**NEVADA OFFICE OF THE ATTORNEY GENERAL**

**COMMITTEE ON DOMESTIC VIOLENCE (CDV)**

**LEGISLATIVE SUBCOMMITTEE**

# *Meeting Minutes*

***December 11, 2019 at 2:30 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.
   1. The Committee on Domestic Violence (CDV) Legislative Subcommittee meeting was called to order at 2:30 p.m.
   2. Present

* Chairwoman Green, April (Chairwoman Green)
* Meuschke, Sue (Meuschke)
* Ramos, Suzanne (Ramos)
* Yoxsimer, Denise (Yoxsimer)
  + - * 1. Absent
    - Scott, Annette (Scott)
      * 1. Staff
    - O’Banion, Nicole (O’Banion)
    - Mouannes, Jason (Mouannes)
    - Bhalla, Asheesh (Bhalla)
      * 1. Public
* Fralick, Lori (Fralick) from the Washoe County District Attorney’s Office
  + - * 1. **Quorum established**

1. Public Comment
   1. No Public comment
2. **For Possible Action:** Review, discussion, and possible approval of *October 24, 2019 Meeting Minutes.*

**Attachment 1**

* 1. **O’Banion** suggested members take a moment to review the minutes from the previous Committee on Domestic Violence (CDV) Legislative Subcommittee meeting. Meuschke motioned to approve the meeting minutes. Seconded by Green. No further discussion. All in favor. Motion passed.

1. **For Discussion and Possible Action:** Legislative Subcommittee member Sue Meuschke, Executive Director, Nevada Coalition to End Domestic and Sexual Violence will present the Legislative Subcommittee Action Plan. The Subcommittee members will discuss the Action Plan for any changes, additions or approval as presented.

**Attachment 2**

* 1. **Meuschke:** The Legislative Subcommittee Action Plan was included in the agenda. She discussed the three action items. The activities included the conversation we had, the webinar we had, and that we had scheduled a webinar for the whole Committee on Domestic Violence. Meuschke asked O’Banion if that was still true.
  2. **O’Banion:** Yes, on the meeting agenda under Item 8 it is scheduled for January 28, 2019, at 10:00 am. the date of the next full Committee meeting.
  3. **Meuschke:** We will again have that conversation and afterwards we will determine the next steps and I know there is some movement on that already. The second action step is that by June 2020, and ongoing, is to identify and track 2019 legislative changes to understand how these changes are being implemented throughout the State. We have developed a list of all of the changes that occurred in the 2019 Session, and today we will be discussing that list, making any changes that need to be made and identifying how we will move forward. You can see all the activities, the due date, and what we need to have to document our work. The third action item is by April 2020, and ongoing, create a process to review, recommend and take a position on suggested legislation for the 2021 session and again looking at the process that existed before coming up with our own specific process dates and documentation included. Meuschke asked for any questions, comments or concerns or changes to the document.
  4. **Ramos:** Looks good Sue.
  5. **O’Banion:** Great, if there is no further discussion or comments on the action plan, we will move on.

1. **For Discussion and Possible Action:** Legislative Subcommittee member Sue Meuschke, Executive Director, Nevada Coalition to End Domestic and Sexual Violence will present the Draft List of Legislative Changes. The Subcommittee members will discuss the list for any changes or approval of the list as presented.

**Attachment 3**

* 1. **Meuschke:** Changes broken up by bill, the sessions, and all of the sessions that were changed are listed and there is a brief discussion of what those changes are. (She goes over the chart, and shows where you can find and track whether the changes are occurring, not occurring or back firing, Meuschke noted this can be rearranged and grouped differently.) Is this document usable, do we need to change the way we ordered this, any thoughts?
  2. **O’Banion:** What about breaking it down into topics and then it might make it easier for the committee members to volunteer to do some research per topic? If not can you share how you envision the follow up on the implementation is going on these sections.
  3. **Meuschke:** All of this is up for grabs. There are a lot of changes to Chapter 33, the protection order statue. The amount of time for the temporary and extended orders, the requirements for judges and how they are going to review certain information, and penalties. Some of the information we can try to get from the annual report from the central repository. If we get that more frequently, it would help to see if we are seeing the 45 day court orders being issued or if any data is being collected to show whether the two year extended orders are being granted. Some will be antidotal, Nevada doesn’t collect a lot of data. Think about where the data does exists if it does and collect antidotal information on what is or isn’t happening. I can re-categorize everything if that makes it easier to read, but I would like people to look at the different NRS sections and see if you have access to that information and are willing to help collect some data.
  4. **O’Banion:** Sure, just to make sure it is thorough. Why don’t I add this to the agenda, to give time for people to really read over this list. Would the individual DA’s offices be able to provide answers to some of those questions? We could break it up into either topics of what the statues are referring to or into information sources. Do you have a contact at the central repository Sue?
  5. **Meuschke:** Not sure who is over there but will make a call and find out.
  6. **O’Banion:** Ok I have a contact also. I could set up at least a call or meeting with you (Meuschke) and I and one of the managers over at the repository to see what information we could get and that would help us determined which statues we would need to identify other sources.
  7. **Chairwoman Green:** Hearing Master Amy Masten is keeping stats since they started doing the live hearings on the initial TPO application. Not the emergency ones issued after an arrest, but people who are walking into the courthouse are able to see a hearing master and get a determination on their TPO application and this office is now providing an attorney every day to represent as many of those people who apply for an initial hearing representation. We can easily come up with antidotal information, in fact I have everyone keeping stats of their outcomes, not only in case management but hand written as well.
  8. **O’Banion:** What I want to remind you, April, is that it’s not just for Clark County, it would just be your cases that you have that information on. We would like to get information statewide in each jurisdiction how each one of these is being implemented. If you take over one of those, take into consideration that you will have to contact other jurisdictions to try and get their data and find out if they are tracking it.
  9. **Chairwoman Green:** Ok that makes sense.
  10. **O’Banion:** Suggestions about what might be the best way or the next step to take in regards to this list. Do we just put in on hold right now until the next meeting so everyone has a chance to read over it thoroughly and make any notes on potential information sources or any additional information that they may be able to provide, does that sound like the best way to go forward Sue?
  11. **Meuschke:** I think that would be great if there is nothing else to add. We have two sources of information now. Are you working with treasures office?
  12. **O’Banion:** With the treasures office on the financial database?
  13. **Meuschke:** Right, yes
  14. **O’Banion:** I can easily reach out to them to find out where they are on the database. Once they have that completed, then yes we here at the Attorney General’s Office are supposed to provide a contact person to help walk any advocates through the process so that they can then help their clients or that person is supposed to help walk any individual that may contact us that is a victim of Domestic Violence, Sexual Assault or Human Trafficking. I do need to touch base to find out where they are on creating that data and have their IT person train our staff on how to utilize that database.
  15. **Meuschke:** And I will follow up with UNR and UNLV in terms of privilege change and also ITCN to see if there is anything there. So it would be helpful to read through this carefully, identify what those changes are if you have access to the information or suggestions or who might have information on how that law is being implemented. It would be more helpful, then send this information prior to the meeting.
  16. **O’Banion:** I will make sure to send out an email requesting that information prior to having to post the agenda.
  17. **Chairwoman Green:** In the event that this becomes a very exhausted process, would it help to prioritize these different sections and laws?
  18. **O’Banion:** I think if we all read through it and identify the potential sources, then at the next meeting we can have volunteer’s take big sections so that the list will be getting worked on in large chunks per each volunteer. Then we come back to report on our sections. I think the first thing is to identify the possible sources and then we will look to see if we have been able to identify a potential source for each NRS. Once we have that and a game plan on where to get that information, then we take volunteers based on information sources so that source is only getting one phone call from our subcommittee on all the listed NRS’s.

1. **For Discussion and Possible Action:** Legislative Subcommittee member Sue Meuschke, Executive Director, Nevada Coalition to End Domestic and Sexual Violence will facilitate a discussion to identify information sources to track implementation of the listed legislative changes. Subcommittee members will possibly volunteer to collect implementation information from a source on the agreed upon list**.**
   1. **Meuschke:** Two things, one, I know the standardized forms committee is meeting to develop the forms for protections orders. Some of these changes we can take care of by just having a copy of the new form. So we don’t have to call the courts to find out if home invasion is in the form, it should already be there. I am also happy to pull all of these changes out by NRS section if that would be easier, Chapter 33, Chapter 176, Chapter 200’s?
   2. **Ramos:** I think it would be helpful to break it out by NRS’s.
   3. **Meuschke:** I will try and get that out to Nicole by Monday
   4. **Ramos:** That would be helpful so I could look up the Bills. I have the bills but I don’t have the NRS’s.
   5. **Meuschke:** Also note, that LCB has not yet produced the revised NRS, so what you would be seeing is the old NRS from the last session. It generally takes LCB more than a year to update the acting NRS.
   6. **O’Banion:** If you take a glance at the Bill and then at the NRS you will know if it has been updated or not.
   7. **Ramos:** That is what I want to do, pull up the Bills and NRS and go from there.
   8. **O’Banion:** Ok, I will send out the lost once I get that form Sue. Is there any further discussion on item 5 or 6?
2. **For Discussion:** Nicole O’Banion, Ombudsman for Domestic Violence, Sexual Assault and Human Trafficking will present the Danger Assessment for Law Enforcement (DA-LE) Description and the Danger Assessment for Law Enforcement (DA-LE) Tool which is the recommended Danger Assessment by the Jeanne Geiger Crisis Center as part of their High Risk Team Model approach.

**Attachment 4**

* 1. **O’Banion:** I was hoping to get more information from the Jeanne Geiger Center, but they did not get back to me in time. I hopped on their website and copied their information that explained the DA-LE, which is their chosen risk assessment screening instrument to be used on the scene by law enforcement. They do specify that the DA-LE is designed to be used in court to inform criminal justice proceedings including DA-LE. This is another piece I am cross referencing over to the court subcommittee because they are looking at ways to suggest legislative changes to the PRAT language, which require the PRAT to be done and whatever danger assessment that we all choose to be the recommend statewide danger assessment and it be attached to the PC sheet that they get when reviewing the PRAT and bail assessment. This way victims of domestic violence will be taken into consideration when setting bail, which is not being done right now. So since this committee is looking at the High Risk and Jeanne Geiger model, and this is the tool that the Jeanne Geiger recommends for the statewide law enforcement tool I just wanted to provide this to the subcommittees for further review. On the second page is shows the research behind the DA-LE. So it is a collaboration between the four most researches in the field of integrate partner homicide and Jeanne Geiger crisis center. To develop the DA-LE, Jeanne Giger partnered with Dr. Campbell of John Hopkins University School of Nursing and Dr. Jill Theresa Messing of Arizona State School of Social work. The third page is the short form danger assessment, one page tool that they recommend law enforcement officers use and then the court subcommittee is hoping to have whatever tool we decide to support statewide so they can attach the assessment to the probable cause sheet. Any comments?
  2. **Ramos:** What are the 11 questions that the DA-LE is referring to, it says there are 20 attached?
  3. **O’Banion:** Let me hop on the website right now and take a look.

(All looking through website)

* 1. **Ramos:** The danger assessment is really good, but I would like to see the questions that the law enforcement officers would have to ask, the 11 questions.
  2. **O’Banion:** I will shoot them an email and ask them if I can get a copy of the 11 question law enforcement or an answer to why they say 11 and this one says 20. This is what I want to have worked out before the January 28th meeting, I want to have as many answers as possible since we are the subcommittee bringing this to the full committee. Are there any other comments or questions on item 7?
  3. **O’Banion:** Asheesh, since it says for discussion and possible action on item 5 and 6 about the legislative changes, are there any motions that need to be done for either one of those or since we are just rolling it over into the next meeting is it fine as is?
  4. **Asheesh:** Yes if you are going to move it to the next meeting and continue it then you don’t need to take any action. I would only suggest taking action if you clearly wanted state the committee was making some recommendation or taking some action to change language in some uniform way. But given the conversation, I don’t believe it is necessary.

1. For Information Only: the CDV’s tentative future meeting dates:

* Training Subcommittee: December 13, 2019 @ 9:00 a.m. | Location: Mock Courtroom, Carson City Office of the Attorney General
* Court Subcommittee: December 16, 2019 @ 2:30 p.m. | Location: Conference Room 228, 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.
  1. **O’Banion:** Sue do you have an idea of how long you would like between this meeting and the next and any suggestions for the next meeting date?
  2. **Meuschke:** A month
  3. **O’Banion:** Ok so that would take usinto the week of January 13th**.** Does Wednesday January 15th at 2:30 work for everyone or in the Morning? 9:00 am? Is there anyone that this does not work for? I will send out the calendar for invite for 9:00 am Wednesday January 15, 2020.
  4. The deadlines for materials would be COB on January 7th.
  5. **Meuschke:** So people need to read and make any suggestions about possible data sources by that date.
  6. **O’Banion:** Any further discussion on item 8?

1. Public Comment
   1. **O’Banion:** Lori did you have any comments or questions that you wanted to make about the High Risk model or anything like that?
   2. **Fralick:** I just was curiousis that something that this committee is working towards? Is that why you are doing a webinar? What is the intention of the research and the webinar, are you guys trying to move forward with this model?
   3. **Chairwoman Green:** I am. It was an idea that was present as we are now on the investigate and research phase but given our precarious position with respect to DV homicide and inter-partner homicide, this High Risk model surely seems like something that would help reduce homicides and keep survivors more safe. That is my intention.
   4. **O’Banion:** I agree with that. Lori you said you have done a lot of research on High Risk Models, so you guys do like what you have found out so far correct?
   5. **Fralick:** Yes, so to back it up a few years, we looked at the risk assessment at the law enforcement level and the various tools and had talked to Las Vegas as well because they had implemented one as well. We were looking at the capacity our county had as far as having enough volunteers answering the line for DV programs. At that time I don’t know that we did, but I do know we presented it to the Chief of Police in Reno and everyone bought on based on our homicides and the cases we had. We weren’t able to implement it at that time due to the lack of capacity and we didn’t want to happen what happened in Vegas which victims were in holding for a long time and officers weren’t able to stay on scene while they could get connected to an advocate as there was just not enough standing capacity. We have done some research and looking into the Jeanne Geiger model and presented it to the District Attorney about four months ago, and he is completely on board and now we want to move forward for sure. We think it is critical and could be a great model.
   6. **O’Banion:** Lori maybe in the next few days you and I can get on the phone and discuss the OVW grant, as it would be a funding source. And have the Jeanne Giger come and develop a protocol for the Washoe County Jurisdiction, and then once we get that fine-tuned and up and running, we can then share that statewide. Any other comments?
   7. **Fralick:** I did just email the 11 law enforcement questions because I had those from our previous research.
2. **For Possible Action:** Adjournment
   1. Meeting Adjourned

Minutes respectfully submitted by: Kristalei Wolfe

Edited by: **Nicole O’Banion**

Nevada Office of the Attorney General