

Steve Sisolak  
Governor

Victoria Gonzalez  
Executive Director



Justice Lidia Stiglich  
Chair, Nevada Sentencing Commission

Christine Jones Brady  
Vice Chair, Nevada Sentencing Commission

**STATE OF NEVADA**  
**DEPARTMENT OF SENTENCING POLICY**

625 Fairview Drive, Suite 109  
Carson City, NV 89701-5430  
Phone: (775) 684-7390  
[sentencing.nv.gov](http://sentencing.nv.gov)

**NEVADA SENTENCING COMMISSION**

**MINUTES DRAFT**

**Date and Time:** November 4, 2022, 9:00 AM

**Location:** VIRTUAL ONLY

**MEMBERS PRESENT**

John Arrascada  
Chief Michelle Bays  
Dr. Shera Bradley  
Director Elisa Cafferata  
Chuck Callaway  
Chairman Christopher DeRicco  
Director William Gittere  
Athar Haseebullah  
D.A. Chris Hicks  
Jim Hoffman  
Judge Tierra Jones  
Dr. Jennifer Lanterman  
John McCormick  
Kimberly Mull  
Julia Murray  
Senator Nicole Cannizzaro  
Assemblyman David Orentlicher  
Vice Chair Christine Jones Brady  
Chair Justice Lidia Stiglich

**MEMBERS EXCUSED**

Judge Scott Freeman  
Natasha Koch  
Jon Ponder  
Senator Pete Goicoechea  
Assemblyman Tom Roberts

**STAFF**

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

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

**Chair Justice Lidia Stiglich:** Good morning, I'll now call to order the November meeting of the Nevada Sentencing Commission. It's good to see everyone here today even in the virtual format. I'd like to welcome those who are viewing the meeting on the Department of Sentencing Policy's YouTube channel. This is the seventh meeting of our 2021-2023 meeting cycle. I'll now ask Director Gonzalez to take the roll.

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

**2. Public Comment**

**Chair Stiglich:** I will now open agenda item number two. The first period of public comment. There are two periods of public comment one at the beginning of the meeting and one at the end. Members of the public have two options for submitting public comment. First members may do so in writing by emailing the Department of Sentencing Policy at [SentencingPolicy@ndsp.nv.gov](mailto:SentencingPolicy@ndsp.nv.gov). Public comment received in writing will be provided to the Commission and be included by reference in the minutes of the meeting. Members of the public who wish to testify may do so by telephone. Due to time constraints public comment will be limited to two minutes. Any member of the public that exceeds the two-minute limit may submit your comments in writing to the Department of Sentencing Policy. At this time, I'll ask staff to manage and direct those who wish to testify by telephone, Mr. Sepulveda.

**Mr. Jose Sepulveda:** Thank you, Chair. Members of the public who would like to testify by phone, press star nine to raise your hand. When it's your turn to speak please slowly state and spell your first and last name. We currently don't have anyone in the waiting room right now, Chair.

**Chair Stiglich:** All right, thank you Mr. Sepulveda. Moving on then, I will close the first period of public comment.

**3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission Held on August 24, 2022**

**Chair Stiglich:** Moving on to agenda item number 3. Members of the Commission have been provided copies of the minutes from the August 24, 2022, meeting. Are there any edits, comments, or corrections? Okay, hearing none-seeing none, I'll entertain a motion to approve the minutes from the August 24, 2022, meeting.

JOHN MCCORMICK MOVED TO APPROVE THE MINUTES OF THE MAY 9, 2022, MEETING

JOHN ARRASCADA SECONDED THE MOTION

MOTION PASSED UNANIMOUSLY

**4. Report from the Executive Director of the Nevada Department of Sentencing Policy**

**Chair Stiglich:** I will now open agenda item number 4, a report from our director at the Department of Sentencing Policy. The director is statutorily mandated to report to the Commission on sentencing and related issues regarding the functions of the Department. We have her provide this report and update us on their recent activities at each regular meeting of the Nevada Sentencing Commission. I will now turn the time over to Director Gonzalez to present her report.

**Executive Director Victoria Gonzalez:** Thank you Chair, good morning everyone. First for my report I will provide a quick update on our recent activities then I will provide an update on the Justice Counts effort and finally we will present data in preparation for the comprehensive report that is due January 15. The meeting materials you have for this agenda item are only for the data part of the presentation.

First the update I have in regards to our recent activities is related to scheduling and organizing meetings for this commission. In coordination with the Chair, it might make more sense for the Commission to meet more often but for fewer hours. The last couple of meetings of the Commission have been effective but very lengthy. The Commission has a lot of important work to do so we are working to figure out the balance of work for the Commission and the time needed to get everything done. With this in mind we are going to work to organize meeting agendas that are two and a half to no more than three hours in length and then depending on the work of the Commission meet every month or every other month depending on the work that we have. I believe this will also help the continuity of the work of the Commission to keep the discussion and information fresh in our minds. Towards the end of the meeting cycle, we will check in with the Chair and the Commission members to evaluate if this approach to meetings works best for this group.

Next I have an update on the Justice Counts efforts. Since the last Commission meeting where this commission approved to pursue becoming a Justice Counts founding state we held an informational summit for stakeholders and agencies from each of the criminal justice agency sectors who will submit data. The summit was a success and attended by members of most of the criminal justice sectors. I want to again thank everyone who attended the summit and the questions that were asked and the issues that were discussed. One of the more important issues that was brought forward was looking for opportunities to utilize data that is already being reported so as not to duplicate efforts. This is consistent with our mission and the Justice Counts effort. We are working with agencies to conduct this evaluation and will provide an update once we have all the information. After the summit, an opt-in form was provided to everyone who attended. The opt-in form is for those agencies who are ready to participate in Justice Counts. After completing the opt-in form, we will schedule an orientation with the agencies to discuss the steps for participating in the technical implementation of submitting data to Justice Counts. After orientation, an agency who opts-in will complete two to three more sessions of technical implementation to begin submitting data to Justice Counts. To officially become a founding state of the Justice Counts effort, we need at least one agency from each of the seven sectors to opt in. The seven sectors are prisons, supervision, prosecution, defense, law enforcement, jails, and courts. So far we only have three agencies from different sectors who have opted in. One of those agencies has already scheduled their orientation. We will keep you updated on our progress with Justice Counts. Before we move on to the data presentation portion of my report, are there any questions about our recent activities or Justice Counts?

Okay, not seeing anything then we'll go ahead and move on to the data. So now Mr. Cosio and I are going to present data to help us all prepare for the comprehensive report due January 15. We are going to share the slides that are included with your meeting materials. I will now turn the time over, Mr. Cosio.

**Mr. Erasmo Cosio:** Good morning. So at our last meeting members of the Commission had additional questions and requests and response to the data we presented those are listed here. We want to let you know that we are evaluating on how to best fulfill these requests. We will keep you updated on the efforts. Additionally, we will include this list in the comprehensive report as an evaluation on our data collection.

**Director Gonzalez:** So, what we have here is everything we need to get ready for the comprehensive report. As you can see here the report is due January 15 and as a starting point we wanted to refer to the statutory mandates for what needs to be included in the report. So according to the statutory mandate at a high level this commission needs to include recommendations referring to sentencing, budget, and legislation. There needs to be findings from the Commission, there needs to include outcomes resulting from the enactment of AB 236 from the 2019 legislative session, and there need to be a trends in crime rates after the implementation of AB 236, and then the Commission needs to identify gaps in data tracking capabilities and recommendations to fill these gaps.

So now let's talk about how we can measure those outcomes of AB 236. To measure outcomes from the enactment of AB 236, we recommend starting with a review of the goals of justice reinvestment. As you can see here there are five goals. Next we listed the data available to us and evaluated how the data we have could be used to measure each of these goals. The data available to us right now is both raw and

aggregated data from the Nevada Department of Corrections, some limited aggregated data from the Division of Parole and Probation and a case study that we are working on which you will hear about later on in this meeting. Our conclusion is that we have data to measure the outcome of goal number two, focusing prison resources on serious and violent offenders, and this will be the focus of our presentation today and how we analyze and present the data for you. On the next slide Mr. Cosio is going to explain the scope we use when analyzing what is serious and violent. Something for this commission to consider is if you want us to adjust the scope on what is considered serious and violent, and we want to let you know that if the scope were to be adjusted of course our analysis would change as well which we're happy to do and make it consistent with the efforts of this commission. Also, I want to mention that throughout the data presentation you're about to see, we are going to identify analysis and findings. At the end of our presentation, we will summarize the findings, how they aligned to the goals and statutory mandates, and how they can be included in the report.

**Mr. Cosio:** Here's the data that we will be presenting. Total population comparison from 2017 to 2022 continued from the previous meeting, total population by felony category totals and percentages, total population by offense group, totals and percentages as well, felony category by offense group over time and analysis of priors of new commits. A quick note, measuring serious includes analyzing the trends of the following all felony categories in sex and violence offense groups and all felony category A. So, on this slide we have total population by felony category in comparing 2017 to 2022. At our last meeting we presented similar information with a similar comparison. We have it here again to refresh your memories and with the intent to include this on the final report. The data used from slides 6 to 33 is based on raw data from NDOC, December 31 of 2017, 2018, 2019, 2020, 2021, and September 30 of 2022. Data only goes back to 2017 because this is the data that was requested from NDOC. Intent was to form a baseline for data before AB 236 was passed in 2019 and when it went into effect in 2020. This will be updated for the meeting next month to include November 30 and will be included on the comprehensive report.

So, this slide shows all category B felonies in the total prison population. Totals were those categorized with a B felony for the most serious offense. As you can see, the totals have been decreasing since 2017 and there may be possible increases in 2022. So, this slide shows all category C felonies in the total prison population. These are categorized with C felony based on the most serious offense. There has also been a decrease since 2017 and again we may see some increases at the end of 2022. We highlighted C and B felonies because AB 236 changed the penalties for certain offenses from B to C. So, this slide illustrates all categories A, B, C, D, and E over time. All felony categories saw decrease since 2017 and category A felony saw the smallest change compared to other felony categories. This is the exact same data that we just presented on the previous slide but this time it is grouped by year, so we have all the A's grouped together all the B's grouped together all the C's and so on. Here we can see the percentage of the population that each felony category represents over time. The percentage of offenders whose most serious offense group is A felony category increased between 2017 to 2022. You can see the percentage of B felonies stayed relatively flat while categories C, D, and E decreased. These decreases started in 2017 and 2018; the most significant decrease occurred at the end of 2022.

**Director Gonzalez:** Now for our analysis and findings of the total prison population as it is filtered by felony categories. The data analysis highlighted here aligns with the intent to measure the outcome of the goal to focus prison resources on serious and violent offenders. So, what we have here is a relative decrease in the felony A category offenders but increase in the percentage. Total number of category B offenders has decreased while the percentage has remained relatively flat. Total numbers and percentages of category C, D, and E offenders have generally decreased. So what are these findings as they relate to the outcomes of the goal to focus prison resources on serious and violent offenders? Our finding here is that these trends may show a focus on serious and violent offenders, but further analysis of offense groups is needed which is what we will talk about next.

**Mr. Cosio:** On this slide we're comparing total population by offense group from 2017 to 2022 based on percentages. This slide shows how proportions have changed among those offense groups. This slide shows the violent offense group in the total prison population. The totals have been decreasing since 2017. Based on current totals we may see some type of increase in 2022. This slide shows the sex offense groups in the total prison population; the total has been decreasing since 2017. Again, based on current totals we may see some type of increase at the end of 2022. This slide shows the offense group of DUI in the total prison population over the last six years as well. A decrease occurred between 2017 and 2021 and we may see some type of increase at the end of 2022. This slide shows the offense group of other in the total prison population over the last six years. The total of this group has been decreasing since 2017 and again based on current totals we may see some type of increase at the end of 2022. This slide shows the property offense group in the total prison population over the last six years as well. These totals have been decreasing since 2017.

Next up we have the drug offense group in the total prison population over the last six years and these totals have been decreasing since 2018. This slide shows the makeup of all offense groups in the total prison population across the last six years. So here we're showing you the percentage of the offense groups over the years. So, you can see on here that sex, violence, and DUI percentages have increased and the percentages of drug, property, and other have all decreased over time.

**Director Gonzalez:** Now for our findings in terms of the offense groups, the data filtered down by offense groups. So as Mr. Cosio stated and I want to highlight here, drug and property offense group percentages decreased between 2017 and 2020. Sex and violence offense group percentages increased between 2017 and 2020. Drug offense groups totals and percentages decreased between 2017 and 2022 and the sex and violence offense group totals decreased until 2022. So, what are these findings as they relate to the outcomes of the goal to focus prison resources on serious and violent offenders? The trends indicate here that our prisons are generally housing most serious and violent offenders because percentages of the more serious offense groups of sex and violence have increased while the percentage of property and drug offense groups have decreased. The other findings here that we wanted to highlight which are not specifically tied to the goal that we are focusing on today is that the sex and violence offense group are on track for a relative increase for 2022 so we will keep track of this for you and keep you updated, and the property percentage decreased by just over 2% between 2017 and the end of 2019. So that tells us there was a trend happening before AB 236 went into effect and our finding is that AB 236 enhanced this trend that has started in 2017.

**Mr. Cosio:** So, now we are going to begin to compare categories by offense group. This slide shows all category A felonies by offense group. There has been a decrease in almost all offense groups except DUI and property which went from 0 to 1. So next up we have the makeup of all category B's by offense group; there has been a decrease in all offense groups across category B. This slide shows the category C by offense groups; there has been a decrease in all groups as well. This slide shows the category D by offense group there have been a decrease in all but one offense group across category D, which is sex. This slide shows category E by offense group; there has also been a decrease in all groups.

**Director Gonzalez:** So, for the data analysis findings of felony by offense group, I'm going to highlight the data insights that Mr. Cosio already referenced but in the context of evaluating the outcome of the goal to focus prison resources on serious and violent offenders. So broken down by category we want to highlight that under felony category A the highest occurring offense groups are sex and violence. For felony category B the highest occurring and most common offense group is violence. For felony category C and D the highest occurring offense group is property and the second highest occurring offense group is violence. For felony category E the highest occurring offense group is drug. So, what are the findings here as they relate to the outcomes of the goal to focus prison resources on serious and violent offenders? What we see here is the majority of those housed in the prison are category A and B felonies and the highest occurring offense groups among these categories are sex and violence, the most serious offense groups according to the

scope that we presented in the beginning of this meeting. Additionally, what we find is the majority of the prison resources based on this findings are being focused on serious and violent offenders.

**Mr. Cosio:** So next we will pivot over to the information regarding a question presented. Is there criminal history of persons admitted with zero prior felonies? We have heard this issue brought up in previous Commission meetings, but it has been discussed in our meetings with stakeholders as well. To begin answering that question we compare total population, total of new commitments, and then filter those totals by zero prior felonies. This slide shows the comparison of those totals and filtered totals from 2017 compared to 2022. The filtering doesn't stop there. Next we took a look at these totals, analyzed them further by adding in filter to priors. On the left-hand side are the filters applied to the data element in order to obtain the new commitments with zero prior felonies and no other priors. Some of those filters that we included were prior jail incarcerations, prior probations, prior nonviolent misdemeanors convictions, prior violent misdemeanor convictions, prior prison incarcerations, prior felonies, and prior NV bookings. On the right-hand side you will see the totals each time that are filtered further until we are left with 410 persons with zero prior felonies and no other priors in 2017, 548 persons with zero prior felonies and no other priors in 2022. So, this slide shows the percentages of zero prior felonies and no other prior felony categories. We're comparing percentages of December 31, 2017, to September 30, of 2022 and in both of these instances you can see the majority are A's and B's. This slide shows a percentage of zero prior felonies that no other priors broken out by offense group. Again, we're comparing percentages of December 2017 and September 2022. In both instances again you can see that the two highest occurring offense groups are violence and sex. So now we have that same information but this time broken up by felony category first and then by offense group. The totals and percentages noted on this slide are those felonies and offense groups we consider serious and violent. These totals and percentages help us understand the composition of the new commitments with zero prior felonies and no other priors.

**Director Gonzalez:** So just as we have done with the other data sections, here is our data analysis and findings. In 2017, 2.96% of the total prison population are new commitments and have no priors. Of those about 75% are comprised of category A and B felons in the sex and violence offense groups in 2022 5.31% of the total prison population are new commitments and have no priors and of those, of the 5.31%, about 78% are comprised of category A and B felons in the sex and violence offense groups. So, our findings as they relate to that outcome of the goal to focus prison resources on serious and violent offenders is that of those new commitments who have no priors most are serious and violent and then related to that, similar to our other findings, is that based on the data we have here most offenders being housed in the prison are serious and violent and also have a criminal history.

**Mr. Cosio:** So here we have a visual representation of the total population going back to December of 2000. This chart starts in 2000 so we can see the comparison of the last time the prison population was this low. Then we took that same graph and shortened up the timeframe back to December 2007. This chart starts in 2007 because we wanted to show the effects of AB 510. Then we took that same exact graph and shortened up the timeframe back to December 2016 when the prison population began to decline. This chart shows that the prison population started to decline in 2017.

**Director Gonzalez:** So, here's our data analysis and findings in regards to the total prison population trends. We have discussed these before but wanted to itemize them here so that we have them prepared for the comprehensive report. So again, the overall downward trends started in 2017 as we have discussed in previous analysis. So, our finding on this is that the AB 236 reforms enhanced changes to the prison population that were starting around 2017. Additionally, our finding is that in responses to COVID from a qualitative analysis these also enhance changes to the prison population. It is going to be nearly impossible to determine which affected those, but we can see the existing trends and can find that these other aspects enhance those. The other thing we wanted to highlight is the prison population is the lowest it has been since June 2001 and based on our finding is focused on those who are considered serious and violent within the scope that we have presented to this commission. This brings us to our findings regarding the

goal to focus prison resources on serious and violent offenders. Our finding is that the majority of the prison population is comprised of the most serious and violent offenders based on the scope presented. We did this based on, we presented data to you that shows this analysis based on felony categories, offense groups, and criminal history and our finding is that prison resources are being prioritized for serious and violent offenders. Again, our analysis is focused defining serious or including the scope of serious as including sex and violence offense groups across all felony categories and then including all A felonies. This scope means that category B felonies are measured as serious depending on the offense group. As I mentioned, a question we have for the Commission is do you want us to adjust this scope? If we do we will then in turn adjust our analysis and findings based on any adjustments to the scope. The table on this slide will function as one of our outlines to help us right the comprehensive report. As you can see each AB 236 goal is listed and then we are tracking the data source, findings, and recommendations for each goal. Some of the information you see here has already been addressed at previous meetings for example that goal of strengthening responses to the behavioral needs of offenders. We don't have data yet to measure this, but the Coordinating Council and this commission have already approved a recommendation to request an investment on reinvestment in programs and treatment that will reduce recidivism. We will have more analysis and findings to present at the next meeting that will fill in some more information on this table. The table on this slide will also be used as an outline to help us draft the report but is organized by statutory mandate. Organizing the information this way also helps us see where we have everything we need to fill our statutory mandate and where we need more information or resources. Regarding the recommendations for sentencing, we will not have a finding or recommendation prepared for the Commission in time for the report because of the data because of the volume of the data that we have but we should have more data and analysis by the 2025 session, in advance of the 2025 session for the Commission. Those fields where you see TBD or to be determined we hope to have something for you next month at the meeting. When it comes to recommendations for budget I want to add some additional analysis about how we focus our prison resources. If our prisons are housing mostly serious and violent offenders, this means our correctional facilities might need to be adjusted to better house those persons. If the data shows the majority of the prison population is serious and violent then we have to reallocate resources because those offenders are more expensive to house, but this also means we might not need the facilities or resources used to house lower-level offenders because they aren't there. I hope to have more data soon that will help us better analyze and understand this facet of the changing prison population. With that, Mr. Cosio and I are happy to answer your questions.

**Chair Stiglich:** Thank you for that report Director. Are there any questions for the Director or her staff?

**District Attorney Chris Hicks:** Thank you, Director, that's a really wonderful report. It's so great to see this data coming down. I was curious can you provide to the Commission the list of crimes that are within the serious and violent and sex offense so we can just see what's in there?

**Director Gonzalez:** We absolutely could put that together for you.

**Mr. Hicks:** Thank you and having not seen that yet, I do have a recommendation of additional serious offenses that you may want to consider adding. I doubt they're in there now, if they are forgive me, but I think residential burglaries are very serious offenses. I certainly know they are to victims that I've dealt with for many years. To that end home invasions are also very serious offenses. I also noticed that the DUI numbers have gone up. I don't think those are DUI third offenses because there's programming for that now. I think those are probably DUIs causing substantial bodily harm or DUIs causing death. I think those two are very serious offenses. I certainly, again speaking on behalf of victims, I know that those are very serious to loved ones. The other one I would also consider adding is trafficking in a controlled substance. Since AB 236 changed the drug laws, trafficking offense is over 100 grams of some of our most serious drugs. That is a huge amount of drugs, and so to that end I would also suggest that be considered a very serious offense. Lastly habitual criminals. There are habitual criminals that are classified as B's, category B's, not just A's and I think of course anybody who qualifies for habitual criminal probably needs to be

considered a serious offender. So, I say all that because I think of course all of those crimes are serious offenses that should be considered, and I'd encourage you to do so, and I also think it will show even more that in fact our prisons are filled with serious and violent offenders. So, thank you for considering that and I look forward to seeing that list. Thank you Chair Stiglich.

**Director Gonzalez:** So, one of the things that I think is going to be interesting and I think helpful for this commission to engage in is that discussion of where we should put some of these offenses because currently based on the data we're filtering we're relying on how they've been categorized by DOC so if we can filter that information out when you're talking about residential burglary and home invasion and those other offenses, we can bring that information back to the Commission and say just so you know this is where they fit in DOC and that can be something for this commission to discuss further when it comes to that. In terms of what you're talking about, the DUI, I appreciate your input; that's one of our questions too when it came to what to do with those DUI offense groups because you can see where because of the felony categories that those DUI offenses are in, they are the more serious of what you're talking about and I can tell you that the majority of them are what you are referring to with the serious bodily harm, and so we could get the numbers on that so you could actually see what those look like. Then with trafficking as well, because that is already going to be especially for category A that's what a drug offense is going to be, but we could get that and discuss that further. Then your comment about habituals has been a long discussion that we're continuing to have in this commission that we're trying to figure out how to get that data and so we're working hard for that too so we can really distinguish what offense groups we see those instant offenses happening in and so that's an effort that we're working on as well and appreciate that input.

**Chair Stiglich:** Thank you, Mr. Hicks and thank you Director. Are there other questions or comments?

**Ms. Kimberly Mull:** I do have a couple well one comment and then a question. So, my comment would be when you're talking about the B just the overall B category versus the sex crimes and violence crimes and just across the board, so I do know that breaking into a vending machine is a B felony in Nevada whereas trying to purchase a child for sex is a D felony so there's just a difference I think in some of our you know correlations if you're just looking at B as a whole so I don't know if you know just making sure things like breaking into a vending machine really don't you know get thrown in there with some things along with some of the more violent crimes. Then you were talking about how there is an increase in the sex offenders but it's really an increase in the percentage of a declining prison population. So, the overall numbers is a decrease in the number of individuals that are incarcerated for sex crimes but overall in the state were seeing an increase in victims seeking services for sex crimes and not a small increase in percentages just an overall increase in numbers. So I'm just curious why there's such a difference in disparity in the number of people that are incarcerated for the sex crimes versus the number of people that are seeking services so is it a difference in the fewer people are getting convicted, fewer people being prosecuted, people getting shorter sentences, so I was curious if like the Justice Counts because it's looking at so many different things maybe it would enable us to see where that correlation is or if you know if that's something that Justice Counts will help us be able to look at.

**Director Gonzalez:** So, I'll say in terms of what we're measuring here we were analyzing the population at the end of the year, the total population for that period of time and so what we could do is look at analyzing admissions and releases of just sex offenses which would give us a better idea of who's coming in and out throughout the years and that would be one aspect. The other aspect I would say is that we are just focusing on the prison here which is just felonies, not just felonies, it's felonies right, and so if we were looking at anything where anyone was housed in the jail we don't have that information. So, to your point it might be possible to get that; I think we're going to end up in the same place with Justice Counts. We're going to have to dig a little bit deeper because Justice Counts is going to rely on data metrics that already exist and the way they're categorized now. What we'll learn from Justice Counts is once we can compare how other agencies are categorizing, collecting data we might understand where they're putting those offenses as far as how they're reporting them. So, we're hoping to get that drill down, but I agree like I'm



hoping that effort will help us get the local data to help us get the full picture because you're right there's a lot of these data metrics and what we want to be able to do is have the whole picture and all we have right now is the prison data. So, the information you're bringing up would be helpful to analyze and dig a little deeper and I think it's going to take more of the qualitative analysis to actually do some deep dives into someone seeking services and how we want to talk about that in comparison to those who are being convicted and serving sentences. So, I think that's something we could look into and figure out how to get some of that information and work with you on that as well.

**Chair Stiglich:** Director, briefly to Ms. Mull's question about like a vending machine, within the category B right you've filtered out serious and violent Cat B so like within every category this data represents what, just to clarify for Ms. Mull.

**Directory Gonzalez:** Yes, so with the category B that's why we talk about the B's first but then we broke them down by in order to be considered serious and violent among the B it would be sex and violent. So, then we took the B's and then broke them down by what percentage of the offense group was comprised of B and it was the more serious offenses which would be sex and violence. So, the percentage of B's that are sex and violence was higher than just the breaking that down by the percentage was it helps us understand that. Does that help?

**Ms. Mull:** Thank you, yes I just wanted to make sure.

**Chair Stiglich:** All right thank you, and thank you Director, and thank you Ms. Mull. Dr. Lanterman and then Vice Chair Jones.

**Dr. Jennifer Lanterman:** So, regarding the disconnect between the number of people serving sentences for sentences specifically for sexual crimes and the number of people seeking services for having experienced sexual crimes. I think we might need some very specific initial data because sometimes when we see that type of disparity it suggests the potential like oh these cases aren't being prosecuted and we do know that very generally there are some challenges associated with prosecuting sexual crimes but we also know generally that there is a real disconnect between the number of people who report experiencing sexual victimization and the number of like so they report outside of law enforcement versus the number of people who actually report to law enforcement. So, it's sort of like if you put a funnel on its side that never keeps getting smaller so it might be useful to although this would be labor-intensive to collect data on and maybe Justice Counts is the way that we could do this is what are the numbers of people who are reporting sexual victimization to law enforcement right. So, we move further back into the process and then we can compare what do those numbers look like with people who might be seeking services, the number of people who are reporting sexual victimization, the number of cases where alleged offenders are charged and then how those cases move through the criminal case process and that might give us a better understanding of what's going on with those particular crimes because we do have a lot of challenges with those in terms of data, and then that can help us identify where might be the better target points to direct interventions to address particular solutions. Thank you.

**Chair Stiglich:** Thank you Doctor. Just to suggest and Director correct me I mean somebody coming in the door right now for services for an offense is there any alleged offenders unlikely to be represented in our data because that's going to be way down the road. So, you know it's hard to determine what to extrapolate from what's happening necessarily on the ground although it's good to be aware of it and then connecting that with what we're doing here which is you know could be years I think years beyond a current trend. So, thank you.

**Vice Chair Christine Jones Brady:** So, Ms. Gonzalez you mentioned earlier that in the Justice Counts you had certain categories that you met for entities that will be reporting the numbers. Which categories do you not have, which categories do you still need?

**Director Gonzalez:** I would say all of them. So, we're still in the beginning process so what we have is we have agencies from three different sectors who have opted in, and we haven't met with them for orientation. So there's seven sectors and three of them so the sectors who have opted in so far is one agency from public defender, prisons, we have a law enforcement agency. So for the sectors such as prosecution, defense, courts, jails, law enforcement, we're looking for multiple entities multiple agencies to participate, so yes we need all the other sectors but we have three who have opted in, one who is signed up for their orientation, and we're working with the other two who have opted in and need to get their orientation scheduled and so then we're still looking for at least one but we want more representation from prosecution, courts, jails, and supervision.

**Vice Chair Brady:** Okay, so can you send us that information on how we opt in. To the committee because there's a lot of us on here that are in those categories.

**Director Gonzalez:** So, thank you, yes so we sent out emails to the entire Commission both inviting everyone to the summit and then we sent the opt-in form as a follow-up after the summit but I think because of the holiday I was worried about our emails getting buried in inboxes so I'm happy to send those out again, but yes that was our intent Vice Chair thank you for that input that I sent it out to the Commission because I knew this would be our contact for getting all this information out. So I think clarifying what we're looking for that I can send that out again to emphasize what we're looking for and then we also have a recording of the summit so thank you.

**Vice Chair Brady:** Oh, good is it coming from within the state or outside the state because I don't think I received those emails so if it's coming from outside the state we have this awful Barracuda thing that's blocking things so.

**Director Gonzalez:** It came from me but that's okay like I said I think there's been issues with emails so no everything is coming directly from me.

**Vice Chair Brady:** Okay.

**Director Gonzalez:** Yeah so we'll touch base and then I'm happy to get the information out because like I said I know everyone's really busy, and it gets bogged down so I'm happy to get that back out.

**Vice Chair Brady:** Okay and then in terms of the category C felonies, I was sort of surprised that there was also a decrease in those because with AB 236 they some of the things that were previously category B's were switched to category C's and so I was kind of expecting some of the category B's to go down yes but I was expecting some of the category C's to go up. So, then I guess that now that they're in C's and not mandated necessarily some of those to go to prison, judges are determining that they shouldn't be going to prison is that what's happening or they're actually fewer of them happening?

**Director Gonzalez:** If staff wants to help me out with this I will let them if they want to jump in, but I appreciate the insight so first I will point out again, we did the total population at the end of the year so that gives us a great idea of what the population looks like overall, but it does not show us the trends of admissions and releases. So I will say from my cursory analysis of the data which we can put this together is that because many of the category C's D's and E's they're getting processed through faster so what's happening is they are getting admitted and then because of jail credits and because of the length of their sentence they're able to be released sooner and so it is possible there is an increase but if there is then they're just not serving you know a lengthy sentences and sitting for an amount of time. So, what I think to your question would help is if we took the admissions and release data to see what trend do we see in C's being admitted. So, I would say what it's showing is the prioritizing of again the serious and violent offenses that's my take on the data. So, what I'm seeing is that, what we're seeing is like the serious and violent individuals are being sentenced to prison, and that others are either looking at sentences that you know maybe they've been given opportunities because AB 236 also offered different opportunities. Like we can see with the criminal history let's say we're talking about somebody who had a felony seeing it was their first

time they might be having other opportunities before they end up there. So, I guess I'm not surprised by the data knowing that shift from B's to C's because when you looked at the offense groups that they were changing it looked like that was a very focused effort on the types of offenses we were looking to provide opportunities for when it came right to those property and drug offenses but that's just my qualitative cursory analysis. And because I am aware of how quickly those low-level offenders are being processed through DOC and that they come in they have, jail credits, they're not there very long, and they're being released to parole. So that's what we see too right we see people having opportunities going to supervision and so even if they are there then they're having opportunities to serve their time and then move on to supervision and then continue to work towards rehabilitation and reentry, but we'll analyze the admissions and the releases which might provide some more insight on that. So, that's my take on that, that's interesting and so that's my take on why we might see that shift, and again I think it comes down to where we can see where the priorities are for our prisons right we can see let's make sure we're incarcerating these individuals and other individuals might be getting different opportunities.

**Mr. Cosio:** To add on not too much to Director Gonzalez's statement right now. Yes, that very well could be possibly it and then so the people that were coming in as B's before are now making up that section of the C's but then those C's could be somewhere else that were in there before and could be for whatever reason not serving the time and so like you said already that you thought there would be a larger amount of C's now because they've got reduced down from the B's and so that makeup of the C's could be the B's and then those C's that are normally C's could be somewhere else now.

**Director Gonzalez:** Thank you, actually I'll add one more thing too this is the most serious offense right? So, what's happening too is we're not talking about stacked bookings if we go with the most serious offense that's the data were presenting. So, if they were to have other offenses that were charged differently than if it hadn't been AB 236 we're not going to be able to capture that because if they have a more serious offense that then was booked with another, lower-level offense we're not going to see that in the data.

**Chair Stiglich:** All right Ms. Brady, does that answer your question for the moment?

**Vice Chair Brady:** Yes, thank you that was great.

**Chair Stiglich:** Excellent, Chief Bays.

**Chief Michelle Bays:** A few really quick things one is there any effort to try and isolate out of the trends and what was causing that prior to AB 236 because if you look at the number it was like a significant portion of that is prior to. So, I think that would be one thing that would be important to really try and isolate out and maybe that is really a possibility. Then the other thing just really quickly would be as far as the jail data I don't know if they're going to any exploration into BJS' annual jail survey there might actually be some data table and some information that does exist now and then we wouldn't have to wait for Justice Counts to come back. Barring that maybe just a couple of the larger agencies in Nevada would be willing to share that agreement is very important to see where these necessarily shifts are of inmates from Nevada Department of Corrections to what we're hearing very much anecdotally supporting the jail and the jail populations there are raising significantly.

**Chair Stiglich:** Thank you Chief. Are there any other questions or comments? Great, hearing no more questions, I'll now close this agenda item.

## **5. Presentation and Approval of the Statement of Costs Avoided Required Pursuant to NRS 176.01347**

**Chair Stiglich:** I'll now open agenda item five presentation and approval of the Statement of Costs Avoided. As we know, our commission is statutorily mandated to measure outcomes resulting from the enactment of AB 236 from the 2019 legislative session. This includes measuring the costs avoided resulting from the enactment of the Criminal Justice Reform Bill. We're required to submit two reports, the projected amount of

costs avoided each even-numbered year in August and the statement of costs avoided each year in December. It is time again for the statement of costs avoided. The Director will present us with the draft of the report to review, edit, and approved to be submitted in advance of the December 1 date. Director.

**Director Gonzalez:** Thank you Chair. So, with your meeting materials we have included a copy of the draft of the Statement of Cost Avoided. I don't have any other slides. I'm going to just share that document and walk through it and then see what this commission would like to do in terms of editing and possibly approving the report.

So, the Statement of Costs Avoided is a companion report to the Projected Amount of Costs Avoided which this commission approved, and we submitted that was due August 1. The statement we have information here which is going to be similar to what was presented for the Projected Amount of Costs Avoided. So, what we have start the report off is the statutory requirement again related to the Sentencing Commission being required to formulate or to develop a formula to measure for each fiscal year the amount of costs avoided resulting from the enactment of AB 236. Then there's statutory requirements for that formula which required to use annual prison population for 2018 and a comparison to the number of persons in the Department of Corrections so you can just see the first part of the report just provides the statutory mandate. The next section of the report is a quick summary of the Statement of Costs Avoided so the first paragraph provides what came previously in terms of the policies developed by the Advisory Commission on the Administration of Justice which led to the enactment of AB 236. That report identified that there would be \$640 million in costs avoided by 2028 if the policies that led to AB 236 were enacted. In our additional analysis of what those costs avoided actually include, that includes \$470 million attributed to avoided correctional construction. So, what that means is based on the projections that were presented at the ACAJ meetings that led to the adoption of those policies, they found that based on the projections they had at that time if the projections were to stay on that track then additional prison facilities would be needed, and this would be the cost or fitting of remodeling some existing facilities and then building a new facility. So, what we found is that this leaves \$170 million in other correctional cost that are not tied to building a new facility. So, what we brought before this commission back in advance of the August 1 report of the projected amount of costs avoided was to take that \$170 million and just do a rudimentary calculation of \$21 million a year in costs avoided if the population were to stay below what was projected.

We did add here kind of a definition of costs avoided to make it clear. We talked many times I know I've talked in this meeting, and I've talked with many of you in our off-line discussions about what these costs actually mean and so I'm hoping that this might help a little bit in clarifying this that when you're talking about money that you are not going to have to spend generally those funds are hypothetical and variable. So that's what this extra text box provides on the first part of the report. So, what this means is, as far as statement of costs avoided, that we would identify if we're looking at about \$21 million a year if we're to stay below the projections as they were identified back in the 2019 ACAJ report. That means they're based on that sort of calculation and estimation of these variable costs could be about \$42 million has been avoided that won't have to be spent because we don't have the prison population that was projected back in 2018 and 2019. Just as a reminder for those who read this report, we included the methodology that was adopted by the Commission in advance of the August 1 report and so what this comes down to is just a comparison of all the projections, the current prison population, and where we're at now in terms of the prison population. So, this is mostly here for reference, and I think helpful to those who want to see the trends in the prison population projections and how that relates. Again, this is a very rudimentary calculation that just takes what was the current population at the time that the report was submitted and what is the comparison to the projections at the time that AB 236 policies were developed, not when AB 236 was passed, and we have a calculation that shows we are very well below what was projected and so based on the methodology to calculate the costs avoided that way and just identify that we are well below the projections. We are going to, based on the current projections it looks like we're going to stay well below that. As you can see back in 2018, the projections found that for 2028 we were going to have a prison population of 15,074 but the most recent prison population projections show that in 2028 we're projected to have 11,907. So that is well

beyond what they had hoped could be realized from the enactment of AB 236 and as we've identified too there was existing trends already happening in the prison population declining and so we can see that the prison population is well below and at least based on what was developed back in 2018 in terms of calculations of a new facility, based on those numbers we don't need that facility that they were talking about that they were talking about then. Then the last page of the report just has some information and notes about the table to understand, sources of the projections, some of the calculations, and the projections have had to adjust as well and trying to figure out what to do with Covid when it comes to projecting so there are some notes about that. So, this is the draft of the report that we would intend to submit on behalf of the Commission in order to fulfill its statutory mandate so I'd be happy to take any input about what else you would like to include in the report and what else you think would be helpful in submitting the Statement of Costs Avoided in advance of the upcoming legislative session for them to have this as reference. So, with that I'll turn it over to the chair to see if there's any questions or comments for the report.

**Chair Stiglich:** All right, are there any questions or comments?

**Vice Chair Brady:** I do actually have a question and it's something I always ask, and I don't know if it's appropriate in this, but is there any way to drill down or get any information about the numbers of people with mental health problems, mental and behavioral health?

**Director Gonzalez:** It is definitely part of the goal of what we're trying to measure I guess specifically are you wondering, I'll say I don't have data about any of it but I want to know, I guess I'd like to, we have to drill down further right so are you looking at those admitted, those individuals housed in prison, those being released? Are you curious about supervision? Because if we're talking about mental health, I guess it helps to understand which part of the system or are you just curious about the whole kit and caboodle?

**Vice Chair Brady:** Well, I guess in the short term, those being admitted. I was at a symposium yesterday and I didn't realize that West Hills had closed, a number of facilities have closed that would have served as preventative for people, that would have served in between the gap between people who have behavioral and mental health issues from getting involved in criminal justice like there's just no place for them to go anymore so a lot of them are going into jail. So, I was curious as to whether the amount of people with mental health issues more of them are going into prison since there are fewer services in the community.

**Director Gonzalez:** That's perfect. So that helps me figure out what we can do. So, the data we are currently receiving NDOC does not include that. I know that in our previous conversations so, our agency and I've been in this position from was three years now and that has been part of the discussion day one and so I can tell you in part of the discussion, it's very difficult to extract that data and present it in a way that's going to be meaningful. So that doesn't mean we're not going to try but that's why it's not included in any of the data that we currently have but it's definitely a conversation we're still having and figuring out. We did try in one of our reports and we have some information but the problem with that information is it doesn't tell us more about services, what they need, and additional information like that. So, there is a way to get it's just figuring out what's the way it's going to be meaningful and actually useful to track over time. So, we're still working that from the prison population perspective but it's always a question we're going to ask when it comes to anyone we collect data from, what data can we collect specific to this? I will say with our new case study that we are working on which you're going to hear about in coming agenda item we can work that into part of what we're doing because then we can at least collect that information from those we're talking to as it's reported by them and what they see their needs are which I think might help us get an idea with some of that. So, it's a very valuable piece of information, it's needed, and it's definitely one of those areas where the data is very lacking but like I said doesn't mean we're not going to try and get it.

**Dr. Lanterman:** So, to follow up on CJ's question, I worked through UNR on the Second Chance Act Grant that sort of working with the Department of Corrections and Parole and Probation, and this is a challenge we have with data collection what I can tell you is the data exist. Right so when people are coming into Department of Corrections custody, and they are assessed with the prison intake tool. So, there's the Ohio

Risk Assessment System which is sometimes referred to as Nevada Risk Assessment System, they are assessed with the prison intake tool and there is a dynamic criminogenic need domain for substance use. Mental health is not a criminogenic need it's a responsivity factor but there is an option for the person administering the assessment to indicate that there might be some issues that need to be further explored in terms of mental health. So those initial data are recorded, diagnoses need to be made by clinicians so that's not something that would typically happen in the assessment process but then those cases go to people who work in behavioral healthcare. Those data are reported separately so when we we're collecting data for the grant what we had to do is literally sit down and hand record that information from those sheets. So they exist; they're collected separately I think for a variety of reasons one of which is a privacy issue. They can be collected but it's labor-intensive right so that sort of like what kind of resources do you have to then to access and collect those data.

**Director Gonzalez:** Thank you so much for that insight Dr. Lanterman. That's been our experience with a lot of the data that we have right now is a great starting point and then as we start trying to get more information that's what we're learning a lot of it needs to be done by hand and absolutely possible so it's just making sure we can get all the labor on track to get that all for us, so thank you for that insight.

**Chair Stiglich:** Thank you Doctor. Any further questions? All right hearing and seeing none I'll now entertain a motion to approve the draft of the Statement of Costs Avoided to be submitted by December 1, 2022.

JOHN MCCORMICK MOVED TO APPROVE THE STATEMENT OF COSTS AVOIDED REPORT

JOHN ARRASCADA SECONDED THE MOTION

MOTION PASSED UNANIMOUSLY

## **6. Presentation on Proposed Project to Study Re-entry and Recidivism in Nevada**

**Chair Stiglich:** I'll now open agenda item number six presentation on proposed project to study reentry and recidivism in Nevada. Looks like Director Gonzalez and her staff have a proposal for a project for the Department and this commission. I will turn the time over to her to present the details of this proposal. Director?

**Director Gonzalez:** Thank you Chair. So, for this agenda item you have materials that have been included for this agenda item there is a small slide presentation so I'm going to share that now. As evidenced in our early presentation, we don't have all the data or analysis yet, but we have a relatively significant amount of data to analyze and evaluate the prison population. Our valued partnership with the Nevada Department of Corrections has put us on a path to analyzing the prison population data in a way that has never been done before with the Nevada focus while also being reliable and sustainable. We have more work to do here but I am very confident of the path that we are on. The next area we need to explore is reentry and recidivism; this is a priority for this commission, lawmakers, and criminal justice stakeholders in the state. It comes up regularly in Commission meetings and my meetings and discussions with stakeholders because of that we've identified this as a priority for our department and this commission. How many times have we heard that we need a definition for recidivism, and we need data to evaluate why people reoffend? The truth is there is not a statutory definition of recidivism and getting data to analyze recidivism is very difficult for many reasons. The discussion around recidivism is accompanied by the desire to determine what support and services does someone need for successful reentry. Since these issues and questions have emerged over and over again and this is an essential facet of the criminal justice system to measure and evaluate we have designed a project for this commission to consider engaging in over the next two years. To start with the project is organized by what problem or problems are we trying to solve. The first would be a need for a statewide or statutory definition of recidivism, next we have the problem of what data is needed and what data is available to measure recidivism, third we need to determine what are the drivers of recidivism, and

finally we need to identify the barriers to successful reentry. This leads to the project to study recidivism and reentry in the state.

The project would be organized as follows the Commission, the Department would engage in this project over the next two years. At each meeting we will present research we have gathered, and you will hear from other agencies and stakeholders and now that we plan to meet more often I hope this will help in carrying forward the discussions and continuity of the project. The deliverables of the project would be to develop four reports as planned here. The last report would be published in advance of the 2025 legislative session with intent to have recommendations for the legislature including a definition of recidivism or a finding on why a statewide definition should or should not be adopted. The next two presentations would be the first step in engaging in this project. This is the beginning of information we are lining up for this commission to hear as it engages in this project or study. We are really excited about this effort and hope that this commission feels the same. With that what questions or input do you have regarding this project and what would the Commission like to take and would the Commission like to take on this effort over the next two years?

**Chair Stiglich:** Thank you Director. Any questions or comments on this item for the Director?

**Mr. McCormick:** I think attempting to come up with a common definition of recidivism is definitely a worthwhile effort I mean that always comes up in any of these discussions is how we define it, and you know what constitutes it and what the time period is. So, I would support attempting to come up with as uniform definition of recidivism as we can get. I think it would enable us to start talking apples to apples in that sense. Just my thoughts on that.

**Senator Nicole Cannizzaro:** Thank you Justice Stiglich. My question is would we anticipate this is going to cost the Department more money and if so where would that money be coming from, or would this be like a request to the Legislature for additional funding?

**Director Gonzalez:** Thank you for that question. No, it's something that would just be something that we're taking on for the Commission so there wouldn't be any additional funding we would use our existing staff. My intent with this is just to get to have something that the Commission has to focus the effort and something to work towards for the next session. Actually, to clarify do you mean the project that I'm presenting or the recommendations that may come out in 2025?

**Senator Cannizzaro:** The project you're presenting.

**Director Gonzalez:** No, the project is just the effort that we would be organizing just so you would know what to expect at the forthcoming Commission meetings you would know to always expect some more information about this project and moving it forward so now there's no cost it would be our existing staff and our existing relationships with stakeholders and agencies.

**Chair Stiglich:** Senator does that answer your question?

**Senator Cannizzaro:** Yes it does, thank you.

**Chair Stiglich:** I'm excited by the thinking outside the box and trying to expand the helpfulness. I can tell you that we do recidivism analysis in the specialty court area and it's helpful sometimes yes the difficulty is what's our definition but were not making it up there is plenty of people who have you know undertaken that, but that analysis is helpful because then that gives us some data points and some comparison about how, are we fulfilling our desire to only have the right people you know be incarcerated and help them stay out once they're out. So, I think it's helpful, it's good data points, and I applaud the thinking and the initiative. Ms. Mull?

**Ms. Mull:** I probably sound like a broken record because I brought this up before, but I just want to make sure that we are inclusive when we talk about you know you mentioned like the barriers of the reentry that

we make sure to look at programming within the system and then once they get out of the system of course from my perspective specifically around trauma and victimization while they were in prison because hurt people get more hurt while they're there and then we throw them into the world and expect them to float and it's you know just ridiculous. So, we need to make sure that we are able to know what resources we are offering to them and that they're knowledgeable about and make sure that we're making sure they know they have these resources available to them. That way if they've been victimized within the system itself that they have that ability to get help and that we're providing those resources where they can get the help that they need so they're not coming out more hurt and therefore you know going to be more likely to reoffend. So, I just want to make sure that you know we just keep that in the loop.

**Director Gonzalez:** Thank you very much for that and I think what you're going to hear in the next presentation as far as the study we're engaging is going to help us get a handle on that or be another data point we have for analyzing that. That's what I'm looking forward to this project as well is having all this information in one place right. So having the data we have, any sort of analysis we can have, fiscal analysis, where do we see those needs and so I agree that's definitely one of the things we need to figure out that we just don't have all in one place, so we will add that to the list too as far as the specific that we will look to get presentations and research on that so thank you.

**Director William Gittere:** Thank you. Just very briefly I'd like to say that on behalf of NDOC we're excited and looking forward to this study. Having a benchmark recidivism formula with which to measure our efforts and outcomes against is a foundation that we don't have, and it is one that would be key to our success of protecting the public not only today but in the future. We can't measure that unless there's a benchmark standard out there from which to compare everything that we do so that were spending dollars wisely and efforts towards you know reducing recidivism and protecting the public on the outside. So, our full support is behind this initiative, and we look forward to participating in the study.

**Chair Stiglich:** Thank you Director and welcome as well. Mr. Callaway?

**Mr. Chuck Callaway:** Thank you Your Honor. I'm also happy about pursuing looking into the issue of recidivism and I guess it's probably a discussion for later down the road but I'm curious about what the parameters of recidivism we would be looking at for example would we be looking at individuals that are coming into the prison system and then what their previous record is or would we be tracking folks that are released to determine if they're reoffending maybe not only in Nevada but in other states. Then what I'm very curious about is what I've talked about in the past is folks that for lack of a better term get multiple bites of the apple. To Ms. Mull's point, maybe they've been afforded different programs, they've been afforded specialty court, or they've been given probation, or they've been put into programs to assist them, and they've failed to complete those programs, or they've continued their criminal behavior in spite of those efforts to change them or prevent recidivism. So, I'm just curious what your thoughts are on the parameters of what we would be looking at, is it all of the above or is there a specific lane you're interested in?

**Director Gonzalez:** Thank you for that question. So, this has come up in my conversations as well right with the members of this commission, in the meeting and other stakeholders, and so my intent would be I want to show you what I have heard. So like I found this definition, and I found this definition, and I found this report were someone analyzed recidivism and this was the scope they used and this is what I think would be really valuable for this commission to engage in that discussion. Let's evaluate each one of those definitions and what do we see as the priority, what do we think is important, and if it's possible for this commission to reach a consensus about this makes sense of recidivism so my intent would be let's see what's out there because it's varied and you're right there are so many different flavors of this and we already know within our existing state agencies when it comes to reporting, do you focus on the agency that's reporting the data and their recidivism or do you look at should they be getting information from other agencies. So, I think we look at all of it. That would be my intent is we don't come at it with this is what we already plan to do. We need to do real research on this so we'll present it to the Commission, show you some of our findings, get your input, and then start playing with that and that's why I think giving us two years of focusing on this and really



discussing it will help everyone think about this. So that'd be the effort; there's no plan right now I want to show you the definitions I have, see what else we can find, and then the Commission starts hashing out where should we go.

**Chair Stiglich:** Mr. Callaway if I may just to that point in the specialty court context which is kind of generally accepted at least in that community you're looking at three years post successful completion of a program and then are there any new convictions during that period. Because there's kind of a general understanding at least in that context that the first three years are kind of on us, we sent you out you have tools after about three years you know the thought is well then it's actually, you're a human and that's kind of on you. So it's really, at least as I view this project, trying to identify as people get out how many people are coming and bouncing right back to prison because then that helps us analyze is there more that we can do? I mean there's always going to be a human factor but at least is there more that we can do to either get them a good start, get them some duration in the community, or is there ways that we can help address those underlying issues that cause that? So it's more data you have to be a data kind of a data nerd to be on this commission in any event are to be as excited about as we are and they are but I just think it's a helpful and interesting perspective once we kind of narrow it and then it has the value you know for different people that it has. So, I love your questions, I love that they're thinking about this project, and I'm excited about this piece too.

**Vice Chair Brady:** Just to piggyback off of what you said is that goes to the essence of what I think you know the reinvestment is supposed to be doing right? We have costs avoided and then at some point hopefully all those costs avoided it's my understanding will go somewhere and I'm hoping it will go to data informed information on where we need to put the resources; that's the essence to prevent recidivism. I think that's part of the essence of what we're doing.

**Chair Stiglich:** Does anyone else have any other comments or questions at this time? Director do you need anything from the Commission on this at this point?

**Director Gonzalez:** No, it doesn't sound like it. It sounds like everybody's on board and so we'll just start moving forward and at this meeting you'll hear some information that we'll start using to compile for this project and then you'll look forward to hearing more about this at each meeting, so thanks.

**Chair Stiglich:** All right, thank you Director. Then we'll close that agenda item.

## **7. Presentation of Parole Violator Data Collected and Analyzed by the Nevada Department of Sentencing Policy**

**Chair Stiglich:** I'll turn now to agenda item number 7 Presentation of Parole Violator Data Collected and Analyzed by the Nevada Department of Sentencing Policy. As Director stated, this is the first presentation we will hear to support our new project effort to study reentry and recidivism in our state. I'll now turn the time over to the NDSP staff Powers.

**Ms. Jorja Powers:** Good morning Commission; thank you Chair. I'm very excited to share this project with you. AB 236 requires this commission measure certain outcomes brought about by the law. Two of these you heard Director Gonzalez mentioned earlier; they were to improve the efficiency and effectiveness of community supervision and to minimize the barriers of successful reentry. As many of you know prior to coming to our department I worked for the Nevada Department of Corrections for over 12 years. My career there was as a correctional casework specialist and then I moved on to OMD. I spent nine years in the realm of classification on Carson City prison yards before moving to the Offender Management Division. During my time as a caseworker, I watched offenders come and go. I would ask all violators in my unit what led to their return from parole, but it never occurred to me to document or study the answers at that point. The difficulties of reentering society were and are apparent. I often say that one of the most difficult and disheartening things I did as a caseworker was to, in anticipation of release, give somebody their \$25 gate money and a pat on the back and somehow expect them to succeed.

I am going to show you a list of quotes from recent parole violators. This is information that is important information, from the people who are living it. Our department is often asked questions regarding reentry and recidivism. These questions come from this commission, the Legislature, various stakeholders, and others. You have seen our data collection increase in the last year but even with the vast amount of NDOC data it is not always easy to evaluate that efficiency and effectiveness and pinpoint the barriers to successful supervision outcomes that we are asked to measure. There is a lack of data regarding return to prison which makes it difficult to fulfill the imperative need to understand what is actually going on. The issues need to be truly understood before we can even begin to address them. Our staff has talked exhaustively about this and decided one way to begin to work toward a solution is to embark upon an independent study to gather information. With the Nevada Risk Assessment System design as an evidence-based guide, we developed an initial set of questions to help evaluate what is needed to help with successful reentry to society and to curb recidivism. Because often those needs are as varied as the myriad individuals trying to resume their lives in the community. This study and the data we are collecting is both quantitative and qualitative. We are learning a lot from the anecdotal experiences of the parole violators I have interviewed. With the approval and help of the NDOC, I began this parole violator project in September. I have interviewed 28 parole violators averaging 4 to 8 per week. I am attending weekly intake at Northern Nevada Correctional Center where I am asking all parole violators in each week's group if they would like to be interviewed as part of our study on reentry, parole, and recidivism. To date only one offender has declined to participate. Honestly as the weeks have progressed word has gotten around, and the parole violators know that I will be there to talk to them. I think the fact that many of the participants are familiar with me has helped with involvement.

The first thing I do with each participant is explain the study and ask him to sign the waiver you see now. I tell them the intent of our study, which is to gather real life experience that may help us to begin to understand why people return from prison from parole. I explain that their individual answers are confidential, that any data collected will be presented in an aggregate form, and any quotes will be anonymous. I have actually had offenders say that we are more than welcome to use their names if needed. They are relieved that someone wants to listen and excited to be part of this study. Here you see a list of the actual questions asked during the interview. On the next four slides I will share some of the initial data collected. This discussion again reflects 28 individuals interviewed to date. The pie on the left shows the PV admissions broken up into technical violations versus those returning with a new or pending crime. You can see that 64% returned with a new or pending charge while 36% returned on technical violations. The chart on the right shows the revocation type result after going before the Parole Board. The Majority of those I spoke with were back on their first temporary revocation which we know is up to 30 days. Five return on their second temp rev for up to 90 days and one was revisiting for their third temp revocation of up to 180 days. Five people were revoked to expiration while one offender serving life was revoked for a year and there's one participant still pending a board hearing.

The next chart shows the time spent out on the most current parole release for the people interviewed. You can see one person was out less than a month, there were four on parole for 1 to 2 months seven were out for 3 to 5 months, six for 6 to 8 months, five had stayed out 9 to 12 months prior to be revoked, while three were on parole status for 1 to 2 years, and finally there were two participants who had been out for over 2 years. I will note here that both of the people who were out for over 2 years and two in the category below were all absconders who had avoided supervision almost immediately upon release. I have worded this slide exactly as questions were asked in interviews do you have substance use issue? Of the 28 participants so far, 24 were involved in active substance use during parole and the remaining four had substance use issues within their past but had abstained from use for a lengthier period to the current. I also asked them have you had treatment and or classes. The right-side graph shows that seven responded that they had obtained treatment or had taken substance classes in jail or prison. Three had taken treatment or classes in the community, six have been involved in residential treatment, one had gone to drug court previously, and 11 participants stated that they had never had any treatment. The overwhelming majority of those who had never had any treatment did say that they wished they had had that opportunity. You will see

on this slide the same graphic from the title page with visual representation of many of the needs of offenders reentering society including ongoing legal support, housing, medical, mentoring and counseling, economic support, transportation, and employment and vocational opportunities. One of the questions I ask during the interviews is we-- talked about resources and support earlier, what helped the most and what if anything would have made a bigger difference. You see in the circle chart on the right that the most common answers were residents so improved housing options enhance communication with P and P and better access to programming and treatment however as I mentioned earlier there are as many needs as discrete participants. Each interview does include a narrative about how they ended up being revoked from parole. Very recently we added another question that asked them to succinctly in just a few words tell me why they were revoked from parole. In my experience I expected that many of the answers would involve some blame shifting but as you will see every participant that has been asked this question took responsibility for their return to prison.

It is too soon to provide definitive findings but I'm very excited to continue this project and discover if trends appear as the sample size increases. We have many more data points as you saw in the interview questionnaire. We also have looked at everyone's NRAS scores and admissions data. As we move forward we will look for ways to cross reference the available data points. For example, while we know how long each were out on parole, I'm very interested to see how much time they served prior to their release. I spoke with a few people who had served lengthy terms in prison who were very forthcoming regarding their anxiety about returning to society and not feeling prepared. We also have data that I will be sharing at a future meeting regarding offense groups and comparing the instant offense groups with any new charge offense group. At this point I can answer any questions regarding the study, and I welcome any suggestions on other data points that you think would be pertinent and helpful to add to the interview or comments on the overall process, thank you.

**Chair Stiglich:** Thank you, Ms. Powers. Excellent. Chairman DeRicco?

**Chairman Christopher DeRicco:** Hello good morning. I want to commend of the Nevada Department of Sentencing Policy staff on this undertaking. I think this is a very valid to look at, and this is something I know that going back some time there were some discussions along the lines of some of these issues. I just wanted to get a little bit of clarification here and certainly I think with that we might be able to tweak this a little bit for the better. First thing that I have, and I have several here just for clarification, but I know that Ms. Powers indicated this interview is taking place after admission back into the NDOC on a retake warrant and that interview is happening between intake and the parole violation hearing, is that when this is taking place or is it taking place after the violation?

**Ms. Powers:** Generally, is between the intake and the violation hearing. I look at the results the week after however some of them are still in the intake process and the Board has already seen them.

**Chairman DeRicco:** Okay so one of my questions was right towards the tail end of your presentation you said you asked them why they were revoked and so at that point in time they wouldn't be revoked yet if there interviewed before the parole violation process. So, I didn't know is there a subsequent questionnaire that follows after the parole violation to find that data out that way because pre-violation hearing they're just alleged violators have not violated anything until the Board has determined that they have done so. So, I just got confused there if you asked them what they were revoked for, but they hadn't been to the Board, so this is pre-parole violation hearing so we're comparing apples with apples.

**Ms. Powers:** No, yes sir that is semantics and I apologize for that they have not been revoked basically I asked them a story, to tell me a story about one day you are on parole and now you're sitting in front. So, I can change the way I ask that and word it as why were you arrested or why were you brought back to prison.

**Chairman DeRicco:** Okay so for a few things on going back to your questionnaire knowing that information now on that first question you have there I would indicate how did you allegedly violate because they have not violated at that point in time. I would also say that for where it says technical you know I would probably entertain including that saying technical violator only because much like we talked about earlier with class A, B, C, D's you know we're collecting data on the highest of the highest class of felony and that's what we're using for the data the same probably goes with the highest classification of alleged violation, a new crime, a new felony is certainly more so than a technical but although they could be pending both. I saw one category that was missing there was absconder, absconder is not listed there and should likely be there because that does rise to a higher level, and I thought that that would increase or provide some additional detail with regard to that. Further on in your substance abuse section on that same questionnaire you get down you ask if they were in, where they received treatment incarcerated on parole or other, but then you have mental health treatment below and don't ask the same questions if they received treatment while incarcerated on the streets or other I think that'd be good to know if there's you know to find out have they had prior treatment and have they had the opportunity to receive it on the streets as well. That was just a comment I had maybe to clean that up, but I really think that this is a really good starting point to start collecting this data to find out why. This is really going to get to the why and how we can all do better. On the second page if I may or the next page of the presentation I think I would include in there as well, at the beginning, alleged parole violators admissions and also technical violations only first pending crime and also add absconder there as well because that's another major category. Then on your graph how did you allegedly violate technical violation only, a new crime, and once again of course absconder. So, with that that's really what I had there and you know to me the data is the data and I think with what's going on here I can tell you that we would certainly be willing to entertain and provide anything additionally that may be able to assist you in this and certainly I know that post Parole Board violation hearing that information will be put into the NDOC database and will be available to find out exactly what were those findings; were they for a technical violation only, were they for a new crime, were they for an absconder, and so that I know that you'll have the opportunity to pull very easily. With that thank you for the time.

**Ms. Powers:** Thank you for those suggestions and your offer of help, that's wonderful.

**Mr. Jim Hoffman:** So a lot of my comments are the ones that were just made by Chairman DeRicco because that's if the person hasn't been adjudicated guilty of violating their parole yet there are due process rights that they might be giving up and like I as someone who's interested in policy I think this survey is a great idea, as a defense lawyer I would tell my client not to answer these questions in part because of the concerns that Chairman DeRicco raised. Like you're asking them to admit to violating their parole, some of the questions about substance abuse if they allegedly violated by using a substance, then you're asking them to admit to that. So, I think the ideas that Chairman DeRicco had about changing the language to use allegedly more often to be aware that they haven't been proven to have done any of these things, yet I think that would be really helpful. Then the other kind of concern that I had so they sign a waiver that says that the information isn't going to be shared with NDOC or with P and P I have a couple questions about that. So, my first question is what about there is a number of other entities that that might be relevant to, that might be relevant to the police, it might be relevant to the prosecutor in the underlying case, or you know if they got violated because they have a new case, the prosecutor in the new case might want to know about that the courts or the defense attorneys. So, I'm wondering is this information secret from everybody in the justice system or just NDOC and P and P?

**Ms. Powers:** This is a questionnaire. I'm writing my personal notes and I take it and I put it into a spreadsheet as aggregated information. The reason I specifically mentioned DOC and P and P is because I'm sitting in the casework office on the prison yard and I want them to know that I am, even though some of them know me, I'm no longer affiliated there and if they tell me, well this is what they did, I'm not going to go next door and tell their caseworker nor when they say, this is my officer's name and this is what he did, that I'm not going to call them up and say, this is what they're saying. It's absolutely confidential between us but

yes it applies to everybody. All the data that I put is just on my piece of paper until it goes in a spreadsheet anonymously. So yeah, but that's why I mention those two entities.

**Mr. Hoffman:** Okay and I appreciate that, and I wasn't I'm not saying that like this is the point of this is to gather this information but I just I like it to be as clear as possible from a legal perspective that this is not discoverable by anybody that you know somebody can't get the idea to do a public records request to get this information. So, with those kind of caveats, I think this is a great idea and we should be doing it but I just want to make sure those concerns get addressed.

**Director Gonzalez:** Thank you for that input. One of the things that we modeled this off of was the Nevada Risk Assessment and it's very similar, so those questions are very similar to the types of questions that are asked as far as information needed to assess their risk. One of the thoughts that we've had is it's possible that I wonder if something like this could be taken and developed into a similar assessment when it comes to evaluating violators. So, the issues you brought up are important and so one of the things I'm going to consider or look into is how we can make this as analogous as possible to that assessment and the way it's used because that is something that DOC does for the purpose of housing, right and for the purpose of managing and then it's used for supervision as well. So I think if we were to align as much as possible to that, that'll help us stay in line with the concerns you're talking about and the purpose of where it's being collected and how it was housed but those points are definitely taken because as we gather more information we have to figure out how are we going to house this and protect it and get what we need for the Commission but still protect the process and the information that's used. So, I just want to mention that as far as where this model is from and where there's very similar information, it's just we need to get it for our own purposes and not take it from somewhere else because it was reported for that purpose so thank you for that input, I appreciate it.

**Chair Stiglich:** Mr. Hoffman you have anything further.

**Mr. Hoffman:** Yeah sorry Chair, I just have a brief follow up to that. So, I think the analogy to the Nevada Risk Assessment System, or whatever it's called, that's a good one, but like I would also sometimes advise my clients not to answer some questions in that. I think that one difference here is that if it's a probation violation, the person is more or less always going to have counsel; it's before the judge appoints the public defender. If it's a parole violation to my understanding sometimes those people don't have counsel. They just get picked up and then they go to the parole hearing themselves and they represent themselves so they might not, there's a kind of a structural difference there so I would say that maybe this should be a little bit more protective of the inmate's legal rights because they don't have the benefit of counsel protecting those rights for them.

**Chair Stiglich:** All right, thank you Mr. Hoffman. Chairman DeRicco, Ms. Mull and then Ms. Cafferata.

**Chairman DeRicco:** Thank you Justice Stiglich. I think I can provide some follow up on some of the comments that Mr. Hoffman brought up there. I'll start with the last comment he had with regard how he believes parole violation hearings are conducted and with counsel. So, I can tell you almost every parole violation hearing has counsel available to it in fact the hearings that are held in Las Vegas, the Clark County Public Defender is present at all of those hearings as well as in Carson City, Washoe County, State Public Defender's office are always there and available to provide that counsel and meet with those client's pre-parole violation hearing. Only a very, very, very small amount waive counsel and are canvassed and signed a waiver as well that they are doing so. So, I just wanted to clear that up for the record. Additionally, one other comment that Mr. Hoffman brought up and I see his point with regard to potentially telling his clients to maybe not answer some of these questions and I would with those comments I would suggest why not conduct this after the parole violation hearing itself and instead of making everything allegedly, capture what factually happens. So why were you violated? You know wait until after such time we know. Additionally those first couple questions on the questionnaire you wouldn't even need to ask and get from self-report you would have factual data that you know and that you could pull that says exactly why it was a technical

violation or they absconded you would know that post-hearing and so maybe if that interview with individuals were conducted after the hearing we don't have those legal questions that Mr. Hoffman brought up and we'll also have a little bit more accurate information and that's all had that.

**Ms. Powers:** No, thank you. One of the reasons I was doing it at the time period I was is because they are all in one place. Once the hearings happen, they could be off of that yard within the hour, so they were just all in one place which is why we're doing it that way but absolutely something to think about, thank you.

**Director Gonzalez:** Also, if I would add I really appreciate this insight because one thing we can get is data. We can extract this information we can review parole violator reports all day long. We can extract this information we could review parole violator reports all day long. One of the purposes of this study is what do they think, right, so what is their response? I think there's value actually to all stages of what you just brought up I think it is very valuable to know as soon as they walk in the door, what's going on? What do they think happened? And that's something that I think it's going to be difficult to reconcile and where we don't want to have to reach any sort of issues that you brought up because that's a very valuable part of the process but one of the things that's going to be valuable about this information is what they think right. I think this is going to be one of the keys when we're looking at what the purpose of the study is to measure reentry and recidivism and there's a lot of data points we can collect. My take on it is I think when I hear people ask you know, tell me about recidivism and what's the rate and what does it mean I think what people are really asking is why, why did they recommit? So, I would say the questions are structured and organized in a way to get them to tell us the story and then we of course are going to reconcile that with the facts that you're bringing up because I think that's also part of the story. There is what they think happened and then there's here's what happened right especially when they walk in the door and then comparing after and I think to your point, if we could it might be really interesting to take both pieces. As soon as they walk in the door what do they think just happened and that now that they've heard the hearing and there was a finding now what do they think right and then we can really evaluate the idea especially we're talking about technicals right? If the technical is supposed to be that swift and certain response, did it work? They walked in the door they had a response they left a few months later or a month later or however many days later and what do they think happened? So, I really appreciate these questions because we want to be very intentional right about everything were doing and so if we have our intention clear then we can make sure we're addressing issues that aren't going to be harmful, but then also get us to the information we need that will help. So, I really appreciate the insight; I just want to add that in response to what you're saying Chairman because I think the information is valuable too, but this qualitative piece is something that we don't have and I'm looking forward to seeing what else we can get, so thank you.

**Ms. Mull:** So, I'm adopted but I grew up in a foster home and I now do consulting for RTI International which is a research institute and one of the projects I'm working on, a national research project, is the foster care to prison pipeline. One of the things that we have, are finding is that people who have been in foster care at some point or raised in foster care are more likely to be habitual offenders and end up in the prison system over and over again because they have learned less life and coping skills while growing up. So they find, I wouldn't say find prison comforting, but it's just how things happen and so I don't know if it's possible but it may be useful just to add the simple question have you ever been in foster care or were you ever placed in foster care just because if that is a trend that we're seeing in the state then maybe we can know that if someone's coming into the system and has ever been a member of foster care then they might be more at risk to reoffend when they come out and maybe we can provide more resources to those individuals and know where to put some more resources to help that population more, we're seeing that trend here like we are nationally. Just a random thought

**Ms. Powers:** That is a question that NDOC already asks at intake so that information is absolutely available to us.

**Director Elisa Cafferata:** Thanks. Fascinating information. I would be super interested in getting more detail when it's available about the workforce and employment training of course and especially since some

of that had to be suspended during pandemic. So you know how helpful is it, it seems to be something that these folks are indicating would be very helpful so looking at which programs are successful and how can we do a better job of delivering that training. I would also add just for your awareness and the whole team's awareness, the Department of Corrections has joined in with data sharing for the Npower System which is a longitudinal data system from K-12 to higher ed to employment so the goal is over time to be able to do research on different interventions and you know how successful are they at getting folks into jobs, into careers over the long-term so we won't see immediate data from that but we will have long-term, this will be aggregated data but still we'll be able to sort of start looking at how different interventions make a difference for these folks so really excited for the partnership.

**Ms. Julia Murray:** Thank you. I share a number of the concerns that Mr. Hoffman raised but I am more specifically curious as to what you're basing the confidentiality claim on? It doesn't fall into any traditional exception of confidentiality in my mind and so I'm curious as to the enforceability of it or if it's just something that's being asserted with hopes that it'll kind of keep everyone at bay. Where is that coming from?

**Ms. Powers:** I guess I want to understand, are you worried that because people know that I have this data that other outside entities would try to come and say that they have claim to it?

**Ms. Murray:** I could list off a number of concerns. I think Mr. Hoffman did a pretty good job of starting them, but these are proceedings that have due process rights attached to them. Our clients in these proceedings are represented and so they are being interviewed by a state agency while their counsel has not been notified or present, they're being told that the materials won't be used in any fashion or accessible in any fashion, yet I don't see where the law actually says that's correct. I think if for example I were to subpoena those documents, I would be entitled to receive them as counsel in one of those cases or to at least get it in front of a judge who makes a determination on that. I think the same is true of the state, of the Parole Board, of any of the entities that have access to these types of answers traditionally. So, we do will get the Nevada Risk Assessment answers and data, both the state and the defense; we get all of that information, and it is used in court. I don't really see this as any different and I'm just concerned as to where that statement of this is confidential, we won't to do it, comes from because I think if you received an inquiry I'm curious as to where you're making the assert assertion from like what are you relying on when you say we won't be turning that over to anyone else?

**Director Gonzalez:** Thank you for that input. I will say I did not consider the status of the individuals that we were talking about. So, what you brought up to be completely honest didn't recognize that you're right like there is this pending issue before right so it's a different situation. So, the use of confidentiality was not in that scope and once you bring that up and you're right as soon as you started saying that I thought oh I wasn't thinking about in that context and you're right within using it that way in the term in the context that we're talking about, we need to figure that out and so go ahead.

**Ms. Murray:** No, I was just saying I mean I love the idea of getting to the root behind the situations, I love the idea that we're taking a deeper dive into it. I just think we have to have this other consideration as well or else we're potentially causing more damage than an informational advance down the road, so I just think it needs to be thought through on this front.

**Director Gonzalez:** No and that's why I really value the input from the Commission to help explore this. It shows limitations on what's out there. I think your point right about the NRAS is absolutely true right because it is part of that file, and they can be used. So that comparison that plays through and so it was mostly in the context of that you know when we're thinking about intake, we're not going right next door and telling them what we know because we're aggregating this information and so I think it was in that context and it was not with the intent to get responses that someone couldn't get otherwise. Right, it was just understanding the scope of that. But in the issues that have been brought up today, we need to figure those out and now thinking about it and you know confidentiality to attorneys you know it means something different than just saying that word. So, I want to make sure that we are operating within that and that what

we're intending to do what we can promise can be delivered and then if it's not then we'll just be clear listen this is what it is then they're choosing to participate based on having all the information before them, I think is what would be the solution here, but we'll work on that and if it's okay we'll reach out to the members of this commission who brought this up and then explore that scope so we can make sure we get the information in a way that can protect everyone and that makes sense. I think you bring up something too as far as where we're at in the criminal justice process with this right. You know I'm used to thinking of it as you know at the beginning but now this in between has absolutely taken the point is taken and we will figure this out and reach out to you to get some input on how to address this to make sure that again everyone's protected.

**Ms. Murray:** Yeah no and I'd be happy to continue that conversation because like I said I don't think your overarching goal is where the problems are I just think we have some logistical hurdles and constitutional hurdles and need to be thought.

**Mr. Arrascada:** Ms. Murray and Mr. Hoffman expressed my concerns better than I can express them and I just asked to be considered to be part of the conversation moving forward.

**Chair Stiglich:** Thank you Mr. Arrascada. I don't see anybody else in the queue. I just had a couple things about this report first of all it's really illuminating for me in how much value can be taken from what's presented here those issues that are raised aside you know these kind of unfiltered thoughts about it. I mean it was illuminating to see that P and P is not the problem it's viewed as a solution by the people in there like I need more communication with P and P I need more contact with P and P. I mean that's a good thing and identifies that we need if we're going to have people being supervised so we need to help set them up for success we need more bodies there frankly I mean that's just you know in my opinion. I don't get to it's just me I don't get too hung up on parlance because people speak differently than lawyers speak somebody gets a bike stolen out of the garage they tell you about it they say I got robbed and yeah I'll say well you didn't get robbed did they you know use force or fear to take that bike whatever it is just kind of like and so when somebody gets picked up for parole they don't say I got an alleged parole violation they say I got violated. Well, why I mean it's this is about you know kind of the methodology of extracting information in a manner I think in which people can hear it and understand it just like the way people talk. So, I think all these concerns about it can certainly be reconciled and they're valid I think the value of the at least in my estimation is it super valuable so I just think it was really interesting the thought just the word bubbles you know the word the thought bubbles were like whoa this is helpful and interesting, so I thank you for that initiative on that and that's fine tuning. We're all here about trying to put more tools in the toolbox in this might be one that would be really helpful. Anything further on this item? All right, seeing none then thank you Ms. Powers we'll close this agenda item at this time.

## **8. Presentation by Ridge House Regarding Re-entry Services Offered in Nevada**

**Chair Stiglich:** I'll now open agenda item 8 Presentation by Ridge House Regarding Re-entry Services Offered in Nevada. Last year we heard a presentation from Ridge House, we're happy to have them back with their new director who's going to provide an update and more information about the services and support they provide for reentry. This presentation is important for our project to study reentry and recidivism in Nevada. I look forward to learning more information that will help us in this study. Director Flores O'Toole you may proceed; you have the floor.

**Director Gina Flores O'Toole:** Thank you very much, thank you Your Honor, commissioners, and Director Gonzalez for this opportunity to share about Ridge House and thank you for driving the PowerPoint too. So, my name is Gina Flores O'Toole; I'm a Reno native therapist and have worked in the criminal justice system. First some housekeeping, there was a slide at the end I want to correct. The number of people that we serve last year was 610 in residence and we have an ongoing outpatient census of about 150 per month so just to correct those numbers. So, this is the 40<sup>th</sup> anniversary of Ridge House. I've been working here for two and a half years, first as the Clinical Director and now as the Executive Director for the last 11 months.



This presentation is to let you know how we work in the community, how we serve, and what a valuable partner we can be. I'll address at the end of this presentation how we want to rekindle our contractual relationship with the Department of Corrections because it is important to our clients, offers important assistance to NDOC, and is important to Ridge House to expand services and financial resources. Our primary mission is to help re-entry and justice-involved clients with their substance use and mental health issues. We receive referrals for clients from CPS, DCFS, the specialty courts, federal pretrial and probation, as well as helping veterans and those with gambling addictions. We provide services in three general areas in our residential program, in our outpatient program, and in workforce development. As you can see, we serve 44 clients, up to 44 clients in five houses. Everyone is assigned a therapist or counselor and receives individual and group therapy. Our houses are staffed by residential specialists mostly peers with one year of recovery and I'm happy to report we give them an avenue to become peer support specialists if they choose to go through that. We have an outpatient program that provides individual and group therapies for adults. We have ten licensed clinicians who can serve up to 300 people. Our clinicians use trauma-informed practices in their care. We provide assessments and treatment and work closely with parole and probation officers and provide monthly treatment reports and finally the workforce development program. While living at Ridge House clients are assigned a case manager focusing on operating preparing the clients for job placement and permanent housing. Each case manager assesses the client for their work and educational history as well as their social skills. Clients receive an individualized plan where they save up to 75% of their checks in order to secure permanent housing, we place them in jobs, and we train them in social skills including how to keep a job and eventually find permanent housing. So those are the services in general that we provide at Ridge House.

What I'd like to do is as I mentioned before Ridge House is a valuable asset to our clients, our community, and we believe we could be so with the Department of Corrections. As you can see our missions are aligned in fundamental ways especially when you see the Department of Corrections' mission mentioning education, mental health, substance use treatment, and vocational training as a cornerstone of rehabilitation and some of the descriptions I've given show that we are aligned with their mission. Both of our agencies seek to support rehabilitation through education, therapy, and vocational training. In the past through the JAG Grant, we met inmates personally and discussed Ridge House services and if we were not the correct fit we were able to give them referrals; unfortunately, have not been able to be in a facility since COVID started. Currently we are working with Nevada Transitional Housing where they come to our place once a week. They receive group therapy and case management services and really good coffee thanks to Starbucks. They gave us a donations. And although Ridge House is not compensated for the service at this time, we been doing it almost a year. In addition to meeting Northern Nevada Transitional Housing, we connect with offenders by a phone interviews and see if we're good fit for them or if they need further referrals. We are very interested in finding a way to work together with the department for the benefit of our clients and the department itself. In the past we had a zero-dollar contract that allowed us to go in and speak to offenders personally however due to some system changes that contract is no longer operational.

In May of this year, we asked to renew our zero-dollar contract. Currently the paperwork sits with the Fiscal Service Office. However due to systems changes and sorry it's in the Fiscal Services Office currently has the paperwork. Additionally, in May we submitted a proposal to provide a therapist and a caseworker into NNCC, Warm Springs, and Stewart Conservation Camp. It was a tiered proposal where we would provide either two and a half days' worth of services or five days' worth of services with them leaving from Reno to Carson City or a proposal to embed a clinician and a caseworker into each of those facilities. Unfortunately, we were advised that there was no funding for this critically important work and the reason it's so important, you know that personal touch, we're told over and over again that that helps with the transition from being incarcerated to coming to Ridge House which is set up like a home. We have five of those homes and we treat them with respect. So, we want them to be sober, stable, and employed and we'd like to work together for the benefit of our clients, the Department, and the Ridge House. So, in summary, our missions are aligned and we are working towards the rehabilitation of offenders and their successful reentry. Ridge

House would like to increase our presence in the northern facilities; we are very interested in strengthening our relationship with the Department of Corrections as well as getting compensated. This will benefit Ridge House to provide much-needed services and financial resources. I thank you for your time and I'm happy to answer any questions.

**Chair Stiglich:** Thank you for that report; that's wonderful. Are there any questions or comments for Ms. Flores O'Toole? All right, hearing none, thank you so much for the presentation and all the good work that you do in the community. We'll close this agenda item.

## 9. Discussion of Potential Topics and Dates for Future Meetings

**Chair Stiglich:** I'll now open agenda item 9. The dates for the meetings for the rest of the year are provided in the agenda. Our next meeting will be December 13, 2022, the meeting will be held virtually. Our staff is already working on more topics and items for discussion at future meetings, but does anyone have anything at this time that they'd like to add or be considered for a future meeting? Hearing none if you think of anything that you'd like to be considered for an agenda item in the future please contact myself or Director Gonzalez and make sure we get that on the agenda.

## 10. Public Comment

**Chair Stiglich:** I'll now open the second period of public comment. Just as we did during the first period of public comment, those who wish to testify may do so by telephone. Due to time constraints, public comment will be limited to two minutes; any member of the public that exceeds the two-minute limit may submit your testimony in writing to the Department of Sentencing Policy at [SentencingPolicy@ndsp.nv.gov](mailto:SentencingPolicy@ndsp.nv.gov). At this time, I'll ask staff to manage and direct those who wish to testify. Mr. Sepulveda do we have any takers?

**Mr. Sepulveda:** Thank you Chair. We currently don't have anyone in the waiting room right now.

**Chair Stiglich:** All right thank you, and that concludes our second period of I guess nonpublic comment at this time.

## 11. Adjournment

**Chair Stiglich:** So, to adjournment I want to thank everyone just great work. Thank you to our staff, the members of the Commission, and our presenters. I appreciate being able to have a meeting that's efficient and substantive. I'm excited for all of our efforts in these ongoing projects and I look forward to seeing you in December to continue our work.

**Mr. Arrascada:** Justice Stiglich before we adjourn and I'm sorry maybe I missed it, but I think at the beginning Ms. Gonzalez referenced having potentially more frequent meetings and wanting to ask the question of is that something that this committee thinks is valuable or should be done? And we didn't address that.

**Chair Stiglich:** Thank you Mr. Arrascada, you can see for instance we have a meeting today November and a meeting in December. So that's pretty quick and I'll take feedback from the gallery. You know 6-hour meetings are just miserable and I don't know about you, but we hit such valuable information and presentations and I feel like if you have a valuable presentation at hour 5 you just get shorted because the attention span is difficult; these are long days. So that was at least this being broken up was kind of at least in this instance at my direction with Director Gonzalez because they're just too long and it's too much and I would personally think having impactful meetings of shorter duration where we can really absorb the items that are on the agenda as opposed to shorting a lot more, that was kind of what we were thinking. Of course if things pop up that are going to take longer these items are going to take as long as they take so I'll take you know kind of the pulse of the group on that I'm here so you know 2 hours, 4 hours, 6 hours, whatever I'm here for you but also I'm here for you so I know that you are all here because you're doing important work and you're busy and you know you're trying to do this good work in the community so I just want to be

respectful of your time and I want to be respectful of our presenters too so I'm trying to get that balance so let me know your thoughts.

**Mr. Arrascada:** May I? Since I approached the topic. I agree with you 100 percent Justice Stiglich, a shorter meeting is better. My comment/concern though would be to Ms. Gonzalez is that can they I don't want to say guarantee but can we receive the material for the meeting sooner than 4:30 the day before the meeting because without the material, there's some pretty dense data that we're looking at that can be interpreted many ways and you know it's pretty hard to do a deep dive when you're receiving it at close of business and our meeting is at open of business the next day. So that would be my only comment; I agree with you 100 percent that the shorter meetings are more beneficial, more effective, more efficient but without having this data that we are so data-driven by with some length of time before the meeting, it makes it very difficult to provide intelligent comments that make sense to the benefit of our commission.

**Director Gonzalez:** Absolutely, point taken Mr. Arrascada. I apologize for that, that's all on me and I am very sorry, and I will work on getting those timelines better figured out so that we can get the materials to you in time.

**Mr. Arrascada:** There's no need to apologize; it's just a comment for the Commission.

**Director Gonzalez:** No, it's absolutely necessary and I want to maximize the time and this information is incredibly valuable and we can't wait to show it to you and get your input, and you're right you need the time to digest it. So, we'll consider that or not consider but make sure we have our timelines on track so that as we move to this meeting schedule that you have the time to get everything well in advance of the meeting.

**Judge Tierra Jones:** I think Justice Stiglich's point goes directly to that as well because I think like yesterday I have to tell you it was a lot easier to process the information that was sent to me yesterday than what has been sent in previous meetings because it was less information. So, I just wanted to say Justice Stiglich I completely agree with you, and it makes it a lot easier I think for everybody to be here as well and be able to be here through the duration of the meeting because I've had to leave a couple meetings earlier because I had other things but like if I can set aside the morning and still have the afternoon to you know get ready for my calendar on Monday or do other things I think it's very beneficial. So, I'm completely in agreement with we need to meet once a month which is what most committees that I'm a member of do anyways and I agree with Justice Stiglich I don't want to short anybody who has the presentation in hour 5. I just don't know that that's fair to that person because I'm way more attentive to the person who presented at 9 than the person who comes on at 2:30.

**Ms. Mull:** I just wanted to give a ditto to everything. I'm actually in Canada at the moment and actually had to extend my trip for a whole day because I didn't know if it was going to be a 2-hour meeting or an 8-hour meeting. So it's one of those things I just had to plan for because I just never know what the meetings going to be so it would be nice to kind of have a more consistent idea of what the schedule is going to look like with this, and then if possible you know if we're going to do it monthly a consistent day and time would be helpful for those of us that kind of maybe have you know to plan I guess we all have to plan for work but you know if we travel we have to plan so I appreciate that, thank you.

**Director Cafferata:** I would agree more, shorter meetings is great. The challenge we're going to run into at least for me is the December meeting date is the same day as the Board of Examiners so I might need to step out for and those are short meeting right the moment, but I might need to step out for a minute for that, and then were going to run right into legislative session. So, this is going to get to be a challenging puzzle just like every other board and commission has but I feel like the meetings really have been providing great information and the discussions have been really substantive so I think we're on the right track that would be helpful for all of us to be more engaged I think.

**Chair Stiglich:** Thank you. We'll be threading the calendar needle like everyone else you know so thank you and to Mr. Arrascada's point, you know for those of us who are on a number of commissions I can tell

you as somebody who has to chair a number of commissions, the big frustration is that people show up at the meeting and they're reading. They haven't read it before and so it's stymies discussion, so we have to give people a fighting chance to read before the meeting. So, we'll get the material out to you sooner and just thank you all for all your good work, for your time, you know I'm excited about what we're doing here, and we're open, we're open for business, we're open for input. It's your commission. You're the people who are chosen to kind of lead this effort so thank you. Is there anything further before we adjourn? All right then the meeting is adjourned, thank you again.

DRAFT