

ATTACHMENT 1

11/18/19 Meeting Draft Minutes for Approval



OFFICE OF THE ATTORNEY GENERAL

Aaron D. Ford, *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: **November 18, 2019 at 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 • Helget, Shannon • Llamas, Erica • O'Banion, Nicole • Rey, Jennifer • Tanaka, Debbie • Washington, Martie • Trenoweth, Traci • Wickham, Harold 	<ul style="list-style-type: none"> • Adair, Jessica • Ford, Aaron • Murga, Kim • Ramella, Holly • Staple, Daniele • Shon Comiskey 	<ul style="list-style-type: none"> • Moresi, Chrissy • Robison, Debbi • Sabloff, Arianna • Sabori, Anissa • Tracy, Scott 	<ul style="list-style-type: none"> • Hicks, Nicole

1. Call to order, welcome and roll-call.

Attorney General (AG) Ford called the meeting to order at 2 p.m. and roll call determined there was a quorum of members present.

2. Public comment.

AG Ford invited public comment. There was none.

3. Approval of the minutes of the September 27, 2019 meeting. Kim Murga moved to approve the 9/27/19 meeting minutes, seconded by Harold Wickham. The minutes were unanimously approved.

4. AB176 Request for Applications—solicitation, pre-application webinar, timeline, etc.

Martie Washington, AGO Grants/Project Analyst III, explained that AB176 appropriated \$300,000 (\$150,000 for each fiscal year 2020 and 2021) to the Attorney General's Office (AGO) to be used to recruit and train advocates to serve sexual assault survivors, with 10% to be kept with the AGO for administration of these funds. There is a December 6, 2019 deadline for applicants to apply for funds to use to recruit or train sexual assault advocates or support persons. The project begins retroactively July 1, 2019 to enable reimbursement of entities that may already be using unrestricted funds from their own accounts to recruit, train, and expand their capacity to serve victims. A webinar was recently conducted with 12 applicant attendees to have their questions answered and discussed. The team will meet on January 7, 2020 to discuss each application and make recommendations to submit for approval. The application has two purpose areas: (1) advocacy recruitment to fund projects that are tasked with the recruitment and training of sexual assault support persons or advocates and (2) for sexual assault advocacy training, development and delivery. The application will be available on the AG's website/grants tab and applicants will be notified by January 15, 2020 whether or not they were successful.

5. Community-based advocates and concerns regarding confidentiality. *Debbie Tanaka, AGO Management Analyst IV*, stated that prior to releasing the solicitation for the AB176 funding a teleconference was conducted with many of the providers and she reached out to those who were not able to participate in the call to see what kind of challenges they might face and what kind of concerns they may have about this particular bill.

Committee members discussed survivor confidentiality issues when advocates or other support persons are present during law enforcement interviews. Serena Evans stated that she reached out to the National Victims' Rights Law Center policy listserv through the National Alliance to End Sexual Violence because other states have similar language where advocates can be present during law enforcement prosecutor interviews. The National Victim Rights Law Center offered technical assistance and suggestions if needed. Evans agreed to be the liaison between this committee and her connections and will share with the committee the collective response from other states of what they do with this language. The committee discussed possible short term solutions to the confidentiality issue while waiting for the specific language to be drafted.

- 6. Report on comparison of information contained in the AB124 brochure and the AB176 Bill of Rights.** *Nicole O'Banion*, AGO Domestic Violence Ombudsman reviewed the attachments she provided to the committee comparing the language of AB124 and AB176. Discussion ensued about the issue of survivors requesting that their kits not be tested and possible coercion. O'Banion noted that the Bill of Rights will let survivors know they can deny testing and can also change their mind about their kits being tested any time before the retention period runs out.

Jessica Adair noted that when the bill goes into effect on January 1, 2020, the AGO is required to produce and post the Sexual Assault Survivors' Bill of Rights on the AGO website. Individual entities are encouraged to distribute the AGO's document but are also welcome to provide the AGO with feedback regarding additional language or other suggestions.

There was additional discussion about the possible storage of sexual assault kits for 20 years, the lack of grant funding to do so, and the level of commitment required for agencies to take on that storage. Murga pointed out that if a victim does not want to have forensic DNA performed on their kit, any kit that comes to LVMPD would be subject to that preference. Right now the only kits LVMPD has belong to victims who have not refused forensic testing. If someone is a victim of a crime then all kits come to LVMPD for testing and LVMPD does not have the mechanism or the capability to store kits that are not going to be subject to law enforcement, have an event number, and be subjected to forensic testing.

Adair noted that the legislature put the sexual assault kit retention schedule in the bill but did not specify where the kits would be kept or how long the kits should be kept in their custody. Evans stated that AB142 now abolishes the statute of limitations when there is DNA evidence so the victim continues to have the option to change her/his mind further down the line. Those kits have to be stored indefinitely now and there needs to be some kind of chain of command that is trackable in the state for sexual assault kits.

- 7. Report regarding research and collection of survivor services data and how that information can be shared and the gaps filled in.**

Chrissy Moresi (RISE), Serena Evans (Nevada Coalition to End Domestic and Sexual Violence Policy Specialist), and Daniele Staple (Rape Crisis Center Executive Director). Evans reviewed a resource map/data report and explained that they had reached out to all the direct service programs in Nevada to see who's providing what. The Rape Crisis Center is the only stand-alone rape crisis center in Nevada. Reno has Sexual Assault Support Services, which is housed under Crisis Support Services of Northern Nevada and then through Advocates to End Domestic Violence and the SARA (Sexual Assault Response Advocate) program and those are the three biggest programs throughout Nevada that provide sexual assault advocacy. Evans continued to review the report with a map showing

the locations of services and any overlap of advocacy, exams, etc. It is difficult to know how many advocates are needed in each area because there is no way to know how many sexual assault survivors there will be. Daniele Staple pointed out the difficulty in not being able to compensate advocates for their time regardless of how many calls they go out on. There needs to be someone designated 24/7/365 in all of the big traffic areas. Moresi stated that she has contacted a couple of agencies in California to see how they're handling their rural areas and will send a report when she hears back.

Adair stated that this committee is tasked with determining what it would take to make the Sexual Assault Survivors Bill of Rights a reality for every single sexual assault survivor in the state. There are two different things going on: One is the Bill of Rights, for which the Attorney General's Office is responsible, and the other is the legislative report that is due to the legislature at the end of 2020. The Advisory Committee itself is more focused on the report to the legislature. Adair encourages others who may have additional information or additional questions to bring that forward so that we can present that to the legislature in our report.

- 8. Public comment.** Chairman Ford invited public comment. There was none.
- 9. Future meeting dates and times:** To be scheduled. The committee agreed to have a telephonic meeting before January 1, 2020 to review the Bill of Rights document before it is posted to the AG website.
- 10. The meeting was adjourned at 3:06 p.m.** upon Kim Murga's motion and Evans' 2nd. None opposed.

Prepared by V. Beavers