



OFFICE OF THE ATTORNEY GENERAL

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MEETING MINUTES

Name of Organization: **Advisory Committee on the Rights of Survivors of Sexual Assault**

Date and Time of Meeting: **September 27, 2019 2 p.m.**

Place of Meeting: **Conference Call and Video Conference Between:**

Attorney General’s Office
 Mock Courtroom
 100 N. Carson Street
 Carson City, Nevada

Attorney General’s Office
 Grant Sawyer Bldg. Rm. 4500
 555 E. Washington Avenue
 Las Vegas, Nevada

Attorney General’s Office
 5420 Kietzke Ln. #202
 Reno, Nevada

Optional conference call
 participation

Committee members are indicated by **bold** font:

Carson City Attendees:	Las Vegas Attendees:	Reno Attendees:	Conf. Call
<ul style="list-style-type: none"> • Evans, Serena • Grey, Lisa • Helget, Shannon • Kinner, Mary Sarah • Llamas, Erica • O’Banion, Nicole • Ramirez-Tanori, Karlah • Trenoweth, Traci • Wickham, Harold 	<ul style="list-style-type: none"> • Adair, Jessica • Ford, Aaron • Murga, Kim • Pucci, Petya • Ramella, Holly • Staple, Danielle 	<ul style="list-style-type: none"> • Moresi, Chrissy • Robison, Debbi 	<ul style="list-style-type: none"> • Del Porto, Pamela • Tanaka, Debbie • Harris, Shannon • Osland, Laura

1. Call to order and welcome.

Attorney General (AG) Ford called the meeting to order at 2 p.m. and welcomed attendees to the first meeting of the Advisory Committee on the Rights of Survivors of Sexual Assault (Advisory Committee.)

2. Roll call of Advisory Committee members and self-introduction of attendees.

AG Ford called roll and Advisory Committee members introduced themselves.

3. Public comment.

AG Ford invited public comment. There was none.

4. Duties of the Advisory Committee.

AG Ford opened discussion on Assembly Bill (AB) 176—the Sexual Assault Survivors Bill of Rights (Bill of Rights)—and reviewed the duties of the committee set out in Section 33 of the bill.

5. Election of the Advisory Committee Chairperson. AG Ford opened discussion to nominate and elect the Advisory Committee Chairperson. There were no volunteers. Serena Evans nominated AG Ford and Harold Wickham seconded the motion. Motion to appoint AG Ford to be chairperson of the Advisory Committee passed with no opposition.

6. Presentation on national survey of Sexual Assault Survivors' Bill of Rights. Petya Pucci, legal intern at the Attorney General's Office (AGO), presented a memo summarizing her research of what other states have implemented similar to Nevada's AB 176. Pucci opined that Nevada's Sexual Assault Survivor Bill of Rights is one of the most comprehensive of the 19 states that have passed legislation granting specific rights to victims of sexual assault. Nevada's bill is so comprehensive that there are no examples from other states that we can easily adopt, which creates the opportunity for Nevada to set the standard for other states to follow. California and New York's bills were the most useful for her research; and only Nevada, California and New York require a formal written document be provided to victims enumerating the rights of survivors as granted by the state and given to victims as required by Nevada's AB 176 Section 27. Section 27 also mandates the development of a document explaining the rights of survivors and other relevant law at the reading level of a fifth grade student, which means we actually have to re-word and re-phrase the bill's language. Pucci provided extra materials, including a modified excerpt of the relevant portions of AB 176 she prepared; New York State Sexual Assault Victim Bill of Rights information leaflet for victims; a California Coalition Against Sexual Assault pamphlet; and the California AG's office pamphlet covering survivor's Bill of Rights. Pucci has been in communication with RISE (Respect-Inspire-Support-Empower), which is the organization behind the Bill of Rights, and they are very excited about helping in any way they can.

There was discussion about putting Nevada's Bill of Rights information on victim services websites. This would be in addition to the Attorney General's website and other law enforcement websites, since some victim/survivors might find law enforcement websites intimidating. Harold Wickham noted the Nevada Department of Corrections (NDOC) has a victims service office as well as a website that provides a great deal of information to victims and he would like to include the information provided by this

committee on NDOC's website and online resources, and in their information packet. Adair stated that the AGO would share all of the information regarding this subject with other agencies to post on their own websites if they would like. Adair stated that it is important to compare the information offered on various websites to make sure they are disseminating the same, accurate information. The information must also be made available in a way that can accurately be delivered to those who are visually impaired.

There was further discussion about the dissemination of information and an AB 124 brochure being developed by the Dept. of Public and Behavioral Health, which relates to follow up care for victims. Adair stated the Advisory Committee's brochure/document will also be provided to nurses to provide to victims and tell them of their rights when they are undergoing a forensic exam. Hopefully the two information documents are complementary. Ford suggested considering having the information from both brochures combined into one document.

Nicole O'Banion and Tracy Trenoweth, who are on the committee developing the AB 124 brochure, will report back to the Advisory Committee to compare information being supplied by the AB 124 brochure and the AB 176 Bill of Rights.

- 7. Study of available service providers.**
- 8. Need for rural advocates and special considerations for rural communities.**
- 9. Training for volunteer advocates.**

For purposes of this discussion agenda items no. 7, 8 & 9 were combined as follows:

Adair noted that although the AG's office has been designated to carry out the duties set out in AB 176, AG Ford is relying on the expertise of Advisory Committee members to have the best information and guidance to offer. To further ensure success, grant funding must be secured to recruit and train sexual assault advocates so that every single sexual assault survivor has an advocate available to him or her: in rural areas, metro areas and for those who are incarcerated in correctional facilities.

The Advisory Committee has until September 2020 to conduct statewide research and provide a report to the Legislature. The members of the Legislature, while very supportive of this project, want a concrete figure of what services are available in Nevada: what do we lack, and what is the cost? There is a need for additional service providers state-wide. It is important for this committee to look closely at conducting a study to determine what is necessary to provide adequate services to all sexual assault survivors: What funding do we need? What information do we need? What information can members of this committee already provide, and who else do we need to talk to? The Advisory Committee's study, particularly as to accessibility, is going to require some formal research methods, although those may not fully address some of the ambiguities of actual accessibility of service providers and advocates.

Evans stated that she will provide to this committee a list of community-based advocates throughout Nevada that has been compiled by Nevada Coalition to End Domestic and Sexual Violence (NCEDSV). NCEDSV knows which programs are providing services for sexual assault victim/survivors and which ones are not.

Staple stated that the Rape Crisis Center does a study of the needs and requirements of survivors. It is clear that there are insufficient resources in Nevada's rural communities to meet the requirements. There needs to be a conversation about the current capacity of resources, where they are, and how that capacity can be raised or supplemented to try to meet the needs of every survivor, particularly in the rural communities. In essence, find out if the resources available are in the right places to be effective or not. What her agency has discovered is that sometimes people will seek out services in other communities rather than the ones that are close by due to concerns about confidentiality or other personal issues.

Ramella pointed out that more counselors and advocates means the necessity of more supervision and training. Discussion continued on the need for additional service providers; the difference between advocates and licensed counselors and therapists; and the development of criteria to certify support givers to avoid re-traumatizing the victims. Evans expressed her concern that going forward there is no confusion about what we mean by the terms "counselor" and "advocate" which are specifically set out in Sec. 13.5 of the bill.

Ford noted that another provision in AB 176 [Sec. 33(1)(c)] is to determine "whether a need exists to provide ongoing evaluation of the implementation of the rights of survivors . . ." pursuant to the Bill of Rights, which means we have to familiarize ourselves intimately with what those rights are.

Wickham commented that he has the staff in all areas of the state that he is certain would volunteer to be available to victims. O'Banion noted that we have to take into consideration the statute of privilege and confidentiality and what role we could use his staff for to support victims. However, we would also need outside-of-law-enforcement agencies community-based advocates in order to maintain privilege for the victims.

Adair suggested that we address at the next meeting the issue of the effect the presence of an advocate in an interview has on confidentiality.

There was discussion of Moresi, Evans, and Staple's research and collection of relevant data and how that information can be shared and the gaps filled in. Ford stated that research and data collection needs to be done on each person's own time but not with each other in separate conversations so as not to violate open meeting laws.

Ford also reiterated he is relying on the members of this committee to deliver substantive results to the Legislature. If there is some valid monetary need to complete the study we

can go to the Interim Finance Committee to request additional funding. Staple suggested that if experts need to be retained there should be an inclination to seek resources from people within the state of Nevada, especially in the rural areas.

10. Public comment.

Chairman Ford invited public comment. There was none.

11. Future meeting dates and times: Will be scheduled. At a minimum every other month—next meeting possibly in November, and then another meeting in January.

12. The meeting was adjourned at 3 p.m. upon Kim Murga’s motion and Wickham’s 2nd. None opposed.

Prepared by V. Beavers