

Joe Lombardo
Governor

Jorja Powers
Executive Director



Justice Lidia Stiglich
Chair, Nevada Sentencing Commission

Christine Jones Brady
Vice Chair, Nevada Sentencing Commission

STATE OF NEVADA
DEPARTMENT OF SENTENCING POLICY

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NEVADA SENTENCING COMMISSION
MINUTES FINAL

Date and Time: August 4, 2023, 9:00 AM

Location: Legislative Building, Room 3138
401 South Carson Street
Carson City, Nevada

Grant Sawyer Building, Room 4401
555 East Washington Avenue
Las Vegas, Nevada

MEMBERS PRESENT

Chief Michelle Bays
Dr. Shera Bradley
Chairman Christopher DeRicco
Director James Dzurenda
Deputy Chief Aaron Evans
Ms. Evelyn Grosenick
Mr. Jim Hoffman
Deputy Director Troy Jordan
Mr. Franklin Katschke
Dr. Jennifer Lanterman
John McCormick
Julia Murray
Ms. Erica Souza-Llamas
Assemblyman David Orentlicher
Vice Chair Christine Jones Brady
Chair Justice Lidia Stiglich

MEMBERS NOT PRESENT

Judge Scott Freeman
Athar Haseebullah
D.A. Chris Hicks
D.A. Mark Jackson
Judge Tierra Jones
Kimberly Mull
Jon Ponder
Director Beth Schmidt
Senator Nicole Cannizzaro
Senator Pete Goicoechea

STAFF

Executive Director, Victoria Gonzalez
Management Analyst II, Erasmo Cosio
Management Analyst I, Jose Sepulveda
Administrative Assistant III, Hunter Jones

1. Call to Order / Roll Call
[Meeting called to order at 9:00 a.m.]

Executive Director Victoria Gonzalez: Good morning, everybody. I will now call this meeting to order. Welcome to the 2023-2025 Nevada Sentencing Commission. I am Victoria Gonzalez the Executive Director from the Nevada Department of Sentencing Policy. This Commission is housed in our department, and we assist the Commission in carrying out its activities and duties, because we are in a new meeting cycle, we do not officially have a Chair elected yet. I will be presiding until the Chair is elected. As the Executive Secretary, I will now take the roll.

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

2. Public Comment

Director Gonzalez: I will now 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. For today's 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 Commission and be included by reference in the meeting minutes. The second is speaking in person; due to time constraints, in-person public comment will be limited to two minutes. If there is any public comment either here in Carson City or Las Vegas please make your way to the table. For those who come to the table to testify, please make sure you hit the microphone button and speak clearly into the microphone. Let us please start here in Carson City. Not seeing anybody in Carson City. Is there anyone in Las Vegas wishing to make public comment? Thank you. BPS is there anybody on the line wishing to make public comment?

BPS: Thank you, ma'am. The public line is open and working. However, there are no callers at this time.

Director Gonzalez: Thank you. Seeing no more public comment, I will close agenda item two.

3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission held on June 30, 2023

Director Gonzalez: Moving on to agenda item three. Members of the Commission have been provided copies of the minutes from the June 30, 2023, meeting. Are there any edits, comments, or corrections? Hearing none, I will now entertain a motion to approve the minutes from the June 30, 2023, meeting.

JOHN MCCORMICK MOVED TO APPROVE THE MINUTES OF THE JUNE 30, 2023, MEETING.

LIDIA STIGLICH SECONDED THE MOTION

MOTION PASSED

4. Election of the Chair and Vice Chair of the Nevada Sentencing Commission

Director Gonzalez: I will now open agenda item four, Election of the Chair and Vice Chair of the Nevada Sentencing Commission. At this time, I will now entertain a nomination for election of the Chair of the Nevada Sentencing Commission.

CHRISTINE JONES BRADY MOVED TO NOMINATE JUSTICE STIGLICH FOR THE POSITION OF THE CHAIRMAN OF THE COMMISSION.

DR. JENNIFER LANTERMAN SECONDED THE MOTION.

MOTION PASSED UNANIMOUSLY.

Director Gonzalez: Thank you. Congratulations, Chair Stiglich. I will now turn the meeting over to you.

Chair Justice Lidia Stiglich: Thank you, Director and thank you, Commission. I'll now entertain a nomination for the election of the Vice Chair of the Nevada Sentencing Commission.

AARON EVANS MOVED TO NOMINATE DR. SHERA BRADLEY FOR THE POSITION OF THE VICE CHAIR OF THE COMMISSION.

NOMINATION FAILS.

CHAIRMAN CHRIS DERICCO MOVED TO NOMINATE CHRISTINE JONES BRADY FOR THE POSITION OF THE VICE CHAIR OF THE COMMISSION.

TROY JORDAN SECONDED THE MOTION.

MOTION PASSED UNANIMOUSLY.

Chair Stiglich: Congratulations Vice Chair Jones Brady. We are now officially on our way to the 2023-2025 meeting cycle. I'll now close this agenda item.

5. Interviews of Candidates for the Position of Executive Director of Department of Sentencing Policy

Chair Stiglich: We will turn to item five, Interviews of the Candidates for the Position of Executive Director of Department of Sentencing Policy. The Director has some notes and updates on the candidates, and I will now turn the time over to her.

Director Gonzalez: Thank you, Chair. So, I just wanted to give you some updates on some of the candidates. So, working in alphabetical order, so, Tami Bass has withdrawn her application. Adam Burkholder has also withdrawn his application. And for applicant, 5D, Malachy Coghlan, that candidate is not available to appear for an interview today but still wanted their application considered. So, that leaves us with seven candidates to interview today.

Chair Stiglich: All right, thank you. Thank you, Director. That means we have seven candidates to consider. We'll proceed as follows; each candidate's interview will be allotted time of no more than twenty minutes. The twenty minutes includes the three-to-five-minute statement the candidate will provide at the beginning of the interview. This means we'll have about fifteen to seventeen minutes for questions. The candidates are currently being sequestered in a separate room and do not have access to view the meeting. We will interview the candidates in the order they're listed on the agenda, alphabetically. Staff will escort each candidate back and forth from the committee room when it is their turn. Do any members of the Commission have any questions? All right, hearing none, seeing none, let's proceed. I'll ask staff to get the first candidate.

CANADATE 5C

Chair Stiglich: Good Morning, Ms. Cafferata. How are you today?

MIC NOT ACTIVATED 8:52 TO 9:05

Ms. Patrica Cafferata: All right, good morning, Judge.

Chair Stiglich: Good morning. Hey, thank you for your interest in the position and in showing a willingness to participate in a public interview. We'll have you proceed with your three-to-five-minute statement, and then, the Commission is free to ask any questions they may have related to your application.

Ms. Cafferata: Okay, thank you. So, for the record and for those who do not know me, I'm Patty Cafferata. My current position is Chief Appellate Deputy for the State Public Defender's Office. I looked at the qualifications for this position and sort of grouped them into several areas. One is criminal justice, which I've been the District Attorney of Lincoln, Lander, and Esmeralda counties at different times. So, prosecuted defendants and I served on the Assembly, and I was on the Judiciary Committee. So, one of the things that we were responsible for was all the laws that have to do with criminals, the criminal justice system, and the courts. So, in that capacity, I visited a lot of the prisons here. Over the years in my other jobs, I have visited Ely, Lovelock, one of the prisons in Las Vegas, I've visited some honor camps and I visited the federal prison in Nye County. So, I am familiar with the prison system.

One of the other requirements is liaison to the Legislature, Governor, and Judiciary. So, I've served in Legislature, I know many of the Legislators, both parties, the leadership, I've interviewed some of them to write articles for the Nevada Lawyers Magazine, which is our official bar publication. I know the Governor, I know many of the people he has on his staff, I have worked with over the years. The judges, I have clerked for Judge Dave Gamble and the Ninth Judicial District in Douglas County and Connie Steinheimer in the Second Judicial District Court. I know all the judges on the Nevada Supreme Court except for the newest, Patricia Lee who was just recently appointed. I do know the judges on the Appellate Court, and I know many of the District Court judges. I have actually appeared in all the Judicial Districts in the State of Nevada, either on criminal matters or on civil matters, and I've also appeared at the Nevada Supreme Court.

The third area was administrator. When I was the State Treasurer, I ran the agency. There were nine of us, that included me, small group, but you know about state government, the budgets, the personnel, management, budgeting, all the things that go with running an agency. As a District Attorney, of course, I ran small agencies. One, I had only one other employee and one, I only had four or five other employees. That was the largest that I administered. As the Ethics ED of the Ethics Commission, I also ran that government agency and again, that was a small agency, we had five employees. And of course, I am familiar with the open meeting law because as a District Attorney you are advising all the elected officials and then of course, if you're the ED of the Ethics Commission, you're arranging meetings and you have to comply with open meeting law.

Finally, yes, finally, when I worked for Attorney General Adam Laxalt, I did all the outreach to law enforcement, the counties, and municipalities, so, I have a working relationship with the people across the State. I arranged the law enforcement summits every year. I was the ED of the Tech Crimes Advisory Board, and I coordinated the substance abuse working group, we had an opioid abuse summit that I arranged, and I was the ED of the advisory council to the prosecuting attorneys which is the district attorneys. I arranged their trainings once a year and I worked with all of them. I also supervised the domestic violence ombudsman and all those meetings that are according.

So, it's a quick summary, not to take too long. So, anyway, happy to answer questions. Thank you for the interview, I appreciate being here.

Chair Stiglich: Well, thank you, Ms. Cafferata for your distinguished service to the State of Nevada. I'll now turn this over to my colleagues for any questions they may have.

Ms. Evelyn Grosenick: Good morning and thank you for being here.

Ms. Cafferata: Thank you, nice to see you.

Ms. Grosenick: Thank you as well. Can you talk to us a little bit about any experience that you have with data collection and analysis?

Ms. Cafferata: Data collection and analysis, as in compiling information, no I do not have, but I do love your website. I was really impressed, you have everything all the trends is really, who's ever done it has been very good.

Ms. Grosenick: Thank you.

Chair Stiglich: I am going to encourage any members with questions. Jump in. State your name first, it's one thing about zoom, it's easier for me to manage the floor and right now it's not so easy. So, if you have a question, state your name, and ask your question.

Mr. Jim Hoffman: My question is, what sort of capacity do you see the State Department of Sentencing Policy not currently having that you think would be a good thing to try and build with this job?

Ms. Cafferata: So, I've looked at some of your minutes and it seems like there's a lot of discussion about the role of the Commission and what you can do. Not having worked in an agency, anything specific, I couldn't answer that, but I think it's an important role. The last time I was really involved there were about thirteen thousand inmates in our prison system and now there are ten thousand and I don't know whether that's because of COVID or because of policies but I think you have to balance both sides, the prosecutors,

the defenders, and create a policy that probably has to be done by the Legislature as to what changes you're going to make.

Chief Michelle Bays: Just for a second there, do you need to note that I arrived late, I apologize for that, but I just wanted to make sure I was.

Chair Stiglich: Let the record reflect that Chief Bays is here.

Chief Bays: Ms. Cafferata, I wanted to echo that, thank you for your distinguished service and to follow up on Ms. Grosenick's question, maybe not the actual data analysis and collection yourself, but managing it any. Maybe you can speak on some experience you have and either directing others or just collecting and then directing that analysis and administrative level.

Ms. Cafferata: So, one of the things that I didn't mention, was for the Attorney General, we did all the investigations of the rape kits back to 1985 that had not been tested and by the time that was a separate committee that the Attorney General just set up and my duty was, to coordinate that committee but, first thing we had to do was find out where all the rape kits were, and there were like seven thousand of them in the State, and Nevada was not unique, let me just say that. Most states in some cities have large backlogs that people had just not realized that if you had tested it and you knew they were serial offenders. So, one of the things we did, I did personally do this, I did call all the sheriffs and say, tell me how many rape kits you have in your evidence vaults, and you know, what are the dates and so forth. So, we collected all that data, worked with metro and with the Washoe Crime Lab, and ultimately, by the time we were done those last rape kits were tested about four or five months after Adam left office. I do know how to do that.

Vice Chair Christine Jones Brady: Good morning.

Ms. Cafferata: Good morning.

Vice Chair Brady: As a state, what are some of our largest challenges that you see with regard to sentencing, prohibition, re-entry, what are some of our biggest challenges in that area?

Ms. Cafferata: The biggest challenges right now that I've observed in the Public Defender's Office is the amount of mental health issues and the amount of drugs, people on drugs, what do you do with them, where do you place them, how do you protect society? I don't think we have enough mental health institutions or programs. So, that has been the biggest shock to me, has been the mental health issue in the criminal justice system.

Chair Stiglich: Are there any other questions for Ms. Cafferata? All right, hearing none, seeing none. Ms. Cafferata, any final words you'd like to say today?

Ms. Cafferata: Please vote for me and tell the Governor.

Chair Stiglich: All right, thank you again.

Ms. Cafferata: Thanks for the time.

CANADATE 5E

Chair Stiglich: All right.

Ms. Trish Elloyan: Good morning.

Chair Stiglich: If you could just sit in the center right there, it's the hot seat.

Ms. Elloyan: So, it will be hot if I touch it. Well, at least it's already warmed up for me.

Chair Stiglich: All right, good morning. Are you Ms. Elloyan?

Ms. Elloyan: Elloyan.

Chair Stiglich: Elloyan. Hi, welcome. Thank you for your interest in the position and agreeing to come participate in a public interview here today. We're going to have you proceed with a three-to-five-minute

opening statement and then, the Commission is going to ask questions. We're limiting each candidate to about twenty minutes total. So, I want to get to answering all the questions Commission members may have.

Ms. Elloyan: Okay.

Chair Stiglich: The floor is yours.

Ms. Elloyan: Thank you, well first I'd just like to say thank you for this opportunity and the invitation to interview. Up until recently, I didn't even know a position like this existed. So, when reading the position description and the job description you know, I feel like this was really a great conglomerate of all the things that I enjoyed most in the positions and the experience that I've had before. I really am excited to be able to apply what I've done and what I've learned in both you know my education and in work experience. I'm sure you guys have read my CV, and that you guys know my extensive experience in the criminal justice system, but I also feel like I bring a unique quality to that with having the psychology background and being a forensic psychologist. I've had the opportunity to work in almost every setting in the criminal justice system from juvenile probation to working with sex offenders on parole, working in two different correctional institutions, and working with the courts. What I really loved about those, was being able to do the research, do the data. In the DUI court that was a large part of what I did, was collecting data to make sure this program was sustainable and that it was cost effective. I like the idea of innovation and I've had the chance in my current position, and in previous positions, to be able to look at the policies and procedures and see how we can expand them, how we can improve them, and then, what new ones we can create that will best benefit the population that we are working with. I also, you know, have been pretty dedicated to the State of Nevada. I grew up here, I'm from here, I'm from Carson, I went to UNR, and though I've lived literally coast to coast, I lived in New York, and I lived in San Diego, but Nevada has always been my home base. I care about this community, I care about this state, I've been a homeowner, I'm invested, and I've always come home, and this is where I feel like have the best opportunity to utilize my skills, and my education, and be able to apply it here, and to make the state even better and you know, make changes and improvements it's going to benefit all of us. So, I think that's the most of my statement.

Chair Stiglich: All right, thank you. At this time, I'll turn it over to members of the Commission for questions.

Mr. John McCormick: I'll defer.

Mr. Franklin Katschke: Ms. Elloyan, I was just going to ask when you were the Director of the Washoe County Felony DUI Court, can you give us an example of that data you collected and how you responded to that data, and what you have learned from whatever program you used because of that data.

Ms. Elloyan: Yes, one of the most exciting things that I think, you know, I started was looking at the sustainability and what cost effectiveness this program created. So, because this program was designed to be three to five years for the participants that were in it, I started by looking at the previous three years before that person started the program. So, looking at incarceration, looking at days spent in jail, looking at, you know, any intersection that they had with the criminal justice system that was a cost to the state or to the county. Then, I looked at the three years while they were in, how many jail days, if they had sanctions, how many hours they may have done for community service and then, being able to look at it. Unfortunately, by the time that I left, I had only about a year and half of exit data, but the idea was that we were going to look at the three years beforehand, the three years while they were in the program, and then, the three years after to compare and be able to justify the need for the program, and the funding for the program. One thing that I was able to piece and discern was, even just looking at like the three years beforehand and one or two years in and just in one year what that cost savings was, and what that would have been compared to if they had been incarcerated. So, being able to be out in the community, the amount of money that they were actually spending on interlock devices, house arrest, counseling, and what that would have looked like had that person have spent a year in prison, and how much money savings that was, and how much money was able to go back into the community.

Mr. McCormick: Thank you. So, in your current position working with rural clinics do you have any thoughts on the intersection there with the mental health system and the criminal justice system and how those two systems could partner better and if data could inform that.

Ms. Elloyan: Absolutely, I mean, I worked in two institutions both in California and I worked at NNCC before this, and I think you know it's common knowledge that jails and prisons really are the biggest housing of the mentally ill. We just don't have anything, well I shouldn't say we don't have anything, but we don't have the resources and the structure to be able to provide the care. So, being able to work in rural clinics and to help facilitate and hopefully, being able to provide some kind of preventative programming, and resources, and you know, the ability to receive mental health care, to receive psychiatric medications and receive those like case management services to hopefully, keep people out of the criminal justice system. What I also think is nice that if somebody has been in the criminal justice system, jail, or prison, coming back out doesn't disqualify them from seeking services again. So, even if they are out or they are released and maybe they have received some kind of treatment or they are on medications and they want to keep that going, we can bridge that gap, and hopefully you know, between Nevada mental health and southern Nevada mental health and then, the rural clinics across the state, you know, depending on what community somebody re-enters into. Being able to partner with that and again, being able to look at the percentage of people that we treat and the diagnosis, the medications, and looking at those compared to what the incarcerated population is and seeing how we can better bridge that gap. To hopefully again, like I said, avoid incarceration.

Vice Chair Brady: Good morning.

Ms. Elloyan: Good morning.

Vice Chair Brady: With the various challenges that we have in our criminal justice system from detainment, to sentencing, to incarceration, how do you see the role of the ED of this position, being able to offer some solutions? If any?

Ms. Elloyan: I think there's several different ways obviously. I mean one thing that I really liked about looking at what this program does, and looking at some of the presentations, and looking at the data. I think that there's some exciting opportunities to do a lot more research. You know, I'm kind of that school nerd that starts a sentence with like, the research shows, or you know, I was reading an article the other day, because I am interested in that and I want to know what the current research is, and what we can do, and looking at you know, other states, or other areas and seeing how maybe there's something that we compare from them, or we can learn from theirs and expand that. So, I think being able to foster those new ideas and to collaborate, and to come up with you know, what is it that's working, what is it that's not, and what is our role and responsibility in trying to improve that. Like, one thing I was looking at a presentation that was in January or February, excuse me, and you know, one of the areas they were looking at or that was stated in there was the effectiveness of the like quick, it would come you know, maybe like a flash. If they're on parole or probation and then, they have a violation, and then, they come in and they do thirty or sixty days. And when I was working in the prison, that was one thing that always, you know, that I questioned, was is this effective and what are the resources that goes into making this happen for somebody just to be here fifteen, twenty five days, and what else could be done in order to meet that need of the revocation but, also not use a large number of services and resources that could be put better somewhere else. So, yeah, like I said, looking at things like that and looking at how other states are doing things and then, being able to make it fit for our community and improve it, and you know, fostering the relationship with the people that are part of that team, and the stakeholders, and making sure we are meeting everybody's needs or requests.

Dr. Jennifer Lanterman: I was wondering if you could share with us your experience managing people and programs.

Ms. Elloyan: Yes, so I've had a fair amount of experiences as a supervisor at NNCC. I was a supervisor and supervised three of the clinicians, and then, I was also responsible for the inpatient unit. So, like the mental health unit and the administrative segregation unit. So, that was, you know, having to partner with not just the mental health staff but, you also have custody, nursing, and psychiatry. And to foster those relationships and to be able to build that kind of rapport to make the right things happen, and to be able to gain information, and to share information effectively. So, we're best meeting the need of whatever the

inmate may need. In California, at the prison in San Diego I worked at, I was the program lead, so each yard had its own mental health program and there was a program supervisor, and then, there was a program lead. So, it was kind of like, you know, I was the second to the person in charge. So, there was you know, at least fourteen to sixteen clinicians that were part of that team and so, that involved doing schedules, assigning caseloads, doing program improvements, meeting with custody on a regular basis, looking at different program developments, and making sure that what we were doing was actually what we were doing. You know, again, within the rules, and regulations, and statutes that were required to manage those, and then, place people in the right positions to do that. So, there was a lot of moving parts, and you know, crises come up quite frequently and so, sometimes I had to be the bearer of bad news but, you know one of the things that I did, I called it the Wheel of Misfortune. So, everyone's name was on a list and if there was something that came up that needed to be covered you know, I would send it to everybody first and say, hey I need a volunteer, you know if somebody volunteered, then they would be moved down to the bottom of the list and then, you know, so that way the next time something came up, they were not you know, getting hit multiple times. So, that seemed to work pretty good and it kind of added a little bit of humor that took the sting off I think sometimes.

Deputy Chief Aaron Evans: Going back to your time in the DUI court and all that data collection you did, I see in your CV that you did a presentation on that. Can you tell me like who presented it to, and how you presented it, and what you think the feedback was from that?

Ms. Elloyan: Yeah, so were on a grant from NHTSA, from the National Highway – I'm going to totally mess up the acronym, because I'm nervous, excuse me – but that was who was presented, we did it too but, they had facilitated a panel and this panel was from people across the U.S. that were involved in like, any type of DUI programming, any type of National Highway Tree Traffic Safety. So, there's about five or six people that were on the panel, and they were looking at, you know, things that we had in this community in this area that dealt with DUIs. So, they were looking at law enforcement and then, they were looking at our program. So, I compiled data that gave an overview of what the program was and what the goal was, and what you know, the expected outcomes were. And then, what the components of it were, and what those costs look like, and then, what money we were collecting in order to be sustainable after the grant had ran out, and again, presenting the data of what we had you know, uncovered as far as jail days or community service days prior to starting the program and then, what we had seen at that time as far as cost savings.

Chairman Christopher DeRicco: Hi. After reviewing and analyzing the Department of Sentencing Policy's website, and their function, and their role. What types of data are we missing potentially that you may see that might be an area to move forward with the collection? If any, is my question.

Ms. Elloyan: One thing that comes to mind and that I was looking at – and this comes back from doing treatment – is, you know, one thing that I have been curious about, and we all know that staffing, and funding, and positions, there's a lot of positions that are open across the State of Nevada and we see that quite a bit with Corrections across departments, we see that with counselors, we see that with mental health, we see that with custody, and one thing that I ran into time and again, especially after COVID, and groups, and those sorts of things shut down, they haven't really got started back up yet. So, we're not providing the services that these inmates need or that are required to either, by sentencing, or by recommendation of Parole Board in order to be released. I think of you know, most commonly some of the sex offender programming that is required by again, by their sentence or by the Parole Board that they have to have in order to be released, or be considered for release, and then, we're not offering it and we don't have the ability to offer that. So, then that person winds up staying more days in prison, so that is eating up more services and that's utilizing you know, higher funding of which we could have put towards something else. So, that would be data that I would be interested in looking at, is what programming needs are we not meeting and what is that costing the State in the meantime? So, is that a function of needing to hire more staff or is that a function of needing to provide more training for the staff that we do have in order to provide these services. But, you know, being able to look at what that dollar amount is in order to be able to hopefully justify, again, spending funding on training, or spending funding on additional staff. Then, what would that look like as far as, like even Parole and Probation, you know, having some sort of access to the programming that they're requiring the inmates to have, or the access to being able to get the assessments that they need. If they need a drug and alcohol screening and they're not able to do those within a certain

amount of days, then they go back in for a revocation. So, that's what I would be interested just off the top looking at it.

Chair Stiglich: Any members have any other questions for the candidate? Is there anything else you want to add?

Ms. Elloyan: I don't think so. Thank you guys so much. I'm really excited about this so, thank you, thank you for having me.

Chair Stiglich: All right, thank you so much. Thank you for your interview.

CANADATE 5F

Chair Stiglich: Ms. Joseph? Hi, good morning. Come on up and sit in the middle seat right there. You all settled in?

Ms. Deleyna Joseph: I am.

Chair Stiglich: All right. Welcome, thank you for applying and showing interest in the position, and coming here to speak with us today. I'm going to turn this matter, strike that, each candidate gets about twenty minutes. You have three to five minutes to give us kind of an opening statement, then I'm going to turn it over to the Commission members for questions. Floor is yours.

Ms. Joseph: Good morning, thank you for having me. My name is Deleyna Joseph, I'm currently a United States Probation Officer for the District of Nevada. I'm located out of Las Vegas. My background professionally is one, probation, prior to that I was a criminal defense investigator in Oregon. I'd moved there for about three years, decided I don't like the snow and all the weathers. Oregon snow is different than northern Nevada snow, it's definitely different. We moved back here, prior to that I worked as a correctional officer and prior to that I was a paramedic in Las Vegas. My education is, I'm currently a doctoral candidate, I am working on my dissertation which is in the field of Criminal Justice and Public Policy Administration through Walden University. My dissertation is on police legitimacy and procedural justice and the disconnect between the police and the public. I have a master's in philosophy in Criminal Justice. I have a master's in science in Forensic Psychology and I have a Bachelor of Science in Criminology. I love research, I feel like that's more my forte, and I really love corrections and prison, and now that I say that out loud it sounds weird saying I love prison. So, that is my background I really focus a lot on a lot of my research on recidivism rates and the things that make successful candidates for supervision, especially when it comes to those who have been just involved since young age, specifically juvenile justice, and delinquency, and how that correlates into adult offenders. Let's see what else. I am more of a qualitative researcher, and I know that's kind of not a huge part for a lot of places that do conduct research, and I have found that's been a lacking part in some research because everyone focuses on quantitative but, my forte is more qualitative. I like knowing why people do the things that they do and what factors lead them there, and I think it gives a unique perspective and a different outlook on how we define statistics when especially when it comes to criminal justice. That's what I have.

Chair Stiglich: All right, thank you. I'll turn it over now to the members for any questions you may have.

Ms. Grosenick: Thank you for being here. What do you love about corrections and prison?

Ms. Joseph: I find it's a weird environment, it's totally a different culture that I feel that you don't necessarily get to experience as a large whole, like out in the public. I mean you have people that you know are felons or they're supervision but they're still in the public which is a different environment that it is in prison. They've got weird rules, it's a weird hierarchy, it's kind of this awkward tinder box almost, at all times one thing can set it off. Really getting to know your unit, and how that works is kind of how you can diffuse those problems. It's interesting to see how when people are in prison for long periods of times how their mannerisms change, and what can potentially cause that in looking at the programs and stuff that we either have or do not have in prison, I think drastically dictate the outcomes of how well someone will do once released.

Mr. McCormick: So, looking at your CV, it does not particularly look like you have a ton of supervisory experience. So, could you tell me just sort of about it, if you have that experience and then, your philosophy on supervision and how you plan to grow in that area?

Ms. Joseph: So, when I was criminal defense investigator, I was the senior criminal defense investigator. I had anywhere between five and ten investigators under me. We were a fairly small company when I started, I think we had maybe fifty cases total. When I left, we had a little over three hundred and fifty. So, that was on average about thirty-three different attorneys with each of us carrying our own case load at about eighty. So, aside from my caseload, I supervised about five to ten other investigators. We developed policies to kind to dictate a growing company. At the time we didn't really have many because there was a total of four of us and we did grow. So, when it comes to supervisory, I mean that's where my background is, started at being in a company from the very beginning to growing as much as we did in a short period of time.

Mr. Hoffman: Tell us more about your dissertation, what kind of research are you doing there?

Ms. Joseph: So, right now the prongs of procedural justice, as researchers we know what those prongs are and how we define them when it comes to voice neutrality, transparency, and respect. The problem is right now that we don't know how the public defines those prongs, and what research has shown is that when procedural justice is applied effectively that police legitimacy rates rise, and I think it's no shock to anyone here that police legitimacy rates are pretty low when it comes to the perception of the public because that's what police legitimacy is dependent upon. It's the perception of the public, and unfortunately it doesn't matter if we as researchers, or we as professionals define those prongs a certain way if the public doesn't define them the same way. So, as long as we are no longer speaking to each other and we don't know how the public defines those prongs, even if we as an agency is applying them effectively it may not raise legitimacy rates because it's not what the public wants. If that makes sense to you? So, as we can define transparency, let's take Las Vegas Metro, their big transparency thing is how they release their body cam footage, and I would like to say that they have a pretty good release rate on when they release their body cam footage. That is their definition of transparency. We don't know if that is what the public defines transparency as. We don't know if the public is wanting more than that, if they don't see body cam footage as being a thing of transparency, if they want to know more of how policies are developed. So, that's the big unknown right now and as long as, like I said, we're not addressing what the public wants or what the public feels is the definition of those prongs, it doesn't matter how we as an agency apply that because legitimacy rates aren't going change.

Dr. Lanterman: I'd like to follow up on Mr. Hoffman's questions. So, in your dissertation are you actually exploring public perceptions of procedural justice or is this simply like an exposition of the fact that we don't know how public defines procedural justice.

Ms. Joseph: Right now, I'm still in my proposal, which I hope to be done very soon. I will be conducting my own study. Right now, I am using the North Las Vegas Police Department, and their people, their jurisdiction to where I will actually be physically going out there and interviewing people of the public and defining how they define those prongs, and then, doing thematic analysis after that to define what we're kind of looking at as far as the findings are.

Vice Chair Brady: I'd like to follow up on Mr. McCormick's question. How would you describe your leadership style or management style?

Ms. Joseph: I think I'm pretty open to recognizing that everyone works pretty differently. One thing that I've noticed, with offenders especially, is that you can't use the same tactics for every offender and that thinking goes for the same for people. Everyone has a different background, and a different philosophy, and outlook on life, and how they react to things. So, I like to think that I'm pretty open in discussing on how each person learns and what's effective for them. I know personally, I am a hands-on person, like I have to physically do it or I'm not going to get it. You call tell me something a million times and until I do it, I'm not going to be able. I don't get it as quickly, but I know other people can read something and be like, yeah I get it and I think recognizing that everyone learns differently, and applies their job differently, I think is beneficial to leadership.

Chief Bays: Regarding the Sentencing Commission specifically, what do you see as its primary mission, biggest challenge and then, how you see your experience and education fitting into that?

Ms. Joseph: So, typically, Sentencing Commissions are designed so we get rid of disparate sentencing. As far as how my research goes, could you repeat the rest of the question?

Chief Bays: Sure. Regarding your background, your experience, your education, how you see that fitting into and advancing the goals and the mission of the Sentencing Commission?

Ms. Joseph: I mean my background; I think gives me a unique experience of looking at both how the defense works, and how corrections works and then, how the correction process goes when offenders are released. I think understanding statistics and how we can apply those, can better develop policy and how we identify or address our stakeholders when it comes to that because you're able to understand both sides, and develop that into furthering the mission when you understand the statistics, and you can develop policies that are evidence-based.

Mr. Katschke: I just want to follow up on that, you mentioned that you think that part of the role is to get rid of disparate sentencing, do you have any examples of disparate sentencing in the state of Nevada?

Ms. Joseph: I mean, I think we have gotten away from that because it has been a thing of the past. I wouldn't say specifically in Nevada but it's nationwide, I mean that's federally why we have the Sentencing Commission there because it gives guideline ranges so, that you're not taking one person who's convicted of one crime and giving them, you know, twenty to thirty years and having the same person, or different person similar crime and giving them two months. It's trying to make guidelines and make fairness, so you're not having wide ranges of spectrums.

Chair Stiglich: Ms. Joseph, I look at your resume it's very impressive, I see that currently you are in Las Vegas.

Ms. Joseph: Correct.

Chair Stiglich: You understand this position is in Carson City?

Ms. Joseph: I do.

Chair Stiglich: Okay, and that's not a problem?

Ms. Joseph: No, my husband is actually from Fallon.

Chair Stiglich: There you go. Especially in the middle of this summer, right?

Ms. Joseph: Yeah, this sounds great.

Chair Stiglich: All right, thank you. That's it. Thank you. Any other members have any other questions for the candidate? All right, seeing none, hearing none. Ms. Joseph thank you for participation here today, is there anything you want to add at the end. I'll give you another swing.

Ms. Joseph: No, I think I am good.

Chair Stiglich: All right, thank you ma'am. Have a good day.

CANADATE 5G

Chair Stiglich: Good morning, Ms. McCoy.

Ms. Megan McCoy: Good morning.

Chair Stiglich: All right, you all settled in?

Ms. McCoy: Yes.

Chair Stiglich: All right. So, Ms. McCoy welcome and thank you for your interest in the position and coming in to answer questions from the Commission. Give each candidate about twenty minutes, you have an

opportunity to make a three-to-five-minute opening statement. Then, I'm going to open up to the floor to the members. Are you ready to proceed?

Ms. McCoy: Yes, I am. Thank you, Chair.

Chair Stiglich: All right.

Ms. McCoy: So, hello to the Commission, thank you for the opportunity to be here today, I really appreciate it. My name is Megan McCoy, I am a native Nevadan. I grew up in Dayton which is about twenty or so minutes away from here, and I grew up with horses so a very different upbringing than most people experience, a lot of early mornings, and hard work, and that actually lead to my interest in criminal justice, and criminal justice reform. I am part of a non-profit called Least Resistance Training Concepts and through that we gentle previous wild horses, and when the prison, and NDOC's Northern Nevada Correctional Center, they have a prison horse training program. So, through meeting the inmates currently in that program, the lens was opened up to the issues within the system. Prior to that understanding coming to light, I was actually aiming toward the medical field. I received my Associate in Science from Western Nevada College and I went to UNR starting with Community Health Sciences, and the more I spoke with the inmates, the more disparities and issues started coming to light, and I knew it would delay my graduation but, I went ahead and switched my major and switched to criminal justice, and I was lucky at UNR to find some really good professors who had done a lot of research on reform and reduction of recidivism, and that really pushed me toward really advocating for doing things differently. I am currently about halfway through a master's in criminal justice with an emphasis on legal studies. I did have to take a break from that, I will be starting up again this fall. I unfortunately got very sick, and I was in the hospital and unable to continue. So, I have to wait until the next cohort starts since I lost mine, but my hope is to somehow make a difference and I know that this commission and the Department also have that as a goal. So, that's why this position is exciting, no matter who is appointed, something good is happening and that's a major step forward for the state.

Chair Stiglich: All right, thank you Ms. McCoy. I'm going to turn it over now to my colleagues. Are there any questions for Ms. McCoy?

Mr. McCormick: Could you expand a little bit on any experience you have in supervising staff? Looking at your CV it appears you did that a little bit with the City of Carson Recreation Department, but could you give me a little more information on that.

Ms. McCoy: Absolutely. So, with the City of Carson, I was a lead staff with their Child Care Program. So, I supervised large groups of children during the school year. I had the largest school in the city with over sixty children and three staff members under my supervision, and during the summer I supervised, well at least one hundred and fifty children minimum and at least fifteen staff minimum, not including the volunteers that were also there, that were also under my supervision. More recently it would be with the Technical Large Animal Rescue team that I'm on. I'm part of the board of the non-profit, but in addition to that, I participate in technical large animal rescue. So, we are trained and certified initially through a National Guardsmen and now through an independent but certified company, and we arrive on various levels of emergencies, whether it's government requested or through the cooperative agreement that our lead group has with the Department of A, and there can be a wide variety of supervision or supervisory moments in there. The main one is as incident commander, so the person in charge of the entire rescue operation and all of the people, and all of their jobs. So, like for example, the incident commander on a call where we had a horse stuck in a cattle guard. The local fire department was also there, we ended up needing the jaws of life to get this horse out. So, I had to work in cooperation with the fire department but also make sure every aspect of every job was being done properly and safely. So, I've been incident commander on at least fifty calls and safety officer on at least one hundred and fifty. In looking back the other day, it's quite a few and as safety officer everyone's safety is my responsibility. So, if I have to call an all stop and no one, or people aren't listening, I have to make sure I use the authority and confidence to stop what's happening and reset or re-evaluate because everyone's safety is my job.

Deputy Chief Evans: Looking in your cover letter, you talk about lots of experience preparing presentations and demonstrations, can you tell us about some presentations you've given, the size of the audience, what kind of topics they were, if it was any data-related topics, things like that.

Ms. McCoy: Yes. So, my presentation preparation is mostly from the non-profit side, we do presentations for governmental entities, as well as private individuals who want to train. So, go from every basic aspect of technical large animal rescue all the way through the complex rope rescue systems and z-rigs. So, tailoring those to whatever is appropriate for that project or that goal is my main concern with it. So, we use data in our rescue numbers, we run an average of five hundred calls a year and so, we aggregate that data between highway incidents where Nevada Highway Patrol called us in versus a citizen's request versus responding for one of the counties during an emergency, like flood or fire.

Deputy Director Troy Jordan: I wanted to follow up on that question. In looking at your cover letter, it had also said you had done some sentencing data and compiling reports for the District Attorney while you worked there. Could you explain to us what types of data and what type of collection or reporting you did in that sense?

Ms. McCoy: Yes. So, most of our data collection for the DA's office was done for statutory requirements. So, there are two statutes in the NRS that require each District Attorney's office to compile certain data on arrests and sentencing. So, we would utilize the program that the DA's office used, which was just where, and we would record every step of each prosecution, from every single arrest whether a criminal complaint was filed or not, all the way through the plea agreements through sentencing and it was for each year. So, if an individual happened to have violated, if they were out on probation or anything, that was also included, but the main focus of it was the patterns within the arresting, charging, and plea agreements. Then, we also aggregated based on whether the individual was being represented by the public defender's office or a conflict council, or private council just to make sure there were no disparities in sentencing or plea options based on indigent defense or private defense.

Chair Stiglich: Are there any other questions for Ms. McCoy? By the way we are set up it's hard for me to navigate, I'm looking at the other screen there. Any other questions for Ms. McCoy? All right then, Ms. McCoy is there anything you'd like to add?

Ms. McCoy: I would just like to thank you again for the opportunity to be here. Everything that I have dreamed of since starting in the criminal justice system is what this position and this department does. So, I'm very excited for the opportunity to be here and have a shot at this, but either way just thank you guys for all that you do to make things better for the state in general and also, for the citizens and those who are in the custody of the Department and definitely deserve change and improvement.

Chair Stiglich: All right, thank you ma'am.

CANADATE 5H

Chair Stiglich: Good morning, Mr. Poole.

Mr. Donald Poole: Good morning.

Chair Stiglich: All right, are you all settled in?

Mr. Poole: I believe so.

Chair Stiglich: All right, welcome my name is Lidia Stiglich. Welcome and thank you for your application, and your willingness in your interest in the position, and your willingness to come here, and speak with us today. Each candidate sir gets up to about twenty minutes, three-to-five-minute opening statement and then, I'll turn over to my colleagues for questions.

Mr. Poole: Okay.

Chair Stiglich: All right.

Mr. Poole: Well, first of all, thank you everyone for the opportunity to appear. I've been kind of looking forward to it. I get nervous speaking in public like most people but, I watched a lot of meetings so, the faces look familiar somewhat, so that kind of helped out a bit. Little bit about me, my name is Donald Raymond Poole, I use my middle name because my dad's junior and I'm a third. I was born in New Jersey, grew up in Maryland, south of Washington D.C. I moved out here about 2005, to southern Gardnerville and have been in the same neighborhood since then. I love the state, my kids love the state, not going to go anywhere. I was a police officer for about twenty-five years both on the east coast and out here, so I really think that helps me have a different perspective on the criminal justice. Especially, in this kind of line of work as well as this position because I've actually seen the results of changes that the Commission recommends to the Legislature and actually see on the street how they affect not only the public but the officers and people that have to implement and live by them. So, I believe that helps me have a different perspective. I also have been teaching criminal justice courses at Lake Tahoe Community College since 2011. It really affords me an opportunity to interact with different cultures, different students from all over the country really, and that also gives me an opportunity to help see what criminal justice and how it affects younger people, and what they're looking at as they learn about the system as a whole. It also helps me along with my current job working at the Lyon County Court Services, I'm in charge of the Pre-Trial Services Division, and that has really helped me learn the other side of the system versus the law enforcement side. Now, I get to see what happens after I bring people to jail and it has opened my eyes greatly, and even people that knew me have asked me, are you the same person when I recommend somebody shouldn't be in jail. I don't think their score, their criminal history, their job, the level of crime that they committed, that better served being on some sort of supervision and I'm learning that's working better than just straight incarceration. Another big aspect of that job that I think would bring that would help me in this position, is getting the right information to the right people to make the right decisions. We interview people arrested, we try to verify their information about home and work information, phone numbers, email addresses, contact, we checked their criminal history, we use our risk assessment, we score them, and we present that to the Public Defender, the District Attorney, and the judges, and give them a recommendation as they have to ultimately make the decision. So, gathering information, making sure that right information is correct and getting it to the people that make the decision. On a county level, when I saw this position I thought, wow, that'd be pretty cool to do at a state level, and maybe help make some changes that need to be made, and the state seems to be taking the good way to do it, and having worked in California, I've seen the bad way to do it. So, I really wanted to be part of helping Nevada continue with a way to be a good leader in this area.

Chair Stiglich: All right, thank you Mr. Poole, I'll turn it over to my colleagues. Actually, I have a quick question. So, Mr. Poole what do you think then -- could use the California Nevada example -- what do you think California is doing wrong that Nevada is doing right?

Mr. Poole: What I've seen about Nevada is they're taking more of an analytical approach; they seem to be gathering more research and like the Commission -- like I learned recently -- started looking at misdemeanor crimes instead of straight felony crimes, adding homeless as a variable and California seems to do everything in knee-jerk reaction. They have a giant population, they have a problem, and they immediately do a knee-jerk that affects everybody disproportionately. So, I believe that Nevada has done it better by slowing it down a little bit. I know our population is much smaller, but I believe the population is being served better by taking that little pause and again, getting the right information to the right people.

Chair Stiglich: All right, thank you Mr. Poole. Members questions for Mr. Poole?

Mr. McCormick: Can you tell me a little bit about your experience supervising staff and your sort of management philosophy?

Mr. Poole: Thank you. My current job, I'm a supervisor, we have two other officers that I supervise. I also have a caseload, so sometimes it gets kind of tight. Then, as a law enforcement officer I filled in for a sergeant on numerous occasions, allowed me to oversee a squad of anywhere from maybe four to five officers at a time. My management is more of a collaborative approach, I like to understand and hear what everybody has to say. Especially with law enforcement, especially with criminal justice, I think in any aspect of it, it's teamwork, everyone has a part to play, and I think everyone's position is important and they all need to be heard.

Vice Chair Brady: I know that Lyon County over the last few years has made a lot of changes and in terms of how the social services works with the law enforcement and they've applied for a few grants and so forth. Can you describe your role in making some of those changes, and what they were, and what you think is working?

Mr. Poole: That's a good question because I believe that the mental health part of criminal justice has been overlooked greatly and the ability of the FAST and MOST teams in Lyon County are the mobile outreach, and then, the FAST when they work within custodies. I reached out to the human services and the judges helped direct me to the other people in charge and then, reaching out to the Sheriff's office there in Lyon County, especially with the corrections, and we formed up weekly meetings where they asked about if I found anybody that would benefit from the services because we interview them in the jail, and the FAST/MOST teams do not get to do that because they're just overwhelmed. So, we direct them to their services and when we have them on supervision, and we find out that there's some issue where they may need some services, or some housing, or some counseling, or some additional counseling, or anything along the lines that falls under the human services. Their phone call, we have all their contact information, and like I said, we started up regular weekly meetings with them, which allows a really good collaboration between the courts and their human services for the county.

Ms. Grosenick: As you know the Executive Director leads the Department of Sentencing Policy in fulfilling statutory duties to facilitate the collection of criminal justice data, as well as identifying variables that may implicate that data in the future. Can you talk a little bit more about any training, experience, or education that you have in data research, management or collection?

Mr. Poole: Thank you. With my current job we do a lot of gathering data with all the inmates and all the people on our supervision. Our data points are not as in-depth as the Commission does, but it has given me a little bit of baseline on how to collect data and how to analyze that and present a report to the judges. I also, when I got my master's degree in justice management through UNR, I took several classes on I think, data collection, and analytics, and statistics. So, that gave me a little bit of the educational side of that, as well.

Chair Stiglich: Any further questions for Mr. Poole? All right, seeing none, hearing none. Mr. Poole is there anything you'd like to add sir?

Mr. Poole: I just, again, really appreciate the opportunity to be here. I was a little shocked when I got the email that allowed me to show up. So, I really appreciate the chance to at least get some of my thoughts out to everyone. So, thank you very much.

Chair Stiglich: Thank you for your service and participation, thank you sir.

Mr. Poole: Thank you.

CANADATE 51

Chair Stiglich: Morning Ms. Powers. All right, are you all settled in? So, Ms. Powers each candidate gets up to twenty minutes, give you an opportunity to make a three-to-five-minute opening statement, and then, I'll turn it over to my colleagues for any questions they may have. All right. Thank you.

Ms. Jorja Powers: Thank you. I prepared a statement. Good afternoon, Commission, Chair. My name is Jorja Powers and I seek appointment to the Executive Director position with the Nevada Department of Sentencing Policy. I am currently the Deputy Director of NDSP. I was recruited to the Department as the Policy Analysis Manager in November 2021 bringing with me 14 years of experience at the Department of Corrections, with my most recently held DOC position as the Administrator of the Offender Management Division.

You have read my resume but what you might not glean there is that involvement with NDSP did not begin in November 2021 but months earlier through my role as the administrator of OMD. I had the pleasure to work with Executive Director Gonzalez and begin the relationship between DOC and NDSP. Legislation had been passed that required NDSP to collect data from DOC. My role as OMD Administrator included oversight of the DOC data and statistics section. I collaborated with Director Gonzalez and led my team to find the best methods to collect and submit the statutorily-required data to NDSP. This was the inception of a partnership that brought about the continued collaboration and data sharing that still exists presently and which facilitated the amazing dashboards regarding DOC populations and trends.

My position as administrator of the Offender Management Division was also where I first became familiar with the legislative process. I was able to answer questions from legislators regarding proposed legislation and the potential impact on DOC and the individuals housed within. After the legislation, Assembly Bill 241, passed, I led the OMD data and statistics section, along with the IT team to identify and build the best method to implement the credits AB 241 awarded incarcerated individuals during the COVID pandemic. This experience increased my appreciation of the importance of collaboration with stakeholders and legislators as a catalyst to making informed, data-driven policy decisions. It is important to examine all aspects of a situation and solicit points of view from all involved.

This is a skill I honed at DOC first on the prison yard as a Correctional Casework Specialist and later as OMD Administrator. In prison, my job was to look at all aspects of individuals' situations and give them those tools to help with their rehabilitation and eventual return to society. This involved taking many factors into consideration and weighing the possible risks and benefits for not only the offender but other incarcerated individuals, staff, victims, and the public. As the OMD Administrator, I had to use this same idea but at a department-level view to determine how individual classification decisions would affect the Department as a whole, each separate facility, groups of incarcerated people, and Nevada's citizens.

This "weighing of all sides" is exactly what the Executive Director of NDSP must do. Gathering information from stakeholders and criminal justice partners to understand all sides of issues and ensure that any collected data is analyzed and interpreted considering all entities affected. I have proven strength in this area—pinpointing a problem, gathering information from those involved and collaborating to reach a solution.

It is important that that data is impartial and reliable. One of my first impressions of the Department of Sentencing Policy was that their goal was not to paint a picture but to uncover the truth that Nevada's data tells. Being a part of this process has been an honor and I am ready to lead this effort in the future.

The NDSP team worked very hard this last legislative session gathering information and data and presenting it in a transparent and unbiased manner. The team and I were able to collaborate with many different Nevada entities who are often presumed to be at odds and facilitate a move toward the middle with Nevada-focused factual data. This helped much important legislation pass during the last session. These bills also led to requirements for the Department to provide new data points and reports regarding the outcomes of the new statutes. This ushers in a new era for NDSP, an era of implementation. An acute understanding of the bills that passed and the collaboration that went into the final products will be very important moving forward. This is why I believe I am the correct person for this position. I am ready to continue and strengthen the relationships built with our stakeholders and Nevada agencies to move forward with the collection and analysis of data regarding fentanyl in Nevada, temporary revocations, murder data, the study of Nevada misdemeanors, DOC sentence credits, population projections and more. Under my leadership and using already established relationships, I believe that NDSP 's vision will expand and our

mission to provide reliable criminal justice data, practical fiscal analysis, and comprehensive policy resources to lawmakers, stakeholders, and the public will flourish.

Do we all wish there was no reason for this particular agenda item, of course we do. Director Gonzalez has been an incredible leader and working alongside her has prepared me for this. I am the choice for NDSP Executive Director. Thank you.

Chair Stiglich: All right, thank you Ms. Powers. I'll turn it over now to my colleagues. Any questions for Ms. Powers?

Mr. Katschke: Ms. Powers, can you just, when you were with the Nevada Department of Corrections, you have on your resume here about the application of COVID sentence credits. Could you just describe to us how that came along and how that was data driven please.

Ms. Powers: Yes, I apologize, I couldn't understand your question, or I couldn't hear you.

Mr. Katschke: I'm sorry. So, under your resume, it stated that you spearheaded a project to apply COVID sentence credits. Could you describe to us how that along and what your function was in that, I guess, in applying those COVID credits.

Ms. Powers: Yes. So, AB 241, the idea that came about and the assemblywoman who spearheaded it called DOC, and I was the person who received that call. To understand how sentence credits worked, and in general sentence credits for DOC are very convoluted and not transparent. That became apparent during this last session, when we talked about that a lot. So, once the bill passed, we had to figure out a way to make DOC's computer system allow us to apply these credits monthly. We had to go into the past when the pandemic started and then, keep applying them until the Governor said that the pandemic had ended. So, the administrator at OMD above the data and statistics section, and so, we started there. I pulled my team together and asked them to look at how many people this would affect, how many credits are we talking about, and what is the best way to move forward to give these credits in lumps sums, do we do it monthly, how will this work? How will it affect the actual sentence of the offender? We had to think about their parole. So, we talked to Parole and Probation, and to the Parole Board, to find out what this would do to their caseloads and how to do it incrementally so, there was not this large surge. Then, we brought in the IT department to actually make it work in the system. So, basically, I spearheaded the project, pulled my team together and made sure that they were implemented as it was written in the law.

Ms. Julia Murray: You acknowledged, I think rightfully, that there has been a lot of activity with the Commission through this last two-year session and much of it has been at work that was being built upon in the prior two years. You are in a unique position to have been privy to that. Can you identify an area where you find the Department's still to be lacking, either in an item we should be working towards or where we could improve in an area that we are working towards and what you would do to do that?

Ms. Powers: Yes. As I mentioned we, in the last legislation, passed all of these laws and it requires data. We all know that we do not have a uniform system, there are discrete systems throughout the state, for law enforcement, for courts, for everything, and so, our gaps have been and remain, getting that data and being able to use it. Being able to mine that data, decide how to store it. Right now, at NDSP are working on databases and so, we can decide which data points will fit together and do we need another database for the courts or can they talk to each other. So, the answer to your question is, is gaps in data and ways to have them submitted. We've talked about pulling Legislature in maybe next year to having mandates of the way data is given to us and that would help tremendously.

Ms. Murray: Thank you.

Chief Bays: Just to follow up on that. What would you say the role of confidence in analysis of data by the Sentencing Commission plays in the collection of it and presentation of the public to stakeholders, those submitting it, the agencies involved?

Ms. Powers: I think for any situation, the confidence is going to be number one. I believe that the team and department that Director Gonzalez built is a great foundation because as I said, we have been able to bring

together people from different areas of criminal justice who will agree that this is the data. Prior to this, everyone had their own data and so, nobody believed it. The invent of NDSP has allowed Nevada to trust the data and therefore, that gives us a better foundation to present different types of analysis that will be used and again, trusted, and the presentations. Being able to present the results of our analysis and the data that we have in a way that is transparent. That someone can go back and look at the root, where did we get this data? Yes, I get the same answer. NDSP, will you tell me how you did this? Yes, we can. We can absolutely give you a step-by-step guide to how we got to the answers we did. Please, recreate them yourself so that you do trust us. So, the presentations and the transparency, I think is the biggest thing.

Deputy Chief Evans: Good morning Ms. Powers. In your cover letter, and in your statement, you talked about a period of implementation or an era of implementation. Can you expand on that, and what that means to you, and what your role as the Executive Director would be to help these implementation ideas?

Ms. Powers: Yes. So, all the data that has been collected, we have presented. We have given it to people when they have asked, it is on our dashboards. However, the new laws that have passed required many more data points, many more reports. So, the implementation processes I'm talking about is fulfilling those duties, fulfilling these reports, fulfilling getting the data that the laws have asked us to. We are small agency, so that Executive Director is knee deep, pull your boots up, doing the work also. So, as an Executive Director it would be to build a team, keep a team, that fills the needs of the Department. So, that the analysis can continue, so we can implement these laws. The team that we have is very good at what they do, and we have gotten another position, and so choosing the right people is part of the implementation process. People that can fill the needs of our department.

Chief Bays: Another question. I echo what you had said earlier about the leadership that has existed so far, with the Department, so I wanted to hear from you what you felt would distinguish you as a leader, Executive Director, and some of the goals you would focus on.

Ms. Powers: So, my skill set is with relationships. Through DOC, I worked with the Parole Board, Parole and Probation, the AG's office, courts, the Legislators, victims, inmates, families, and so, what I bring to leadership is that skill and relationship building, and understanding how a person moves through the criminal justice realm. I believe that will make me a strong Executive Director for NDSP. I believe my goals are to continue that vision, to be a support to the Commission, to be a support to Nevada, to fill those gaps in data that are missing, so that we can provide even more information for data-driven policy recommendations.

Chair Stiglich: All right. Do any members have any other questions for Ms. Powers? All right, hearing none, seeing none. Ms. Powers, thank you for your service so far and thank you for your interview here today.

Ms. Powers: Thank you.

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Chair Stiglich: Good morning, Mr. White. Are you settled in? All right, good morning, I am Lidia Stiglich. Sir, welcome, thank you for your interest in the position and your willingness to come speak here today. Each candidate gets up to about twenty minutes, you have an opportunity to make a three-to-five-minute opening statement and then, I'll turn over to my colleagues for any questions they may have.

Mr. Todd White: You can hear me okay now? Obviously, my name is Todd White. I am a proud native Nevadan, born and raised. I have lived, worked, and gone to school every corner of the state. I have a wonderful family, wife of over thirty years, three adult children and I think this is an amazing opportunity. Obviously, you've seen my resume, I spent over twenty-five years with Federal Judiciary U.S. Probation Office. Four and half years before that with Nevada DPS with two of the divisions. I think this is an amazing opportunity to be part of the sentencing recommendations and the correction programs moving forward for the State of Nevada, and being able to support this Commission's work, and put the money where the data says it should be put. Whether it's repeat offenders, violent offenders that need more prison time or

obviously lower level, less serious crimes, money being put into programs that can save the taxpayer millions and millions of dollars. Thank you for having me.

Chair Stiglich: Thank you sir. I'll turn it over to my colleagues now for any questions they may have.

Dr. Lanterman: Hello, good morning. My name is Jennifer Lanterman.

Mr. White: Good morning.

Dr. Lanterman: Can you share with us your experience either conducting or supervising personnel in the collection and analysis of data.

Mr. White: Yes. So, obviously in my previous position as division manager in Reno. We have incredible support out Washington D.C. So, the data collection that I have experienced with is, once pre-sentence reports are produced the sentencing occurs, a revocation occurs in federal court. Then the data, the sentencing data, the revocation data, that must be all produced, must be sent to the Administrative Office and the U.S. Sentencing Commission in Washington D.C. so, that they can input the data there, so that it is available to be spit back out to what we call the field or at the 94 Federal Districts. So, the data entry of sentencing revocation hearings, the paperwork part of it occurs at the district level but then, it's sent to Washington for other people to input and they created a system, we call it DSS, the digital system to where at that point at anytime and part of my job as a manager for various reasons, I would have to access the DSS system, to pull data, not only from the District of Nevada but from other districts. Depending on the projects I was involved in, national initiatives I was involved in, so, that's you know, because that's where I worked that's how things were handled.

Vice Chair Brady: What lessons could we as Nevada learn from the federal system and how they collect and analyze data?

Mr. White: Well, let's not kid ourselves, the federal government doesn't do everything right. Forgive me for a little family history, my dad was thirty-two years with Nevada Highway Patrol, back in his time, and after I graduated college, he gave me some real sound advice because of his experience working for the state, and some of the issues state employees had then, and quite frankly, still have now. He told me get to the feds, you'll see the country, they're able to print money, so you have lots of opportunity to go to great leadership, conferences, great conferences of obviously from A to Z within the criminal justice field, but I do, I did love the professionalism of working in the federal court system and the U.S. probation office. Quite frankly, the equipment that is available is outstanding, generally the cutting-edge systems that are developed for record retention. I mentioned one a little bit ago, the DSS system. The opportunity to travel the country, to be involved in, you can see how task force work or different committee work, it was exceptional. I wouldn't trade the years I spent there for anything. The organization of the structure of the organization I worked for, the leadership that was available and for younger staff to be mentored and it was, at least, the judiciary, the probation office, it was top-notch. When I was hired, the Chief Probation Officer told me from a Community Corrections standpoint that this was the tip of the spear and I had worked two years at Highway Patrol and then, two years at State Patrol back in the 90's, and when he told me that, it was kind of overwhelming quite frankly, within three years I knew what he meant.

Chief Bays: You referenced in your paperwork here, that you submitted, that some of your key strengths are policy research and formulation. So, I thought you'd speak a little on that, and maybe, provide some examples and how you would see that fitting into this position.

Mr. White: Yes, as stated in my resume, I had the opportunity at the district level as well as nationally to be in policy formation for programs like, what we call location monitoring, GPS, or electronic monitoring, search and seizure, use of force. Primarily for me was asp baton and how that would be properly used. One of the biggest projects I was ever involved in, was a re-entry program we ran out the Reno Federal Courthouse for seven years and it was very different model. It was for post-release people that were on what we call, a term

of supervised release after coming out of federal prison and we, unlike most local and state courts, that are you know diversionary or pre-trial type programs, it was post-conviction and it was with multi-time felons, every type of an offender except sex offenders. Myself and another officer, primarily were both senior officers at the time, we were tasked, with help from other people obviously, to go around the country, and observe, and look at local and state re-entry programs, and specialty courts, and we did that for about three years, and got to see the country, and meet a lot of awesome people, but then, we had to come up with the policy and so, he and I primarily ended up putting together that policy. We ended up calling it C.L.E.A.R. for Court-Led Efforts at Recovery and that ran from 2011 to 2018 in the Reno Federal Courthouse. Many other projects, I think I referenced many of them on my resume that I was involved in my career, strategic planning, policy for the district, you know, we're here now we need to go there over the next five years. So, hopefully those are some good examples for you.

Chair Stiglich: Mr. White? With respect to the C.L.E.A.R. program, what did you find in developing that re-entry policy and program, what did you find that offenders were not getting in prison that made it more difficult for them to successfully re-enter, and once they were in the C.L.E.A.R. program, what did they need to be successful upon release?

Mr. White: Okay, so the first part is, what they weren't getting in prison, and I want to be honest, I've never worked in a jail or prison, and that is an unbelievably challenging job, and the dedication, you know, that 24/7 nature. But when we would get them for supervision, whether just general supervision or those that agreed and volunteered for the C.L.E.A.R. program, most of the time they would come out and they just felt like they weren't going to have a good opportunity for a good job. That was usually the biggest complaint. Luckily, most of the federal offenders that came out did have a place to live, most of them, if not, the federal system has a great halfway house system throughout the country and the partners that are involved, but it was always the employment issue, and even if they got a job right away it was you know, low wages typically, and so, it was about workforce development, it was about partnering with state agencies, like D.E.T.R. with Nevada, and many local agencies to help them do simple things, like, build a resume, and even if you've been in prison for seven years, there's a way to build a resume, that you can give to a potential employer, and a way to explain why you were in prison, what you learned from being in prison, and how you've changed. So, you can turn it into a positive during the interview experience, but that was the biggest complaint about coming out of prison was just the lack of good jobs was the number one. And the second part? I'm sorry, Justice.

Chair Stiglich: So, the second part is what did you think was most important that you could provide in the re-entry process to help them succeed on the outside?

Mr. White: Yeah. It's really called different things but wraparound services. So, what I loved, going back even to I think the previous question, was in the federal system when we would get a pre-release packet of somebody that was pending release from the Bureau of Prisons. We would get that typically no less than six months out and sometimes up to two years depending on the type of crime that had been committed, and what that particular offender and the issues they had in their life. Could be lack of family support, lack of housing, so, that system is excellent the way it is set up. Sex offenders we would typically get eighteen to twenty-four months out because of the nature of supervising them in the federal system. Most of the time those are lifetime supervisees now and the issues involved you know, some places they won't take them for housing because of insurance issues. Their insurance companies, they won't take sex offenders. So, it – lost my train of thought, I'm sorry – would you please repeat the second part? I'm so sorry.

Chair Stiglich: Really just the components of your program.

Mr. White: Oh yeah! The wraparound services. We would have before they came out, we would know – last minute things do happen – but, we would always have housing set up, either with an approved family member, a spouse. Obviously, if we had to get them a modification, put them in halfway houses. We would have the treatment already scheduled before they ever hit our office for the first time. If there was community service work, that was set up through different organizations. So, it's wraparound services, if

they have mental health, obviously substance abuse treatment for many of them, sex offender treatment. All those things are scheduled during that six-to-eighteen-month period, while the officer is investigating and doing what we call the pre-release investigation. So, those are the challenges, but I think as an office, because of the policies that are in place with the Federal Court System, that it works pretty well and getting those services set up beforehand, not waiting until you have the body, is really important.

Chair Stiglich: Thank you. Colleagues, does anyone have any questions for Mr. White? Hearing none, seeing none. Mr. White, anything you want to add?

Mr. White: I would just reiterate, thank you for your time. What a wonderful opportunity. I think whoever gets this position and quite frankly, even if I don't, I think the work that this commission is doing and what the Department is doing, is necessary for the State of Nevada, for its future, for sentencing properly, giving proper information to judges, to the parole boards, or the Parole Board, and spending those limited taxpayer resources in the right way, and not wasting them. With that, thank you very much for inviting me.

Chair Stiglich: All right, thank you for your interview. All right, colleagues, that concludes our interviews today. I'm going to close this agenda item and we are going to break until 11:10. So, everybody can get organized and then, we will pickup with item six and discuss these fine candidates. Thank you.

6. Discussion Concerning Recommendations to the Governor for Appointment of Executive Director to Department of Sentencing Policy

Chair Stiglich: All right, we are going to, can't see in Las Vegas, are we ready to get started back up down there? Anyone?

Mr. Erasmo Cosio: Yes, we are ready.

Chair Stiglich: All right. Excellent. Thank you. Then we'll open agenda item number six, Discussion Concerning Recommendations to the Governor for Appointment of Executive Director of Department of Sentencing Policy. So, now we've completed the interviews, is there anything the Commission would like to review or discuss before I entertain motions on who to recommend to the Governor to appoint as our next Executive Director? I will open the floor.

Chairman DeRicco: So, I just, I know I brought this up at the last meeting, and I just want to make sure that we are doing this properly, that we don't have any problems, that we don't have to come back and do this again. Yeah, and statutorily it says must be appointed by the Governor from a list of three persons and statutorily, so I just want to make sure we get at least three people's names out of here.

Chair Stiglich: All right, thank you. Thank you for that comment, and I think in terms of the numbers it was a different situation last time around. This time around, I think the difficulty is going to be narrowing down to three names to submit to the Governor. So, it's my intention to at least seek a motion for three names to go forward today.

Chief Bays: Which were the candidates that withdrew and then, the one that was asked to be considered was Coghlan? Coghlan?

Chair Stiglich: So, the candidates that withdrew were Ms. Bass, Mr. Burkholder and those were the two that withdrew. Mr. Coghlan submitted an application, his application was not complete, it did not have references and that wasn't like I asked references, they didn't send them in and said I don't need to provide them and then, he opted not to interview today. So, anyone on this Commission is welcome to give that application due consideration and put it in any motion or discussion that they wish. So, we have seven people who appeared in front of us today. All right, so would anyone like to open the floor? I can break the ice; I'll share some of my thoughts. You know, I think we have been very privileged to have Director Gonzalez and the incredible team that she's put together. There're so many different pieces, and components, and this is kind of – in my view – a unique Commission in the sense that, it really is an implementer for this Commission but, it's also a generator, and it's a generator of ideas, and thoughts, and projects for this Commission to consider and certainly for them to make work. So, I feel like there's a huge

benefit to the kind of policy-thinking component of this and then, there's an experiential component to it. So, people who actually have familiarity with corrections, with Nevada, with all those other pieces. I think today, for me, I've narrowed it down to four candidates, some for the same reasons, some for different reasons, that I think could potentially lead this group, and that was Trish Elloyan – I'll say her name wrong again – Deleyna Joseph, Jorja Powers, and Todd White. So, those were four people that were on my list of consideration, and I look forward to hearing from each of you.

Director James Dzurenda: I was going to say the same thing that you just said and select down to four that I just thought of, and those were the exact same four that I thought of as well. I thought they all had little differences in each that are distinctive that would be a benefit to the Commission. They all had some strengths, I see some weaknesses in all of them that I thought that may be something that is learned upon, as you get into the position, but I do see the strengths in each one of those four that I think are a benefit to all of us, that would either one of them would be a great candidate.

Chair Stiglich: Assemblyman?

Assemblyman David Orentlicher: Yeah, I also felt Elloyan, and Joseph, and Powers, and White, were my top four. I would put Elloyan and Joseph as my top two. So, if we are only doing three either Powers or White as the third. And I would say, back to you're the criteria you talked about Justice, in terms of sort of generating policy ideas, that's probably what led me to think about Elloyan and Joseph as the top two.

Chair Stiglich: Great, thank you. Vice Chair Brady?

Vice Chair Brady: Thank you, Chair Stiglich. The top four that I had were Elloyan, Poole, Powers and White. I had White and Cafferata pretty close together.

Chief Bays: I think it's pretty uniform, but with Powers and White being up at the top two. I do think that possibly Joseph's, while she was up there with Elloyan, maybe her experience is a little overstated? And then, I do have to mention too, Ms. Cafferata has such an incredible background and history with the State. She is certainly up there as well, but I think Powers and White for me are at the top.

Chairman DeRicco: I was kind of in the same dilemma as you were Justice Stiglich, where I had four where I thought really rose to the top and they were the same four that you mentioned. Alphabetically, Elloyan, Joseph, Powers, and White. So, that's kind of where I am right now as well.

Dr. Lanterman: I have some similar views about strengths and drawbacks to each candidate, but slightly some different picks. I think Ms. Powers, Dr. Elloyan, and Ms. Cafferata would be my top three. I do have some concerns about Mr. White's, specifically with respect, to his really limited understanding of research design, data collection and analysis, and how those data would be used to develop a policy. So, he might develop very limited policy but it's different than Statewide Policy, that the Department of Sentencing Policy and Sentencing Commission would be responsible for generating.

Ms. Grosenick: I would like to echo Dr. Lanterman's concerns with Mr. White. He does have a lot of experience in corrections, but it did seem somewhat limited in that way. Especially, the data collection. You know, given the role of Executive Director in leading the Department, and facilitating the collection of criminal justice data, and identifying variables or sets of data that are not collected or shared. I think does require a heavy background in data and analysis, data collection, understanding how to keep the integrity of data, like Michelle Bays brought out. As well as, understanding the system as a whole and so, my top two were Ms. Elloyan and Ms. Powers, and then I thought, Ms. Joseph was sort of a third choice of mine.

Deputy Chief Evans: I agree on Ms. Elloyan and Ms. Powers being kind of 1a,1b. The third choice gets a little more difficult. I do agree with Chief Bays on Ms. Joseph's experience. I like the experience of Ms. McCoy. I know she has not been discussed but her years at L.C.B. and seeing all the Legislation that goes through and making you know, changes or updates and all that stuff. I thought that all that experience would be valuable as well. So, unfortunately, I've got a really strong top two and then, we will see how the third one goes, I guess.

Ms. Murray: Chair, am I permitted to ask a question of the other commission members? Okay, could one of you that highlighted your concerns regarding Ms. Joseph's experience level, explain that just a little bit, without getting into much. I just I want to know what that is about before I say my own thoughts.

Deputy Chief Evans: She spent a couple of years with Parole and Probation, and a couple of years with Corrections, and then, it's been a lot of work in the research schooling field. So, I just don't know that there's been as much like implementation of all that knowledge that she's been working on. Whereas, like especially comparing her to Ms. Elloyan in her work with the DUI court, and her presentations to NHTSA, and collecting, and gathering that data. Like, I just felt like there's a big gap of still in the learning process and actually putting it into work.

Ms. Murray: Thank you. And then did that cover your concerns as well or was there something additional?

Chief Bays: Yeah, no other additions, well a little bit. In the position where she – and I don't know Oregon structure – but it sounded, and she actually presented it was just like a contract company with a very small number of people. So, I really just echo what was just already said and just add that.

Ms. Murray: Thank you both. Sometimes its hard to glean what someone else is thinking about when we kind of talk in such generalities when we're having these conversations. My one and two, for the same reasons that have been stated quite succinctly and eloquently by Ms. Lanterman, would be Ms. Elloyan as well as Ms. Powers. I think they have demonstrated the most significant ability to actually do the data aspect of this job, which I think is sort of the starting point for everything this Commission is responsible for. I don't think we can even get to the question of legislation, and policy-making, and corrective change, and looking at what works and doesn't work. If we're not working with numbers that cause us all to not fight and having sat through many, many meetings at this stage with everyone, we are all inclined to fight about the nature of the numbers. So, I think we at a minimum need to be in support of where the numbers are coming from, and what the numbers look like, and what the numbers mean in order to do anything as a Commission. So, my one -- I think someone referred to them as a 1a,1b and I support that -- would be those two candidates. I hear and I understand the concerns regarding Ms. Joseph, I do believe she is also a strong candidate but if we're adding three, we should be considering and maybe discussing further. I think she brings to the table an interesting balance of working on both sides of kind of each aspect of what this commission touches. She has worked on the investigation side for in the defense aspect which is very close to the police investigative arm in dealing with people on the street level, she has worked in the carceral system, she has worked in the research facility aspect of education. So, she at least has a lot of perspectives that if nothing else, generate good questions and would push forward conversations related to policy writing and development. I also have some concerns regarding candidate White, I think while certainly impressive in his federal career, I am concerned on two fronts. One, whether that experience truly affords an understanding of the nuances and the difficulties that face the State of Nevada in an informed way that will be able to quickly translate into doing real work, and two, I have some concerns regarding his lack of experience in the number's aspect, which is where my first two candidates rose to the top. So, that would be my thoughts.

Chairman DeRicco: So, in reviewing and looking through these candidates, I chose to start with the Department of Sentencing Policy's core functions and priorities, which are listed on there. I know we've heard a lot, there is a lot about data and reports absolutely, this is a job that this this does, I guess in my mind, I was looking at those five core functions and priorities are listed which were, administrative, budget, commission, outreach, and data and reports. So, I try not to focus my thoughts in just one area, try to look at it all, one thing at least I do know is, Ms. Gonzalez has a fantastic staff who has been able to assist and develop there. So, I guess while the main purpose seems to be data, I guess there is so much more than just the data, and I tried to really look at well-rounded.

Mr. McCormick: Chair, I'm willing to make a motion to move this along if you are ready to entertain one?

Chair Stiglich: Go forth.

Mr. McCormick: All righty.

JOHN MCCORMICK MOVED TO NOMINATE MS. TRISH ELLOYAN, MS. JORJA POWERS, AND MS. DELEYNA JOSEPH AS THE CANDIDATES FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE NEVADA DEPARTMENT OF SENTENCING POLICY.
DIRECTOR JAMES DZURENDA SECONDS THE MOTION.

Chief Bays: I agree with two of those names, but how would we, I don't know, I propose what about doing them one at a time? Potentially?

Chair Stiglich: Well, we have a motion and a second. So, unless there's something, I'll turn to the Director, something to add.

Director Gonzalez: So, I would say first, obviously the motion could be amended. So, we have this motion on the table. Now we have the discussion. We can move forward with a roll call vote of this specific motion and if it's majority we can leave it. We could also, if that fails, we could work towards a different motion.

Ms. Grosenick: May I ask a question? Do we have to send three names?

Chair Stiglich: As I read it, when we have more, I think yes, we do. I mean, that doesn't mean I am right. That's just what, you know, as I understand it. I think that's the fairest to the Governor. We have a number of qualified candidates. So, yeah.

Ms. Grosenick: Thank you.

Chair Stiglich: Chief Bays?

Mr. McCormick: I was going to say that listening to the discussion I will amend my motion. We send Powers and Elloyan up and then figure out the third one, separately.

JOHN MCCORMICK AMENDS MOTION TO NOMINATE MS. TRISH ELLOYAN AND MS. JORJA POWERS AS THE CANDIDATES FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE NEVADA DEPARTMENT OF SENTENCING POLICY.
DEPUTY CHIEF AARON EVANS SECONDS THE MOTION.

Mr. Hoffman: I had a thought, what if we just vote separately on each candidate, and the ones that get a majority. Then if there's three or less then those are the three. If there's more than three that get a majority, then we decide who to cut. Maybe that's the cleanest way of getting who we all want.

Chair Stiglich: Well, I think that's certainly one method. We have a motion and a second though. So, is there anything further on that? Yeah, and I did get a second from Deputy Chief Evans. INAUDIBLE 2:43:31-2:34:35. For the amended motion, Director Dzurenda, are you okay with that as well?

Director Dzurenda: Yes, with the motion.

Chair Stiglich: Okay, excellent. All right then, we have motion and a second. Is there any further discussion on forwarding the two names, Elloyan and Powers? To the Governor? Any further discussion?

MOTION PASSED UNANIMOUSLY.

(ROLL CALL VOTE CONDUCTED BY DIRECTOR GONZALEZ)

Chair Stiglich: All right, so those are two of the three names. So, then let's continue the discussion as to the third name. Kind of what has been discussed and some of the names that have been provided, just some other thoughts that I have. It's what, you know, to me, obviously I'm one the people who indicated Mr. White was in my top four because he's very impressive having had experience with the federal system as well as the state. You know, the federal system can inform what we do in the sense that they of what you

can do if you have enough people, and enough resources, and low volume. So, it's like not a perfect world in corrections but that's about as perfect a world as it can be. When people can truly supervise somebody, and get to know them, and provide them services. So, those are things that like high level can kind of inform the goals that we have for what we do here. That said, on the kind of data think of a policy piece, we have any number of exceptional corrections people here, that with that deep experience that we can always draw on, that are available to us. That kind of data piece in thinking policy, academic piece, I don't have, you know. So, that's something that isn't as easy to draw on because it is you know, it's a unique skill set, and so, I think we do have some people the two we sent or, that we are going to send. And that's where Ms. Joseph was certainly one of my names because just that education, that analysis piece, is something that is more unique and less available, I think to us in some ways. So, there are just some thoughts that can apply to other candidates as well. I know Ms. Cafferata who I have you know, a much respect for and a lot of, you know, she's inspirational in her career, her service to Nevada, and that, but you know, with the data piece, you know, that piece, I don't know that's, you know, that's been something that she's had to lean into from a deep, you know, current policy, perspective from actual implementation. Like, I look at the items that are created and I share her awe, like those are great dashboards! They are great dashboards! I would have no idea how to put that together, who could put that together, but I'm very impressed with that. As I think, she was, I think in terms of her experience, I think the Ethics Commission is a very different Commission, leading that group than what we expect from the Sentencing Commission, and that's what I am talking about it being both an implementer and a generator. And so, those are just some thoughts that I have.

Dr. Lanterman: With respect to Ms. Joseph, let me take a step back and focus on the position first and then, specifically my concerns with Ms. Joseph. So, the Department of Sentencing Policy has staff who are excellent at what they do, but as Executive Director responsible ultimately for the product that your agency produces, and so, you have to understand what they're generating. You have to be able to validate what they're producing, you need to be able to look back at their work so to speak, and determine whether or not they did it the right way, because you can get to an answer, it might not be accurate, right? You might have violated all sorts of analytical assumptions, like all sorts of mishugas can happen with data and so, you as the Executive Director you're responsible for that. So, if you don't have a really strong understanding of research design of data collection, of data analysis, where the gaps are, where people, you know, play fast and loose with data, or whether you know, so there are a lot of problems there. So, as a person in this particular position, there are lots of administrative, and managerial, and relationship building requirements associated with the position, but at base if you don't understand research design, and data collection, and analysis, is really going to compromise your ability to ensure that the Department of Sentencing Policy is producing the best available data.

With respect to Ms. Joseph, she actually has very limited research design and analytical experience. Like, I'm familiar with her level of experience here and it is not the level of experience I would be comfortable with an Executive Director in this position having, right? And so, that is the same type of concern that I have with Mr. White. That that's a really significant limitation in their background, despite all the other benefits and so, if that is going to compromise the ability of the Department of Sentencing Policy to perform its tasks, then, we've got a problem.

Mr. Hoffman: So, I like Ms. Joseph better out of those candidates. I think one important piece of it is, she was talking about in her research experience, it's about the difference in perceptions between researchers, and police agencies, and the public, and I think that's an important thing for us to consider because the point of us generating all of this data isn't to just have the data. It's so that the data can be used by people in the Legislature, can be used by courts, can be used by members of the public. So, it's not just about gathering the data, it's about understanding how to communicate that data out to people who don't have Criminal Justice System experience necessarily. So, I think that is a point in her favor. The other kind of point I would make in response to what Dr. Lanterman was just saying, I agree with the concerns that she has, but I think Ms. Joseph is maybe better suited to grow into that role. You know, she's still a doctoral candidate, so she'll get her doctorate. Compared to Mr. White, who's already had a very extensive career doing something that doesn't involve this sort of data collection. So, I would support Ms. Joseph over Mr. White.

Ms. Grosenick: I just want to follow up on because I agree one hundred percent with Dr. Lanterman and that's why I asked if we had to send three. So, I guess my question would actually be for you Dr. Lanterman, was there anyone else on that list that you felt would have more of the data integrity research, you know, education training or experience that would be relevant to the role besides Ms. Joseph.

Dr. Lanterman: My preference would be that the interpretation of the directive to us would be that we don't have to send three candidates forward to the Governor.

Ms. Grosenick: And I do just want to point out that, some of my concern with some of the candidates and the lack of data, is that we did spend time figuring out what we wanted to be minimum qualifications versus preferred experience, or preferred traits and so, we did include understanding of criminal justice, data collection, and analysis, as one of those criteria that we really want to have and I think that's for a good reason for the reasons that Dr. Lanterman said. So, I just wanted to add that in.

Dr. Shera Bradley: Can I make a quick comment about Megan McCoy? I can't remember who brought her up. I was excited about her experience looking at her resume. Given what was mentioned, her Legislative Council Bureau, she lists some of the data involvement that she's had, with collection, training people, putting together reports. However, she said very little about that in her presentation and even in the questions that were posed of her. So, I think I felt a little bit confused about that. I'm kind of struggling myself to find a third person, I don't know what our options are. If second interviews are an option? If we have to generate three, another round of applications? I guess I'm just not really sure what the options are for where we go from here.

Mr. Hoffman: Just want to jump in here. I pulled up the statute. This is NRS 176.01323 subsection 2, The Executive Director of the Department must be appointed from the Governor from a list of three persons recommended by the Sentencing Commission. So, to me it doesn't sound like we have discretion. It sounds like it has to be three. Leave that up to everybody else.

Vice Chair Brady: One thing I want to point out too is, this is a team and so, we have a Deputy Director and a Director. So, if Ms. Powers gets the Director spot, we still have a Deputy Director spot that can be filled. If someone else gets the Director spot, Ms. Powers is Deputy Director. If she decides to leave, then the Director can still choose someone that has good experience in data. So, I'm thinking of this from more of a holistic standpoint that if we were to send three. It is a team and as a team, you know we can ensure, they can ensure, that it's a well-rounded team with somebody. At least, somebody on the team that has good data experience. Just wanted to point that out.

Chair Stiglich: Senator?

Assemblyman Orentlicher: I'd like to comment on Ms. Joseph, and I was surprised, so maybe Dr. Lanterman could elaborate on her concern about Ms. Joseph's state of collection and analysis skills. That seems something I would expect to be integral to her PhD work and one of her references specifically comments on her immersion on data as part of her PhD. So, I thought that was actually one her strengths, would be one of her strengths.

Dr. Lanterman: So, at this point, Ms. Joseph is a doctoral candidate. She has not defended her prospectus yet. So, she has a lot of theoretical understanding of research design, execution of research, theoretical understanding of data collection. May have learned data analysis skills, has not actually independently executed those tasks, right? She hasn't. She is in the process of developing something called a prospectus, which is a dissertation proposal, right? So, at this point the proposal hasn't even been accepted and so, she's not actually doing that work. I think it's important to you know, Mr. Hoffman's point, that somebody is thinking about what the relationship is, between what we understand information, how we understand phenomena from the academic side, and how the public understands those things. So, I think that sort of that understanding of the work that the Department would be doing is important, but then again, she's not actually done the work to those things, right? She's not actually gone out and talked to anybody yet. None of these things have happened, this is all theoretical. And so, you know earlier Deputy Chief Evans highlighted

you know, concerns about practical experience, right? If you're only learning about something in a classroom but you haven't actually done the implantation. Well, now we've got a disconnect, right? So, you might have somebody who's learning about research design, and data collection, and analysis, but that's actually different than actually having done it, and found out all the way those things go wrong when the rubber meets the road, and like, how you have to adjust, right? So, with every candidate I think there's some strengths and some drawbacks. If we're going to adopt this perspective of the Department as a team and you've got some people on that team who are strong in terms of data already. You know, using Vice Chair Brady's example, if Ms. Powers were to stay in the Deputy Director position, and she's got you know, strong skills there. Then, you might want somebody in an Executive Director position who's got strong management experience, right? So, my concern with Ms. Joseph is where exactly is she strong in this case, right? She's not particularly strong when it comes to research design, data collection, and analysis. She is not particularly strong when it comes to administration or management, right? So, she is a candidate with some strengths relative to other candidates, but from my perspective they're not necessarily qualities in her background that set her apart from other candidates.

Chief Bays: So, I just wanted to add that if you look at her experience, she's also not able to apply them in any of the positions that she's either held or is in now.

Mr. Katschke: I agree with much of what Dr. Lanterman has said regarding Ms. Joseph and to Ms. Brady's point. If we're looking again at holistic approach regarding building a team, I think then my preference would be Ms. Cafferata, just given her experience, her connections throughout the state, and her history working with as an Executive Director with the Nevada Commission of Ethics. I think she'd be able to build a decent team, even though she is also lite in the data analytics portion of her resume. So, that would be my, I guess, suggestion for the third person.

Director Dzurenda: One thing I want to just mention when you're looking at some of the backgrounds of some of these individuals, if you look at even Todd White, he did have implementation processes that he did put a team together for re-entry court and he was a policy writer. When you're talking about data and getting information from agencies, it's easy to get the data and ask for them, but you got to know what you're asking for and how it impacts. Having somebody that understands how the sentences impact re-entry, how the rest and those that are the violent crimes. The less violent crimes impact somebody being returned to the community, and getting rehabilitation, and all that. To me, that was my strongest factor with Todd White, and I think that's what we really need in a Sentencing Division, is really understanding those impacts, and what information, and what data you got to ask for, because you do understand what someone that had this type of a background that understands how it affects individuals being re-entered back into society. Those that have been arrested on certain charges, long-term, short-term, mandatories, all those things. You would have to understand when you're developing a re-entry team. Which he has done for the courts. So, that was what I thought was the biggest point with Todd, that isn't data driven but it's also, understanding what data will mean when you are looking for things that are going to impact the community.

Chair Stiglich: Thank you. Any further comments? Anyone else want to weigh in? Go ahead Senator.

Assemblyman Orentlicher: Sorry and maybe back to Ms. Joseph, maybe is this something that Dr. Lanterman you said, or having not done a prospectus, and maybe is that something she said, that I just forgot she mentioned. When I looked at her resume, it says she list next July as expected date of her PhD. Which suggests she is pretty well along. So, is that something that came out in some other place or that just inaccurate?

Dr. Lanterman: She referenced this in her comments. So, when she said, I asked her something to the effect of, okay that's great what have you found, you said you have studied this, right? And, said I haven't done that yet, right? So, let's just say for the sake of argument the prospectus has been defended and approved. Nothing's actually happened, right? So, implementation of those skills, right? We don't know like has she done this and found out. Oh my gosh trying to actually talk to people and figure out what is think, is a lot harder than I thought it was going to be when I read it in such and such textbook, right? Or you know,

what now? I now I have this problem with all these data because they're not saying what they should be saying, or I can't get a sufficient sample, or I'm having all these issues, right? So, none of this research has actually happened, we don't know what her skills look like in application.

Assemblyman Orentlicher: Okay, thanks.

Chair Stiglich: Any further discussion?

Vice Chair Brady: I know nobody else mentioned Donald Poole, but I did want to just for the record, say that I still think he was a good candidate as well. He has the experience of working in pre-trial, and working in law-enforcement, and he's got the experience of working in rural Nevada. Which I think a lot of challenges we have in rural Nevada and so, I think his perspective and his leadership could benefit too, but I'm not going to push it. I was the only one that mention him. I also do want to say for the record, I was initially excited about Megan McCoy, and I was little confused that all the answers. As much as I love horses, that it really all revolved around that work. That it didn't seem to quite fit, but I did want to make a comment because I know that Evans was also thinking of her. Thank you.

Chief Bays: Ms. Cafferata's name came up, and then the discussion about Nevada, and knowing what questions to ask, that is absolutely true. It is very important when you're dealing with data and knowing what to ask. Out of all the candidates, I think Ms. Cafferata absolutely knows Nevada and where her history is with system. So in-depth that, you know I think it would be a very good possibility for that third candidate. She certainly does know those questions and challenges in the history.

Chair Stiglich: Further discussion? Right, does anyone want to make a motion? 2.58.07

JIM HOFFMAN MOVED TO NOMINATE MS. DELYNA JOSEPH FOR THE THIRD CANDIDATE FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE NEVADA DEPARTMENT OF SENTENCING POLICY. JOHN MCCORMICK SECONDS THE MOTION.

MOTION FAILS.

(ROLL CALL VOTE CONDUCTED BY DIRECTOR GONZALEZ)

CHRIS DERICCO MOVED TO NOMINATE MR. TODD WHITE FOR THE THIRD CANDIDATE FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE NEVADA DEPARTMENT OF SENTENCING POLICY.

JAMES DZURENDA SECONDS THE MOTION.

Vice Chair Brady: Where are we number wise, if he doesn't pass, will we vote for Cafferata?

INAUDIBLE 3:01:13-3:01:21

Chair Stiglich: If this vote were to not pass, then it would be open to the Commission to further discuss or recommend a third name.

MOTION PASSES.

(ROLL CALL VOTE CONDUCTED BY DIRECTOR GONZALEZ)

Chair Stiglich: All right and thank you for the hard work on that, and the discussion. Director Gonzalez will prepare out recommendations and submit them to the Governor's office. You know, robust discussion, doesn't mean again, I started out how grateful I am that we had so many good candidates. So, I think it's wonderful and now we will leave it to the discretion of the Governor, to then decide who will lead this Agency on his behalf. So, I want to thank you, we'll close this agenda item.

7. Discussion of Potential Topics and Dates for Future Meetings.

Chair Stiglich: We'll turn then to item seven, Discussion of Potential Topics and Dates for Future Meetings. As we wait to hear from the Governor on the appointment of our Director. At this time, I'm going to ask that the Deputy Director Powers serves as our acting Director. I will meet with her and her staff to schedule the

next meeting to keep our efforts going until the Governor determines who will be the new Director, and staff will let you know as soon as we have that scheduled. Meanwhile, does anyone have anything else that they'd like to be considered for future meetings?

Director Gonzalez: I just wanted to mention that I'm inviting the candidates all of them, especially the ones whose names we're going to move forward to a very, very informal, I'll call reception at the office, immediately following this meeting. So, that will be an aspect for them to take into consideration if they were offered the appointment and then, consider that when accepting. So, I'd invited the members of the Commission here up north, if you're around and would like to stop by the office. Would be nice to have you, I'll plan on being there till about 1:30, if you'd like to stop by and to convene after. Thank you.

Chair Stiglich: Thank you Director. Anyone? Any items at this time you'd like to have for future discussion? Or certainly if you think of something later, reach out and let us know. Dr. Bradley?

Dr. Bradley: I have one?

Chair Stiglich: Sure.

Dr. Bradley: I've brought up some of these topics before, but we don't have to get into specific details at this moment necessarily, but I still like to take a look at mental health in our system and look at some data points we could potentially track. Especially, as it applies to people coming out of the forensic psychiatric hospitals, and going into the prison, and the tracking that goes from there, all the way to release in terms of services, recidivism, various different data points.

Chair Stiglich: All right, thank you. Any other further items? All right hearing none. We will close item seven.

8. Public Comment

Chair Stiglich: I'll open the second period of public comment. Is there anyone in Carson City or Las Vegas who wishes to make public comment? Please.

Chief Kirk Widmar: Commission members I know you have been here awhile, so, I'll make this very brief and short. My name is Kirk Widmar, I'm the current Chief or the Administrator for the Offender Management Division for the Department of Corrections. And I would be remiss not to take this opportunity to express some gratitude towards Director Gonzalez in her efforts in pushing better Criminal Justice Reform forward for the state as a whole. I started, I've been in the position now just shy of two years, and during the interim, and then, this Legislative session. Got to work with Victoria and her team extremely close and the data-driven product that allowed for unanimous votes out of both House and Assembly, and the success of the desires of this Commission is a direct reflection of those efforts. It is my hope that the Commission will continue in that motion. That the Department will continue in that motion of data driven, nonpartisan, approach to what is the best efforts for the Department, what is the best efforts for our partners in Parole and Probation, and in Parole Board, and the other members of the criminal justice system. And so, it is with great gratitude to you Victoria. It's been a pleasure to work with you. It's an honor, and boss hopefully I didn't say anything that gets you in trouble. Thank you.

Chair Stiglich: Thank you for your comment. Is there any further comment in Carson City? Hearing none. In Las Vegas?

Mr. Cosio: No one up here.

Chair Stiglich: All right, thank you. I'll ask BPS. Is there anyone on the line for public comment?

BPS: Thank you Chair. The public line is open and working however, there are no callers at this time.

Chair Stiglich: All right, thank you. We'll close that second period of public comment.

9. Adjournment

Chair Stiglich: And before we adjourn, now is the time when Commission members, I think you can say thank you to Director Gonzalez, who has been exceptional. I don't consider her as moving on, I consider her as moving over. So, she's moving somewhere else, and we tend to draw upon all her new experiences, contacts, expertise, and further the important work, and the incredible work that she and her team have done here. So, thank you.

Vice Chair Brady: I just want to express my appreciation. I've enjoyed working with you and I think you've done an amazing job at getting this Department up and running from nothing, and so, congratulations to you, and wish you all the best. I hope that your comment that you're going to stay in touch, that you keep that promise.

Mr. McCormick: I would echo everything everyone else has said, and Victoria it has certainly been a pleasure to work with, and collaborate with, and see her sort of raise the Sentencing Commission from nothing to what it is now. And I would also just like to say that if she can take one thing away it's the fact that I can understand good time credits now. I have not been able to, for I don't know, like fifteen years, but now they make sense with that bill. So, I really appreciate it.

Chairman DeRicco: And I certainly want to thank Victoria for the friendship, and the times we've had. You know, as Chairman of the Parole Board and working directly with her, you know, we've had very good relationship work together, we've butted heads as well, we've done all of this but that's what it truly should be, and we have this discussion about we're all trying to do what we believe is best for this state. And through the good times, the bad times, everything is gone, we know that the relationship and everything is there, is all for the good of the state, and I want to thank you for always being professional with that, and to know, and see all sides of the viewpoint, and really working together with all the agencies. So, thank you so much.

Deputy Chief Evans: Victoria, it's been a pleasure. Those three names we submitted today have some huge shoes to fill. It's going to be hard; I do not envy them to have to stand up to what you said, but you've been fantastic to work with. I think you've taken the concerns of everybody, you know and worked on finding those compromises, when people didn't agree. I think we've put out a really good work product and you're a huge part of that and you'll be missed for sure.

Director Gonzalez: Thank you so much. I think you know this because of what nice words that were just said, I sincerely love you so much. This has been a dream job. Before this, I felt really lost, you know, my resume is all over the place. I just have this passion to help people in the Criminal Justice System and this Commission took a chance on me because of my enthusiasm. It's interesting listening today because of where we've evolved. I don't, I'm not a researcher, I'm a lawyer, and I think it shows opportunity for grow, but like I said and what Justice Stiglich said about, I really do see this relationship evolving. We're just moving on to a new phase of this relationship, and I can't thank you enough. Again, this is a dream job, and I think those are the shoes to fill. Is to live up to being this kind of role in this position and Chief Widmar, thank you for what you started, you knew what we went through this session, and the partnership to really bring some real change to the state. That people won't even realize they're benefiting from and that's just the start, and I'm so excited. I'm so excited for what comes next for all of you, and you're not done with me, and please reach out anytime, because of my affection for you, it's sincere. And thank you, and I wish you well, and I know, I'm going to see you again. Thank you.

Chair Stiglich: And we are adjourned.