

WYOMING STATE ADVISORY COUNCIL ON JUVENILE JUSTICE

Meeting Minutes

January 24-25, 2013 • Cheyenne, WY

Agenda:

Thursday, January 24, 2013

- Call to Order
- Approval of Minutes
- Budget Report
- New Business
- Member Education
- New Business (continued if needed)
- Community Participation

Friday, January 25, 2013

- On-going Business
- Reports of Committees
- New Business
- Announcements
- Adjournment
- Community Participation

Present:

Charlene Edwards
Allison Anderson
Shad Bates
Adrienne Freng
Susan Cahill
Mackenzie Coyne
Gary Gilmore
Rene Kemper
Neal Madson
James Pond
Don Rardin
Mark Russler
Dawnessa Snyder
Les Pozsgi
Paul Jenkins

Lynne Davies
Elizabeth Lance
Narina Nunez
Jim Whalen
Steve Corsi
Bob Mayor
Donna Sheen
Dorina Kemper
Via Proxy
Beth Evans
Clarence Thomas
Don Rardin
Clinton Robinson

Ex-Officio Present

Debra Dugan-Doty
JoAnn Numoto

Others Present

Debby Lynch
Rachel Campbell
Kelly Smario
Merit Thomas
Marty Young
Debbie Meyer
Tony Young
Chuck Kratz
Craig Fisgus

Absent

Kristina Smith
Moriah Flores
Shaina Ute
Bryan Skoric
James Whiting
Kim Sherman
Sunny Goggles

I. Call to Order: Thursday, January 24, 2013, 1:00 p.m.

- a) Roll Call
- b) Declaration of Quorum: 25 members present
- c) Reordering of Agenda

II. Approval of Minutes

- Motion: Approve minutes from December 6-7, 2012 SACJJ Meeting made by member Pozsgi; seconded by member Anderson. Motion to accept the minutes.
- Motion carried (25-0)

III. Budget Report

- a) Will apply for grant adjustment. Used for PACT, communities for 17 purpose areas of the Council.
- b) Juvenile Accountability Block Grant (JABG)
- c) Title V Community Prevention Grant – ends 9/2013
- d) Title II State Advisory Group Award
- e) Enforcing Underage Drinking Laws (EUDL) – DOH – ends 5/2013

IV. New Business

a) Response to the Governor

Subcommittees have met to work on the response. Recidivism – what we can do regarding this and the recommendation was to work on and define what this can be. Look at data and we can then plug in on that.

Propose to work on this to submit letter to Governor. Maybe develop a subcommittee to address the Governor. All in favor of accepting recidivism project as it is, motion carried by council.

Tabled this discussion for Director Corsi.

Reports on Committees

Adrienne Freng: Comments and discussion overall has remained the same as it was, not much has changed. I sent out to the council yesterday for review.

Char Edwards explained the history on the tasks assumed by subcommittees in response to the Governor.

Adrienne Freng: Have many data systems that don't speak to each other and it's become a big problem. We need to have them communicate across all counties. On-going conversations on how to address this concern. Suggestions about what to do about data in Wyoming.

Supreme Court holds a lot of the data but their system makes it hard to pull any of the data out. As well as each county, they have individual systems.

Judge Brown: Spoke with local IT people about this problem, data collection will be a huge task. Decide on representative samples on communities, small, medium and large. Do the sample on those 3 populations, maybe the A-C's in Cheyenne, 3 counties or 3 jurisdictions. This is attainable. This is a possible idea, more manageable than trying to do the whole county.

What if there are 15 places where the data is stored? People who are conducting the analysis, what are the fees collected with multiple services with multiple systems? This one system would serve the needs and you wouldn't need all of the systems. Samples are an easier task than trying to obtain one big sample. The things we want to collect are X,Y,Z for the Governor, reliable data should drive policy. What can the system do that works for the kids and what does the system not do that doesn't work for the kids? Determine the variables that are important to you. Small towns run differently than large towns. We should have certain criteria for selection and we can proceed as we want. We are collecting data to determine what our policy should be.

Chris Figus: What would they need to help them make decisions? Try to improve their data collecting process. Contain these basic elements you can expand on others. Help to concentrate on providing the information the legislature needs.

Donna Sheen: Has to be a state level leadership to move forward with this. We wouldn't have the authority.

There has to be a way of integrating the system so the data could be taken out. It's there we just can't get it out easily. What information do you want, how can we easily integrate that?

Char Edwards: If you are going to do that you need to pay for that. Donna is motioning to amend the report to recommend to the Governor that he identify a method, an agency or individual in government, an action plan to take us to the next step. The amendment to the amendment was withdrawn. Motion to vote on the amendment to the proposal from the subcommittees to the recommendation to the Governor. Motion dies. Second motion to the Governor from the subcommittees to present the proposal as it stands to the Governor. Two no's, majority voted to keep it the way it is and that motion carries.

Judge Brown: Private firm would be better, statistician, dedicated personnel, Governor specific grant. Going on for years, no one has touched it. Needs to be an assigned task and not another part of the government, would be on the bottom of their pile. There are private firms there that can be under a state contract that would do this. Tell the Governor and put it out to bid. Get the best agency to do the job.

Shad Bates: Make a recommendation. Go back to data committee and get a private firm verses state agency. Define what data needs to be collected.

Not part of data committee to give a recommendation. If Governor went in direction to go out to bid, would the Council return those bids for consideration? Might be beyond the scope of the council. There is a lot involved with that process. Feels strongly we made our recommendation already, Neal Madson. Donna Sheen - make sure the recommendation captures the plan, something tangible. Decide as a Council, on a system and not a study.

Craig Fiskus: Identify the questions that need to be asked. Goal to get to where the State of Montana is with their data system. Think of those questions from a legislative prospective, probation perspective, county attorney perspective. What would those recommendations be? Then decision needs to be made on who collects the information. RFP idea is a good idea.

Donna Sheen: We can expand on the data. Doesn't matter who collected it. Recommended DCI because statutes say they are responsible for some of it that is what makes the most sense.

Need to spend our money wisely. Motion made by Donna to amend the report to Governor, implement a plan, seconded motion from Paul and passed.

Paul Jenkins: Objectives are from Governor, have outside firm. Pull out put together data and present. Good job for professional firm. Amend motion to amendment, RPF for commercial program. Take in house out; get rid of state IT division (ETS), agency within the state to take this on.

Gary Gilmore: ETS would contract out if Governor told them to take this on, should be charged to do this.

Motion to identify a method to deliver this plan. Outside entity or agency resource. Paul withdrew his motion amendment.

Les Pozsgy: DCI should not be identified as part of this recommendation. It should focus on what an entity needs to look at and should not include an RFP. An RFP should have been

considered 6 months ago when agencies were working on budgets. Recommendation to the Governor need to be realistic and focus on existing IT resources. Stay within resources in place. The statute for DCI to collect data may change with ETS now in place.

Suspend discussion at this point to allow Director Corsi to speak.

b) Response to the Governor – Steve Corsi

Thanks for being here and welcome new members on behalf of DFS. Funding, my commitment to Governor Mead, no exception requests to the Governor unless it's an emergency or a reduction. Enterprise Technology Services (ETS), handles most of the IT solutions, platforms, not all of the data. We still have data within the Department. 24 IT staff to ETS, transitioned, learning process together. ETS would have to be involved, Flint Waters oversees that Department. Identified data fields that would need to be collected around Juvenile Justice. Governor asked this Council and our Department for analysis on OJJDP funds, internal analysis right now. 20k in Title II Grant from the Feds. 132k a year in JABG funds, 157k a year. Looking into whether we will be continuing the federal funding. We most likely will not continue. It's hard to make decision without good information. We can fund the Council from the Department of Family Services. Governor is very committed to the council and so is the Department. We can fund internally, JABG funds, existing resources. We can handle with existing resources. We have carry over money from 2010-11, are currently in 2012. Can the carry over 2010-11 and can be used to fund PACT and PACT training. We don't think they can freeze funds. Page 2 of the Compliance Committee, we would be committed to the delivery of those services, would like to use our own resources instead of the feds.

Les Pozsgo: Department of Education has money they use for at-risk youth. Tobacco dollars also come into the state and can be used to support. Can we use those to support this? Appreciate the fact you are willing to shoulder this alone. But there are also other entities that could pitch in.

Steve Corsi: Looking at worst case scenario we could fund it if we had to, 7.2 million in biennial tobacco funds, ISP, research says it doesn't work. We aren't sure if it does or doesn't work in Wyoming. Purchasing services on the honor system and not asking for outcomes information.

Merit Thomas: Governor could get the conversation going with other entities.

Donna Sheen: If we chose not to participate, what would happen with VOA grant? Detention data VOA does, would they be able to stay committed?

Steve Corsi: Not impacted by this, CEO of VOA says. We are a non participating state as it is.

Natrona County wants to use RightTrack data platform, WY based organization. 50k to establish and can be customizable by different counties. This is basic data and then whatever they want customized by county. Other counties can come onto well and its \$200 a month to join that platform, retrieve reports, customize fields. DFS kicked in the 50k, CJSB funds, unused. Recommend Data Committee talk with Brian Christensen in Natrona County. It will come from the prosecutors themselves, top down. Would like to see it solved before I leave office.

Merit Thomas: Brian was willing to be the guinea pig. Other counties would watch and see how it rolled out. Depended on the success, they would jump on it as well.

Steve Corsi: Other counties that are interested can get bugs worked out. Can approach DFS for financial aid for this project. Set some money aside for those counties to come on. Can get most if not all of the state over time, within the next couple of years.

Adrienne Freng: Reporting to other entities other than their own in Natrona. Ask for reports when we expend those dollars. Merit, Brian had no problem with that. Adrienne, will help the communities and the state. Some counties were being very careful about the information. Also the data can be shared in a variety of ways.

Who has access to the data was a concern. Who has the right to access that data and how do they want to use it. Counties have to put the data in but can't always get the data back, has been an issue in the past. Counties will voluntarily participate but will be required to share their data.

Steve Corsi: If we are required to participate we will share the information in return. Supreme Court has data points and it would be nice to have that.

Introduced Dr. Marty Nelson and his role with DFS. Clinical physician and can be referred out. Available for clinical questions if needed.

Director Corsi dismissed at 2:48.

c) **Member Education**

- Youth Issues in the 2013 Legislature
- Lobbyist Panel – (tentative) Mike Moser, Deanna Frey, Bruce Burkland. Presenting were Deanna Frey and Clark Fairbanks. Mike Moser and Bruce Burkland were not able to come. Handouts were given on the bills of interest.

V. **Community Participation**

- a) Laramie County Community Juvenile Services Board
- b) Presentation with handouts

Current Chair, Capitan Bill Long
Gus Lopez, City County Health
Tim Thorson, Joint Powers Board Administrator, Consultant

Tim Thorson gives presentation via handout.

VI. **Member Education - Lobbyist Panel**

Present: Clark Fairbanks, Assistant Director of YES House in Gillette, Wyoming Youth Services Assn., Volunteer and Director of Wyoming Children's Action Alliance, Deanna Frey.

Bills that might be of interest to the council

- HB 86 – Child placing orders
- HB 75 – Juvenile citations, notification by law enforcement
- SF 17 – Community Juvenile Service Boards
- HB 102 – Hospitalization of mentally ill persons (cost shift motivation possibly)

If it's important enough to you, pressure should be put upon chair of that committee as to whether or not they are going to hear the bill. There may be a reason they are holding it back, it might help move it forward. Last day for bills to come out of committee is February 1st. If they haven't come out, they died.

Les Pozsgo: There is a protocol with each committee, might want to sit and watch.

Tony Young, came to speak. You are a Governor's Board and Commission, not a lobbying group. Bring to us, and we will take care of it. Lobbying would not be advised.

VII. New Business (continued if needed)

Allison Anderson: Leveraging of resources detailed determination. DFS Resource Guide as starting point put together groups, changes or additions you want to add. Number of group homes, get to me as soon as possible. Otherwise we will get together the list we have and move forward.

Deb Sprague: Great list of service areas, we don't have a map of the area, what they have what they don't have. A map geographically of what services are provided. Look at services and program they are using. What does the service array look like and do we have good services? Take it one step further.

Char Edwards: Motioned to approve as presented by subcommittee, Les seconded, all in favor to present to Governor, motion carried.

Les Pozsgo: Document was sent out that the workgroup prepared. The questions of "are we in compliance with 42 U.S.C. 5633 and if we walk away, what are the ramifications? Tried to keep the document as simple as possible. Wyoming is not in compliance with 3 of the 4 core protections. No recommendation is made concerning if the Council should endorse becoming compliant. One suggestion is for the Council to address and endorse adopting evidence based practices as the standard for juvenile programs. We continue to receive funding with a tacit goal of moving toward compliance. Funding levels have declined. DFS presently receives a Title II funding of \$20,000 to support the Council - a decrease of \$10,000 - and JABG award of approximately \$138,000 that support programs in 3 counties and 1 city. Director Corsi has indicated monies are available from DFS for the council and is exploring general funds to replace JABG award. Plus the non-participating grant awards could continue if the State moves away from efforts to achieve compliance. The efforts by Director Corsi are commendable. Partnering between agencies should be considered if a decision is made to deny federal funds. Litigation initiated by the federal government is doubtful. Wyoming may be the only state not participating but other states are also not in compliance

Donna Sheen motioned to maintain OJJDP status, second, all in favor, motion carried.

Adjourned at 5:14 pm.

Friday, January 25, 2013

VIII. Ongoing Business

a. Governor's Office, Merit Thomas

Providing feedback to Governor and recommendations put that in the response, because he reads this. Next meeting is April 4-5th in Gillette. With permission, would like to get the Governor booked to be present at next meeting.

b. Rachel Campbell –CJSB Report

In process of creating contract with Niobrara. 50k Community Board funding not allocated yet, used to pay for Natrona County Ritetrack in process.

c. JDAI

Fundamental training in Casper on February 19-20th, 38 total, 4 trainers, 2 full days. Focus on basis and each community. Glad to have it in our state.

Community Juvenile Service Board bill going though up to this point.

Merit Thomas : Ability of subcommittee to appoint those that are received and will assign to someone else.

Susan Cahill: Campbell County Risk Assessment. Some were surprising with the results. Each stakeholder spent about an hour preparing a response to that. Their focus was in a different place as to what was the most important thing. Didn't understand how juveniles processed through the system. In future have better idea of what they are looking for to be better prepared. Questions were so open ended before, didn't know what they really wanted from us. Not a good sense of overall picture.

Rachel Campbell: Fremont County had system assessment. Stephanie Vedder and Tom Martinez went to Campbell County. Going well and big changes have already occurred. Wanted to have all counties on board to call us a statewide JDAI group. Most have been trained. Unrealistic to bring forms from other areas to put into our system. Kelly Deddle would like to work more with this.

d. CJJ 2013 Membership

Coalition of Juvenile Justice, are we renewing and if so who are we sending to the conference in May? Being a member gives us some national representation. There is an educational value to being a member. It's a group for all state advisory groups, 56 members. We are in western region and can be comparable to other regions in our areas. Membership is \$2,500 a year, someone on council to be appointed or represented in Washington, DC. Kris Smith is the representative.

Char Edwards is asking if we want to continue this membership.

Motion to stay member for another year Allison, Dawnessa second, all in favor, motion carried.

Char Edwards: Who should go to the conference? Someone from executive committee should go, table for now.

e. Non-participating State Grant update – Figus

There are only 3 grants open. Sometimes they can be a little of a challenge due to having more than 1 open at a time. Need to get overlap figured out (see handout). September 30, 2013 funding ends. 1/3 funds were reduced, this won't affect next year's grant but the following year grant. Diversion programs will be at risk. Federal, State and County dollars blend to deal with this money. Compliance motioning is starting this week. Debbie is touring 58 facilities around the state, every secure facility. Park and Converse are the only 2 counties that don't participate. Contact Debbie if you are interested in the process. Entire tour takes 5 months. End of May and beginning of June we submit the report.

Output study rather than outcome study if we go forward, will be looking at recidivism. Will send out to the Council and would appreciate the output. 3, 6 and 8 year follow up.

Invite to participate in follow up on February 14, 3-4:30 pm webinar on juvenile training. Contact the person in your county for entering the information if you want to participate. Look at definition and share the screen to see what we are looking at. Law enforcement is critical to this as well. Training may only take an hour or might be longer.

Adrienne Freng: Laramie County is the last county for data, has improved quite a bit. In many places trying to figure out where that might be. Going into those counties, DMC requiring they collect data from 9 contact points.

Mark Russler: Is there a plan to coordinate an effort or a plan to make up some of that funding? Chris Figus, Combo of state and grant money, not always federal. Depends on how each county uses that money. With each state, federal and county cut it will affect us eventually.

Judge Brown: On folks not compliant are there penalties? Chris Figus, no, our money will be un-impacted by any decision that is made.

Donna Sheen: We might lose the one piece of data collection and have more counties that opt out. Why move away from that? Debbie, not sure there is much we can do about that.

f. JoAnn Numoto – At-risk funds

Currently 50 million shared from Wyoming Department of Education (WDE) to districts for at risk students. 3 million for eligibility portion, mobility, free and reduced lunch and English language learners.

At risk money housed with state foundation model, mandated. Natrona County works with at risk youth coordinator, used money through the district to pay for 2 of their probation officers. This is a great example of how to use district at risk money for students. Most at risk money is used in districts as salaries. In the foundation program guidebook, it specifies the 3 eligible portions and examples. Natrona is the best example on how they used their funds. Because of superintendent support got most of that money. Will forward email to me and I will distribute to members, Chair agreed.

Foundation program resides in WDE, 2 million in Education. The finance department at WDE oversees that.

Les Pozsgi: Auditors in WDE, do they monitor the utilization of this money? JoAnn, local control, great things can happen with this in Education, can also be frustrating. They look at compliance, auditors. Are you doing what the mandates specify? That is all they monitor. Accountability goes deeper than that, effectiveness. My personal opinion to question, no.

WDE, 50 million allotted for at risk youth. Funds set aside per student for each district that is entitled at risk. There are 48 districts in Wyoming. Each district, receives funding that comes under Title 1. Could attach funds to students but might not be able to track those funds. Can't lobby, I can educate.

Narina Nunez: Due to leadership changes at WDE, would there be changes to this? JoAnn, it depends., always that possibility. Would hope it's better than what we had.

Merit Thomas: Mary Kay Hill knows the issues with this pot of money. Not a whole lot of accountability with that, people in the Governor's Office is aware of that.

Gary Gilmore: 50 districts including WGS and WBS, in the state. Sprage and Gillmore are the only two that don't receive that money. If calculated, ½ million a year we get 100k per biennium.

Donna Sheen: Is there any connection with alternative schools? Joann, no, they are entity of their own, still under the district.

Mark Russler: Request meeting with WDE to talk about and address funding, directly related to our mission. Have discussion, eligibility requirements and the direct use of the funding.

Motion to have on agenda, Dawnessa Snyder seconds, motion approved. Sit down discussion with WDE.

Joann Numoto: Community Service Bill, SF 17, towards end, "...shall be paid by DFS, Health and Education." WDE has not put into the pot for Juvenile Service Board. Where does it come from?

Rachel Campbell: DFS had to request a line item from the Legislature as part of our budget to pay the Community Service Board. DFS is paying 100 % of those services to the Community Board.

Motion on floor to have SACJJ to put on agenda to have a sit down discussion with WDE about at-risk funds. Motion passed.

Deb Sprague: Small amount of monies come to WGS from Title 1 for reading and some for special education.

Joann Numoto: WGS and WBS don't receive funds from WDE.

g. Other updates

Joann Numoto: WDE website, find foundation program and guideless on there.

IX. Reports of Committees

New member's sign up to form committee – Char Edwards.

a. Executive Committee - E Citation, Jim Pond

Progressing with Supreme Court budget, IT Department founded on e-filing premise. Highway patrol testing it. As soon as they are resolved will be dispersed around state. Trickle from counties to municipalities.

b. Grants Committee

No report, review of grant applications

c. Vision/Planning and Policy Committee – 2012 Annual Report

Done

d. OJJDP Compliance Monitoring

No report

e. DMC Committee

No report

f. Outreach Committee

No report, WAMSAC, Mark comments to add. Add all of mental health centers to be included.

g. Data Committee

Move forward to talk to Brian Christensen in Natrona County. Adrienne, a lot of court data from Supreme Court, no go at this time, can follow up to see where they are with that.

h. Legislative Committee – Current Legislative Issues

Donna Sheen - Handout

Met early January, nothing has made it all the way through yet. This committee tries to monitor what is going through the Legislature. We look at bills out there to see if there are any that are important, any we need to act on we let the Governor know, as well as if it's a problematic bill. SF17 important to Board, consider making recommendation on. Will have counties engage more in the process. DFS is neutral on this.

Rachel Campbell: Original statue defines 8 we reduced by 3, combination of 5 of these 8 people. Joint Judiciary sent DFS to LSO to negotiate. The commissioners have the power to listen to the Powers Board or not.

Bob Mayer: 62 kids in PRTF Court Order; 12 out of state, 5 at Southeast in Cheyenne, 2 at WBI and 48 in St. Joseph's. Down to DFS kids, most severe cases are dictated by DFS.

Les Pozsgi: Will be selected by courts, and there will be opposition over this bill, HB 86. Attempt to have total placement authority.

i. By-Laws Committee – Tabled motion Article VII – Section 3

No report. Waiting on AG opinion

j. Youth Member Committee

MacKenzie Coyne and Clinton Robinson (via proxy) passed around new logo.

k. ICJ

No report

X. New Business – Elections

Char Edwards: Passed around ballots for elections. Those to be elected are: Shad Bates for Chair, Neal Madson for Vice Chair, Allison Anderson for Executive Committee, Kris Smith for Executive Committee, Les Pozsgi for Executive Committee. Chair cannot be full time government employee. Open nominations to the floor, no response, closed. Char Edwards, uncontested election. James Pond, seconded motion, all in favor, motion passed. 2013 members elected.

National Council on Crime and Delinquency (NCCD) Diversion Study

No report

Other new business

No

XI. Announcements

Adrienne Freng, do we go back to electing someone to serve CJJ. This is an issue, Char. Do we have the funds to send 2? Pick two in case 1 can't go.

Motion to send 1-2 people to CJJ conference by Adrienne Freng, second by Lynne Davies, all in favor, motion passed.

XII. Adjournment

Meeting adjourned 10:31 am.

XIII. Community Participation

Tour Laramie County Juvenile Service Center