

Attachment One (1)

Committee on Domestic Violence Agenda
February 24, 2022

Contents: November 8, 2021 Meeting Minutes

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

Meeting Minutes

Monday, November 8, 2021 at 10:00 a.m.

Physical Location:

Mesquite City Hall
City Council Chambers (2nd Floor)
10 East Mesquite Boulevard
Mesquite, NV 89027

Virtual Location:

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1. Call to order and roll call of members.
 - a. The Committee on Domestic Violence (CDV) meeting was called to order at 10:30 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)
 - Ingram, Tyler (Ingram)
 - Jones, Cassandra (Judge Jones)
 - Lynch, Patricia (Judge Lynch)
 - Morris, Marla (Morris)
 - Moseley, Leisa (Moseley)
 - Ortenburger, Liz (Ortenburger)
 - Ramos, Suzanne (Ramos)
 - Scott, Annette (Scott)
 - c. Absent
 - Gradick, Jamie (Gradick)
 - Hernandez, Cory (Hernandez)
 - Larson, Zach (Larson)
 - Metherell, Leticia (Metherell)
 - a. Staff
 - Adair, Jessica (Adair)
 - Reilly, Nicole (Reilly)
 - Mouannes, Jason (Mouannes)
 - Rasul, Henna (Rasul)
 - b. Public
 - Kim Otero
 - Sergeant Jaime Stout
 - Shannon Harris
 - Kylee Tobler
 - Andrea Wahl
 - Louis Wahl
 - John Carson
 - d. **Quorum established**
2. Public Comment.
- a. Andrea Wahl:
 - “First, I want to thank all of you for being here today. As a citizen of Mesquite for the last nine years, and more importantly a wife, mother of five, including four daughters, a grandmother of two, my concern for this town has increased over the last year. Especially when it comes to lack of compassion and understanding of victims and victims’ rights from our city council and police union. We have had different girls from this town that are scared to speak up and come forward for fear of not being believed. Our mayor in many meetings and on social media has referred to persons like myself that have spoken out as the lowest of the low. That we’re idiots. All because we demand accountability. Last year, a letter from the police union used a closed, sealed case involving a minor’s sexual assault to

have sway our current mayor's re-election. This case and its content should have never seen the light of day. And in subsequent years, many victims of sexual abuse including myself have asked our mayor and city council for accountability. That has never come. This town needs a wake-up call concerning the rights of victims. Many of us tried. We have written letters, been in meetings, spoken to individuals at the highest levels of the police department and city council. Nothing has changed. Instead, insults have been flung and silenced as loud as ever. If there is anything you can do to create accountability, I know many citizens would appreciate you hearing our pleas. And as a side note, as a survivor of sexual abuse, this case that was used against a woman in our town, a young girl, now a woman, brought a lot of open wounds to the surface for many of us. It brought us closer together, but also made us realize how much there needs to be accountability, there needs to be support, and there needs to be something done for our city council to understand that. So, again, if there is anything you can do to make that happen, I know there are many of us that would very much appreciate it for our daughters, our sisters and our friends. Thank you."

3. Welcome, introductions and updates from our local partners.
 - a. Chairman Ford asked local partners to introduce themselves.
 - Kim Otero, Mesquite Police Department
 1. Thanked Committee for invitation to participate in the meeting. We are excited about the opportunity to bring a robust victim services program to the City of Mesquite through the Mesquite Police Department in collaboration with SafeNest. The program was started October 1st. Mentors across the country are assisting with the establishment of the program backed by the standards of the International Association of Chiefs of Police Victim Advocacy Program. The people on board with this effort are survivors who have experience with advocacy. They have a lot to learn and a long way to go. They look forward to continuing contribution to this community.
 - Sergeant Jaime Stout, Mesquite Police Department
 1. He has been in law enforcement for over ten years getting started in Albuquerque, New Mexico. That community historically had one of the highest rates of domestic violence in the country. He learned a lot about the advocacy programs there and overall law enforcement experience when addressing domestic violence.

- Shannon Harris, Victim Advocate, SafeNest
 1. This is a very emotional meeting as they heard directly from one survivor. She struggled to put herself out there as several people told her to stop what she was doing so she can protect her family. As a victim of sexual abuse by several offenders, she vowed not to quit. Her husband knows she will not quit. She expressed her gratitude for her spouse who is familiar with everything she has gone through and understands the circumstances. She believed a safer community is needed and hope that can be achieved in partnership with the police department and SafeNest.
 - b. Chairman Ford thanked the individuals for introducing themselves and expressed the committee's interest in serving as a resource for the community to the best of the committee's ability.
 - c. Judge Lynch addressed individuals who made public comment by stating that due to Open Meeting Law (OML) the Committee on Domestic Violence (CDV) cannot respond if there is a response expected to the testimony brought to the CDV. She wanted to make sure there was an understanding why no response cannot come from the Chairman or the CDV.
 - Chairman Ford reiterated that public comment is to receive information, rather than offer comments in response. He asked for any local updates not previously mentioned before.
 - d. Ortenburger, CEO of SafeNest, thanked Shannon. She expanded on the services provided by SafeNest in Mesquite:
 - SafeNest has had a counseling office in Mesquite for over 20 years.
 - Services included, but not limited to: full range counseling services for survivors, batterers' treatment programs for perpetrators of domestic violence and a recently acquired shelter program for over two months. The shelter program has been full during the entire time. There is a huge service need in Mesquite.
 - e. Chairman Ford asked if anyone had additional comments about this agenda item.
- 4. **For Discussion and Possible Action:** Review, discussion, and possible approval of ***August 30, 2021 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. Judge Lynch provided corrections ahead of time for meeting minutes. Motion

to accept the minutes by Judge Lynch. Seconded by Ramos. No further discussion. All in favor. Motion passed.

5. **For Discussion:** Committee member Ross Armstrong, Administrator, Division of Child and Family Services (DCFS), will provide an update on *DCFS/DV Best Practice Protocol Development*.
 - a. Armstrong began his presentation by introducing himself and welcoming everyone. The Division of Child and Family Services (DCFS) put out a Request for Proposal (RFP) to work with an entity that will help DCFS receive additional training and implement protocols in place for child welfare agencies across the State of Nevada to address the intersection of child welfare and domestic violence. Health Management Associates won the RFP.
 - Attachment provided at meeting and available as Attachment 2: https://ag.nv.gov/Hot_Topics/Victims/Committee_on_Domestic_Violence_-_Meetings/Agendas/
 - b. There are three different child welfare agencies in Nevada:
 - Clark County Department of Family Services
 - Washoe County Human Services Agency
 - DCFS Rural Region (for all rural counties)
 - c. Health Management Associates will also engage tribal partners. An assessment will take place thru the first half of 2022 and transition to training and coaching staff thru 2023. An evaluation will follow towards the end of 2023 to assess the transformation of using a healthy approach when child welfare agencies respond to domestic violence when children are present in homes.
 - d. Chairman Ford thanked Armstrong for presentation.
6. **For Discussion:** *Training, Legislative, and Court Subcommittees Update* by Nicole Reilly, Ombudsman for Domestic Violence, Sexual Assault and Human Trafficking, Nevada Office of the Attorney General.
 - a. Reilly began her update on the great work completed by the CDV during the recent two year term. She thanked previous and current members for their voluntary contributions. Some notable achievements included:
 - February 18, 2021: The CDV approved the 2021 CDV Legislative Biennial Report and submitted it to the Legislative Council Bureau. The report highlighted the accomplishments of the CDV during 2019 and 2020. The Training, Legislative and Court Subcommittees were also formed during this time.
 - The Legislative Subcommittee agreed to review any domestic violence legislative proposals for 2021, which they did, providing recommendations which assisted the improvement of domestic violence regulations. They also developed questions for the judiciary survey sent out statewide to obtain feedback for the

legislative report related to domestic violence in their local jurisdiction.

- The Court Subcommittee planned to train judges at the Limited Jurisdiction meeting January 2021. This was possible with the assistance of Ortenburger who provided an overview of batterers' treatment intervention programs and how they intersect with the courts.
 - The Training Subcommittee committed to developing materials that would inform legislators on three specific topics: domestic violence, sexual assault, and human trafficking. We finalized one-sheets that consolidated all the information and sent them out to legislators due to the pandemic.
- b. Harig requested access to those one-sheets.
- Reilly stated they are available on the Nevada Attorney General's Office website and she can send them out to members to save the information.
- c. Green asked Reilly to discuss the success of the implementation of the High Risk Team Model.
- Reilly shared that the University of Nevada, Reno (UNR) partnered with representatives to seek statewide funding to implement high risk team models throughout Nevada. They have gone forward with the process and acquired funding to begin two High Risk Teams. Once the teams are operational with their facilitators, Memorandums of Understanding (MOUs) will be developed as cases are reviewed using the High Risk Team and success factors measured throughout duration.
- d. Adair asked if subcommittee members saw anything that needed improvement. Members did not have additional comments.
- e. Chairman Ford wanted to acknowledge Mayor Al Litman was around and wish he offered him opportunity to speak to the committee earlier.
7. **For Discussion and Possible Action:** Attorney General Ford will invite Committee members to present on systemic challenges regarding domestic violence for discussion. The members will possibly choose one or more initiatives for the committee to focus on for the next year.
- a. Chairman Ford began the agenda item by inviting Ortenburger to begin discussion with a presentation she had prepared for the Committee on Domestic Violence.
 - b. Ortenburger passed out handout which was also distributed electronically to members attending meeting virtually. The handout shared was not designed to be Clark County focused, but she wanted to remind everybody when looking at the numbers for domestic violence in Nevada, 82% of that is coming from Clark County. She also wanted to remind everybody as a point of reference that in Clark County there

were 24,000+ domestic violence charges every year, 1,600 sexual assault charges and 54 sex trafficking charges on average. These numbers were derived from the Uniformed Crime Report. When discussing these issues, although all are equally problematic, the numbers speak to the issues as well. We have a massive issue in our justice system around the increased denial of temporary and/or emergency protective orders. The rate of denial is the highest it has ever been, and the judiciary cannot provide an explanation. In Clark County, only 47% of charges for domestic violence are going through a process in the courts and of those a very small percentage ever makes it to trial. This creates an environment for survivors of domestic violence to be not taken seriously by the judiciary. Only 16% of domestic violence calls lead to charges (which is a problem within itself because the violence is enough that 911 is called). 30% of domestic violence calls have children present. Children who are seeing violence have the same exact chemical reaction in their brain as children who experience the violence themselves. This is troubling as it supports the snowball effect theory around domestic violence. One of the subcommittees she recommended is the justice system response subcommittee. She also advocated for a statewide hotline for victims and survivors of hidden violence (domestic violence, sexual assault, and human trafficking). A statewide response would allow for statewide data. That same hotline could have personnel that can support a police officer in completing a lethality risk assessment to reduce domestic violence homicide. Finally, Violence Against Women Act (VAWA) funding has shifted from 60% justice system/40% non-profits to 87% justice system/13% non-profits. That is a national statistic and an audit of VAWA could be warranted.

- c. Reilly mentioned to Ortenburger part of the movement to address human trafficking has been hosting listening sessions for survivors of the violence to find out from them what has worked systemically in their experience. She asked if Ortenburger had done or known of similar listening sessions taking place for survivors of domestic violence to assist them on becoming thriving individuals with healthy family life.
 - Ortenburger responded that they had not done work with survivors in that way yet. They do run domestic violence focus groups in the shelter. One of the things Ortenburger cautions with focus groups is sometime those willing to come to the table do not represent the population of most survivors. She mentioned a high rate of survivors served are also escaping poverty.
 - Reilly asked one of these subcommittees incorporate focus groups to allow opportunity to anonymously receive input on desires by survivors. Some questions for survivors:
 1. What is your experience with the criminal justice system?

2. What is your safety level related to the criminal justice system?
 3. Side note: we assess number of contact points with criminal justice system.
- d. Greene agreed with everything said so far about these issues. She mentioned her partnership with Arizona State University (ASU) looking specifically at human trafficking. One recent study they did was on non-fatal strangulation and the impact it had on survivors of sex trafficking. Quite often, victims of crime are missed in the medical system.
 - e. Adair wanted to address the VAWA audit suggestion. It comes in two forms of program grants: STOP and SASP Grant. STOP stands for Services, Training, Officers, and Prosecutors and SASP stands for Sexual Assault Services Program. STOP mostly addresses domestic violence while SASP mostly addresses sexual assault. The Nevada Attorney General's Office administers the VAWA grants, and many members have been on the committee that reviewed the annual allocations. The federal government provides funding for these grants and guidance on how to administer the funding. There are specifics set aside that must be funded first such as law enforcement, prosecution, and courts. For as long as Adair has been in the office, not enough applications have made it in for those categories yielding additional discretionary funds. We are closer to 60% non-profits/40% justice system. If the committee was not interested in having this topic be part of a subcommittee, Debbie Tanaka, the grants manager for the Nevada Office of the Attorney General and/or Adair can compile some information to present as an agenda item for the next Committee on Domestic Violence (CDV) meeting for discussion. Debbie Tanaka hosts a training on how to apply for these grants annually.
 - f. Reilly noted the grant update as an agenda topic for discussion for the upcoming CDV meeting.
 - g. Moseley asked Ortenburger if cases being plead down from state statutes to city ordinances may be occurring to keep revenue within city because of those cases.
 - Ortenburger responded we do not have that information but it would be helpful to find out so we can create a judiciary report card as to why plea downs occur and why the judiciary is not providing explanation on matter. Jury trials for domestic violence cases has had an effect. Justices are giving some rulings out of compliance. The best approach may be holding the judiciary responsible for performance metrics. Offenders have advantage in the criminal justice system over victims.
 - h. Ingram expressed gratitude to Ortenburger for bringing these ideas forward and asked her about the domestic violence cycle. As a district

attorney himself, he is interested in access to mental health services for rural crime victims.

- Ortenburger responded that there are a lot of mental health agencies receiving Victim of Crime Act (VOCA) funding. It would be best to have a significant capital investment in mental health services being virtually provided to victims of domestic violence, sexual assault, and human trafficking. This would initially help meet the need virtually in the rural areas.
 - Ingram followed up by agreeing to the creation of a statewide hotline for victims of crime.
- i. Chairman Ford expressed his willingness to leverage the weight of the Nevada Attorney General's Office to ask for additional resources and develop stronger legislation to serve our communities. He emphasized that the subcommittees would serve as the catalyst for getting things done for the full committee.
- j. Scott expressed interest in current funding and how it is being distributed between both system and community advocates.
- Adair shared that as a committee, questions are being asked that possibly no one has asked before, which is getting the committee closer to finding answers through subcommittees.
 - Ramos acknowledged that the federal government dictates the weight of the funding per category. One category along with victim services is the discretionary fund. It always worked out that the discretionary money would be relayed back to support victim services.
- k. Reilly asked Armstrong about details around grant funding and transparency of disbursements.
- Armstrong shared a link in the chat for the Nevada state checkbook:
<http://openbudget.nv.gov/OpenGov/ViewActualDetail.aep?fiscalYear=2021&filter=null&type=Exp&view=Vendor&objectCode=8795&departmentCode=03&divisionCode=030&budgetAccountCode=1040&categoryCode=18>
 - For example, this link shows expenditures to each individual agency receiving funding from the STOP Grant in Fiscal Year (FY) 2021.
 - Reilly thanked Armstrong for supporting information and explanation on funding. She wanted to confirm some details relating to ideas for new subcommittees.
 1. Statewide compliance audit for the courts (to address plea downs and funding to municipalities as result of action).
 2. Statewide map of counselors who serve victims and survivors of domestic and sexual violence (what insurance they take, their current service area, etc.).

3. Statewide hotline for victims of crime (domestic violence, sexual assault, human trafficking)
 - Armstrong suggested an endorsement for specific health providers who may serve victims of domestic violence, sexual assault, and human trafficking.
 - Ortenburger added one of the subcommittees should be doing a deep dive on what a trauma-informed best practice on how to run a hotline would look like in our community.
 - Green suggested that her ideas fit in with Ortenburger's proposals and she sees a need to address service providers operating as silos. Our efforts in addressing domestic violence should be proportional to the size of the issue itself without having a scattered response we currently experience. The lack of domestic violence convictions affects children who could be in the custody of a violent offender if divorce takes place.
1. Judge Lynch referred to comments made by Ortenburger about judges making rulings outside compliance. The prosecutor should be advocating for the victim(s). Perpetrators are running the system without any accountability as they will continue to batter a victim(s) for as long as the criminal justice system will allow them to do so. We must push back and start making the batterers accountable. Domestic violence is a learned issue and can be unlearned. One approach is bringing this to the attention of the Prosecutor Advisory Council (PAC) for Nevada. The other concern she had includes the lack of temporary protection orders. On the other hand, only a certain population of batterers will abide by a protection order.
 - Reilly asked who holds the judges accountable in the state.
 1. Judge Lynch stated the ballot box or standing committee on judicial ethics. You would have to show proof of specific misconduct by a judge.
 - Ramos agreed prosecutors need better training and resources to gain more cooperation from victims, especially with complications added on due to jury trial requirements.
 - Greene added that victimless prosecutions are the key. She has never seen a single homicide victim in a courtroom present. You see family members, witnesses, and law enforcement. We need to get back to that despite it being difficult. These conversations can be just as difficult.
 - Ramos emphasized the need for better report writing from law enforcement as it is difficult to do a trial on a four-line police report, but especially for a victimless trial.

Chairman Ford called for a 15 minute lunch break. The meeting resumed at 12:30 pm.

- m. Ingram supported the conclusion of silos echoed by Green earlier.
 - n. Adair asked members to turn back cameras on if they were back from lunch, so we know they had returned. She is interested in a best practices committee so we can understand why cases are not being charged through data collection. That will be a tedious and laborious process. Prosecutors are interested in conviction rates and as a committee should work to assist instead of blaming them for lack of convictions. There are lots of existing and new committees, so she is consolidating the committees. One committee would be the Services and Training Subcommittee to address funding and a statewide hotline. Another one would be the Justice Partners Subcommittee to address temporary and emergency protection orders along with prosecution data.
 - o. Reilly encouraged the consolidation of the subcommittees as the previous subcommittees were built for the previous two year term. Any left over items from the previous subcommittees can be included in the appropriate newly established subcommittees.
 - p. Chairman Ford made an executive decision to retain two subcommittees especially since they require extensive planning due to being subject to Open Meeting Law.
8. **For Possible Action:** Attorney General Ford will request volunteers from the committee to participate on working groups to address the chosen initiatives from Item #7.
- a. Chairman Ford requested volunteers for the following subcommittees:
 - Services and Training Subcommittee
 - 1. Discuss about funding of services, a statewide hotline, and making service providers and stakeholders aware of each other.
 - 2. Any potential training topics.
 - Justice Partners Subcommittee
 - 1. Includes courts, prosecution, and law enforcement. It would serve as an opportunity to review the denial of temporary and emergency protection orders (TPOs/EPOs), review and encourage collaboration amongst silos, and brainstorm ideas for prosecution data collection.
 - b. Members interested in volunteering for the Services and Training Subcommittee:
 - Elynne Greene
 - Tracy Harig
 - Suzanne Ramos
 - Liz Ortenburger
 - Annette Scott
 - Marla Morris

- c. Members interested in volunteering for the Justice Partners Subcommittee:
- April Green
 - Elynne Greene
 - Annette Scott
 - Suzanne Ramos
 - Liz Ortenburger
 - Karl Hall
 - Judge Cassandra Jones
 - Judge Patricia Lynch
 - Tyler Ingram
 - Jamie Gradick
- d. Chairman Ford let members know that Reilly will inform members of upcoming meeting dates for the new subcommittees.
9. **For Information Only:** the CDV's future meeting date(s):
- Committee on Domestic Violence: ~~Monday, February 21, 2022 @ 2:00 p.m.~~ TBD | Location: Virtual Meeting.
 - Fatality Review Team: TBD
10. Public Comment.
- a. None
11. **For Possible Action:** Adjournment.
- a. Meeting adjourned.

Minutes respectfully submitted by **Jason Mouannes**
Edited by **Nicole Reilly**
Office of the Attorney General

DRAFT

Attachment Two (2)

Committee on Domestic Violence Agenda
February 24, 2022

Contents: Draft Services & Training
Subcommittee Action Plan

Services & Training Sub-Committee Action Plan

<u>Action</u>	<u>Activities</u>	<u>Due Date</u>	<u>Documentation Needed</u>
1. Statewide Hotline	<ol style="list-style-type: none"> 1. Reach out to SafeNest to see if they are interested in adopting this project. 2. Identify what funding needs there may be to implement and maintain the Statewide Hotline. 3. Work with AGO Grants Division, if funding needed, to Identify possible funding for implementation of Statewide Hotline. 	TBD	<ul style="list-style-type: none"> • Marketing Material
2. Standard for Advocacy Training w/ special populations module additions and a TOT option.	<ol style="list-style-type: none"> 1. Review current NRS for legislative changes. 2. Identify/develop Standardized Training to implement statewide. 3. Present Standardized Training to the full committee. 4. Work with AGO Grants Division to identify funding for implementation of Standardized Training. 5. Identify legislative recommendations to present to the full committee. 	TBD	<ul style="list-style-type: none"> • Universal Citation: NV Rev Stat § 49.2545 (2017) <p>“Victim’s advocate” means a person who works for a nonprofit program that provides assistance to victims with or without compensation and who has received at least 20 hours of relevant training.</p> <ul style="list-style-type: none"> • Training documentation or PowerPoint for full committee presentation. • Memo of Legislative Recommendations to present at full committee.

3. Blue Card Statute	<ol style="list-style-type: none"> 1. Review current NRS for legislative changes. 2. Identify legislative recommendations to present to the full committee. 3. Implementation ??? 4. Funding for implementation ??? 	TBD	<ul style="list-style-type: none"> • NRS 171.1225 Peace officer to provide information to suspected victims of domestic violence • Memo of Legislative Recommendations to present to the full committee.
1. Education in the Schools	<ol style="list-style-type: none"> 1. Review current NVDOE 2020 Nevada Academic Content Standards (NVACS) for Health PowerPoint. 2. Develop additional activities post review of the standards. 	3/3/22 Subcommittee Meeting.	<ul style="list-style-type: none"> • TBD
2. Mental Health Service Provider Map	<ol style="list-style-type: none"> 1. Note from 2/8/22 CDV Mtg: Statewide map of counselors who serve victims and survivors of domestic and sexual violence (what insurance they take, their current service area, etc.). 		<ul style="list-style-type: none"> • TBD

Attachment Three (3)

Committee on Domestic Violence Agenda
February 24, 2022

Contents: Draft Justice Partners Subcommittee
Action Plan

Justice Partners Sub-Committee Action Plan

<u>Action</u>	<u>Activities</u>	<u>Due Date</u>	<u>Documentation Needed</u>
1. CCRT in Clark County	<ol style="list-style-type: none"> 1. Identify a list of local agencies and stakeholders who serve DV victims to should join the multi-disciplinary task force formed to: <ol style="list-style-type: none"> a. share what they do for victims in the fight against domestic violence (education and information) b. collaborate for a coordinated response to our huge DV problem c. develop a inter-agency referral process d. support the efforts of the high risk teams 	TBD	<ul style="list-style-type: none"> • ?
2. Data Collection	<ol style="list-style-type: none"> 1) TPO/EPO Denials <ol style="list-style-type: none"> a. How do we acquire the data? 2) Legislative Recommendations <ol style="list-style-type: none"> a. Mandate to Report Denials - Who to report to: LCB/CDV/DPS. b. Produce DV Report Card Each Year c. Note from 11/8/22 CDV Mtg: Statewide compliance audit for the courts (to address plea downs and funding to municipalities as result of action). 3) Judicial Accountability <ol style="list-style-type: none"> a. What is currently in place? b. Data on complaints and outcomes. 4) Include information obtained & legislative recommendations in the CDV Bi-Annal Report to LCB. 	TBD	<ul style="list-style-type: none"> • ?

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