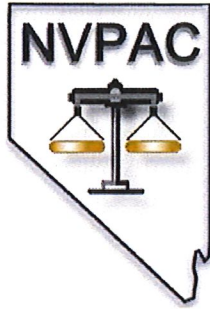


# Attachment One (1)

to

Advisory Council for Prosecuting Attorneys Agenda  
September 13, 2018

*Minutes of April 19, 2018 Meeting*



**State of Nevada**  
**ADVISORY COUNCIL FOR PROSECUTING**  
**ATTORNEYS**

100 North Carson Street  
Carson City, Nevada 89701

Patricia D. Cafferata, Executive Director  
pcafferata@ag.nv.gov  
775-684-1136

**MEETING MINUTES**

**Organization:** Advisory Council for Prosecuting Attorneys

**Date and Time of Meeting:** April 19, 2018 at 10:00 a.m.

**Place of Meeting:** Video Conferenced Between:

Office of the Attorney General  
Mock Courtroom  
100 N. Carson Street  
Carson City, Nevada 89701

Office of the Attorney General  
Grant Sawyer Building  
555 E. Washington Ave., Suite 3315  
Las Vegas, Nevada 89101

**Members Present:**

Adam Laxalt, Attorney General, Chair  
A.J. Delap  
Chris Hicks  
Arthur Mallory  
Brian Sooudi (proxy for Karl Hall)  
Steve Wolfson  
Patty Cafferata, Executive Director

**Guests Present:**

Nell Christensen, Clark County DA's Office  
Tarah Sanchez, Attorney General's Office  
Don Winne, Attorney General's Office

**1. Call to Order and Roll Call.**

*(Agenda Item No. 1)*

The meeting was called to order at approximately 10:05 a.m. Roll call was taken by Marsha Landreth. A quorum was present.

**2. Attorney General Adam Laxalt's Welcome. Self-introduction of members present.**

*(Agenda Item No. 2)*

Attorney General Adam Laxalt welcomed the members, and everyone introduced themselves.

**3. Public Comment. Discussion only.** Action may not be taken on any matter brought up under this agenda item, until scheduled on the agenda of a future meeting for possible action.

*(Agenda Item No. 3)*

No public comment.

**4. Discussion and for possible action to approve the January 17, 2018 minutes.**

*(Agenda Item No. 4)*

Chris Hicks moved to approve the minutes from January 17, 2018. Steve Wolfson seconded the motion, and the motion passed unanimously.

**5. Discussion and for possible action on location and selection of topics for 2018 Prosecutors Conference agenda.**

*(Agenda Item No. 5)*

Patty Cafferata stated that there was only one reasonable bid for a location for the conference and she is currently in the process of finalizing arrangements with Montbleu at Lake Tahoe. Questionnaires were emailed, requesting suggestions on topics to be presented. A summary of the suggestions was attached to the agenda. In addition, Cafferata has planned for two ethics and one substance abuse session. Cafferata stated that there are usually 15 topics, including breakout sessions. This way, everyone gets the required 13 hours of CLEs, including the two ethics and substance abuse credits. It was noted that more than one person suggested topics of legislation and legislative changes, marijuana updates/DUI, trial strategy/evidence, evidence issues/strategies, time management, and body camera evidence. On the subject of public records requests, Wolfson suggested this as a topic to include in the agenda as there has been an increase in requests to his office. He recommended that Cafferata contact Christopher Lalli, and Hicks suggested contacting Paul Lipparelli from his office as well. Hicks recommended the topic of jury selection and Wolfson recommended Pam Weckerly of his Major Offenders Unit and Marc DiGiacomo from his Homicide Unit as possible presenters for that topic. Wolfson also recommended the final topic suggestion: how to keep your boss happy. Hicks mentioned that Washoe County recently brought in a speaker who discussed generations in the workplace. Hicks stated that it was a very entertaining presentation and informative. He will send the speaker's information to Cafferata.

Cafferata also mentioned possible topics of elder abuse and domestic violence. One recommendation was for victim-centered presentations, such as better ways to communicate with and understand victims. Cafferata suggested the topic of marijuana and driving. AG Laxalt suggested a guardianship topic, and that the AG's Office partner with the DA's Offices on this topic. Cafferata suggested crime topics that cover all jurisdictions and if there are any other topic suggestions to contact her.

There was discussion regarding activities outside of CLE topics, such as golf, always popular with attendees. Cafferata will see what options are offered by the resort.

**6. Discussion and for possible action on the 2018 Bill Raggio Award to a rural prosecutor.**

*(Agenda Item No. 6)*

Wolfson made a motion to nominate Kirk Vitto for the Raggio Award, seconded by AG Laxalt. Discussions were held regarding the backgrounds of both Vitto, and the other nominee, Hy Forgeron. A vote was held and the vote to give the award to Vitto was unanimous.

**7. Discussion and for possible action on trainings by offices of Clark and Washoe District Attorneys' Office and the CLE trainings offered by the Nevada Attorney General's Office.**

*(Agenda Item No. 7)*

Cafferata stated the importance of the Board offering trainings and facilitating cooperation between agencies via communication and sharing of information.



Don Winne has been the CLE Coordinator for the AG's Office for 14 years. He reported that the AG's Office puts on CLE courses throughout the year. The classes are open to all government attorneys and there is a \$35.00 charge for non-AG attorneys regardless of the length of the class to cover the costs for copies and materials. Winne will provide the schedule to Cafferata who will distribute it to members. Persons who have previously attended AG's classes are e-mailed notices of the upcoming class schedules. Hicks stated that the Washoe County District Attorney's Office offers trainings approximately four times per year.

Nell Christensen is in charge of training and recruiting new deputies, and presently acts as coordinator for CLEs for the Clark County District Attorney's Office, including training deputies and law clerks. They have an entire program dedicated to training all deputies and law clerks. She offers at least 13 credits including ethics and substance abuse, video-recorded each year, as well as a number of other CLE classes. She noted that yesterday her supervisor, Chris Lalli, let her know that it would be great if they could share their video recordings with the state. She is going to contact Cafferata and coordinate an exchange with Winne. Christensen has also been in discussion with Cafferata regarding recording some of the sessions at the Prosecutors Conference for future use as CLE material. Christensen also received an e-mail from Lalli that she will be assisting with the Prosecutors Conference and that she is pleased to participate.

Winne was previously unaware of the videos available through the DA's Offices. Christensen will add Winne to her e-mail list. Everything so far this year has been strictly geared to their office, but she will be sure to include him in any future general CLE class information.

Hicks first heard of the videos yesterday and he plans to initiate the same for his office. As soon as he has some accumulated, he will offer them to the group. AG Laxalt addressed Winne with the suggestion that we talk to our IT personnel to record videos of AG's Office CLE trainings.

**8. Discussion and for possible action on the Website and to move to the AG's website under Consumer Support, Boards and Commissions. AG's website: <http://ag.nv.gov/>; NVPAC website: <http://nvpac.nv.gov/>.**

*(Agenda Item No. 8)*

The new website was shown to members to review. The outdated information has been removed. Tarah Sanchez scrolled through some of the links. Research was completed on whether the Board was required to have a website. It was determined the Board does not need a standalone website. Therefore, a link through the AG main website is sufficient. Of note, there is a link on the NVPAC website for employment opportunities. AG Laxalt offered to post openings any of the other agencies may have. They can send the job openings to Cafferata or Sanchez to arrange postings.

**9. Meetings tentatively set for remainder of 2018.**

*(Agenda Item No. 9)*

- **September 13, 2018 at 7 a.m. at the Prosecutor's Conference in Lake Tahoe.**
- **Tentatively November 28, 2018 at 10 a.m. in the Attorney General's offices in Carson City and Las Vegas.**

**10. Public Comment. Discussion Only.** Action may not be taken on any matter brought up under this agenda item, until scheduled on the agenda of a future meeting for possible action.

*(Agenda Item No. 10)*

No public comment.

**11. Adjournment.**

*(Agenda Item No. 11)*

Attorney General Laxalt moved to adjourn at approximately 10:50 a.m.

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*Minutes respectfully submitted by Marsha Landreth and Tarah Sanchez, Office of the Attorney General*

DRAFT

# Attachment Two (2)

to

Advisory Council for Prosecuting Attorneys Agenda  
September 13, 2018

*NRS 241A.070*

**NRS 214A.070**

The Council shall:

1. Develop and carry out a program for training and assisting prosecutors in conducting criminal and civil prosecutions in this State;
2. Coordinate the development of policies for conducting criminal and civil prosecutions in this State;
3. Coordinate the development of proposed legislation for submission to the Legislature;  
and
4. Authorize the payment of expenses incurred in carrying out the provisions of [NRS 241A.010](#) to [241A.090](#), inclusive.

# Attachment Three (3)

to

Advisory Council for Prosecuting Attorneys Agenda  
September 13, 2018

*STOP Information*





**State of Nevada  
Office of the Attorney General**

**Services-Training-Officers-Prosecutors (STOP) Grant**

Anticipated Release of Request for Applications: January/February 2019

Funding Period: July 1, 2019 through June 30, 2020

**GENERAL INFORMATION**

The Services-Training-Officers-Prosecutors (STOP) program supports communities in their efforts to develop and strengthen effective victim services, law enforcement and prosecution strategies to combat the crimes of intimate partner violence, dating violence, sexual assault and stalking. This program further encourages partnerships among police, prosecutors, the judiciary, victim advocates and service providers, health care providers, faith leaders, and others to help provide Nevada's victims and their families with the protection and services they need to pursue safe and healthy lives within their communities and to hold their offenders accountable for the harm they have done.

**APPLICANT ELIGIBILITY**

To be eligible for a sub-grant from these funds, an applicant must:

1. Provide services that fall within the federal purpose areas as described below. A 25 percent match requirement on the total award costs will be imposed on all sub-grantees, except for tribal or non-profit, community-based organizations funded under the Victim Services funding category.
2. Ensure that any federal funds awarded through this program will be used to supplement, not supplant, any federal and nonfederal funds that would otherwise be available for activities funded through this program.
3. Be a public agency, tribal government or nonprofit organization incorporated and qualified to do business in Nevada.
4. Possess or obtain a DUNS Number (<http://www.dnb.com>) and current SAM registration (<http://www.sam.gov>) prior to receiving any funds.
5. Be governed in a manner which reflects awareness of the racial, ethnic, economic, and social composition of the county or counties to be served and includes individuals who are knowledgeable in the focus area of this project, including culturally-specific projects.
6. Require its employees and volunteers to maintain the confidentiality of any information that would identify persons receiving services; any release of identifying information must be with prior voluntary written consent of the victim, as applicable.
7. Provide its services without any discrimination on the basis of a person's gender, age, race, color, ethnicity, language, educational status, income, political or faith affiliation, national origin and/or immigration status, marital status, sexual orientation or gender identification.
8. Comply with the provisions of the Americans with Disabilities Act (ADA) and the Equal Employment Opportunity guidelines of the Office of Civil Rights.
9. Comply with any new state or federal requirements and regulations that may be imposed.

## **FEDERAL PROGRAM PURPOSE AREAS FOR STOP FUNDS**

Funds under the STOP Program **must** be used for one or more of the following statutory purpose areas:

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (U) and (T) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a));
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking;
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims;
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking;
5. Developing, enlarging, or strengthening victim services and legal assistance programs, including domestic violence, dating violence, sexual assault, and stalking programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of domestic violence, dating violence, sexual assault, and stalking;
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking;
7. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking;
8. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention and providing expert testimony and treatment of trauma related to sexual assault;
9. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence, dating violence, or sexual assault, or stalking, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals;
10. Providing assistance to victims of domestic violence and sexual assault in immigration matters;
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
12. Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities:



- A. Developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
  - B. Notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
  - C. Referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
  - D. Taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.
13. Providing funding to law enforcement agencies, victim services providers, and state, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote:
- A. The development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
  - B. The implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003); and
  - C. The development of such protocols in collaboration with state, tribal, territorial and local victim services providers and domestic violence coalitions.

Note: Any law enforcement, state, tribal, territorial or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program shall, on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of 2 years, provide a report of the adopted protocol to the Department, including a summary of progress in implementing such protocol. As such, states and territories are responsible for ensuring that each subgrantee receiving funds under this purpose area will receive the required annual training.

- 14. Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.
- 15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.
- 16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.
- 17. Developing, enlarging or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.
- 18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.
- 19. Developing, enlarging, or strengthening programs and projects to provide services and responses to male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code.
- 20. Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking with not more than 5% of the amount allocated to a state to be used for this purpose.

## **STATE PRIORITIES**

Applicants are encouraged to develop and support projects that:

1. Create, expand, or support local or regional collaborative responses to victims of intimate partner, dating and sexual violence, and stalking to more effectively utilize grant funding (i.e. developing SANE/SART teams, dual services, multi-disciplinary teams);
2. Support and retain core services for victims of sexual and intimate partner violence, particularly support for rape crisis centers and shelters;
3. Increase support for sexual assault victims, including services, law enforcement response and prosecution.
4. Support advocacy for victims of VAWA-eligible crimes (community-based and/or system-based);
5. Serve areas showing the greatest need based on the availability of existing intimate partner violence and sexual assault programs in the population and geographic area to be served;
6. Address the needs of underserved populations, particularly communities of color, and including victims who may be elderly or disabled, as well as victims who are isolated for reasons such as homelessness, sexual orientation, gender identification, substance use, mental health issues, and human trafficking:

Trafficking for purposes of VAWA funding includes foreign and domestic victims of commercial sexual exploitation and forced marriage, but not general labor trafficking, unless qualifying VAWA crimes are committed against them.

7. Provide basic and advanced training to law enforcement and courts (governmental and Tribal), prosecutors, victim service providers (including cross-disciplinary training with system-based advocates and other criminal justice professionals, expert witness training);
8. Provide competent, culturally specific services beyond bilingual advocacy;
9. Provide comprehensive, coordinated case management services to victims of domestic violence, dating violence, sexual assault or stalking to include the coordination of referrals and services through with the agencies involved with the victim; and
10. Develop data collection and analysis projects to better document criminal justice and victim services performance and statistics relating to intimate partner, dating and sexual violence, and stalking, to better gauge the effectiveness of and improve the local, regional and state response to these crimes.

**Please note:** STOP funds may not be used to support services that focus exclusively on children age 10 and under.

For more information, please contact:

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