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Chair, Nevada Sentencing Commission

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STATE OF NEVADA
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NEVADA SENTENCING COMMISSION
MINUTES DRAFT

Date and Time: May 17, 2024 9:00 AM

Location: VIRTUAL ONLY

MEMBERS PRESENT

Mr. John Arrascada
Chief Michelle Bays
Dr. Shera Bradley
Ms. Suzanne Crawford
Deputy Chief Aaron Evans
Ms. Evelyn Grosenick
D.A. Chris Hicks
Deputy Director Troy Jordan
Dr. Jennifer Lanterman
Captain Joshua Martinez
Mr. John McCormick
Ms. Julia Murray
Mr. Jon Ponder
Mr. Erica Souza-Llamas
Judge Bitia Yeager
Assemblywoman Venicia Considine
Assemblyman Brian Hibbetts
Senator Melanie Scheible
Senator Lisa Krasner
Vice Chair Christine Jones Brady
Chair Justice Douglas Herndon

MEMBERS EXCUSED

Chairman Christopher DeRicco
Director James Dzurenda
D.A. Mark Jackson
Mr. Franklin Katschke

STAFF

Executive Director, Jorja Powers
Deputy Director, Jenna Buonacorsi
Management Analyst III, Marie Bledsoe
Management Analyst II, Erasmo Cosio
Management Analyst I, Jose Sepulveda
Administrative Assistant III, Hunter Jones

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

Chair Herndon: Perfect. Thank you. Welcome everybody. Thank you all for being here today and I appreciate in advance your time and participation with our Nevada Department of Sentencing Policy Sentencing Commission meeting. So, I will ask if we can go ahead and call the meeting to order, and then, I will ask if we can go ahead and get a roll call to ascertain who all we have here today.

Director Jorja Powers: Absolutely. Thank you, Chair.

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

2. Public Comment

Chair Herndon: We will go over to our first segment of public comment. So, the first period of public comment, obviously there are two periods, one at the beginning, one at the end of our meeting. Members of the public will have two options for submitting public comment. You can do so in writing, obviously, by emailing the Department of Sentencing Policy at sentencingpolicy@ndsp.nv.gov. Any public comment received in writing will be provided to the Commission members and can be included by reference in the minutes of the meeting. If you wish to testify, you can obviously do so by telephone as well, we limit due to time constraints public comments to two minutes, so I would ask, please abide by that. If we go over two minutes and obviously, somebody will step in and let you know that you need to wrap up your testimony. And then, callers as a reminder, please mute your device on which you are watching the meeting when you're actually on the call to do your public comment. Otherwise, it will be a terrible echo that kind of occurs. So, I'm going to ask staff to manage and direct all those who wish to provide public comment by telephone, and I will turn it over to Ms. Jones.

Ms. Jones: 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 press star six to unmute, then please slowly state and spell your first and last name. Caller with the last three digits, 984, please slowly state and spell your first and last name for the record. You have two minutes. Caller with the last three digits 984, please slowly state and spell your first and last name for the record. You will have two minutes. You may now begin.

Chair Herndon: Hey, Hunter. I see one that's a 948.

Ms. Jones: Oh! 948. I mean 948. Sorry.

Chair Herndon: It's okay.

Ms. Jodi Hocking: Okay. Thank you. I was confused for a second because I just got a new phone number. So, I appreciate that. My name is Jodi Hocking. I'm the founder and director of Return Strong. We are an advocacy organization that represents people incarcerated in Nevada in state prisons. I really am just making a quick comment with concerns about the fact that according to what I can tell from the website and logins, is there is still a continued absence of a advocacy organization to represent people who are incarcerated in Nevada. I'm not sure exactly when it started, but according to looking at minutes, it looks like it's gone back to at least all of the meetings for this year and so, I know that we have applied for a position to be on the Sentencing Commission. I don't know if other people have or not, but we are concerned that the people who are most marginalized and silenced in this process that do not have a voice in it, are not being given the voice that they should have on the Commission and that was really all I wanted to say. I would appreciate that being resolved and, in the meantime, we will go ahead and use public comment to provide any comments that we have on behalf of incarcerated people. Thank you.

Ms. Jones: Thank you, caller. All right. Caller with the last three digits, 717, please slowly state and spell your first and last name for the record. You will have two minutes. Caller with the last three digits, 717,

please slowly state and spell your first and last name for the record. You will have two minutes. You may now begin. Press star six if you want to speak.

Mr. James Wadsworth: My name is James Wadsworth. I'm here to provide an update on some stuff I've been circulating and involving two artificial intelligence systems for the Nevada Department of Corrections: NDOC.AI and TMC.AI. You may know my journey from being an ex-offender to a successful IT professional, giving me unique insights into the challenges faced by individuals with ADHD and learning disabilities within the correctional systems. I am deeply committed to revolutionizing how we address these challenges. Ultimately reducing recidivism and fostering a more rehabilitative environment. NDOC.AI is designed to accurately diagnose and manage ADHD and LD among inmates. This AI system will employ advanced vision and dialogue capabilities to assess the degree of affliction in each individual. Developed tailored treatment plans and monitor progress through ongoing testing and observation. The benefits to the NDOC include, most effective rehabilitation strategies, reduced behavioral issues, and lower recidivism rates. NDOC.AI aims to transform how we understand and treat ADHD and LD in correctional facilities leading to better outcomes for offenders and society as a whole. Overview of TMC.AI, TMC.AI is an innovative tutoring, mentorship, and coaching system accessible 24/7 via an advanced two-way earbud system for a user-friendly app. This AI will provide continued support to individuals with ADHD and LD, helping them navigate the challenges they face both inside and outside the correctional system. The long-term societal impact –

Ms. Jones: Hello, caller. You've reached your time limit please conclude your thoughts.

Mr. Wadsworth: Okay. Okay -- the long-term societal impact of TMC.AI includes improved educational vocational outcomes for these individuals, reduced likelihood of re-offending, and a significant positive effect on our overall quality of life.

Ms. Jones: Hello, caller. You've reached your time limit; I will have to be putting you back in the waiting room. Thank you for your time.

Mr. Wadsworth: Okay.

Chair Herndon: Mr. Wadsworth, I'll tell you as well, we did receive the – I think it was – about 40 pages of written comment that you provided in April to the Commission. So, that's been available to us as well.

Mr. Wadsworth: Okay. Okay. Thank you.

Ms. Jones: Chair, we have no more callers who wish to testify. Chair, you're still on mute.

Chair Herndon: Yeah, that would be helpful, huh? Okay, I apologize for that. We're going to close the first period of public comment.

3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission held on March 22, 2024.

Chair Herndon: We'll move onto agenda item number three, the approval of the minutes from our March 22, 2024, meeting. Do we have a motion? Anybody?

VICE CHAIR CHRISTINE JONES BRADY MOVED TO APPROVE THE MINUTES OF THE MARCH 22, 2024, MEETING

JUDGE BITA YEAGER SECONDED THE MOTION

MOTION PASSES

4. Re-Entry Presentation

Chair Herndon: That will bring us to agenda item four, which is our re-entry presentation in our continued series of re-entry in Nevada. We have Sidney Sullivan as the Program Director for the Truckee Meadows Community College Career and Partnership Programs office. So, Sidney I appreciate very much you for being here today, I can't find you on my screen right now. So, I apologize, but we will turn it over to you for your presentation.

Ms. Sidney Sullivan: Thank you very much, Chair. I appreciate that. My name is Sidney Sullivan, and I am the Program Director for the Career and Partnership Programs at TMCC. I have two colleagues with me today, Dean Amy Williams, who is the Dean of Business and Social Sciences, and Jarret Orcutt, who is our newly hired Coordinator for the Educational Partnership Program, and I've brought a PowerPoint, is it okay to go ahead and share my screen? Okay, wonderful. Okay, can you all see that? Okay.

Chair Herndon: Yeah, it's up here.

Ms. Sullivan: Wonderful. Thank you very much. As I said, I have some colleagues here. Amy, do you want to introduce yourself?

Dean Amy Williams: Yes, good morning. I'm Amy Williams, I am the Dean of Business and Social Sciences here at TMCC and I have been involved with our JIVE program since the beginning, more on the academic side. So, I try to help with making academic connections for our students who are justice involved.

Ms. Sullivan: And I have been involved for just under two years as the Director for this program and I'm seated in the student life, under student services at TMCC. So, we work on the coordination of academic and financial support for our Justice-Involved Program. Jarret?

Mr. Jarret Orcutt: Hi. My name is Jarret Orcutt, I'm the Educational Partnership Programs Coordinator at Truckee Meadows Community College. I've been in this role about a month now, but I am an ex-offender, I come from a background involved in the criminal justice system and I've spent 17 years incarcerated in the Nevada Department of Corrections. I was a participant in the JIVE program, I was able to successfully graduate and my role as the coordinator, is to assist our participants in whatever way is necessary. I really help them in a holistic manner, as each participant needs something different to be successful.

Ms. Sullivan: And just to keep us on track here, am I correct in we have about 20 to 30 minutes, is that correct?

Director Powers: Yes, Sidney. As much time as you need.

Ms. Sullivan: Okay. Thank you, Jorja. And we do want to make sure that this is a conversation, so please, if you have questions, or comments, or need clarification, please speak up, I can't see everyone on my screen. So, please do feel free to interrupt us and we'll try to make sure that we have time at the end of this for questions as well.

We wanted to start by kind of talking about our recent success here. Our program has been growing and growing. We do have Jarret as our full-time coordinator. He also oversees the Snap ENT program, which is a collaboration with the Department of Welfare, and support services, and the Displaced Homemakers Grant, which TMCC has held since 1987. So, all three of these are workforce grants to help our students with barriers to become more self-sufficient. Specifically, about the JIVE program, you can see that we've had an increase each semester from 22 students in spring of '23, to 34 in fall of '23, and just this last spring 48 students. This summer we have eight students so far, we still have a couple that are waffling about whether or not they want to take classes in the summer, and we don't really push our summer classes because they are short and condensed classes, but we do have a few die-hard students who are ready to take that on and are really pushing forward towards their degree. We do work closely with the Northern Nevada Transitional Housing -- which Amy is going to talk about a little bit later -- because of the structure of the NNTH, they do not have access to financial aid and cannot qualify for Pell grants, so this Justice-Involved program is very important to help support them in following their career goals.

We do have some – and I'm sure you all are aware of this – statistics around people who complete their degrees and the recidivism rates being so low, much lower than the general population. This article was out of New York and 2% of college educated inmates return to prison for new felony convictions compared to 42% of the general population. So, I think we agree that education is definitely a good thing for offenders who are coming out of prison to reintegrate into society.

Dean Williams: So, I am going to talk to you a little bit about a handful of our success stories -- just real recently -- and these really are stemming from our partnership primarily with Northern Nevada Transitional Housing. A few years ago, we were able to connect with them and get permission from NDOC to actually install a small computer lab in their facility, which made it a possibility for their inmates to be able to participate in any TMCC classes that were online and so, that helped people who were interested in being students, to be able to participate in any online program that TMCC offered. Some of their inmates are allowed to come to campus for classes and some are not. So, this really opened a door for them to be able to study, do their homework, really be actively involved as a college student -- just like any other college student -- and it's been a fantastic program. So, one of our success stories is Jarret, who we have with us here today. He was one of the first students that I actually connected with at NNTN, and he had been incarcerated for 17 years, and was in transition there, and was able to join our program as a student, and just really found his mission in being a successful student – excuse me – and has a 4.0 GPA, and just really was a star student, right from the beginning. He fell in love with learning, and with being educated, and with being involved with college, and was clearly an avid learner right from the start. We're excited to say that he was able to transition out and is an employee with us. He started as a student worker, he got involved with our clubs, and was the president of our Business and Entrepreneurship Club, and our History and Political Science Club, he was in Student Government, and was just really actively involved in so many ways, and just graduated – last week actually – and graduated with a 4.0. So, he was one that was honored on stage above all other students, and graduated *summa cum laude* with his associate's degree, and is now working on his bachelor's degree. So, he's a great example of how education can really change lives.

And then, we have another student, Matt, who was also was in and out of prison multiple times and just never really had any vision of what his future could be like. He just had no hope. I don't want to read all the quotes that we have to you, but this one is particular I do want to read to you because I know a handful of you are not able to see the screen, driving or what have you. So, Matt said, "The JIVE program has been instrumental in giving me a life I never imagined I was worthy of. From an early age, I struggled through abuse and neglect that later evolved into drug addiction and incarceration. With the help of JIVE, I am one semester away from earning an associate degree in the social work field. Not only have I finally realized my potential, I'll soon be in a position to do the same for others. I'm beyond grateful for the support of this program." Now Matt is also employed at TMCC, we've employed him in our library as a student worker, where he plans to continue his employment even through his bachelor's degree at UNR, which he will start when he graduates with social work at TMCC. He's a fantastic employee, he has so much hope for his future, and he really attributes that to seeing a future through education and seeing that he had the hopes of having a career where he can really help people.

Ms. Sullivan: Another one of – oh go ahead Amy, I'm sorry –

Dean Williams: I was going to say, "I'm going to let Sideny talk about this one".

Ms. Sullivan: So, the next student is Heather Morton. She was brought to me by an instructor, she was a single parent, had just been reunified with her two children, and was trying to figure out how to balance everything. Balance all the meetings that were being required of her through the various programs that she was working within her parole and probation. She was a welding student, she was required to find a job on top of it, attend her sobriety meetings, and try to figure out childcare on top of it, and getting her kids to and from those daycare options. She just was in tears. It ended up that her passion for welding, we went back and spoke to her instructor, and he said, "I'll hire you right now", and so, for the last year and a half, she's been working at the college as an instructional assistant in the welding lab, and she has really, really blossomed. She is living in her own place now with her girls and has been honored – she doesn't think she's a great public speaker – but she keeps being asked by our foundation to speak to our scholarship sponsors

about her journey. Her plan is to finish her associate's in the next year, and then, go out and get some industry experience, and then, come back and finish her bachelor's degree, so she can teach at TMCC. She's really an amazing example of someone who was up against all kinds of hardships and has really turned her own life around by seeking out the opportunities that might be available to her.

Dean Williams: This is Billy Owensby; he was actually one of the first students from NNTH that we worked with, and he actually is instrumental in helping us set up the JIVE program initially. He actually testified at the Legislature for us, on what education meant to him, and really helped us get the funding to support JIVE and helped us get the permission to have the computer lab at NNTH. So, he was very instrumental in sharing his story with others and he just graduated last week as well. Also, with a 4.0 in social work and he is continuing his education at UNLV in social work. And it's just a fantastic story as well, of somebody who didn't see that he had the potential to be a highly educated person with a career and doing good things in the community. And he is so excited to give back, and make a difference now, and is just a great story of somebody who got involved, and finally, saw their potential, and really worked hard to achieve his dreams, and he's very excited about that. I just wanted to really express how the partnership at NNTH has made such a difference for so many people. I think the next slide might talk a little bit more about that.

But we started with just a handful and as those people saw their fellow inmates really having their lives be changed by education, more, and more, and more of them have been interested in getting involved and we're seeing these stories, like the couple that we have just shared with you happen, over, and over, and over again. And we're seeing it change lives, and so, actually, I think about a third of the inmates at NNTH are now active TMCC students and they're doing fantastically well. These aren't students who are just you know, getting by or trying to get credit, they're actually students who are seeing a hope, and really trying hard, and oftentimes, getting straight A's, and just really getting actively involved as students at TMCC. So, it's really exciting. You'll see this quote on the screen right now from Lieutenant Wilson at NNTH, but basically, he's just expressing to you what a difference it's made, and how life changing it has been, and how they're just so thankful for this opportunity. So, for any of you who might have been involved in making this opportunity happen for these people who are justice-involved, we're very thankful to you, and I know so many of our students are thankful to you for that.

Ms. Sullivan: We work with a lot of community partners. Obviously, NNTH is a very strong one, we also work with the Second Judicial Court and Reno Justice Court, the re-entry court, Parole & Probation, and then, a lot of the community organizations who also help support our students; Ridge House, and JOIN, and Community Services Agency, EmployNV, the Food Bank of Northern Nevada was a partnership that we had started because we found that a lot of our students across the board were hungry and so now, we have food banks at three of our four campuses, and the fourth one is going to be coming online in the next year. And we find that our justice-involved students do frequent the food banks that we have on those campuses in order to make sure that their studies can stay front and center in their journey, and we work with many, many more as well. So, we wanted to take a minute and talk, let Jarret tell you a little bit more about his journey, and again, if you have questions, please feel free to unmute, and speak up, and let us know. Jarret has been definitely one of our shining stars in this program. Jarret, do you want to unmute and talk a little bit about your journey of where you came from and how you ended up where you are now?

Mr. Orcutt: Yeah, absolutely. Thank you so much Sidney. So, like I said in the beginning, I have a total of 17 years in custody in the Nevada Department of Corrections over the course of three sentences all for drug trafficking. You know, and I'll be honest, every time I got out, the first time I got out, I had best intentions, I did not want to go back to prison, I did not want to commit a crime or break the law, but what would happen is, I didn't really have a plan in place, what I myself thought -- what so many of the people I knew in custody thought -- I just need a car, a job, and a place to live, and once I get those things, I'll be good. And so, it wasn't enough, if I did get the job, and I had the place, and I had the car, I really had no purpose in my life and so, you know I hear it all the time, guys would say, "I'm not going to have any friends, I'm not talking to those people, I'm not going back to the same people, I'm not going to talk to them" and then, they don't talk anyone now. "I'm just going to stay home", and I mean, that doesn't work. They have no social connections, no support system, and so you know, recidivism happens, you know. Unfortunately, at such a high rate and whether it's drug addiction, or the lack of purpose, or going back to those same friend groups, you know

there's a lot of reasons. And so, for me on this last sentence, I was given 10 to 25 years and you know, I started working, early on in this sentence I started working in the library and it gave me a reason on a daily basis you know, to not get in trouble, I didn't want to lose my job, I really liked my job, being in a place of education. We devised programs to get more people involved in education and sometimes it was you know, the carrot if we got administration to agree, we could have a movie channel on the weekend if we got a lot of people signed up for high school. So, you know, guys might sign up for just that reason, but if you know, even a small percentage of them go on and continue the education or a spark catches, that was the plan. And so, I was blessed to be able to be transferred to Northern Nevada Transitional Housing as one of the cooks, and the clerk there, the culinary clerk. During my time there you know, I ran the kitchen, I was the dinner cook, and you know, it was great being there. I was not eligible for community trusty at that time so, I couldn't go out and work, and when the computer lab was opening for TMCC it was like, well of course I want to do this, I'm a lifelong learner and this sounds amazing. And so, the Lieutenant at the time only let us take two classes and you know, a lot of the courses are self-paced. So, we blew through those, and me and a couple of other guys that started it, it just became fun and I'll be honest it was intimidating at first to think you know, "Man, I haven't been back in school in 25 years, these kids are going to be so smart" and you know, that wasn't the case. It was fun, learning new things, it was such a deficit of programs in custody, or the programs that do exist are so difficult to get into you know, if a program only has 12 participants, good luck getting into it. This was just amazing and so, I was able to transition out into the 184 Re-Entry program and continue as a TMCC student. My re-entry plan really was, I had found a position working in one of the resource centers at Edison Campus, essentially the library, but we also do tutoring and help students with whatever they need. So, my first barrier to continue my education was really that you know, the program that I had went into required a 40-hour week job, it required five mandatory meetings a week for recovery, weekly check-ins with two different agencies, and so, you know balancing that with a full-time student, that first semester I was actually doing 27 credits when I got out. And so, a lot of people were telling me you know, you can't do this, this is too much. So, you know I was so hungry at that point, and I had seen an end game, I had seen a plan, and education gave me purpose. Within one class, I started to think, "Man, I could be a college graduate, I could be a college student." And I watched other guys around me saying the same thing, saying you know, "Wow, we're in college, like this is amazing!" and it's such a change, and you start thinking about just different opportunities. At the time I wanted to do the HVAC program and I ended up doing the HVAC program, but also, as you're doing the general education, you're getting a lot of opportunity to see other courses and so, I started working with other offenders that had been released, people that I knew, and they saw what I was doing, and they wanted to do the same, you know? And so, I helped five or six individuals, mentoring them, helping them through the process, because it is complicated. It's not, you know, it's not normal for these guys to navigate the process of signing up for classes, financial aid. JIVE was there to help, but there's still a little bit of the stigma both real and perceived, where guys feel like you know, "I can't believe I'm standing on campus, do they know my record?" Like, they don't think that they deserve this, or they think that society doesn't want them there, they think that you know, that people are going to treat them differently and so, you know in some sense there is a real aspect of that, but it's usually an internal thing that the guys are feeling. And once, I saw a student generally get one or two A's down in a course, you know, they're doing well, they really start thriving, and especially students that start working within the college, grabbing on to the social network that exists within the college structure, through work study or instructor's assistants, people that become involved with the club structure, I've just seen people fall in love and find purpose through education. There is an informational barrier for students, not knowing how the process works, most students probably couldn't tell you how a college degree works, or what classes are necessary, and they don't know that they need to speak with academic advising so, there is barriers to that. You know, the biggest barrier I would say was financial, you know whether it's tuition costs, but living expenses, lack of funding, and finding a housing program that would allow you to both work a job, and be a full-time student, but overall I've seen such successes personally in the people I know, that have just changed the way they look at the world, whether they're you know, hopeful they're not going to be working in a warehouse job. I just don't see you know, as education expands your horizon, you see what's possible, and you stop, you know, you stop seeing criminality or returning to drug addiction as an option. So, I was blessed to be able to work as first in the resource center, I got involved with the clubs, I was the President of the Business and Entrepreneurship Club, I was the President of the History and Political Science Club, I got into Student Government, I was the Vice-President of Student Government, I worked as

the Instructor's Assistant in the HVAC program. Once I did graduate in December – we had commencement last week – but I graduated in December, I applied to be an Adult Basic Education Instructor teaching English Language Learners at our AB campus at Meadowood Center which was amazing to get some teaching experience. I started the bachelor's program in Career Technical Education and Leadership a Bachelor of Applied Science at TMCC in the spring of '24. And so, it's really been you know, I'll just tell you, this position as the Educational Partnership Programs Coordinator is really a dream come true because you know, I see what education has changed for me internally, how I look at life, like the changes that have been made when my horizons were expanded through education just moved me. And the effect I've seen on others up close, individuals that I know they're not going back to prison, they're not violating their parole, they have so much to live for, and their social networks have changed, their outlooks have changed, and they're going to be contributing members of society. And I just you know, think being in the coordinator position is such a blessing to be able to help these individuals that you know, I understand their mindset, both coming out, or what it has been while they've been inside and just to help navigate them through the system. Does anyone have any questions or?

Dean Williams: One thing I wanted to point out is when Jarret did transition, and he had that 30 hour a week job with us, and he was a student with us, he was actually told that he needed to drop out of school because he couldn't do that, and he needed to work full-time. So, he did find the additional hours to make up to the 40 that he was required to have and luckily, he didn't choose to drop out of school, he held pretty firm, but not everybody would do that if they were told they had to dropout, so that they could make it work and be successful in their transition. I worry that some people would choose to do that, so I think that's a communication issue that we need to work with any of our transition partners on, but for those of you who might be connected in that area, that's really helpful to remember what a difference education can make and that in a lot of ways is just as important as that job. Especially, if they do have one that's maybe 30 hours that can keep them going while they're in school. I just wanted to point that out.

Mr. Orcutt: Thank you, Dean Williams. I'd like to just expand upon that point. So, like she said, when I was first released, I had a job lined up at 29 hours a week and I was told that's not enough, you have to have a 40 hour a week job, you might need to quit school and focus on that, you're in a drug treatment program, you need to do at least five meetings a week, and I said, "Okay, five meetings a week, I'll do that, and I'll get another part-time job, and I'll do the 27 credits, like I can handle this." But I know that others couldn't necessarily have done that. I saw other individuals who wanted to go back to school, but felt that they you know, on top of the two check-ins a week, one with court services, one with P&P, one with a judge and specialty court. They felt that their calendar, their schedule was already too chaotic, and complex, and they didn't want to make a mistake, and be late for something else so that they could go to school. And I heard several people tell me, "You know, I'm just going to wait until I'm out of this program, or I'm going to wait until I'm at this other point, or maybe once I'm off parole, I'll do this." And I know those individuals never got involved with JIVE and are not currently TMCC students. Whether or not they went back to prison, I can't say, but I do know that I'm not saying that those other programs aren't important and that you know, rehabilitation meetings whether Narcotics Anonymous or Sober Support, those are important, counseling is important, but also, my wish would be that those other agencies that people are responsible to, understand that education is also equally important. Whether it's you know, a traditional education -- like, what I ended up getting -- or whether it's a vocational program, a skill certificate, things that are actually going to change a person's you know, career outlook and give them purpose.

Ms. Sullivan: All right. I know we're starting to run a little late on our time. So, I'm going to take us back to our slides here. I think we've covered most of all of these and I think we understand the challenges of housing and the financial barriers. The financial barriers are something that we can certainly help with as far as the educational costs. The legal barriers I know have been discussed a lot in the news here lately. Childcare we know is a challenge across the board for everyone and then, Jarret has done a great job of talking about the social and informational barriers.

The internal barrier is one of the things that we've had a lot of conversations about the time management, and the commitment management, making sure that they're meeting all of their meetings. Computer skills are another thing that we see often times are a barrier for those who have been incarcerated to understand

the systems well enough to be able to navigate the online classes and communicate by email in the ways they need to do that, and then, the self-efficacy, the being able to believe that they have a future story, that they have a goal, and understand what they need to do in order to get that. And being able to advocate for themselves and ask for help, that's a big one.

Fun pictures here. This was last Friday. Hunter was kind enough to allow me to wait just a day to get the pictures in from our commencement. There's Billy, Jarret, and another one of our folks, Mario Cortez, who is currently at NNTH in custody there. The medals that they're holding up, those are the 4.0 metals, right Jarret? I thought so. Okay.

Mr. Orcutt: Yes, they are.

Ms. Sullivan: So, we also have some potential solutions that we've talked about a bit. The support and advocacy, obviously, communication is a huge piece of this, right Jarret?

Mr. Orcutt: Yeah. So, like I said I couldn't have done it without the individual that filled this role before me in the EPP program in JIVE, was Dr. Chad Venters. You know, the ability to ask someone that understands the justice system and maybe the justice system mentality, say, "Hey, what do I do here? I'm looking at this, what should I do?" or even you know, "I'm having difficulty with this class, can you give me advice?" having someone to turn to, an advocate or a coach. You know, that is what I see myself in my role now, is I understand the resources available to our ex-offenders and our students, and so, to steer them towards that, and then, also to coach them, and offer that guidance when they need it.

Ms. Sullivan: One of the things that we were honored to host Deputy Director Testwuide at the applied Technology Center this week for a tour and one of the things that we talked a lot about is the prior planning upon release, and how early to start, and she was talking about what if we started that on day one. When they enter the prison system, how do we start that proactive planning so that people when they're getting out it's more than just you know, getting the trailer, and getting a car, and getting a job. They really have that future story that they're looking forward to and how to get there, what does that mean, do they need training for that, do they need connections for that, who are those connections, do they have the phone numbers, do they have the warm handoff? So, all of those things are potential solutions that we've seen work, we're doing that with NNTH now and we've had amazing success with that.

The – I forgot who was supposed to do these slide, Amy and Jarret, so, I'm just going to keep rolling until you interrupt me – the Cooperative Programs as we talked about, with Transitional Housing does work very, very well. The communication with the caseworkers at NNTH about what is working, what is not working, what do they need, what is the communication gap, and the flexibility that we have. That not all programs work for every person and being able to tailor those programs for the needs of the students, schedules of the students, and figure out the barriers, what are the things that are going to be a problem? We had one incident early on, where a student needed a laptop, so the college will provide laptops to students. We did not realize we could not provide a laptop to our NNTH student because when he got back to NNTH, they're going, "Whoa, whoa, wait a minute", we figured that out. We figured out him having a locker, so he can keep that where he needed it, but not have it necessarily at the center. So, being able to work together collaboratively so that all of the needs are met, is really important.

We've talked a lot about strengthening those collaborations and then, the enhanced support for funding opportunities is being able to work together to figure that piece out. One of our partners, JOIN, Job Opportunities in Nevada is a really good one. We don't have the funding for childcare, but they do. So, if we can fund a portion of their education, and they can fund a portion of the education, they can help with childcare. So, helping to figure out those sorts of things to help alleviate those financial barriers, so people really can concentrate on their future goals.

Few more pictures here. Mario Cortez, as I said, this is him receiving his degree from TMCC's President, Karin Hilgersom and then, there's a great picture here of Dean Williams and Billy Owensby.

Jarret, do you want to talk a little bit about the downstream effect here?

Mr. Orcutt: I do. So, you know, when we're talking about education changing an offender, giving them purpose, we really have to also look at the downstream effect, the family reintegration. So, when someone gets out and is doing well, it is inspirational for the family you know, the people that have been left out while they've been doing time. You know, improving their relationships and stability within the families, you know it provides a better model for the children and the children's future. It increases the likelihood of children pursuing higher education, and it breaks the cycle of poverty and crime. You know, we know that it's a two percent recidivism rate with a higher ed degree, that is directly proportional to everyone around them also. When they're a functioning member of society, you know my son is enrolling in college this year, and lives in my basement, and I don't know that he would be going to college, if he didn't have the positive example that I am now here to provide. I was not there for 17 years of his life, and so, you know as important as my own purpose is, you know trying to do something for him and his future, it really changes everything, and I've seen this in other offenders that I've worked with that it just changes everyone around them, when an offender gets an education.

Ms. Sullivan: And of course, there are the societal benefits as well. If making sure that people are productive taxpayers in the community versus being re-offending inmates, obviously, has financial, and societal benefits, and economic contribution for that matter. This is all of our contact information, we're happy to speak to anyone about our experiences with the justice-involved program.

And I just want to flip one more and then, I'll flip back to the contact information, but there are our three guys who walked the stage this last Friday. I can tell you that Mario Cortez's parents came in from California, and he was escorted here to the commencement ceremonies by a caseworker from NNTH, and he told me later that -- this is the caseworker said -- that he was almost in tears because Mario's mom would not stop crying. So, it was a really, really, amazing opportunity to see the success that these gentlemen have had. We have dozens more who are in the pipeline, who are in school, and headed in this direction, and their families are seeing it, and their children are seeing it, and their friends are seeing it. Jarret has been recruiting for TMCC all along the way and now, he's getting paid to do it as well. So, we're very, very proud of him, we're very proud of our students, and we're so happy about the collaborations that we have, and the funding that we have from the Legislature in order to make all this happen, and we really appreciate our opportunity to come, and discuss it with you all.

Chair Herndon: I got to tell you Jarret, when Ms. Williams was introducing you, I was like, I don't know if anybody's going to be able to meet the bar because her effusive praise of you and the introduction was pretty high, but you crushed it. So, thank you, I appreciate your participation today as well as that of Dean Williams and Ms. Sullivan as well. So, let me ask if there's any Commission members that have any questions for either Dean Williams, Ms. Sullivan, or Mr. Orcutt. Looking at Hunter to see if people are doing the electronic hand raise thing, I'm just looking at the screen.

Ms. Grosenick: I did. So, this is Evie Grosenick with the Washoe County Public Defender's Office, this is more of a comment really. Mr. Orcutt, your story is so inspiring, and I just want to thank you for sharing that being such a great advocate. I think what stands out too, from this presentation is not just the quality of the programming and the way that it changed your life, but the downstream effects, you know as far as looking at cyclical crime, right? Or generational. And so often we hear from clients, how really kind of how their parents weren't setting the best examples, but here we see people who are able to gain an education, and gain employment, and overcoming those obstacles really teaches resilience, and perseverance, and this was just such a great presentation. Thank you so much.

Mr. Orcutt: Thank you.

Mr. Jon Ponder: So, this is Jon Ponder. I'm on my phone and I don't know how to raise my hand.

Chair Herndon: You're all good Jon, go ahead.

Mr. Ponder: All right. Well, good deal. First of all, I'd like to compliment TMCC for the phenomenal work that you guys are doing and the impact that you're making in the lives of so many people. We know that if you're going to improve the caliber of how you're going to live life, education has to be a huge piece of that. So, again, thank you for the great work you do and then, congratulations to Matt, and Heather, and Billy, and Jarret, I'm just extremely, extremely proud of the work that you're doing, and the heart that you have to turn right back around, and help other people that are transitioning out. Man, I tip my hat to you. So, thank you.

Mr. Orcutt: Thank you so much, sir.

Chair Herndon: Any other comments or questions? I do not hear or see anything. So, again, Dean Williams, Ms. Sullivan, Mr. Orcutt, thank you all so very much for giving us some of your time today and for your slide presentation as well as your speaking presentation, it was greatly appreciated.

Ms. Sullivan: Thank you so much for having us.

Chair Herndon: All right, with that we will go ahead and close agenda item number four.

5. Misdemeanor Subcommittee Update

Chair Herndon: And move on to agenda item number five, our "Misdemeanor Subcommittee Update" with our Subcommittee Chair Mr. McCormick. John, you can go ahead and take it away.

Mr. McCormick: Thank you, Chair. So, the Misdemeanor Subcommittee has had two meetings now, and the second one, we really sort of talked it through, and came up with a plan to move forward, and the Chair is a slacker and hasn't sent that out yet. But what we'll be doing is having stakeholders' groups on the committee, so you know public defenders, prosecutors, etc. coming together and examining the list of misdemeanors that the Legislative Council Bureau put together and sort of picking their top ones that we want to collect data on, because we've had a fairly extensive discussion about data, and the availability, and our capacity to collect that. Also, to pick the misdemeanors that they feel are no longer necessary be it you know, we have a ton of 1866 and 1911 misdemeanors that are still on the books and don't need to be there. And then finally, each subgroup is going to develop sort of what their criteria is for evaluating misdemeanors, so we can all come back together in July and sort of review that work. It's my hope that as the different groups identify their priorities that we will hopefully find that we're closer together than I think some people may suppose. So, that's sort of where we are. Also, the bill that created the misdemeanor subcommittee with that passage, there was also some money set aside and I think it's IFC contingency – Jorja is shaking her head yes – and so, I'll be working with the staff at NDSP to go to the appropriate Interim Finance Committee meeting and advocate for the authorization to fill that position. So, we've got more data resources there at NDSP to help. Happy to answer any questions.

Chair Herndon: Anybody have any questions for John? I do not hear or see any. So, John, thank you very much. Oh wait, hold on. Oh, all right, no problem, Chris, have a safe flight. Take care. And also, Jorja did you get Bitia Yeager joined us. Judge Yeager?

Director Powers: Yes, I did. Thank you.

Chair Herndon: Thank you. Okay, we will go ahead – and again, thank you John – we'll go ahead and close agenda item number 5.

6. Costs Avoided Discussion

Chair Herndon: And move to agenda item six, which is the "Costs Avoided Discussion". That is going to be through Ms. Powers, Director Powers. So, if you want to kind of go ahead and move forward with the costs avoided calculations, formulas, etc. discussion, that would be terrific.

Director Powers: Perfect. Let me share my screen. Okay. Let's see, okay, so are you seeing the presentation?

Chair Herndon: Yes, we have it up here Jorja.

Director Powers: Perfect. All right, so good morning, Commission. We will now discuss the Costs Avoided Formula. This should be a lively discussion, so I'm looking forward to it.

We will cover the statute, which covers our reporting mandates including the data points we are required to use in the formula. We will discuss the data available to meet that requirement. You will see the proposed modification to the currently approved formula, a draft of the outline for the August 1, 2024, Projected Amount of Costs Avoided Report, and then, the Commission can begin to discuss recommendations for the reinvestment of these avoided costs. The hope is to vote and approve a formula today with that added to the rest of your discussion, the report will be written, then presented at the June meeting, and edits can be made, and the final report should be approved at the July meeting.

So, first we'll talk about the NRS, which is 176.01347. NDSP was created in 2019 to track results of AB 236, gather criminal justice data in general, identify gaps in Nevada's criminal justice data, and support the Commission, all in the effort to help Nevada make data-driven decisions about criminal justice systems. NRS 176 contains the prescripts of our role and here is the portion of the statute discussing the calculation of costs avoided due to the enactment of chapter 633, statutes of Nevada 2019. So, what I have highlighted are the two points that are required in the projection, the annual projection of the number of persons who will be in a facility or institution of the Department of Corrections, which was created by the Office of Finance pursuant to NRS 176.0129 for calendar year 2018 and also, the actual number of persons who are in a facility or institution of the Department of Corrections during each year. So, these are the only two things that are in statute that are mandated to be used for these costs avoided calculations.

I'm going to move to the next slide. We are taking the data points in statute and using them to create this formula. We are producing a report that we have been asked using the data that is available. So, we are taking where you see JFA in February of 2017, that report was written in 2017 for 2018, so that meets that requirement, and we use those to create the formula with the actual or projected populations numbers from the most current report. We took that and multiplied it by the inmate-driven portion of the DOC budget to calculate the avoided costs or the projected avoided costs. This goes to last meeting when Deputy Director Shea talked about the percentage of their budget that is actually inmate-driven. So, you can see here that we have given you what was in prior reports, which is that 21 million across the board and we have also given you what is now our projected amount of costs avoided using the new calculation. The numbers are actually quite similar with the 22 million – 21,726,364.66 -- and then, you see going forward very close to 21 million. So, there are a couple of data points that we do need, I have reached out to Deputy Director Shea, so we're just waiting for the annual cost per offender and percentage of the budget represented by offender driven costs for fiscal year 21 and the percentage of budget represented by offender driven costs for fiscal years 22 and 23. So, those numbers will be updated when we have the correct percentages. I believe I will stop there, if we want to discuss this. I don't want to go off of this screen until we've had a chance to really look at it. I know you had the materials in your packets, but does anybody have anything now? If not, I can continue.

Chair Herndon: And that's fine Jorja, we can divide it up, and whenever you think is appropriate, and just kind of see if people have any questions. So, if anybody has any questions for Director Powers with regard to this portion of the presentation?

Director Powers: I can't see anybody.

Chair Herndon: Me too.

Director Powers: Anybody? Okay. So, I'll go ahead and move forward, just jump in if you have anything. We do have to remember that this is all theoretical money. What we do want is right now a formula that is

sustainable, right? We want to use what we have, we want to remain within the statute for this formula and again, as data collection increases and the availability of that data increases, then we can move forward and have a growth plan for this calculation. Dr. Lanterman, did you have your hand up?

Dr. Jennifer Lanterman: Yes, thank you. Director Powers, I just wanted to verify that for inmate-driven cost, that does not include medical costs, correct?

Director Powers: I'm going to ask Deputy Director Buonacorsi, do you have the answer to that one?

Deputy Director Buonacorsi: I can get it shortly. I can't remember if they were separated or not from Deputy Director Shea's presentation and that was where we pulled those numbers for but give me one second Dr. Lanterman and I'll get right back to you.

Dr. Lanterman: Okay. Thank you.

Director Powers: Okay, we'll get you the answer to that. Anybody else? Okay. So, in the next slide you will see what a basic draft outline of what the report will look like. DA Hicks? Go ahead. This is a good time to jump in.

DA Chris Hicks: Yeah, thank you. I just had a question based on something you said right at beginning and that was, you said, you know, using the data that is available and my question is what isn't available that you envision as being important to the future calculations of this part of the statute?

Director Powers: What I think is extremely important is where the people who aren't in prison are actually now. So, with AB 236, we changed some penalties for crimes, some felonies moved into the misdemeanor or gross misdemeanor categories, there were changes to what mandated probation, and so, we have moved this population of people somewhere else. So, obviously, money is being spent either in parole and probation, in diversionary courts, by the jails, and that is just information we do not have. We can talk about what NDOC is saving, but obviously the costs are just being moved to other places. The cost themselves may be variable, it may cost less to have them where they are, but there is still money involved.

DA Hicks: Thanks.

Director Powers: Absolutely. Any other questions? Okay. So, again, this is a draft outline of what the actual report will look like. So, we will talk about statutory requirements, and it will reference the December 2023 Statement of Cost Avoided Report that the Commission did approve and was turned in. It will talk about the prior formula, and any approved formula that comes out of this meeting, and then, it will have the calculations, and then, there will be a considerations section, and this is where I would love to have a great discussion here. It will talk about the difficulties of calculating costs avoided because it is not real money, it represents future savings, right? So, it will also talk about the DOC population was already declining prior to AB 236, the decline began in 2017. Now AB 236 and also COVID, did make that happen more quickly and in larger numbers, but sometimes it's very difficult to pinpoint exactly what caused what. And then, we want to talk about what's next because in the statute we talked about, it said we have to use those 2018 numbers which came from the 2017 report, which went ten years. We only have one more biennium after this before those numbers don't exist anymore. So, we should consider what that looks like, do we change the statute, do we want to continue in the same way we have or is this a chance to change the way we look at costs avoided in a completely different manner. And so, now I'm going to give the floor to the Commission to have that discussion, think about other considerations, or look at the ones we've talked about and add to those. DA Hicks?

DA Hicks: Thank you. I'll just build off what I just asked you, I think maybe an acknowledgement of the lack of data we have, kind of how you just framed my question, would be an important thing to put in the considerations. So, that would be a recommendation I have.

Director Powers: Perfect. Others? Chief Bays?

Chief Michelle Bays: Thank you. I just had a couple of things also to build off that, is if there are some data points that we can get that show some similar costs associated to jails when it talks about inmate and housing costs, so we could maybe do a comparison of that because you brought up a good point about, is this really just, where are the inmates who are not in NDOC? And then, also, when you talked about the prior decline, if there would be a way to capture some data that prior to the AB 236, that decline already taking place there's data there to show what were the projections there, maybe what was the cause of that decline, and possibly where that trajectory was going to go aside and apart from the changes of AB 236.

Director Powers: Perfect. Anybody else on the consideration section? All right. I think that Deputy Director Buonacorsi might have an answer to the previous question regarding medical.

Deputy Director Buonacorsi: Yes, I do. Thank you. Dr. Lanterman, I went and reviewed DD Shea's presentation from last time to confirm, but that 13% of the offender-driven does include medical costs for the offenders.

Director Powers: Thank you for that. All right. So, we will move on to the recommendations. So, this is the part of the NRS here for reference, that talks about recommendations for the reinvestment of the costs avoided and what we should prioritize, all right? So, it would be DOC's programs for re-entry and parolees in the community, programs for vocational training, employment of offenders, educational programs for offenders, and transitional work programs. It would be P&P for services for offenders re-entering the community, the supervision of probationers and parolees, and programs of treatment for probationers and parolees that are proven by scientific research to reduce recidivism. Behavioral health field response grant programs developed and implemented pursuant to NRS 289.675, Housing Division of the Department of Business and Industry to create transitional housing for probation and parolees, and offenders re-entering the community. The Coordinating Council to make grants to counties for programs and treatment that reduce recidivism – and yes – so, it talks about that our report is due on August 1st. So, I added in here the recommendations that were made by the Commission in August of 2022 for this report, which would be additional funding to the Department of Corrections for re-entry, vocational, and the programs we mentioned before, additional funding to P&P for treatment programs and re-entry services, the behavioral health field response grants program developed and implemented by POST, the Housing Division, and also, the Local Justice Reinvestment Coordinating Council grants. It also talked about specifically for the funding of \$3 million dollars for the Council, which did come through in AB 388, we did get that \$3 million dollars and also, for NDOC and NPP to improve their data systems. I know that the Division of Parole and Probation is working on their new system, and we've talked in the past about the difficulties of the older systems, they were made for case management, but not to provide data analysis, it's very difficult to pull that information to show the trends that we would like to see to provide data-driven recommendations. So, this is that section if you would like to talk about further recommendations or specific recommendations you might have, if we approve the formula as written as to what we would recommend the 21 million go towards. Anyone? Otherwise, we will keep this in the same vein where it follows what the NRS asks. Again, we do have a whole another meeting, so if you have something prior, I mean if you have something prior to June we definitely will be talking about this again. So, these are the recommendations we want to put forward in the August 2024 report. Okay, if we don't have anything there. Dr. Bradley?

Dr. Shera Bradley: Sorry, I had a comment, question. I was looking for the definitional slide that you showed at the beginning, but does all this money need to be used for re-entry pieces? Can some of it be used for prevention? Does it specify at what point along the timeline?

Director Powers: The first paragraph here is what the NRS says about the recommendations. So, it does talk about programs for vocational training, employment, educational programming, so it could come prior to.

Dr. Bradley: Okay. If it can be used for prevention, and I mean it guess it depends on how you want to label prevention, but I would love to see us consider, I know the Misdemeanor Subcommittee is working on things, but at the misdemeanor potentially targeting some programming at people who could escalate to committing crimes that may land them in prison, there's some diversion programs that are happening down

here. I don't really have it fully fleshed out, but I just wanted to throw that out there, that I think we should also be looking at preventing people from ending up in prison.

Chair Herndon: Yeah, I agree with you Doctor. I think problem may be that under the statute, it directs itself towards the Department of Corrections for re-entry, as well as Division of Parole and Probation, so that may take us out of the ability to kind of funnel things down to misdemeanants in the limited jurisdiction courts.

Director Powers: I will do some further research. I know that the grant that the Council has open right now does have the ability for diversionary courts to apply and such. So, I'll look into that more and we can definitely discuss this more in June.

Chair Herndon: Anybody else have any questions or comments for Director Powers?

Director Powers: Okay. So, that is where we are. So, if there's anything else about this, we'd like to discuss now please raise your hand. Okay.

Chair Herndon: I think you should feel good that you're hitting everybody's questions without them needing to ask them. Okay, then do we need to entertain a motion to approve that formula today, Jorja, or are we looking to do that in June?

Director Powers: No, yes please. If we can get the formula approved today and all of that discussion, then I can go ahead and get the report started which is what we will talk about in June.

Chair Herndon: That was my sense. All right. Do we have a motion to approve the formula as outlined by Director Powers?

JOHN MCCORMICK MOVED TO APPROVE THE FORMULA FOR COST AVOIDED

ASSEMBLYWOMAN VENICIA CONSIDINE SECONDED THE MOTION

MOTION PASSES

Chair Herndon: And Director Powers, is that the end of that agenda item, I guess, yes?

Director Powers: Yes, Chair. Thank you.

Chair Herndon: Perfect. Okay. We'll close agenda item number six.

7. Director's Report

Chair Herndon: And move onto agenda item number seven, which will take us back to Director Powers for the Director's report.

Director Powers: Thank you, Chair. Let me share my screen again. Okay. So, I'd like to share this, so that you can follow along as we're talking about our core functions and what they mean.

So, as far as administrative, it's just a quick update. Our general office happenings, staff is creating our Department Language Access plan to meet statutory mandates assisted by the Office of New Americans.

In budgeting, the budget build activities for next biennium are underway. I'm working closely with the Administrative Services Division on this and so, that's going well.

Data and Reports, in the last meeting I mentioned the prison population projections report and the statutory requirement for an outside contractor to perform these calculations, it used to be JFA. We have met since then with the GFO, the Governor's Office of Staff, and stakeholder agencies. We did that last month

regarding this report and there will be an RFP put out to seek bids to fulfill this mandate. It was decided that NDSP would oversee that contract. So, this will allow our department to continue to work with the stakeholder agencies to help ensure that lines of communication remain open, that any concerns are being addressed, and that the contract is being fulfilled. So, we will also continue to complete our own projections in tandem. So, that was really exciting. Information on the murder report data collection that was passed to us during last session remains the same as I reported at the last meeting. We're still waiting for Clark County information; they have been in touch with us, and they are working to get us their portion of the data. Once we've received all the counties' data, we will compile the information and provide analysis on that. NDSP has been in contact with the Chief Information Officer to explore the possibility of creating a Microsoft SQL Server Management Studio Database for the Department, this will allow us to store, process, and query data more efficiently. During this process, Deputy Director Buonacorsi met with the OCIO's Chief Data Officer and his team to discuss options, they have been meeting weekly to discuss the project, and how to complete this process as soon as possible and right now, we are waiting on estimates for fiscal considerations for the project. We also continue our ongoing projects, including planning, collection, and analysis regarding misdemeanor data, NDOC aging population data, and population projections. Another large project and huge attainment, is the new dataset from NDOC, Jenna will give some information on that in the upcoming data presentation.

In Outreach, we continue to have recurring meetings with stakeholder agencies regarding data and other topics. And we have been asked to present at the Interim Committee on Judiciary on May 31st.

As far as the Commission, we do still currently have two vacancies. One of the two members who are judges, and one member who is the advocate, which was mentioned earlier. We continue to remain in contact with the appointing authorities for each of these. So, we are trying hard to get those filled. So, next I want to talk about the grant, the Nevada Local Justice Reinvestment Grant that goes through our Coordinating Council does remain open. This is the \$3 million dollars that was appropriated through Assembly Bill 388 last session to fund county-level grants related to reducing recidivism. Each of you should be receiving email updates periodically regarding this. We continue to ask you to post and pass along the grant information to any agencies or organizations you think would be interested in applying. With the grant application opening on March 15th, the original deadline was April 12th, NDSP sent out emails to 133 unique email addresses, plus the emails to the Commission and Council members. We received five grant applications by the deadline, these applications totaled \$456,001 dollars. As money was still available, NDSP extended the grant application period by initiating rounds every two weeks through June 21st. We did not receive any applications for the second round, then we sent out another email blast to 236 unique email addresses along with Commission and Council members. We received two additional grant applications for round three, round four deadline is May 24th, and round five will have a deadline of June 7th, the final round six, has a deadline of June 21st. We have received applications representing Douglas County, Humboldt, Lyon, as well as Esmeralda, and Nye counties. The peer review committee has looked at all round one applications, two of those grants will be funded, and further information was requested from the other three. Again, we are requesting your help to spread the word about this grant opportunity. We are continuing to reach out to agencies and communities, by email and telephone. Some of the hesitancy might stem from the newness of this opportunity because many organizations, especially governmental agencies have already set their budgets, and this may keep them from considering new grant opportunities in their current budget cycle. Also, because this was a one-shot appropriation, the fact that we are asking for sustainability in the review of the grant applications may cause some hesitancy for some people. We can hope that we will have continued funding for this effort and that will be considered moving forward. It is important that we get this grant money out, so again, any help, anybody you know who might benefit from this to help the recidivism, please let us know. Ten percent of the funding is also allocated for victim services, so you can also encourage organizations involved in those efforts to apply. All right. Moving on, last time I gave you a save the date for the NASC Conference, the National Association of Sentencing Commissions, it's being held in Raleigh, North Carolina, August 6th through the 8th. We do now know that early bird registration is open, and the early bird is through July 5th, registration is \$425 dollars, it will go up to \$475 after that date. This is a great way for us to network and discover not only what's happening in sentencing reform nationwide, but also in our counterpart commissions and agencies. We are reviewing at this time to determine if we may be

able to provide support in registration costs to interested Commission members, we will update you as we find out more information on that.

And that concludes my Director's Report at this time.

Chair Herndon: Anybody have any questions for Director Powers about the report? I hear none and I see no hands. So, Jorja, thank you very much, I appreciate it.

Director Powers: Thank you.

Chair Herndon: With that we will close agenda item number seven.

8. Data Report

Chair Herndon: And move onto agenda item number eight, our data report that has Deputy Director Buonacorsi with us. So, Ms. Buonacorsi, I'll turn it over to you, thank you.

Deputy Director Buonacorsi: Thank you, Chair. Give me a second to share my screen. All right. Good morning, Commission! At our last meeting on April 5th, I presented what was essentially part one of our research into the Nevada Department of Corrections, NDOC's aging population. The US Department of Justice Bureau of Justice Statistics defines the aging prison population, to be offenders aged 55 years or older. The last presentation was focused on the aging population's proportion to the total NDOC population, as well as a breakdown of the offense groups and offense categories for those offenders 55+. If you may have missed that presentation, I want to encourage you to take a look at it on our website. It'll be listed under the meeting materials for the April 5th meeting, or you might prefer to watch the recording on our YouTube page. Either way, that presentation feeds into the presentation today. I want to thank each Commission member who provided specific areas of further research on this topic. You all had great questions and requests, and I hope this presentation answers many of them. You will see at the end of this presentation that this is not our last report on the aging population, so please let us know what other areas we may have not mentioned yet or do not plan to mention in the future that you would like us to study. Lastly, I want to give a big thank you to my team at NDSP, like most projects in our office, this was truly a collaborative effort and I appreciate all of the hard work each one of you did. Thanks guys.

With that today, we're going to be covering the following. First, we will do a quick review of the total population trends from the last presentation. Then, we'll dive into NDOC's age groups broken out further. We will look at the time that has passed for the aging population since their initial admission into NDSP custody for their booking, we will also look at the aging population's bookings maximum incarceration lengths, we will discuss what NDSP has planned for this project, and others looking forward, and then, we will have a time for questions, and discussions at the end.

If this chart looks familiar to you, it's because you might have seen it at our last presentation, as I pulled it directly from the last PowerPoint. Overall, NDOC's population has experienced a decrease in the total population size. It went from almost 14,000 offenders in 2017 to hovering just above 10,000 offenders in 2021. Since 2021, we have seen a slow increase to the total population. Most of this analysis looks at the proportion of the population each group makes up and sees how that population group has trended over time. What we can see here is that over the last seven years, the aging population in proportion to the total population has grown by 2.36%, meaning that in 2023, a larger portion of NDOC's population was made up of offenders 55 years and older, compared to that of 2017.

At our last presentation, the aging population, one item that was requested was a further breakdown into the population groups before we jump into the aging population, we provided a further breakdown of all ages here for the total population. There has been a decrease in offenders age 29 and down between the less than 25 age group and the 25 to 29 age group, they have decreases by 2.17% and 3.06% respectively from 2017 to 2023. Over the last seven years, offenders from 30 to 34 have remained the largest portion of the total population.

For the rest of the presentation, we will only be looking at the aging 55+ population. So, we'll be looking at the same population for each year broken out into different categories. Meaning, 2017 aging population will always sum to 1,806 offenders and the 2023 aging population will always be 1,692 offenders. For this age group breakdown, offenders age 55 to 59 make up the largest portion of the population for all seven years. However, in 2017 they accounted for 48.41% of the aging population, where in 2023 they accounted for 39.13% of the aging population, this is a 9.28% decrease over the last seven years. Expectedly, every other population experienced an increase in the proportion of the aging population they represent, meaning the aging population in 2023 proportionally has been comprised of older offenders compared to that population in 2017.

As of December 2023, roughly 70% of the entire aging population is made up of offenders 55 to 64 years old, offenders 80+ make up the smallest group at only 1.95% of the aging population.

Now, on this graph, we see the 55+ population age groups broken out into three different categories. The first being, the number of offenders who have never left an NDOC facility since their admission on their booking, these are offenders whose imprisonment status at the end of 2023 was either new commitment or probation violator. Second, are offenders who have left an NDOC facility at least once since their admission into an NDOC facility on their booking, these are offenders whose imprisonment status at the end of 2023 was parole violator, this could mean the offender has gone in and out of parole at an NDOC facility at least once, but potentially more. Lastly, our offenders who have not been physically received. These are offenders in an out of state facility serving or pending a Nevada sentence at the end of 2023. The majority of offenders who have left an NDOC facility at least once are in the 55 to 59 and 60 to 64 age ranges. Statistically, the older the offender is the less likely they are to have left NDOC custody since the beginning of their booking. Offenders who have never left have either have not yet met their minimums, are serving life or death without the possibility of parole sentences or may be struggling to find appropriate parole housing. These reasons are not exclusive to the aging population, and this applies to all offenders who have never left NDOC custody since the beginning of their booking.

Before we begin this next section, I want to take a moment to define what an NDOC booking means in the context of this presentation. A booking encompasses any conviction at the time of and subsequent to an offender entering NDOC custody. An offender could begin their booking with one or more JOC's and potentially could add JOC's to their booking once it has already begun. One way this could happen is if an offender is still pending sentence, is still pending sentences from one or more charges before they entered NDOC custody. If they are convicted, these sentences join the original booking and may add time to the offender's original booking maximum. Another way is if the offender is paroled to the community but receives new charges. These charges join the original booking and may similarly add time. A booking ends when all convictions have been discharged, if an individual is convicted of a new crime after they have been discharged, then a new booking is created. With that being said, looking at how long these 55+ offenders have been in NDOC custody since the beginning of their booking was a question that was asked by the Commission. Here we compare the 2017 aging population's time since their booking admission to the 2023 aging population's time.

This slide looks at the amount of time that has passed since the beginning of an offender's booking and if they have left an NDOC facility at any point during that booking. For each category, there is a larger majority of offenders who have never left an NDOC facility since the beginning of their booking. For offenders who have been there zero to four years, 4.66% of the offenders have left at least once. Whereas, offenders whose booking began 30 to 34 years ago, 20.99% have left at least once and it increases to 29.8% whose admission into NDOC facility was 35 plus years ago.

Another question the Commission proposed was for us to break down the number of indeterminate sentences, life without the possibility of parole sentences, and death sentences. We also provided a further breakdown into the maximum lengths for those indeterminate sentences. Each year, shown here, more than 50% of the aging population are serving life with or without the possibility of parole or a death sentence. In 2017, 52.12% of the aging population was comprised of life and death offenders. In 2019, it rose to 54.26%, 57.48% in 2021, and then, 54.73% in 2023.

Looking just at the 2023 numbers, the three largest groups of the aging population are offenders serving life with the possibility of parole at 37.29%, offender who's booking maximum incarceration length is less than 15 years at 20.74% and offenders serving life without the possibility of parole at 15.91%. The groups who make up the smallest portions are offenders with maximums at 60+ years with 2.25%, offenders serving 45 to 59 years at 1.83%, and lastly, offenders serving death sentences at 1.54% of the total aging population as of December 2023.

When we take a look at maximum incarceration lengths for the aging population and if they have ever left an NDOC facility since their booking began, we see that most offenders who have left at least once are serving life with the possibility of parole sentences.

So, looking forward for data reports to come. Medical costs, we have already received a data set from NDOC with the medical expenses broken down into the less than 55-year-old offenders and the offenders 55 years and up, this will be presented to the Commission at either our June 21st meeting or our July 26th meeting. We also recently received a new data set from NDOC that gives us every offense an offender is serving rather than looking at their most serious offense as all prior reports have been. We want to use this data to continue our analysis on the aging population as well as the total NDOC population. With this we will also look more deeply into the aging population's number of prior offenses and similar information as we continue this portion of the aging population analysis. Similar to what we have studied and will continue to study about offenders 55+, the Commission has also requested for us to look at offenders 24 years and younger, this analysis will begin as soon as we wrap up the aging population and should be very similar to what we have done here. Also, thanks to this new dataset from NDOC, we are planning to look into the lengths of stay for offenders now having a dataset with their full sentence structure available. I want to again thank the Commission for such an engaging discussion on this topic last time it was presented. I hope today answered some of your questions or the presentations to come will. As of right now, we have at least one or two more presentations on the aging population to come, so if there are any further points of research that we have not yet presented and are not on the list of future presentations, please feel free to reach out and we'll do our best to gather that data if it is available.

With that being said, I will take any questions, comments, or requests at this time.

Chair Herndon: Anybody have any questions for Ms. Buonacorsi? I know I've got a question Ms. Buonacorsi and looking at the pie graph, what was the total number of 55 and over folks in NDOC in 2023? Looks like it's around 1,700.

Deputy Director Buonacorsi: If I remember off of the top of my head, I'll find the exact number but it's 1,690 something.

Chair Herndon: Okay and obviously, I think I was the one who asked about how many of that population were serving without or death sentences, and you had told us that was 54%, but it looks like the second significant group outside of that, is people whose sentences are actually less 15 years, but nonetheless, they're in the aging population.

Deputy Director Buonacorsi: Yes.

Chair Herndon: Which is like another 20 what 24%, something like that?

Deputy Director Buonacorsi: Yes. They were the next, the offenders serving less than 15 years is 20.74%.

Chair Herndon: 20.74%, okay. Thank you.

Deputy Director Buonacorsi: You're welcome.

Chair Herndon: Anybody else have any questions? I do not hear anybody or see any hands. So, Jenna, thank you very much, I appreciate your time, and your presentation.

Deputy Director Buonacorsi: Thank you, Chair.

Chair Herndon: Okay with that, that'll close our data report, agenda item number eight.

9. Discussion of Potential Topics and Dates for Future Meetings

Chair Herndon: And move onto agenda item number nine, which is just our discussion of future meetings. We pretty much have those dates all set; we had removed the September meeting. So, our next meeting is going to be on June 21st, that's scheduled as an in-person meeting and then, a July 19th meeting followed by a November 1st meeting. Staff, as always, are working on topics for our upcoming meetings, but we welcome any input that anybody has. Even if it's after today, if you think of things that you'd like to get on, please let us know, but I'll also open it up right now to anybody if there's topics that you'd like to see on any of the upcoming meetings that you have in your head right now. So, please go ahead. Everybody's just worn out today, right? Okay. Then, we will go ahead and close agenda number nine. And I don't know Director Powers if you have any updates about our June meeting right now, about things that we're going to have on?

Director Powers: No. What I thought I might need to discuss was Grant Sawyer, there was a possibility, but we just found out we are going to be able to use that room. So, we will definitely have an in-person meeting in June.

Chair Herndon: Okay.

Director Powers: We will also be talking about restitution. I know that there were Commission members who had questions about that and how that worked. So, we will have P&P and NDOC talking about restitution for victims.

Chair Herndon: Okay. Perfect. All right, then we will fully close agenda item number nine.

10. Public Comment

Chair Herndon: And move onto agenda item number ten, which is our second segment of public comment. Okay. Second section for public comment, so I will go ahead and turn it over to Ms. Jones to invite any folks and help them through the process of making public comment.

Ms. Jones: 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 press star six to unmute, then please slowly state and spell your first and last name. Caller with the last three digits, 717, please slowly state and spell your first and last name for the record. You will have two minutes.

Mr. James Wadsworth: Okay. I think I'm on. My name is James Wadsworth.

Chair Herndon: You can go ahead Mr. Wadsworth.

Mr. James Wadsworth: Am I being heard?

Chair Herndon: Yes. You're on.

Mr. James Wadsworth: Oh okay. I'm very sorry. I'm proposing two artificial intelligence systems being developed for the Department of Corrections. The first one will correct criminal behavior and the second will prevent its recurrence. We also identified this second item has the potential to prevent criminal behavior from developing in children with ADHD or LD. These are all neurodiverse children and I'm speaking specifically of neurodiverse people within the Department of Corrections. I have two paragraphs here I want to complete. To advance this initiative, we need to support the endorsement of the Nevada Sentencing Commission. Immediate next steps include securing funding for the pilot phase, establishing partnerships

with technology providers and formalizing the project framework. Your backing is essential in making this vision a reality. In conclusion, NDOC.AI and TMC.AI have the potential to revolutionize how we address ADHD and LD within the correctional system leading to substantial benefits for individuals and society. I'm fully committed to this endeavor and confident that with your support we can achieve transformative change. Thank you for your time and consideration.

Chair Herndon: Thank you, sir.

Ms. Jones: Thank you, caller.

Mr. James Wadsworth: Thank you, Hunter.

Chair Herndon: Do we have anyone else?

Ms. Jones: All right, Chair. We have no one else who wants to participate.

Chair Herndon: Perfect. Thank you. All right. So, we will conclude agenda item number ten, our second section or period of public comment.

11. Adjournment

Chair Herndon: And with that we will move to agenda item number eleven, which is simply our adjournment. So, to everybody thank you once again for your presence and your participation today. I hope you have a good day, and a good weekend, and we will be adjourned, and I will see you back in June, in-person.