

Department of Juvenile Justice Services

Director's Office

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Fritz Reese, Director
John M. Martin, Assistant Director

Policy and Fiscal Affairs Board

August 23, 2012

Meeting Minutes

Clark County Government Center
Joshua Conference Room
Sixth Floor
500 S. Grand Central Parkway
Las Vegas, NV 89101

Present:

Commissioner Susan Brager
Commissioner Mary Beth Scow
Judge William Voy

Clark County Management

Jeff Wells, Assistant County Manager

Department of Family Services (DFS)

Sheila Parks, CASA

Department of Juvenile Justice Services

Fritz Reese, Director
John "Jack" Martin, Assistant Director
Carol McWaters, Executive Assistant

Clark County Civil District Attorney's Office

Soo Kim, Deputy District Attorney

Guests

Assemblywoman Barbara Buckley, Legal Aid Center
Mary Berkheiser, Boyd School of Law
Susan Roske, Deputy Public Defender
Brigid Duffy, Deputy District Attorney
Erik Pappa, Director of Public Communications
Dereatha Watkins, Social work Supervisor - Management Academy
Lisa Kelso, Sr., Child & Family Intervention Specialist -Management Academy
Colleen McCarty – KLAS – TV
Kyle Zhelke – KLAS - TV

BOARD OF COUNTY COMMISSIONERS

SUSAN BRAGER, Chair • STEVE SISOLAK, Vice-Chair
LARRY BROWN • TOM COLLINS • CHRIS GIUNCHIGLIANI • MARY BETH SCOW • LAWRENCE WEEKLY
DONALD G. BURNETTE, County Manager

I. Call to Order

The meeting was called to order by Chairman Judge William Voy. There was a quorum present.

II. Approve the Agenda

Commissioner Susan Brager made a motion to approve the Agenda, it was seconded and moved. Judge Voy called for Public Comments. There were none at this time.

VI. Removing restraints on in-custody youth

Judge Voy requested that item number VI. "Removing restraints on in-custody youth" be discussed at this time.

For the past nine (9) years, the practice of using restraints when transporting youth from juvenile detention to the court room was customary and indiscriminate. Every youth was restrained. It is an emotional time for a youth going to court. Within the courtroom, there is one Marshall to keep order. The youth are restrained due to lack of supervision while awaiting their turn in the courtroom.

Judge Voy discussed receiving a commitment from the Policy & Fiscal Affairs Board Members to hire four (4) new probation officer positions to be used exclusively for courtroom safety and coverage. The board concluded that, without further information, commitment is not possible at this time.

Deputy District Attorney Susan Roske discussed the indiscriminate shackling of youth as young as eight (8) years old. Ms. Roske noted four states that have already changed their practice of not shackling youth in court. These states include: South Carolina, Pennsylvania, Washington & New Mexico. The use of shackles erases the impression for the youth of 'innocent until proven guilty'. Commissioner Brager inquired as to who decides who needs shackles and which youth do not need them? Judge Voy and Assistant Director John "Jack" Martin have been working on a protocol for the discriminate use, depending on the offense and the youth's behavior prior to court. A new Policy & Procedure will be written to put this into effect. While drafting this policy, additional jurisdictions, of similar size, will be looked into as to their practices, as well as the 'Best Practice' standards.

Mary Berkheiser, Boyd School of Law, discussed when the youth are shackled in the holding cell, they already feel they have the appearance of defeat. The possibility of a lawsuit to change this practice is being considered by the Boyd School of Law.

Commissioner Brager inquired as to why this has escalated to a possible law suit without prior discussion on the issue. The possibility of using the Marshalls to supervise the youths was discussed, as well as additional Probation Officers. The configuration of the buildings, between juvenile detention and the courtroom holding cells has numerous blind spots that are a concern for safety & security of youth and staff. At times, there are 35 youth being transported to court at one time.

There are 35 cameras now on one computer server for juvenile detention. This is the maximum amount this server can handle, hence putting additional cameras to secure the areas between detention and court is not an option at this time. Assemblywoman Barbara Buckley, Director – Legal Aid of Southern Nevada, stated that shackling youth is not best practice according to a recent law review article. Youth do not feel innocent until proven guilty.

Mr. Jack Martin, Assistant Director, will research, and report back at the November 1st meeting, the creation of a new Policy & Procedure for the transporting of youth without shackles, the costs associated with safe transportation of youth and the cost of supervising the youth once they are in the holding cells.

III. Receive the Department of Juvenile Justice Services (DJJS) Director’s Report from Fritz Reese, Director and direct staff accordingly.

Mr. Reese was pleased to announce that the Spring Mountain Forestry Program completed their 42nd summer forestry program with the United States Forestry Service with 52 youth enrolled in the program. The Workforce Connection program sponsored paying the youth on the program. The monies they received went first to pay off any restitution or fines the youth owed. This is the longest running relationship with the United States Forestry Program nation-wide. (DJJS Director’s report attached)

IV. Receive the Department of Family Services (DFS) Director’s Report from Lisa Ruiz-Lee, Director and direct staff accordingly.

Ms. Ruiz-Lee was unavailable due to the Interim Finance Committee meeting reviewing the business plan for the development of a Therapeutic Foster Care Pilot Program. If approved, DFS will be tasked with implementing the proposed pilot starting on October 1, 2012. In her place, Mr. Jeff Wells, Assistant County Manager reported on the developments of the Department. (DFS Director’s report attached)

V. Approve change meeting dates from bi-annual to quarterly, and rotate the discussions between DJJS and DFS.

Commissioner Susan Brager discussed the possibility of meeting quarterly instead of bi-annually, in order to concentrate on each Department separately. It was suggested that regularly scheduled meetings in May and November continue to have both Departments provide a report, as well as a report from their individual Citizen’s Advisory Committees. The additional meetings would concentrate on each Department separately. Ms. Brager moved and Ms. Scow seconded that a list of meeting dates be created for 2013.

VI. Receive a Report from Judge Voy

Judge Voy discussed the May 18th meeting with the Superintendent of Clark County Schools. He has yet to receive any responses back regarding issues that they discussed. Judge Voy requested a specific representative be assigned to attend monthly meetings regarding the elimination of “School Disturbance” as a delinquent act. He also requested the Superintendent provide him with the District’s policy regarding the issuance of citations at schools in general and specifically at the behavioral schools and the special education schools. Assemblywoman Barbara Buckley discussed the issue of

Child Welfare and the need for the school district to assist in the transportation of foster kids to school. Commissioner Brager expressed appreciation for any assistance that deals with education of youth instead of incarceration of youth.

Judge Voy discussed the “Thinking 4 a Change” training that would be beneficial if also used in the schools. At the Juvenile Justice Commission meeting, scheduled for August 24th, the issue of limiting the number of students referred to juvenile justice will be discussed.

A discussion was held on the ‘formula’ that is used to determine whether or not a new manager of a department will be allowed to keep their longevity. The current procedure is unclear to staff and discourages anyone from pursuing the Manager position. Commissioner Brager stated that this is a discussion that can be better discussed at the November meeting due to time constraints.

Judge Voy inquired about the Business Systems Analyst from finance that is to be assisting DJJS. Mr. Reese has met with her and has decided she can work from her desk in Finance she does not need to travel to the Pecos & Bonanza location.

VII. Receive a Report from Judge Frank Sullivan.

Judge Sullivan was unable to attend the meeting; his items will be added to the November Agenda.

VIII. Schedule next meeting.

November 1, 2012 – 12:30 PM – Desert Pines Golf Club Restaurant.

IX. Adjournment

The meeting was adjourned.