

# ATTACHMENT 1

TO

Advisory Council for Prosecuting Attorneys

JUNE 24, 2020

Draft Minutes to March 24, 2020 Meeting



**STATE OF NEVADA**  
**ADVISORY COUNCIL FOR PROSECUTING ATTORNEYS**  
100 North Carson Street  
Carson City, Nevada 89701

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**DRAFT MEETING MINUTES**

**Organization:** Advisory Council for Prosecuting Attorneys

**Date and Time of Meeting:** March 24, 2020 • 11:00 a.m.

**Place of Meeting:** Telephonic Conference Call  
**Number:** 605-313-5111  
**Access code:** 468822

Members of the public wishing to attend in person may do so at:

Attorney General's Office  
Executive Conference Room  
100 N. Carson Street  
Carson City, Nevada

Attorney General's Office  
Sawyer Building, Room 4500  
555 E. Washington Avenue  
Las Vegas, Nevada

**Members Present:**  
Aaron D. Ford, Attorney General, Chair  
Theresa Haar, Special Assistant Attorney General,  
Executive Director  
Christopher Hicks, Washoe County District Attorney  
Karl Hall, Reno City Attorney  
Robert Sweetin, Mesquite City Attorney

**Guests Present:**  
Anela Kaheaku, Attorney General's Office

1. **Call to Order and Roll Call.**
2. **Public Comment.**

Public comment shall be limited to five (5) minutes per person. 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.

None

3. **Approval of minutes of December 13, 2019 meeting. (For possible action).**  
(Attachment One (1) – Minutes from December 13, 2019 Meeting).

Robert Sweetin moved to approve the minutes of the December 13, 2019 meeting and Christopher Hi seconded the motion, with no opposition, the minutes were approved.

4. **Discussion of 2021 Legislative Session BDRs. (For discussion and possible action).**  
Bill Draft Requests for the 2021 Legislative Session are due to the Legislative Counsel Bureau by September 1, 2020.

AG Ford states that the Bill Draft Requests for 2021 are due to the by LCB 9/1/2020. He extends an offer to the Committee and others to see if there are any ideas that the AGO may help with relative to submitting BDR Requests.

SAAG Haar states that the deadline for the AGO to put forward a BDR Requests is May 1, 2020 but that date is flexible and is a preliminary date if the AGO is going to be the one actually putting forward the BDR that is being requested, we ask that the actual request be done by May.

AG Ford asks if there any current thoughts on BDR requests.

DA Hicks states that Jenny Noble and John Jones have been in communications and they have been touch with the AGO and they are looking at different things right now, no specifics right now but look forward to sharing it with the AGO.

SAAG Haar states that she has been in communication with Jenny Noble and she will have some comments on this item. She is trying to get through to the conference call.

AG Ford states that this issue can be revisited if Ms. Noble gets through and then asks if there is anyone else who has a comment on this.

City Attorney Sweetin has been talking with other City Attorneys down in the South regarding amendments related jury trials for domestic violence cases and things of that nature. They will be talking to John and Jenny at some point and utilize their services.

AG Ford asks if there is anyone who has a conflict with the May 1<sup>st</sup> date as the date to get the BDR requests. This issue to be revisited when Ms. Nobel is able to participate in the conference call. DA Hicks states that he has just gotten word from Ms. Nobel that she unable to get through to the conference call but certainly by May 1<sup>st</sup> they will be able to supply more information on it.

(AG Ford returns to this topic from post Anderson below to include City Attorney Nobel who just joined the meeting.)

City Attorney Nobel states that they have heard from their investigators and law enforcement about the difficulty in certain cases, involving sex trafficking and having the

victim testify, which is always a problem. One idea that one of the investigators had is to increase the penalties for dissuading or intimidating the witness if their a underage victim of sex trafficking. That is an idea that we have that we can get to the AGO.

AGO ford states that he would be happy to receive that and take a look at it.

5. **Discussion of domestic battery prosecutions post-Andersen. (For discussion and possible action).**

Discussion of how jurisdictions are responding to the jury trial requirement of the *Andersen* decision, including discussion of number of new DV cases that have been filed, how many jury trials have taken place, and the outcome of those trials.

AG Ford asks for updated information regarding post Anderson decision. He understands that there have been some trials or at least getting them scheduled. Some may be have been pushed back due to the Corona Virus issue. He asks if anyone has any insight on this matter that they can share at this point.

DA Hicks states that their Justice Courts are prepared but they have not held a misdemeanor domestic jury trial yet. A few had been set but were continued for various reasons and now due to the issues our Country is facing there's none set in the immediate future.

City Attorney Sweetin states that his update is almost identical but believes that they are the only jurisdiction in Southern Nevada, City Attorney wise, that are going to do the jury trials. They were supposed to have a trial today, his very first one and the rest have settled. Due to the current situation it was continued. They have not actually done one yet, they have coordinated with Clark County Courts on utilizes their jury services, which has been great. They had two that had been previously scheduled, the day before trial they were supposed to start, they decided to plead guilty. They have 9 that are scheduled out in the next two to three months.

AGO Ford states that it's great to hear that they are utilizing Clark County Courts.

DA Nobel joins the conference.

AGO asks if there are any other comments regarding post Anderson before going back to item #4 BDR requests.

City Attorney Hall states that they have had the same experience as other jurisdictions. They had 20 set but they had mandatory pretrial and they resolved short of trial and everything has been continued.

AGO states that he believes that everyone has been heard from on this matter.

6. **Public Comment. (For discussion only)**

Action may not be taken on any matter brought up Public comment shall be limited to five (5) minutes per person. 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.

AG Ford states that before the public comment he has a couple of things that he would like to say relating to the Governors directive to close down non-essential businesses. He wants to make certain that everyone knows that the AGO remains open and available at your disposal 24 hours a day, call, text or email and he will try to get back to you as quickly as possible. As information becomes available the AGO will reach out and give you a heads up and any guidance that we can offer to the extent that you want. We know that we cannot eliminate the Covid risk but we are trying to mitigate it all. He believes that the Governor's approach is based on that premise.

AGO Ford asks if there is any public comment or anyone who wants to share any intel on the Directive on non-essential businesses that are having to close.

City Attorney Sweetin states that the Governor's office is very understandably extremely busy right now and to have AG Ford available to them has been a big deal, especially some of the smaller more rural jurisdictions having the access to him that they do. It has been very helpful to them and being able to provide guidance to questions that come up. Obviously, the economic impact of this is still unknown but to have the access we do has been great. They have not have any non-compliant cases right now so that's nice.

AGO Ford thanks CA Sweetin for his comments. He also states that to the extent that anyone needs help especially in the rural the AGO Investigators stand ready to assist on some of these items, they are ready to supplement, get engaged and involved in some of the stuff that you all are doing. He just wanted to offer that as well.

AG Ford asks if there are any other comments.

Motion to adjourn by DA Hicks.

7. **Adjournment.**

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*Minutes respectfully submitted by Anela Kaheaku, Legal Secretary II*