

**NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

**NOTICE OF PUBLIC MEETING**

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**Wednesday, January 16, 2008 at 11:00 a.m.**

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Via Teleconference with Public Access Located at:  
Office of the Attorney General  
5420 Kietzke Lane, Suite 202, Large Conference Room, Reno, Nevada 89511

**AGENDA**

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At the discretion of the Chair, public comment is welcomed by the Committee, but will be heard only when that item is reached and will be limited to five minutes per person. A public comment time will also be available as the last item on the agenda. 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.

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Action by the Committee on an item may be to approve, deny, amend, or table.***

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1.     \*Call to order and roll call of members.
  
  
  
  
  
  
  
  
  
  
2.     \*Approval of minutes from December 04, 2007.

3. \*Discussion, recommendations and possible action regarding the creation of a uniform data collection system in Nevada.
  
4. \*Report and possible action on law enforcement protocols for officer involved domestic violence (Brad Simpson).
  
5. \* Report and possible action on victim services protocols:
  - a. Corrections (Traci Dory)
  
  - b. Law enforcement (Elynne Greene)
  
  - c. Prosecution (Suzanne Ramos)
  
6. \*Schedule future meetings & agenda items.
  
7. 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)

8. \*Adjournment.

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 must request so in writing on an annual basis.

Anyone desiring additional information regarding the meeting is invited to call the Council office at (775) 688-1818. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Council's interim administrative assistant, Susan Broili-Kamesch, at (775) 688-1818, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

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

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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 Network Against Domestic Violence 220 South Rock Boulevard, Suite 7 Reno Nevada 89502	

**NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

**NOTICE OF PUBLIC MEETING**

**January 23, 2008 at 2:00 p.m.**

Via Teleconference with Public Access Located at:  
Office of the Attorney General  
5420 Kietzke Lane, Suite 202, Large Conference Room, Reno, Nevada 89511

**AGENDA**

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Action by the Committee on an item may be to approve, deny, amend, or table.***

1. \*Call to order and roll call of members.
2. \*Approval of minutes from December 4, 2007 meeting.
3. \*Report and possible action on law enforcement data collection efforts (Brad Simpson).
4. \*Report and possible action on law enforcement protocols for officer involved domestic violence (Brad Simpson).
5. \*Update from AG Grants Unit on upcoming grant proposals.
6. \*Schedule future meetings & agenda items
7. 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)

7. \*Adjournment.

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**STATE OF NEVADA  
NEVADA COUNCIL FOR THE PREVENTION OF  
DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

## **Minutes of Meeting**

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*Wednesday, January 23, 2008, at 2:00 p.m.*

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Office of the Attorney General  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511

### **Committee Members Present**

Traci Dory

### **Committee Members Present Via Teleconference**

Brad Simpson   Elynn Greene   Bob Zentz  
David Kohlmeier

### **Public Present**

None

### **Attorney General's Office staff present**

Kareen Prentice, Domestic Violence Ombudsman  
Henna Kacyra, Deputy Attorney General  
Dorene Whitworth, Grants and Projects Analyst Supervisor  
Melissa Page, Assistant to the NCPDV

1. **\*Call to order, roll call of members, and introduction.**  
Brad Simpson called the meeting to order at 2:10 p.m. A roll call was performed and quorum was established.
  
2. **\*Approval of minutes from December 4, 2007 meeting.**  
Tracy moved to approve, seconded by Bob Zentz, Elynn Greene abstained.

**3. \* Report and possible action on law enforcement data collection efforts.**

Brad Simpson received DV Stats from 2004 through 2007. The average number of incidents reported each year was approximately 8,800, but in 2006 there was a decrease in incidents of around 1,300. Mr. Simpson was not sure why the decrease in numbers occurred that year. IT is running a complete report and will distribute to committee members.

Mr. Simpson was not sure what direction the committee wanted to take with the judicial efforts until more information comes from Kareen Prentice and Attorney General Masto about what they want to look at. He felt that these stats might be a starting point to ask – *what* is being collected, what *needs* to be collected, and *can* it be collected. He suggested not taking any further action until more information was available.

Bob Zentz motioned to table item number three until next meeting. Elynne seconded the motion. Motion was approved.

**4. \*Report and possible action on law enforcement protocols for officer involved domestic violence.**

Brad Simpson reported that the Office of the Attorney General is writing a GEAP (Grants to Encourage Arrest Procedures) grant that would deal with protocols and policies involving law enforcement personnel. Mr. Simpson said he signed off on it and if it is granted. He is hoping that the committee could work with the law enforcement agencies to help write their officer involved protocols and policies.

Traci Dory asked how much the grant is for and where it is coming from.

Mr. Simpson explained the grant would be in conjunction with POST, NNADV, Prevention Council and the Council for Prosecuting Attorneys. He also mentioned that it would be important to get input from Sheriffs and Chiefs.

Ms. Dory reported that she spoke to Dick Clark from POST and his chiefs and she said that they are very supportive of the Prevention Council and Batterer's Treatment Committee.

Mr. Simpson and Mr. Zentz felt that in the past, the Sheriffs and Chiefs involvement was more symbolic in nature.

Ms. Dory said that POST has very extensive training on DV and Victims Rights for their cadets in the rural counties. She and Kareen Prentice present trainings at POST on Victims' Rights. She said that POST would

also like to be more involved and informed about new DV legislation so they can get the word out to their contacts in law enforcement.

Mr. Simpson suggested that somebody from POST be invited to join the Council. It was decided that it would be best if the invitation came from the Attorney General.

Item number four was tabled.

Bob Zentz will send DV stats from Henderson Municipal Court to Melissa Page to distribute to subcommittee members.

Ms. Dory will get Reno Police Department stats from Sgt. Curry.

Mr. Simpson would like to take a look at all DV-related misdemeanor cases going before the Reno City Attorney and dispositions from Reno Municipal Court.

**5. \*Update from grants unit on upcoming grant proposals.**

Dorene Whitworth said that the aim of the grant is to revisit the model protocols that were drafted in 2003 and to look at legislative changes that have been made at the state level and the Violence Against Women's Act since then and follow up with training. They would then go out to rural communities and have 8 trainings the second year of the grant. She won't know if the grant has been approved until September. They asked for \$315,000 in the proposed grant budget.

Ms. Whitworth will send a copy of the grant narrative, budget and MOU to Melissa Page to distribute to the subcommittee members.

**6. \*Schedule future meetings and agenda items.**

The next meeting of the Criminal Justice Committee will be held on Wednesday, February 13<sup>th</sup>, at 2pm in the Reno office of the Attorney General.

**7. \*Public Comment.**

There was no public comment.

**8. \*Adjournment**

Brad Simpson motioned to adjourn. David Kohlmeier seconded. Meeting was adjourned at 2:31 p.m.



**NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

**NOTICE OF PUBLIC MEETING**

---

**Wednesday, February 13, 2008 at 2:00 p.m.**

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Via Teleconference with Public Access Located at:  
Office of the Attorney General  
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**AGENDA**

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1. \*Call to order and roll call of members.
2. \*Approval of minutes from January 23, 2008.
3. \*Discussion, recommendations and possible action regarding developing, training and implementation of issues concerning AB194 throughout the State.
4. \*Discussion, recommendations and possible action regarding the creation of a uniform data collection system in Nevada.
5. \*Report and possible action on law enforcement protocols for officer involved domestic violence (Brad Simpson).
6. \* Report and possible action on victim services protocols:

- a. Corrections (Traci Dory)
  - b. Law enforcement (Elynne Greene)
  - c. Prosecution (Suzanne Ramos)
7. \*Schedule future meetings & agenda items.
  8. Public comment.

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9. \*Adjournment.

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	Reno Nevada 89502	
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**STATE OF NEVADA  
NEVADA COUNCIL FOR THE PREVENTION OF  
DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

## **Minutes of Meeting**

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*February 13, 2008 at 2pm*

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Office of the Attorney General  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511

**Committee Members Present**

Catherine Cortez Masto, Traci Dory, Suzanne Ramos,  
Tammy Whatley, Brett Kandt

**Committee Members Present Via Teleconference**

Brad Simpson, Bob Zentz, Elynne Greene

**Committee Members Absent**

Dr. Mike Freda, David Kohlmeier, Ron Titus

**Public Present**

None

**Attorney General's Office staff present**

1. **\*Call to order, roll call of members, and introduction.**  
Brad Simpson called the meeting to order at 2pm. A roll call was performed and quorum was established.
2. **\*Approval of minutes from January 23, 2008.**  
Minutes of the January 23<sup>rd</sup> meeting were approved.
3. **\*Discussion, recommendations and possible action regarding developing, training and implementation of issues concerning AB194 throughout the state.**

Brad Simpson suggested the committee gather together the many different protocols and policies that are currently in place for dealing with AB194 from the various agencies across the state, and include them along with a copy of the PowerPoint presentation given by Nancy Hart, in a package to be distributed to the subcommittee.

Brett Kandt recommended that requirements of AB194 be incorporated, and at some point formally adopted into the Prosecutors' Best Practices and any future trainings based on those Best Practices.

**4. \*Discussion, recommendations and possible action regarding the creation of a uniform data collection system in Nevada.**

Brad Simpson began by stating that this is an ongoing project. Brett Kandt explained that the lack of data collection in Nevada is also an issue in elder abuse reporting. Brett Kandt's group has had meetings with DPS and will have another meeting with them on this issue.

General Masto said she was curious to see what each jurisdiction already pulls together and then once that information is gathered together, the committee could look at the information and see what they feel is missing, or what could be asked for in standardized forms.

**5. \* Schedule future meetings & agenda items.**

The next meeting of the Criminal Justice Committee will be held on August 26th at 10:00 a.m. in the Reno office of the Attorney General.

**6. Public Comment.**

There was no public comment.

**7. \*Adjournment.**

Brad Simpson moved to adjourn. Traci Dory seconded the motion and the meeting was adjourned at \_\_\_\_\_

**NO QUORUM – Meeting Did Not Take Place**

**NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

**NOTICE OF PUBLIC MEETING**

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**Wednesday, April 23, 2008 at 10:00 a.m.**

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Via Teleconference with Public Access Located at:

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5420 Kietzke Lane, Suite 202, Large Conference Room, Reno, Nevada 89511

**AGENDA**

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1. \*Call to order and roll call of members.
2. \*Approval of minutes from February 13, 2008 meeting.
3. \*Discussion, recommendations and possible action regarding developing, training and implementation of issues concerning AB194 throughout the State.
4. \*Discussion, recommendations and possible action regarding the creation of a uniform data collection system in Nevada.
5. \*Report and possible action on law enforcement protocols for officer involved domestic violence (Brad Simpson).

- 6. \*Schedule future meetings & agenda items.
- 7. Public comment.

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- 8. \*Adjournment.

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**NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

**NOTICE OF PUBLIC MEETING**

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**Tuesday, August 26, 2008 at 10:00 a.m.**

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Via Teleconference with Public Access Located at:  
Office of the Attorney General  
5420 Kietzke Lane, Suite 202, Large Conference Room, Reno, Nevada 89511

**AGENDA**

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1. \*Call to order and roll call of members.
2. \*Election of new chair.
3. \*Approval of minutes from February 13, 2008 meeting.
4. \*Discussion, recommendations and possible action regarding developing, training and implementation of issues concerning AB194 throughout the State.
5. \*Discussion, recommendations and possible action regarding the creation of a uniform data collection system in Nevada.
6. \*Discussion, recommendations and possible action regarding upcoming training opportunities for law enforcement, prosecutors and advocates.



7. \*Report and possible action on law enforcement protocols for officer involved domestic violence.
8. \*Schedule future meetings & agenda items.
9. Public comment.

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10. \*Adjournment.

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**STATE OF NEVADA  
NEVADA COUNCIL FOR THE PREVENTION OF  
DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

## **Minutes of Meeting**

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*August 26, 2008 at 10:00 a.m.*

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Office of the Attorney General  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511

### **Committee Members Present**

Brett Kandt, Chair  
Dr. Mike Freda  
Tammy Whatley

### **Committee Members Present Via Teleconference**

Ron Titus  
Barbara Aupperle  
Bob Zentz  
Suzanne Ramos

### **Committee Members Absent**

Tracy Dory  
Elynne Wernikove-Green

### **Public Present**

None

### **Attorney General's Office staff present**

Henna Rasul

1. **\*Call to order, roll call of members, and introduction.**  
Brett Kandt called the meeting to order at 10:00 a.m. A roll call was performed and quorum was established.
  
2. **\*Election of New Chair**

Mr. Kandt stated he did not know if anyone was interested in being the Chair; he indicated he would be willing to serve as the Chair if so nominated. Dr. Freda moved to nominate him. Ron Titus seconded the motion. Mr. Kandt did not vote as he was the nominee. The motion passed.

**3. \* Approval of Minutes from February 13, 2008 Meeting**

Mr. Kandt did not know if everyone had had an opportunity to review the Minutes. He stated he would entertain a motion to accept the Minutes. Barbara Aupperle made a motion. Tammy Whatley seconded the motion. The Minutes were approved as written.

**4. \*Discussion, Recommendations and Possible Actions Regarding Developing Training and Implementation of Issues Concerning AB 194 Throughout the State**

Mr. Kandt stated that AB 194 from the last legislative session had made several changes regarding the issuance of a temporary extended order for protection, expanding the parties that can be included in that. There are the firearms provisions. He requested assistance in terms of what specific issue the Committee was looking at in terms of training, whether it was a certain portion of AB 194 they were looking at, or several aspects. He stated he wanted background for his benefit on what specific provisions of AB 194 they are developing training and implementation on, or if it is every aspect, since AB 194 covered several areas.

He asked if there was a specific direction given to them from the Council on training and implementation. He stated he did know that they had a presentation from Nancy Hart, at the NNADV, regarding the firearms provisions and the issues of enforcing those provisions statewide. He wondered if those were the provisions the Committee had been looking at implementing training on.

He asked Ron Titus if the Judiciary was getting any training on the new firearms provisions. Mr. Titus responded that he had just received a letter from a Fallon Attorney regarding training, and forwarded it to Michael Bell. He stated he thought they would be having some training on that, especially with the new DV forms coming out. Mr. Kandt clarified that his personnel were undertaking to implement training in that regard. Mr. Titus stated he had an inquiry in to Mr. Bell to ask what their plans are. He will be encouraging him to implement training. Mr. Kandt stated they would wait to hear back from Michael Bell on training for the judiciary. There was no further discussion of this agenda item.

**5. \*Discussion, Recommendations, and Possible Action Regarding the Creation of Uniform Data Collection System in Nevada**

Mr. Kandt asked what the Committee had to report. A member stated he did not know what the Committee had discussed in the past, but that he thought Justice Hardesty was getting ready to appoint a committee to look at Criminal Justice data. He suggested the Committee may want to piggyback onto some of the stuff they are doing. The Committee that Justice Hardesty is on is the Advisory Commission for the Administration of Justice. Mr. Kandt stated they had met the day before, and stated the scope of what they are looking at is extremely broad, he was not aware this might be one aspect of it. The Committee member responded that this came up at their August meeting, and that the researchers had complained about the lack of uniform data out there. They were looking at sentencing data at that time.

He knew that a subcommittee had been created, members had not been appointed yet, but they will be looking at standardization of data collection methods and integration with various justice entities. Mr. Kandt stated he would follow-up on that and see where they are, and also follow-up with the people at DPS. They had some discussions with DPS, but that was earlier this year, and he had not been in contact with them since then.

He was also in contact with them on the Elder Abuse reporting side, but the AG Office Senior Protection Unit had stepped in and taken over that. He will check with DPS and report back to the Committee at the next meeting. Ms. Rasul mentioned that was in the minutes from the last meeting. There was no further discussion on this agenda item.

**6. \*Discussion, Recommendations and Possible Action Regarding Upcoming Training Opportunities for Law Enforcement, Prosecutors, and Advocates**

Mr. Kandt led off the discussion of this agenda item by stating that the Nevada Coalition Against Sexual Violence is reconvening an annual conference with multidisciplinary training; the Conference dates are November 12-13, in Reno. He committed the Prosecution Advisory Council to co-sponsor a Criminal Justice Crack Attack Conference, and he has contracted for a national expert, a speaker by the name of Bridget Healey, with the Cook County State's Attorney's office in Chicago. Her three topics are: an update on post Crawford and disability issues, the second topic will be overcoming the consent defense in dealing with voluntarily intoxicated victims. The third topic has not yet been selected, but it may be strangulation cases. He stated they had some strangulation training earlier this year which had been well received, in Reno and Winnemucca this past may.

There is also a BDR to create a felony strangulation statute, which would necessitate some training as well. Owing to fiscal issues, a Committee member asked if there was any possibility of a teleconference on this type

of training. Mr. Kandt responded that would use his VAWA Grant money to pay the prosecutor's way to the training. He stated he had not put out the notice, he had just signed the contract with the speaker, and would be sending the training notice to the prosecutors shortly. He can also pick up the costs of the advocates travel. The training will be 11/12, and the 13<sup>th</sup> will be a meeting of the Coalition. He asked if anyone else had anything else that was going on with regard to training.

He also mentioned that he had contacted the NNADV for putting on additional future presentations of the training they do, on evidence-based prosecution of domestic violence cases. It is multi-disciplinary where they have prosecutors working with other disciplines that can serve as experts in domestic violence cases. They have put that on every year from 2003-2005, and it was very popular, he would like to put it on, on an annual basis. He has not yet heard back from the NNADV as to whether they want to do that or not. He will have an update at the next meeting. He stated some of the Committee members were familiar with that training. They had either assisted with it, or attended it.

Mr. Kandt asked Bob Zentz if he wanted to discuss an email he had sent to Mr. Kandt, as well as to Kareen Prentice, the DV Ombudsman. Mr. Zentz stated he would like to put together a video, of two separate interviews, a victim describing her situation, and then doing the same thing with an offender. This would be to try to show how the cycle of violence really works. He would like to do it for the Henderson Police Department, and with people who are in the north, so no Officer in the South can say it was their case. He would also like to take a case from the south, and make a presentation on it in the north, for the same reason. The best case scenario would be to interview both parties from the same relationship. This is what he had in mind, but he does not know how practical it is, or how much it would cost to do.

Mr. Kandt responded that with regard to the cost, he might be able to utilize their grant funding for it, or perhaps fund it out of their Best Practices Project. He would have to check with the grant people. He thinks the video could be integrated into all sorts of training for all the disciplines. He thinks it is a good idea.

Secondly, however, he suggested they consider the logistics. Mr. Kandt was not certain they could find a victim and an offender from the same relationship that would be willing to participate in this. That seemed really challenging to him. They would have to tackle the logistics side of that, but it is certainly worth looking into. He asked what others think. Others thought it was a great idea. Tammy Whatley stated she had taught Victims Rights at the P.O.S.T. academy, and that she knew of an Advocate from the Reno P.D. who already had a video of victims in the

Reno-Carson area, for Victims of Crime. One is a sexual assault, one is a DV. She will get a copy to the Committee and see what they think.

Ms. Ramos then mentioned the difficulty of getting testimony from people who were in the same relationship. She stated that from their Batterer's treatment programs, they could possibly get a batterer who is really progressed, and not get one that is going to be slamming the victim. She recommended heavily screening the person they select as the perpetrator.

Another Committee member suggested recommending someone who had been through the applicable counseling. Mr. Kandt asked Tammy Whatley to contact either Kim Garrett or Lori Fralick, and get a copy of the victims video to Bob Zentz. He asked Mr. Zentz to then take a look at it and see if it suffices. The second component of his request is the offender component; Dr. Freda indicated he could help with that. He will work with Suzanne Ramos to identify some names of possible interviewees.

Mr. Kandt will talk to the grant people about picking up the costs of creating such a video, and having it edited. A Committee member from Southern Nevada indicated there was a television reporter in that area who had done very positive segments on police efforts in various areas. She might be interested in assisting, but he was not certain he would like to have the station broadcast it; he was certain they would want do. He suggested that might be a possibility nonetheless. Mr. Kandt agreed that he thought broadcasting was going to be very problematic. A Committee member stated there was already a video out on this "One Hit Leads to Another", and that it was produced out of Canada. He asked for a copy to be sent to Bob Zentz.

They should cover all their bases and decide what would work best. To the extent they need to produce a portion of it themselves, he will check with the grant people regarding the money. He then requested follow-up before the next meeting. He thinks it is a great idea and could be integrated into training efforts for a variety of disciplines. Mr. Zentz stated he would email Karen Prentice after reviewing the videotapes, and she could share it with the others. There was no further discussion on agenda item six.

#### **7. \*Report and Possible Action Regarding Law Enforcement Protocols for Officer-Involved Domestic Violence**

Mr. Kandt indicated he had appeared before a Sheriff's and Chief's Association meeting this past spring, and had encouraged them to adopt a policy encouraging all of their member agencies to adopt a specific policy on officer-involved DV cases. He indicated to the Committee he had sited the I.A.C.P. policy as a possible model, realizing that one-size does not fit all. He also realized several agencies already have policies in place, but

many don't, and for those that do, maybe they just need to re-examine their policy, determine whether it should be updated or can be improved upon. He did not have the opportunity to attend the last meeting of the Sheriff's and Chief's Association to follow-up on that, owing to a scheduling conflict, the next meeting is September 18<sup>th</sup>, and he may or may not be there due to some scheduling conflicts. However, he will continue to follow-up on this to encourage the Sheriff's and Chief's Association with regard to this matter. He asked if there was anything further on that. There were no further comments.

**8. \*Schedule Future Meetings and Agenda Items**

Mr. Kandt indicated the next meeting of the Council is on September 8<sup>th</sup>; at 10:00 a.m. in Las Vegas. It will be videoconferenced. He suggested the Committee look at November for their next meeting date. They don't want to conflict with Thanksgiving or Veterans Day. The 4<sup>th</sup> is election day. He suggested November 18<sup>th</sup>. A couple of committee members were not available in the morning, but they could meet in the afternoon. A meeting time of 2:00 p.m. was suggested. This was accepted.

**9. \*Public Comment**

There was no public comment

**10.\*Adjournment**

Tammy Whatley made a motion to adjourn, Suzanne Ramos seconded the motion; the meeting was adjourned at 10:27 a.m.



**NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

**NOTICE OF PUBLIC MEETING**

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**Tuesday, November 18, 2008 at 2:00 p.m.**

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Via Teleconference with Public Access Located at:  
Office of the Attorney General  
5420 Kietzke Lane, Suite 202, Large Conference Room, Reno, Nevada 89511

**AGENDA**

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**Please Note:** The Nevada Council for the Prevention of Domestic Violence Criminal Justice Committee may address agenda items out of sequence to accommodate persons appearing before the Committee or to aid the efficiency or effectiveness of the meeting. 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)

At the discretion of the Chair, public comment is welcomed by the Committee, but will be heard only when that item is reached and will be limited to five minutes per person. A public comment time will also be available as the last item on the agenda. 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.

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

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1. \*Call to order and roll call of members.
2. \*Approval of minutes from August 26, 2008 meeting.
3. \*Discussion, recommendations and possible action regarding developing, training and implementation of issues concerning AB194 throughout the State.
4. \*Discussion, recommendations and possible action regarding the creation of a uniform data collection system in Nevada.
5. \*Discussion, recommendations and possible action regarding upcoming training opportunities for law enforcement, prosecutors and advocates.

6. \*Report and possible action on law enforcement protocols for officer involved domestic violence.
7. \*Schedule future meetings & agenda items.
8. 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)

9. \*Adjournment.

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 must request so in writing on an annual basis.

Anyone desiring additional information regarding the meeting is invited to call the Council office at (775) 688-1818. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Council's interim administrative assistant, Melissa Page, at (775) 850-4119, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

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

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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 Network Against Domestic Violence 220 South Rock Boulevard, Suite 7 Reno Nevada 89502	



**STATE OF NEVADA  
NEVADA COUNCIL FOR THE PREVENTION OF  
DOMESTIC VIOLENCE  
CRIMINAL JUSTICE COMMITTEE**

## **Minutes of Meeting**

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*November 18, 2008 at 2:00 p.m..*

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Office of the Attorney General  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511

**Committee Members Present**

Brett Kandt, Chair

**Committee Members Present Via Teleconference**

Dr. Michael Freda  
Suzanne Ramos  
Bob Zentz  
Elynne Wernikove-Greene  
Traci Dory  
Tammy Whatley  
Ron Titus  
Barbara Aupperle

**Committee Members Absent**

None

**Public Present**

None

**Attorney General's Office staff present**

Henna Rasul, Deputy Attorney General  
Kathryn K. Menke, Administrative Assistant

1. **\*Call to order, roll call of members, and introduction.**  
Brett Kandt called the meeting to order at 2:00 p.m. Roll call was performed and quorum was established.
  
2. **\*Approval of Minutes from August 26, 2008 Meeting**

Mr. Kandt did not know if everybody had an opportunity to review the Minutes. He suggested the Committee members take a moment briefly to do that; then he would entertain a motion and a second to approve the minutes.

Dr. Michael Freda made the motion. Mr. Kandt requested that any person making and seconding a motion identify him/herself for the record. He suggested they get a motion on the table and then make any changes that are necessary. Tammy Whatley seconded the motion.

Bob Zentz indicated he had a correction to the minutes, in section 6, on the second page and second paragraph, where the video is being discussed. Two words, north and south, should be changed in that sentence.

Suzanne Ramos indicated she had participated via teleconference, although her name did not appear in the Minutes.

Traci Dory indicated she was absent from the meeting.

Tammy Whatley also had a correction, that her name be listed under Committee Members present, rather than Attorney General Office Staff present. Mr. Kandt confirmed with her that she had attended the meeting in person.

Elynn Green indicated that she also had been absent from the meeting.

With those changes being noted, the Minutes from the last meeting were approved.

**3. \*Discussion, Recommendations, and Possible Action Regarding developing, training and implementation of issues concerning AB194 throughout the State.**

Mr. Kandt stated that AB 194 in the previous legislative session created protection orders, created some requirements and restrictions on the possession of firearms. They had a presentation on that at a past Prevention Council Meeting. The new statutory requirements are NRS 333.031 and 333.033.

He had committed to speaking with the AOC and determining what if anything the AOC had done with regard to training of judges on this subject. He contacted and spoke with Michael Bell, who is the manager of the Judicial Education Division at the AOC, and he indicated that to date there has not been any training about these new statutory requirements for judges.

He did indicate that David Gordon, who is the academic coordinator who works with the judges, is bringing this to the Education Committee of the Limited Jurisdiction Judges at their next meeting in January, with the idea that the Committee would include training on these new statutory requirements at the June 2009 Summer Seminar for the Limited Jurisdiction Judges. He will follow up with them on that and ensure that they are in fact implementing training on these statutory requirements since they are already well into the new statutory requirements. He will follow up with that on the judicial side.

He did not know if they had any other further discussion on this agenda item with regard to training for other professions. He stated he did know that this needs to be incorporated into training for prosecutors. To date they did not have any specific training scheduled for prosecutors in this regard; they are going to talk about training for prosecutors further down the line; he will defer discussion until they get to that agenda item.

Bob Zentz mentioned additional training they were going to propose to the AOC for at least the Limited Jurisdiction Courts. This would be strangulation training. They have been having issues down in the south with their judges not understanding how strangulation works, and so they are going to try to put something together using the AOC's training to do that for their judges.

Mr. Kandt responded he could work with him on that because they had put on a couple of one-day trainings on strangulation. They were both up here in the north, one in Reno, and one in Winnemucca. It was a multidisciplinary training with a national faculty, and offered excellent training on strangulation cases. He would like to bring that training back next year and have it down south; the idea once again would be to make it available to investigators, law enforcement, prosecutors, first responders, advocates, and health professionals. But they could work together and probably get those presenters to make a presentation for the benefit of the judges as well.

Bob Zentz responded that the Attorney they have who is taking the lead on this, told him that there was some interest, but she needed to follow up again with the AOC. He would pass that information along to her, and give her the contact information for Brett Kandt. Mr. Zentz indicated the attorney's name is Jannette Speer. Mr. Kandt requested that he mention to her that he is willing to assist in this regard.

Mr. Kandt then continued the discussion by stating there were two identical BDR's, because two legislators, unbeknownst to each other, had each prefiled BDR's based upon language that was actually drafted by prosecutors, to amend the battery statute to provide for felony

strangulation. He stated he would e-mail the language to Bob Zentz; it had been discussed at the prosecutors conference when they were talking about legislative matters; but he was not sure if he had actually seen it.

Mr. Zentz indicated he was familiar with the proposed legislation, but they would actually still be dealing with those issues at some level.

Mr. Kandt responded that he was probably right; but he would send him a copy of it as soon as the meeting ended. Maybe that would help their cause a little bit. There was no further discussion of this agenda item.

**4. \*Discussion, Recommendations and Possible Action Regarding the Creation of a Uniform Data Collection System in Nevada**

Mr. Kandt reported that once again he was tasked with contacting the Department of Public Safety, and talking to them about what progress, if any, had been made, with regard to the reporting requirements under NRS 171.1227, regarding the law enforcement agencies submitting reports concerning domestic violence cases.

He had contacted Julie Butler regarding the status of the reporting, whether the reporting had improved, and she and Josh Butler had provided him with some numbers, that as of currently there are 31 agencies reporting, and 5 agencies that are not reporting, pursuant to the statute. So, there is about an 89% compliance rate with the requirements of the statute. Julie Butler had indicated to him that of the 5 law enforcement agencies that were not reporting, they were the Esmeralda County Sheriff's Office, the Lander County Sheriff's Office, the Lovelock Police Department, the Storey County Sheriff's Office, and the Yerington Police Department. So, they obviously have some issues with some of the rural law enforcement agencies, interestingly, of those agencies, four of them, everyone but the Esmeralda County Sheriff, reported last year that they did not do it consistently, timely, so they may have sent something in sometime, but they are not complying with the strict requirements of the statute.

Mr. Kandt stated that in terms of timeliness, that was another issue too. He indicated there was compliance with the statutes in terms of reporting, but that less than half of the agencies actually reported in a timely manner. So, that is what they had reported, as of this date, in terms of compliance with the reporting requirements of the statute.

He mentioned that at this time there are no sanctions upon law enforcement agencies regarding failure to comply with the statute. He was not indicating that he was in favor of sanctions. He had asked Julie Butler if the Department of Public Safety was seeking a legislative change to create some sort of sanctions or to give the statute more teeth. She

indicated they were not. She did state that Assemblywoman Kathy McClain was upset about this, because there is also a similar reporting requirement for Elder Abuse cases and it is not being complied with strictly as well. He then stated Assemblywoman McClain had told him she may seek a BDR to put some more teeth into the reporting requirements for both Domestic Violence and Elder Abuse.

He asked if there were any questions. He had also asked Julie Butler to keep them updated, and she stated she would be willing to attend the next committee meeting to discuss the matter further. There was no further discussion of this agenda item.

**5. \*Report and Possible Action Regarding Upcoming Training Opportunities for Law Enforcement, Prosecutors, and Advocates**

Mr. Kandt had indicated at the last meeting they had some Domestic Violence related training at the Prosecutor's Conference, primarily in the area of Elder Abuse and using DNA. In addition, the Prosecution Advisory Council co-sponsored a criminal justice track at the Nevada Coalition Against Sexual Violence Conference, which had taken place last week.

In terms of future training opportunities on the issue of strangulation, he thought it was something they could probably provide more training on in the future. Especially if they get the BDR passed, and they change the statute with regard to felony strangulation.

Bob Zentz stated he thought that would be important for training to both law enforcement and prosecutors down the road no matter how it turns out.

Mr. Kandt agreed with this, and stated that when they did the trainings up north in May, they were very well attended by all the disciplines; heavy on the law enforcement, which is good. He also indicated they would like to train dispatchers. He mentioned there were also paramedics in attendance. The faculty indicated they would be happy to come back to Nevada, and Mr. Kandt had indicated he was really interested in having them do a presentation down south sometime in 2009, and he had VAWA funding STOP Grant money to pay for that. He would like to coordinate the training date with Bob Zentz, and others down south, in order to maximize the ability of agencies and others to participate.

In terms of other training, he is going to meet with Sue Meuschke from the Network in the next couple of weeks, to talk about bringing back the joint training they had done for several years, on the evidence based prosecution of domestic violence cases, using expert witnesses. Dr. Freda had assisted with that. Through his STOP grant Mr. Kandt had included funding to put that on, he just needed to establish a date with the



Network. He wanted to do that, and then get together the faculty, such as Dr. Freda and other individuals who have assisted in the past, and get together a presentation for 2009. He will meet with Sue in the next couple of weeks.

In terms of the video, he thought that was the other thing they had discussed. Bob Zentz had brought up the idea of putting together a video, and they had asked a few people to take a look to see if there were some certain videos or aspects of a video already produced that they could utilize. Tammy Whatley was going to contact Kim Garrett or Lori Fralick and get a copy of the Victims Video and get that to Bob. Ms. Whatley reported that the video had been delivered to the Attorney General's Office after she left, and Kareen Prentice had sent it to him. Bob Zentz indicated he had not received it. Tammy Whatley suggested they find out from Kareen where it is, and when it was sent. Ms. Whatley stated it was dropped off the week of October 26<sup>th</sup>. She also indicated that Kareen was going to make another copy of it for the Council, before she sent it to Bob.

On the offender component, Dr. Freda was going to check to see whether there might be some possible interviewees for that. Dr. Freda responded they could not find anybody; no one wants to admit that they have done anything like this, and come forward and talk about what their experience was like. This is not a new problem. They have had this problem with the Committee on Domestic Violence as well. They have had an open slot for a batterer ever since the Committee was formed. They have never found anyone willing to fill that position. He indicated that it was in the last legislative session that they changed that to a Judge's position.

Mr. Kandt also noted from the Minutes that someone from the south had indicated there was a video called "One Hit Leads to Another", produced out of Canada, and they were going to try to get a copy of that and get it to Bob Zentz. Dr. Freda stated he had it on VHS, but had not get been able to make a copy to send out. He welcomed suggestions on how he could accomplish this. Mr. Kandt responded there were two questions, one is copyright, and two, who has the copying capability to copy VHS tapes. Dr. Freda had attempted to copy it onto a DVD, but was not able to do that. Mr. Kandt stated he would find out who had the in-house ability to do that, and they also need to check if they can do that from a copyright standpoint. If they cannot do this, they can pay to have it done out-of-house, and will need to get approval to spend the money to do that. He indicated as soon as they got the copy they would get it to Bob Zentz. Suzanne Ramos mentioned her office might be able to help Dr. Freda with that. She would double check and get back to him and Mr. Kandt.

Mr. Kandt then stated that the issue is that the offender piece is what is missing. He asked if anyone else had any ideas on that. Bob Zentz

offered to check with the court programs office that works with the Batterer's Treatment agencies, to see if they had a successful participant in the program who might be interested. There was no further discussion of this agenda item.

**6. \*Report and Possible Action on Law Enforcement Protocols for Officer Involved Domestic Violence**

Mr. Kandt reported that he did not have anything further to report. He did not know if additional agencies had adopted a protocol in response to his presentation to the Sheriff's and Chief's Association last May. He had not been able to make the last two meetings due to scheduling conflicts, but planned to follow-up on that in the future.

**7. \*Schedule Future Meetings and Agenda Items**

Mr. Kandt asked if there were any other items the Committee needed to add to the agenda for the next meeting. No one made any suggestions.

The second order of business is to schedule a date for the meeting. He stated the Council is meeting on December 16<sup>th</sup>. It is his understanding that they also have a meeting scheduled for January 29<sup>th</sup>. They are having two meetings in such a close proximity because they will be devoting a substantial amount of time at the December 16<sup>th</sup> meeting to the Annual Legislative Report. On January 29<sup>th</sup> they will have more of the regular Agenda items, including Committee reports, and final approval of the Biennial Report. They will also be discussing legislative matters and BDR's that are out there impacting domestic violence.

He did not think the Committee needed to meet before those two Council meetings and suggested scheduling a meeting after January 29<sup>th</sup>. Dr. Freda suggested they look at the first week in February. Suzanne Ramos clarified this. She stated the week of February 9<sup>th</sup> was a lot better for her to do afternoon meetings. Tammy Whatley stated her calendar was clear. Bob Zentz responded the week of the 9<sup>th</sup> was better for him also. Dr. Freda suggested Tuesday, February 10<sup>th</sup>. Mr. Kandt asked if 2:00 p.m. would work for everybody. This date and time was set.

**8. Public Comment**

There was no public comment.

**9. \*Adjournment**

Tammy Whatley made a motion to adjourn, Elynne Green seconded the motion; the meeting was adjourned at 2:29 p.m.