Las Vegas so that's going to make it difficult for people to come in and to see our people and what can we do to help mitigate some of those things, but you know we can't only virtually supervise somebody. So lots of things to look at; I think we have the sanctions we need you know it's just the people there to be able to apply them.

Chair Stiglich: Director?

Director Gonzalez: Yeah I just had an idea that I think Ms. Powers and I actually already talked about was doing a case review or a file review of specifically the types of violations and sanctions we're talking about and so I wonder if that would help inform this conversation as well. So, I'm thinking we could take this data set that Ms. Powers presented today and do a file review specifically those individuals we just presented to you and look at what types of violations and sanctions. Then we might be able to have that ready by April but definitely by the May meeting. Deputy Chief and Dr. Lanterman do you think that would help inform this conversation and maybe I guess other relevant discussion around it?

Dr. Lanterman: Yeah.

Chief Evans: Yeah I think we briefly brought up our graduated sanctions matrix in a prior meeting and you know if people would be interested to step through how that works and you know how we apply sanctions to those common violations as outlined in NRS I'd be more than happy to step through that if that would be helpful.

Chair Stiglich: All right, are there any other questions on this agenda item any discussion? All right, hearing none then Ms. Powers thank you for that presentation. We'll now close that agenda item.

7. Presentation on Available Grants Through Office of Criminal Justice Assistance (OCJA)

Chair Stiglich: Turn to agenda item 7, Presentation on available grants through Office of Criminal Justice Assistance. We're going to hear about grant opportunities through the Office of Criminal Justice Assistance that might align with our efforts and those of the Nevada Local Justice Coordinating Council. First I'm going to turn this time over to our director to introduce our presenter. Director Gonzalez.

Director Gonzalez: Thank you Chair. I first contacted OCJA to get their assistance on how to support the Coordinating Council in creating an application process and performance measures for the time when they administer grants. As we presented to this commission we were just getting prepared for the opportunity if the Coordinating Council were to ever get funding and so different recommendations that come from this Commission of who to consult to get ideas for performance measures and so OCJA was one of the entities that I contacted. As I met with her, we started talking about other grants which she was working on and there's a grant she's working on that might align with some of the efforts of the Coordinating Council to administer grants and programs that will reduce recidivism. Related to this grant is her need to create an advisory board comprised of various criminal justice stakeholders. I invited her to make a presentation to

this commission to help her recruit support for her efforts and ideas for what she's trying to accomplish with this grant. As you will hear some of the policies may not align directly with the efforts of the Commission, but the indirect policies related to behavioral health do share the need, we do share the need to look for opportunities to find support for these programs and treatment that would reduce recidivism. I also thought it was important for this commission to learn more about OCJA and their efforts in case you are looking for a grant related to criminal justice so I will now turn the time to Victoria.

Ms. Victoria Hauan: So this is my presentation. The Department of Public Safety, Office of Criminal Justice Assistance is the state administrative agency and is designated to receive and administer the Edward Burn Memorial JAG Assistance Grant or JAG as well as a brand new federal formula grant called the Burn State Crisis Intervention Program or the Burn Scip Grant for short. Some of you may have seen some media coverage that came out around Valentine's Day but on October 19, 2022, the US Department of Justice and the Bureau of Justice Assistance announced the Burn Scip Grant that was created by the bipartisan Safer Community's Act of 2022. That provided \$3,088,478 to Nevada in formula funding over the next five years to support crisis intervention services. The Scip plan, priorities, and the budget must be developed and approved in coordination with a state crisis intervention advisory working group that we are working to establish right now, then the group needs to be approved by the Bureau of Justice Assistance. The working group will include but is not limited to representatives from law enforcement, the community courts, prosecution, behavioral health providers, victim services, and/or legal counsel. OCJA will manage the subaward processes because that's well established as well as the subrecipients however the working group, advisory working group will need to review the recommendations provided by OCJA for those subawards and get final approval for all subawards must be given by the Bureau of Justice Assistance before any funds can be obligated, expended, or drawn down. We've had national meetings with the other states, the Bureau of Justice Assistance and because this is a whole brand-new solicitation and funding opportunity they are providing a lot of technical assistance to us, but states are indicating that it's probably going to be at least September before any of this funding actually gets out into the communities that we're trying to serve. So we're looking at a long process here. The solicitation states that programs and initiatives must be targeted to prevent or reduce crime and violence including self-harm and suicide or homicidal ideation with a particular focus on gun violence and the programs and initiatives that target the risk factors that are likely to lead to this kind of violence. Use of grant funds encourages a research partner and requires evaluation activities and data collection is where Victoria and I kind of got the idea that we may have some intersecting agendas and be able to help each other with our missions. Funding will provide resources statewide for state agencies, local agencies, and communities to address gun violence and those in mental health crisis to provide added protection to keep Nevada citizens and tourists safe. Some of our initial research indicated that Nevada ranks #51 in both adults and youth measures experiencing higher prevalence of mental illness and lower rates of access to care. So we're ranked #51 in both of mental illness and access to care. Recommendations, the solicitation a lot of the materials that are coming out of the DOJ give kind of some recommendations or related programs or possible initiatives so I'm just going to throw some ideas out there that they've given to us. It could be court-based programs such as drug, mental health, veterans' treatment courts including those that specifically accept clients with firearm violations. It could address suicidal ideation, 988 implementation or enhancement, and some of my initial conversations have indicated that there's a huge need there. It could also include specialized training for individuals or families who are in crisis, threat assessment training for prosecutors, judges, law enforcement, public defenders, could include health deflection for those at risk to themselves or others it could include projects for law enforcement agencies to safely secure store track and return relinquished guns. Other ideas include alternative dispatch programs, mobile crisis units, educating the public on out-of-home storage firearm options or firearm storage options. The use of grants also encourages to engage with the research partner or evaluation like I said that's where we started talking to Victoria.

That state share is \$1,853,000 the local pass through is \$1,182,468 and there is a less than \$10,000 pass through requirement similar to what we use with JAG. That means that smaller jurisdictions that don't qualify for direct JAG funding are put into this pot and they tell us that we have to use \$52,928 to pass through to the groups that are within that less than \$10,000 group. So the solicitation really kind of dictates where we need to spend the money just not how or what the focus of the state is going to be which is where the advisory working group will come into play. Additional grants that OCJA manages is the residential

substance abuse treatment grant. That provides substance abuse programming for prisons, the Department of Corrections as well as jails. We also fund the PREA and manage the PREA grant and several other projects that provide re-entry services locally mostly in northern Nevada for that piece, but I am looking for additional volunteers for the working group and Victoria has my contact information. So like I said my name is Victoria Hauan for the record and I'm the Administrator of the Office of Criminal Justice Assistance and are there any questions?

Chair Stiglich: Thank you for that presentation. Do we have any questions from the Commission? All right, hearing none, thank you again thank you for being here today. We will close that agenda item.

8. Discussion of Potential Topics and Dates for Future Meetings

Chair Stiglich: We'll turn to agenda item eight, discussion of potential topics and dates for future meetings. The dates for the meetings for the rest of the year are provided in the agenda. Our next meeting will be April 21, 2023, and we'll meet on May 26, 2023, and June 30, 2023. Our staff is already working on more topics and items for discussion at future meetings. Does anyone currently have anything that they would like to be considered at a future meeting? All right, hearing none if you think of anything you'd like to be considered please contact myself or the director and we'll make sure we get that on the agenda. Oh I'm sorry Vice Chair Brady.

Vice Chair Christine Jones Brady: I was wondering if we should put on the next agenda, grant, the topic of the grants that were just presented to us maybe we could discuss as a group the appropriateness of us being involved or applying etc. Thank you Chair.

Chair Stiglich: Thank you Vice Chair Brady. Director Gonzalez, add that to the list and certainly an update on all the legislation would also be a good update.

9. Public Comment

Chair Stiglich: All right then, I will open the second period of public comment. Those who wish to testify may do so by telephone. Due to time constraints public comment will be limited to two minutes. Any member of the public that exceeds the two-minute limit, you may submit the balance of your testimony in writing to the Department of Sentencing Policy at SentencingPolicy@ndsp.nv.gov. At this time, I'm going to ask Mr. Sepulveda if you could manage and direct those who wish to testify.

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

Chair Stiglich: All right thank you, that concludes our second period of public comment.

10. Adjournment

Chair Stiglich: So item ten, adjournment. Great work everyone I want to really thank our staff, the members of the Commission, and our presenters. I think we accomplished a lot today, a lot of interesting things were shared with the group, and I look forward to seeing you in April to continue these efforts. So, the meeting then is now adjourned, be well.