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

Meeting Minutes

Thursday, February 6th, 2020 at 12:15 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) Court Subcommittee meeting was called to order at 12:15 p.m.
    b. Present
        - Cisneros, Jessica (Cisneros)
        - Judge Lynch, Patricia (Judge Lynch)
        - Ortenburger, Liz (Ortenburger)
        - Ramos, Suzanne (Ramos)
        - Troshynski, Emily (Troshynski)
    c. Absent
        - Chairwoman Judge Jones, Cassandra (Chairwoman Judge Jones)
        - Scott, Annette (Scott)
    b. Staff
        - O'Banion, Nicole (O'Banion)
        - Mouannes, Jason (Mouannes)
        - Rasul, Henna (Rasul)
    c. Public
        - None
    d. **Quorum established**

2. Public Comment.
    a. No public comment.

3. **For Discussion and Possible Action:** Review, discussion, and approval of December 16, 2019 meeting minutes.

a. Ramos moved to approve the minutes as written; Troshynski seconded. The minutes of the December 16, 2019 CDV Court Subcommittee meeting were unanimously approved as written.

4. **For Discussion and Possible Action:** CDV member, Emily Troshynski, Undergraduate Coordinator, UNLV Department of Criminal Justice, will provide an overview on the High Risk Teen Model webinar from the January 28, 2020 Committee on Domestic Violence meeting. The Subcommittee members will discuss for any possible additions to the action plan from the HRTM.
    a. **Troshynski** could not locate her notes. Ramos was asked if she had anything to add regarding the High Risk Team Models (HRTM).
    b. **Ramos** suggest that the danger assessment for law enforcement (DA-LE) from the Praxis International PowerPoint was something the subcommittee needed to look at. She thought it was good for officers, prosecution and judges to review prior to bail requests.

Judge Lynch just joined the meeting.

    c. **Ortenburger** stated it is also important for Family Court judges to receive this assessment to assist with determining risk in their cases.
    d. **Judge Lynch** agreed with Ramos because it asks the really important questions. She also agreed with Ortenburger that Family Court would be more up to the parties/attorneys. It is a whole different area which is driven by the parties.
    e. **Ramos** stated that the victim would not have access to the police report until after the case is closed. If their hearing is after, they could have access to the police report, but only after it was closed. As we are making bill draft request (BDR) recommendations, she thought this was one of those loopholes where we put victims of domestic violence at a huge amount of risk. She thinks this is one of those procedural things that we could change and really have an impact of how the process works.
    f. **O'Banion** asked Ramos if she heard her say that the risk assessment would be available to the victim prior.
    g. **Ramos** stated she would have to check with the Chief to see if they could release the risk assessment, but they could not release the police report.
    h. **Judge Lynch** stated in domestic violence court they are required to get the police report to the provider.
    i. **Ramos** stated that defendants can get copies of the police report through their attorneys.
    j. **Judge Lynch** indicated that civil and criminal cases needed to be separated.
    k. **O'Banion** suggested taking a look at legislation relating to the release of the risk assessment.

l. **Troshynski** really appreciated how Praxis International talked about the research of individuals most at-risk of domestic homicide. The implementation process with the multi-agency response and the inclusion of community organizations was wonderful. The only thing she had in her notes was the implementation and site location. She remembers Washoe County being suggested as a good location because of their caseloads compared to Clark County caseloads. But it looks like they needed to have some kind of baseline data.
m. **O'Banion** stated that Washoe County has that data. That is why they would like to start with the smaller counties.
n. **Judge Lynch** indicated Washoe County has probation for misdemeanors.
o. **O'Banion** stated that the DA-LE was the only thing that applied to the Court subcommittee as far as a recommendation possibility for the pre-trial and bail setting process that they were reviewing.
p. **Judge Lynch** asked if the subcommittee was going to endorse the recommendation of Ramos.
q. **O'Banion** stated that the action plan says the subcommittee will make recommendation on what victim risk assessment should be used and how it could be implemented for use in court. She asked if the subcommittee wanted to recommend the DA-LE as the victim risk assessment.
r. **Ramos** made a motion to consider using the DA-LE.
s. **Ortenburger** asked if the DA-LE is part of the police report and if a copy of the information would be available to the batterer because she would not be comfortable with this approach.
t. **O'Banion** asked if current risk assessments included in police reports.
u. **Judge Lynch** indicated she was one of the test jurisdictions and the current risk assessment is a separate document.
v. **O'Banion** asked if there is a way in the system where the risk assessment could be taken by somebody so the judge could still be informed in the bail setting process but the defendant would not be able to get access to it. She asked how to get the information to the judge before the release hearing.
w. **Judge Lynch** suggested the officer on scene needed to ask the questions.
x. **O'Banion** asked if there was a legislative change the subcommittee could recommend so that the risk assessment is not available to the defendant.
y. **Judge Lynch** indicated that would need to be researched.
z. **O'Banion** suggested a notation in the action plan about the Jeannie Geiger Crisis Center's (JGCC) DA-LE tool and the consideration of any danger it may pose to the victim if the defendant obtained a copy of the

danger assessment with or without the police report. She will bring information to the next meeting to determine the next steps afterward.

5. **For Discussion and Possible Action:** The Court Subcommittee Action Plan and which subcommittee members will be responsible for which action item.
    a. **Judge Lynch** wanted to discuss the first task.
    b. **Ortenburger** wanted to know how it would work. Do bill draft requests (BDRs) get submitted and if there are similar ones they get pulled together? What is the process?
    c. **O'Banion** indicated that is the process. She inquired if Judge Lynch remembered being a part of different committees (Judge Lynch indicated that was the first task). She thought Judge Jones was working on that, but she was not able to attend today. She would follow up with her. One of the things she did get back to O'Banion on was that the Praxis International PowerPoint process maps. We thought putting a process map, from beginning to end, would be great to have to go with the risk assessment. She would add that to the action plan with some question marks based on the information the subcommittee gets from the Jeannie Geiger Crisis Center for the next discussion when we decide whether we are going to recommend a risk assessment or not. Everyone agreed.
    d. **Judge Lynch** indicated the previous minutes mentioned reaching out to Eric Spratley, Executive Director of the Sheriffs' and Chiefs' Association.
    e. **O'Banion** indicated she would add that to her notes. She asked if there was anything else?
    f. **Judge Lynch** indicated it might be nice to know what the Legislature is doing.
    g. **O'Banion** indicated she would follow up with Jessica Adair since she is working with the Legislature. The next item is reviewing specialty courts for domestic violence batterers. Since there is still a little time for that, the subcommittee will put it off until Judge Jones is available.
    h. **Judge Lynch** indicated that John Etchemendy is no longer at the National Council; they put her in touch with Elizabeth Stoffle.
    i. **O'Banion** mentioned a survey needs to be done in each of the Nevada jurisdictions.
    j. **Judge Lynch** volunteered to contact the different jurisdictions.
    k. **Ramos** asked if we are looking at any other courts or just domestic violence courts.
    l. **Judge Lynch** indicated if Ramos is willing to work with her they can look into other courts as well.
    m. **Cisneros** thought that the information could possibly be obtained from Administrative Office of the Courts (AOC) as well as the National Council. She was willing to help as much as I can.

6. **For Discussion and Possible Action:** CDV's tentative future meeting dates:
    - Legislative Subcommittee Meeting: Thursday, February 13, 2020 at 9:00 a.m. | Location: Carson City Attorney General's Office
    - Committee on Domestic Violence (CDV) Meeting: Tuesday, March 24, 2020 at 2:00 p.m. | Location: Carson City Attorney General's Office/via video conference to Las Vegas Office
    - Tentative CDV Court Subcommittee Meeting: Friday, March 6, 2020 at 9:00 a.m.

7. Public Comment.
    a. No public comment.

8. **For Possible Action:** Adjournment.
    a. Judge Lynch called for a motion to adjourn. All in favor. No further discussion. Motion passed.
    b. Meeting adjourned.

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