

**NEVADA OFFICE OF THE ATTORNEY GENERAL  
COMMITTEE ON DOMESTIC VIOLENCE (CDV)  
BATTERERS' TREATMENT SUBCOMMITTEE**

***Meeting Minutes***

***Thursday, April 23, 2020 at 1:00 p.m.***

Pursuant to Declaration of Emergency Directive 006 from Governor Sisolak dated March 22, 2020, the CDV Batters' Treatment Subcommittee Meeting will be held by teleconference.

**Teleconference Access:**

**Dial in using your phone:**

United States: +1 (872) 240-3212

**Access Code:** 331-653-677

1. Call to order and roll call of members.
  - a. The Committee on Domestic Violence (CDV) Batters' Treatment Subcommittee meeting was called to order at 1:03 pm.
  - b. Present
    - Chairwoman Judge Lynch, Patricia (Chairwoman Judge Lynch)
    - Armstrong, Ross (Armstrong)
    - Cisneros, Jessica (Cisneros)
    - Ortenburger, Liz (Ortenburger)
    - Ramos, Suzanne (Ramos)
  - c. Absent
    - Moseley, Leisa (Moseley)
    - Meuschke, Sue (Meuschke)
  - a. Staff
    - O'Banion, Nicole (O'Banion)
    - Mouannes, Jason (Mouannes)
    - Rasul, Henna (Rasul)
  - b. Public
    - Fitzpatrick, Dennis (Fitzpatrick)
    - Metherell, Leticia (Metherell)
  - d. **Quorum established**
2. Public Comment.
  - a. No public comment.

3. **For Possible Action:** Review, discussion, and possible approval of June 24, 2019 Meeting Minutes.

**Attachment 1**

- a. Judge Lynch asked for a motion to approve the meeting minutes.  
Motion to accept minutes as submitted by Ramos. Seconded by Lynch.  
All in favor. Motion passed.
4. **For Possible Action:** Review and discussion of the new certification application for the *P.A.R.C. at Sankofa, LLC* treatment program and possible recommendation to the CDV for the CDV's final recommendations to the Division of Public and Behavioral Health of the Department of Health and Human Services on the program's certification.

Pursuant to NRS 228.470(2)(b), the CDV shall: "Review programs for the treatment of persons who commit domestic violence and make recommendations to the Division of Public and Behavioral Health of the Department of Health and Human Services for the certification of such programs."

**Attachment 2**

- a. Judge Lynch asked to review the application and address any questions or concerns regarding the documents provided by the applicant. She stated that everything in the application is in order. Although this was a new program, the supervisor and provider supporting the program have been certified through programs approved in the past. She expressed her disappointment in the way the packet had come forward and feels there is a repetition of documents and no order to follow documents. She wanted to look at qualifications for providers in beginning of packet instead of at end where it was located.
- b. Metherell stated the page noting they were certified would be sufficient otherwise there would be more repetition. Applicants do not always have to show certification proof.
- c. Ramos agreed with Judge Lynch that the information for providers should be in the front of the packet.
- d. Metherell expressed being open to some format suggestions although every time they have provided an application same way and the CDV had recommended it.
- e. Judge Lynch reiterated she has not been happy with it.
- f. Metherell stated that a document showing a provider's existing certified status and current continued education units (CEUs) as the first page may be helpful to everyone and she was happy to put it together.

- g. Judge Lynch asked for comments from other members about the packet format.
- h. Ortenburger understood that the subcommittee was approving new program applications but inquired about the role since the Division of Public and Behavioral Health (DPBH) already approved the applications.
- i. Judge Lynch and Ramos requested DPBH adjust the format to the packet as they know what to look for in the applications.
- j. O'Banion reminded the subcommittee that the approval of recommendation for new programs to DPBH is an impractical process and was intended to be removed from the Committee on Domestic Violence but the language was not modified completely and inadvertently left this role for the Committee on Domestic Violence. The subcommittee and CDV do not have the authority to approve new programs rather only providing a recommendation of approval. By the time the subcommittee and CDV reviews the program, generally the new program has been already approved by DPBH.
- k. Judge Lynch stated that this is why she had opposed the legislation that removed the responsibility and authority to govern batterers' treatment programs from the Committee on Domestic Violence. She had seen the evolution of the committee and felt it might be more appropriate to stay with the Nevada Attorney General's Office.
- l. O'Banion stated again that the CDV does not have authority to approve new programs. The CDV can only provide recommendation of approval.
- m. Judge Lynch asked Rasul if that is her understanding as legal counsel.
- n. Rasul responded the recommendation is not binding and does not extended authority.
- o. Metherell explained that she appreciated the recommendation and may or may not take it into consideration.
- p. Mouannes explained to members and public, as the individual who handled all the paperwork for batterers' treatment programs under supervision of the previous Ombudsman, various problems took place when batterers' treatment programs were overseen by committee:
  - The Nevada Office of the Attorney General did not and continues not to have the administrative capacity to manage the certification of batterers' treatment programs effectively.
  - The review of applications being delayed due to meetings not having a quorum pursuant to Open Meeting Law (OML) requirements.
  - The Division of Public and Behavioral Health handles all other health facility licensing and maintains an active database.
  - No funding to provide proper oversight and compliance.

- q. Ortenburger confirmed that new programs come already approved from DPBH and afterwards the committee provides an approval recommendation even though the program had been already approved. In this case, if all requirements of the Nevada Administrative Code (NAC) had been covered, the subcommittee should be focusing on a new task.
  - r. Judge Lynch stated that the NAC required curriculum be evidence-based which is a really watered-down approach.
  - s. Armstrong supported Ortenburger in her thoughts. He did not think the committee needed to micromanage batterers' treatment programs and committee members should not put legal counsel on the spot as that can be inappropriate. The NAC could be interpreted being that the committee should have a broad role. CDV has an important voice to include things in the NAC and recommend make them evidence based while ensuring capacity, assessing complaints against providers, and offering effective recommendations. As a result, looking at making changes to the NAC may be a better use of committee's time.
    - Ortenburger added that the committee can consider reviewing batterers' treatment program metrics around Nevada (how many people serviced, the demographics of those serviced, etc.).
  - t. Judge Lynch expressed interest in securing a domestic violence program coordinator and compliance investigator as this role was valuable in the past.
  - u. Metherell stated that COVID-19 led providers to ask for compliance agreements for electronic requirements. The Division can leverage compliance resources.
  - v. Judge Lynch asked for a motion to recommend approval of application to DHHS. Ramos motioned to provide approval recommendation to the Committee on Domestic Violence. Seconded by Judge Lynch. All in favor. Motion passed.
5. **Information Only:** the CDV's tentative future meeting dates:
- a. Training Subcommittee: TBD | Location: TBD
  - b. Court Subcommittee: Monday, May 11, 2020 @ 2:00 p.m. | Location: Teleconference
  - c. Legislative Subcommittee: Wednesday, May 27, 2020 @ 1:00 p.m. | Location: TBD
  - d. Committee on Domestic Violence: Friday, June 5, 2020 @ 2:00 p.m. | Location: TBD

6. Public Comment.

- a. Dennis Fitzpatrick mentioned the lack of effectiveness of batterers' treatment groups is something no one is looking into and we know that Nevada is the worst state for female safety and murders. In addition, the recidivism rate is probably at least 50% or higher. As a result, we need some examination to improve our outcomes. The second item he wanted to point out is that there is no testing of groups as an individual can show up 26 weeks, pay fees and graduate without knowing if they learned anything or not. Finally, he recommended that for people who have to travel a distance, they should be able to complete online classes.

7. **For Possible Action:** Adjournment.

- a. Judge Lynch asked for a motion to adjourn. Ramos motioned to adjourn. Seconded by Armstrong. No further discussion. All in favor. Motion passed. Meeting adjourned at 1:52 pm.

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

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