NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE

Wednesday, March 16, 2016 at 9:00 a.m.

Meeting Location:

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

With
Public Access Via Videoconference Located At:

Grant Sawyer Building
555 East Washington Avenue
Room # 4500
Las Vegas, NV 89101

Telephone Conference 1-877-411-9748 Access Code: 9890482

MEETING MINUTES

Please Note: (1) Items on the agenda may be taken out of order; (2) The public body may combine two or more agenda items for consideration; and (3) The public body may remove an item from the agenda at any time.

At the discretion of the Chairman, public comment is welcomed by the Council. A period of public comment will take place at the beginning of the meeting and again prior to the adjournment of the meeting. The Chairperson may limit each speaker to 5 minutes, as time allows and at her/his sole discretion. Everyone who is interested in speaking will be given the opportunity to speak at either or both public comment periods. Once all items on the agenda are completed the meeting will adjourn.

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

1. Call to order, roll call of members, and establish quorum.

Committee Members Present:

General Adam Paul Laxalt, Chair

Sue Meuschke

Suzanne Ramos

Christina Hernandez

Blake Smith

Elynne Greene

Emily Troshynski

Dorie Guy

Karl Hall

Honorable Patricia Lynch

Mark B. Jackson

Robin Sweet

Rev. Victoria Warren

Clarice Charlie-Hubbard

Christina Brady

Paul Bancroft

Cory Hernandez

Magann Jordan

Committee Members Absent:

Lt. Governor Mark Hutchinson - resigned

Denise Yoxismer

Leisa Moseley

Public Present:

Julie Mogensen

Mike Sherlock

Attorney General Staff Present:

Joelle Gutman

Patricia Cafferata

Peter Keegan

Kelsi Herrick

Debbie Tanaka

2. Introduction of Peter Keegan, Deputy Attorney General. Introduction of members of the public and public comment.
    - General Laxalt introduced DAG Peter Keegan. He will he taking Brett Kandt's place for the council
3. **For Possible Action:** Review, amend, and approve minutes from the November 9, 2015, meeting.

- A name was misspelled and that will be corrected. Motioned. Seconded. All in favor. Motion carried.

4. **For Discussion and Possible Action**: Vote to amend and approve Bylaws.
    - Peter Keegan covered the edits to the Bylaws. These changes were made by Brett Kandt. The changes include:
        - Including the Eleventh Judicial District
        - Removal of requirement for Council members to serve on at least one committee
        - Removal of one month notice for amending Bylaws
    - Judge Lynch stated that she opposed the removal of the one month notice at the previous meeting. She also questioned if the amended Bylaws were sent at least one month prior to this meeting. Peter explained that Bylaws under NRS 241, the one month notice was not required. General Laxalt clarified that the "process to change the process" was not followed, but it does not have to be followed. Peter stated that the meeting and Bylaws were posted over a week in advance. Judge Lynch wanted to know why the Bylaws were not complied with. Peter was under the impression that the Bylaws were reviewed at the previous meeting, as he was not there. Lynch said that the Bylaws were discussed, but they did not have a copy of the amendments at that time. Peter proposed that, if the Council wishes, this item could be continued at the next meeting so the members have the proper amount of time to review the Bylaws. Patty agreed with Judge Lynch that there should be notice before the meeting. General Laxalt said that this could be moved to the next meeting and receiving the Bylaws at this meeting would count as the notice. Mark motioned to table this to the next meeting. Member seconded. All in favor. Motion carried.

5. **For Discussion and Possible Action**: Nevada Arrest and Protection Advocacy Project (NAPA) Work Plan (Sue Meuschke)
    - Sue explained her grant funded project. This grant funds victim advocates in the state. She also explained a second objective of creating a work group "to identify existing barriers and develop recommendations for improvement." The third objective involves "developing best practice recommendations for arrest and prosecution of domestic violence cases."
    - Sue asked the Council for support of her organization's project and volunteers for the work group.
    - General Laxalt asked Mark if this project was similar to any project being down with any of the other Committees. Mark stated that there was a lot of crossover but there is nothing the same as this project.
    - Joelle asked how the various Committees and people involved will be able to share information and communicate, because "projects get siloed." Sue said that is what the work groups would help with.

- General Laxalt wanted to know if this project would be something that the Council sees as a primary project or a project to adopt.
- Sue stated it would be great if the Council endorsed and became part of the project. She would also like some Council members to volunteer their time, outside of the Council, to be part of the workgroup.
- Mark motioned to endorse the project. Seconded. All in favor. Motion carried.

6. **For Discussion**: Executive Director of Peace Officers Standards and Training (POST) to discuss current training related to domestic violence and possible opportunities for additional training for cadets and officers. (Mike Sherlock)

- Mike, the Executive Director of POST, gave a brief introduction of himself and explanation of his credentials.
- He explained the various domestic violence laws in the country and in the state. He compared the Nevada law to the laws in California. He stated the Nevada laws were too broad and that makes it hard for officers enforcing the law. He said the law needs to be more “black and white” and less “watered down.” He gave examples of things in the Nevada domestic violence law that should not be included in domestic violence (stalking, concealed carry weapon, child abuse, and sibling violence). He stated that domestic violence counts as a misdemeanor and explained the rules and laws around that, which is confusing for law enforcement. He stated that domestic violence should be considered a felony. He believes that if the laws are focused and “cleaned up” that it would reduce domestic violence.
- He explained other issues with training law enforcement officers how to ask the right questions, understanding what a primary aggressor is, and arresting the victim because of battery.
- Ramos asked if having more added to the domestic violence laws in Nevada would be helpful for law enforcement. Mike said that there should be less. Ramos inquired about his answer and Mike said that the law needs to be as clear as possible for the officers. Sue asked for clarification of his answers as well.
- Mark explained that the laws are created more around the larger counties in Nevada, but POST is centered on the rural counties. He gave examples of the history of his county (Douglas) and domestic violence along with how his community works together on domestic violence cases. He stated his opinion that the Nevada domestic violence laws are very comprehensive.
- Sue asked Mike to supply the Council with the kinds of training that POST has. She also asked if there are any mandated hours, topics, if the trainings are the same throughout the state, etc.

7. **For Discussion:** Discussion regarding adding Human Trafficking Advocates

and College Campus Advocates to the list of advocates to enable them to claim privilege if their records are requested by the courts. (Elynne Greene)

- Elynne stated she was doing fact finding on Human Trafficking Advocates and wanted to bring this up to the Council and get input since it is such a diverse group.
- Mark said that this is a new topic in the state. He believes that the victims should be able to go to any advocate not just ones recognized by the statue.
- General Laxalt asked if there are any other examples for a different type of crime where a non-profit gets this status. Elynne said that domestic violence and sexual assault advocates will be community based organization that completes a minimum of 20 hours of training qualified for privilege and confidentiality. She also said human trafficking advocates deal with both domestic violence and sexual assault.
- Christina asked what colleges/universities would be covered (public, private, etc.) and Joelle said she thought it would cover all higher education.
- Sue said it would be good to talk to university lawyers regarding privilege, community based advocates, and system based advocates. She said there needs to be a conversation between private and public non-profits and confidentiality.
- Elynne said for the human trafficking side, she was looking specifically at the non-profit organization as they are written for human trafficking. Joelle asked if the victim definition could be changed to add human trafficking.
- Sue raised a question about prosecution and human trafficking. She stated that this should be addressed.
- General Laxalt said that the AG office should look at this.
- Judge Lynch said it would be a good idea to continue this to the next meeting so this can be reviewed and discussed by the Attorney General's office, the District Attorneys, and others involved.
- Sue stated that there needs to be a follow up with the campuses as well.
- General Laxalt clarified that system advocates are not included. Sue said that college advocates work for a system and they would be system advocates. General Laxalt said it would be easier to add a new category (college advocates).

8. **For Discussion:** Update regarding revisions being made to Domestic Violence Prosecution Best Practice Guidelines and Model Policy Standard Operating Procedure for the Enforcement of Protection Orders against Domestic Violence. (Joelle Gutman)

- Joelle has brought this forth to the sheriffs and law enforcement

throughout the state. She also brought this to the law enforcement summit in Elko. She has not had a lot of feedback, but Mark will be assisting her in getting this to the right people. She would like to present this to the Council when she finishes a final draft.

- Patty said that Liz Greb, Grants Manager at the AG's office, said she might have some money to help with this project and to touch base with her.
- Joelle asked for any feedback to be sent to her.
- Mark stated that these best practice guidelines were created by the Nevada Advisory Council for Prosecuting Attorneys (chaired by General Laxalt) and that is why it mentions an endorsement. Any suggestions by this Council will likely result in the guidelines stating an endorsement by the Nevada Council to Prevent Domestic Violence.
- Joelle said that this process could potentially take a year or more.
- Judge Lynch and Joelle both agreed on the possibility of a workgroup for this project.

9. **For Discussion:** Update about possible items to be included on BDR for 2017 Legislative Session (Joelle Gutman)

- County Assessor/Property
  - Joelle spoke with Mike Sheers, the president of the County Assessors, regarding excluding addresses of members of the CAP program from public record that the county assessors have.
  - She stated right now there is not regulations regarding CAP members and was wondering if this needs to happen now because people are being legally protected
  - She contacted the county recorder's office and they said that no one is protected and public records are available there. They discussed a possible flagging system for victims.
  - Sue brought up how easily accessible documents are online and the county recorder's office is available online.
  - Joelle and Peter will be talking to the county assessors about this in April.
- Next of Kin Law related to murder in Domestic Violence cases
  - Joelle and Elynne gave a brief history of "Veronica's Law"
  - Joelle explained the statues for Nevada, California, and Arizona regarding next of kin.
  - Joelle asked if this was something the Council wants to sponsor. Judge Lynch stated her support.

10. **For Possible Action:** Discussion and scheduling of future meetings and agenda items.

- Advocating for the Underserved Population

- This could be covered under NAPA

- 4 meetings instead of 3 a year
  - Sue suggested 4 meetings to start next meeting
  - Rural meeting in May or July
- Sue talked about the education committee and the new mandates for teaching about violence in schools. She would like someone to talk about this and the process at an upcoming meeting.
- Add all tabled and continuations to upcoming agenda.

11. Public Comment
    - Debbie Tanaka, Grants Project Analyst and Grants Program Coordinator at the AG's Office, stated support for NAPA on behalf of the Grants Unit.
    - Ramos announced the Race to End Domestic Violence Quarter Marathon and 5K Run/Walk in Reno.
    - Sue announced the next Statewide Conference is September 12th – 14th in Las Vegas.
    - Judge Lynch announced that she will be applying for grants in order to set up a compliance court.

12. Adjournment
    - Motioned. Seconded. All in favor. Motion carried.

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Telephone: 775-688-1818 Fax: 775-688-1822

Office of the Attorney General – Las Vegas
Grant Sawyer Building, 555 E. Washington Avenue Suite 3900, Las Vegas, NV 89101
Telephone: 702-486-3420 Fax: 702-486-3768

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This agenda has been sent to all members of the Committee and other interested persons who have requested an agenda from the Council. Persons who wish to continue to receive an agenda and notice of meetings must request so in writing on an annual basis.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS:

Office of the Attorney General 100 N Carson Street Carson City, Nevada 89701	Office of the Attorney General 5420 Kietzke Lane, Ste 202 Reno, Nevada 89511	Grant Sawyer State Office Building 555 E. Washington Avenue Las Vegas, Nevada 89101
Jean Nidetch Women's Center University of Nevada, Las Vegas 4505 Maryland Parkway Las Vegas, Nevada 89154	Safe Nest 2915 W. Charleston Blvd., #12 Las Vegas, Nevada 89102	Reno City Hall One E. First Street Reno, Nevada 89501
Nevada Public Notice Website www.notice.nv.gov	Nevada Network Against Domestic Violence 250 South Rock Boulevard, Suite116 Reno, Nevada 89502	Attorney General's Website http://ag.nv.gov/