

AG-DVFRST
Case Review Report
Fallon, Nevada
12/14/2016 to 12/15/2017

Summary of Review:

On December 14th and 15th 2016, the Attorney General’s Domestic Violence Fatality Review Team (AG-DVFRST) met in Fallon, Nevada to conduct a case review. The purpose of the review was to gather information about a local fatality related to domestic violence and understand the circumstances leading up to the fatality to identify any “red flags” or opportunities for intervention. In addition to this case-specific review, the team also worked to generate discussion about the local community and/or state response to domestic violence, prevention, and intervention efforts. The multidisciplinary team then worked to identify opportunities and make recommendations for prevention of future deaths due to domestic violence and promote victim safety and offender accountability.

While the focus of the team was on one specific case review, after meeting with community members the team also discussed general community concerns related to domestic violence.

Below, we have compiled a list of identified opportunities for improvement in the community as well as resources and suggested strategies for implementation.

Opportunities Identified by the Review

Issue #1: Throughout the review, the team discussed the challenges to providing sufficient support for victims of domestic violence throughout a criminal prosecution and any related court proceedings. Early, consistent contact with victims and immediate referral to appropriate support services is critical to preserving a case. The prosecutor's office should utilize available resources to create a dialogue with the victim to address their joint or individual concerns.

While community-based advocates may exist in rural communities and play a significant role in advocating for and assisting victims of domestic violence in their community, it is necessary for victims to receive support from a system advocate with in-depth knowledge of the legal proceedings to follow. Victim advocates housed and funded under local law enforcement or the district attorney’s office, also referred to as system-based advocates, have access and expertise with regard to case information, familiarity with the justice system, and can accompany victims at court proceedings if the victim so desires. Working with an advocate who has an ongoing relationship with the victim greatly facilitates communication between the prosecutor and the victim, making it more likely that the victim will continue to cooperate in the case and will provide the prosecutor with

information helpful to protect their safety during the proceedings. Victim advocates can provide important background information about the victim, the perpetrator, and the family circumstances which is helpful in the prosecution of the case and at sentencing. Though both types of advocates are integral to providing the wrap around services victims of domestic violence may need, rural communities in Nevada often only have a community-based advocate, potentially leaving gaps in assistance to victims with regard to the legal process.

Proposed Response: Explore the feasibility of funding a victim advocate position to be housed within local law enforcement agencies or the District Attorney's office to help link victims of domestic violence with law enforcement, prosecution and the legal process. Other rural counties in Nevada have been able to achieve the hiring of a victim advocate to be housed either within local law enforcement or the prosecutor's office though grant funding. The Nevada Domestic Violence Ombudsman's office can assist the local communities with identifying and applying for grant funding for a system-advocate position.

Issue #2: The behavior of domestic violence batterers was discussed throughout the review, with a focus on the importance of batterer's treatment programs. In Nevada, any person convicted of domestic violence is mandated to attend a batterer's treatment program. While this is the case, many communities do not have the capacity to sustain batterer's treatment programs locally. As domestic violence can increase in severity over a series of events, early intervention is integral to prevent serious physical and emotional injury of victims of domestic violence and potential fatalities. Batterer's treatment programs can play a significant role in changing a perpetrator's behavior, breaking a cycle of violence, and reinforce healthy relationship skills.

Proposed Response: Expand the availability of batterer's treatment programs in rural Nevada communities. By working with entities such as the Batterer's Treatment Certification Committee, it may be possible to have trained professionals travel to rural communities on a regular basis to administer treatment programs.

Issue #3: Under current Nevada law, temporary protection orders are issued in Nevada for a maximum of thirty days, and Extended Protection Orders for a maximum of one year. Protection orders serve the purpose of safeguarding victims of domestic violence from further harm, and are extremely valuable for helping victims regain a sense of well-being. Most importantly, protection orders are effective in deterring repeated incidents of physical and psychological abuse. Oftentimes, the risk of domestic violence extends far beyond the statutory time limits that protection order can remain in effect. The longer a protection order remains in effect and enforceable, the longer a victim of domestic violence has to re-establish their life, and the longer they are legally protected from being contacted

in any way by the perpetrator. Currently Nevada has one of the shortest limits on Extended Protection Orders at only one year.

Proposed Response: Update current legislation to remove the one year statutory limit on Extended Protection Orders and allow courts to issue orders for longer periods when justified under the circumstances.

Issue #4: In addition to the above issues, the review team members discussed the implications of children in a home where domestic violence is occurring. Domestic violence poses a significant threat to a child's emotional, psychological, and physical well-being. Short term effects on children who reside in homes where domestic violence is occurring include generalized anxiety, aggression, and difficulty concentrating, with life-long effects including physical health problems, behavioral problems in adolescence, and emotional difficulties in adulthood. Additionally, children who are exposed to domestic violence are learning lessons about the use of violence, power and control in relationships and tend to replicate those dynamics in their adult relationships, thus contributing to the generational cycles of domestic violence. Addressing the needs of any children that may be exposed to domestic violence can be a component of an effective coordinated community response, which may include referral relationships, liaisons, task forces, inter-agency agreements, and multi-disciplinary training.

Proposed Response: The local agencies participating in the fatality review have many components of a coordinated community response already in place. However, they may want to create a response protocol for when law enforcement discovers a child or signs of a child in a home where domestic violence is occurring. For example, this protocol could include measures and parameters for contacting the local child welfare agency or a victim advocate in order to connect the family with services and, specifically, the child(ren) with an evaluation of early childhood trauma and the effects of DV on their physical, psychological, and emotional wellbeing. In addition, if the child(ren) are found to be in need of therapeutic services, it is further recommend that this treatment be coordinated on their behalf. By creating a coordinated community response in which law enforcement, child welfare agencies, and community organizations can work with children and their families in a non-punitive manner, families can be supported in times of need and build skills to prevent similar incidents in the future.