

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

***Meeting Minutes***

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***Monday, May 11, 2020 at 2:00 p.m.***

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

**Teleconference Access:**

**Dial in using your phone.**

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**Access Code:** 358-454-301

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1. Call to order and roll call of members.
  - a. The Committee on Domestic Violence (CDV) Court Subcommittee meeting was called to order at 2:15 pm.
  - b. Present
    - Chairwoman Judge Jones, Cassandra (Chairwoman Judge Jones)
    - Cisneros, Jessica (Cisneros)
    - Judge Lynch, Patricia (Judge Lynch)
    - Ortenburger, Liz (Ortenburger)
    - Ramos, Suzanne (Ramos)
  - a. Absent
    - Scott, Annette (Scott)
    - Dr. Troshynski, Emily (Dr. Troshynski)
  - b. Staff
    - O'Banion, Nicole (O'Banion)
    - Mouannes, Jason (Mouannes)
    - Rasul, Henna (Rasul)
  - c. Public
    - None
  - c. **Quorum established**
2. Public Comment.
  - a. No public comment.

3. **For Possible Action:** Review, discussion and possible approval of *April 16, 2020 Meeting Minutes*.

**Attachment 1**

- a. Chairwoman Judge Jones suggested members take a moment to review the minutes from the previous Committee on Domestic Violence (CDV) Court Subcommittee meeting. She asked for a motion to approve the meeting minutes. Judge Lynch requested 4K properly address the pre-trial risk assessment tool (PRAT). In addition, “council” should be corrected to “council”. Chairwoman Judge Jones asked if any members had additional points of clarification. Ramos motioned to adopt the minutes including Judge Lynch’s corrections. Seconded by Judge Lynch. No further discussion. All in favor. Motion passed.
4. **For Discussion and Possible Action:** CDV Member, Judge Cassandra Jones, Justice of the Peace, Douglas County will lead a discussion on the follow-up items from the April 16, 2020 meeting minutes. Members will decide if there is anything from the updates that should be added to the *Action Plan* or if further action needs to be taken.

**Attachment 2**

- a. Judge Lynch asked Rasul if she had the opportunity to review legislation about the confidentiality of the pre-trial risk assessment tool (PRAT). She also mentioned an increase in bail reform discussions by judges nationwide. Finally, she spoke with Judge Clifton from Reno, an expert on criminal law with extensive experience around domestic violence cases, about the constitutional challenges with limiting access to the PRAT by defendant.
- b. Chairwoman Judge Jones asked if Ramos had the opportunity to put together a memo about current statutes around the release of police reports(s) and the victim risk assessment(s).
- c. Ramos responded she did not have the opportunity to create the memo due to medical issues she experienced since the last meeting.
- d. Chairwoman Judge Jones suggested Ramos also research any bail restrictions to include in memo as this can help assess risk to the victim and the public.
- e. O’Banion updated the subcommittee that she has not been able to get a hold of the Jeannie Geiger Crisis Center (JGCC) regarding any data around defendant becoming more violent after reviewing the risk assessment and is still waiting for response. In addition, she sent questions to her contacts to get some feedback around legislative changes to risk assessment. Washoe and Clark County would consider supporting it. The Nevada Sheriffs’ and Chiefs’ Association (NVSCA) would not support it. They predicted unintended consequences to policies and procedures especially if an additional mandate was

created for officers. The main concern is that the offender would have access to the risk assessment, further endangering the victim or causing the victim to not provide all necessary details. Any documentation viewed by a judge is accessible to both the plaintiff and defendant.

- f. Ortenburger mentioned only using the lethality number from the assessment.
  - O'Banion responded there was no legislative support for such measure.
- g. Subcommittee members continued to discuss other solutions to assess risk to victims while keeping them safe during the court process. Some members mentioned providing the judges with additional information that may answer the questions from DA-LE without increasing the risk to victim. The challenge is validity of process to assess the risk.
- h. Chairwoman Judge Jones indicated that might be a good idea, although that may not be an accurate assessment leading to other issues. She knows some of the bigger factors contributing to lethality include recent job loss, gun possession and strangulation.
- i. Judge Lynch stated that after her conversations with Judge Clifton and the Judicial College, the best approach might be to further educate judges on this issue, especially around the power and control relationship dynamic. O'Banion agreed.
- j. Chairwoman Judge Jones mentioned she might be able to communicate with the Chair for the Limited Jurisdiction Judges for possible participation in January training since the June training was cancelled due to COVID-19 pandemic. The idea would be to provide a domestic violence training at their next conference.
- k. Ortenburger supported this idea. We can ask judges what they want to know more about to help them. They might want to know effectiveness of batterers' treatment programs. This could lead to a great, positive discussion.
- l. Chairwoman Judge Jones said judges believe batterers' treatment programs help reduce recidivism. The other thing is introducing things related to domestic violence that may have not been seen as related to DV, such as harassment and disorderly conduct. Again, she will reach out to the Chair.
- m. Judge Lynch asked O'Banion if she shared information about trauma leading to physical changes in brain. O'Banion responded she did. Judge Lynch stated that scientifically backed research is supported by judges when assessing domestic violence situations.

5. **For Discussion and Possible Action:** CDV Member, Judge Cassandra Jones, Justice of the Peace, Douglas County will lead a discussion on the *Court Subcommittee Action Plan*. The Subcommittee members will discuss the *Action Plan* for next steps and the update to the full CDV.

**Attachment 2**

- a. The discussion took place in the previous item.
  - b. Judge Lynch asked about implementation model on the action plan. Subcommittee members decided to remove the implementation model as need has disappeared.
  - c. The goal is to make sure judges educated.
6. **For Discussion and Possible Action:** the CDV's tentative future meeting dates:
    - Committee on Domestic Violence: Friday, June 5, 2020 @ 2:00 p.m. | Location: TBD
    - Legislative Subcommittee: TBD | Location: Mock Courtroom, Carson City Office of the Attorney General.
    - Training Subcommittee: TBD | Location: Carson City Office of the Attorney General.
    - Court Subcommittee: TBD | Location: Carson City Office of the Attorney General.
  7. Public Comment.
    - a. No public comment.
  8. **For Possible Action:** Adjournment.
    - a. Meeting adjourned at 2:56 pm.

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

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