

Attachment One (1)

Committee on Domestic Violence
Legislative Subcommittee
November 24, 2020

Contents: Committee on Domestic Violence
Legislative Subcommittee Meeting Minutes
February 13, 2020

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

Meeting Minutes

February 13, 2020 at 12:00 p.m.

Meeting Location:

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

1. Call to order and roll call of members.
 - a. The Committee on Domestic Violence (CDV) Legislative Subcommittee meeting was called to order at 12:00 p.m.
 - b. Present
 - Chairwoman Green, April (Chairwoman Green)
 - Meuschke, Sue (Meuschke)
 - Ramos, Suzanne (Ramos)
 - Yoxsimer, Denise (Yoxsimer)
 - Scott, Annette (Scott)
 - a. Absent
 - b. Staff
 - O'Banion, Nicole (O'Banion)
 - Mouannes, Jason (Mouannes)
 - Henna Rasul (Rasul)
 - a. Public
 - None
 - b. **Quorum established**
2. Public Comment
 - a. No Public comment
3. **For Possible Action:** Review, discussion, and possible approval of *January 15, 2020 Meeting Minutes*.

Attachment 1

 - a. O'Banion suggested all members take a moment to review the minutes from the previous committee on Domestic Violence (CDV) Legislative Subcommittee Meeting. Ramos motions to approve the meeting

minutes. Seconded by Chairwoman Green. No further Discussion. All in favor. Motion Passed.

4. **For Discussion and Possible Action:** Legislative Subcommittee member Sue Meuschke, Executive Director, Nevada Coalition to End Domestic and Sexual Violence will facilitate a discussion on the role of the Subcommittee for the members to determine:
- Does the Subcommittee want to actively support chosen legislation through testimony during the Legislative Session?
 - Meuschke: We talked about this in the last meeting, if there was anyone that wanted the committee to play into the 2021 Legislative Session. I see on the agenda that there are three questions that we need to answer. (Meuschke reads through question 1) Any thoughts?
 - O'Banion: Well I would guess that we would need to bring any Domestic Violence, sexual assault, human trafficking legislation to a subcommittee meeting for discussion and choosing a piece of legislation.
 - Meuschke: Can we discuss this if it is not on your list?
 - O'Banion: These were your questions from the last subcommittee meeting, I did not make them up. But to answer your question, Henna are we able to discuss other things besides these three questions?
 - Rasul: I would recommend we stick to the agenda.
 - O'Banion: So just those three questions?
 - Rasul: Correct
 - Chairwoman Green: So my question is, does the subcommittee have the ability to actively support chosen legislation? I don't know if we do. There are official members, myself, Sue, Susan and Annette. I am not sure what we could do with four individuals.
 - Meuschke: So the question is (reads question 1), is there anyone that is on the committee that would like to be a representative of the committee?
 - O'Banion" Is there anyone on the committee that what Sue?
 - Meuschke: That would want to actively support through testimony during a legislative session as a representative of the committee.
 - Chairwoman Green: I could not time wise.
 - Meuschke: I am not hearing anyone volunteer. I would say the subcommittee does not want to actively support chosen legislation through testimony.
 - Chairwoman Green: I would agree

- Scott: What is actually required, how much time and everything? I assume if we are down south we are able to testify at the state building correct?
- Meuschke: It would depend on how many pieces of legislation are chosen, when hearings are held, how many hearings, there is no way of knowing.
- Scott: Does it just have to be one person or can multiple people share these duties?
- Meuschke: Anyone that is interested.
- Scott: It is not that I am not interested, but I could not take on that entire project alone, that would be a lot.
- Meuschke: This doesn't sound like something the subcommittee is able to take on.
- Ramos: I don't think I can with my work schedule and court schedule.
- Meuschke: So I think number 1 is a no, which the subcommittee is not suggesting that they are going to actively testify on legislation as part of this committee.
- Does the Subcommittee want to make legislative recommendations to the full Committee?
 - Meuschke: So this would be more reviewing, finding out, knowing what kind of legislation may be pending before the legislature. Reviewing that legislation and presenting it to the full committee. Some of that would be a little difficult. The Attorney General's Office, if they are going to bring forward any bills, I am assuming those bills would be available for review sometime between June and September is my guess. There may be other organizations that might have legislation where there is position to bring in to the committee. Most legislation will show up during the session.
 - Ramos: Wouldn't that be difficult since our full committee meets quarterly, it would be really difficult to make recommendations to the full committee.
 - O'Banion: We don't meet quarterly, we have been meeting every other month. Attorney General Ford supports having meetings whenever necessary. So if there was legislation, that you wanted to recommend then we could always pull a meeting together. I also thought that this question meant that after reviewing the next reports on the implementation of previous legislation or anything that you guys are aware of that may need to be tweak or any changes you wanted to make, that you would be recommending those to the committee. So not necessarily legislation that other groups are pulling together and just reviewing their legislation but if you guys had any

recommendations for the committee to support and for the Attorney General's Office to eventually bring in one of their BDR's. I think was Sues attempt at getting the responsibilities really defined as a committee together and then moving forward with what you guys decide you want to do.

- Meuschke: Given those two definitions of this question, what would the committee like to do?
- Chairwoman Green: I think earlier, one of the things we wanted to do was to look at legislation from the last session and kind of figure out whether it was working or not. I don't think we ever go to do a lot with that, is that correct?
- O'Banion: That is still in the works, maybe we need to take these items out of the order that I have them in on the agenda and maybe move item number 4 then circle back around to answer these questions, if you think that is appropriate Sue.
- Meuschke: I don't think we are going to have any epiphanies out of item 5. I think we need to decide what kind of work this committee wants to do. Once we have sort of looked at the implantation of some of the legislation (and some just started in January so we won't have a lot of data to look at anyway) the question is, is that a role for the subcommittee. If we are going to be reviewing legislation, how it was implemented and how we identify a problem, do we want to make recommendation for legislative changes.
- Chairwoman Green: So what I was thinking was, that it seems to me that the discussion needs to happen about what is already in place even though we may not have data. I think this subcommittee needs to meet in person for 2-3 hours. I think we would make a lot more progress in person on what we want to do if anything would pass legislation and what we want to do, our purpose, our goals. I believe we would make more progress on these questions and where to go with this.
- O'Banion: I would be more than happy to schedule the conference room so we can videoconference for next meeting, but I think the question is really simple. The question is, if we find any problems or any language that needs to be changed or any additional language that we feel would be beneficial, does this committee want to make recommendations. That means if the committee wants to do that, if something is found, then we would dig into that kind of work with that intent in mind.
- Scott: I am in favor of doing that, I think it is a natural fit for the subcommittee.
- Chairwoman Green: I agree.
- Ramos: I agree

- Yoxsimer: I agree
- Meuschke: I think that makes sense.
- O'Banion: Ok, so everyone on the subcommittee has said yes to the second question about making legislation recommendations if they find that some are needed.
- Meuschke: I would just add that it would not just be what we find as we are doing some of this research into how implementation is happening but we learn about potential legislative initiative that are happening out of our scope. We are not going to be the people that will be carrying the legislation, I think we were really clear about that.
- Any other legislative participation?
 - Meuschke: Anything else people need or want to do on this subcommittee?
 - O'Banion: I am just trying to think of examples of when that might be appropriate. Last year on denim day, we really showed up to support that particular day and there are different days during the legislative session, I know there is sexual assault, but I can't remember what day that was. Would those be considered other legislative participation that we would want to show up for as a subcommittee or do you have other idea in mind?
 - Meuschke: I think one of the questions was the committee in the past. I think all of those things are great and people should participate. I suppose we could do something that was specific to the committee that we identify as needing to happen. But one of the other things that this committee worked on in the past is the legislative report that goes through the legislative counsel bureau. I don't know if that is something this committee wants to continue.
 - O'Banion: I am not a member of the committee, just on the staff to help facilitate, but yes, I think that would benefit if the subcommittee members decide that they would want to assist in writing that report. I like the legislative participation question. Do the subcommittee members feel that would be part of their duties to help write the LCB legislative report on the committee on Domestic Violence?
 - Meuschke: The committee needs to submit a bi-annual report talking about what they have done, and more specifically how they have reached out to each judicial district and gathered input from judges.
 - O'Banion: So one of the things we did for that report for example last session and the previous session is submit questions to the AOC and then the AOC creates a survey and sends that out to all of the districts, gets feedback and then provides that to us.

That is a piece that is included in the report and the other pieces are what the committee has done. And I think this session there is going to be a lot to report on, and I would probably need to invite participation from each one of the subcommittees for their portion of that report to detail what it is those subcommittees have worked on. And then all of that would be put under the full committee. I think the legislative subcommittee would be a great fit for taking on the entirety of the report and then getting bits from others on their portions.

- Meuschke: After having heard all of that, what do you all think?
- Ramos: I wasn't on the legislative committee prior, but they have in the past assisted the Ombudsman to do the bi-annual report correct Sue?
- Meuschke: In the past yes, not last year, because there was no committee last year.
- Ramos: Right, but because they did it in the past and worked closely with the Ombudsman, I think if we are truly committed to the legislative subcommittee, than we should assist in doing that report.
- Yoxsimer: I agree with Susan, I think assisting with preparation of the report seems appropriate but I am not sure who said previously that this committee would be responsible for the entire report, so that part raised a question for me, but I think it seems appropriate that this subcommittee would assist with the completion of the portion that applies to legislative work.
- O'Banion: Clarification, I didn't mean you would be responsible for it. In my head I was envisioning that the legislative subcommittee would do the final review and edit of the whole report, and then the subcommittee would present the final draft to the full committee for any final comments or anything and then we would submit the final draft. I will definitely be participating in pulling all the information together for the report. And Susan and Sue had said working closely with these particular members for the final product.
- Meuschke: I would just add that appropriate work for the subcommittee would be to review the questions that are going to be forwarded to the judges. I think that it would be appropriate for this committee to receive the first draft of the report and be able to go through and make comments. And obviously we would also provide the information about what this committee has done as each committee should do. But rather than putting us all on the Ombudsman's broad shoulders, that there would be somebody that she could go to say "hey what do think of this, can someone help proof?" Also at the next meeting just to look at the

draft that went through the last legislative session so people can get a sense of what it is,

- O'Banion: Yes, I will put that on the next agenda.
- Meuschke: I don't know if you already have your survey questions for the judges... (O'Banion: no, I don't) Well maybe we can look at the questions that went out last time and comment on those. So we are going to be assisting the Ombudsman on putting together the legislative report and I think as we determine that there are changes during the legislative session, that we would make that information available to the full committee on how they wanted to participate. I suppose we could create an event or work with the Attorney General's Office to do some sort of event during the legislative session. You have to get on their calendar really early, some people do breakfast, but they also have tables or days to sign up for, and that might be something we need to talk to the larger committee about and get some examples of what other folks have done.
- Chairwoman Green: Sounds ok to me.
- Meuschke: So Nicole could you put an event on the next agenda, and we will just look at what other folks have done and have that discussion. Unless someone objects. Any other legislative participation that people are wanting to have more conversation about? (Ramos: I think that sounds great) Then I think we can move on.

5. **For Discussion and Possible Action:** Legislative Subcommittee member Sue Meuschke, Executive Director, Nevada Coalition to End Domestic and Sexual Violence will facilitate a discussion on the *Administration of the Courts Statistics and the Uniform Crime Report Statistics*. The Subcommittee members will decide on recommendations or additions, if any, to the *Legislative Action Plan*.

Attachment 2

- a. Meuschke: Part of the conversation that we had had at the last meeting was where could we go to understand how legislation is being implemented or not. And how would we know whether something is working or not. There were only two data sources that we identified during that discussion, one was from the courts that shows all of the cases that go through all levels of the court systems. You all have a copy of that report correct? (All: Yes) These are the statistics that the courts collect. They report out on District Court caseloads, and obviously for us, domestic violence felonies, protection order violations, are the kinds of cases that we would be interested in understanding. We know that in the last legislative session, the number of crimes had increased to a felony or the level of felony increased, so some of these numbers we

would think would increase based on that change in the legislation. Here is some baseline data about the number of cases that are currently going through District Court. (Meuschke reviews attachment) I would suggest that the number of cases going through municipal court and potentially justice court will be significantly smaller, but we can compare and see if there are more felony charges moving forward as a result of some of the legislation. In terms of the UCR (reviews report), I think a startling statistic is the number of orders served (reviews statistic). (Ramos checks out) We know that there has been changes to the service of protection orders, so it will be interesting to see if services increase. We have soft information on protection orders, so this might be a place where we ask nicely to the department of public safety if we could get some additional types of information in this report based on some of the legislation that would pass. For example could we see the length of orders or whether there are two or one year orders being issued.

- b. Chairwoman Green: Checking out.
- c. Meuschke: Looks like we lost our Quorum.
- d. O'Banion: No we still have Quorum, we only lost two people and we have 5 as long as there are still 3 on the line.
- e. Meuschke: Ok well that is the information on protection orders and then the final section is on Domestic Violence (Continues to review report). So if you look through the Jurisdictions that reported, notice that Metro did not report in 2018.
- f. Scott: Do we know why? Should there be an asterisk on there, I do not see one?
- g. O'Banion: Yes at that bottom of that page says the domestic violence number for 2018 is incomplete. (Reads asterisk)
- h. Meuschke: I shouldn't say that we don't know, I have heard Metro is using a different system. I have a call into them to try and find that out but they have not yet returned my phone call.
- i. O'Banion: Sue did you call the number that I gave you?
- j. Meuschke: Yes I did. So these are statistics that come out every year and generally they include law enforcement, so we need to figure out why 2018 is like this. I think that it would be interesting once we figure out what happened in 2018 just to see if there is any impact on arrests or people contacting law enforcement as a result of the Anderson Case. The four years prior to 2018 there was a consistent increase.
- k. O'Banion: I can reach out to Elynn if you would like to find out where Metro's numbers are and give that update on the next agenda.
- l. Meuschke: That would be great. In terms of some of the legislation that passed in the last session, I think the other data that would be interesting and I know that it is not conclusive either, is the number of administrative fee assessments that are coming in. There was legislation that changed those assessments so it is not just domestic

battery, but any crime included within the list of acts of domestic violence and that would have the relationship. (Reviews Report) I would encourage people to take a look at these reports and identify any of the data points that we should follow to understand better how laws are being implemented and those that were not and particularly if you want to look in your own jurisdiction. Those are the data places that I know to go to in order to understand some of the implementation of the laws. Any questions of comments or other areas that we need to go out and see if we can find the numbers?

- m. Scott: Thanks for reviewing and helping us understand that better.
- n. Meuschke: Should be interesting to see if the repository is able to add all the other orders and whether they are going to report out. Nicole, in the legislation was there a requirement that they include that information for reporting?
- o. O'Banion: There was no that piece in the legislation.
- p. Meuschke: I will call these people again and see if they return my call.
- q. O'Banion: If they don't Sue, let me know and I will contact the chief who had given me their direct line for you and let her know they are not responding.
- r. Meuschke: Any other questions or concerns? I do agree with April that it would be great if we could set aside a time to look at all the changes that occurred in the last session and really identify what we can understand based on some of the data that we have and then what is the other data that we need to collect and how do we go about doing that.
- s. O'Banion: Ok, so the next meeting will be scheduled in person between the Las Vegas and Carson City Office. Other people can weigh in if they think yay or nay on this.
- t. Yoxsimer: I agree with that, I think that it logical next step.
- u. O'Banion: Are we done with item 5 Sue?
- v. Meuschke: Unless anyone has any comments, yes we are done.
- w. Ramos: I am back. I had a question about the reports. Did anyone mention about the reopen cases, what that means?
- x. Meuschke: We can ask, we do not know what it means.
- y. Ramos: I would like to get clarification on those reports, what reopen means.
- z. O'Banion: Is that on the DPS report or on the AOC?
- aa. Ramos: On the reports from the courts that have all the cases from the jurisdictions, AOC.
- bb. Meuschke: No it's the AOC. Ok moving on.

6. **For Discussion and Possible Action:** Legislative Subcommittee member Sue Meuschke, Executive Director, Nevada Coalition to End Domestic and Sexual Violence will facilitate a discussion on the *Action Plan*:

- Any additions from Agenda Items #4?
 - So Agenda item 4 speaks to action item 3 on the action plan. So we have reviewed the process from previous sessions, and I think we have agreed that what the committee will do moving forward is as we are doing our review of implemented legislation and/or if we learn of other legislation, then we would review and make recommendations either to the committee about legislation that needs to move forward and/or legislation that we want to support. At least letting the committee know about the legislation that is out there.
 - O'Banion: Yes, everybody on the subcommittee said yes to this one.
 - Meuschke: The other thing that I heard is that we would support the Ombudsman in assisting with the bi-annual report. So we would provide feedback and review that report, is that a true statement?
 - O'Banion: Yes I have that down as a yes from all of the members. Should I add that to number four under activities of action item number 3?
 - Meuschke: I don't think so, I think what we do is that as a result of today's meeting we will be able to have a written process for the legislative subcommittee or at least we will begin to develop that. The third action would be identifying any events that will be happening during the legislative session or even creating an event. If people don't want to do that, please say no.
 - Ramos: That is what we agreed on.
 - Meuschke: Those are the three things that we as a committee are willing to work on, and not willing to go and testify as a committee or taking that on as committee work, but we will review and make recommendations and help with the report. Would anyone like to take those three things and create written process for us?
 - O'Banion: Do you happen to have a template of another written process that you have developed that could give someone some inspiration on how to draft that?
 - Meuschke: We will have templates of processes that we use to do things, right? This is like recommending legislation, we are going to review legislation that happened in the past, identify any areas that may need cleaning up or change or additions. You will approve that at the committee level and present it to the larger committee for approval. The Ombudsman will be presenting the questions that will go in front of the judges and we will review those and comment. We will review the first draft and the second draft or however many drafts of the report you would like to get reviewed and comment from the committee and then whether we

are the people that take it to the full committee or whether it is the Ombudsman.

- Meuschke: I am happy to do it, then you can all comment on it. I don't think there are any additional items from number 4. I think we have now moved into the next step. So in the next meeting we will have a draft process for the committee to review.
- Any additions from Agenda Items #5?
 - Meuschke: Touches on action item 2. We have developed the list, this is step 2, identifying information sources. So we are going to have another meeting and do some in depth thinking about where we can get information about how some of these laws are or are not being implemented. And out of the conversation hopefully we can reporting back. I don't think there are any new steps.
 - O'Banion: I agree
 - Yoxsimer: I agree as well.
 - Scott: I also agree.
 - Ramos: Me too.
- How to approach Listening Sessions?
 - I believe that the listening session were one of the areas where we would gain information about legislation. I think we are all engaged in listening sessions in our own agencies.
 - O' Banion: I would agree. So would one thing potentially be that at the next meeting as part of Action number 2 activity 4, which is where we would bring what we have heard in helping us identify potential changes to aid the implementation?
 - Meuschke: It would obviously be helpful if you can write it up.
 - O'Benion: Write up what we are hearing about the issues. So, all the subcommittee members on the phone, if you could take some time and make bullet points and bring it to the next meeting, that would be great and the next meeting is going to be in person.
 - Meuschke: If you could tie it to some of the legislative changes that would be great. For example if you are hearing that the judges are refusing to do two year orders that would be good information to hear about.
 - O'Banion: So what we are hearing about the newest legislation?
 - Meuschke: Anything that you are hearing, but particularly we want to know of any of the changes that have been made and are making a difference.
 - Ramos: Just need some clarification, are we providing these bullet points for the next full committee or to Nicole so she can include it all at once.
 - O'Banion: Those bullet points are going to be part of our discussion for our next in person subcommittee meeting.
 - Ramos: Oh ok, no problem

- O'Banion: We don't have anything pulled together that we are going to bring to the full committee yet.
- Meuschke: I would certainly encourage people to do some of this work and send it in early so we have something to work from, but also as we go through the different pieces of legislation, if you have something to add, that would be a time to talk about what we are hearing, what we are seeing and figuring out how we can document it moving forward.
- Scott: I am going to email April because I know her staff has a lot of input on this so that she can bring that with her to the next meeting.
- O'Banion: Thank you Annette. We really need it to be done early enough so that I can make it as an attachment or forward it on to the other committee members, so that when we come to the meeting we already have the information in our hands and can actually have a discussion rather than having to read it and go over it right at the meeting, which will just lengthen the time of the meeting.
- Scott: Is there a specific date you would like us to have that to you by?
- O'Banion: When we get to the next item, which is when we scheduled the next subcommittee meeting, then I will be able to give you guys a deadline day for having materials to me. Any other discussion in item 6? Ok, we will close item 6 and move on.
- Any other next steps? N/A

Attachment 3

7. **For Discussion and Possible Action:** the CDV and Subcommittee's tentative future meeting dates:
- Training Subcommittee: TBD | Location: Mock Courtroom, Carson City Office of the Attorney General
 - Still needs to be scheduled.
 - Court Subcommittee: March 6, 2020 @ 9:00 a.m. | Location: Mock Courtroom, Carson City Office of the Attorney General
 - Legislative Subcommittee: TBD | Location: Mock Courtroom, Carson City Office of the Attorney General
 - Meuschke: Anytime in March, otherwise I am not available until May. I am gone April 3rd through the 24th.
 - Ramos: Are we wanting to have another meeting before the 24th of March?
 - Meuschke: What does the March 19th look like for everyone?
 - Ramos: I am open

- O'Banion: I am not available that day, but we could still schedule the meeting. I could work with you Sue to get the agenda together and Jason can get the meeting up and running and record it.
- Yoxsimer: I can do the 19th of March.
- Meuschke: Nicole, what about the 25th or the 27th?
- O' Banion: I am open on both of those days.
- Ramos: I am open all day on the 25th and the morning of the 26th.
- Scott: I am open.
- Yoxsimer: I am open.
- Meuschke: Could we do a 1:00 pm to 4:00pm?
- O'Banion: I just have to verify that both meeting rooms are open at that time. It is the 25th we are looking at correct?
- Meuschke: Yes
- O'Banion: While we are waiting to hear back about the room, I will go over my notes for the next meeting agenda. These are just the notes that I scratched down; for the agenda I will bring the last LCB report that was filed for review and discussion, which contains the questions that were submitted to the judges last time, so we will look at if we want to change those questions. The structure of the report and what information and what we want to have included on this upcoming LCB report. I have down that we will look at if we want to participate in an existing event as a subcommittee or full committee during the legislative session or if we would like to recommend a creation of an event to the full committee. I have that I will check with Elynn on where Metros numbers are being reported and if I can get that information and bring it to the next meeting to add to the information on the reports we went over today. I will also see if I can find out any information in regard to the fees being assessed and if there is any change, hopefully an increase in those. I have that we are all to read over these reports and identify any data points that we want to bring attention to in our next discussion. Sue will draft the process for the subcommittee on the different tasks, so we will have that as a draft item to go over. We will also write up bullet points on what we are hearing in our own agencies and another committees that we are on any legislation and get those to myself so that I can have them as an attachment on the next agenda.
- Meushcke: Particularly any legislation that passed in the last session.
- O'Banion: So I did just get confirmation back that the conference rooms are open March 25th from 1:00-4:00 pm. So we will schedule the next meeting at that time, which then means that the deadline to get me material is COB March 16th. That is all that I had down to put on the next subcommittee meeting. Any

other comments or discussion for item 7? Item 7 closes, moving on.

- Committee on Domestic Violence: March 24, 2020 @ 2:00 p.m. | Location: Mock Courtroom, Carson City Office of the Attorney General via video Conference Room 4500, Las Vegas Office of the Attorney General.

8. Public Comment. N/A

9. **For Possible Action:** Adjournment.

- O'Banion: can I get a motion to adjourn?
- Meuschke: I move to adjourn.
- Ramos: I second.
- O'Banion: We are adjourned.

Minutes respectfully submitted by: Kristalei Wolfe

Edited by: **Nicole O'Banion**

Office of the Attorney General