

ATTACHMENT 1
DRAFT MINUTES FROM 8/28/20

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**ADVISORY COMMITTEE ON THE RIGHTS OF
SURVIVORS OF SEXUAL ASSAULT**

MINUTES

August 28, 2020 1:30 pm

Location: Pursuant to section 1 of Emergency Directive 006, there was no physical location for this meeting. Those present attended virtually at: <https://call.lifesizecloud.com/4658445>

Members present: Aaron Ford, Chair; Charles Daniels; Serena Evans; Nicole Hicks; Chrissy Moresi; Kim Murga; Debbi Robison; Lovana Dressler; Daniele Staple.

Counsel present: Rosalie Bordelove

1. **Call to Order and Roll Call.** Chairman Ford called the meeting to order at 1:30 p.m. and roll call determined there was a quorum present. Ford noted Anissa Sabori has withdrawn from this committee and Reno-Sparks Indian Colony Victim Services Coordinator Lovana Dressler will replace Sabori as "member providing services to minority communities."
2. **Public Comment.** There was no public comment.
3. **Approval of minutes of December 18, 2019 meeting.** Serena Evans moved to approve the 12/18/19 minutes, and Kim Murga seconded the motion. There were no abstentions and the motion passed unanimously.
4. **Update on AB176 funding as a result of the budget adjustments in the Special Session.** Jessica Adair updated the committee on the results of her communications with grant recipients. The recent legislative special session resulted in the reversion of \$150,000 of funding that was intended to go to service providers to recruit and train sexual assault advocates. The Attorney General's Office was able to work with the Legislature and Governor's Finance Office to replace that funding with the use settlement funds. A work program to transfer those settlement funds is expected to be approved at the October IFC meeting.

5. **Review draft report to the Legislature on activities and findings of the Committee.**

Board counsel Rosalie Bordelove affirmed Chairman Ford's request to approve the report at this meeting with edits suggested today to be approved at next meeting. Report approval is in compliance with the Open Meeting Law as long as members do not discuss among themselves before the next meeting.

Adair reviewed the draft report with the committee and invited suggestions for edits:

Section 1 Establishing the Committee: Approved in its current form.

Section 2 Scope of Need for Advocates: Adair invited anyone with information to update the 2018 numbers and inform her of the current number of SANE nurses in Nevada and of the number who are in training. There were two recommendations related to determining the number of advocates: (1) A recommendation from the Nevada Coalition's report to increase the number of SANEs in rural areas. This committee needs to ensure that recommendation reflects what the committee wants to recommend. (2) Average of at least four advocates per day for each major medical location to ensure 24/7 coverage. It was noted, however, that there is never more than one SANE exam taking place at a time so you don't need that many advocates just for the SANE exam purposes simultaneously at each facility.

Evans suggested removing the wording "having advocates at a medical facility" and rather just refer to having Advocates "available" from whichever organization is willing to help.

Debbi Robison noted the Storey Co. survivors actually go to the Child Advocacy Center (not Carson City). She can provide an update on number of SANEs to Adair after the meeting. Robison further noted that nurses have quit due to the pandemic, so the number will be fluid.

Interviews With Law Enforcement and Prosecutors section: Adair used data from the Uniform Crime Report, but does not include info from tribal law enforcement agencies or from the three counties that did not update their 2018 information. Adair also noted there is no way to accurately estimate how many interviews will be conducted by law enforcement or prosecutors every year. Every case is different and sometimes can take years.

Discussion ensued about an approximate number of interviews actually being conducted. Based on Nicole Hicks' comments, Adair will change wording to refer to two interviews with law enforcement and two interviews with prosecutors.

Daniele Staple noted the number of sexual assault kits (SAKs) that are tracked only refers to kits that are being tested through law enforcement. Anonymous kits are not entered into the system immediately, so the number of advocate interaction is quite a bit higher. In addition, there are some cases in which advocates are not involved at all and those numbers are not necessarily reflected in the numbers reported.

Adair acknowledged that Staple has identified some issues with the statutory language, including a medical exam that doesn't include a forensic medical exam. The statute just

applies to the forensic medical exam that is defined by statute. That being said we did get the number of exams that were performed that did not result in a sexual assault kit being collected and that information is in the report. The SANEs said about 3% of exams do not result in a SAK being transmitted to law enforcement. Staple believes the 3% number is closer to 20% and will provide that backup data to Adair via email.

Section 3 Existing Resources: Adair thanked everyone for providing information that will be beneficial in showing legislators the need for advocates, and to note that some of the advocates are volunteers and not able to do this on a full time basis. Adair is still missing number of advocates information from the Committee Against Domestic Violence, the only provider for Elko, Eureka and White Pine Co. Evans will contact the executive director and ask for an update.

Efforts to Increase Advocates section reviews the efforts being made to increase the number of advocates using AB176 funding. Adair noted that the pandemic has stifled recruitment and training efforts but would welcome any overview from grantees of what they have accomplished with the funding. Adair also included information in this section to correct the misconception that there is plenty of funding available for recruiting, training and retaining sexual assault advocates; there are many limitations to federal funds.

Section 4 Determining Gaps in Advocacy Needs: Adair explained she was unable to find studies on how to determine how many advocates are needed by a jurisdiction to ensure every survivor has access to an advocate. The recommended ratio is 1:1 of advocates to survivors who report to law enforcement. That number is under-inclusive in that it does not take into account the people who seek advocate services but do not interact with law enforcement and therefore are not counted in that number of survivors. It is over-inclusive in that advocates can serve and support survivors more than one at a time. So while volunteers may only be able to support one survivor at a time, full time staff support a number of survivors.

Evans stated that 1:1 is not a reasonable ratio but is a good place to start just to let people know how short we are on the number of advocates needed. The ratio does not take into consideration how many survivors one advocate works with during a week, or how long some victims work with their advocate. Some survivors disappear, some work with their advocate for months, etc.

Staple offered to look at last three quarters of local reports to get an average of how many clients their full-time advocates are working with. Adair agreed the average case per advocate would be helpful and would appreciate any extra information to flesh out this section. Does not want to limit it for purposes of the report to the legislature. Every person's experience is different and we do not want to risk the legislature defunding the program.

Section 5 Important Considerations for the Future. Adair discussed what is missing. The number of people who we will never know about since not everyone seeks out assistance. The importance of making people feel comfortable to come forward and report. The possible need for male advocates to counsel male survivors. Number of advocates does not include

the number of advocates who have particular skills and cultural competencies for particular communities of survivors. Research done by Pennsylvania Coalition Against Rape found that perpetrators deliberately target someone who is less likely to report or to be believed: People with disabilities, immigrants, gay, elderly, non-English speaking. Some advocates would meet the bare minimum requirements to counsel those survivors, but do they count if they are not able to speak the language of a survivor, or are unfamiliar with the particular needs or customs in a culture?

Murga asked if the next legislature will entertain any other version of AB 176. For forensic labs, the 2017 version of this bill provided temporary funding for sexual assault kit testing. Washoe County Sheriff's Office funds are already dried up and Las Vegas Metro Police Dept. funding will be ending in June 2021, which will result in the loss of the three positions we added to meet the demands. There were about 40% more Clark Co. kits set for 14 month span for processing than they had projected (500 vs. 718). Funding will be difficult because of the state of budget. Chairman Ford stated the Attorney General's Office will continue to look for additional funds to cover those shortages.

Adair is still waiting to hear from the bill sponsors about their commitment and would like to add a robust list to this report of the services offered by advocates.

Staple suggested adding language related to the current climate and the need to recognize the reluctance of communities of color or undocumented individuals to have any interaction with the police and how that may be reflective for victims and their comfort level. Need to be more specific around those fears and how difficult it is to interact with a system that does not provide equal treatment.

Chairman Ford invited additional comments about the draft report; there were none. Evans moved to approve the report with the addition of comments made in this meeting. The motion was seconded by [?] and passed unanimously with no abstentions.

6. Committee member statements regarding topics for future meetings. (For discussion only.)

Adair suggested hearing from the NDOC about the implementation of AB 176 and how it comports with Prison Rape Elimination Act. Charles Daniels will work with Adair and Jennifer Rey to get that on the next meeting's agenda.

Chairman Ford suggested we may anticipate having legislators come into discuss at a future meeting.

7. Public Comment. (Discussion only.) There was no public comment.

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8. Adjournment. (For possible action.)

Murga put forth a motion to adjourn which was seconded by Evans. Motion passed and meeting adjourned at 2:30 p.m.

Minutes prepared by V. Beavers
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