

**STATE OF NEVADA COMMITTEE ON DOMESTIC VIOLENCE  
(BATTERER’S TREATMENT CERTIFICATION COMMITTEE)**

**MINUTES**

*Wednesday, December 11, 2013, at 1:00p.m.*

Department of Employment, Training, and Rehabilitation  
2800 E. St. Louis Avenue  
Conference Room C  
Las Vegas, Nevada

**Please Note:** The Committee on Domestic Violence may 1) address agenda items out of sequence to accommodate persons appearing before the Committee or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; and 3) pull or remove items from the agenda at any time. The Committee may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

Public comment is welcomed by the Committee, but at the discretion of the chair, may be limited to five minutes per person. A public comment time will be available before any action items are heard by the public body and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment.

***Asterisks (\*) denote items on which the Committee may take action.  
Action by the Committee on an item may be to approve, deny, amend, or table.***

**1. Call to order, roll call, establish quorum.**

**Members Present**

Tim Hamilton  
Sue Meuschke  
Neil Rombardo  
Cheryl Hunt  
Traci Dory  
Judge Bunch  
Carol Ferranti  
Meri Shadley

**Members Absent**

**Public**

Zach Larson  
Frank Karr  
Maxine Lantz (via telephone)

**Attorney General’s Office**

Henna Rasul, Sr. DAG  
Kareen Prentice, DV Ombudsman  
Jennifer Kandt, Coordinator

**2. Public comment.**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

**3. \*Conduct hearing to solicit comments and adopt proposed Regulation R048-13 which makes changes to Chapter 228 of the Nevada Administrative Code. (For possible action.)**

The hearing was conducted to solicit comments on the proposed regulations. There was no public testimony on the proposed regulations. There was discussion on several non-substantive changes including changing the language in the new training requirements from, “4 hours in women who use violent self-defense” to “4 hours in victims who use violent self-defense”. Additionally, there was discussion and general consensus that the “2 hours in ethics and collusion” be changed to “2 hours in ethics including collusion”.

Motion: Sue moved to adopt the regulations with the non-substantive changes. 2<sup>nd</sup>: Judge Bunch

Vote: All in favor. Motion carried.

**4. \*Discussion, recommendation, and possible action regarding review and approval of minutes of the following meetings (for possible action):**

a) August 15, 2013

Neil noted that he was not listed in the minutes as present or as absent, and that he had been absent.

Motion: Traci moved to approve with noting Neil as absent. 2<sup>nd</sup>: Judge Bunch

Vote: All in favor. Motion carried.

**5. Updates by Domestic Violence Ombudsman Karen Prentice.**

a) Budget

Karen presented expenditures from the previous quarter.

b) Court Assessments

Karen presented the court assessment spreadsheet and stated that court assessments were down.

c) Match

Karen asked that members complete their match forms.

**6. \*Discussion, recommendation, and possible action regarding ideas for increasing treatment in the rural areas. This item will include updates from the Rural Issues Subcommittee, and a proposal from LRS for a rural pilot project. (For possible action.)**

Karen reported that the Rural Issues Subcommittee had met to discuss a proposal from Maxine Lantz, White Pine County judges and LRS regarding a possible pilot project in rural Nevada, and that the Committee would be hearing further details from LRS attendees.

Jennifer commented that her understanding was that the Attorney General was very interested in having the Committee address the lack of treatment in the rural areas.

She also stated that she had discussed the proposed pilot project with Henna Rasul, and also with Keith Marcher who is the Chief of the Boards and Commissions division. She stated that Mr. Marcher had indicated that the Committee can certainly allow a pilot project, but only if it falls within what is legally allowed under the current law. She stated that he advised her to review the regulations carefully with Henna and see if the project could potentially be allowed under current regulations. She said that in review of the regulations, it appeared that the regulation states that offenders must attend a group counseling session, but that it does not actually address how they must attend the session. Jennifer also stated that she had prepared a spreadsheet detailing conversations with various states on this issue, and that she had additional information from Colorado which she briefly overviewed.

Zach Larson explained that the proposal submitted by LRS falls within the current regulations as they would treat offenders in the pilot project exactly the same as any other offender. He stated that they would have a male and female co-facilitating the class through a webcam. He also stated that the court and judge would approve the location, that offenders would be given a list of times that the class would be offered, that they would come to the location at the given time, their ID would be checked by someone approved by the court to be present, and that they would then sign-in to the session remotely. He stated that the facilitators and the class members would be able to interact through a secure video-conferencing service. Mr. Larson stated that there may be offenders in different locations in the same class. He also stated that because it was a pilot project, there would still be aspects of the program that may need to be adjusted, such as the number of attendees.

Tim stated that it would be very important that the offenders be able to interact with each other and with the co-facilitators and that everyone be able to see facial expressions and non-verbal cues.

There were questions surrounding cost, and Zach explained that LRS would be covering all costs with setting up the technology, and that offenders will still be responsible for paying for their sessions. He said that the court has expressed a willingness to assist with the collection of fees.

Zach also explained that initial intakes would be done through a webcam and that files would be maintained by LRS with the courts assisting with faxing documents as needed.

There were questions from Carol surrounding having a "monitor" in the room with the offenders and whether the court would be opening after hours for these sessions. Zach explained that many of these items would be at the discretion of the court in terms of the actual location of the session and whether the court felt that particular offender would need a monitor other than the facilitators.

Maxine Lantz stated that they are looking for the Committee's approval to move forward and that some items may need to be developed as the project moves forward. She stated that the courts in Lincoln County and White Pine County are willing to assist as needed and that they may also utilize Rural Mental Health so that offenders

can obtain others types of treatment as needed. She stated that these counties have few enough offenders making them ideal locations to attempt a pilot project.

There were questions from Sue regarding whether allowing the pilot project would then mean that the Committee would have to allow anyone to do this. Jennifer stated that it was her understanding that the Committee would need to be clear that this is only a pilot project with a limited duration, and then if they were going to continue to allow, they should probably be ready to change the regulations to specify parameters for this type of treatment.

Judge Bunch asked if it would be possible to record the sessions for the Committee members to view. There was discussion surrounding the need for waivers and confidentiality requirements and Zach stated that it would be easier for the Committee members to attend a session rather than record a session.

There was discussion on the number of offenders that would be needed to run the group, and clarification from Zach that they would need at least 3 to comply with the regulations, but that they could not make a group financially viable long term with only 3 offenders.

Sue asked Zach how they would measure success of the program and Zach explained that they would measure success the same way they measure it in a live class and that is through compliance and completion.

Traci questioned how the facilitators would know whether or not someone was intoxicated while participating in the class if there is not a monitor in the room. Zach explained that the facilitators would not be doing their job if they were unable to tell whether an individual was intoxicated after an hour and a half session. Additionally, Maxine stated that the proposal includes having the offenders attend at the court or Rural Mental Health so that there would be someone at the location where the offender is attending.

There was discussion on whether the sessions would be an hour and a half once a week or three hours every other week, and Zach stated that was a decision that could be made by the court.

There was discussion surrounding having LRS submit a quarterly report concerning the pilot project prior to every quarterly Committee meeting. Meri suggested a report that would include feedback from the facilitators, attendees, and the courts on what some of the difficulties were and what was working well. Zach stated that they would submit a report before every Committee meeting and would ask for further feedback after the meetings on any additional information the Committee would like to see in future reports. Judge Bunch requested that a representative attend each meeting to be able to answer questions on the report.

Neil stated that he would like to see information concerning downtime of the system and detailed information on the time the class gets started and time and duration that it may go down.

Sue stated that if there is an attendee that does not complete the course, she would want to know what is the barrier to completion. There was discussion that LRS would attempt to obtain that type of information. In addition, there was discussion that the report would include information on the number of offenders enrolled for each class, and how many actually attend each class.

Meri suggested that LRS create possibly 5 questions to ask the various groups (offenders, court staff, facilitators), and provide those questions to the Committee.

Judge Bunch questioned whether LRS was willing to commit to follow through with the project for one year and Zach stated that their intention was to see the project through for an entire year.

Carol suggested using graduate students to assist with data collection projects.

Kareen questioned whether the Rural Issues Subcommittee could end its work, and there was discussion that the subcommittee would still be needed. Additionally, it was suggested that Kareen observe a session quarterly and report to the Committee.

Motion: Judge Bunch moved to allow the pilot project in Lincoln and White Pine Counties for one year from start date with quarterly reports back to the Committee as discussed. 2<sup>nd</sup>: Neil.

Vote: All in favor. Motion carried.

**7. \*Discussion, recommendation, and possible action regarding difficulties with programs obtaining police reports from offenders. (For possible action.)**

Jennifer stated that at the last meeting there was discussion that certain programs have difficulty obtaining police reports and that police reports provide vital information to the facilitator, so there had been discussion concerning possible legislation on the issue.

Sue asked whether producing a police report was required for any other counseling purposes and Judge Bunch stated that they may be required for sexual-psycho evaluation, but that he was not certain.

There was discussion on the possibility of obtaining police reports through the public defender at the court. There was discussion that not all offenders would have a public defender as some might hire private counsel and some might waive their right to counsel.

There was discussion that the police report is a public record and discussion over whether it should be easily attained. Neil stated that the police report is the official charging document and that the offender has the legal right to that document.

Carol stated that there were restrictions within the records department on giving out the police reports as certain information on juveniles, etc. needed to be redacted.

Neil stated that his legal advice to his sheriff was that they have to release the report due to current statutes and case law.

There was discussion surrounding asking the Executive Director of the Nevada Advisory Council for Prosecuting Attorneys to bring the issue before the Sheriff's and Chief's Association to remind law enforcement that they are required to release the police reports. There was further discussion that a letter to the Sheriff's and Chief's Association discussing public records law would be sufficient.

Neil cautioned against having the letter be a "reminder" to law enforcement and instead have the letter state the issues and ask for their assistance and also ask how the Committee can assist in the process. Neil stated he would be happy to review the letter prior to sending.

Motion: Sue moved for the Coordinator to draft a letter to the Sheriffs' and Chiefs' Association regarding the problem of access to police reports. 2<sup>nd</sup>: Meri  
Vote: All in favor. Motion carried.

**8. \*Discussion, recommendation, and possible action regarding the following requests for domestic violence continuing education credits and/or formal training (for possible action):**

- a. Application for 6.25 training credits  
NNADV  
"Legal Remedies for Immigrant Victims of Domestic Violence and Other Crimes"  
October 15, 2013 Elko, NV  
(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 6.25 victim credits.

Motion: Neil moved to approve. 2<sup>nd</sup>: Carol  
Vote: All in favor. Motion carried. Sue abstained.

- b. Application for 16 training credits  
Relationship Training Institute  
"Staying Ahead of the Curve"  
November 1-2, 2014 San Diego, CA  
(Reviewed by Carol Ferranti)

Carol noted that the information contained was incomplete. She stated that there were bios, but not resumes that included addresses. She stated that there was a syllabus for only one of the days and that syllabus listed an instructor that was not included in the bios. She recommended that item be continued pending additional documentation.

Motion: Sue moved to continue pending additional documentation. 2<sup>nd</sup>: Cheryl  
Vote: All in favor. Motion carried.

- c. Application for 27 training credits  
Pamela Swanner  
“CAAW Counselor/Advocate Training”  
Various Dates August 2011 Reno, NV  
(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 25 victim credits.

Motion: Sue moved to approve. 2<sup>nd</sup>: Neil

Vote: All in favor. Motion carried.

- d. Application for 12 training credits  
Nevada Public Health Foundation  
“Assessing and Treating the Criminal Justice Client”  
Various 2013 Dates Reno and Las Vegas, NV  
(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 12 victim credits.

Motion: Sue moved to approve. 2<sup>nd</sup>: Neil

Vote: All in favor. Motion carried.

**9. \*Discussion, recommendation, and possible action regarding requests for approval of the following providers (for possible action):**

- a. Steve Barcia  
ACCS  
(Reviewed by Carol Ferranti)

Carol recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried.

- b. Misty Burkhart  
ACCS  
(Reviewed by Sue Meuschke)

Sue recommended approval of the provider for rural counties only due to the provider not having a Bachelor's Degree.

Motion: Traci moved to approve for rural counties. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried.

- c. Nicole Altamirano  
ACCS  
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried.

- d. Monica Joyner  
ACCS  
(Reviewed by Neil Rombardo)

Neil recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried.

- e. Pamela Swanner  
ACCS  
(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Cheryl

Vote: All in favor. Motion carried.

**10. \*Discussion, recommendation, and possible action regarding corrective action plans from the following agencies (for possible action):**

- a. ACCS  
Sparks, Gardnerville, Elko, NV  
(Reviewed by Tim Hamilton)

Tim stated that the response to violation 227.170 for Elko did not seem to be the same as the response for the other agencies. He recommended approval with a clarification on the Elko response.

Motion: Sue moved to approve. 2<sup>nd</sup>: Cheryl

Vote: All in favor. Motion carried. Judge Bunch abstained.

- b. Mesa Family Counseling  
Las Vegas, NV  
(Reviewed by Cheryl Hunt; Continued from May and August Meetings)

Cheryl stated that she had reviewed the submission from the agency and that it did not appear to be any different than the original submission. She stated that the responses did not seem to adequately address the violations. She recommended denial.

Motion: Sue moved to deny. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried. Judge Bunch abstained.

**11. \*Discussion, recommendation, and possible action regarding the application for certification renewal from the following agencies (for possible action):**

- a) Counseling Services Plus  
Las Vegas, NV  
(Reviewed by Meri Shadley; Continued from May and August Meetings)

Meri stated that the agency had submitted proof that the supervisor had satisfied the continuing education requirements, and that the application was now complete.

Motion: Sue moved to approve. 2<sup>nd</sup>: Cheryl

Vote: All in favor. Motion carried. Judge Bunch abstained.

- b) ACCS  
Sparks, Reno, Gardnerville, Carson City, Elko NV  
(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.



- c) Options  
North Las Vegas, NV  
(Reviewed by Neil Rombardo)

Neil recommended approval.

Motion: Traci moved to approve. 2<sup>nd</sup>: Cheryl

Vote: All in favor. Motion carried. Judge Bunch abstained.

- d) Ridgeview Counseling Group  
Reno, NV  
(Reviewed by Tim Hamilton; Continued from August Meeting)

Tim stated that the agency had provided the requested information, and he recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried. Judge Bunch abstained.

- e) Winnemucca Batterers Intervention Program  
Winnemucca, NV  
(Reviewed by Sue Meuschke)

Sue recommended approval.

Motion: Meri moved to approve. 2<sup>nd</sup>: Neil

Vote: All in favor. Motion carried. Judge Bunch abstained.

- f) Ready for Change  
Henderson, NV  
(Reviewed by Traci Dory)

Traci recommended that the item be continued pending the outcome of the hearing scheduled for December 12<sup>th</sup>.

Motion: Sue moved to continue. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.

- g) Mesa Family Counseling  
Las Vegas, NV  
(Reviewed by Cheryl Hunt; Continued from August Meeting)

Cheryl stated that the corrective action plan had been denied, and that the supervisor lacked the appropriate number of approved continuing education credits. She recommended that the application be denied and that the matter be set for a hearing.

Motion: Sue moved to deny and set for hearing. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried. Judge Bunch abstained.

**12. \*Discussion, recommendation, and possible action regarding the following requests for additional program locations for the following agencies (for possible action):**

- a) ABC Therapy  
3351 E. Jennifer St.  
Pahrump, NV  
(Reviewed by Meri Shadley)

Meri recommended approval.

Motion: Neil moved to approve. 2<sup>nd</sup>: Judge Bunch

Vote: All in favor. Motion carried.

**13. \*Hearing regarding certification of Counseling Services Plus. (For possible action).**

Jennifer stated that this item had been canceled as the agency had satisfied the requirements for renewal.

**14. Updates from Committee Coordinator, Jennifer Kandt.**

Jennifer stated that SAFE House had ceased operation of their batterers treatment program, and that the City of Henderson was exploring starting an in house program. She also stated that Clark County Detention Center was exploring operating a batterers treatment program within the jail.

**15. Discussion regarding future agenda items and future meeting dates.**

Future meeting dates were set for February 20, 2014, May 29, 2014, August 21, 2014 and November 13, 2014.

**16. Public comment.**

<p><b>Note:</b> No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)</p>
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**17. \*Adjournment. (For possible action).**

Motion: Judge Bunch moved to recess. 2<sup>nd</sup>: Sue

Vote: All in favor. Motion carried.