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

Meeting Minutes

Wednesday, January 15, 2020 at 9:00 a.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 9:00 a.m.
    b. Present
        - Chairwoman Green, April (Chairwoman Green)
        - Meuschke, Sue (Meuschke)
        - Ramos, Suzanne (Ramos)
    a. Absent
        - Scott, Annette (Scott)
        - Yoxsimer, Denise (Yoxsimer)
    a. Staff
        - O'Banion, Nicole (O'Banion)
        - Mouannes, Jason (Mouannes)
        - Detmer, Michael (Detmer)
    a. Public
        - None
    b. Quorum established

2. Public Comment
    a. No Public comment

3. **For Possible Action:** Review, discussion, and possible approval of *December 11, 2019 Meeting Minutes.*
    Attachment 1
    a. O'Banion suggested members take a moment to review the minutes from the previous Committee on Domestic Violence (CDV) Legislative Subcommittee meeting. She asked for a motion to approve the meeting

minutes. Motion to accept the minutes by Meuschke. Seconded by Ramos. 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 *Draft List of Legislative Changes.* The Subcommittee status of the listed NRS. Members will volunteer to contact identified sources and obtain information on each NRS that apply to that source for discussion at the next Legislative Subcommittee meeting
Attachment 2
    a. **Meuschke:** I went though and moved the changes from each bill into their chapter, and I did make one error under chapter 49, I listed something from chapter 480, which will need to be moved. This chart ranks out the changed by NRS sections, (Chapter 33, 125,171, ect) As I looked at all of these, there is no single or exact way that we can necessarily obtain information about how that law is being implemented. I think there are some places we can go to get some reports, the Uniform Crime Report (UCR) from Department of Public Safety has reporting on protection orders which may or may not include all of the changes that happened here as we are talking about change of definition, consideration of factors, service, ect. But that is a good place to look at what information is contained there. Through the UCR, there is also information about arrests, but this last report was problematic in that it did not contain any information from Metro, so I do think we need to talk to the Department of Public Safety and find out if that will be an ongoing issue. If that is the case, then we don't have any statewide reporting. In terms of the U-Visa issues, there is supposed to be a report that is going to LCB on the implantation of this, and we can look at that and see if that is enough of a report. I think some of this will be antidotal and will be coming from people who are not getting a two year extended order. It may require this body or some other body to convene some focus group, and listening sessions to ask specifically about pieces of this legislation and or create some way that people can report on an ongoing basis. The AOC does a report about cases in courts, and breaks out cases in the District, Justice and Municipal courts and has sections that talk about Domestic Violence. So that might be something we can compare year to year, because we changed from misdemeanor to gross misdemeanor to felony to see if there is any movement in that. Does anyone want to address any of these chapters?

    b. **ALL:** No, we don't

c. **Meuschke:** Does anyone have any ideas about other ways that we can collect information about the implementation of some of these pages?

d. **Ramos:** I know we had a defendant already violate the appeal so we are referring it to the DA's office and we will know what will be antidotal. I am sure the court would know if there is any appeal violations that are gross misdemeanors.

e. **Meuschke:** I am sure those stats exist, but I am not sure how much of it is compiled.

f. **Ramos:** Well I think they report to the AOC, but I don't know how current they are.

g. **Meuschke:** So the courts do report, but I do not know if they report in that much detail. They break it down in fairly broad categories (it's a misdemeanor, its domestic violence, it's a felony). Let's pull that report for the next meeting, and identify what we will be able to get from that.

h. **O'Banion:** That is what I was going to suggest, and see what we can do from there.

i. **Meuschke:** Nicole, were you able to reach out to DPS to find out the lack of metro reporting?

j. **O'Banion:** When you said that I remembered that Eric Spratley has said that they are in the process of switching reporting systems, so Metro reported to the new system and the rest of the state hadn't gotten over to the new system. So I am going to reach out to Eric and get clarification on where we access the information from the new reporting system and if we can pull reports from both so we make sure we have data from the entire state. Do you want me to see if we can get a copy of the report that they are supposed to be sending LCB, or will we just get that from LCB once they send it?

k. **Ramos:** The report that Metro is getting**.**

l. **O'Banion:** Yes, I am going to reach out to Eric and find out where those systems are so that I can give correct information and how to get the reports from the new system that is transferring over, and find out which jurisdictions are still reporting to the old system and which ones have transferred over to the new one.

m. **Meuschke**: So if you go to the UCR tab in the Department of Public Safety Website, you can look at the published report for 2018, regardless of where or what system the information is going to, it will seem that they should have been able to incorporate that information. They published a report stating only 6,000 arrests or cases of Domestic Violence in Nevada.

n. **O'Banion:** I can reach out to Mindy at DPS to see about that, but when I originally reached out to her, only about a few weeks ago, they responded with what the fiscal impact was to their agency. Thought we might want to contact someone else in DPS to get the information we are looking for.

o. **Meuschke:** So if Metro and other groups have reported in a different system and there is a different report that has been generated, is there any way that that can be published. I did not see anything where they made that observation that because of system change, the largest jurisdiction in the state is not included, therefore these numbers are incomplete.

p. **O'Banion:** I'll just reach out to Mindy and ask her to connect me with the person or persons who would be the contact for UCR.

q. **Meuschke:** In terms of the report from AOC, obviously some of these changes won't go into effect until January 1 so there is no reporting to be done yet. It takes a little bit after the end of the year for these reports to be generated. I get them third hand so I am not exactly sure when they come out, but they are on the AOC website. We talk to John or Robin about when it generally comes out and figure that out.

r. **O'Banion:** Are you willing to do the AOC part and I'll do the DPS part?

s. **Meuschke:** Sure, I will get the reports and send a copy to you to go out to everyone so they can have the opportunity to look at it and we can determine whether the data that is there is specific enough to answers questions such as the extend orders.

t. **O'Banion:** So that is the two we are going to start with then, AOC and DPS?

u. **Meuschke:** Yes, that would be great. I do think at some point we finish looking at those reports and understating what that can tell, that we might want to then consider how we do focus groups or listening sessions and by that we may want to ask sheriffs and chiefs and DA's.

v. **O'Banion:** Is there any other comments about item four? Great let's move on to item 5.

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 action item #3 from the *Action Plan*, review and recommend potential 2021 legislation to the Committee on Domestic Violence.
Attachment 3
   a. **Meuschke:** One of the items on the action plan was to create a process to recommend to take and one of the things I said I would do is go back through the past and look at the different ways that this committee has participate. Going back to the beginning of the committee, before there was any structure available, the committee actually drafted requests for legislation. In 1997, there was this huge bill that created the ombudsman's office, created treatment standards and requirements, made changes to any number of statues around Domestic Violence and that all came from the counsel. After that, there was a belief that now there are staff within the Attorney General's office that were working on some of these issues and there was an opportunity for the counsel to review and comment on proposals that were coming out of the Attorney General's office. There was still participation by the council members and the committee when legislation was being proposed. Moving forward, I think there was less direct involvement in the legislation and more just reviewing and commenting but also reaching out in search of other legislation. The other thing that this committee had been responsible for was the development bi-annual reporting for the legislature. The question is, could this committee or the counsel be involved in anything, and if so, what would we suggest it look like and what do you think?

   b. **O'Banion:** One thing that would involve the committee is expanding to include Sexual Assault and Human Trafficking, since we essentially already doing that, do we want to expand that in the NRS and then potentially add to or change the name of the committee to include Sexual Assault and Human Trafficking along with Domestic Violence.

   c. **Meuschke:** That would be a legislative proposal.

   d. **O'Banion:** Right, but is that something we want to**?**

e. **Meuschke:** The question I am asking, not specific legislative issues at this moment, is what we as a committee think the role of the committee should be in terms of legislation. Should we be actively advocating for legislation or reviewing as it comes by or should we not be doing anything. There are a lot of different permutations, but we need to decide if this is something we want to be involved in and of course it would need to go to the committee for voting.

f. **Chairwomen Green:** I will be honest, but I do not know if I have time to review potential litigation all the time. Here at Legal Aid during the legislative "pre-season" we always get a lot of emails but with a full caseload and a unit to run it. I find it hard to concentrate enough on what is written. Somethings are very obvious and others you have to do a lot of work and I am not sure I have that time.

g. **O'Banion**: I know that several of the committee members are automatically very active, like yourself Sue, Eric Spratley, myself, the Attorney General, so I don't know if those who already are really active at the legislature during session want to get together and keep the information circulating between that group of committee members that are actively down at the legislature on a regular basis. I am not sure how to do that.

h. **Meuschke:** So I think one of the things we make a decision about is what role does the committee as a body, and this subcommittee as a body want to play in this process. I heard what April said and believe that is a lot, but is there an appetite for this committee to take on a legislative issue, like Nicole suggested there is an issue, but is creating some legislative change a role for this committee or the broader committee? Yes or no, these are just questions that come up. It is deciding what it is the committee will do, whether that is just getting reports from the people that are involved so people are aware of what is happening, but if it is being able to be clear that our legislative committee is or is not out there drafting legislation. I think we just need to clarify so everyone knows our role to solve questions like "why don't we do that?" or "why are we doing that?"

i. **Ramos:** I don't have time a lot but still think it is important for the committee to be active in that because we are the committee for the state of Nevada and if were aren't pushing issues or supporting them, then what are we doing ? So I think it is important that we have some involvement and clarification with the whole committee and those who are active that are going to be there as there agency is part of speaking on behalf of Domestic Violence.

j. **Detmer:** A subcommittees powers, functions, their authorities are not dictated by a statue or regulation or some other executive order. It would be dictated by the parent committee. I believe the Chairwomen already discussed this, but a conversation on what kind of role the subcommittee would like to take on is fine, but ultimately unless the function that you discussed is provided by statue or regulation or executive order it would have to be vested onto you by the parent committee, which I believe you said that, so I apologize.

k. **Meuschke:** The discussion we are having here is what we are going to take back to the larger group for our recommendation. So Susan you are thinking that the committee should be actively involved in the legislative process?

l. **Ramos:** It depends on my job because we have jury trials, and this is my first year on the legislative committee so I have never participated in the past and I have gone to testify on some bills as an advocate. I just think we need to come up with some options and have the whole committee vote on it.

m. **Meuschke:** What I would ask is to think about what you are asking and how that would be put into practice. I am asking that because the counsel, the committee, has gone through a variety of different postures and some have worked and not worked. I think we just need to be clear about what we think and then be able to have this discussion with the larger committee and then further that discussion with them, but we need it to be clear what we are asking. Any other thoughts?

n. **Chairwomen Green:** While I do have my time constraints, I do see the logic in the sense that this is a natural thing for a committee calling itself the legislative committee-subcommittee for the Attorney General to be involved with important legislation and to weigh in on all related to that. I just hope that we can find a way to carve out what the roles/ expectations are so that there is clarity and the workload is evenly distributed.

o. **Meuschke:** I think that is the full purpose behind this discussion. Is it even possible for a committee to follow every piece of legislation? Given all the information we have gathered in the last year for the suggestion that has come from the Attorney General's office that this one thing happened, that we as a committee will take a position on this and work on this particular bill and that is it. There are all the pieces that we need to be clear about.

p. **Ramos:** That is what I am thinking, that we just select form all the prosed bills and choose what ones we are going to be in support of. I think that is a lot better than going over every bill, prioritize.

q. **Meuschke:** If the two of you could put your ideas into writing and send that to Nicole.

r. **O'Banion:** We need to set our next meeting date and then I can give deadline for that.

s. **Ramos:** I do want to submit it to you to review before it gets seen by the main committee.

t. **Meuschke:** We are looking at April 2020.

u. **O'Banion:** We have had monthly meetings since the subcommittee got started, so I don't know if we want to meet again towards the end of February or not. Are we done discussing item 5 and ready to move on?

v. **Meuschke:** We are done with 5, we have some thoughts and next meeting we can come to some consensus

6. **For Information Only**: the CDV's tentative future meeting dates:
   - Training Subcommittee: TBD| Location: Mock Courtroom, Carson City Office of the Attorney General (Sometime is February)
   - Court Subcommittee: January 27, 2020 @ 12:00 p.m. |Location: Mock Courtroom, Carson City Office of the Attorney General
   - Committee on Domestic Violence: January 28, 2020 @ 10:00 a.m. | Location: Mock Courtroom, Carson City Office of the Attorney General via video Conference Room 4500, Las Vegas Office of the Attorney General. (Webinar on Jeanne Geiger's High Risk Model Approach)

O'Banion: We just need to set a date for the next Legislative Subcommittee Meeting:

Ramos: Do you want to send some suggested dates or just decide now?

O'Banion: Let's decide now if we can, it just expedites the process. Looking at February 3, 2020.

Ramos: February the 13th, or the 20th?

O'Banion: I can do either of those, Sue?

Meuschke: I could do the morning of the 13th.

O'Banion: So 9:00 am on the February 13, 2020. Which means I will need to have the write ups from April and Suzanne and from you, Sue, if you have any ideas as well by COB on the 5th. And just to go over the agenda ideas that I wrote down to have for the next agenda, we will have the AOC and the UCR reports to discuss, for where they may apply to our NRS list. And any other statutes that we aren't able to answer in those reports, we will have a discussion on any other possible sources. I will also have on there to review the action plan and discuss if we would like to possibly add listening sessions for the Legislative Subcommittee. Finally, a discussion on the role of the subcommittee in regards to the legislation.

Meuschke: So a question in what the agenda might look like, we have done our work around high risk teams, we are going to bring all the information, will we be bringing any of that back to the subcommittee?

O'Banion: We can add items after we do that webinar**,** then we can add an item on the high risk team model approach. I will need any material by COB on February 5, 202 for discussion in the next subcommittee which is at 9:00 am on February 13, 2020. Any more comments on item 6?

7. **Public Comment**
   None

8. **For Possible Action:** Adjournment

   O'Banion: Can I get a motion to adjourn?

   Meuschke: I motion

   Chairwomen Green: I second

   a. Meeting Adjourned

Minutes respectfully submitted by: Kristalei Wolfe
Edited by: **Nicole O'Banion**
Office of the Attorney General