

STATE OF NEVADA
NEVADA COUNCIL FOR THE
PREVENTION OF DOMESTIC VIOLENCE

Minutes of Meeting

Wednesday, February 9, 2011, at 9:00 a.m.

Office of the Attorney General
100 North Carson Street
Mock Court Room
Carson City, Nevada 89701

With
Public Access Via Videoconference Located At:

Grant Sawyer Building
555 East Washington Street
Room #4500
Las Vegas, Nevada 89701

Committee Members Present

Catherine Cortez Masto, Dr. Lubna Ahmad, Staci Alonso,
Deborah Armstrong, Barbara Aupperle, Dr. Kathleen Bergquist,
Valerie Cooney, Amy Crowe, Matthew Deal, Traci Dory, Toni Downen,
Anya Arechiga Gonzalez, Eileen Herrington, Mark Jackson, Robert Lundquist,
Patricia Lynch, Wendy Ronovech, Dallas Smales, Mike Sprinkle,
Elynne Wernikove-Greene, Bob Zentz

Committee Members Absent

Christine Jones Brady, Dr. Michael Freda, Christina Hernandez, Brett Kandt,
Sue Meuschke, Suzanne Ramos, Caryn Sternlicht, Andrea Sundberg, Ron Titus

Public Present

Sue Edmondson, Washoe County Court Master
Jennifer Kandt, Committee on Domestic Violence
Tina Prieto, Executive Director of Women's Development Center

Attorney General's Office Staff Present

Clair Fry, Grants and Project Analyst
Kareen Prentice, Domestic Violence Ombudsman
Henna Rasul, Deputy Attorney General, Legal Counsel to NCPDV
Lorraine Webber, Assistant to the NCPDV

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

The meeting was called to order by Council Chair, Catherine Cortez Masto, at 9:07 a.m. A roll call was performed and quorum was established.

2. *Review, amend, and approve minutes from the November 16, 2010 Council meeting.

Barbara Aupperle made a motion to approve the minutes as submitted. Elyne Greene seconded the motion. A vote was taken and the motion carried. Staci Alonso, Deborah Armstrong, Matthew Deal, Patricia Lynch, Mark Jackson, Dallas Smales, and Bob Zentz abstained from voting.

3. *Discussion and possible action by Sue Edmondson, Washoe County Family Court Master, regarding Extended Protection Order Service.

Ms. Edmondson stated that Washoe County has instituted a policy regarding service of extended protection orders based on Attorney General Opinion 2001-31 by Nancy Hart. According to the policy, when an extended order for protection is issued, and the adverse party is not present, it is served by mailing it to the last known address. She stated that she has spoken to law enforcement and there doesn't seem to be any resistance from them, however some prosecutors have questioned the policy. She is addressing the issue by working with John Helzer from the Washoe County District Attorneys Office, Chet Adams from the Sparks City Attorneys Office, and Dan Wong from the Reno City Attorneys Office.

The Council briefly discussed the issue and the problems that have been encountered due to jurisdictions having differing polices. Mark Jackson, Douglas County District Attorney, stated that his office is aware of the opinion and this manner of service is something they would like to do. However, some of the judges require personal service and so their hands are tied. Ms. Cooney anticipated a similar problem may be encountered on a statewide basis, particularly in the rural areas, and noted that education is needed.

General Masto asked that the opinion be sent out to the entire Council and that at the next meeting they discuss how to implement it statewide; how to get the judges to follow it; and if it needs to be addressed legislatively.

4. Presentation and discussion by Tina Prieto, Executive Director of Women's Development Center, regarding the agency and its domestic violence programs.

Ms. Prieto stated that the Women's Development Center has been in existence for 20 years. The agency assists with transitional housing, domestic violence case plans, safety plans, and other resources. Those in transitional housing pay 30% of their gross income for a two-bedroom furnished apartment which usually amounts to \$50-\$80 a month. Other services include counseling, life skills training, and job development. The Women's Development Center helps men as well as women, senior citizens, and any kind of family no matter how they are defined, so long as their income falls below a certain level. They are staffed by 17-20 employees and have more than 100 volunteers. In response to questions, Ms. Prieto noted that there is typically a waiting list for transitional housing and that they are able to accommodate people from Northern Nevada and rural areas as well as Southern Nevadans.

5. *Presentation by Matthew Deal, Deputy Attorney General, regarding Tri-County Domestic Violence Prosecution project (White Pine County, Lincoln County, and Eureka County).

General Masto explained that Mr. Deal originally started working for the Attorney General's Office as the Tri-County Domestic Violence Prosecution Project Prosecutor. Due to lack of resources in the rural areas there was a lack of prosecutors to prosecute domestic violence and sexual assault cases. In partnership with the District Attorneys in White Pine County, Lincoln County and Eureka County, the Attorney General's Office applied for a grant to provide a prosecutor in those counties. General Masto stated that Mr. Deal had done a great job in his role as the Tri-County Domestic Violence Prosecutor and that the project was so successful that she is hoping to set up a similar program in other rural communities.

Mr. Deal stated he now works in the Carson City Office of the Attorney General in the Government and Natural Resources Division. From November, 2009 through January, 2011, he had worked as the Tri-County Domestic Violence Prosecutor. His roll was to alleviate the case loads of the respective District Attorneys by handling all of the domestic violence and sexual assault cases. Mostly, these were domestic violence cases, however there were child endangerment cases stemming from a child being present during a domestic violence incident. He also prosecuted three sexual assault cases, and a case of elder abuse. He estimated that the special prosecutor handles 60-75 cases per year, which affords the prosecutor to spend the time and attention these types of cases require.

Mr. Deal reported that he worked closely with Maxine Lantz to work with witnesses soon after an incident, and found that early contact with victims was a primary predictor of successful prosecutions. This contact reassured victims and helped them understand the fundamentals of the criminal process.

Another measure he began to implement was to hold training sessions for law enforcement. In December of 2010, Ellen Toliver, an expert in the field of domestic violence by strangulation, gave two lectures to law enforcement on the signs and symptoms of strangulation. He noted that there was an increase in strangulation charges after Ms. Toliver's presentation.

In summary, Mr. Deal stated that collaboration with victim advocates and law enforcement combined with proactive efforts to make early contact with victims has made the Tri-County Domestic Violence Prosecution Project a success and he hoped that the State would continue the project.

Lt. Lundquist asked how the cases were handled prior to implementation of the project and if they were adjudicated differently after the project was in place. Mr. Deal replied that to his knowledge, the cases were handled by the District Attorney in each county. He believes that the cases were adjudicated the same but that having a special prosecutor drew special attention to the issue.

General Masto added that this project is a direct example of the work that has been done by the Council. Because the Council is active in rural communities, members became aware of the concerns of District Attorneys and law enforcement in wanting to address the issue of domestic violence but not having the resources to do so.

Ms. Cooney commented that she had observed an improvement in the responses from the judges in these communities since the program was implemented.

Judge Lynch asked about the number of victim advocates in the Tri-County area. Mr. Deal stated that Maxine Lantz has a staff of two individuals that work with her and that together they cover White Pine, Lincoln, and Eureka Counties.

General Masto congratulated Mr. Deal on doing a great job and noted that they will be conducting interviews to fill the position that has been left vacant. The challenge has been finding someone committed to living in those rural communities. The program has been successful and she expects that it will continue and will be implemented in additional counties.

Judge Lynch asked about the availability of treatment programs in the rural counties. Mr. Deal said that batterers treatment is imposed at sentencing hearings but because no programs are available, the defendant is told that if

the treatment becomes available, they will be required to complete it. However, since programs are not available, the batterer's do not get treatment which is a major issue.

6. *Review, discussion and possible action regarding Attorney General's Domestic Violence Fatality Review Multidisciplinary Bill Draft Request SB 66 (<http://www.leg.state.nv.us/Session/76th2011/Bills/SB/SB66.pdf>).

Ms. Prentice reported that SB66 is not agendized yet. It is currently in the Senate Judiciary. The bill will allow the Attorney General's Office to create a statewide multidisciplinary team to address the issue. In drafting the bill, the Legislative Council Bureau improved upon it by adding child death review, elder abuse, and access to death certificates.

General Masto stated that the bill is not yet scheduled for a hearing but when it is, she welcomed Council members to attend and express their point of view. The purpose of the bill is not to point fingers but to look at the life of the individual to determine what occurred and how it can be prevented from happening to someone in the future. Washoe County has a domestic violence fatality review team and Clark County is in the process of developing one. The goal of the Statewide team is to assist the existing teams and work with the rural communities which may lack the resources to do a fatality review. Nevada has the highest rate of domestic violence deaths in the nation and the fatality review is a way of addressing why the problem exists and how it can be eliminated.

7. *Report, discussion, and possible action on reports/updates from the following Committees of the Council:

a. Bylaws & Structure Committee

i. 2011 Goals Update

General Masto reported that the Bylaws and Structure Committee will need to elect a new chair since Russell Smith is no longer on the Council. The last time the bylaws and structure of the NCPDV had been reviewed was in 2009. If there is an issue that needs attention, the Committee will convene to address it.

b. Criminal Justice Committee (Brett Kandt).

i. 2011 Goals Update

General Masto stated that Mr. Kandt was part of her lobbying team and was busy at the legislature so there was no report on the Criminal Justice Committee.

c. Education Committee (Valerie Cooney/Sue Meuschke).

i. 2011 Goals Update

Ms. Cooney stated that Ms. Meuschke had given a good report on the Cut-It-Out program at the last meeting. The Education Committee is still working on the hospital survey which has been stalled for a while. The Committee is currently concentrating on targeting specific individuals at the hospitals in the hopes of getting a better response to the survey.

ii. Update on Boy Scout “Peace Begins at Home” project

Ms. Cooney stated that there was a handout of the final patch design for the Council’s review. The Committee was in the process of finding a manufacturer for the patches. She reported that the Boy Scouts’ Northstar District, which encompasses the Reno-Sparks area would be holding a merit badge fair in March.

Wendy Ronovech stated that she has scheduled a meeting at the end of the month with the CEO of the Boys Scouts in Southern Nevada and that they working on a Boy Scout launching the patch there.

For the benefit of the new Council members, General Masto summarized the outreach efforts the Education Committee had made to youth in the community by first developing a Peace Begins at Home program with the Girl Scouts and then with the Boy Scouts. She encouraged Council members to let the Council know if they had any ideas for educational outreach.

Ms. Bergquist observed that there are not a lot of Boy Scouts or Girl Scouts in the Asian community in Las Vegas but that Asian families are very involved in the faith community and that family safety issues would resonate with them. General Masto said she thought that was a great idea and suggested that reaching out to associations of pastors or other such groups to address the issue. She stated that this is another good area to focus on.

Kareen Prentice reported that with the assistance of the NNADV, they had applied to the Reno Rotary Club for funding of the Boy Scout patch in the North. She had also discussed the possibility of funding the Boy Scout patch in South with the Southern Nevada Domestic Violence Task Force.

Wendy Ronovech added that the Education Committee is also brainstorming ideas to reach out to the human resources departments of casinos in order to get domestic violence awareness training to casino employees. The Committee had discussed providing information at new hire orientations, and

posting materials in the back of the house, where the employees get ready for their shifts. She said that the Committee was open to ideas if anyone had suggestions.

Ms. Greene said that there was an upcoming security conference where they might make some contacts. Ms. Alonso stated that she had contacts with the Station Casinos and would be happy to help. She will bring her ideas to the next Education Committee meeting.

d. Legislative Committee (Mike Sprinkle).

i. 2011 Goals Update

Mr. Sprinkle reported that the Biennial Legislative report had been finalized and submitted to the Legislature. He thanked Kareen Prentice for putting the report together.

The last Legislative Committee was cancelled because due to a lack of quorum. He asked that if anyone had something they wanted to bring to the Legislative Committee, to please give them plenty of notice so that it could be agendized properly. Currently the only specific bill on the agenda is SB66.

If anyone is planning to testify at the Legislature on behalf of the NCPDV, Mike Sprinkle asked that they contact him, Kareen Prentice, and Keith Munro, Assistant Attorney General, to review the proposed testimony.

General Masto asked if anyone knew of any legislation or potential legislation that the Council needs to be aware of. Mike Sprinkle stated that he is watching nine other bills that the Legislative Committee may want to address.

Judge Lynch asked if the Committee delegated someone to make decisions regarding bills if something comes up in between meetings, especially at towards the end of the session when things move fast. Mike Sprinkle stated that it had been discussed at a recent Legislative Committee meeting and that as Chair, he would be in contact with Keith Munro and they would decide what to do in that situation.

Judge Lynch asked if that was something that needed to be done every session or if, perhaps, the issue should be addressed by a change to the bylaws. Ms. Rasul stated it would be a good idea to put it on an agenda to make it formal.

e. Nominating Committee (Suzanne Ramos).

i. 2011 Goals Update

Mike Sprinkle reported that the Nominating Committee had discussed the rural

road trip and was recommending that the Council travel to Pioche for an informal meeting and then to Ely where the formal Council meeting would be held.

Council member attendance for 2010 was reviewed. The Attorney General has been notified of the names of those members who have attended less than 50% of the meetings.

The Committee will begin the new member recruitment process in May. Mr. Sprinkle asked Council members to encourage anyone who may be interested in serving on the Council to apply, especially if they are from a community not already represented on the Council.

f. Public Information Committee (Traci Dory).

i. 2011 Goals Update

Ms. Dory reported that the Public Information Committee has had several recent meetings. One of their 2011 goals is to increase media awareness of domestic violence issues. Anya Arechiga and Suzanne Ramos have been working on a series of interviews to air on Univision. The Committee plans to approach the news channels 2, 4, and 8 in the Reno area as well as the English and Spanish language channels in Las Vegas.

The Other Public Information Committee goals are to update the website and brochures as needed, and to partner with other agencies for events throughout the year.

g. Underserved Populations Committee (Suzanne Ramos).

i. 2011 Goals Update

General Masto stated that it was her understanding that the Underserved Populations Committee had not yet met in 2011. There was no report on the Underserved Populations Committee as Ms. Ramos was unable to attend the meeting.

h. Judicial Training Committee (Michael Freda).

i. 2011 Goals Update.

ii. Discussion and possible action of future projects or possible disbandment of Committee.

The Committee Chair, Dr. Freda, was unable to attend the meeting. Committee member Valerie Cooney asked General Masto for guidance regarding the future of the Committee. The Committee was originally formed to identify areas of

training that general and limited jurisdiction judges might benefit from. A list of those training topics had been developed and utilized by General Masto in her presentations to the judges. Ms. Cooney questioned whether the Committee should move forward with other projects, become a standing committee that would meet when there was a need, or whether the Committee should be dissolved.

General Masto stated that it is difficult to get some judges to understand domestic violence. She has been making an effort to reach out to judges and to open a dialogue about the issue. At the most recent limited jurisdiction judges association meeting, some judges complained that they had no discretion under the law and some judges were simply recalcitrant in even discussing the topic. Others approached General Masto and were willing to work to better address domestic violence matters. She thought improving the way judges view domestic violence would be a process best achieved one step at a time and one judge at a time. If judges who understand the issue could be identified, then other judges may follow.

General Masto suggested that a place to start might be with the opinion that Nancy Hart wrote regarding service of extended of protection orders. She thought that engaging in a dialogue regarding the opinion might bring some judges around.

Council members briefly discussed the difficulties and challenges in reaching certain judges and what could be done to improve things. General Masto stated that they each run their courtrooms individually and will need to be approached individually. Ms. Cooney suggested developing a list of the judges who are willing to help and the judges which need help. She added that if she had the resources, she would like to take certain decisions up to a higher court and call the judges to task in individual cases.

Mark Jackson stated that as a Council, the members can't just accept that some judges are unwilling to change. He spoke briefly about the Special Victims Response Unit he has developed in Douglas County. This program focuses on victim safety and offender accountability. Batterers who are bailed out or released are subject to GPS monitoring. Mr. Jackson reported that getting certain judges to accept that was difficult.

General Masto asked the Judicial Training Committee to help identify which judges the Council can reach out to and support them in their efforts address domestic violence in their courtrooms. She suggested recognizing their concerns and asking them what they need and what the Council can do to help them. When those judges are successful, and the statistics improve, then hopefully other judges will see that and follow suit. She encouraged the Judicial Training Committee to brainstorm other thoughts on how to engage the judges and suggested the Nancy Hart opinion as one avenue.

8. Report from the Domestic Violence Ombudsman (Kareen Prentice).

Kareen Prentice welcomed the new members and asked them to introduce themselves. The new members are:

- Mark Jackson, Douglas County District Attorney.
- Staci Alonso, Board Member of Shade Tree, and Founder of Noah's Animal Shelter.
- Matthew Deal, Deputy Attorney General and former Tri-County Domestic Violence Prosecutor.
- Deborah Armstrong, Executive Director and Founder of Safe Embrace
- Dallas Smales, Victim Advocate for Elko Band and domestic violence survivor.
- Lubna Ahmad, physician and director of an Arab Muslim domestic violence assistance group.
- Kathleen Bergquist, faculty member, UNLV School of Social Work, attorney and board member of Bamboo Bridges.
- Rob Lundquist, Lieutenant at Las Vegas Metropolitan Police Department.

Ms. Prentice reported that the Domestic Violence Fatality Review Summit in October went well. There will be a fatality review technical assistance training with Matthew Dale and Neil Websdale on March 28, 2011 in Reno. There will be another training on April 13th in Las Vegas.

A tribal colloquium will be held at the Reno Sparks Indian Colony March 28-29, 2011. Domestic Violence Fatality Review on tribal lands will be addressed on the second day of the conference as well as sexual assault best practice guidelines and grant opportunities.

Ms. Prentice also updated the Council on VINE. Esmeralda County is live. Douglas County is live, but not fully functioning yet. Both Douglas County and Lyon County are in the testing and training stage.

9. Report from the Southern Nevada Domestic Violence Task Force (Elyne Greene).

Ms. Greene provided a handout highlighting the activities of the Southern Nevada Domestic Violence Task Force. Domestic violence fatality review technical assistance training is scheduled for April 14, 2011. They are currently accepting nominations for their annual STAR award to recognize individuals who do an outstanding job addressing domestic violence in their communities. The SNDVTF is also working on updating their website with the goal of making it a statewide resource for training and information.

10. Report from the Washoe County Domestic Violence Task Force (Dr. Freda).

Dr. Freda was unable to attend the meeting and no report was provided.

11. Report from the Nevada Network Against Domestic Violence (Sue Meuschke).

Sue Meuschke was unable to attend the meeting and no report was provided.

12. Report from the Nevada Coalition Against Sexual Violence (Andrea Sundberg).

Andrea Sundberg was unable to attend the meeting and no report was provided.

13. Report from the Attorney General's Office on Violence Against Women STOP Grant and update on Grants Unit activities (Liz Greb).

Clair Fry from the Attorney General's office provided a handout and reported that as of September, 2010, available SASP grant funds totaled \$227,385.00. Seven awards totaling \$106,247.00 were made. \$121,138.00 are remaining. The office has received 60 new and continuing applications for a total of \$3,319,144.00 in funding requests. However, only \$1,313,616.00 is available. An additional \$480,300 in remaining and returned funds from the previous award years enabled the funding of additional sub-grants for one year. Some of the organizations receiving STOP grants are LVMPD, Shade Tree, Safe Embrace, Women's Development Center, Elko Committee Against Domestic Violence, among others.

Currently, the Office is recruiting for a new Special Prosecutor for Tri-County Eastern Nevada to be funded with CDS grant program. They received funding in September to initiate a similar project with more of a focus on sexual assault in western Nevada in Nye, Esmeralda, and Mineral Counties. In the next 4-6 weeks, they will be meeting with the District Attorneys in those counties to move forward.

Ms. Fry also briefly discussed collaboration in funding with Nevada State Health Division and the Nevada Coalition Against Sexual Violence to execute the Best Practices Guidelines for community and jurisdictional response to sexual assault. They are also collaborating with the Department of Public Safety to hire a Statewide DEC Coordinator.

14. Report from the Committee on Domestic Violence (Jennifer Kandt).

Ms. Kandt reported that the last meeting of the CDV was in November, 2010. Regulation changes were adopted including allowing distance media for training. The next meeting is scheduled for February 15, 2011 where they will finalize the legislative report due March 1, 2011.

Ms. Kandt stated that she and Ms. Prentice would be meeting with Judge Saragosa later on in the day. To help with compliance, Judge Saragosa is having batterers schedule their initial treatment appointments while in court.

The CDV has been discussing having a meeting in a rural area and may coordinate with the NCPDV to have a joint meeting.

15. Comments from the Chair.

General Masto stated that she had made her comments throughout the meeting and had no additional comments.

16. *Report, discussion, and action on reports/updates from the following Council Officers:

a. Vice Chair - Mike Sprinkle

Mr. Sprinkle reminded new members to choose one or more Committees to participate in and to email Ms. Webber with their choices.

a. Treasurer - Suzanne Ramos

This agenda item was taken out of order. Ms. Prentice reported that as of January 31, 2011, the Council's budget had a balance of \$2,182.34. She explained that the majority of the Council's budget funds travel. The spreadsheet tracking court assessments was reviewed. The majority of the court assessments fund the Committee on Domestic Violence, the remaining funds go to the NCPDV and training budgets. General Masto noted that due to the poor economy, the court assessments are down this year. Valerie Cooney observed that the Carson City Justice Court assessments had not been totaled. Ms. Webber will make the correction.

b. Secretary - Brett Kandt

Mr. Kandt was unable to attend the meeting and no report was provided.

17. *Discussion and scheduling of future meetings and agenda items.

Ms. Prentice stated the week of July 18th was being considered for the rural road trip but that the Attorney General's availability had not yet been determined. Once General Masto's availability is confirmed, Ms. Webber will send out some possible dates to the Council and the meeting will be scheduled on the date that is most likely to have a quorum.

18. Public Comment.

There was no public comment.

19. *Adjournment.

The meeting was adjourned at 11:33 a.m.