

**NEVADA COUNCIL FOR THE PREVENTION
OF DOMESTIC VIOLENCE**

MEETING MINUTES

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

Meeting Location:

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

With

Public Access Via Videoconference Located At:

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

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

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

Committee Members Present:

General Adam Paul Laxalt, Chair
Patricia Cafferata
Sue Meuschke
Suzanne Ramos
Christine Jones Brady
Blake Smith
Elynn Greene
Emily Troshynski
Dorie Guy
Karl Hall
Patricia Lynch

Mark B. Jackson
Robin Sweet
Victoria Warren
Paul Bancroft
Cory Hernandez
Magann Jordan

Committee Members Absent:

Clarice Charlie-Hubbard
Denise Yoxismer
Leisa Moseley

Public Present:

Julie Mogensen
Mike Sherlock

Attorney General Staff Present:

Joelle Gutman
Peter Keegan
Kelsi Herrick
Debbie Tanaka

2. **Introduction of Peter Keegan, Deputy Attorney General (Keegan).
Introduction of members of the public and public comment.**
 - General Laxalt introduced Keegan. Keegan will be taking Brett Kandt's place as legal advisor to the Council.
 - **Public Comment:** There was no Public Comment.
3. **For Possible Action: Review, amend, and approve minutes from the November 9, 2015, meeting.**
 - A name was misspelled and that will be corrected. A Motion and Second to approve the minutes were made. The Motion passed, and the minutes were approved.

4. For Discussion and Possible Action: Vote to amend and approve the Bylaws.

- Keegan discussed the edits to the Bylaws. These changes were made by Brett Kandt. The changes include:
 - Including the Eleventh Judicial District
 - Removal of requirement for Council members to serve on at least one committee
 - Removal of the one-month notice for amending the Bylaws
- Member Patricia Lynch (Lynch) stated that she opposed the removal of the one-month notice at the previous meeting. She also questioned if the amended Bylaws were sent at least one month prior to this meeting. Keegan explained that under NRS Chapter 241, the one-month notice was not required. General Laxalt clarified that the “process to change the process” was not followed, but it does not have to be followed. Keegan stated that the meeting and Bylaws were posted over a week in advance. Lynch wanted to know why the Bylaws were not complied with. Keegan was under the impression that the Bylaws were reviewed at the previous meeting, although he was not there. Lynch said that the Bylaws were discussed, but the Council did not have a copy of the amendments at that time. Keegan proposed that, if the Council wishes, this item could be continued to the next meeting so the members have the proper amount of time to review the Bylaws. Patricia Cafferata (Cafferata) agreed with Lynch that there should be notice before the meeting. General Laxalt said that this agenda item could be moved to the next meeting and that receiving the Bylaws at this meeting would be considered as notice. Member Mark B. Jackson (Jackson) motioned to table this agenda item to the next meeting. There was a second. The motion carried.

5. For Discussion and Possible Action: Nevada Arrest and Protection Advocacy Project (NAPA) Work Plan (Member Sue Meuschke (Meuschke)).

- Meuschke explained her grant-funded project. This grant funds victim advocates in the state. She also explained a second objective is creating a working group “to identify existing barriers and develop recommendations for improvement.” The third objective involves “developing best practice recommendations for arrest and prosecution of domestic violence cases.”
- Meuschke asked the Council for support of her organization’s project and volunteers for the working group.
- General Laxalt asked Jackson if this project was similar to any project being done with any of the other Committees. Jackson stated that there

was a lot of crossover but there is nothing the same as this project.

- Staff member Joelle Gutman (Gutman) asked how the various Committees and people involved will be able to share information and communicate because “projects get siloed.” Meuschke said that is what the working groups would help with.
- General Laxalt wanted to know if this project would be something that the Council sees as a primary project or a project to adopt.
- Meuschke stated it would be great if the Council endorsed and became part of the project. She would also like some Council members to volunteer their time, outside of the Council, to be part of the working group.
- Jackson motioned to endorse the project. There was a second. The Motion carried.

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

- Sherlock gave a brief introduction of himself and explanation of his credentials.
- Sherlock explained the various domestic violence laws in the country and in the state. He compared the Nevada law to the laws in California. He stated the Nevada laws were too broad and that makes it hard for officers enforcing the law. He said the law needs to be more “black and white” and less “watered down.” He gave examples of things in the Nevada domestic violence law that should not be included in domestic violence (stalking, carrying a concealed weapon, child abuse, and sibling violence). He stated that domestic violence counts as a misdemeanor and explained the rules and laws which are confusing for law enforcement. He stated that domestic violence should be considered a felony. He believes that if the laws are focused and “cleaned up” that it would reduce domestic violence.
- Sherlock explained other issues with training law enforcement officers, like how to ask the right questions, understanding what a primary aggressor is, and arresting the victim because of battery.
- Member Suzanne Ramos asked if having more added to the domestic violence laws in Nevada would be helpful for law enforcement. Sherlock said that there should be less. Ramos inquired about his answer and Sherlock said that the law needs to be as clear as possible for the officers.

Meuschke asked for clarification of his answers as well.

- Jackson explained that the laws are created more around the larger counties in Nevada, but POST is centered on the rural counties. He gave examples of the history of his county (Douglas) and domestic violence, along with how his community works together on domestic violence cases. He stated his opinion that the Nevada domestic violence laws are very comprehensive.
- Meuschke asked Sherlock to supply the Council with the kinds of training that POST has. She also asked if there are any mandated hours, topics, if the trainings are the same throughout the state, etc.

7. **For Discussion: Discussion regarding adding Human Trafficking Advocates and College Campus Advocates to the list of advocates to enable them to claim privilege if their records are requested by the courts (Member Elynne Greene (Greene)).**

- Greene stated she was doing fact finding on Human Trafficking Advocates and wanted to bring this up to the Council and get input since it is such a diverse group.
- Jackson said that this is a new topic in the state. He believes that the victims should be able to go to any advocate, not just ones recognized by the statute.
- General Laxalt asked if there are any other examples for a different type of crime where a non-profit gets this status. Greene said that domestic violence and sexual assault advocates, community-based organizations that complete a minimum of 20 hours of training, qualified for privilege and confidentiality. She also said human trafficking advocates deal with both domestic violence and sexual assault.
- Member Christine Jones Brady asked what colleges/universities would be covered (public, private, etc.), and Gutman said she thought it would cover all higher education.
- Meuschke said it would be good to talk to university lawyers regarding privilege, community based advocates, and system based advocates. She said there needs to be a conversation between private and public non-profits and confidentiality.
- Greene said for the human trafficking side, she was looking specifically at the non-profit organization as they are written for human trafficking. Gutman asked if the victim definition could be changed to add human trafficking.

- Meuschke raised a question about prosecution and human trafficking. She stated that this should be addressed.
 - General Laxalt said that the Attorney General's office should look at this.
 - Lynch said it would be a good idea to continue this to the next meeting so this can be reviewed and discussed by the Attorney General's office, the District Attorneys, and others involved.
 - Meuschke stated that there needs to be a follow up with the campuses as well.
 - General Laxalt clarified that system advocates are not included. Meuschke said that college advocates work for a system and they would be system advocates. General Laxalt said it would be easier to add a new category (college advocates).
8. **For Discussion: Update regarding revisions being made to Domestic Violence Prosecution Best Practice Guidelines and Model Policy Standard Operating Procedure for the Enforcement of Protection Orders against Domestic Violence (Gutman).**
- Gutman brought this forth to the sheriffs and law enforcement throughout the state. She also brought this to the law enforcement summit in Elko. She has not had a lot of feedback, but Jackson will be assisting her in getting this to the right people. She would like to present this to the Council when she finishes a final draft.
 - Cafferata said that Liz Greb, Grants Manager at the Attorney General's office, might have some money to help with this project and to touch base with her.
 - Gutman asked for any feedback to be sent to her.
 - Jackson stated that these best practice guidelines were created by the Nevada Advisory Council for Prosecuting Attorneys (chaired by General Laxalt), and that is why it mentions an endorsement. Any suggestions by this Council will likely result in the guidelines stating an endorsement by the Nevada Council to Prevent Domestic Violence.
 - Gutman said that this process could potentially take a year or more.
 - Lynch and Gutman both agreed on the possibility of a working group for this project.

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

- **County Assessor/Property**

- Gutman spoke with Mike Sheers, the president of the County Assessors, regarding the exclusion of addresses of members of the Confidential Addresses Program (CAP) from public records that the county assessors have.
- She stated right now there are no regulations regarding CAP members and was wondering if this needs to happen now because people are being legally protected.
- She contacted the county recorder's office and they said that no one is protected and public records are available there. They discussed a possible flagging system for victims.
- Meuschke brought up how easily accessible documents are online and the county recorder's office is available online.
- Gutman and Keegan will be talking to the county assessors about this in April.

- **Next of Kin Law related to murder in Domestic Violence cases**

- Gutman and Greene gave a brief history of "Veronica's Law".
- Gutman explained the statues for Nevada, California, and Arizona regarding next of kin.
- Gutman asked if this was something the Council wants to sponsor. Lynch stated her support.

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

- Advocating for the Underserved Population
 - This could be covered under NAPA

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

11. Public Comment

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

12. Adjournment

- A motion to adjourn was made and seconded. The motion to adjourn the meeting passed.

Minutes respectfully submitted by _____
Office of the Attorney General
