

Attachment One (1)

Committee on Domestic Violence Agenda
May 30, 2018

Contents: November 28, 2017 Minutes

Nevada Committee on Domestic Violence (NCDV)

Meeting Minutes

Tuesday, November 28th, 2017 at 10:00 a.m.

Winnemucca Convention Center
50 West Winnemucca Blvd
Winnemucca, NV 89445

Public Access via Tele-Conference:

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1. Call to order and roll call of members.
 - a. The Nevada Committee on Domestic Violence meeting was called to order at 10:02 am.
 - b. Present
 - Attorney General Adam Paul Laxalt, Chairman (Chairman Laxalt)
 - Bunch, Judge Max (Judge Bunch)
 - Cafferata, Patty (Cafferata)
 - Gordon, Monsignor Gregory (Gordon)
 - Hall, Karl (Hall)
 - Hamilton, Tim (Hamilton)
 - Harig, Tracy (Harig)
 - Hernandez, Cory (Hernandez)
 - Lynch, Judge Patricia (Judge Lynch)
 - Prindle, Angela (Prindle)
 - Ramos, Suzanne (Ramos)
 - Roshak, Robert (Roshak)
 - Troshynski, Emily (Troshynski)
 - Wheable, Michael (Wheable) via telephone
 - c. Absent
 - Brady, Christine (Brady)
 - Green, April (Green)
 - Greene, Elynne (Greene)
 - Guy, Dorie (Guy)
 - Hazlett-Stevens, Christopher (Hazlett-Stevens)
 - Herrick, Kelsi (Herrick)
 - Jordan, Magann (Jordan)
 - McMahonill, Marcie (McMahonill)
 - Meuschke, Susan (Meuschke)
 - Morris, Marla (Morris)
 - Moseley, Leisa (Moseley)

- Scott, Annette (Scott)
- Scully, Moreen (Scully)
- Smith, Sergeant Blake (Smith)
- Yoxsimer, Denise (Yoxsimer)

d. **Quorum established**

2. Public Comment.

- a. Comment from Sparks, NV via tele-conference
- i. Craig Merrill from Sierra Counseling Center suggested an average group size of 12 participants for batterers' intervention programs, Merrill supported this assessment as adequate based on his experience.

3. **For Possible Action:** Discussion and possible approval of "July 27th, 2017 Minutes". **Attachment 1**

- a. Chairman Laxalt asked for a motion to approve minutes. Members identified a few grammatical errors within the text of the minutes. Motion to accept minutes by Judge Bunch. Seconded by Judge Lynch with amendments. No discussion. All in favor. Motion passed.

4. **For Possible Action:** Introduction of the new Domestic Violence Ombudsman Nicole O'Banion (O'Banion) and update on current Ombudsman initiatives. O'Banion will also submit for review, discussion and possible approval, the "Nevada Committee on Domestic Violence" brochure.

Attachment 2

- a. O'Banion introduced herself as the new Ombudsman for Domestic Violence.
- i. She announced that she is coming from the Child Advocacy Division of Washoe Legal Services and is a domestic violence survivor. In addition, she is passionate about accessing victims who are still trapped in the domestic violence lifestyle. She considers this issue the "domestic violence coma".
- ii. She explained her initiative to promote the Victim Information Notification Everyday (VINE) statewide system and to reconfigure promotional materials from Appriss.
- iii. She is currently working on a domestic violence brochure and presentation for training outreach.
- b. O'Banion presented the Nevada Committee on Domestic Violence brochure seeking input from committee members.
- i. Members comment on content of brochure.
1. Judge Lynch questioned necessity of including the Open Meeting Law (OML) information.
 2. Chairman Laxalt was interested in brochure printing options.
 3. Members continued to discuss their recommendations about the use of brochure for the new committee. The purpose of the brochure is to inform about the history which lead to the Nevada Committee on Domestic Violence.

5. **For Possible Action:** Presentation by Nicole O'Banion on the "Direction of the New Committee 2017". The Committee will discuss, formulate and possibly approve measurable goals for the next year.

Attachment 3

- a. O'Banion stated her effort to reach out to committee members to understand their desire for the direction of the committee.
 - i. She stated most of the members were concerned about how the committee will operate and maintain a sense of accountability.
 - ii. She also mentioned the possibility for work groups, subcommittees, or more frequently scheduled meetings.
- b. Judge Lynch suggested having subcommittees based on individual common interests as each committee member participated on one of the four individual domestic violence committees prior to passed legislation of Senate Bill 25.
- c. Chairman Laxalt mentioned subcommittees could not meet quorum, which led to disbanding the subcommittees in the previous committee.
- d. Bradley discussed the law governing the creation of work groups and subcommittees.
 - i. Legal counsel generally advises subcommittees bring a recommendation to the whole committee rather than make an individual decision.
 - ii. She also stated due to limitations in Senate Bill 25 a subcommittee for batterers' intervention programs will have limited functionality as the Division of Public and Behavioral Health is the agency regulating all batterers' intervention programs in the State of Nevada.
 - iii. In addition, Open Meeting Law (OML) would need to be followed as the subcommittee meeting would be open to the general public.
- e. Wheable questioned the process for maintaining confidentiality of a fatality review subcommittee.
- f. While the Fatality Review Teams work is confidential, Chairman Laxalt indicated the discoveries from the report furnished after the review will be brought back to the whole committee.
 - i. He also mentioned the responsibilities associated with participating on the fatality review team, which allowed members to understand the potential time commitment if they wish to get involved with the team.
- g. Bradley reminded the committee that members engaging in group communication would violate Open Meeting Law, unless completed through subcommittee(s).
 - i. A solution would be assigning independent tasks to the committee members and returning to the next committee meeting with their findings.
- h. Cafferata reinforced Chairman Laxalt's comments about failure to meet quorum with the subcommittees in the past.
 - i. Other challenges included lack of communication with the main committee and taking action without legal counsel.

- i. After committee members deliberated about the functions of the committee, Chairman Laxalt recommended the committee revisit this item throughout the meeting to update the committee's initiatives.
 - j. Cafferata suggested members vocalize their interests directly with staff to bring forth topics of interest for next agenda to start new discussions.
 - k. Judge Lynch questioned the effectiveness of the committee without subcommittees.
 - l. Chairman Laxalt stated that he participates in over 20 committees in the State of Nevada, all of which have accomplished many tasks with virtually no subcommittees.
 - m. Judge Lynch mentioned her opposition to the consolidation of the committees prior to the passage of Senate Bill 25 as it may reduce the impact of addressing issues.
 - n. Chairman Laxalt reassured Judge Lynch that there is a large group of committee members who are eager to begin discussing problems happening throughout our communities and to allow the meetings to begin moving along so we can start addressing issues.
 - o. Chairman Laxalt reiterated that the committee will be revisiting this item during the meeting, which will allow them to move forward through the agenda.
6. **For Discussion:** Presentation by Becky Coleman (Coleman), Program Coordinator at the Family Support Center in Winnemucca. Coleman will discuss the challenges her organization faces in Winnemucca because of the closure of the local Batterer's Intervention Program, and the "disconnect" between local agencies.
- a. Chairman Laxalt introduced Coleman, Program Coordinator of the Family Support Center in Winnemucca, a non-profit behavioral health center that has been operating for over a year.
 - b. Coleman stated that the batterers' intervention program in Winnemucca closed in August.
 - c. The Family Support Center would like to put together a program for their agency. Some of the challenges they have had include:
 - 1. Finding qualified facilitators and
 - 2. Struggling to find in-person training as written in statutes.
 - d. Coleman requested the need for supplemental methods of training for new providers and supervisors. The nearest major metropolitan area with these classes is about two hours by driving.
 - e. Coleman reiterated that a batterers' intervention program is needed in Winnemucca, but there is a lack of funding and certified service providers.
 - f. Hamilton stated that access to batterers' intervention programs continues to be a challenge for rural Nevada communities.
 - g. Judge Bunch provided details about a pilot program that was successfully implemented in Lincoln County to provide more access to offenders who lived more than 70 miles from the nearest class.
 - i. He explained the complications of travel contributing to the lack of attendance by offenders.

- ii. Unfortunately, many rural communities do not have batterers' intervention programs.
 - h. Hamilton commented it can be difficult to address the issue of victim safety via online training for offenders.
 - i. Leticia Metherell (Metherell), Health Program Manager III, Division of Public and Behavioral Health via telephone, who discussed the "Domestic Violence Proposed Regulation Summary" later in the meeting stated that she would address some of the concerns regarding batterers' intervention programs mentioned by Coleman and the committee members.
 - j. Chairman Laxalt stated that these issues are important and looks forward to continuing the discussion after Metherell's presentation.
7. **For Discussion:** Presentation by Sergeant John Riley (Sergeant Riley), Fallon Police Department and Pamela Powell (Powell), Churchill County Extension Educator, University of Nevada Cooperative Extension. Sergeant Riley and Powell will introduce the field guide for law enforcement "Investigating Domestic Violence Crimes in Nevada" including the revisions in process to be added by January 1, 2018.

Attachment 4

- a. Powell introduced herself and Sergeant Riley while explaining the mission of the Cooperative Extension to conduct needs assessments in the community to seek programming necessary to address issues.
- b. In a 2004 survey they conducted extensive research about domestic violence in local communities that showed lack of knowledge in domestic violence by the public.
- c. Some of their findings include the following information:
 - i. Domestic violence is a repetitive offense.
 - ii. One-third of perpetrators reoffend in the short run and the likelihood to reoffend in the long run is even higher.
 - iii. Law enforcement held the key to crime responses. The response of officers is critical to the situation.
- d. Sergeant Riley became involved in the process of assessing law enforcement.
 - i. He noticed law enforcement trainings had limited evaluation data during the training. Some of these include the needs of officers and strategies to enhance their response to situations.
 - ii. A focus team of 14 different agencies from victim advocates, law enforcement, and prosecutors looked into the issue.
 - iii. The result of the focus team:
 - 1. Developed training for POST and the tribal police.
 - 2. This created relationships between victim advocates, law enforcement, and attorneys.
 - 3. Training evaluations were recreated to learn more about what officers really needed.
 - 4. A change in law enforcement response to domestic violence incidents took place.
 - iv. Officers wanted additional training in the field of domestic violence.

- v. It was challenging to provide this to the rural law enforcement agencies as they are short staffed, have limited resources, and need more training in the field.
 - vi. Sergeant Riley has a personal connection with domestic violence since age ten.
 - vii. After the survey, he connected with Powell to develop a field guide for officers.
 - e. Powell and Sergeant Riley are seeking input from the committee about the field guide, including changes to reflect updated statutes.
 - f. Hamilton expressed congratulations for their phenomenal work with this guide.
 - g. Chairman Laxalt also shared his appreciation for some of the best work he has seen on domestic violence, especially in educating officers.
 - h. Powell and Sergeant Riley mentioned this guide is only available in about two agencies.
 - i. Chairman Laxalt expressed interest in possibly approving the guide as a statewide resource for all law enforcement agencies. He suggested circulating the document and members provide their input about the guide which can be revisited at the next meeting for adoption by the committee.
8. **For Discussion:** Presentation by Pamela Powell (Powell), Churchill County Extension Educator, University of Nevada Cooperative Extension and Jill Baker-Tingey (Baker-Tingey), Elko County Extension Educator, University of Nevada Cooperative Extension. Powell and Baker-Tingey will introduce the "Building Hope for the Future: A Family Violence Prevention Program" brochure.

Attachment 5

- a. Powell stated that as a result of the law enforcement trainings, there was still a need to address families as a whole who have experienced domestic violence in their households. It can be difficult on children and abusers often come from homes which have experienced domestic violence.
- b. Powell completed an assessment of Churchill County while Baker-Tingey assessed Elko County. The assessments determined that the high priority need was domestic violence prevention with prevention of child abuse and neglect the second highest.
- c. Baker-Tingey developed a program to provide resources and skills for adult and children survivors of domestic violence.
 - i. The name of the program is called "Children, Youth, and Families at Risk".
 - ii. The funding source of the program is the US Department of Agriculture, a federal partner with the Cooperative Extension in the State).
 - iii. The program was geared towards addressing trauma in rural Nevada.
 - iv. The grant provided five years for pilot program, now in its fifth year.
 - v. The goal is to decrease domestic violence incidents in the community.

- d. Powell and Baker-Tingey provided additional details about the implementation of the program in the tribal communities. The environment in the tribal communities is different because many of the youth are being raised by grandparents, aunts, uncles, and siblings, which made things difficult at times.
 - e. Since 2014, the program has had an amazing impact:
 - i. 62 adult and 123 children participants.
 - ii. Some involved gained employment, moved out of shelters, and started to engage in more family-oriented activities on a weekly basis.
 - iii. Families grew closer, became problem-solvers, and communicated better.
 - iv. Many families stated they never engaged in family functions before the program.
 - v. The feedback from the program participants encouraged all families to enroll in the "Building Hope for the Future Program".
 - f. Chairman Laxalt questioned if similar programs are available at the state level.
 - g. Hamilton wanted to be reassured family reconciliation was not taking place which can put some victims at risk. Baker-Tingey stated the program does not permit this function.
 - h. Ramos questioned the location of the program. The program is only available in Elko and Churchill County. The Program can be duplicated with additional funding and resources.
9. **For Discussion:** Update by teleconference from Leticia Metherell (Metherell), Health Program Manager III from the Division of Public and Behavioral Health on the "Domestic Violence Proposed Regulation Summary" and the "Domestic Violence Committee Check List".

Attachment 6

- a. Metherell provided the committee with a summary of the proposed regulations reviewed from Attachment 6 in the agenda.
- b. Chairman Laxalt requested an explanation to describe the bureau's process for inspection and complaints.
- c. Metherell stated that the general process is to conduct an on-site inspection of a facility with the Nevada Administrative Code (NAC) governing that facility and ensuring the facility it is compliant.
 - i. If an agency is non-compliant, a citation would be issued.
 - ii. If the situation becomes severe, monetary penalties are imposed.
 - iii. The bureau takes complaints from anyone and conducts an investigation if needed.
 - iv. Initial inspections are conducted prior to the opening of a new agency.
 - v. (NAC) 449 may not apply to the domestic violence agencies.
- d. Chairman Laxalt thanked Metherell for clarifying those details.
- e. Judge Bunch inquired about who will oversee the work program for offenders who complete community service (proposed in the summary),

since insurance is required to protect volunteer and employees by Nevada law.

- i. Metherell responded that she will visit this concern, but a tentative response is that the non-profit should have a blanket policy covering volunteers.
 - ii. Community service would not be an alternative to taking classes.
 - iii. Chairman Laxalt suggested disclaimer language be reviewed by one of the Department of Health and Human Services Deputy Attorneys General to correct the language.
 1. Metherell mentioned working with Linda Anderson during transfer of the certification process from the Nevada Attorney General's Office.
 - f. It will take a few months after submitting the regulations to the Legislative Counsel Bureau before they will be finalized.
 - g. Prindle inquired about potential payment plans for offenders to pay for classes.
 - i. Hamilton stated that they would need to be enforced at the judicial level.
 - ii. Judge Lynch mentions that Medicaid is paying for domestic violence classes and offenders should not have an excuse if not able to pay. They should apply for Medicaid. Judge Lynch postpones fines until completion of classes as they are a first priority.
 - h. Hamilton connected with Metherell as he was seeking forms for batterers' intervention programs needed by service providers to track agency information required by the statutes. In addition, he questioned if inspections will occur for agencies.
 - i. Metherell stated that the Division "may" conduct inspections, but is not required due to lack of funding. However, they will conduct investigations, if a complaint is filed.
 - i. Hamilton questioned the types of sessions required by offenders. Metherell stated that offenders may be given individual sessions of treatment if needed, but only in addition to the group sessions required.
 - j. Chairman Laxalt thanked Metherell for providing an update on the proposed regulations.
10. **For Possible Action:** Review, discuss and possibly approve the proposed recommendations presented by NCDV member Reno City Attorney Karl Hall for the "State of Nevada Domestic Violence Prosecution Best Practice Guidelines".
- Attachment 7**
- a. Hall was tasked with reviewing the "State of Nevada Domestic Violence Prosecution Best Practice Guidelines" and provided a brief explanation about the changes made to the document, which are included in Attachment 7 on the agenda. He requested suggestions or concerns about the document by committee members.
 - b. Judge Bunch inquired about the number of attorneys involved in reviewing the document.

- i. Hall stated that about 3-4 attorneys in the Reno City Attorney's office reviewed the document.
- ii. Judge Bunch suggested the committee share the document with the District Attorneys Association.
- iii. Hall stated that he will take the document to Chris Hicks. Hicks is the president of the District Attorneys Association.
- iv. Chairman Laxalt supported the recommendation of Judge Bunch to circulate the document to the District Attorneys Association, obtain input for approval, and bring it back to the committee for a double-approved product by April.
- c. Judge Lynch stated that the diversion bill which passed causes issues. She states even though a perpetrator may be mentally ill, they should still be accountable for domestic violence. Hamilton stated that the problem with associating domestic violence to a mental health issue gives the perpetrator an excuse with their partner and the system.

11. **For Discussion:** Update by teleconference from Gina Hinds (Hinds), Program Officer 1, Nevada Department of Health and Human (DHHS) Services Division of Child and Family Services Confidential Address Program (CAP) on the transition from the Attorney General's office to DHHS and presentation of the new "CAP Brochure".

Attachment 8

- a. Hinds introduced herself and updated the committee on the Confidentiality Address Program (CAP).
 - i. The language of the new brochure changed the focus from victim to survivor.
 - ii. The Division of Child and Family Services is in the process of updating their website.
 - iii. The program has most funding under the new Division.
 - iv. Some of the tasks the Division is working on include:
 - 1. Reconfiguring training for advocates.
 - 2. Working on recreating forms to renovate the information.
 - v. As the Program Officer, Hinds has been able to do more outreach within the community. She is focusing on the rural areas and networking with other states to learn more about how they have developed their CAPs.
- b. General Laxalt thanked Hinds for her update on the Confidentiality Address Program.

12. **For Discussion:** Update by teleconference from Debbie Tanaka, Management Analyst IV/Grants Manager on the Services-Training-Officers-Prosecutors (STOP) grant. The Office of the Attorney General receives the STOP grant through the Department of Justice, Office on Violence Against Women and sub-grants these awards to local, regional and statewide programs providing victim-centered intervention through non-profit service providers, law enforcement, prosecution and courts. These programs serve to enhance victim safety and hold offenders accountable for their crimes of intimate partner violence, sexual

assault, dating violence, and stalking in Nevada. Debbie will provide information on eligibility, allowable activities and the solicitation process.

- a. Tanaka wanted to provide information about the STOP Grant to the committee. The categories that qualify for the STOP Grant include domestic violence, dating violence, sexual assault, and stalking. She noted there are benefits to males above the age of 11 by programs receiving funds from the STOP Grant.
 - i. One of the main goals is establish coordinated community responses.
 - ii. Non-profits and public agencies (city, county, state, tribal) meet the eligibility requirements.
 - iii. She states this a great opportunity for Nevada to develop offender accountability and service availability for victims and survivors.
 - iv. The team supplementing the grant looks for agencies focusing on the four specific issues listed previously above.
 - v. The ultimate goal is to provide connectivity to resources at the crossroads, establishing a unified network of agencies throughout the State.
- b. Tanaka explained some of the details about the tentative deadlines for the grant.
 - i. The funding period is from July 1st to June 30th.
 - ii. In February, there is an attempt to identify service providers that may qualify for the grant.
 - iii. Applications are reviewed and scored in May. Rewards should be distributed in late May or June.
- c. Chairman Laxalt questioned if we have worked with the church organizations to house info and direct individuals to resources. Monsignor Gordon was not aware of any programs in the church organizations. Tanaka said she would be willing to look into this further. Chairman Laxalt suggested a possible pilot program if talks are pursued with Monsignor Gordon who may be able to lend a connection to such an effort. If successful, maybe the committee can branch out to other faith-based organizations in Las Vegas.
- d. Cafferata asked about the deadline for applications. Tanaka stated the deadline will be in March.
- e. Members continued to discuss allocation of various funding sources towards programs geared to prevent domestic violence or help with law enforcement trainings.
- f. Members revisited agenda Item #5.
- g. Chairman Laxalt stated Judge Lynch requested a batterer's intervention subcommittee.
 - i. Member discussed the size and involvement for the subcommittee. It was determined that the committee may have approximately four committee members.
 - ii. Members that offered to participate are as follows: Judge Patricia Lynch, Judge Max Bunch, Suzanne Ramos, and Tim Hamilton.

- h. Chairman Laxalt moved to approve creation of the batterers' intervention subcommittee. Motion seconded by Hamilton. No discussion. All in favor with Cafferata opposed. Motion passed.

13. **For Discussion:** Presentation by NCDV member Judge Patricia Lynch on a pro bono program to assist victims of Human Trafficking.

- a. Judge Lynch stated that there are programs focused on assisting victims of trafficking who have criminal records.
 - i. She stated that there has been an adopted movement to set aside these criminal conditions for victims.
 - ii. However, this process is not sealing the records, but "vacating" the records from the first contact with the system.
 - iii. These programs are geared to assist attorneys and service providers.

14. **For Discussion:** Update on the "Domestic Violence Treasurer Report" from Committee Treasurer Judge Max Bunch as of November 14, 2017.

Attachment 9

- a. Judge Bunch provided a brief report on how committee funds have been expended since the beginning of the fiscal year.
- b. Hernandez inquired about the survivor scholarship previously available through the Nevada Council for the Prevention of Domestic Violence. Chairman Laxalt stated that the scholarship was a one-time grant obtained for that initiative and is no longer available.
- c. Chairman Laxalt returned to agenda Item #5 to address the creation of a fatality review team.
 - i. After reminding them about the commitment necessary to be an effective member of the team, he requested volunteers from the committee.
 - ii. Members that offered to participate are as follows: Tracy Harig, Michael Wheable, Patty Cafferata, Angela Prindle, Karl Hall, Judge Max Bunch, Cory Hernandez, and Monsignor Gregory Gordon.
- d. Roshak made a motion to create the fatality review team subcommittee. Motion seconded by Judge Lynch. No discussion. All in favor. Motion passed.

15. **For Possible Action:** Possible topics for next agenda and meeting dates:

- Wednesday, April 25, 2018 | Location: Carson City – 9:00 am to Noon.
- Wednesday, July 18, 2018 | Location: Carson City – 9:00 am to Noon.
- Wednesday, October 3, 2018: Rural (TBD) – 9:00 am to Noon.

16. Public Comment.

- a. No public comment.

17. Adjournment.

- a. Chairman Laxalt asked for a motion to adjourn. Motion made and was seconded by Hamilton. No discussion. All in favor. Motion passed. Meeting adjourned at 3:06 p.m.

Minutes respectfully submitted by: **Jason Mouannes**
Edited by: **Nicole O'Banion**
Office of the Attorney General



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