

**NEVADA OFFICE OF THE ATTORNEY GENERAL
COMMITTEE ON DOMESTIC VIOLENCE (CDV)**

Meeting Minutes

Tuesday, January 28th, 2020 at 10:00 a.m.

Meeting Location:

Office of the Attorney General
Mock Courtroom
100 North Carson Street
Carson City, NV 89701

Via Videoconference:

Office of the Attorney General
Grant Sawyer State Building
555 East Washington Avenue, Room 4500
Las Vegas, NV 89101

1. Call to order, roll call of members.
 - a. The Committee on Domestic Violence (CDV) meeting was called to order at 10:00 am.
 - b. Present
 - Aaron D. Ford, Attorney General (Chairman Ford)
 - Armstrong, Ross (Armstrong)
 - Green, April (Green)
 - Greene, Elynne (Greene)
 - Hall, Karl (Hall)
 - Harig, Tracy (Harig)
 - Lynch, Patricia (Judge Lynch)
 - Meuschke, Sue (Meuschke)
 - Morris, Marla (Morris)
 - Moseley, Leisa (Moseley)
 - Ortenburger, Liz (Ortenburger)
 - Ramos, Suzanne (Ramos)
 - Scott, Annette (Scott)
 - Spratley, Eric (Spratley)
 - Troshynski, Emily (Troshynski)
 - Wheable, Michael (Wheable)

- c. Absent
 - Cisneros, Jessica (Cisneros)
 - Hernandez, Cory (Hernandez)
 - Jones, Cassandra (Judge Jones)
 - Riley, John (Riley)
 - Yoxsimer, Denise (Yoxsimer)
- a. Staff
 - George, Kyle (George)
 - Adair, Jessica (Adair)
 - O'Banion, Nicole (O'Banion)
 - DAG
 - Mouannes, Jason (Mouannes)
- b. Public
 - Dunne, Kelly (Dunne), Chief of Operations, Jeannie Geiger Crisis Center (JGCC)
 - Davies, Heather (Davies), Project Specialist, Training and Technical Assistance, JGCC
- d. **Quorum established**

O'Banion corrected the numbering of the agenda items.

- 2. Public Comment.
 - a. No public comment.
- 3. **For Possible Action:** Review, discussion, and possible approval of *November 13, 2019 Meeting Minutes*.

Attachment 1

- a. Chairman Ford suggested members take a moment to review the minutes from the previous Committee on Domestic Violence (CDV) meeting. He asked for a motion to approve the meeting minutes. Motion to accept the minutes by Spratley. Seconded by Greene. No further discussion. All in favor. Motion passed.

- 4. **For Discussion:** Kelly Dunne, Chief of Operations, Jeanne Geiger Crisis Center (JGCC), and Heather Davies, Project Specialist, Training and Technical Assistance, JGCC, will present the *JGCC Domestic Violence High Risk Team Model (DVHRTM) Webinar*.

Attachment 2

- a. Davies introduced herself as a project specialist at the Jeannie Geiger Crisis Center (JGCC), a domestic violence agency located 40 minutes north of Boston. They are also a national training and technical assistance provider funded by the Office of Violence against Women (OVW) under the Department of Justice to provide training and technical assistance on the Domestic Violence High Risk Team Model

(DVHRTM) and the Danger Assessment for Law Enforcement (DA-LE), an on-scene risk assessment tool co-created with law enforcement to aid them when responding to calls for intimate partner violence. Davies introduced Dunne and anticipated the presentation would talk about an hour and a half. She mentioned they would periodically pause for questions as needed and a discussion will follow presentation. Davies outlined the main topics of the presentation: background prior to formation of model, the basics and core components of the Domestic Violence High Risk Team Model (DVHRTM), a brief overview of DVHRTM operations and best practices, risk assessments, national statistics, patterns leading to homicide and how a community can prepare for DVHRTM and DA-LE implementation.

- b. The model was developed as a result of a local homicide-suicide case in Massachusetts. Many lessons from case were universal to what was broken in the domestic violence response system. The judge had very little information to make proper recommendation on perpetrator and every party was acting on little information they had available to them at the time. There was no proactive process to identify the risk markers of a potential domestic violence homicide. There was a myth that if a victim was at high risk, they would enter shelter, however many nights the shelters would be full. This led to idea of managing high-risk offenders as another option to just relying on the shelters, but more transformative change was warranted. The community needed to share dialogue and understanding of what was broken. It was necessary for victims to experience system all together rather than in silos. It forced them to review systems and efficiency of systems through difficult but rather important conversations. This model is being implemented across the country due to its success.
- c. The model must be customized to the local community while maintaining some fundamentals. The DVHRTM is a framework, not a formula. It builds on the coordinated community response model.
- d. The Danger Assessment is an extensive assessment used by certified advocates and the Danger Assessment – Law Enforcement (DA-LE) is a shorter, rigorously validated safety tool that helps officers identify history of violence (developed by Dr. Campbell).
- e. The model uses risk assessments to bring the most dangerous cases forward to multidisciplinary teams who monitor cases with equal emphasis on offender accountability and victim safety. Additionally, it connects high risk victims to services immediately. The process involves both risk identification and risk management strategies. This creates a vehicle for communication across multiple disciplines to provide the best possible response.
- f. Ortenburger asked if any models include child welfare or child protection agencies.

- Davies said some teams add it. It is balancing act that is unique to each jurisdiction. Sometimes victims are less likely to sign release of information, which is necessary to bring case to a high-risk team, when they know child welfare agencies are involved. Sometimes agencies are partners but do not sit on team. She continued to discuss the role of members participating in the team.
- g. It's important to represent the community and see where victims in your community currently seeking services when starting this process to increase access to people and thoughtfully engage. Furthermore, it is also important to not invite everyone to the table as they should have specific case information and provide value to team.
 - h. Ortenburger mentioned they had identified seven hugely marginalized populations within the domestic violence community in Clark County. She wanted to know how to include them in the conversation.
 - Davies responded that the invitation needs to be done early in order to co-create a model that makes sense to reduce intimate partner violence (IPV) homicide overall.
 - i. She continued with describing the DVHRTM as teams meet regularly, review and accept new cases, and review any ongoing cases. It is important that each team member designate an alternative team representative that is up to speed on the case. Another important aspect is using the risk assessment to inform decision making, provide case information and engage change in system. This acts as a real-time audit of the domestic violence response system, which allows necessary steps to close the gaps in response and benefit all victims.
 - j. The team monitors the following details:
 - Court dates, release dates, parole hearings and outcomes, probation conditions and compliance, protective order renewal and criminal activity.
 - k. Victim confidentiality is not the generally assumed barrier:
 - Law enforcement does not need a signed release.
 - There are templates for potential workarounds.
 - l. Communities are asked to contribute to data collection to continue refining teams.
 - m. Chairman Ford requested a copy of the PowerPoint.
 - n. Ortenburger asked for clarification about the Cleveland implementation of model in comparison with communities that have larger jurisdictions.
 - Davies clarified it was not the entire City of Cleveland but rather two out of five police precincts. Experiencing higher calls for service are more important than number of homicides in scope of prevention.
 1. About a third of domestic violence homicide cases are homicide-suicides.

- o. There are various patterns that lead to domestic violence homicides. “If it’s predictable, then it’s preventable.”
- p. Chairman Ford requested more details about the validity of the DA-LE tool. The purpose of question was to confirm effectiveness before presentation to other government officials.
- q. The DA-LE can be overridden by law enforcement if they noticed high risk situation beyond response of victims. (Note: The officer would have to justify the score override.) The document generally follows the police report to get in the hands of prosecutors prior to the hearing.
- r. Judge Lynch indicated that in the State of Nevada, the Supreme Court has adopted a pre-trial assessment for judges to look at when they set bail. It may go mandatory soon. They had not addressed domestic violence. She felt that the CDV should have input on that assessment and they should be using instrument on much earlier basis. This step needs to be done prior to the arraignment so the judge can make an appropriate decision because by the time you are at hearing with prosecutor, you are already down the road a bit. There are too many people going to pre-trial who probably should not be in pre-trial stage.
 - Davies emphasized that implementation of DA-LE is mainly for use with high-risk offender population. The questions were created to assess the risk based on the relationship rather than an incident.
- s. Moseley asked about the training received by law enforcement prior to administering the DA-LE.
 - Davies responded that generally a custom curriculum is developed for two hours of training. This leads to an in-person train-the-trainer event with all internal department trainers from the local jurisdiction. The department then delivers the training to officers (strangulation training is recommended). In addition, they JGCC works with the local police department to create additional policies and domestic violence partners to customize a protocol.
- t. Moseley asked if there was a race component in the training, as Davies mentioned African American women and minority women have a higher risk of being killed from domestic violence. Does the DA-LE have a question about race?
 - Davies answered that the DA-LE does not include a question about race. When the DA-LE was created, a diverse sample was used to create the tool. Dunne added that during the delivery of curriculum, it is emphasized that minority women are killed at a high rate to allow officers to understand potential justification points for a score override.
- u. Ortenburger inquired about the demographics of the batterers. Davies did not have that information readily available. Ortenburger wanted to

make sure there was not an assumption that a black woman being battered means that the perpetrator is black. She added that recent research by Dr. Campbell, a research contributor to the creation of the DA-LE, indicated that job loss and a firearm in home were the highest indicators for lethality. Davies stated gun ownership is question on DA-LE, but unemployment is not although it is concerned as a risk factor. Ortenburger stressed the effects of recent job loss.

- Davies continued to discuss the foundational elements of the DVHRTM. Team members must operate with the jurisdictional boundaries and share common cases. Jurisdiction revolves around a criminal court. Based on resources in the jurisdiction, this will determine the case volume and frequency of meetings. While starting to work with jurisdiction, calls for intimate partner violence (IPV) are measured.
- v. Meuschke asked if there was a floor of IPV calls for this model to be effective in small rural communities. Davies responded not necessarily but it is important to implement in jurisdiction with increased IPV calls resulting in domestic homicide (not recommended for pilot).
- w. Ortenburger said that 40% of 9-1-1 calls in Clark County are family domestic violence in the case that an adult child is abusing an adult parent. Does it fall under this team? Davies responded that it does not.
- Davies indicated that 40 cases a month seems to be the maximum number of cases that a team can effectively review through the process before it becomes overwhelming. It is important to solidify team with all the core partner organizations and crafting a team that meets the needs of population with long-term wrap-around services from the primary domestic violence agency.
- x. The proposed DVHRT should create a custom MOU. The leadership of each agency should be aware of commitment and roll of agency. They must sign the MOU and it would be reviewed and updated each year.
- y. Other details for DVHRT:
- There would be a written policy outlining usage of the DA-LE tool.
 - It can potentially adopt another tool being used by community with exceptions:
 1. Can the tool be used in court?
 2. What is the predicted validity?
 - All partner organizations should be willing and able to use risk assessment to inform decisions for cases and share information as permitted by law.
- z. Implementation process for DVHRT:
- Orientation
 1. It involves bi-weekly calls with an implementation team.
 - Assessment

1. Reviews gaps in current response system to customize the model to community.
- Training
 1. Many delivered through webinars and additionally three in-person site visits.
 2. Partner with Dr. Campbell.
 3. Strangulation training.
 4. Advocate training.
 5. Operations training for domestic violence coordinator.
 6. Training for law enforcement to administer the DA-LE.
- Implementation
 1. Team should be up and running in about eight months.
- Evaluation
 1. JGCC continues working with community and collects data to troubleshoot any challenges.
- aa. Meuschke inquired if you can implement the DVHRTM without the agency responsible for probation and parole being involved.
 - Davies responded that it is possible to meet communities where they are at with their resources and the function of their systems.
 1. Sometimes assessment identifies potential system gaps.
- bb. Green asked about any new information through researching the State of Nevada about IPV.
 - Davies specified a high rate of domestic homicide by guns. Cash bail in Nevada has also been problematic.
- cc. Moseley questioned why a mental health organization was not a part of the DVHRT.
 - Davies answered that confidentiality issues have prevented many mental health organizations from participating on the teams. The concern would be if they have any information about the case they can share with the team without violating confidentiality laws. In addition, the function of the mental health organization would need clarification.
- dd. Spratley asked if there is a model policy for law enforcement available.
 - Davies responded there is a model policy available. She requested members not share documents beyond themselves to prevent uncontrolled distribution.
- ee. Chairman Ford noted that any information provided to the CDV is considered public information due to Open Meeting Law (OML).
 - Davies said she would consult Dunne before sharing additional documentation.

Davies and Dunne left the meeting at approximately 11:56 am.

All details related to the domestic violence high-risk team model can be found in Attachment Two (2) from the 10-24-2019 Committee on Domestic Violence (CDV) Legislative Subcommittee meeting:

https://ag.nv.gov/uploadedFiles/agnv.gov/Content/Hot_Topics/Victims/2019-10-24_CDV_ATTCH2.pdf

5. **For Discussion:** The Committee members will discuss and possibly decide if they want to pursue the DVHRTM as well as next steps to move forward with the project.

Attachment 2

- a. Greene stated that in 2008, LVMPD worked with the JGCC to create the lethality assessment currently used in Southern NV. There have been a few challenges:
 - Being a large law enforcement agency, it is not effective to roll it out agency wide because there is constant change at the patrol and administration levels. History doesn't always follow people when they move. There are stop gaps in place for officers who try to avoid using the lethality assessment. The big question is how we create sustainable policies and procedures.
- b. Green responded that is why it is important to start with a manageable jurisdiction. Our response needs to be as significant as the problem.
- c. Ortenburger stated that over the past two years, Safe Nest has been running a program in Northwest Area Command, Spring Valley and Boulder City. It has brought down the homicide rate from 13 to 2. There is a model in place to bring down the homicide rate. It won't reduce domestic violence 9-1-1 calls, but it will reduce the homicide rate. If that is our goal, we need to develop a scalable solution.
- d. Chairman Ford considered bringing this to the attention of law enforcement during the upcoming Law Enforcement Summit and get some additional input.
- e. O'Banion added more context to conversation. The Legislative Subcommittee had reviewed webinar and asked various questions in a smaller format. During that call, Washoe County or the City of Reno were listed as potential pilot jurisdictions. The Washoe County District Attorney's Office has been researching model for the past year and recently tired to attempt it to the best of their abilities. The two cases they tried to attempt the model with turned out very well. They became fatigued with fatality reviews and wanted to take a more proactive approach. It has been like a case manager scenario. DA Hicks was supportive of team. Hall, Reno City Attorney, also expressed his interest.
- f. Greene supported starting with a small contained law enforcement agency and bring the idea to the law enforcement summit to get buy-in.

- g. Scott saw this as an opportunity for different community agencies to finally work together.
 - h. Meuschke requested if the necessity for additional documentation in the police reports as Nevada moves towards jury trials can be addressed at the Law Enforcement Summit.
 - i. Adair appreciated that Meuschke mentioned concern about jury trials and the Legislative Subcommittee brought forward the DVHRTM webinar. She expressed interest in compliance officers in courts. Finally, she recognized bail reform conversation being led by Senator Harris to review strategies in Nevada.
 - j. Scott wanted to know if there would be an opportunity for statewide training around the assessment.
 - k. Ortenburger stated that there is an eight-hour webinar training available around the assessment for advocates.
 - l. Chairman Ford wanted to clarify the role of the CDV as an informative body to law enforcement about the DVHRTM and let them know the option is available.
6. **For Information Only:** the CDV's tentative future meeting dates:
- Court Subcommittee: Thursday, February 6, 2020 @ 12:00 p.m. | Location: Carson City Office of the Attorney General, Mock Courtroom & via GoToMeeting.
 - Legislative Subcommittee: Thursday, February 13, 2020 @ 9:00 a.m. | Location: Carson City Office of the Attorney General, Mock Courtroom & via GoToMeeting.
 - Training Subcommittee: TBD
 - Committee on Domestic Violence: Tuesday, March 24, 2020 @ 2:00 p.m. | Location: Carson City Office of the Attorney General, Mock Courtroom & Las Vegas Office of the Attorney General, Conference Room 4500.
7. Public Comment.
- a. Greene stated that on February 1st there will be moving billboard, provided through the Southern Nevada Human Trafficking Task Force, that will have anti-trafficking messaging and reminding tourists that prostitution is illegal in Las Vegas. It had been donated and the Strip was in support of the initiative.
 - b. Safe Nest is hosting a discussion on February 27th around domestic violence and interpreting it in the future.
 - c. Judge Lynch sent Nicole an article related to the Interim Committee on Bail Reform and she was glad to hear that Adair indicated she was coordinating with them.

8. **For Possible Action:** Adjournment.
 - a. Chairman Ford called for a motion to adjourn. Motion to adjourn by Greene. Seconded by Scott. No further discussion. All in favor. Motion passed.
 - b. Meeting adjourned.

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