



NEVADA LEGISLATURE JOINT INTERIM STANDING COMMITTEE ON JUDICIARY

(Section 6 of [Assembly Bill 443](#), Chapter 392, *Statutes of Nevada 2021*, at page 2505)

DRAFT MINUTES

February 11, 2022

The second meeting of the Joint Interim Standing Committee on Judiciary for the 2021-2022 Interim was held on Friday, February 11, 2022, at 9 a.m. Pursuant to *Nevada Revised Statutes* [\(NRS\) 218A.820](#), there was no physical location for this meeting.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Committee's meeting page. The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Assemblywoman Rochelle T. Nguyen, Vice Chair
Senator Dallas Harris
Senator Keith F. Pickard
Assemblywoman Lisa Krasner
Assemblywoman Elaine Marzola
Assemblyman Philip (P. K.) O'Neill
Assemblywoman Shondra Summers-Armstrong

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Patrick Guinan, Senior Principal Policy Analyst, Research Division
Diane C. Thornton, Senior Principal Policy Analyst, Research Division
Julianne King, Research Policy Assistant, Research Division
Karly O'Krent, Senior Deputy Legislative Counsel, Legal Division
James Malone, Senior Program Analyst, Fiscal Analysis Division

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—CALL TO ORDER AND OPENING REMARKS

Chair Scheible:

[Chair Scheible called the meeting to order and went over housekeeping measures.]

Today we are going to be reviewing a couple of different items. We are going to be talking about the approaches to combat human trafficking here in the state of Nevada. Before we kick that off, I want to do a little bit of housekeeping and let everybody know that we have been receiving really positive feedback about having produced the timeline and the work plan for the year to come. It looks like there is already going to be one small change. Right now, it looks like we are going to be moving the presentation and discussion with Nevada's Department of Corrections (NDOC) from the March meeting to the June meeting. This will be updated online. Consequently, we will be having a presentation from gaming in our March meeting, and we will also be having a presentation from the court system at our meeting in March. If there is anybody who wants to contribute to that conversation about gaming or who has questions about gaming or ideas or thoughts, please reach out to Senator Pickard and myself, and will be sure to get you included in those conversations. If anybody has ideas or questions or wants to talk about the court system, please contact me and our interim judiciary staff and we will make sure to get you included. I just wanted to also remind everybody and clarify that as we have these meetings, the agendas, first of all, are not set in stone. We can always adjust. Also, it is not your one chance and then it is gone. If there is something that comes up after the meeting has already occurred, and there is something that you want to talk about, for example, with the courts coming up in March, if you have an idea but maybe you are not ready to present it to the group in March, reach out anyway. Let us discuss it. We can put it on a future agenda. We can find or create place to put it. The road map is exactly that. It is a road map to give us an idea of what we are going to discuss on different dates, but it does not mean that we cannot deviate from that plan and that there is not always time to have a conversation about an issue. We can even touch the same issue more than once throughout this Committee. The idea here is not just to vet bills themselves but to vet ideas and figure out, going into the 2023 Session, what are policies that we want to pass and implement. I think that brings us up-to-date on all the housekeeping matters. I want to give a special thanks to Assemblywoman Marzola, who has been working really hard with all of our stakeholders and our staff to get ready for this meeting. I do want to give you the chance, Assemblywoman Marzola, if you want, to give a brief overview and tell the members of the Committee what we can expect today. Now would be a good time, but you do not have to if it is not in your plan.

Assemblywoman Marzola:

It was not in my plan, but I do want to say thank you to all the presenters today. We tried to bring all the stakeholders to the table. I want to thank everybody for taking the time to meet with me, either in person or virtual. I know this kind of moved really fast, so I appreciate everyone being here today. Like the chairwoman stated, we are going to talk about some really heavy subjects today—domestic violence, sexual assault, and human trafficking—but the presenters are phenomenal. This is what they do every single day, so I think we are going to learn a lot today, like what goes on day-to-day, what has been going on since some of the bills passed last session, and some statistics that would definitely make us think. I appreciate it. Thank you, Senator.

AGENDA ITEM II—PUBLIC COMMENT

Chair Scheible:

Before we move to our first presentation, we are going to have our first public comment period. I will hand it over to Broadcast and Production Services (BPS). Please let me know if there is anybody on the line for public comment.

Tonja Brown, Advocates for the Inmates and the Innocent:

Good morning, everyone. I have provided you with an attachment and order dismissing appeal filed on November 28, 2011, for a possible future agenda and discussion (Agenda Item II A). This appeal came by way of a previous order on a petition for exoneration. This petition for exoneration was filed after the death of my innocent brother who had always maintained his innocence and was wrongfully convicted. Prior to his death in 2009, the Honorable District Court Judge Brent Adams issued an order to the Washoe County District Attorney (DA), Richard Gammick, to turn over the entire file in that case. When the file was turned over, the handwritten notes of the prosecuting attorney showed that he never turned over any of the materiality or exculpatory evidence that was favorable to the defense. Mr. Klein passed away just prior to his attorney filing a motion for new trial and bail. In 2011, Mr. Klein's attorney filed a petition for exoneration on the newly discovered evidence that was found in the DA's file. The District Court Justice dismissed the petition because it lacked jurisdiction. It was appealed to the Nevada Supreme Court.

In the order dismissing the appeal, they say,

This is an appeal from the district court denying a petition for exoneration. Second Judicial District Court, Washoe County; Brent T. Adams, Judge. We previously noted a potential jurisdiction defect, that no statute or court rule appears to provide for an appeal from the district court's order and directed appellant to show cause why this appeal should not be dismissed. In response, appellant asserts that this is an appeal from a final judgement, relying on NRAP 3A(b). Appellant's reliance on NRAP 3A(b) is misplaced; that rule governs appeals in civil actions and appellant's petition for exoneration was filed in a criminal action. Here, the final appealable judgment in the underlying criminal was the judgment of conviction. Alternatively, appellant suggests that as the highest court in Nevada, we should recognize a petition for exoneration even where the defendant is deceased and, presumably, recognize that an order denying such a petition is appealable. We cannot do that. Contrary to appellant's suggestion that 'this Court is the only body in the State of Nevada that we can set the course for petitions for exoneration after death,' it is for the Legislature to create a cause of action or remedy and provide for an appeal.

I will be providing you with the remedy, but I will read some of it. At the last meeting, I provided you with some additional information. Today, I have a petition for a factual innocence posthumously, discovery, and compensation. But the remedy for a petition for exoneration posthumously would be that—when a person who has been incarcerated within NDOC or a county jail who has passed away while in custody or has been released from incarceration while maintaining innocence throughout his or her criminal and court proceedings, or claims he or she was coerced into making a false confession—the administrator or executor of their estate, or relatives of the decedent may file a petition for factual innocence posthumously if one or more of the following exists: (a) that prior to the

decedent's death, the decedent became aware of newly discovered evidence that had been withheld by the prosecution but due to his or her untimely death no motions for new trial or petitions could be filed; (b) the decedent's administrator, executor, or the decedent's relatives becomes aware of the newly discovered evidence after the decedent's death and is in possession of that evidence or knows where that evidence can be found; (c) the decedent who has filed a petition with the court and the court did not fully address each and every ground that was raised in his or her petition for relief or were procedurally barred by the statute of limitations, or were affected by the statutory tolling of the Antiterrorism and Effective Death Penalty Act of 1996, also known as the AEDPA limitations; (d) when newly discovered evidence that can be presented that will demonstrate to the court that there were Brady Violations by a member of the DA's Office, public defender, private attorney, or law enforcement agency; (e) the decedent's administrator, executor, or relatives can show evidence that a conviction was based on perjured testimony by any prosecutions witness; (f) that if any member of the DA, public defender, private attorney, or law enforcement agency commits perjury, whether it is in testimony or court proceedings and filings that resulted in the decedent's petition being denied and upheld by the courts as a result of that perjury; (g) if the DA cannot prosecute a person for perjury because they are procedurally barred by the statute of limitations to charge that person; (h) if the materiality of exculpatory evidence was not presented at trial but was discovered after trial and all of his or her court proceedings have been exhausted and are barred by the statute of limitations—

Chair Scheible:

Did you submit all this as well?

Tonja Brown:

I will do that as well.

Chair Scheible:

We are little bit past three minutes at this point. We do normally limit public comment. I know I forgot to mention at the beginning, but if you could wrap up.

Tonja Brown:

I will finish the one part, if you do not mind, and then I will finish up at the end. Letter (i) would be, "or any court proceedings that would have been filed, however, had not yet been filed due to his or her untimely death." I will finish the rest up at the end of the meeting, during the second public comment period. It deals with the discovery which was Nolan's Law. I think that definitely should be changed. Thank you, and I look forward to the rest of the meeting.

Chair Scheible:

Thank you so much. As I just mentioned, having forgotten to mention it earlier, public comment is limited to three minutes at a time, but of course you are welcome to submit additional comments in writing. I always look at those. I encourage the members of the Committee to also review those in their entirety. Broadcast, is there anybody else in the line for public comment?

BPS:

Yes, Ma'am. One moment while I queue them up. Caller, please proceed.

Kendra Bertschy, Lobbyist/Government Affairs Liaison, Office of the Washoe County Public Defender:

Good morning. On behalf of myself and John Piro with the Office of the Clark County Public Defender, we want to thank the Committee for taking up these very important issues today. We had the privilege of speaking with Assemblyperson Marzola to present some of our concerns regarding these topics from what we have seen from our practice. As I am sure this body is aware, as criminal defense attorneys, we not only assist individuals who are accused of these charges that you were dealing with today, but more importantly, we also represent individuals who have been victims of things like human trafficking, as well as domestic violence. These are issues that we do strongly believe need to be addressed. I am sure you have all heard us say during the last several sessions that we support and hope to continue to support issues that really enhance community safety, but we also support the victims of these crimes. We do agree that more service and more money need to be provided to the victims to ensure that we are able to better protect them.

I would just remind this body that, for some of these issues involving criminal penalties, there is the Department of Sentencing Policy, which was established in 2019 to support and assist in the Nevada Sentencing Commission in making data-driven sentencing and policy recommendations to the Legislature. We do hope to work with all the stakeholders in enacting policies and potential bill draft request (BDR) recommendations. I did provide Assemblyperson Marzola with some of our concerns that we have seen regarding clerical errors in some sentencing statutes and also enhancing issues regarding material witness warrants. For example, I had a victim in one of my cases where they tried to serve her with an arrest warrant when she was in the intensive care unit. We do believe that there are some changes that are needed to be made in order to ensure that those who are victims are protected. I appreciate your time and look forward to working with all the stakeholders on these important issues. Thank you.

Annemarie Grant, Advocates for the Inmates and the Innocent:

I am in support of the recommendations for a petition for factual innocence posthumously presented by Tonja Brown. As the public records laws have strengthened over the years and we have had requests fulfilled, we have been finding materiality and exculpatory evidence that was never turned over by the prosecutor or police. Some of these discoveries are favorable and support the defendant's defense theory. We are still pursuing different avenues with the information we have found. If we are finding this, it is very possible families of those who have died and maintained their innocence very well could too. I want to touch on the issue of discovery and Brady Violations versus work product. I have provided you with ten supporting material documents from State v. Nolan Klein as an example of the way the courts are working when it comes to Brady (Agenda Item II B). We need to reinforce the law and remedy the flaws in our laws dealing with Brady Violations versus work product.

Pages 1 through 4 are the defendant's motion for discovery and production of exculpatory evidence. However, the notes on that motion for discovery are the handwritten notes of Deputy District Attorney Ron Rachow. You will see that on the defendant's motion next to number two, Rachow wrote, "no showing of materiality," and next to number seven, "No." An obvious indication of his intent to not turn over what was being requested by the defendant and ultimately ordered by Judge Peter Breen to be turned over to the defense. Brady states that it must be material either to guilt or punishment and must be evidence, which is favorable to the defense. Materiality has been further defined as evidence which might have affected the outcome of a trial. Everything he turned over—he noted, "OK."

Everything he did not turn over—he wrote, “No.” This is supported by the defendant’s exhibit list of evidence submitted at trial, the prosecution’s exhibit list of evidence submitted at trial, and a letter from the public defender’s office detailing what was in the file.

Pages 13 through 14 are the Zarsky report regarding the Sparks Police’s main suspect in the May 9, 1988, Payless Shoes crime that Klein was convicted of and, of an April 21, 1988, El Rancho crime. Both crimes had several common factors per the victims. The suspect gave a name, had brown eyes, and the weapon used was a red and black knife. You can see that Sparks Police noted at the bottom of the report this is supplemental to case number 88-4892, the crime Klein was convicted of. This shows Zarsky was the main suspect in both crimes. It shows that other parties that Sparks Police interviewed had identified Zarsky as matching the Payless Shoe composite, including Officer Steven Asher after he reviewed a polaroid of Zarsky in the possession of the Reno Plasma Center. The victim from the April 21, 1988, crime stated the vehicle used in the crime was a possible 1967 Bonneville with bench seats. Mr. Klein owned a 1967 Impala with bucket seats and a center console. The April 21, 1988, victim did a drive by of Klein’s vehicle with Sparks Police and cleared Klein’s vehicle. The April 21, 1988, victim was then brought down to the police station and was able to view Mr. Klein in person and cleared him of that crime. All this information was hidden and withheld from the defense and would have supported Mr. Klein’s defense of mistaken identity had it not been withheld by the prosecutor.

Chair Scheible:

You have reached three minutes.

Annemarie Grant:

I will finish during the next part. Thank you.

Chair Scheible:

Thank you.

BPS:

At this time, there are no additional participants wishing to give public comment.

AGENDA ITEM III—APPROVAL OF THE MINUTES FOR THE MEETING ON JANUARY 14, 2022

Chair Scheible:

I will entertain a motion to approve the minutes of the January 14, 2022, meeting.

VICE CHAIR NGUYEN MOVED TO APPROVE THE MINUTES OF THE JANUARY 14, 2022, MEETING. THE MOTION WAS SECONDED BY SENATOR HARRIS.

Assemblywoman Summers-Armstrong:

There is a small change that I saw. In the comment, I said, “I hope I have not bitten off more than I can chew.” I think they just sort of got the words a little mixed up in there, so if someone could review that a little bit closer. It just seems odd the way that it is written, and that was not the intent of what I said.

Chair Scheible:

Thank you for pointing that out. These things do happen, so I will request that section be amended to reflect that you were worried you may have bitten off more than you can chew. And with that amendment, I will accept a new motion to approve the minutes as proposed to be amended.

VICE CHAIR NGUYEN MOVED TO REVISE HER MOTION TO INCLUDE ASSEMBLYWOMAN SUMMERS-ARMSTRONG'S AMENDMENT TO THE MINUTES. THE MOTION WAS SECONDED BY SENATOR HARRIS AND PASSED UNANIMOUSLY.

AGENDA ITEM IV— OVERVIEW FROM THE OFFICE OF THE ATTORNEY GENERAL ON DOMESTIC VIOLENCE, HUMAN TRAFFICKING, AND SEXUAL ASSAULT

Chair Scheible:

We can move onto Agenda Item IV, which is our update from the Office of the Attorney General (OAG) on domestic violence, human trafficking, and sexual assault. I believe we are joined by both Ms. Adair and Ms. Reilly. I will turn it over to them to walk us through their update on these important topics.

Jessica Adair, Chief of Staff, OAG:

Good morning, Chair. Good morning to the rest of the Committee. I am joined by my colleague, Nicole Reilly, who is the Attorney General Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking. I will present a PowerPoint presentation to aid in our discussion today (Agenda Item IV A-1). To kick things off, we are going to limit our discussion to domestic violence and human trafficking today. Based upon our conversation with Assemblywoman Marzola, we did not have time on the agenda for sexual assault, but we did include that for future discussions on the last slide. To set the table a bit, these are statistics from Nevada's Department of Public Safety's (DPS) Uniform Crime Report for 2021 statewide data for domestic violence. As you can see, these are just reported cases. As research shows, we know that domestic violence is routinely underreported. What we know is reported to law enforcement. There were nearly 30,000 cases last year. I do want to highlight the last bullet point that the number of children present when a domestic violence case was reported was over 15,000 children. I believe you will hear from some folks later today who work with the Division of Child and Family Services (DCFS) who will be able to speak to that in more detail. I want to note that the OAG does not have jurisdiction over the prosecution of domestic violence, but we do have several other statutory duties when it comes to domestic violence that we will discuss later.

Very briefly, I want to note an important and shocking statistic. This is data from last year for murders and nonnegligent homicides. In Nevada, there were 220 deaths last year. In more than half of those cases, we do not have information about the relationship between the victim and the offender. For those that we do have that information, 40 percent were in some type of domestic relationship, whether an intimate partner or a family member.

[Senate Bill 45](#) (2021) was a bill that came before your committees in the last legislative session that did a few different things. It revised the name, qualifications and duties of the Ombudsman, Nicole Reilly, to also include crimes of sexual assault and human trafficking,

so it expanded her statutory portfolio. It also added some statutory duties and members to the Committee on Domestic Violence to further look at the relationship between domestic violence and human trafficking and sexual assaults. I believe in later presentations today they will speak in more detail about that web of violence. As you can see, Ms. Reilly is a busy woman. She focuses on a broad range of strategic programming, grants, and direct victim services in these service areas, and she is the statewide administrator for VINE, that is the statewide victim notification program that is very critical to us meeting our constitutional obligations under Marsy's Law. At this time, I want to turn things over to Ms. Reilly, so she can speak more about her duties and the Committee on Domestic Violence.

Nicole E. Reilly, Ombudsman, Office of Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking, OAG:

Thank you so much, Jessica. Good morning, Chair Scheible and the rest of the Committee. First, I just want to say hi to all of my amazing friends that work in this space that are on the meeting this morning. It is so good to see all of your names and faces. Many of them do serve or intersect with the Committee on Domestic Violence. We have an amazing membership on that committee that has been dedicated—many of them for nearly a decade—to serving on this committee.

I just wanted to review some of the amazing members that we have from their roles on this committee. The committee contains the Attorney General himself, who happens to be the chair. We have members from programs for victims of domestic violence and members for programs for the treatment of persons who commit domestic violence. The DA is represented, and the City Attorney's Office is represented. We have law enforcement and mental health providers. We also have at least two survivors of domestic violence to inform the other members on the different projects and programs that we address. We have at least one judge on the committee and then any other persons that the Attorney General appoints at his discretion.

The other thing that I would like to note that this committee is statutorily required to meet three times a year, one of which is in a rural district. This has been a phenomenal meeting that we are able to hold every year. We rotate jurisdictions each year so that we make sure that we are able to touch the rural areas of Nevada personally and get to meet the local stakeholders, find out any needs that they may have, or any programs that they are championing and that are working really well. In that committee, Attorney General Ford has established three subcommittees. We have got the Services and Training Subcommittee, the Justice Partners Subcommittee, and then the Fatality Review Subcommittee.

Here are some of the programs that I am really excited and proud of that this committee has taken on so far, and it has made some huge progress statewide in these particular areas. The first one we have here is the Domestic Violence High Risk Team Model (DVHRTM) pilot program with University of Nevada, Reno (UNR), which I will touch on a little bit later. I believe Jessica also provided the PowerPoint on the DVHRTM and the Jeanne Geiger Crisis Center for your review (Agenda Item IV A-2). We also have the Batterers Treatment Efficacy Project. This has been a huge statewide project that has been addressing these programs and best practices, their efficacy, and creating data. We are working all together with all of the service providers across the state to do what we can to bring in some best practices and see if we can make a difference in this issue from the batterer's treatment side of the problem. We also have a project that has been amazing, is in the works, and has been a several-year process, and we are getting towards the end of revamping everything. This is the Child Welfare Project with DCFS (Division of Child and Family Services) of the

Department of Health and Human Services (DHHS). This project has been reviewing all the protocols, procedures, forms, and training as it relates to domestic violence and its intersection with child welfare. We are excited about where that project is going and what it really means for our state and child welfare and domestic violence. As Jessica pointed out on the previous slide, there is an obvious need if we have nearly 30,000 reported cases and over 15,000 children present during these domestic violence calls. We also have the Services and Training Subcommittee, which has just convened and is beginning to create their action plan and activities that they want to address and move forward with in this area. We have got the Justice Partners Subcommittee, which just met yesterday. They also are developing their action plan. These actions plans are activities that the committee is going to be addressing during its two-year term. We have also got the Statewide Fatality Review Team, which currently is the only statewide fatality review team that is occurring. We are reviewing fatalities to hopefully identify any gaps in services or anything that is working, and then we are able to share that with the rest of the state when we draft our final report and post it on the OAG website so that everyone can review it.

Here is the DVHRTM. The Model was created by the Jeanne Geiger Crisis Center in 2005. This organization gave a presentation to the new Nevada Committee on Domestic Violence. It was invited through one of the previous subcommittees that was formed by Attorney General Ford in the last two-year term. This was a phenomenal project that the subcommittee brought on. The specific goal is to prevent domestic violence homicides. Research shows that escalation of domestic violence to lethal levels often follows predictable patterns. The DVHRTM incorporates evidence-based risk assessment into a community's domestic violence response system to identify and intervene in the most dangerous cases. There are four central strategies—early identification of high-risk cases through risk assessment, engagement of a multidisciplinary team, ongoing monitoring and management of offenders, and the connection of victims to domestic violence services.

The DVHRTM is recognized as a leading, promising practice in intimate partner prevention by the United States Department of Justice's Office on Violence Against Women. What I want to make note of is there were fatality review teams in Washoe and Clark, and then we had the statewide team that addressed the rest of the state or any areas that did not have a fatality review team or a jurisdiction, which invites the OAG to come in and do a fatality review. After assessing the success of these high-risk team models and collaborating with Washoe, Clark, and many stakeholders across the state, what was identified is that this new leading, promising practice is a phenomenal way to intervene prior to the homicide. This is why Washoe County and Clark County are shifting to having high risk teams, and then the OAG is keeping the responsibility of running fatality review teams now, which will incorporate the entire state. The DVHRTM is all about identifying and intervening in the most dangerous cases before a homicide occurs. This is incredibly exciting, because those of us who do the fatality review teams get really tired of having to review homicides. We would so much rather see them prevented in the first place. We are really excited about this program finally hitting the ground, and it is just in the beginning phases of being rolled out in the state.

This is going to be an overview of what is going on. They are just starting out in Southern Nevada and now through UNR. They have done an unbelievable job. They developed the programming, they got the grant funding, and now they are working on implementing it. They have a several-year strategy to expand it across the state, but they are starting out with two coordinators in southern Nevada, in North Las Vegas, UNR, and SafeNest. They have partnered so far, but they are just at the beginning of expanding and incorporating the entire team. These teams include social services, child welfare, victim services, law enforcement, DAs' offices, and then any other agencies or stakeholders that are identified

by that jurisdiction that they could potentially intersect with and make a difference in these domestic violence cases. The great thing is the jurisdictions are really in charge of collaborating and developing the team so that they can best address the victims and the secondary victims of domestic violence to keep them safe, to provide them with wraparound services, and to give them an opportunity to restart their life and not have to go back into the violent situations just in order to survive.

The other area that UNR identified to start with is a coordinator in Elko. We are really excited about this. They have already got a good partnership going on with the Committee Against Domestic Violence, which is the local service provider in Elko. The Elko Police Department, the Elko Sheriff's Office, and then the Elko DA's Office. I know that they are still expanding and growing that team, but they have a phenomenal start and partnership with their law enforcement partners and their service provider.

The process of the higher risk team is that they will meet and identify cases with lethality that are more likely to occur. The process of these teams is when law enforcement is called to respond to a domestic violence call, they will do a lethality assessment with the victim. Service providers also do lethality assessments when the victims contact them directly, because as we know, it goes very underreported, and quite often they will contact the service provider prior to contacting law enforcement. These agencies are trained in implementing these assessments when they identify those high-risk cases. Based on the assessment, they then notified the facilitator. The facilitator, within 24 to 48 hours, calls a high-risk team meeting together with all of the parties. They review the cases, and they start establishing the needs and wrapping around those victims and survivors to hopefully intervene and prevent any further violence from being done. The multidisciplinary team creates individualized intervention plans for each case. This is what I love. It is a hands-on team dealing directly with each case, not just domestic violence in general as an issue. Cases are then monitored through the entire criminal justice process, and team members connect victims to services. This model has proven to reduce homicides in the jurisdictions where it has been implemented in and also increase successful prosecutions. Thank you so very much, and I will turn it back over to Jessica Adair.

Jessica Adair:

Thank you, Nicole. Like she mentioned, it is an incredibly exciting program that we are hoping will save lives here in Nevada. Switching gears to the discussion about trafficking. Unlike domestic violence, our office does have concurrent jurisdiction with the local DAs to prosecute sex trafficking and human trafficking cases. These are just reported statistics from the uniform crime report. As you can see, there were only 211 reported offenses. The research shows that this problem in Nevada is likely much higher, and only 32 arrests for human trafficking. Of course, not all sex work is human trafficking, but often you see these charges come along with reported sex trafficking cases or cases where it is expected to be sex trafficking.

I want to talk to you about [AB 64](#) (2021), because it has made an incredible impact on our office and our office's ability to investigate and prosecute these crimes. Assembly Bill 64 expanded the OAG's concurrent jurisdiction on sex trafficking, allowed us to charge ancillary crimes that were committed in the course of a sex trafficking case, and clarified that a peace officer posing as a child or person assisting a peace officer posing a child would also allow us to bring charges of soliciting children. This has allowed us to move into an entirely new realm of online stings of those seeking to solicit children for commercial sexual exploitation.

Every year, our office has a law enforcement summit. In 2019, we hosted two summits, one in Carson City and one in Las Vegas, with the same program. Specifically, they are dedicated to human trafficking and sex trafficking investigations. We had presentations from folks who do research in this online world. That was facilitated by Nicole Reilly. We had great participation with agencies across the state, and it was very exciting and helped us move to this new frontier.

Our Investigations Division has three investigators funded to do this work in particular—one in the south, one in the ICAC (Internet Crimes Against Children Taskforce), and the Northern Nevada Trafficking Taskforce. Our office alone conducts monthly, online child sexual predator sting operations. That is when you post an ad posing to be—in our office—a 15-year-old girl, and those who respond to the ad engage in a conversation to indicate that they would like to purchase sex from this 15-year-old child and then meet at a prearranged location. This is shifting our attention from focusing on the people who might be involved in sex work to those who are seeking the commercial sexual exploitation of children specifically.

Our office also participates with joint operations with other federal, state, and local partners. I am not going to talk too much about this, because I believe we have a presentation right after this one from local law enforcement to talk about this in more detail, but this is going very well.

Finally, we have one prosecutor who is dedicated to prosecuting these cases, Senior Deputy Attorney General Alyssa Engler. She is also, by statute, known as the Children's Advocate—or Advocate for Missing and Exploited Children. Here are some stats from some prosecutions that Alyssa has done herself. We have been prosecuting those who have been seeking to exploit children in our monthly online stings, and then we are also receiving referrals from the Federal Bureau of Investigation's (FBI) taskforce in Reno for cases that do not go to the U.S. Attorney's Office. We were not able to discuss our work on sexual assault today, but we would love to come back to your Committee and talk about this work. In particular, the bills that passed in the 2019 Session about the Advisory Committee on the Rights of Sexual Assault Survivors and the Sexual Assault Survivors' Bill of Rights. We have been working closely with many of the folks who are on this meeting to make that a reality. We are happy to answer any questions that you may have.

Chair Scheible:

Thank you so much for all of that really helpful information and for walking us through those different programs and opportunities. We will definitely look forward to discussing the additional topics in a future meeting. For now, I will open the floor up for questions from members of the Committee. Seeing none, I do have one question about the DVHRTM. Ms. Reilly, you mentioned that it has shown to reduce homicides in jurisdictions that have implemented it. I am wondering what kinds of programming or what kinds of prosecutorial models they were using before they switched to the team model that decreased the lethality.

Nicole Reilly:

It really centers around the engagement of the victim, the safety of the victim, and having them feeling like they can trust the system—the law enforcement agency and the prosecutor's office. That is what the high-risk team model provides. The victims are provided with wraparound services and support from every angle to hopefully address their needs. That way, it makes them feel safe, secure, and much more willing to cooperate with

the system for the prosecutions. What this really means is that because of the intervention of the high-risk team model, they are having much less recanting occurring. That was really the most difficult challenge prior to implementing these teams, so that is how they are making a difference.

Chair Scheible:

Are these being implemented in communities that already had robust victim services in place and had adequate funding and resources, and it was just a matter of connecting the victims to them? Or were these implemented in localities where there really were not enough beds in the shelters, not enough services available, and the teams were able to fill out those services and ensure that every victim had access to the services that were needed?

Nicole Reilly:

The goal is to get these teams implemented statewide. It is a three-year step-up plan. We consistently rate as one of the worst states in the nation, so we are always within the top ten. But over the last decade, we have been bouncing around within the top three of severity of domestic violence. I would say that across the state, there is still a need for funding to build out those victims' services, so I do not ever want to say that we have robust services everywhere. Clark County, obviously, and Washoe County have far more than rural Nevada. Clark County was identified as one of the first jurisdictions that they were wanting to implement this model because of the quantity of cases that come through Clark County. They chose Elko as the second jurisdiction that is in rural Nevada and is really in need of these supportive services. Up until now, I think the issue was lack of communication and collaboration between the agencies who are now partnering and becoming a part of the high-risk team model, and then simply not being aware of all of the services that really are available for victims of domestic violence. And then, there is difficulty and communication issues when they are not all able to collaborate. Now these teams are bringing together all the stakeholders and all the partners in each jurisdiction that intersect with domestic violence, and they are actually communicating and aware of what each other can provide and are really able to step in and partner and help each other instead of working in silos.

Jessica Adair:

If I could follow up on what Nicole very eloquently said, we need more services. We do. We know we do. But, within a scarcity of resources, the DVHRTM helps us prioritize. Of the cases that we have, which are most likely to lead to homicide? How can we zero in on those folks who we know are more likely to become victims? Within a scarcity of resources, how do we prioritize? The second thing that it does is what Nicole was speaking to. It is not just, here is law enforcement, they give a card with a list of services, and then the onus is on the victim to connect to those services. Of course, many law enforcement agencies have victim advocates, and many of the service providers are already working with law enforcement, but they cannot do it all. At the point where it is on the victim, the DVHRTM seeks to switch that, so the onus is on the team to then reach out to the victim rather than the victim reaching out to the services. And then also connecting the victim to other services that you would not necessarily traditionally think of with domestic violence services, such as food stamps, Medicaid, and things like that that allow someone to feel more comfortable and secure. And then they can build that relationship with law enforcement to continue with that case. The other part of that model is the case monitoring. The team is also looking at what

that offender is doing during their pretrial period to make sure that they are complying with pretrial conditions that will make it more safe for the victim.

Chair Scheible:

Thank you. Any other questions? Assemblywoman Krasner.

Assemblywoman Krasner:

Thank you, Chair Scheible. My question is for both Ms. Adair and Ms. Reilly. First of all, I would like to say thank you so much to the OAG, who is doing such a great job addressing these issues of sexual assault, domestic violence, and human trafficking. During the 2021 Session, I brought a bill with the help of the OAG and DHHS, [AB 143](#), that did address human trafficking issues specifically. It created the State of Nevada Human Trafficking Coalition that would allow agencies from the north, south, and rurals to all coordinate, cooperate, and collaborate in their efforts for victims of human trafficking and provide resources for them. When I saw the duties of the Ombudsman, it did not read that they were also sitting on the State of Nevada Human Trafficking Coalition, so I am wondering if you guys could give me a little update. Is that up and running? What is being done with that? Thank you very much.

Nicole Reilly:

Thank you so much, Assemblywoman Krasner. And thank you so much for bringing that bill and getting the human trafficking statewide coalition established. Now, we are tasked with the implementation of it. I will be sitting on that coalition, so I apologize that we forgot to add that piece into my duties. The DCFS is tasked with facilitating that coalition, but I am working with them closely and hoping to get this up and established with the full coalition of stakeholders by April. We are, right now, receiving letters of intent and reaching out to statewide stakeholders so that we can identify and establish the membership, and then we will be up and rolling and tackling this issue statewide, which is going to be significantly helpful, so thank you.

Assemblywoman Krasner:

Thank you, Ms. Reilly. Thank you, Ms. Adair. And thank you to the OAG for all your great work.

Chair Scheible:

I am not seeing any other questions. Again, thank you to our representatives from the OAG. We welcome you to stay and also understand that you probably have to leave.

AGENDA ITEM V—PRESENTATION FROM LAW ENFORCEMENT ON HUMAN TRAFFICKING AND DOMESTIC AND SEXUAL VIOLENCE IN NEVADA

Chair Scheible:

We will move to Agenda Item V, which is a presentation from law enforcement. We have a number of law enforcement partners with us from Washoe County, the Reno Police Department (RPD), and the Las Vegas Metropolitan Police Department (LVMPD). I understand that one of their links is not working this morning, so some of them may be sharing screens or computers. I will turn it over to all of you to start.

Corey A. Solferino, Captain, Operations Division, Incline Patrol, Washoe County Sheriff's Office (WCSO):

We have spoken to our counterparts in Las Vegas. I believe that they are going to start first, and then when they are done with their presentation, we will just slide right in.

Noel Roberts, Lieutenant, LVMPD:

I am Lieutenant of the LVMPD Vice Section. We deal with all the human trafficking. I am going to go through a very short presentation about who we are, our structure, and our approach to sex trafficking (Agenda Item V A). Right now, our Vice Section is made up of 1 lieutenant, 4 detective sergeants, 26 detectives, 1 investigative specialist, and 2 law enforcement technicians. We are part of the FBI Child Exploitation Taskforce, the Southern Nevada Human Trafficking Taskforce, and we are partners with Signs of Hope and RISE (Reno Initiative for Shelter and Equality) Advocates. We obviously also partner with not only the FBI, but also Homeland Security Investigations.

Squad structure—I think this is important because we have done some restructuring to really focus on how we are combating human trafficking. We have our investigative squads, and we do split our juvenile squad from our adult squad for victims of sex trafficking. They fall under one sergeant, but their missions are directed towards the juveniles or the adults. Both teams do conduct our grand larceny trick roll investigations. Our next squad is our enforcement squad. They conduct all the enforcement operations throughout the valley. They will conduct trick roll operations. They also work in coordination with our special investigative section where we are targeting licensed businesses who are engaging in human trafficking and sex trafficking.

Our next two squads—really, the approach that we are taking is more of a proactive approach. We have always had a proactive approach, but we are really taking it to the next level. This squad is our PIMP squad, which is proactive investigation against major pimps. Basically, this squad is tasked with targeting all major sex traffickers throughout the valley. They conduct these investigations through multiple intelligence gathering to identify sex traffickers. We are taking a five-pronged approach to it. Obviously, one, is that they are a sex trafficker and that we know that they are engaging in sex trafficking. We take a look at their violent criminal history. We are finding an uptick in traffickers having a gang nexus. Firearms—again, we are seeing an uptick on traffickers who are in possession, and they are prohibited people to be in possession of firearms. Then, we take a look at their financials and the amount of money they are making from engaging in sex trafficking. Our next squad is our proactive operational squad. Their focus is the tourist corridor, which would consist of our Tropicana corridor, our whole Las Vegas Strip area, and going into the downtown Fremont area. They are conducting a lot of proactive reversals on pimp sex traffickers who are out there trying to recruit victims to engage in sex trafficking. They also take the lead on the buyer reversals, where we are targeting those who are seeking to be buyers of sex trafficking.

Our juvenile team takes the lead on the targeting of buyers of minors. They use their online operations, which was talked about earlier, where we are targeting those who are seeking underage minors for sex trafficking. They also are targeting the sex traffickers and pimps—those associated with trick rolls. We have had a huge uptick, and I will show you the stats in a second, of our grand larceny trick rolls. We started to take a look at who is behind all these. The mission of the LVMPD Vice Section is a victim-centered approach. What I mean by that is every potential victim that we come across is offered services immediately. We have advocates embedded with us, and they are on scene. When we are taking a proactive

approach, the advocates are with us during that shift, and immediately services are being offered and there is an interview being done. If we get a call to respond to someone that is a victim of sex trafficking, we call our advocates, and they will respond with us 24/7 out to the scene to assist. We have an alert system in place for identified victims. I put that in there, as we have started to really work with our resort property counterparts. There is training going on the Strip for personnel inside the casinos to identify victims of sex trafficking, which would cause an immediate response by the Vice Section of LVMPD and the advocates. We have an immediate detect response, 24/7, anytime someone is being identified as a victim of sex trafficking.

Here are some of our 2021 stats. In 2021, we identified 103 juvenile victims of sex trafficking, so there are 103 investigations based on those victims being identified. We also investigated another 181 tips that came in about juveniles being possibly involved in sex trafficking. We arrested 48 sex traffickers involved with juveniles, who were trafficking a juvenile victim. We made 29 luring of minor arrests, and that goes back to the online investigation that we are conducting now. That number is 29 for us, as mentioned earlier by the OAG. We do work with other agencies, even our ICAC section at Metro, so some of those stats are not reflected in ours. They would go over there, so that number is a little bit higher. But I am confident in the 29 of the luring that we have done as we are doing our own within our section. We had 297 sex trafficking/pandering investigations that we did on adults. That is a combination of identified victims, or even if we have identified victims and we are not getting cooperation, we still will target the sex trafficker when we are building an investigation and we have a lot of cooperating evidence. It also is part of our undercover operations that we do to target and identify sex traffickers. We made 58 adult sex trafficking arrests in 2021, and we made 158 adult pandering arrests in 2021. We have 98 other arrests. What that would mean is that we did identify that there is a sex trafficking nexus and that we do have a victim of sex trafficking. There may not be the evidence there to charge on that charge, but there was an arrest made on the trafficker that we believe for another charge. We conducted 287 grand larceny trick roll investigations, and we made 160 arrests related to those investigations. We did 89 buyer arrests in 2021, where we were conducting undercover operations. That is for the misdemeanor [NRS 201.354](#).

Our juvenile victim placement is definitely a challenge for us. I know we are in the works of some models that we are looking to go to in the future, so that is something that we work with our nongovernmental organization (NGO) partners on—what that is going to look like moving forward. The buyer enforcement is difficult for us because we cannot arrest for the misdemeanor crime on the initial one, so we are having to issue citations for the buyers. I think, like all the human trafficking, the victim's resistance to testify obviously causes us some difficulties, but we are going back to my previous slides. That is why we are really looking at the proactive approach. Just because we do not have a victim wanting to testify does not mean that the investigation stops there. We are using our proactive teams to target those known sex traffickers and still try to arrest them for charges relating to pandering sex trafficking even if the victim is hesitant to come forward. The prosecution of grand larceny trick rolls is a concern of ours, as it is difficult to get those prosecutions, one, because of the victim. We are seeing a lot of repeat offenses on the grand larceny trick rolls. The other challenge we have is the uptick in violence that we are seeing related to human trafficking all around the valley. That is the end of my presentation.

Chair Scheible:

Thank you so much. I have some questions, but first I want to see if any of the other members of the Committee have questions. Assemblymember Summers-Armstrong.

Assemblywoman Summers-Armstrong:

Thank you so much, Lieutenant, for your presentation. Could you please sort of delineate for us the difference between how you all define a victim, and do you differentiate between the victim and someone who is not juvenile but a participatory sex worker? I just want to make sure that you all have clear delineations so that I understand what your delineation is between the two.

Noel Roberts:

Of a victim?

Assemblywoman Summers-Armstrong:

Yes. I am going to assume that anytime it is a juvenile, that is classified as a victim. Can you just clarify that for me, so that I know what your standards and what kind of a process you go through, when you are doing your work and identifying who is a victim—if a person is an adult, are they still considered a victim? Can you just clarify that?

Noel Roberts:

Yes. I understand better. Obviously, the juveniles are all victims based on their age. When it comes to adults, we look at all the adults we come across as victims, because as we do our investigations, we know that there is—I do not want to say 100 percent of the time, but I am going to say 99.5 percent of the time—someone behind it. There is a trafficker behind this potential victim, or this victim, engaging in these activities. We take the approach that we rarely—and it does not happen a lot—will identify a victim who will accept the help and accept the resources. That is our goal. If we come across a victim that we believe we know is a victim, and they self-identify and say, “Hey, I—” [audio cut out]. When we come across them, and they self-identify, we are immediately going to treat them as a victim and get them all the help we can. Now, if they are not willing to identify at that time or they do not want to identify at that time, they are given the information for resources that they can call for later. Does that answer it?

Assemblywoman Summers-Armstrong:

Yes, it does. As a follow up, one of the things that was mentioned earlier with the high-risk team is that they try to follow up with a victim, even if the victim is resistant at the time of interaction with law enforcement. Are you all participating in that activity as well, making sure that you follow up with them? Because I would assume that they do not want to say anything. And if their trafficker is nearby or someone who is connected to the trafficker is nearby, they do not want to get in trouble with that person. Are you all participating in the high-risk team model program to follow up with them? If so, how much of the time are you all participating, and what results are you seeing from your interactions?

Noel Roberts:

We do follow up. When I say “we,” we fall under the enhanced collaborative model for human trafficking. That is part of our Southern Nevada Human Trafficking Task Force, which Elynne Greene is the director of. When I say, “we are following up,” that is where Signs of Hope and our Rise advocates take the lead. As law enforcement, we are trying to take ourselves out of that part. Having those highly trained professionals that have the resources is part of the task force model. Yes, we are engaged. Once a month, we have our committee meetings. Just yesterday, we had it. We are getting updates from the Rise

coordinator, Brittany, who talked about where we are at with different victims. As far as going out there dealing with the field, even if that victim is not identifying at that time, they are given the resources. Then, I will follow up with Brittany on weekly meetings about where we are at and what we are looking at, did you have any success [audio cut out]—gave me the numbers for 2021 where 136 victims took resources. This year in the six weeks, this was as of the beginning of this week because we had to present to Metro executive staff. In January and the first couple days of February, the Rise advocates interviewed 110 victims. Ten of them took resources, but that does not mean in the weeks coming that there will not be more that will be reaching out. The last part of the meeting I had with Brittany yesterday was to dig deeper on that stat—keeping on where we are at. What I found yesterday during our meeting, as we were going over cases, is the advocates are very much in constant communication with the victims that are pending a trial or have the trafficker arrested. We are starting to look deeper into that for stat keeping, so we can get a better look at exactly how far a victim is wanting resources. Sometimes, it could be just a way back home. Sometimes it could be shelter. There are many different resources available, and not all take the same resources.

Assemblywoman Summers-Armstrong:

Thank you. That is great information. Are you all collecting any other data from the victims? Can you give us a rundown of the type of data that you collect on these victims, such as age, sex, sexual orientation, if they are local, or if they are out of state? What kinds of things are you collecting so that we, as the Committee, can see if this is a localized problem or if these folks are being imported and brought here for this activity? Is this recruitment from our sister states on either side, or even further away, or internationally? How crazy is this?

Noel Roberts:

I can speak from the internal stat keeping that we do. Yes, we do have a big population of victims we come across that are local, but we really have a lot that are coming in from California, which plays a major part. With us being Las Vegas, I hate to say this, but we get these traffickers bringing in these victims from all over the country. We will see them from all over. Vegas is just one of the spots that traffickers are going to bring these victims to in order to engage in this activity because of the Strip, the tourist corridor, and things like that, and the amount of money that is associated here in Las Vegas. I have demographics from our human trafficking coordinator, Elynne Greene. She did send that to me. Forty-eight percent are from the ages of 18 to 24, 2 percent Asian, 52 percent African American, 15 percent Hispanic, and 25 percent Caucasian. Those are some of the numbers that we do take a look at.

Chair Scheible:

I am just going to chime in. I think those of us on the Zoom saw a message to all the participants from Danielle, who will also have some statistics on this coming up soon. Assemblywoman Summers-Armstrong, did you have further questions for Lieutenant Roberts? It looks like that was a “no,” so I will move to Vice Chair Nguyen.

Vice Chair Nguyen:

Thank you, Lieutenant Roberts. I know that there are lots of different policy models and implementation models across the country in the area of identifying and targeting this. This may be a question for Corey Solferino. I do not know if he is doing that. I know that in Reno, they have the—I think it is Awaken model. Are they working with Awaken, where it is

more a task force that focuses on the johns? I noticed that Metro does not do that. Is there any particular reason why that model? Or are we just trying to find the best fit?

Noel Roberts:

The model that we use is the collaborative model, which is from the U.S. Department of Justice (DOJ). We are part of that DOJ grant funding. I am not really familiar with the model that my counterparts up north are using. I will say that with the model that we are using, and I think you alluded to it, human trafficking and sex trafficking is the same all around the country, no matter where you are at. When you talk about where it is more prevalent, you are going to see at the top of the list is Las Vegas, Miami, Washington, D.C., and L.A.—even amongst those cities that have this problem at the magnitude that we do, even though we are so much different than L.A. or Washington, D.C. with our environmental factors and the different variables that go into southern Nevada, and more specifically, the Las Vegas Strip area and the Strip corridor. This is the model that we fall under with our grant funding.

Vice Chair Nguyen:

I just have another follow-up question. You had indicated that a lot of the crimes go hand in hand with the grand larceny charges. In those cases, how do you address targeting, let us say a person that is a victim of sex trafficking or engaging in sex trafficking? You said that of the 100 and something people you interviewed, you only had about 10 people that were willing to take services. It leads me to believe that there are a lot of people that are going back into that trafficking for whatever reasons, which I know are vast. Are you addressing some of those victims in that grand larceny space and treating them the same way that you would treat them as if they were victims of sex trafficking outside of it? How does that work?

Noel Roberts:

When we are doing, let us say, grand larceny investigations, one of the things that we are doing is talking with Brittany, who coordinates that end of it, on how we can get better success with these victims wanting to self-identify and really come forward and ask for the help. Something we have been doing is really setting up a safety environment, making everything safe, and unhandcuffing. If we have handcuffs on that particular person, we are unhandcuffing and we are putting them in front of the advocates in a safe, more comfortable environment. Brittany has already been telling me that they are seeing a huge difference in the conversations. Instead of conversations taking five to ten minutes, we now are looking at 30 minute, 45-minute conversations where they are really having some good, in-depth talks. We are not around. We are in the distance. We are giving that space for the advocates to do what they are best at doing, and we are seeing a difference. I know that ten does not sound like a lot. But that does not mean that come next week, another two or three from this past—just in 2022—do not come forward, and are ready now to say, “Hey, I need help.” That is more what you are going to see. We have not seen it where a victim was identified right away. We do have it, but it is very rare, but we are seeing success down the road.

Chair Scheible:

Do other members of the Committee have questions? I do not see any, so I am going to ask my questions. The first one is actually a term that I am not familiar with. You mentioned that part of the Strip enforcement includes pimp reversals. Could you explain to us what those are?

Noel Roberts:

We are using undercover to identify these pimp sex traffickers. We are using a different type of investigative means to where basically shoppers are recruiting our undercover. That is how we are targeting them. I want to really emphasize how we are really taking a whole different look at that. That does not stop there. Just because we may take a trafficker in to custody—And I will give you an example. Over this last crazy weekend we had in Vegas with the Pro Bowl, the NHL (National Hockey League) All-Star Game, and everything that went on—in just two days over the weekend, we arrested ten traffickers who were recruiting our undercover. We also have another handful of follow-up investigations that we are doing from that, so you could see how big the problem is. What we are doing is, even when we arrest a trafficker who is recruiting our undercover, we are looking into who they are and who they are associated with, and we are trying to then make contact with potential victims who they are victimizing. We are finding some success with that, because instead of these victims coming in to contact with law enforcement in a negative way, we are actually now coming in contact in a positive way, like, “Hey, we are here to help you.” There is no arrest. There is none of this. It is just, “Hey, would you like any help or any resources?” That is the proactive approach that we are taking.

Chair Scheible:

Thanks. The other question that I had goes back to the slide that you provided us about the investigations and the arrests that you have done over this year. I noticed that there were twelve more trafficking investigations than trick roll investigations, but somehow you guys managed to arrest like three times as many perpetrators of trick rolls as sex trafficking. Why is the success rate so much higher for those investigations?

Noel Roberts:

When you say sex trafficking in mind, you are probably looking at the adults we have—the combination of sex trafficking and pandering. Is that what you are referring to?

Chair Scheible:

I just saw on the slide that you had 297 sex trafficking investigations and 58 arrests.

Noel Roberts:

The difference in investigations is for sex trafficking, you need a victim—[audio cut out]. So even when we are conducting our undercover operations, the charge is pandering because the undercover is not a victim of any type of coercion or force at that time, and because of the cooperation of the victim needing to come forward to basically testify or explain how they were coerced or forced violently into sex trafficking.

Chair Scheible:

Are you saying that the sex trafficking investigations are utilizing undercover instead of actual victims?

Noel Roberts:

No. Our sex trafficking investigations are victims that come forward. We have numerous victims that will call us up saying, “Hey, I have been a victim of sex trafficking,” or we come across them with, say, any other law enforcement stop or a patrol officer makes a stop, and

they identify that this is going to be a vice-related victim. We go out there, and we can start [audio cut out]—evidence that this person is a victim.

Chair Scheible:

What is happening in those 250 cases where you are not making an arrest?

Noel Roberts:

When you look at some of them, that is why the other arrests— We may go out to a call to where we know that there is a sex trafficking nexus here, but we just do not have the evidence to prove it. It may be domestic violence related. That is where we would arrest that trafficker for domestic violence because that is what got us to that call. Patrol responded to a domestic violence call. We know that it is a sex trafficking nexus, but we do not have any cooperation or any cooperating evidence though we do know it. We just cannot put a case together, but we do have domestic violence, or we do have this type of crime, and we will arrest on that charge.

Chair Scheible:

I appreciate the insight. Are there any other questions? We still have some of our law enforcement partners here to present, so I am not sure if we are ready to move up north yet.

Corey Solferino:

We are ready to start if you guys are.

Chair Scheible:

Please go ahead.

Corey Solferino:

Perfect. I am just going to make a few introductions, and then I will hand it off to the more than capable hands in this room today. My name is Corey Solferino. I am the outgoing legislative liaison for the WCSO. I am proud to announce that Sheriff Balaam has selected Sergeant Jason Walker as my replacement, so you guys will be seeing him down in Carson City moving forward. We also have Mary-Sarah Kinner in the room today. She is our full-time government affairs liaison. Sergeant Walker is currently assigned to the patrol operations division and will be assuming those legislative duties. Here is Detective Brigit McGurk, Detective Leedy, and Detective Johnson from the Human Exploitation and Trafficking (HEAT) team. I had the pleasure of supervising these ladies and gentlemen for about a year and a half while I was assigned to the regional team's initiative overseeing the HEAT team. I really got the opportunity to present a lot of information to this legislative body to present the groundwork that these unsung heroes are doing on a daily basis. I wanted them to get some face time with the Committee and talk to the experts here in this room today and allow them to showcase their talents and what we are doing in northern Nevada. With that, Madam Chair, Vice Chair, I am going to go ahead and hand it off to the detectives to start our presentation (Agenda Item V B).

Chris Johnson, Detective, RPD:

Good morning, everybody. My name is Chris Johnson, Detective with the HEAT unit. Currently, our team consists of one detective sergeant from the RPD, four detectives, one assigned victim advocate, and one prosecutor as well. We are a regional unit where you partner with the FBI, ICAC, and other NGOs in the area for victim services. We conduct operations regionally in northern Nevada.

We will start with a three-pronged approach. We have our case referrals. That comes from patrol or comes from the community as tips or secret witness tips. We also have a very large proactive approach, monitoring stuff online, traffickers, victims—seeing how the trends are in northern Nevada. We also identify victims proactively, and we conduct undercover operations to address the supply as well as the demand. That includes victim recoveries, john operations/sex purchasers, as well as trafficker operations. Our other approach is we do a lot of outreach in northern Nevada—doing training in different casinos as well as nursing schools and anybody else that reaches out towards us that would like training in regards to human trafficking and sex trafficking.

This is kind of our case flow. When we have real victims, we identify our victims. We recover our victims through undercover operations, or if they choose to self-report, we build cases against the trafficker. We, at the same time, figure out short and long-term plans for our victims and helping them get with the court preparation. Our advocate works with us, hand in hand, during this entire process. She is there with us the whole time. So, the victim path— Generally, what happens is we identify our victim—recovering them when there is self-reporting. Our advocate is involved from the very beginning. She is involved with creating a short and long-term plan, working closely with us, as well as the courts, and then helping them prepare for testifying in court cases.

This is from December 2020 to December 2021. We have worked with 144 different victims. What they go through is an initial placement. This is what we found that they need— creating a safety plan for them, getting them things like a place to stay; emergency shelters; medical needs, if needed; basic needs, including food and clothing; starting to get them resources and referring them to NGOs and other resources in northern Nevada; explaining their victim rights; court advocacy, partnering with the advocates within the court system at the DA's office; getting them into treatment programs; relocating them if needed; or providing them transportation to wherever needed. It could be across the country. We have helped our victims travel across the country to get what they want and to get back home. Providing them with assistance with employment and school assistance. We have several victims that are currently getting their college education with the assistance of our victim advocates once they have been recovered and are completely out of the life. Then there is immigration assistance if needed during our operations with our victims.

Some of the local trends that we are seeing here in northern Nevada is we have a street level, so where the sex workers work the track is where they solicit their purchasers. We have the casino level, where sex workers are soliciting patrons within the casino, and they are performing those dates or acts in adjoining hotels. Online is where we are seeing most of our sex trafficking take place. That is where sex workers are advertising online and often arrange dates in private locations. We are seeing most of our recruitment happening on social media. These traffickers are locating and grooming victims by social media, and those are juveniles as well as adults. We are also seeing sex purchasers trying to recruit juveniles into prostitution as well as sex workers talking with the potential sex purchasers via social media and arranging dates that way. We are seeing a lot of chat rooms that are hosting in northern Nevada and across the country, based upon our undercover operations, where it is

very prolific what is happening online. That is where we are seeing, again, the bulk of our recruitment. We are also seeing some residential brothels in northern Nevada. That is where sex workers are kept in a private residence or extended stay hotels, and they are performing those acts there. We have been seeing quite a bit of massage parlors kind of pop up as a residential brothel at an extended stay hotel, and then they are only there for a couple of days or a week before they move on to the next location. Finally, we are seeing actual massage parlors. That is where sex acts are being performed within the businesses, and there are also additional elements of human trafficking—bringing these victims in internationally. We are also seeing that go into more aromatherapy parlors in addition to massage parlors.

Wesley Leedy, Detective, RPD:

I am Detective Wes Leedy with HEAT. I am going to start to cover some of our demographics we have collected since we have restructured our approach beginning in 2019. Here is our case volume on adult versus juvenile breakdown, and again, these are real victims. We are almost at a 50-50 split on juvenile versus adult victim cases. Our average age of recovered victims—and we define a recovery as us performing a physical intervention in a trafficking cycle and removing the victim from the life even if it is temporary—is just under 16-years-old. The average age of adult recovered victim is just under 28-years-old. The youngest reported victim age that we have received thus far for a female is 12, and 17 for a male. Our average trafficker age over that rolling statistical period is just under 28-years-old as well, which is almost exactly synced up with the average adult age, which is interesting.

Here is a breakdown on traffickers by gender. The reason we put this up is that there is a lot of misconceptions about what a trafficker may look like. We found that a significant amount of traffickers are, on occasion, females, which is something that was sort of the new understanding for us when we started doing these cases. We have almost a 75-25 split on male versus female traffickers.

Here are some of our stats for arrests and recoveries starting in 2019. For context, it is important you understand that in 2019 we only had two detectives enforcing these violations on a part-time basis from within the narcotics and street crimes unit. Once we started to show statistical significance of the problem, we advocated with our administration, and we were afforded the opportunity to create the unit that it is now, which is known as HEAT. In January 2020, we rolled the unit out and started to increase our enforcement action. You will see how the numbers went up from 2019 to 2020. We had a total of 17 arrests and 18 recoveries of juveniles and adults. In 2020, we had 66 arrests and 15 recoveries. The reason that the arrests increased so much was we really increased the amount of sex purchaser enforcement for that time period, which is what explains the 30 other felony arrests. We suspect the initial onset of COVID really changed the way the commercial sex trade was operating in Reno. Initially, so we saw a brief decline in the overt victimizations occurring online and then saw dropping recoveries. Moving into 2021, we continued to ramp up efforts on sex purchasing. We also started to notice that our mission set was broadening in scope. What I mean by that is we are now getting a larger variety, so we are not just doing trafficking and pandering. We are also doing child porn cases and other forms of sexual exploitation cases that are occurring in online platforms. We also do occasionally investigate sexual assault cases when there is significant overlap with the commercial sex trade. What is complicated about that is, with the broadening of responsibilities within that broad mission set, we are being tapped on our available resources. And we are unable to efficiently focus on one particular problem within the

commercial sex trade. That sort of explains the variety of arrests you see increased in 2021, and then we are right on par with recoveries in 2021 as well.

Here are some of the public misconceptions that we encounter that affect us adversely. First and foremost, obviously Nevada prostitution is legal in the right context. That misconception causes a lot of sex purchasers to travel to Nevada as a destination location to engage in sex purchasing. Also, because it is legalized in brothels, we are seeing trafficking that occurs from the outside that is brought into brothels. In a sense, they are laundering their money in doing so. It is under the legal umbrella of brothels, and they are able to thwart criminal liability at face value. The age of consent within Nevada is another misconception where purchasers assume that if the person they are seeking to purchase is 16, they can in turn purchase that person because they can consent to sex. Then, there are stereotypical van abductions, and there is this Russian syndicate transporting victims from the east coast to the west coast. What a lot of people assume, at least locally here, is what sex trafficking must look like. We fail to recognize that within our local society here, it is actually hiding in plain sight.

Moving forward on some of our challenges and needs we have experienced over the last couple of years—juvenile placement specific to resources is really a challenge for our juveniles. When it comes to what we call, “the 3:00 a.m. problem,” if we recover a juvenile at 3 o'clock in the morning, we do not really have anything to do with them, especially if the guardian is not in the picture. Our interim care and placement for adult victims, while it is better than juveniles, it is still limited. Victim resources, in general, are extremely limited for juveniles. We are limited in our john enforcement ability based on our local policy, which essentially requires us to cite and arrest depending on circumstances. Additionally, as Lieutenant Roberts referenced earlier, with [AB 440](#) (2021) coming forward, we are going to be further restricted on our ability to effect misdemeanor arrests on purchasers. On our undercover cases, obviously, we have [NRS 201.354](#), which allows an officer to pose as a juvenile for solicitation cases. We also have the luring statute, which allows us to pose as a juvenile, but we are not able to charge a completed sex trafficking case on undercover cases. We have to charge the intent.

Something that we have sort of looked at maybe as a solution is—if we could get written into the NRS, like the lieutenant referenced—the pimp reversals. If we have an officer posing as a prospective sex worker that a trafficker in turn recruits and attempts to traffic, we could charge it as a completed sex trafficking case. California has actually created case law recently where their undercover officers posing as children are actually charging human trafficking of a child, so sex trafficking of a child would be the direct same thing over here. They are creating case law over there that has held up through the different court systems. So allowing us to be able to charge sex trafficking of a child when we are being recruited online—told to do dates online, and the trafficker comes across the country, or traffickers are here locally—then we can charge them with actual sex trafficking instead of the attempted sex trafficking. When it comes to living on the earnings, if we could somehow build in a differentiation between adult versus child victims—possibly a more significant penalty for the child side of things—we would hopefully get more teeth in our ability to get sentencing.

We are experiencing a significant bottleneck in our DA caseload. Our assigned DA is Darcy Cameron. She is phenomenal and a very loyal partner in this fight with us, but she has reached a critical point in her caseload where she has been unable to essentially take more cases than we are currently generating. With that and our bottleneck and our ability to process digital evidence, we are going to have to ultimately slow down our operation tempo in order for our DA and evidence processing to keep up with our caseload, which

obviously is not desirable with the current situation going on in Nevada with sex trafficking. We have already talked about the legal forms of prostitution that do exist and how that is challenging. We have heard various talks about john penalty funds and how funds would possibly be reallocated to law enforcement for our operations. I think we are still confused on how that would manifest for us, because we have not seen that yet. A local problem that we are seeing in terms of culture and policy is that we have municipal code that has provisions for licensing escorts and escort bureaus, which is problematic because it essentially creates a legal loophole for traffickers and sex workers. If they were to get escort licenses, it would essentially insulate them from various forms of criminal liability. I think considering trying to eliminate that from the books would be very helpful in some of these cases. I am going to let Detective Johnson talk about the social media challenges that we have experienced.

Chris Johnson:

We have been receiving a lot of kickback from major social media platforms when trying to serve them with warrants and getting warrant returns and the information back in timely fashion. In addition, we have noticed that a lot of these social media platforms actually have groups that are allowing human trafficking and sex trafficking to take place within their platform. You will have a group where you will have sex workers and traffickers all joining the same group, and there were recruited, or sex workers will recruit individuals online and bring them into these specifically named groups around sex trafficking. We are just having a lot of kickback from social media. In addition, on one social media in particular, I got a case regarding some child pornography and distribution there. That social media platform actually recommended that I follow four additional child pornography-related accounts that were selling child pornography online. I brought that to their attention, and it took them a bit of time to figure that situation out and take those accounts down, even though there was active exploitation taking place on those accounts.

What it appears to be to us is, in the interests of their efficiency and promoting their business, obviously they are creating artificial intelligence (AI) and algorithms that are promoting their platforms. However, in doing so, they are failing to monitor what those algorithms are doing. What they are actually doing is a direct referral for and distribution of child pornography. I think there is a lot that is occurring on those platforms that I think we as the public and you as the stakeholders should be aware of.

Obviously, another limitation is detective staffing. We operate on an extremely tight skeleton crew—four detectives, one sergeant, and one victim advocate. We cannot keep up with what is going on up here in northern Nevada, and we really do not just handle cases exclusively in Reno. We are regional, so we do Washoe County. We do Sparks. We have done operations in Fallon, Carson, Douglas County, up at Lake Tahoe, and basically all of our neighboring jurisdictions. We have kind of become a northern Nevada regional response. With four detectives taking caseloads, it is just not practical, but we do the best with what we can.

On that note, going back to our stats we briefed a few slides ago, the arrests there reflected on those slides do not actively portray the amount of tips, leads, or investigations that actually come in. I would say that the amount of tips that come in, or investigations that we engage in, are probably three to four times that of our arrest statistics. Those are just the ones that have resulted in enforcement action being taken. This year, we have been trying to ramp up efforts, not only on the purchasers but putting more emphasis back on the traffickers as well. We try to balance that supply-demand curve that we referenced earlier.

I think that is all we have for our presentation. If you have questions, we have some answers.

Chair Scheible:

Thank you so much for your presentation. I feel that the scope of the problem and our ability to address it is kind of overwhelming. We appreciate what you are doing. Are there questions from the Committee?

Assemblyman O'Neill:

At the very end you were talking about how you conducted the activities out in Churchill County, Caron City, and up at the lake. Have you looked at any of those agencies and forming a task force with the state division of investigation contributing and then, naturally, with the attorney general assisting with an assigned prosecutor for you?

Wesley Leedy:

The short answer to your question is we have definitely had conversations with the various stakeholders in those communities. Our direct supervisor, Sergeant Scott Smith, was unable to be here today. I know he is engaged in those conversations personally and would probably have a better response to what was in those conversations, but I know the ultimate goal is to better collaborate and align our efforts so we can be more efficient across the various jurisdictions.

Chair Scheible:

I wanted to briefly go back to your progress as the HEAT team has received more funding and ramped up. I was a little concerned that it looks like the arrests have increased, but the recovery of victims has decreased in the last three years. It seems like a metric we should be keeping track of, but that is turning in the wrong direction.

Wesley Leedy:

I think there are a couple factors that play into that, the first being COVID-19. It hit right as our unit formed, which changed how victims were manifesting in our community. We came out swinging really hard in late 2019, and it was a lot easier to identify our juvenile victims on the various escort and prostitution websites. Once we started taking very aggressive enforcement action, we feel that the traffickers started to pick up on how we were enforcing things and had to change their MO (modus operandi) to thwart our investigations. COVID-19 played a role. I think traffickers started to change their tactics once we came out aggressively. We also increased our efforts on demand reduction through targeting sex purchasers, which is why we saw an increase in the demand side as opposed to the victim recovery side. Obviously, there is always going to be a challenge with victims willing to self-report or self-identify. Without that, we may not be able to effect a recovery. Hopefully that kind of answers your question, but it is hard to break down. It is definitely a complicated answer to an even more complicated situation.

Chair Scheible:

That definitely does help answer my question. It is probably related to something I was thinking about when you got into the social media part of the presentation. I do not imagine that these are Facebook groups that are called something like, "Human Traffickers of Reno." I imagine that they are a little more subtle than that. I am interested in how your task force

or team, or any team nationally, keeps up with the ever-changing MOs of traffickers and ways of making it harder for law enforcement and community partners and service providers to identify victims. How do you keep up-to-date with the strategies that they are employing to thwart the investigations?

Chris Johnson:

There are some social media applications where they are in plain sight like that. There is one group that our undercovers are a part of that is literally "Pimping Teens." That is the name of the group on the social media platform. We are trying to infiltrate these groups and then conduct our investigations from within there and talking with different traffickers on there as well as victims. We are trying to figure out intelligence towards other things that are happening. That is how we are getting a lot of our intel. Having four detectives assigned to this problem in northern Nevada really limits the scope of how we want to attack this problem. We want to recover more victims and do these things, but we are being limited due to the number of detectives that we have assigned.

Wesley Leedy:

The minute we shift focus for one particular problem of the commercial sex trade, that takes our ability away from addressing the other. The contemporary approach to the problem, as a whole, is to heavily hit demand reduction. The minute we do that, it takes away our ability to affect victim recoveries and build trafficking cases. Without the specific delegation of a variety in teams to handle the various things, the more of a division of labor that we do not have. We are constantly wearing multiple hats, putting them on, taking them off. It is a constant battle between resources and staffing.

Chair Scheible:

I can imagine, and I appreciate that context as well. One more question. How do you train other law enforcement officers, like the rest of the WCSO? Do you train them to refer cases to you, or are you so overwhelmed that you cannot accept referrals from patrol or other investigative agencies?

Wesley Leedy:

When we first started doing outreach and education, we started with the community, specifically schools and various executives in the community, such as security directors for casinos, counselors, and administrators. Pretty much anyone you could imagine who had interaction with our vulnerable population, youth specifically. We started with them. Once it became a Peace Officers' Standards and Training Commission (POST) requirement that law enforcement was trained, we started putting together some various entry-level training, essentially awareness training, for patrol response within law enforcement. All of our local neighborhood agencies have been trained by us for those tactics. We also have advanced courses that we teach, usually at least a four-hour class that we have taught in a couple different locations. It actually gets into the tactics and how to specifically engage in these investigations. It really depends on the audience and what they are desiring. To answer your question, yes, we train and encourage patrol response to initially assess, gather information, and then ultimately report to us. Since we started doing that, we have seen an incredibly significant increase in reporting. The more outreach we do, the more reports we get. It has now become an exponential issue of reporting that we just cannot keep up with.

Chair Scheible:

Not being able to keep up is not very encouraging, though I do appreciate educating all of the people in the community, which is almost everybody, who might encounter some of this activity. It is important. It looks like we do have a question from Assemblymembers Summers-Strongman and Krasner. I will start with Assemblymember Summers-Armstrong because I saw your hand first.

Assemblywoman Summers-Armstrong:

Thank you so much, Chair Scheible. I am hearing a lot of discussion about “after the fact”—so once someone is already wrapped up in this web of human trafficking. Has there been any effort or outreach done in the community to prevent our young people from being manipulated into this life? Has there been discussion about how we can start there, so that we are not chasing after a horse that has already been let out?

Wesley Leedy:

The short answer is yes. We have definitely tailored outreach efforts towards the vulnerable youth and those who interact with them. Obviously, COVID-19 affects a lot of things, like when schools shut down in 2020 and we were unable to get into the schools. We have a plan that is in the works right now to scale our outreach efforts and target the middle school and high school ages, because I believe the national average for entry into the commercial sex trade is in that 12 to 14-year-old age range. What that tells us is that we really need to be tailoring our outreach efforts to that demographic and be hitting the middle schools regularly. We have a plan in place for that, but again, it is a battle of, are we best suited to be a detective and investigate cases or to be engaged in the community? I think there is no perfect answer to that because I think we should be doing all of it. It is a matter of managing our time efficiently. Like I said, we are working on a plan to scale our outreach efforts to make sure that those populations are reached. In the meantime, we have definitely hit a lot of these stakeholders that do engage with them. From that, we have seen the increase in reporting. I would argue that we have seen some prevention come from that.

Chris Johnson:

We also taught several classes to parents in northern Nevada that are open to the public so that parents have the tools and knowledge to be able to monitor their children’s online presence in order to prevent any potential trafficking. Many parents did bring their kids along to that, so we gave them the tools and knowledge to be aware that the recruiting does take place. We have more trainings planned in the near future for parents that are open to whoever wants to come.

Assemblywoman Krasner:

I would first like to say, thank you to the great work that is going on here in Washoe County under Sheriff Darin Balaam, Captain Solferino, and the HEAT team in regard to human trafficking. I really appreciate the great work you guys are doing, so thank you. This is an issue that is very important and is a huge issue here in the state of Nevada. Number one, I did see on your list of concerns and areas where you needed some help, something about a difficulty in placement of juveniles, especially after hours and on weekends. Can you extrapolate a little bit on that and let us know exactly how we can help you, please, in the next legislative session?

Wesley Leedy:

We are just limited on facilities that can take juveniles on an exigent basis. Obviously, CPS (Child Protective Services) can place youth, but oftentimes they are placed in group homes that are not always the most conducive to healthy habits. For example, we have a current situation where we have a number of youths that are co-located in a group home. From that group home, they are essentially being recruited to run away and join various other at-risk youth and engage in unhealthy habits, such as drug use and what I would call "sex for survival," which is going to, at some point, turn into sex trafficking. I think it is just our inability to adequately manage the youth once they are placed by the state. At this point, the NGOs we have locally are more tailored towards adult response and not necessarily towards youth response. I am not sure I have a perfect answer for you about what we would need for juvenile placement, but I would say that some sort of intake facility that would be open 24/7 and would be secured to prevent outside influences, such as sex purchasers or traffickers, from directly recruiting out of those group homes.

Assemblywoman Krasner:

Thank you very much, and again, thank you for the great work that the Washoe County HEAT team is doing.

Chair Scheible:

Are there any further questions? I do not see any further questions. I think we still have the RPD here to present?

Corey Solferino:

Chair Scheible, what I wanted to mention is that in northern Nevada, we have a regional team collaborative effort. For 18 months, when I was the supervisor over this and over Sergeant Scott Smith and this wonderful team, and I promoted to the rank of captain. I got removed, and they got under other supervision. This is a regional effort. The detectives here presenting before you today are all from the RPD. The WCSO has assets through the ICAC unit, and we all work collaboratively together. We are still working on adding additional detectives from both the UNR Police Department, City of Sparks, and the WCSO. We are just working on filling line functions first before we can move those assets into these very important and special positions.

Chair Scheible:

Thank you so much. That brings us to the end of Agenda Item V and almost to the halfway point in our meeting. I am going to take a break after the next agenda item for 10 minutes, but if you need to get up before then, you are always free to turn off your camera and grab a sip of water or whatever it is that you need to do. Just so you know, I am going to build in a 10-minute break.

**AGENDA ITEM VI—PRESENTATION ON HUMAN TRAFFICKING AND
COMMERCIALY TRAFFICKED YOUTH IN NEVADA**

Chair Scheible:

With that, let us move onto Agenda Item VI on human traffic and commercially trafficked youths in Nevada. I am going to turn it over to our fantastic team. You already have your PowerPoint up (Agenda Item VI). The floor is yours.

Cindy Pitlock, DNP, APRN, CNM, Administrator, DCFS, DHHS:

Good morning, Chair Scheible, Vice Chair Nguyen, and members of the Committee. My name is Cindy Pitlock, and I serve as the administrator for the DCFS. With me today is Esther Rodriguez Brown from Ego Friendly Living Consulting, who provides consulting and technical assistance to us related to the commercial sexual exploitation of children (CSEC), and Brigid Duffy, who is the chief of the Juvenile Division for the Clark County DA's Office. We are pleased to give you an update today on the CSEC coalition, its work, an update on implementation of passed legislation, and provide a vision for future policy to support this population. I will hand it handed over to Ms. Rodriguez Brown.

Esther Rodriguez Brown, Statewide Coordinator, Nevada Coalition to Prevent the CSEC; and Owner, Ego Friendly Living:

Thank you Dr. Pitlock, Chair Scheible, everybody, and the Committee. We are going to be talking a little bit about an update on the CSEC Coalition. As some of you are familiar, the first CSEC Coalition was a mandate and executive order by Governor Sandoval. In 2020, Governor Sisolak recognized the work that the Coalition did and recommended that we keep the work and establish a new coalition under the supervision of DCFS. As you heard during all these great presentations, we have many agencies and partners in our community that are doing great work around the CSEC and also adults. The CSEC Coalition actually wants to focus and to ensure and implement and develop recommendations in collaboration to create a statewide response for everybody, with a focus, of course, on children. According to the previous coalition, in the recommendations and goals that they put together, this coalition is for implementation. We are an implementation coalition. What we did is to take some of the recommendations and goals that the previous coalition did and created three subcommittees to be able to focus on some of the major needs.

One of the subcommittees is to create regional local task forces and multidisciplinary teams (MDTs). The other subcommittee is to create external engagement, and the last subcommittee is the funding, data, and sustainability. In the local task forces and MDTs, we developed different local task forces, and the CSEC Coalition created a memorandum of understanding (MOU) that can be used in these different local task forces around the state. The subcommittee identified different partnerships around the state, not to recreate the wheel, but just to work on some infrastructure that already was created through Nevada's statewide coalition partnership. We meet with them several times. I just met with them yesterday. We are working with the Indian child welfare community, so we can engage the Indian community as well. I am still working with the local task forces to keep the implementation of the MDTs as a subcommittee. What we did was to identify, and now the implementation has to come along.

Some of the goals that we have with the MDTs, and as you heard in previous presentations, we already have MDTs that are working in the north and the south. Our goal as a CSEC Coalition is to bring everybody together and to bring those efforts together so we do not have silos, and they feel also that there is not enough support. It is to provide a coordinated interagency approach and to assess the kinds of services we have in our state to be able to serve CSEC survivors across the state.

The MDTs are also responsible for immediate response. Lieutenant Roberts talked about how they have their MDT, and they have their advocates who respond 24/7. The idea is to create that across the state, so it is not only working on one side of the state or the other but creates a consistency around the state. During the MDTs, you have different roles. That is up to whatever group is running that MDT. I met with Douglas County yesterday, and we

are working to create a local task force and MDT along with all the services they already have there to explore the gaps that we can help to provide for. The idea is that MDTs also will reduce the risk of retraumatization. The ones that have been working in direct services with survivors know that survivors go from one place to another, so they have contact with law enforcement. They have to explain what happened to them, to the advocates, and if they get into therapy with the therapist. Whomever is touching that child, a lot of the time, the child has to reexplain everything that happened to them. Multidisciplinary teams will help to minimize the retraumatization. of children having to constantly reexplain what happened to them.

In the MDTs, you have the core members who participate, and you have other members that participate on a needed basis. The idea of the local task forces in whatever area the MDT is done, is that they are going to have their core members, which are local enforcement from that area, which are service providers from that area, the school district, juvenile justice representation, and child welfare. Then, there are other members, like members of the CSEC coalition or myself that can participate on a needed basis to provide technical assistance or on a particular case if they need our recommendation.

Some of the MDT responsibilities for each CSEC local task force determines the structure of the MDT, so everybody is going to create their own responsibilities and what they want to do. The CSEC Coalition is here just as a support system in providing technical assistance for them to create these local task forces, and to have that support on a needed basis, and also to create that formal MOU. Then, they can address or modify to their own needs.

The other subcommittee that we created was external engagement. External engagement take took up two goals. One was the Nevada Rapid Indicator Tool (NRIT), which maybe some of you are familiar with. This is an assessment tool and a screening tool that is being used in particular in child welfare. We did an update to create more inclusivity. There were not too many questions to identify the LGBTQ community, and there were some questions that were not very accepting to boys—or males—who maybe were being recruited into trafficking. We did a little update with the other groups that helped us to create a little more inclusivity, and it is about to be released to everybody in our next CSEC Coalition meeting, which is in March. My colleague, Brigid Duffy, will be talking about legislation, but the CSEC Coalition really feels that the NRIT should be mandated through statute. So making sure that every child that comes in contact with not only child welfare, but any other agency—government or not—that they can have this assessment done and this screening. The other goal that this subcommittee took on was Nevada 211. [Senate Bill 143](#) (2021) talks about the accessibility of services. It is a resource that we have around the state, but it was not clear how victims and survivors could access it, because it is not a clear tap into the website for them to be able to access. We have been working with Nevada 211, and that will be up and running soon on their website.

For the funding, data, and sustainability, we are very excited because one of the questions and the theme that has been coming along the presentations is the statewide data and how we, as a state, are sharing this data. The truth is, there is nothing yet that is collecting data from the state and from different agencies. Every agency has their own database, and sometimes they do share those with us and NGOs, and they use that for grants. We do not have anything that is consistent. The past coalition did a lot of research around other models around the country. They recommended to create, through the Statistical Analysis Center that is housed in University of Nevada, Las Vegas (UNLV), to be the house where every organization and agency can send data in, and we can have something that is centralized. The DCFS has a contract with UNLV, and Dr. Alexis Kennedy is going to be supervising the database. They will be doing important inputting, collecting, and managing;

and creating statistical reports statewide. We understand the numbers, the services that are working, and what things we maybe can improve. We are currently in conversations with Homeless Management Information System (HMIS) to further explore if we can utilize that infrastructure to create a software for CSEC. Rather than trying to reinvent the wheel, let us see what we have that is working with other populations, and maybe we just can adapt that into the needs that we have for CSEC in the state.

We are now at the point where we are restructuring the subcommittees. Those three subcommittees accomplished certain goals, and now myself and other members are going to keep working to ensure the implementation. We are coming into our legislation season, and so we are restructuring the subcommittees into two: (1) the legislative subcommittee will prepare recommendations for the upcoming legislation session, and we will be meeting the second Thursday of every month, starting in March; and (2) the strategic planning review. The past coalition published a strategic plan, which is on the DCFS website, if anybody is interested in accessing that. In that strategic plan, there are certain goals and strategies that need to be reviewed, because some of them have been accomplished and some of them may be a little bit obsolete. This new subcommittee is going to be focusing on reviewing those strategies and also focusing a little bit on prevention and how we can create some prevention strategies to prevent the children ending up in the situations of trafficking.

Let us talk about a little bit about the gaps that we have in our state that we have identified through the CSEC Coalition meetings and through our own experiences. We really need CSEC-specialized mental health. We have great therapies in our communities, but a lot of the time they focus on trauma as a whole. It is great because we need more trauma-informed therapies, but we also need more trauma-informed therapies that are specialized in providing services for the population that we are discussing. Also, alternative therapies. A lot of the times, our survivors are not ready to engage in traditional cognitive or linguistic therapy because they do not want to talk about it. There are other alternative therapies that are available that will be very helpful to have and to offer for survivors that want to move forward into their healing process.

Also, create a self-care culture and opportunities for professionals that are working with highly traumatized populations to avoid burnout and high turnover. We tend to focus on the survivors, and we tend to focus on the population that we work with, but we forget that behind that work is an individual who is constantly checking on survivors and who is constantly providing these services. We have a high turnover in this particular field because it is a lot of vicarious trauma, and it is a lot of compassion fatigue. A lot of the times we talk about it, we do some trainings, we tell people to go and get a massage and do their nails, but this is really not self-care. Self-care has to be embedded in the culture of the organization and the agencies.

It is also important to have CSEC-mandated training for professionals that maybe encounter the population. That will include professionals like judges, attorneys, advocate, law enforcement, school staff, and anybody who at one point of this multilayer process will encounter children that are at risk or that are already identified as CSEC.

There is also specialized housing. I know some of my colleagues talk about the specialized housing, especially for juveniles. Dr. Pitlock will talk a little bit more about receiving centers, but we really need not only that help where the kids are coming and they are being screened for wherever they need to go, but it is specialist foster homes where the foster parents and staff there understand the dynamic of CSEC and want to work with this population.

The continuum of care is another big gap that we encounter. Children that are in CSEC eventually are going to turn into adults. It is very difficult to create a continuum of care. We really want to make sure that kids that are aging out of the system have that support. The CSEC standard of care for providers and professionals. Right now, we do not have any standards that create a guideline for anybody who wants to work with CSEC in our state. Of course, it will be great if we can create a Medicaid special classification for CSEC services and providers.

The magic gap that I think everybody is talking about is funding to fulfill all these gaps. I am going to pass the mic to Brigid Duffy, and she will be talking about legislation that will support all this information.

Brigid Duffy, Director, Juvenile Division, Office of the Clark County DA:

Good morning, Chair Scheible and members of the Committee. I am Brigid Duffy. I am going to take over for a couple of slides now. I will start with our legislative requests that could support our children who are victims.

The first one was kind of easy. You have heard a lot over this past morning about these MDTs, and there is a recommendation that we make these statutorily mandated. There is precedence in our current statute under child death reviews, and I cited the statute there. As you heard earlier from Ms. Reilly, about the Domestic Violence Death Review Team, there is collaboration within those MDTs of service providers, law enforcement, child welfare advocates, and agencies. They ensure services are provided utilizing a trauma-informed care approach in determining gaps and services. With the Child Death Review Team, which I am extremely familiar with because I have sat on it for many years, the statute allows for the purpose of organizing the team, the composition of the team, and most importantly, information sharing. A lot of information that each discipline has is confidential, and there are no exceptions in the individual statutes. For example, child welfare statutes or juvenile justice statutes really allow for that sharing of information, so we are entering into MOUs and confidentiality agreements. Being able to put into statute that we may openly share information in the best interests of that child victim, and have that confidentiality level put in there, is needed.

For the next couple—the MDTs were kind of an easy one—Esther and I and the group have looked at this scorecard. I do not know if you have all seen this. This is the Shared Hope scorecard of child and youth sex trafficking for Nevada. If you can see it, we have a big old “F” right there. Of course, after reading that, I was not satisfied with the grade—and many people were not satisfied with the grade—because I know that our state has done a lot over the last decade, at least, to improve our service provisions and the way we treat child victims of sex trafficking. An “F” was pretty hard to take. Esther and I set up a meeting to speak with the Shared Hope representatives, and she and I went through each and every policy point in that report. When we got off of the virtual meeting, I really feel like we brought it up to a good, solid “D+” by ensuring that they understood some of our statutory interpretations. I believe that they were not interpreting our statutes correctly in some areas.

Some of the things that we found that were easily put into statute here that would assist with that Shared Hope report was the mandate that child welfare agencies and juvenile justice agencies screen children in their care for experiences of commercial exploitation. Currently, this is done among juvenile justice and child welfare agencies by policy, at least in the two largest jurisdictions, but it is not in statute. Shared Hope was not giving us an above-failing grade for that because they do not review our policies, just our statutes.

Placing that screening tool into statute would help us to improve our grade. There is an exception. We do have [NRS 432C](#), passed a couple legislative sessions ago, that does require the screening of children when a report is made to a child welfare agency. There is that exception, but otherwise it is not in our statutes.

Other things that I believe that this legislative body could look out for the next session would be the creation of an actual safe harbor law. Currently, Nevada law has a version of a safe harbor law. If a law enforcement officer arrests the child for solicitation of prostitution, the DA may file allegations of solicitation or prostitution; however, the court at that point may not adjudicate. For those of you not familiar with juvenile law, adjudicate would be the finding of guilty. We are not adjudicating the child for those charges. Those charges are held open by statute for services that we provided in the case to be dismissed upon the child's 18th birthday, unless the child consents. However, true safe harbor laws will have a lot of different meanings across the country. They are really designed to move away from punitive approach for juveniles who commit nonviolent offenses as a direct result of their victimization. An example is a child who is soliciting in a gaming establishment in Nevada cannot be found guilty or adjudicated of that solicitation. However, nothing prevents the charge of minor in gaming establishment, which you could see is an easy connection to his or her victimization. That would be a safe harbor law attempt. Extend the ability to testify by alternative means to all victims who are under the age of 18. That actually is an incorrect statute citation there. I am sorry. It is actually [NRS 174.229](#), not 227.

We may have video recorded testimony of children under 14 for preliminary hearings and grand juries upon the request of the DA or the court upon its own motion. The importance of this hurdle to prosecuting traffickers is often the fear instilled in our child victims as well as a trauma that causes a flight or fight response to many of them. Oftentimes, we lose our child victims to runaway episodes prior to trials, because honestly, trials take a long time to get set and heard, and traffickers actually benefit from kicking cases out for a year or more, because we often lose the victims. Allowing videotaped testimony from a prelim or grand jury at trial would assist in having traffickers ultimately held accountable for victimizing children.

A little more controversial, but I felt like I wanted to represent the entire group that we are here for today—because this has been an ongoing conversation—is to eliminate licensed houses of prostitution. I say “controversial” because I know there has been a lot of debate back and forth. It is not controversial to those of us who are advocates for children and victims in our state, but I wanted to make sure that I did put that on there.

The other recommendation is to amend [NRS 201.300](#) to include the word “patronize,” making a buyer of a child subject to the same criminal penalties as a trafficker. Right now, while they are subject to penalties of a felony, they are not subject to the same category felony as a trafficker would be.

I am going to now pass it off to Dr. Pitlock to talk about the state's implementation of the passed legislation.

Cindy Pitlock:

A few bills to highlight for you to talk about implementation of past bills from last session. [Assembly Bill 143](#) (2021) defined “victims of human trafficking” and requires DCFS to designate a human trafficking specialist within the program for compensation for victims of crime; that there is a directory of services for victims of human trafficking publicly posted on the website; and to develop a safety plan for the delivery of services. We are working

with Ms. Rodriguez Brown and the OAG to establish the membership of that coalition. I think you heard a little bit of an update on AB 143 prior, so I will not belabor it. Impediments identified. We really are not identifying any impediments to implementation for that bill at this point.

[Senate Bill 177](#) revises the provisions governing eligibility for an awarding of grants from the Account for Aid for Victims of Domestic and Sexual Violence and increase the portion of the fee for a marriage license from \$25 to \$50. So, SB 177 has been implemented with a second disbursement of \$2 million to the nonprofits providing domestic violence and sexual violence services across the state. This has allowed agencies in the 15 rural counties to expand the services that are covered by the funding to victims of sexual assault. The notice of funding opportunity that will be released by March 1, 2022, is being updated to incorporate the sexual violence funding. We are encouraging our stakeholders to take part in that notice of funding opportunity.

[Assembly Bill 30](#) revised the name of the Account for Aid for Victims of Domestic Violence. We are not having any impediments to that implementation.

[Senate Bill 274](#) is the big one that I think we can all agree that we have impediments to implementation. Senate Bill 274 provides for the licensure of receiving centers for CSEC and the certification of other facilities and entities to provide CSEC services. We have hired a company to write the regulations for receiving centers. Our biggest barrier to implementation here is obviously funding. So, CSEC receiving centers are required to be a secured, locked facility—24 hours a day, seven days a week—providing a wide array of services, including mental health, triage, assessment of basic needs, medical needs, psychiatric evaluation, referral to detoxification, short-term placement, and academic support. What we are doing right now is trying to reach out to possible stakeholders and partners for physical locations that may be utilized to extend that service array versus standing up a new service array. The impediment for SB 274 would be the funding portion.

My team is available to answer any questions that you may have. Thank you so much for listening to our ideas on our CSEC population and how to improve that service array.

Chair Scheible:

Thank you. Are there questions from members of the Committee? Assemblymember Krasner, go ahead.

Assemblywoman Krasner:

Thank you, Chair Scheible. I just had a question, and I believe it was on the portion of the presentation that Assistant DA Bridget Duffy was commenting on. She had said that there are currently portions in the NRS relating to juveniles that protect juveniles and do not allow the sharing of information on juveniles, but she wants to undo those NRS sections and allow for that sharing of information. I am wondering, number one, why is the NRS written in a way that that information is not shared? I would think it would be to protect the juvenile, but I am wondering what her answer is. And then, why would we want to do that? Would not that then create more records for juveniles, when I think we all agree that juveniles deserve to have a second chance? We talked about this a lot in the last session, so I am just wondering. Thank you.

Brigid Duffy:

Assemblymember Krasner, thank you for that question and allowing me to clarify, because I think it is important that I clarify this. Right now, when we have a child death review, which is in statute [NRS 432B](#), community partners come together from the school district, juvenile justice, child welfare agencies, coroners, and law enforcement. For some of those entities, the information around the deceased child is confidential. For example, the school district's school information around that child is confidential. Child Protective Services' information is confidential, and juvenile justice services information is confidential. In the statute that creates the child death review MDT, there is a portion of it that allows for that open sharing of communication, so that confidentiality is addressed for that specific meeting of professionals to determine its requirements under statute. It also has criminal penalties attached for dissemination of any information gathered in that meeting when discussing that child's particular death. That is what I am saying. If we create a statutory MDT around child victims of sex trafficking, we can build in that responsibility that allows us to share information. If we have a victim of sex trafficking who has a CPS and juvenile justice history, and we want to know what she is doing in school—and these are all people that come to the table with service providers, with law enforcement—then we can openly talk about how to best service that child victim as a community without the constraints of, "Well, we cannot tell you what she does." If we put it into statute that confidential information is allowed to be shared with the professionals in that meeting, we can put criminal penalties on anybody that further disseminates that information out. If I go out and start talking to people about this child victim of sex trafficking's school records, I could be then charged with an offense, because I got that information from that meeting. That would be information I would not normally be entitled to because it is protected by federal law. Does that make sense? I am not trying to expand sharing of information to penalize anybody. It is really how we work together to help a victim receive the proper services and treatment.

Assemblywoman Krasner:

I appreciate that. Thank you very much. I am just guessing that the reason those NRS statutes are in place for juveniles only is to protect the juvenile and not create a further record for the juvenile. Even though it would not intentionally be further harming the juvenile by sharing this information with this party and that party and the other party, I am concerned that an unintended consequence would be to harm the juvenile and create a record for the juvenile, where I think we are all trying to say, "Hey, juveniles deserve a second chance, especially if it was a misdemeanor or less," and not create further records for juveniles. I am just saying that there are always unintended consequences of undoing statutes that are in place to protect children.

Chair Scheible:

Ms. Duffy, can you clarify? I thought that we were talking about child death investigations.

Brigid Duffy:

Chair Scheible, in statute already, we have precedents in the child death review under NRS 432B that allow for the sharing of information at an MDT for the purposes set forth in that statute. It is not changing the information in the school district statutes in that it is just the creation of a decision-making group can come together and talk freely in order to assist the child that is in the middle of the conversation.

Chair Scheible:

Understood. Thank you.

Assemblywoman Krasner:

But this is not exclusively for those death investigations. I believe you said that that is already in statute. This would be four things, including human trafficking. Is that correct?

Brigid Duffy:

Yes, Assemblymember Krasner. I am letting this body know there is precedence in the statute that if you are interested in helping the CSEC Coalition create an MDT statutorily, you could revert to that statute. It is already in place in how we manage that. It has been in place for quite some time. My reference to the child death review, as we have the domestic violence fatality review—then yes, it is already in statute. We have precedence for it. My only reason for bringing this up is that you only need to look as far as NRS 432B to get the outline of how to create an MDT in statute.

Chair Scheible:

Thank you. It looks like Assemblymember Summers-Armstrong has a question.

Assemblywoman Summers-Armstrong:

Thank you, Chair. I am still a little confused. If you can clarify for me, would this information sharing be only related to the death of someone as related to sex trafficking, or would it be for someone who was alive and trying to offer them help with different agencies being able to communicate information? If that is correct, I have a follow up.

Brigid Duffy:

Yes. This is for a live victim. This is for when law enforcement brings in Brigid, who has been identified on the Strip as soliciting and is 13 years old. They have arrested the trafficker, there is a criminal trial pending, and she is in need of counseling. Alive victim Brigid needs people to come around and talk about her, so that we can make sure that we put in the right services and do not further traumatize her as she is getting ready to testify at trial. All of that needs to occur. We are doing it now in many jurisdictions via MOUs. That is what we are doing now to assist that child in getting the proper services and to prevent additional trauma.

Assemblywoman Summers-Armstrong:

Thank you for that clarification. As a follow up, can you speak to us about whether or not there have been instances of breaching of those confidences, so that we can have an idea of whether it is a common practice to have had a breach of confidences? Have there been no instances of the breaching of the confidences? I have to agree with Assemblywoman Krasner, or just share her concern, I should say. One of the things that we are finding in adult sentencing and attempts to keep people's records and to clear up records—and a concern of mine from the beginning—is once records are in the ether and have been released, it is almost impossible to expunge, to clear, to conceal. When someone actually has a right to have that done, those records are still showing up. Once the records are out there, there is no way to control who has access and how it spreads. If you would, please speak to that.

Brigid Duffy:

Thank you, Assemblymember Summers-Armstrong. I can only speak toward Clark, because that is where I practice, but I am not aware of any breaches of confidentiality where we have filed criminal charges against a member of an MDT for disseminating further information that was gathered while trying to assist victims in Clark County. That is all I can speak to. As far as the records, we are not creating a record. I am not handing somebody else's child welfare information or juvenile justice information. We are sitting around the table to say, "This is what we know about this child. How can we best get this child services?" It allows us to talk freely about it, but there is no formal record that is created out of an MDT. There are recommendations for how we are going to get this child from this foster home across town to testify at the regional justice center and make sure that she has the proper clothing and that we have whatever service provider is her biggest support—so that we can all do that. Law enforcement is important in that, because they know a lot about the trafficker and trafficker's family. So, all of us can come together and discuss these cases open and freely. There is no paper record created. It is not a court case. There is no record.

Assemblywoman Summers-Armstrong:

Thank you very much for that clarification.

Assemblyman O'Neill:

Thank you, Chair. Ms. Duffy, if I understood correctly, you said you currently have an MOU to address the issue. Is that correct? Did I hear that correctly?

Brigid Duffy:

Yes. We are using MOUs to be able to come together with our membership to assist these victims.

Assemblyman O'Neill:

Within the MOU, is there a paragraph that deals with the penalty if someone releases any of this confidential information?

Brigid Duffy:

No, because MOUs are not legally binding. We sign confidentiality agreements, but the MOUs themselves are not legally binding.

Assemblyman O'Neill:

I appreciate that. That is what I wanted to understand. Is the person then at least excluded from any future meetings then? You can do that, I assume.

Brigid Duffy:

Yes. That we can do. We have had very piecemeal MDTs, because we have to exclude people that are not entitled to that confidential information. It is like, "Excuse me, you have to leave," and then you have to leave. It would be much better for those of us in practice who are doing this work for these victims. You heard it from law enforcement, north and south. We come together and talk about how to best treat them and to have it in a

statutorily mandated MDT that outlines membership and penalties for breaching confidentiality, so that we can all work together with the goal of helping child victims.

Assemblyman O'Neill:

That is what I wanted. It was that last part. I really appreciate where you summarized the need for it. To really address the victim, which is what we are concerned about, you need full information to do a holistic approach and not to exclude. I really appreciate that. Thank you, Chair, for the time.

Chair Scheible:

Absolutely. Anybody else with questions for our presenters? I do not see any further questions, so I believe that concludes Agenda Item VI. We still have two more presentations and another public comment period. Before we get to those, we will take the promised 10-minute break. I will extend it to 12 minutes because my clock shows 11:48 a.m. That would bring us back at exactly noon. I am just going to turn off my mic and camera. I recommend everybody do the same, so we can fire back up in 12 minutes and get back to work. Thanks.

[Chair Scheible called for a 12-minute recess.]

AGENDA ITEM VII—PRESENTATIONS FROM ADVOCACY ORGANIZATIONS WORKING TO ADDRESS HUMAN TRAFFICKING AND DOMESTIC AND SEXUAL VIOLENCE IN NEVADA

Chair Scheible:

It looks like everybody is here, or most everybody is here. And I am sure that anybody who is still checking in will get caught up. At this time, we are going to move to Agenda Item VII. This is our presentation update from a group of advocacy organizations who also work on human trafficking and sexual violence issues in the state of Nevada. I will just turn it over to all of you to tell us who is going to start and where we are going to go.

Cameron Ballantyne, Executive Director, Nevada Coalition to End Domestic and Sexual Violence (NCEDSV):

Good afternoon, Chair Scheible and the members of the Committee. I am Cameron Ballantyne. I am the executive director of NCEDSV. I am thrilled to be before you today. Thank you for the opportunity to present and advocate on behalf of these urgent topics. Unfortunately, domestic violence, sexual assault, and human trafficking affects so many Nevadans. We appreciate your leadership and commitment to tracking these policies, to tackling them, and what we believe will prevent, intervene, and respond to violence throughout our communities. I am going to pass the time over to our policy and subject matter experts, Sarah Slavenas, the NCEDSV communications and policy director, and Serena Evans, the NCEDSV policy coordinator. Thank you.

Sarah Slavenas, Communications Director, NCEDSV:

Thank you, Cameron. Good morning, Chair Scheible and members of the Committee. I am Sarah Slavenas, the communications and policy director for the coalition. What is now NCEDSV was founded by the then-only, five domestic violence agencies in 1980 (Agenda Item VII A). Over the last 40-plus years, NCEDSV has grown to include various partner members that provide services to the domestic and sexual violence victims across

Nevada. We serve as an agency that assists our direct service providers with training, technical assistance, advocacy, policy support, a micro and macro perspective on how these issues are evolving, and subsequent prevention and intervention opportunities at every level. We coordinate with experts doing the daily work to assist survivors, as well as with other professionals who interact with victims and their loved ones, such as researchers, policymakers like you, and many others to ensure that survivors are heard, represented, and included in all aspects that influence their safety, as well as perpetrator accountability. Without us, there would be no statewide and national voice, nor consistency in materials or across trainings. Small and emerging programs would struggle to find and compete for funding or ensure that their fledgling programs were starting off on stable footing. They would not feel certain about where to call when a need for help for solving those challenges inevitably arises as they take on the task of serving individuals who have experienced some of life's cruelest abuses at the hands of someone who has professed to love them.

Our membership is comprised of a wide net of groups and individuals. From our program members who are on the front lines, deserving the essential services in spite of a ravaging global pandemic, to others within the social services field who are also scrambling in the face of grossly inadequate funding while living in the richest country on earth as the backdrop as they try to preserve a desperately tenuous safety net to keep our mutual clients from sinking completely into obscurity. Our members also include students, couples, seniors, and victim-survivors who support those for whom my colleagues and I are here. Some of you may already be one of those members. Ultimately, the work that we do is guided by the needs of those victim-survivors here in Nevada. I am going to go ahead and turn it over to the Policy Coordinator, Serena Evans, to discuss a deeper dive into our services and numbers, but I will stand by for questions.

Serena Evans, Public Policy Coordinator, NCEDSV:

Thanks, Sarah. Good afternoon, Chair Scheible and members of the Committee. As always, it is a delight to be here in front of you today. Before we do a deep dive into the discussion of advocacy services throughout the state, I want to first highlight all of the amazing programs in Nevada that serve victim-survivors day in and day out. Every community based domestic and sexual violence advocacy program in Nevada is pinpointed here on this map. This is just to give you all some context of where programs exist in the state before we dive into the depth of the discussion. I always just like to offer a trigger warning. We know that domestic and sexual violence and commercial sexual exploitation are inherently emotional topics. Some of the materials and anecdotes presented may be uncomfortable, so if at any point you need to look down, look away, take a breath, or excuse yourself, please do.

I would like to talk about what domestic violence is. There is a misconception that domestic violence is only physical harm, such as hitting, choking, broken bones, bruises, and physical marks that can be seen. The truth is, though, that domestic violence is far more than just physical violence. Domestic violence is a systemic pattern of power and control. While domestic violence can certainly be one instance of physical violence, more often than not, it is a reoccurring pattern of threats, assertion of power, and installation of fear. In many stories, we hear from victim-survivors. They are groomed by their perpetrator to tolerate power and control, and that is then when the physical violence starts. There are many ways in which domestic violence presents itself. One of the most common and often overlooked forms of domestic violence is emotional abuse. This is the degrading remarks, the constant belittling, and the gaslighting. Gaslighting, essentially, is a form of manipulation creating a false narrative, forcing the victim-survivor to question their own reality. Financial and economic abuse are also increasingly common in domestic violence. Financial abuse looks like sabotaging someone's employment, destroying their credit, taking out loans in their

name, or withholding accesses to finances as a tool to keep them put. Another common tactic of abusers is to isolate their victim-survivor. This can mean sabotaging relationships, not letting them see friends or family, and oftentimes moving them to new locations as to uproot their social circle and safety net. While not physically aggressive, we also hear about stories of coercion and threats, inflicting fear and psychological violence. This can look like your perpetrator coming home and not saying a word but very quietly getting the gun out of the safe and cleaning it at the kitchen table and/or putting it by the armchair of the couch that you are sitting at. While this is not inherently violent, we know that the psychological violence has lasting effects on victim-survivors, and it is a way to control them. Of course, this list is not exhaustive to what domestic violence is, as domestic violence is unique to each victim-survivor.

How common is domestic violence? Unfortunately, it is far more prevalent than it should be. More than one in five violent crimes is a domestic violence case. Putting that into perspective of how many individuals it affects—one in four women and one in seven men have been victims of severe physical violence. Not only that, but one in three women and one in four men have experienced some form of physical aggression by an intimate partner. It is easy to look at these numbers and statistics, but I challenge you all to think about how many family members and friends you have and try to conceptualize how many people in your lives have likely been affected by domestic violence. Additionally, I would like to note that the presence of a gun in a domestic violence relationship increases the risk of homicide for the victim-survivor by 500 percent.

While it is incredibly telling to look at the national statistics, law enforcement numbers, and reported statistics, the true story really lies within the number of contacts and clients that our programs see and serve. For many reasons, victim-survivors do not always report their abuse to law enforcement. It is not always the safest option to seek assistance from law enforcement when trying to leave an abusive relationship. Rather, victim-survivors seek assistance from community advocacy programs to assist with things such as safety planning, emergency shelter, legal advocacy, support groups, and case management.

On this slide, I have included numbers from our quarterly statistic reports from 2018 up until 2021. These numbers come to us from our program members, and our program members are not necessarily every direct service provider in the state, so I want to make sure that is clearly expressed. Additionally, with our current membership makeup, these numbers primarily reflect services throughout northern Nevada and our rural communities. These numbers really help paint a picture of the number of victim-survivors that our programs serve every year. I will not go over all the data, as you can all view that in your own time. But just a couple of numbers that I really wanted to highlight for you all is that the number of case management services and hotline calls our programs receive have steadily increased since 2018. From 2020 to 2021, you will see that there is about double the amount of face-to-face crisis intervention services requested. Since the pandemic has hit, all individuals, including victim-survivors, have been seeking a sense of community. With such unprecedented times, we have heard from our program members that victims are reaching out for assistance with food insecurity, applications for public benefits, connections to employment opportunities, along with meeting the emotional support that victim advocates can provide. As you will also see, some of the numbers, such as emergency motel bed nights and individuals attending professional therapy sessions, have kind of fluctuated over the years. This is likely due to the cuts in and the availability of funding.

Looking more into the number of clients served throughout our programs, we can also look at this important data from our national partners at the National Network to End Domestic Violence also known as NNEDV. Each year, they conduct a nationwide survey to screenshot

just how many victim-survivors are served throughout the United States in just one 24-hour period. I have included the Nevada-specific data for you all to review here for 2018, 2019, and 2020. The 2021 data is not yet available. You can see that, for instance, in 2020 there were 501 victim-survivors that made contact with our 17 programs throughout the state, or 14 out of the 17, I should say, as only 14 organizations participated that year.

As we talk about domestic violence, we also have to talk about the truly heartbreaking reality of Nevada being an unsafe place for women. In the past 11 years, Nevada has consistently been in the top ten states for women murdered by men. Most recently, in 2019, Nevada ranked third. Thirty-five females were murdered by men, 78 percent of which were by gunfire. Of those lives lost, 94 percent of the victims were murdered by someone they knew, with over half of them being wives, common-law wives, partners, ex-girlfriends, or ex-partners of the offender. These numbers are atrocious, but I would be remiss if I did not mention that this report does not include murders of indigenous women, and that the numbers of murdered women in Nevada is likely much higher than what is reported here.

What can we do? It is clear that domestic violence is a problem in Nevada, and we—meaning the community advocacy organizations and policy members like yourself—must prioritize prevention. There are many different interventions and pathways to prevention, the first being increasing economic opportunities. According to the Centers for Disease Control, increasing pathways to financial self-sufficiency and economic support is one of the most effective ways at decreasing risk factors for domestic as well as sexual violence. Of course, domestic violence occurs in every socioeconomic class, but when folks are financially dependent on another or have no financial support, they are far less likely to be able to change their environments. We know that the more economic stressors present, the risk for domestic violence also increases. By creating opportunities for affordable health care, access to education, increasing public benefits, and paying people fair wages, we are guarding them with tools to prevent violence within their own lives. Also successful in violence prevention is access to safe and affordable housing. We know that domestic violence is one of the main causes of homelessness amongst women, and consequently, being homeless greatly increases an individual's risk for domestic or sexual violence perpetration.

As we talk about domestic violence prevention, we must also talk about anti-oppression work. You cannot achieve the elimination of one type of violence without eliminating all violence. Marginalized communities, such as Black, Latinx, and LGBTQIA+ communities all experienced domestic violence at far higher rates than their white, cisgendered counterparts. So domestic violence prevention is truly rooted in anti-oppression work. We also cannot end violence if we do not teach about what violence is and teaching our youth healthy relationship skills. Proper education is also an important and necessary part of our prevention. Lastly, being a state that ranks third for women murdered by men, a majority of those by gunfire, we have to prioritize stronger firearm provisions. We are doing a disservice to victims by not doing so.

At this point I am going to switch gears and focus on sexual assault in Nevada. First and foremost is understanding what sexual violence is. Currently in the NRS, sexual assault is only defined as penetrative rape, but sexual assault is far more than just rape. Sexual violence is any unwanted touching or sexual contact, unwanted fondling or groping, forced masturbation of yourself or another, forced sexual touching of another, exposing one's genitals to another without their consent, forcing another to watch pornography or sexual acts against their will, or watching someone in a private act without their permission. It also is the dissemination of one's private photo or videos—sometimes referred to as revenge porn. Sexual assault also includes things like unwanted removal of someone's clothing and

of course, penetrative rape. Most importantly, as we talk about sexual violence, we need to talk about consent. Lack of dissent does not constitute freely given consent. Many victims are coerced, taken advantage of, or are in an absolute state of shock or fear for their lives, causing them to not fight back or dissent to the assault. Consent to sexual assault is also not consent to all sexual acts, meaning while one person may consent to oral sex, that does not mean that they are necessarily consenting to penetrative sex. Again, it is not an exhaustive list, and each victim-survivor's perspective and experience with sexual violence is unique.

As I did with domestic violence, I want to share some alarming national statistics on sexual assault that paint a picture of the prevalence in our communities. Nearly 1 in 5 women and 1 in 71 men experience rape. As discussed earlier, rape is not the only form of sexual assault. As such, 81 percent of women and roughly 43 percent of men experience some form of sexual harassment or sexual assault throughout their lifetime. Oftentimes, there is a narrative around sexual assault that it is a stranger in a bush that comes out and attacks you. In reality, victims more often than not know their perpetrator. In a study of adult victim-survivors, 73 percent knew their assailant. Focusing specifically on the criminal justice aspect, sexual assault is incredibly prevalent in our communities, but only about one-third of assaults are ever reported to law enforcement. Even more heartbreaking is that of every 1,000 sexual assaults reported to law enforcement, 975 perpetrators will walk free.

Knowing how underreported sexual assault is, advocacy organizations play an important role in offering support and healing to victim-survivors, whether they choose to report or not. On this screen, you will see statistics from our program members. I do want to note that NCEDSV became a dual coalition back in 2017. Prior to that, we were only a domestic violence coalition, so our capacity for sexual assault has grown with each passing year. 2018 is the first year that we collected sexual assault data, so the numbers are pretty bleak, and that is because our sexual assault program membership was low. As the years have progressed and our capacity has grown, so has our membership of sexual assault programs. With the passage of the Sexual Assault Survivors' Bill of Rights in the 2019 Legislative Session, we were able to train more sexual assault advocates and increase sexual assault advocacy across the state. While there has been an increase, there is still a need to expand the services. I will let you all review these numbers. We do not need to go through each line item.

When we talk about sexual assault, we also have to talk about sexual assault forensic exams. A forensic exam is conducted by a sexual assault nurse examiner. These exams are often referred to as SANE exams. While not necessary to file a report, an exam increases the likelihood that a report will be prosecuted. Currently, there are only six SANE exam locations throughout all of Nevada. As you can see from this map, the central rural part of Nevada does not have easy access to a SANE exam. Often, in our rural communities that do have a SANE exam location, they are not fully staffed, which means they do not operate 24/7. Folks in our rural communities are often forced to travel very far distances to receive the SANE exam. For those of you who are not familiar with the SANE exam, I would like to talk about the process and what that entails. The SANE exam is conducted to collect forensic evidence following a sexual assault. These exams are often incredibly invasive, personal, traumatizing, and quite frankly, can be embarrassing. They include a close-up exam of genitals, taking pictures, collecting specimens, and swabbing for DNA. Usually, a victim-survivor's body is examined by the same nurse head to toe. Unfortunately, in sexual assault, a victim-survivor's body is a crime scene. If the victim-survivor is wearing the clothes from the assault, they are then often stripped of their clothes to take in as evidence and given a pair of donated sweats to go home in. After the exam is completed, the SANE

nurse will then provide the victim-survivor with prophylactic medication to prevent any pregnancies, sexually transmitted diseases, or infections. This exam can take upwards of five hours to complete. Following an assault and before an exam, victim-survivors are encouraged not to shower, use the bathroom, or eat or drink anything, so as not to interfere with any evidence that might be living on their body. For an individual in our rural community, they oftentimes have to travel anywhere from two to six hours to receive a SANE exam. I just want you all to imagine what it must be like having been assaulted or taken advantage of and having to travel that far with your body being a live crime scene. It is unfair to victim-survivors that they have to travel this far just to be able to submit a police report.

Domestic and sexual violence prevention do have many similarities. In the interest of time, I will not repeat the prevention efforts from domestic violence that also apply to sexual violence, such as increasing economic opportunities. However, I do want to highlight that to prevent sexual assault, comprehensive sex education is one of the most effective things we can do. Requiring it in schools, also, is creating supportive environments within our school and higher education campuses. This means having access to supportive resources, victim advocates, and our school districts prioritizing and creating trauma-informed policies and responses. Prevention really affects every level of our community, and we must invest in prevention at the individual community, societal, and policy level.

As with almost every aspect of life, COVID-19 affected domestic and sexual violence and our service providers throughout the state. While our programs never once stopped providing services, the way in which they delivered services changed. Shelters had to decrease in capacity in order to keep folks safe. Some advocacy went virtual, and our programs had to work tirelessly to ensure they had the proper personal protective equipment (PPE) to keep their staff, offices, shelters, and clients safe. Outside of services provided, COVID also affected the prevalence of domestic and sexual violence. With increased isolation, unsafe environments were heightened, allowing domestic and sexual violence to increase within the home. Certain survivors also have limited access to awareness of available services or a safe opportunity to reach out to help, whether that be an advocacy organization or law enforcement. We know that marginalized communities experienced personal violence at higher rates, and the same has held true throughout the pandemic. While one in three white women reported having experienced domestic violence during the pandemic, the number grew to 50 percent for marginalized communities.

While domestic and sexual violence are our areas of expertise, as the previous presentations from law enforcement agencies pointed out, there is a strong connection between domestic violence, sexual assault, and commercial sexual exploitation. Commercial sexual exploitation, also commonly referred to as sex trafficking, is just one type of human trafficking, but we are specifically focusing on sex trafficking and sexual exploitation. Simply stated, commercial sexual exploitation is sexual violence and can, and often does, occur within relationships. For example, young victims are often lured or groomed into marriages or romantic relationships only to be exploited by their partners through forced sex work. Trafficking and exploitation can also occur alongside domestic violence when a family member, such as an in-law, directs the sexual exploitation of the victim. We also know that traffickers often use sexual assault and abuse as a tool to assert power and control over their trafficking victims. Having previous victimizations of domestic violence, sexual assault, childhood sexual abuse, and things like that increases the risk for victim-survivors, as traffickers often prey upon them. While the interventions and responses to domestic violence, sexual violence, and sex trafficking may all be unique and different, there is a close connection amongst all of these different forms of violence. At this time, I will go ahead and open it up if there are any questions from you all.

Chair Scheible:

Thank you so much for your presentation. It looks like Assemblymember Marzola has a question. Go ahead.

Assemblywoman Marzola:

Thank you, Chair. Thank you so much for the presentation. I believe my question is directed to Ms. Evans. I have two questions, if that is okay. One is, do we know why the death of tribal women are not tracked?

Serena Evans:

Thank you for that question. I do not know. I just know it stated in the report that indigenous deaths are not included in that report. My guess is that it has something to do with tribal sovereignty.

Assemblywoman Marzola:

Thank you for that. My last question has to do with your PowerPoint, where it says "DV Advocacy Services Provided in NV 2018-2021." Towards the bottom of that slide, it says unmet housing requests and unmet supportive service requests. What happens to those individuals when the requests are unmet?

Serena Evans:

Thank you. Great question. Unfortunately, there is no way of tracking ultimately what happens to them, but speaking specifically to the unmet housing requests, those are often for emergency shelter. Unfortunately, our programs only have so much capacity. They will try their hardest to get them an emergency motel stay, potentially get them out of the state of Nevada if another program in, let us say California or Arizona, can take them in, but unfortunately there are only so many shelter bed nights. When we have unmet housing requests, it truly is heartbreaking, but there is not much we can do outside of it. In terms of unmet supportive services requests, sometimes that is just because a victim-survivor is not a good fit for a certain program. Usually, if they cannot provide them services, they will provide them a warm hand off to another advocacy organization that might be able to help them. The unfortunate reality of that, though, is as funding decreases, the amount of available services also decreases. To answer your question, essentially, we do not know what happens to them, but we do know kind of the basis for why those services or needs were not met.

Sarah Slavenas:

I was just going to add that if there is funding available and no bed space, and these individuals seeking shelter have family or friends that they can get to, our program members have bought bus tickets or flights to try and get them to safety. Again, that is funding contingent and then whether or not they have somewhere they can get to that is safe.

Chair Scheible:

Thank you. I am not seeing anybody else raising their hand with additional inquiries, so we will move to Ms. Ortenburger from SafeNest. Please take the floor.

Liz Ortenburger, Chief Executive Officer, SafeNest: Temporary Assistance for Domestic Crisis, Inc.:

Thank you, and thanks for allowing us this opportunity to present today. A little bit about SafeNest (Agenda Item VII B). We serve primarily Clark County, but over the pandemic, we have actually expanded services to serve a bit more statewide as needed. As you heard from the previous presenters, some of our rural agencies looked for some help and support. I am happy to say we expanded services during the pandemic out of need but also out of an understanding that the space of domestic violence in particular, given all the factors, was about to explode. That is truly what happened. We have had days when our capacity has been 100 percent over what we were seeing in pre-pandemic levels. Our sustained issues have been about 20 to 30 percent above pre-pandemic levels.

We work with 25,000 clients a year, delivering about 146,000 services. We have 89 full-time staff and 150 dedicated volunteers who work at least three shifts a month. We operate in 11 to 65 locations, including Mesquite. We have an office and a shelter program in Mesquite. The large flux in locations there has to do with how many hotels and apartments we flow out into when our 100-bed main campus is fully booked.

In the previous presentations, you saw 211 sex trafficking charges and 29,000 domestic violence charges in the last year we had data available. Here is why. We like to think of domestic violence, sexual violence, and sex trafficking as sort of sitting in their own buckets, and unfortunately that is how we work far too often. The reality is these things are interlinked much more tightly than we give credence to and understanding. That comes into the science and understanding of poly-victimization. This is the body of work that has been developing nationally over the past 15 years that talks about the fact that if we want to stop the pipeline to homelessness, to domestic violence, to sex trafficking, we have to start looking at the victimization of children, which is a large indicator of what victimization and/or abusive behavior could continue into the future. We see this web of polyvictimization in our clients every day, as we have created a much more robust intake system to deal with the entirety of their trauma and not simply the domestic violence in which they may have intersected with us first.

When we look at who is affected by domestic violence, we have survivors, and Serena did a great job of covering the stats, but here is a stat we do not talk about often enough. Women living at and below the poverty line are five times more likely to be a victim of abuse and domestic violence than their non-impooverished peers. We talk about abusers. SafeNest runs an abuser-batterers intervention program. We work with 750 abusers each year. I will talk more about the deficits and how we work with abusers and how our court system is hamstrung to do more in that space, but here is a correlating stat we do not talk about enough. Seventy percent of men who abuse also abuse alcohol. There is absolutely a correlation in that space. We talk about children who are affected. Seventy-six percent of children who grow up in a household where domestic violence is present will repeat that cycle as a victim or as a batterer. We talk about society at whole and who is affected by domestic violence. The fact of the matter is if you are involved in a mass shooting or a workplace shooting, that shooter is likely to have domestic violence in their record. In fact, they are highly likely to have domestic violence in their record. The millions of dollars we spend in domestic violence as a country and as a community also has a societal impact. In fact, we did a presentation for the U.S. Embassy in Kazakhstan in October as part of a State Department collaboration that we are part of. The interesting thing about Kazakhstan, which is up here in the yellow part of your map above Russia, is that they have no stand-alone domestic violence law. They have no built out court system for domestic violence, but yet you notice they are yellow. The United States is also yellow. We have the same percentages

of domestic violence in a country where we are spending \$800 billion a year to combat something as a place where there is no stand-alone law for domestic violence.

Collectively, we are failing. We are failing survivors, abusers, children, and the people of Nevada. I say the collective “we,” because I include the domestic violence movement in that space. When I say that, I will start out by talking about how we are failing in the abuser space. We, as a domestic violence movement, have focused on the symptoms. We focused on the survivors. We focused on their experience. The fact of the matter is that if we were cancer doctors, we would want to understand why the tumor got there and what created the tumor to begin with so that we could eradicate cancer. When Nixon made cancer a national priority, he did not say, “Just deal with the symptoms.” Unfortunately, what we have done in domestic violence is said, “Survivors, survivors, survivors.” Survivors are incredibly brave, incredibly important, and absolutely need resources, but in order to end domestic violence, we have to work with the abusers. Never excusing the behavior, but until we understand it and can explain it, we cannot end it. This is a critical space. Let me show you what this looks like.

SafeNest runs a batterer’s treatment program. This is a post report from one of the abusers who went through that program. The outline squares are the pretest. The dark squares are the black test. What you want to see in this evaluation is the levels going down. In truthfulness, we saw a marginal improvement in this client's truthfulness. However, we saw a dramatic increase in their propensity to be violent, to use alcohol, to use drugs, and to have control issues. I know this information. My counselors know this information. The abuser who took the classes knows this information. The person who does not know this information is the judge, because in Nevada, our statute is 26 or 52 weeks of treatment. I do not have a conversation, and my counseling staff does not have a conversation, with the judge. Even if we did, the judge would have no ability to change the sentencing for this abuser, even in the face of the fact that we are seeing they have a propensity to be more abusive.

In the report that we get from the program, it even tells us we have to be looking at what is going on with the violent scale with this participant. It is incredibly frustrating as providers in this space, that we cannot have further conversations or do something different and more robust with our abuser population. The realities here are stark. There are bright spots though. We are working with UNR on the batterer’s treatment program. One of the things that we should be worried about as a state is compliance with the state standards around who can deliver batterers’ treatment. We are the only provider in the state that does a pre, post, and midpoint evaluation on our abusers. That is an issue.

This UNR study should be incredibly helpful in that space. We are talking about batterers. This is a huge step forward because we can talk about survivors and the needs of survivors, and that is a very critical space, and we need to expand that infrastructure. However, if we want to end this—curb the rates, bring this down—we have to be talking about batterers. There are states like Kansas that have adopted universal standards for batterers’ treatment, so they can cohesively measure that across the state. That is having great results in Kansas, so we are watching that closely. Maine is also doing something similar.

Solutions—you have to hold providers like myself accountable in this space. We need to agree on uniform data points and collection methods with this population. We need flexible sentencing for judges, so we can have more of a dialogue. Also, we saw 29,000 charges for domestic violence in the initial presentations that happened today. My numbers are very similar. Within that 29,000, there is segmentation of that abuser population, yet we are treating that entire population the same.

When we look at our survivor population, what is not working in that space? Serena mentioned this, but the only cohesive study on this is 50 percent of women say their root cause of homelessness is domestic violence. If we want to turn off the pipeline to homelessness, we have to turn off the domestic violence, and we have to figure out additional supports. The systems we have built for support did not take into consideration polyvictimization. We cannot continue to look at things through this myopic lens of, "Are you domestic violence? Are you sexual assault? Are you sex trafficking?" We have to understand—interlinked with all of this and the child abuse population that is intersecting with this work is cohesive. Until we have cohesive solutions, we are going to continue to churn in this space.

The safety net for survivors differs greatly from jurisdiction to jurisdiction. Serena mentioned that as well. I will answer some of Assemblywoman Marzola's questions. Tonight, all survivors will not find the bed they need in Clark County. I cannot speak to the rest of the state cohesively. SafeNest spends upwards of \$30,000 a month on overflow hotel rooms. We use a lethality index, which is a 0-20-point scale of where is someone on that index to determine whether or not we have a bed for you. The need is so great, my lethality index is pegged at 16. You have to have 16 out of 20 to get a bed with us tonight. This is ridiculous. The amount of support and investment it would take for a domestic violence survivor who had a score of three or a score of four to find a positive trajectory in the this trauma that they will have intersected with can go down hugely if we have more confidential beds in noncommunal living spaces. As a state, we have a hodgepodge of support numbers and places for a victim to call or to go to. This is an example of what is on the AG's website. Nicole and I have had this conversation, so I know that she is aware. Imagine you just experienced abuse. You do not necessarily want to call the police, which is really common for our survivors, so you go to the AG's website and get this document—trying to figure out who to call, how to navigate, what to do.

Then, our protection orders denials are increasing in Clark County, and again, I cannot speak to the whole state. If you look at the domestic violence offenses, and this is from the FBI crime report, you could make the argument that 2017 and 2019 are pretty level. The year 2018 was not a heroic year. Clark County did not put their data in the report that year. What you can see here is 30,000 a year. This is our temporary protection orders (TPOs) being issued. This is not because fewer people are asking for TPOs; this is because denials are going up. If you see the smaller bar, this is extended protection orders. This is when a victim can actually start to receive compensation for child support and things from the abuser. Those are also declining, and the denial rate on those is incredibly high.

When we look further, what does a survivor encounter when they call 911? I am constantly bombarded with the question of, "Why did she not leave?" This is what the space looks like. These are the systems when a survivor has to navigate their domestic violence. This is only a few of the systems. We have a working MOU with Nellis. You overlay the military in here—you overlay any of the other systems, such as sexual assault exams, in here—and this only gets more complicated. When we ask survivors why they do not leave, and this is the space they are confronted with, every one of these is a step. A lot of these include a step where you physically have to go somewhere on a bus, because most of our survivors do not have their own cars. How much of this can you withstand, often with kids in tow, before returning to a batterer looks like a better option? We do not have systems that support our survivors.

What are the bright spots? Homicides went down in Clark County for domestic violence last year. Rates of domestic violence are up, but homicides are down. That is a win. We have gone from an average of 24 in the Las Vegas metro jurisdiction to 17. We have a large working partnership with Metro and have since 2017. Last year, we were on over

5,000 domestic violence 911 calls, linking survivors at the point in time of the abuse and the 911 call to services. Sixty-seven percent of the clients that we intersect in that space come into SafeNest for additional services. As Nicole mentioned during the AG's piece, we are involved in the effects of the high-risk teams and what that can do to further drive down domestic violence rates.

Here are the solutions we are seeing nationwide. We need survivor resource centers, both virtual and brick and mortar, to truly fix this space. The slide I showed you before had all the systems that a survivor needs to navigate. We need one statewide number to access services and support related to the space of domestic violence, sexual assault, and sex trafficking. That number needs to be answered 24/7, 365 days a year, with text and chat services. The back end of it can be built out to still work local providers, but we cannot let one call go unanswered. In addition to the UNR study, we have a UNLV study that is finding out what survivors want from the justice system, because we are missing it. We have 95 percent recants. The justice system is not working in its current format for survivors. There is promising research coming out around restorative justice models related to domestic violence. This makes everybody nervous. The research is coming out clearly in some places where they are truly studying this, but it is an option and something that we should be looking at as a state as well.

When we look at children, 76 percent of children will repeat the cycle of domestic violence. One in seven children is affected by polyvictimization. Some studies say one in three. Our kids are suffering. Hurt people hurt people, right? That is what we say when we work with abusers here at SafeNest. Much of my own abuser population that we work with have a history of child abuse. They have history of trauma. They are victims from childhood who are perpetrating that as abusers, as adults. Children do not know what is not appropriate when they grow up with it. The Cupcake Girls, which is an agency we collaborate with who work with sex workers, 75 percent of their clients came out of the foster care system. If we want to find a hotbed of where we can turn this pipeline off, we have got to start to focus on foster care with our youth prevention programs in a holistic and complete way, and that has to be the entire family unit. We have a working partnership with CPS in that space. That has got to be a priority for us statewide. Youth who witness violence have the same brain activity as children who are being directly abused. When we award custody in the state, at least in this county because that is what I am most familiar with, our judges are most often awarding joint custody, even with an abusive partner. When we think about this, children witnessing violence have the same brain activity as children who are directly receiving the abuse. We are doing a disservice to our kids and further creating that pipeline to repeat the cycle.

I said this, but kids do not know what is okay. Christina Vela, up at St. Jude's Ranch for Children, shared a story with me. A client that she had, who has now aged out of foster care, was trafficked by her uncle. He used to take her camping and had a tent and would just be inviting men into that tent all night long. This was how she grew up. This was their monthly activity in that household. She did not like it. She did not enjoy it. There was nothing about it that she wanted to be part of, but it was what she knew. I think too often we think kids are going to raise their hand and say, "I am suffering at home. Things are not good at home. I am being made to do these things." Kids do not know what is not okay when they are growing up with it.

Bright spots. I recently visited the Family Justice Center in Milwaukee. They received funding to completely retool their entrance models to be supportive for children coming from the domestic violence and sexual assault world and make it as comfortable and as welcoming as they could. They were doing that for survivors. They are seeing some very

positive indicators on that, in terms of the children's data and support systems. Pathways to Hope, which is a program we run here in southern Nevada with partner agencies where we take 100-plus kids out of domestic violence households. We go up to camp for a week, and then we have year-round programming.

A highlight of this program is the Raiders typically send us an alumni player to come up and meet with the kids up at camp in Utah. Two years ago, when we ran the program the year before the pandemic, we had Junior Ioane, who seems to be 7-feet tall and is a very wide individual. He is very large in stature. He came up and talked to the kids, and he took 20 of my seven and eight-year-old boys fishing. They stood in a creek, fishing. They did not ask Junior one question about football. They asked Junior how he did not hit his kids when he got angry with them. What does he do when his wife gets mouthy? These are the questions our kids have. These are the questions we need to be able to answer. Programs like this give them real-life role models who can help them navigate through what they are seeing in their own lives, so that their future does not have to mirror what they are experiencing as young people.

The good news here is that the data collection models exist for us to support youth. If we could do simple data collection points, and we plan to partner with communities and schools on this phase, we can start to see which kids are most likely to repeat these cycles and begin to put different and more comprehensive supports in place.

We need age-appropriate curriculum mandated in all Nevada schools. Serena spoke to this as well. I know Danielle from Signs of Hope does a great deal of work in this space. This needs to not be something we are fighting the school board on. This is not necessarily about sex education. This is about how we treat each other, and this is how kids should expect to be treated. We have a program, coaching boys into men and athletes as leaders, that we have focused on with high school athletes. We know 95 percent of C-suite members were athletes as high school students. We are working with that population to do relationship curriculum. There is a little in there about consent, but it is much more about why it is inappropriate to say to a partner or a friend, "Hey, you throw like a girl." On the girls' side, the bullying and body shaming that happens in sports locker rooms is real. We are helping young women navigate that space so that locker rooms can be healthy places. We need to mobilize local role models so that our kids see themselves in success. It is fantastic to talk about Maya Angelou. It is way better for us to be able to connect her fantastic story with a local person that kids can relate with. We see really positive signs in our data when our kids hear from local folks about struggles they had and how they are thriving today.

Let us look at society. We estimate the price tag, and this is out of the Texas domestic violence cost calculator. The price tag for Clark County, all in, is about \$2.3 billion a year for domestic violence. No one is writing a check, and I do not come up and ask the state for that money. If I did, we probably would have had this conversation before. This trickles in all these different buckets—lost productivity, expense for the police districts, the courts, and all of the expenses that go into this. It is estimated through all of the different things that we do in one year for the cost of domestic violence to be about \$2.3 billion. Every mass shooting in the United States has a link to domestic violence, even our 10/1 shooter. There are stories of him being abusive to his partner up in Mesquite. This is very prevalent. Most of it is much more clearly documented in their police reports, but it is there. Lost productivity at work is an issue for employers. We work with employers quite frequently on how to help survivors in their own workforce. As Serena said, one in three women and one in seven men—and it can be one in four men if we are looking at a larger context of the definition—are suffering from domestic violence. We are the third most dangerous place in the country for women being murdered by men.

Bright spots here— Survivor resource centers around the country are providing places for survivors to get comprehensive resources. I want a bright spot for every person in Nevada to be that they live in Nevada, and that we are innovative and are pushing the needle in this space. We are doing new and creative things. Our partnership with Metro has gotten national and international attention because it is driving down the homicide rates, but it is also connecting survivors with resources they need on the scene at the time they need it. We need a community awareness campaign, so that everybody who may be struggling or may have a friend or family member who is struggling knows where to go. We need to hold ourselves responsible to the community by pushing out a report card.

Possible next steps— Use the American Rescue Plan Act of 2021 (ARPA) funds, or at least a portion of them, to build one safe place—a model survivor resource center and transformational housing to support the needs of survivors and children. We can break this cycle if we create the supports. That takes a system that looks like this to a system that looks like this. This is what we want to do. This is the space we want to create that can be virtual and brick and mortar to support our entire state.

We also need to look at the findings that come out of the batterers research and reimagine and pilot different treatment program models with judges being able to have some flexible sentencing. I know that the domestic violence subcommittee in Clark County, which we sit on, is interested in taking that up and doing legwork for this Committee around that to propose some things for the next legislative session. This is critical. We have UNLV researchers on that team as well. We need to review the research from survivors and what they want from the justice system and propose solutions that match that need. We need to investigate youth curriculum and delivery models and build out legislation that mandates that this information is given to children.

This can no longer be a community issue. This is a public health crisis. We need to mandate that. We need one number, statewide. We can integrate the back end. We can roll out referrals, but every survivor deserves to pick up a phone or text or go on a chat and be answered in the immediate time that they are available. Sex trafficking victims and domestic violence and sexual violence survivors have a window in which they are mentally and safety-wise able to reach out. We have to be ready to answer that call every single time. We need to create a group or a subcommittee that reports to the governor. I am not sure of the constructs around that. I will leave that to this Committee. We need to create something that is consolidating the momentum both from the child services world, which I heard the great stuff that Esther had to say today, and all of these different segments and pull it together into comprehensive solutions. Once we have done that, we will be creating a safe space for our community at large. On behalf of everyone affected, especially the children, thank you for your time today.

Chair Scheible:

Thank you for volunteering to head up, chair, organize, and run an entirely additional task force commission; for everything that you do for victim-survivors, and for a really great presentation. I have some questions. I am going to go to my colleagues first. Before I forget, I want to mention that I love that you are thinking about possible next steps already and some possible legislation. We are always happy to talk through that legislation here in the Interim Judiciary Committee, if you have something that you want us to think about or look at before our last meeting or even become one of the Committee BDRs. I am also sure there are plenty of people here who would be happy to sponsor legislation for SafeNest. Let me go to members' questions. It looks like Vice Chair Nguyen has her hand up.

Vice Chair Nguyen:

Thank you for that, and thank you for all of your work, Liz. What your organization and what you guys do never ceases to amaze me. I have a couple of questions. I know that we have had conversations about the lack of inclusion, and I know you guys have made huge steps to include communities of color and our undocumented survivors out there. Are there any programs or are there any things that you are doing to incorporate some of those unique aspects that those individuals face, such as not wanting to report for immigration purposes and those kinds of things?

Liz Ortenburger:

Yes. We have a couple of community awareness campaigns that are targeted specifically at that audience. We actually did a report for the *Huffington Post* a couple of years ago. They were asking if we had seen a downturn in our undocumented clients coming—to want to disclose—to SafeNest at the time when there were a lot of things going on, like Immigration and Customs Enforcement (ICE) raids. We did not see a downturn. The great news around that is I have two incredible U visa and T visa advocates who are embedded in that space. We actually hold office space at the Mexican Consulate, and we constantly are reminding our survivors and our clients that we do not disclose. We do not share that information. It is safe for them to come and work with us, so we have done a really good job at creating that. We embed ourselves with Immigrant Home Foundation and those types of organizations where there is intersectionality of that undocumented status and violence and where we are likely to come into more contact with survivors.

I will tell you that one of the biggest things that that we work on is trying to educate the family court judges in the TPO space when the survivor is undocumented and the abuser is documented. There is a bit of a bias that a survivor who is undocumented is saying there is domestic violence because they are undocumented. There is education throughout the system, but specifically for clients, we reach out—we always have Spanish-speaking advocates in our space—and our client population matches the snapshot of the documentation. Recently, we just started working with the Regional Transportation Commission (RTC) on our HEAT map of where most of our clients are coming from and how we can create some RTC safety corridors. If someone is being abused and are using rapid transit to escape, can we put emergency buttons at those rapid transit bus stops? Unfortunately, a trend we are seeing is people getting grabbed from the bus stop, because if you are escaping, you have no car. You are going to the bus. You are generally not using Uber because you do not have the resources for that. All of that kind of work is happening in this space.

Vice Chair Nguyen:

I know you work with a lot of the batterers, like from a batterer's treatment perspective, which I think is a more holistic approach that I appreciate. I know you are aware that if someone is convicted or charged with that charge, it causes them to be deported or be invisible for future lawful entry. Do you work with different immigration groups? It is just a very awkward space where you are protecting victims and also protecting families and trying to get batterers the treatment that they are looking at.

Liz Ortenburger:

That is a lot of where our partnership with Immigrant Home Foundation comes into play. They are more versed in that space. I will tell you what we see in that space. Occasionally, abusers will use that as a manipulative tactic. "I am going to call Metro on you and say that

you are being abusive,” and then the victim is arrested as the abuser, because signs of abuse can be staged. I have done so many ride-alongs with Metro. It is hard to know exactly what is happening on these scenes sometimes. If somebody is erroneously arrested, that then can become very problematic. Unfortunately, the way our Metro and police advocates work is when there is an arrest charge for someone—even if the judge and everybody else recognizes that that is probably the victim—it really prohibits them getting that support from a system advocate. It is really complicated. The possibility of deportation there exists. There are so many huge pieces of the system. That is not one that we are overly engaged in from the batterer’s standpoint, other than our collaborations with both the consulate and the Immigrant Home Foundation folks.

Vice Chair Nguyen:

I was not thinking about it from the stance of the batterers, just knowing that it was probably something that influenced peoples’ reporting concerns, knowing that it would potentially break up their family like that.

Liz Ortenburger:

That is a conversation that I constantly have with Nellis, and we will be presenting at the larger Air Force Summit in Alabama in May. The military has a very strict no-tolerance policy. That no-tolerance policy is, in and of itself, a problem. If I need help around domestic violence, but my spouse is in the military and is going to lose their job if I report, and that is my livelihood, I am going to take it. I am going to take the abuse because I do not want to create a homeless situation for my family until that abuse gets so bad. That is the conversation I have been having with the Air Force. We have to look at what we are creating on the backside, because there is nothing that we have created from a systems approach that is a deterrent to domestic violence. There is no penalty that we have come up with. It is like, “Oh great, I am going to think about that before I punch you.” That does not exist. We have to start to understand this space from the perspective of what is actually happening and not what we do not want to happen.

Vice Chair Nguyen:

You had mentioned something about TPOs and the denial of TPOs. Do you think that is a more educational piece on the judicial end? I know that we passed some legislation to make it easier to file those TPOs. From the data that you have collected, and even anecdotally, do you see any solutions for where there can be improvement in that space?

Liz Ortenburger:

Yes. I just had this conversation with the OAG yesterday. We sit on that subcommittee around the court systems. I will be pretty clear that I believe that we are working within an overset of biases on behalf of the abuser. We seem to have a judges’ group right now in family court that is aligning itself with the idea that a survivor needs to prove their space more than what the legislation requires. I do not know what the long-term fix is. That is what we are working with the AG subcommittee around. Here is what I do believe. We need open and clear reporting requirements from the court to know what the number of denials are and what is actually happening. We need transparency as a community, as a legislative body, as everybody, into that because without that, we cannot really know what is happening. We sit in about maybe 30 to 40 percent, and then when we work with Barbara Buckley’s team at Legal Aid. They sit in another percentage. We do not have a whole picture. I do believe the courts are willing to provide that—it is just collaborating and bringing it all together. Let us look at the data and see where the solutions might be.

Vice Chair Nguyen:

Thank you. You answered my next question. It was, what kind of data do we have on those denials, so we have track what the trends are?

Liz Ortenburger:

I have emergency temporary protection order (ETPO) data, which is really rare. We do those for Clark County, and we have seen those increase. It is places where we have never had an issue before getting ETPOs being able to be approved. We work with the courts on it. We try to have conversations around it, but it is a difficult space right now.

Vice Chair Nguyen:

Finally, my last question is, you had mentioned a common number. It seems like common sense, but obviously we do not have that, and I know it does take resources. Are you thinking like a universal number or like a 911, or 411, or that kind of space where it is the same wherever you are?

Liz Ortenburger:

Yes. Massachusetts, New York, and other places around the country have one clear number that you call if you are suffering in this sort of hidden violence space. It is very comprehensive. It does not really change. I sat in a Senate hearing last year during the legislative session. I think it was Senator Harris who asked, "Well, who do people call?" and there was no cohesive answer in the room. It should just be like, "You call 702-718-HELP. We know that across the state. That is the number to call and get connected with resources, so that every one of you, anybody that is doing media across the state, can have one universal number." That is what I am looking for.

Here is what we know about three-digit numbers. They are not trusted by undocumented people. They are definitely not trusted in some of our higher crime communities. There is a belief that it is correlated with government. There is an aversion to government interference, and I understand that 100 percent. There is a little bit of research in the number, but that is what we would like to see. SafeNest can host that with all of the supports to the back end. I think that is a solution, and that is something the OAG and I have talked about. How can we make this work so survivors, whether in White Pine, Tonopah, or anywhere, have a number comprehensively listed that they can call and get supports? What this would also do for the state is solve a massive data problem. If we are funneling all that information into one number, even if the back end is filtering it out to different providers or different service channels, we can collect data that can then be comprehensively used to better understand what is happening statewide, both with the police response in the non-police response.

Vice Chair Nguyen:

Thank you, Liz. I will turn it back over to you, Chair. I can talk to her forever, but we will do that offline.

Assemblywoman Summers-Armstrong:

Thank you so much. This was a lot. Every time I hear you speak, Liz, it is a whole lot. One of the things that you talked about was joint custody. You talked about how our habit of joint custody could be detrimental to the children. There is a lot of talk about family

unification and about fairness, but would you please speak to that? I think that maybe we do not have a clear understanding of what you are speaking to.

Liz Ortenburger:

Absolutely. Let me preface all of that by saying that what we need on the front-end, in both the person who is using violence and in the survivor space, is better screening mechanisms. We have got to understand that if we have 30,000 people using violence every year, such that charges are brought, there is segmentation within that work that needs to be done. We need to be looking at whether this was the first charge, what is the level of the battery, what is the lethality assessment, and do we need to look at that jointly. That body of information then needs to be used in consideration as to whether or not we are doing a joint custody situation. What is happening too often is we are just doing joint custody. We had a case in December. The child's arm had actually been pulled out of the socket by the abuser. They are separated. However, joint custody was issued.

We have to start to help our judges. I feel for our judges, and I feel for the folks that are working in this space, because there is so much volume. Let us create screening mechanisms to say, "Hey, if we are seeing these things, then this basket of approaches would be better. If we are seeing these things, then let us look over here." Let us help our judges navigate this space with the appropriate screening tactics, so that we actually know what kind of environment we are putting kids into. To piggyback on that idea, I am a firm believer that people can evolve and change in their space. If we do one screening mechanism, we have to be looking at screening mechanisms throughout, so that if somebody participates in a program, that then is an opportunity to regain custody or regain the ability to see your kids. None of this can be like, "Oh, it happened, and we are done." We have to understand that people within the mental health space and within the batterer's understanding space have the ability to transform, and then we need to honor that growth. However, we need to make sure that the kids are in environments that are primarily safe before we order the joint custody.

Assemblywoman Summers-Armstrong:

Thank you. One of the slides said that you had done an assessment of someone who was a batterer, and you had these little black boxes that were filled in. At the beginning, it was at one level, but then at the end, it was even higher. Can you please speak to that? That has blown my mind, and I do not understand what I just saw there.

Liz Ortenburger:

That should terrify all of us. First of all, let me say that is an outlier. We pulled a batch of research from over two years to provide to UNR as we started in this batterer study space. That comes out of the two years. Of the two years of folks that I had in batterers' intervention programming, we had eight outliers. Those are folks whose scores increased when they should have decreased. My point with all of that is—when I look more in depth, and I read the case notes, and I understand the complexities of this individual—because this is individualized work, we want to always have the macro look, but we need to have the micro look as well. It looks to me, through the case notes, that this individual developed a drug and alcohol habit while they were in treatment with us. As I mentioned, 70 percent of men who abuse also abuse alcohol. That is a stat. It is not uncommon for people to use alcohol and drugs as a coping mechanism, but then his response to it was to become more violent and desire to have more control.

The idea is that first of all, we have to be studying this, way larger than just SafeNest. Everybody should be doing this work. What that should have triggered in a perfect world would have been me working with Judge De La Garza or Judge Graham at Justice Court and saying, "Hey, I am seeing some worrying signs in this individual. Can we issue some substance abuse programming?"—and then come back and do a domestic violence intervention (DVI) in three months. What more supportive solutions can we put in this space? I am not a legal expert, and I know there are probably tons of things in there that are like, "Oh, we can do this. We cannot do that," but that is the kind of societal approach to helping someone navigate out of abuse. It is absolutely possible for an abuser to stop abusing. They need to take responsibility. They need to understand the traits. They need to understand their triggers, and then they need to make the choice. It is a choice. We have to provide that pathway, and if we see somebody struggling in that pathway, our answer cannot be more incarceration, more fines, and more of "X." It needs to be, what are they struggling with, and how can we get them in programs that can help them? That is going to make society safer. A lot of my cases, most of them have kiddos involved. It is going to make the family unit better whether or not mom and dad are together. It will make for a better environment, so that is what I am looking for in that space.

Assemblywoman Summers-Armstrong:

Last thing—this correlation that you highlighted between women's ability to be self-sufficient and their dependency upon an abuser and whether or not they stay is unbelievable. I was a military wife, and I can tell you stories. I am sure you have heard them before. At the time, I did not realize that this is a pattern that happens in civilian life as well. As a military spouse, you often are overseas or in a place that you do not know. You are depending on this person to sustain the family, and they get away with all kinds of stuff as a military member—those who have a propensity for abuse. The spouse is just stuck. Now, we are seeing this in civilian life. I think we have to be honest about the types of career paths that we are putting women in and the types of job opportunities, training, and education opportunities that are being offered and whether or not we are actually not giving women enough space to be independent so that they do not fall victim. Maybe that is an oversimplification, but I can only tell you one thing. My mother, Deborah Lee Coleman Harris, said to me, "If you can type, you can eat." That was the way that I was able to remove myself from a situation that could have been really bad; I was able to sustain myself. It makes me concerned that when other women do not have that opportunity, they are going to get stuck, and then we have this cycle of the children ending up in this whole cycle again and again. If you could speak to our education link, that would be wonderful.

Liz Ortenburger:

Yes. Here is what we know. The University of Oklahoma has got a ton of research on the hope scale and the scientific versions of hope. We have to build the hope score in our kids, particularly our kids that are in homes, and in our survivors and batterers. All of the data exists, the research exists, that the mechanisms to measure exists. Linked to hope is goal attainment. We have to make sure that our young people see pathways out of poverty. We do not talk about poverty much in the domestic violence space, which is a disservice to our survivors, because oftentimes poverty is the second abuser. It is the thing that is holding them back, not giving them access, and making those choices tough. I will be honest and say early pregnancy is an indicator and a concern. You are 100 percent right that access to financial freedom, not only in the U.S. but globally, is linked to women having a larger voice and not having to sustain violence. In fact, when we take women out of domestic violence situations and provide them with opportunities to increase their skill set, they become financially independent—even when they reunite with the batterer, which happens. Let us

not forget that this is usually a commitment made in love. When they reunite with that batterer, the battery stops because she has choices and access to a different set of things. Guess what? The batterer gets that, so their relationship becomes different. There is a whole lot of important stuff that can happen in that space. Most importantly, we have to link young people, both women and men, with clear career paths and financial opportunities. Abusers also abuse more often when there is financial insecurity. It makes sense. If women in poverty are struggling, men in poverty are perpetrating. Financial insecurity is a huge stress and trigger endpoint for domestic violence.

Assemblywoman Summers-Armstrong:

Thank you so much for your work and for the information and candor. I appreciate it.

Chair Scheible:

Ms. Ortenburger, I am not seeing any more questions. Thank you again. I have one question. It goes back to the beginning of your presentation talking about the dearth of services in the state of Nevada, which we all know about, and it is alarming. I was really struck by your description of not having enough beds for people who are trying to leave violent situations and using that lethality index. This group that you are talking about, are we already limited to the people who are interested in staying somewhere else? Or does this also include people who are maybe not ready to leave yet or not wanting to leave? If a first responder, a prosecutor, or somebody encounters someone who is in a dangerous situation and they do not want to leave, it sounds like you are saying that we also cannot guarantee to them that they can leave. Even if I can convince my friend that what she really needs to do is leave this situation, there might not be a bed for her, even if I get her to agree?

Liz Ortenburger:

Let me explain a couple of things. We work with a group of folks that have taken what we call our preferred provider network training. This includes churches and other nonprofits in spaces working particularly with different populations. For example, Gender Justice, who works with gender nonbinary folks are all trained on the lethality assessment. They can actually call the hotline and say, "Hey, what lethality are we at today?" So if they are encountering someone or working with someone, they can do all of that on the front-end. People do not need to call me or SafeNest all the time. If you disclose to someone at your church, it is usually the pastor's wife. If you disclose that to the pastor's wife, a lot of that community has taken our training. They can connect you directly with services. Not only that, but they can continue to come onto our confidential campus to provide advocacy and support, as long as the survivor says, "Yes, please. Continue to work with me." There is that context.

It is a difficult space when we have to turn somebody away whose lethality score is a 12. Let me say two things in there. If there is any assault in the last week with a deadly weapon—so a gun generally is what we are looking for, or strangulation in the last month—you automatically have a bed. That puts you at the top of the lethality scale, because of what we know about strangulation and firearms. One of the things we get is a lot of people who come here thinking they are going to get a \$100,000-a-year job at the casino right off the bat. They are very stressed out. Their abuser is maybe in Tennessee, and there is not necessarily a bed with us because the chance of you being abused again is low when he or she is in Tennessee and you are here. What we do is connect people with other agencies. We work closely with all of the other providers in town. One of the officers spoke about not

having a place for youth at 3 a.m. When I talk about this family justice center space, this one safe place, that is designed to answer that question.

To answer your question, Chair Scheible, we need to expand that bed count so that everybody has a bed. It may be a triage situation where you are going to be with us for three days, and we are going to get you to the right place with help and support, or we are going to get you connected. But we have to fill that gap, which you are identifying really well, which is, "I am in abuse. I am ready to exit. I need a bed." We do not know when that opportunity to exit is going to come again. We have to build out that infrastructure. I will be really clear. We have to build it out in private. We cannot continue to believe that communal living is in any way an answer. When children hear footsteps on a floor, they are triggered. Seventy percent of women in their abuse are pulled out of showers. You have to have a private shower and a quiet hallway. We have to let people start to heal, otherwise we are just part of the continued trauma cycle. You are 100 percent right. There is a gap there. We are trying to fill it as best we can. I have 100 beds in my main campus. I can expand out, and we often do that at 30,000 a month. While I love that I can expand, I can be very clear that my hotel and apartments are not getting the same comprehensive supports that my in-shelter clients are getting. Let us fix that, and then we can create a model that we can study—create a model that is appropriate for the size in Washoe and build the virtual infrastructure out for the state.

Chair Scheible:

That is really helpful. Thank you. Any other questions? I am not seeing any. As with all of our presenters, we welcome you to stay with us for the rest of the meeting and also understand if you have to get going. We are going to move on to our next presentation from Ms. Robinson at Awaken in Reno.

Jen Robinson, Youth Intervention Director, Awaken Reno:

Hi, everybody. Thank you so much for being here today. It is incredible to see the lineup of speakers and the expertise in the room. On behalf of Awaken, thank you. I am super encouraged. I was told that I can at least share our services, and I love that we are doing questions and answers at the end. If you guys have any questions, I would love for you to fire them at me at the end.

Awaken has been in northern Nevada for the last ten years. Thankfully we have grown exponentially every year. Right now, we work with anyone coming out of any form of commercial sexual exploitation, so the legal and illegal forms of prostitution. We have a drop-in center, which is really our first point of contact. Our drop-in center is completely survivor run. Women and girls who are not even sure they want to make a change can come up to our drop-in center. They are met with faces who understand where they have been and can give them hope and light that there is a future and possibilities outside of what they are currently experiencing. The drop-in center is currently open five days a week from 9 a.m. to 6 p.m. We do meals. Right now, they are actually upstairs having a "Galentine's" event—a full spread of lunch and cupcakes and cake pops—and it is very much a relational home feel. There is a full bathroom with a shower and bath. There is a full kitchen. There are couches just to hang out on. On Tuesday nights, they always do a dinner and game night. They do a survivor support group on Thursday nights. Thursday and Friday afternoons are always craft days. On one of the days, they go out and take walks around the community and start to build relationships and connections. One of the survivors that runs the drop-in center said she has noticed a difference between last year and this year with the expanded hours and the amount of activities, educational groups, and relationships

that they are doing in the drop-in. She said, "I have not been asked so many more times, how did I get out?" She has been out for three years. She is actually the first graduate of our transitional house. For women who are coming off the streets to actually see that change is possible and to know that there is hope is truly incredible. That is our drop-in center, which is the first point of contact.

Once a woman or child is actually ready to make a change for their life, we will introduce case management. We are really intentional about not offering services where the women and girls are not at. We really try not to work harder than them but come right alongside them when they are ready—how they are ready. Our services at this point are pretty divided between youth and adults. The youngest minor I have worked with in the last year has been 12 years old. It has been 11 in years past on up to 18 or 19 that can stay with our youth team before they transition to the adult team. There are similar services, but where a 13-year-old is at it is completely different than where a 23-year-old or 33-year-old is at.

The programs are pretty specific to who we are working with. With our teams, we do case management. We do mentoring. We do adventure activities. They go rock climbing every week. They have group therapy and individual therapy. We do fun activities as well. The youth actually did their own Galentine's event last week. I was out of town last week, and today is my first day back in the office. When I got in the office this morning, I had my very own Galentine's bag that they had decorated with glitter and put valentines inside and notes of encouragement and candy. They did a whole event for themselves, which I love, the heart and the passion and the creativity and really trying to give kids back their childhood. If you assume that the average age of entry for the women that I personally work with is around 13 to 14 years old, which kind of mirrors the national statistics, they have lost their childhood because trauma and abuse started way before that. We are really intentional about fun. We work hard. They are in therapy. They are in school. However, we also need to play hard, because they are amazing, and they are just kids. We want to give them back experiences like decorating gingerbread houses, carving pumpkins, and things that most of us take for granted. Most of them have not done that before.

We also have an education center. We have been recognizing that when some of the girls that we work with come back from outside programs, or when they come from just getting recovered off the streets, they are being thrown right back into their public education center, and it is not working. They would run. They would get overwhelmed. We are kind of a middle ground between reintegrating back into their public education center. To date, we have had ten teens go through from middle school and high school—both. We have had our first graduate. We have four on track, potentially five, to graduate this year in May, June, or whenever graduation is this year. One, I think, will take through the summer. We will have five graduates this year, and we are able to wrap around them with tutors and an educational advocate and really provide them the support that they need to get to graduation and continue to achieve the goals that they want.

We have an after-school program as well. We realize that not everybody needs the education center that we provide. They are going to their other public education places, so they come back for an after-school program, we really do work on their goals. If they need help making an appointment, if they just need to play a card game and have a conversation peer-to-peer, we provide a safe place for that. The adults have an achievement group—they call it. It is every day where the women come in and work on their goals with a case manager. We help provide resources. We do not believe that we need to be a one-shot fits all for everybody, but how can we actually pair you with people in the community who are doing what they need well? They have that every day as well.

Once again, we have a transitional house, which is for adult women over 18. They can stay anywhere from six months to two years. Our first graduate actually stayed 22 months before she graduated. I think, to date, it was open three years ago. We have had 15 residents. Last year, we had eight. On average, they are staying between six and eight months, and the greatest was almost two years. They are going back to school and integrating into workforce development. What they are able to accomplish with more support has been incredible to watch.

One of the things that I am really passionate about as well is prevention in our community, especially with the younger ages. I know Liz just spoke that we need to be in the classrooms, and I agree. If people do not know this is an issue and do not know how to recognize signs and symptoms of not just trafficking but sexual exploitation, then how can they do something about it? What we really like to do when we go into the schools is to not just educate them on the signs and symptoms, but how do you have a voice? How do you speak out? Because it may never happen to you, you may never get trafficked, but someone you love could be in a vulnerable situation. They could be trafficked. They could be exploited. Do you have one safe person in your life that you actually know you could go to for help? Is there someone within the school that you can reach out to? If we can start to share real stories of those that have been impacted by this—if we can get them to experience compassion and empathy for them, and especially the words that they speak to each other—if we can get them to actually think about the reason behind why they say certain words and what it means when you call that girl a “slut” or a “whore,” or any of the other words that they are saying, like what is their background?

If we can change the culture in the schools, I do believe raising up the next generation to know their worth—to have confidence in themselves and who they are, in their choices and in the power of their voices—we can see a shift in not just trafficking but exploitation and manipulation. All of it. At Awaken, we are here to support the women and the girls and boys as well. We do work with boys. I generally do use female pronouns, because that is the majority of who I have personally worked with, but I have absolutely worked with men and boys in our community that are being trafficked and exploited. It will take all of us working together.

Do you have questions? Honestly, you have heard from some of the best in this field. I know when I looked at the agenda, you have Wesley with the HEAT team. You have Nicole, Brigid Duffy, Esther, and so many of the professionals that I am honored to work with. I know you are already educated on the issue of trafficking, so I do not want to start back too soon but just provide a list of our resources. If there is ever anything we can do to support you, we would love to come alongside you as well.

Chair Scheible:

I had a chance to visit Awaken’s drop-in center, and it is fantastic. Having been there, it is much easier to envision all the groups you are talking about. I would encourage everybody to do that. Does anybody have questions for Ms. Robinson? I am not seeing any questions. We will move on to Ms. Staple from Signs of Hope.

Daniele Staple, MSW, Executive Director, Signs of Hope:

For the record, my name is Daniele Staple. I am the executive director at Signs of Hope, formerly the Rape Crisis Center. I just want to thank Assemblywoman Marzola, Chair Scheible, and all of the Committee members. What a commitment you all have demonstrated today in listening to all of these amazing colleagues and professionals from

around the state that are working in this space. I am very honored and grateful to be included. I really want to acknowledge our thanks for you all taking a full day to really delve into these issues. We greatly appreciate it. With that, we understand, obviously, that policy and legislation is certainly a huge piece of these issues. As you have seen throughout the day, there are such complex pictures. The crux really goes back to so many fundamental cultural, economic, and societal factors. One of the biggest things that we work and struggle with is the idea of rape culture and our cultural norms that perpetuate misogyny and the idea that women's bodies do not fundamentally belong to them but belong to everyone else for all kinds of purposes. The more we can address these fundamental issues of foundational prevention, education, and working with children from the time they are very young to understand consent, to understand their own empowerment and boundaries and how they can enact those boundaries for themselves, the more we can really begin to get a handle on some of these issues.

As an organization, we focus on the whole spectrum of all forms of sexual violence, as well as all forms of human trafficking, which does include both sexual exploitation and trafficking as well as labor trafficking (Agenda Item VII C). Along with that, our mission is offering hope, help, and healing to all those affected by sexual violence and exploitation. We were originally founded in 1974, so we are coming very close to our 50th anniversary year. We had been doing business as the Rape Crisis Center for about 18 years and changed to Signs of Hope a few months ago. Hope is an acronym for healing, options, prevention, and education. To everyone's points today, those are the critical factors in addressing all of these issues in a fundamental way.

A little bit about our services. We serve individuals of all ages, gender identities, racial and ethnic backgrounds, and citizenship backgrounds, all along the continuum of any form of sexual violence and exploitation. You can see here our various areas of programs and services, which I am going to talk a little bit more about. Hot off the presses is our 2021 services data. We received more than 5,200 calls on our public-facing hotline. We operate multiple hotline and crisis response areas. Our public-facing hotline is primarily for individuals that have been impacted by sexual assault or sexual violence. We also run a separate help line that we called the ALERT hotline, which stands for advocate law enforcement response team. That is the team that Lieutenant Roberts mentioned in terms of our 24/7 advocate response in association with law enforcement. Any time a victim of human trafficking is identified, law enforcement can contact that hotline and get an in-person advocate response on a 24/7 basis.

Going back to our sexual assault services, we supported over 450 individuals who did go for the sexual assault exam last year. One huge impact of COVID that we have seen the last two years is the number of individuals going for the sexual assault exam has decreased significantly, primarily because the main location for that exam is in the middle of University Medical Center's adult emergency department. Obviously, with the pandemic, there was a huge disincentive to stepping into a hospital and a whole different kind of risk that was associated with that. That was a data that was very similar to those seen by other hospital-based sexual assault programs around the country throughout the pandemic. We are hoping that as COVID numbers decrease, people will feel more comfortable to go back to that setting if they do want to engage in the sexual assault exam after an assault. We also saw 107 trafficking victims who engaged in extended services during 2021. We saw over 140 individuals each month for individual counseling at our counseling center and had over 4,000 hours of counseling. Mental health services were something we saw an increased demand for, incredibly, during the pandemic. Additional types of trauma, isolation, all of those things are very triggering for survivors, so we had a huge influx of people. A lot of clients that had been weaning their services and maybe decreasing the frequency of their

mental health counseling appointments came back to much more regular services because of all the stress related to the pandemic. One silver lining that we did see during the pandemic was a huge outpouring of interest in our volunteer programming. We had over 8,000 hours of volunteer assistance during 2021.

A little bit about who is being served. In terms of gender identity, we do see predominantly female-identified clients, but certainly not exclusively. One of the things that we have really engaged in over the last couple years is focusing on populations that are overrepresented in terms of being impacted by sexual violence and often underrepresented in access and ability to gain access to services. We have taken an initiative around community engagement to reach out and engage a number of different populations. The LGBTQ+ population is definitely one that we have focused on. This is data from the first six months of this fiscal year, so July to December. We are already seeing increases in the folks that we are serving in some of these overrepresented and underserved populations. You can also see the age breakdown there. These are individuals that have identified their age to us. Not all of our hotline callers will share that information, but of those, about 11 percent of those served are under 18 across all of our sexual assault services, not specific to trafficking. I am going to be talking about that a little bit separately later.

We are also looking at some of those special populations. This is just within the last six months. We have really focused on those with limited English proficiency. We have expanded our language line services to ensure that those who do not speak English as a first language can access our services. We have had about seven different languages utilized regularly with the language line for hotline and other types of services. We have seen increases in LGBTQ+ populations that we are serving, as well as houseless individuals with various types of disabilities, et cetera. One of the main focus areas that we have undertaken during the pandemic and seeing those populations that were disproportionately impacted was our Latinx and Spanish-speaking populations in particular. With some supplemental services funding that was made available through the victims of crime assistance program, we did add a full-time, Spanish-speaking therapist to our stream of services. We feel very fortunate to have recently secured some of the ARPA funding, which is going to allow us to further expand and add a second full-time, fully bilingual therapist to serve that community, as well as to add assistance with housing and emergency shelter services so we can assist families in getting into emergency housing when needed. I did not mention the recent ethnicity data. This is across all of our different services. You can see that with that we do serve a very large number of Hispanic and Latinx-identified individuals, as well as a pretty wide breadth of services to those from various backgrounds.

We operate multiple different hotlines, the primary one being public facing. We have an online and website chat. With all of our hotline services, those individuals are responding to immediate needs that the person has, which can include emergency transportation, reunification with family in other areas—so emergency transportation within town as well as out-of-town—and emergency food and clothing. A lot of times, individuals' phones are taken as part of the investigation into the sexual assault, so we provide crisis phones for individuals, and also in-person response to the area commands when an individual goes to make a delayed report. One of the things I wanted to point out is during the 2019 symposium that Metro did around sexual assault issues, one of the things that they particularly identified was delayed reports. This is why we have focused a lot on the needs of the Latinx communities. Out of the nine area commands within Metro, six out of the nine of their most common delayed reports came from a Hispanic juvenile female, and that was more than 30 percent in all of those area commands. At least 30 percent or more of their delayed reports came from Hispanic female juveniles. It really highlights the issues within those communities and why these services are so critical.

Once the point of crisis is passed, there are all of those long-term needs that individuals have. This is just a snapshot of some of those long-term advocacy services. They include a whole host of different things. Some things you would think of in terms of court advocacy, accompanying victims to hearings, et cetera. One of the things that a lot of people do not think about is we, about eight years ago, started a student advocate position that specifically works with students in K through 12 schools on issues related to school as a result of assault or abuse. That could be, "I need to change my schedule because the person who assaulted me is in my math class," or "I do not feel safe at that school at all anymore with that individual. I need to try to work on getting a zone variance," or whatever those various issues may be. The student advocate works with both the student as well as their family and often intervenes with administration at the schools to try to address those various issues that may come up.

We also do a tremendous amount of family-related advocacy, particularly around child sexual abuse victims. Here is a quick example. Just last night, I was talking with one of our therapists. She sees the child that was abused by a family friend. One therapist sees Dad, another therapist sees Mom, because the whole family needed counseling as a result of that situation. Mom and Dad are feeling guilty because this was their friend who harmed their child. At the same time, they are trying to understand the responses that the child is having to the trauma and abuse. That does not always show up and look the way parents often think it will. It is also helping everybody to show up for that child in the way that she needs from the rest of her family members. It can be assisting the families with identifying mainstream programs that they may be eligible for, or if they need intervention with the landlord because maybe it was a neighbor that abused a child, and they need to move out of that area and break a lease. Things like that—and all the various ways that these issues can affect all aspects of an individual's life.

Particularly with our RISE team, which you heard about from Lieutenant Roberts and that does work with our trafficking victims— We are talking about an even more intensive case management approach. With ARPA funds, we will be adding some more intensive case management services for a lot of those families impacted by child sexual abuse—where the whole family needs significant services. That includes in-depth intake; immediate needs, such as getting that person linked to shelter or housing; and transportation, which includes both local transportation as well as transportation to other states to reunify with family members and can also include getting that individual linked to services in that other jurisdiction. So we make sure there is a warm hand off to someone there and do not just send them without any kind of support. It includes some of the things that have been mentioned in terms of education and career training assistance. We know that those economic indicators and impacts are so significant, so getting clients linked to those services as soon as possible enables them to see that clear path forward and identify their own goals and aspirations for the future. It includes legal assistance, particularly with our trafficking clients. There are so many issues they may be dealing with, such as family law issues. They may have records that need to be expunged or charges that they are trying to get dismissed. They may have legal issues related to credit damage. They have had identities stolen in some cases or used by the trafficker to set up all kinds of accounts and things like that. It is very varied in terms of the types of legal assistance that they may need, as well as mental health treatment, support groups, et cetera.

In terms of our mental health services, in addition to individual counseling, we also offer a whole variety of support groups. Most of these occur on a weekly basis, so it is pretty busy in our office. As you can see, just about all of the groups are offered in both English and Spanish or have at least an English and Spanish-speaking therapist available to help facilitate them. We also do weekly yoga. We offer a holistic healing series and have recently

restarted our adult human trafficking survivor group. We also do a parent survivor group of minors that have been trafficked to try to help the parents with navigating a lot of the issues that come up related to those situations.

Individual therapy is obviously critically important to many of our clients. We have hours six days a week. We include evening hours. We have added teletherapy options related to the pandemic but have also continued to offer in-person services. At no time did our in-person services for counseling or anything else stop during the pandemic.

In terms of prevention and education, this is an area where myself and all of my colleagues that have spoken previously are incredibly on the same page in terms of comprehensive cross-cutting prevention education being an underpinning that can lead to greater success in all of these areas and the prevention of the need for our services. One of the things that I will add my voice to, which I know Serena and a couple of other people mentioned, is full and complete sex education and violence prevention education. There has been previous legislation that is now on the books and being implemented that has helped with this. There is violence prevention education required throughout the health curriculum at this point. However, one of the things that continues to be a huge issue is the fact that sex education is opt in. While it is separate to some extent, sex education is separate and different from overall violence prevention. They are also inextricably linked, and access to universal, comprehensive, non-shaming sex education is a huge part of what can help be the answer around overall violence prevention education.

We have school-based programs that we are able to bring in the Clark County School District at every educational level. In fact, We Care actually goes into preschool-aged settings and starts at a very early age with social emotional education for kiddos. We know if kids cannot express their emotions, that is where things tend to come out in a violent way or an inappropriate way. That is the underpinning of basic violence prevention education, as well as understanding from a very early age bodily autonomy, body boundaries, and the appropriate name for all body parts, which is a huge element of child sexual abuse prevention. All of those things are really important.

We also do a lot of prevention on the adult side in terms of working very closely with the hospitality industry, and in particular, with hotel security on how to identify predatory behavior when they are seeing it in clubs, in the hotel environment, et cetera. Brittany, who Lieutenant Roberts mentioned, and our anti-human trafficking training team are also doing a lot of training with health care providers, housing service providers, and those in the transportation industry. We are also getting ready to launch more within the hospitality industry. There is a lot of training being undertaken on the part of the properties on the strip. We are looking to link that alert hotline that I mentioned to hotel security as well as to law enforcement. We also work with our Enough Abuse campaign, which comes out of a program in Massachusetts and has been adopted in 12 different states at this point. It is a comprehensive child sex abuse prevention campaign related to policy, education, and teaching families how to communicate, how to recognize red flags, et cetera.

Moving on to our human trafficking, our RISE program— Here is some specific data around that clientele. This is data for the first two years of that program. We saw a total of 208 clients who engaged in long-term services. We saw many more on a very quick basis. Going back to some of the statistics that our partners in law enforcement gave earlier, we might talk to 50 people and have 2 of them actually engage in long-term services at that time. You have to multiply out that these are the individuals that engaged with us or at least the ability to do an in-depth assessment, and then their length of service could be very varied. For sex and labor trafficking, we saw 58 individuals that had overlapping issues with

both sex and labor trafficking, 72 that experienced some sort of labor trafficking, and then 199 that experienced sex trafficking. The breakout of those clients, and this is just over the last six months, was between the ages of 15 and 54, with 51 of those being minors and 130 being adults. The most commonly needed services that those clients were looking for, you can see there, and where we get the bulk of our referrals from. That is where that nexus and partnership with law enforcement that you heard discussed earlier is so important.

We are at a point now where our team is going out with law enforcement, on average four nights a week, for those proactive interventions and engagement with individuals. A huge part of what that looks like is that we very much look at it as though we are planting seeds. We may talk to somebody in partnership with law enforcement on Thursday night, when they go out. That person says, "No. I am not being trafficked. I choose to do this. I do not need your help." Maybe we see them again in three or four weeks, and they say the same thing, but in four months, they take that card that they were given. They have now seen those advocates out there offering those services and offering that support, so maybe when the situation does get more violent or when something about their situation changes, they know, "Okay. Those folks are out there regularly. I have seen them. I feel like I can trust them a little bit. I am going to reach out the next time something happens." We know that and operate a lot of that program based on the stages of change model, where we know folks are not always ready at the time that we would like them to be—to engage in services and look at leaving that situation. It is no different than many domestic violence situations. To Liz's point, it has a lot of the same underpinnings. It is all about power and control. Those are the same dynamics that crosscut across all these issues. If a security officer goes up to a girl in the hotel and offers resources or support and links her with an advocate, but the pimp is in the parking garage at that hotel with her child, and she knows that if she does not come out and join that person, they have her child. That is hugely important and a strong indicator. We have to be prepared, as Jen said, to walk alongside folks when they are ready and not try to impose services on them when they are not.

This outlines the task force activities that Lieutenant Roberts mentioned, so I am not going to expound too much on that. I am happy to answer any questions. I want to thank the Committee and the leadership so much and all of our amazing colleagues across the state who do this work every day and are just amazing at it.

Chair Scheible:

Thank you so much for all of that information. I think that is really helpful to us, and I would like to open it up for any questions from members of the Committee.

Vice Chair Nguyen:

I just wanted to say, "Hi, Daniele."

Chair Scheible:

If there are not any other questions or comments, we will move to our next presentation. We are hearing from the Nevada Council on Human Trafficking.

Kimberly Harvey, Co-Chair, Nevada Policy Council on Human Trafficking:

Good afternoon. Thank you, Chair Scheible, and thank you to the members of the Committee for having me speak today. I will just go into a little bit about what the Policy Council on Human Trafficking is and what our goals are (Agenda Item VII D-1). We are

made up of a diverse cross section of community leaders coming together to pursue collaborative, long-term, systemic strategies to decrease sex trafficking in our state. We formed about two years ago. We are comprised of a wide range of entities in the state, including service providers in the north and south, many of whom you have already heard from today—law enforcement, also many of whom you have heard from today, including Metro, the Washoe County Sheriff, the Reno Police, and the AG’s Office. I have been heavily involved with Senator Cortez-Masto’s office and Assemblywoman Tolles. Other community partners include Legal Aid, Dignity St. Rose, United Way of Southern Nevada, the Resorts Association, and several of the casinos on the Strip. We are grateful to be able to do this work, thanks to a grant from UPS (United Postal Service) and the United Way of Southern Nevada. Our mission is to advocate for just and equitable policy solutions through education, collaboration, and coalition building that improve the state and federal anti-trafficking systems; better support for victims, survivors, and providers; to decrease demand; and ultimately contribute to the elimination of human trafficking in Nevada.

The key goals of our council are to strengthen the statewide countertrafficking system by connecting all the stakeholders working in this space; to encourage networking and collaboration on projects between countertrafficking sectors; to tackle critical issues in the community regarding victim services, demand reduction, education and awareness, and service provider capacity building; to leverage resources and gain the audience of local policymakers; and to improve the quality of life for survivors and at-risk victims of sex trafficking.

I will mostly be speaking to our policy agenda from the previous session, as we have yet to solidify our agenda for the coming session. It is basically a three-pronged agenda. We would like to affect demand. The key thing we have identified here is that we need to strengthen [NRS 201.354](#) to increase the severity of the offense of engaging in prostitution to allow for law enforcement to arrest buyers and not just issue citations for misdemeanor offenses and to significantly increase criminal and civil penalty funds for prosecution to support funding of demand-reduction activities in the state.

The other thing we are looking at is victim and survivor support. Here we are looking to increase or completely eliminate the statute of limitations to be more in line with the severity of the crime. This was something that came up last session with [AB 113](#), which did pass. It raised the statute of limitations from four years to six years for sex trafficking. We appreciate the work of the Legislature to increase that time; however, we would like to see the statute of limitations removed or increased to an even longer period of time, perhaps up to 20 years. Anecdotally, we have heard from survivors that many of them are not aware that they have been the victim of a crime until many years later, sometimes after they left the sphere of abuse. By that time, the statute of limitations has often run out. Lengthening the statute of limitations would allow for more criminal prosecutions in the state.

We would also like to create a legal mechanism for safely sheltering victims and supporting them in getting and staying away from their trafficker. We would like to fund this shelter and all necessary wraparound services. This is something that we have obviously heard a lot about today, and particularly for underage victims. There really are very few options for sheltering these victims currently that do not involve detention or, as we heard other speakers say today, group homes that might lead them right back into an unsafe situation. I am not sure if members of the Committee are familiar with the project that St. Jude’s Ranch is working on in Boulder City. They are working on a healing center that would provide housing, schooling, and wraparound services. I would encourage everyone to go look on their website at the plans for that healing center. Obviously, that does not solve the problem statewide; however, it is something that has been worked on for several years and

would be a model for something that we could possibly do in the north as well. I do not know how funded that is. It is all happening through private donations, but they do have a plan in place.

We would also like to strengthen the system. This is the system in general, the legal system as well as the system of support for victims. This mostly comes down to data, which is something that has also been spoken about a lot today. We would like to properly capture the data and have accessibility to it. We would like there to be data transparency, so that we could establish evidence-based models for evaluating the outcomes for victim-survivors and also to identify the most effective and successful solutions and scale them with the appropriate funding. One thing that is missing for us is the data. We have no access to any data. We get asked all the time, "Well, we passed this bill. What was the outcome of that? Have we reduced human trafficking?" It is very hard to say because we do not have arrest data, and we do not have conviction data. If there was some kind of legislative fix for that—and I know you spoke earlier about that data being housed at UNLV—that would be hugely helpful to those of us working on the victim side by giving us a proper lay of the land, essentially.

That is about it for me. If you have any questions, I am happy to answer them. We are happy to work with policymakers and anyone who is interested in meeting with us and following up or pursuing any kind of further education. Thank you again for your time.

Chair Scheible:

Thank you so much. That was really informative. Are there questions from members of the Committee? I am not seeing any questions. Can you just explain how the policy council interacts with the statewide task force?

Kimberly Harvey:

Several of the members of our policy council are on the task force. Elynne is on our policy council, as well as several other people. We do not interact directly with the task force, but because we have that membership, we have received updates from them.

Assemblywoman Summers-Armstrong:

Thank you so much for your presentation and information. I am always curious about when people begin to speak about increasing the severity of punishment for participation in prostitution. I am curious about where you all, in your thought process on policy, are making a delineation between those who are being trafficked, especially those as adults, to those who are trafficking them. When you are talking about severity of punishment, what is your thought process there?

Kimberly Harvey:

I think that was a typo in this presentation, which someone else put together. I think that she meant that she wanted to strengthen the severity of punishment for the buyers. As a policy council, we look at everyone as a victim, not the traffickers, but we look at anyone who is in that situation as a potential victim. I can speak to the question of the buyers. I know it is a unique issue in Nevada because many of the buyers are tourists who come in. If they get arrested and charged with a crime, they fly out and they just think, "Well, I will never have to deal with that." I think part of the hope in increasing the severity of punishment for buyers is not only to generate funds for victim services but also to, in time,

dissuade that sort of sex tourism that happens, as well as getting more convictions by essentially forcing people to come back and face those charges.

Assemblywoman Summers-Armstrong:

Thank you for that follow up. My follow-up question would be, just fiscally speaking, have you all thought about what this would mean for cost for our judicial system? Meaning, if you are increasing penalties for people who are buyers and saying you want to arrest them, do we have the capacity? Now are we talking about building more beds and more jails to have these people incarcerated. Are we looking at any of those things? I know we need funding. You did mention, just a second ago, raising more money. Would this be the best use of police and judicial power, just to arrest more people? Are there any other areas that have done this that have shown a decline in buying sex by doing those things?

Kimberly Harvey:

I do not think that I can speak to the full council in answering your question. I am sorry, but I can speak more generally and top level. I do not think that the idea is necessarily to put more people in jail or incarcerate buyers for this crime; although, it might be argued that if you are purchasing sex from minors, you should be incarcerated. Through civil penalties raised, we could raise additional funds to fund things like the healing center or the receiving centers that were discussed earlier. Some ideas that we have talked about informally within the council but have not all agreed upon yet are things like john schools that would force anyone arrested as a buyer to do education. I know members of the HEAT team mentioned earlier looking at eliminating business licensing for escort services. Those are more of the things that we are talking about around demand reduction, and not so much locking people up and throwing them in jail. To answer your other question, we have not done the study about the costs of this. We would hope that it would be a net positive fiscally. The hope in doing this would be not only to reduce demand for commercial sex but also to generate funds to help victims.

Assemblywoman Summers-Armstrong:

Thank for that. I think that we need to be clear. Maybe one of the folks from law enforcement or one of our legal folks could just clarify— Are we, or are we not, currently arresting folks who are soliciting or have been caught and are being charged with sexual activity with minors? If that is already being done, then any increase in arrests would be for adults. Can somebody please clarify that for me?

Chair Scheible:

We can certainly follow up, Assemblymember Summers-Armstrong, since no one is jumping in to answer that. I think some of the previous presenters have logged off, but we will make sure that we get the answer to your question.

Assemblywoman Summers-Armstrong:

Thank you very much, Chair Scheible. Thank you, Ms. Harvey, for your presentation.

Chair Scheible:

Thank you. Are there any other questions for Ms. Harvey? I am not seeing any, so at this point we will close Agenda Item VII.

[Kimberly Harvey submitted (Agenda Item VII D-2) and (Agenda Item VII D-3) for the record.]

AGENDA ITEM VIII—OVERVIEW OF [ASSEMBLY BILL 214 \(2021\)](#), WHICH PROVIDES FOR AN INTERIM STUDY CONCERNING SEXUAL ASSAULT

Chair Scheible:

We are nearing the end of our meeting. We have one more presentation—Agenda Item VIII. We will welcome one of our colleagues from the Assembly, Assemblywoman Venicia Considine, as well as welcoming back Ms. Evans from the coalition.

Venicia Considine, Assembly District 18:

Thank you Chair Scheible, Vice Chair, and all of the members who are still intaking all of this very heavy information and sticking around. I appreciate it. My name is Venicia Considine. I am the Assemblywoman for Assembly District 18.

I was elected to this position in November of 2020. There was an existing BDR that former Assemblymember Connie Munk had that I took on. The point of what became [AB 214 \(2021\)](#) was to re-examine the sexual assault statutes and [NRS 200](#), starting at [NRS 200.364](#). Getting elected in November with the Legislature starting in February—and trying to bring together DAs, PDs (public defenders), and all the community organizations—felt to me like there was not enough time to be thoughtful and serious enough to come to an agreement all the way across the board to change and update the sexual assault statutes. So, AB 214 became essentially two items. The first was to remove the gender in the language of the sexual assault statutes so that it says “person” instead of a gender or refer to any binary or nonbinary person in particular. The second portion of the bill was to create an interim study to bring all of these different entities together to look at the sexual assault statutes and update them. As was mentioned earlier by Serena Evans, right now, the “sexual assault” definition only includes rape and penetration. There are very few consent statutes involved in that. Those are the areas that the focus of this study will be. But to get more information and to explain more of what the goal of this study will be, I wanted to invite Serena Evans to talk about that.

Serena Evans:

Thank you so much, Chair Scheible and members of the Committee. It is great to be back in front of you all again. Thank you all for committing such a long day to hearing us speak. Thank you to Assemblywoman Considine for that introduction. As she mentioned, AB 214 had been a long time in the making. Former Assemblywoman Connie Munk began this important work in conversation back in 2019. We are extremely grateful for her passion and are truly honored to be carrying on this work. Big thank you to Assemblywoman Considine for carrying AB 214 in the 2021 Legislative Session.

As we begin work on AB 214, I want to talk about some of the previous work and input that has happened around this leading up to where we are now. Back in 2020, heading into the 2021 Legislative Session, we were repeatedly hearing from victim advocates and victim-survivors throughout the state that our current definition of sexual assault is limiting and excluding. We took that upon ourselves to bring folks together do some research and get a better sense of what is happening. The National Center for Prosecution of Violence Against Women produced a sexual assault statutes compendium compilation back in 2016. In this report, Nevada is only one of four states that defines sexual assault as only rape or

penetration. All other states have various acts of sexual violence defined, whether that be sexual assault in the first degree or sexual assault in the second degree. Some states define them by naming the act specifically, so sexual assault, sexual harassment, sexual misconduct, things like that. We took this information and gathered a work group of sexual assault advocates throughout the state to talk about— What does an ideal sexual assault statute look like for Nevada? What came up in that work group was that the current definition is excluding of many victim-survivors' experiences, especially men and folks from the LGBTQ community. They really wanted to focus on creating a more inclusive, comprehensive sexual assault statute.

A quick summary of what came out of that work group was that we need to revamp it. We need to create different levels of sexual assault and move away from only defining rape. All advocates preferred the idea of breaking down the definition to specifically naming the act, so rape, assault, misconduct, harassment, things like that. They also expressed really wanting to enhance language around consent as well as clearly defining an age of consent for Nevada. In this work group, I really want to make it clear that we did not even begin to address the issue around penalties. What we do know is that in our work, we do walk that fine line of understanding that there needs to be criminal justice reform, so it is not our intent to increase penalties for sexual assault. Rather, our hope is to work with public defenders, DAs, and folks that are way more versed and more knowledgeable to assign appropriate levels of penalty for the various acts of sexual assault. As Assemblywoman Considine mentioned, we did briefly bring folks together before the last legislative session, but we were really running against the clock to get a good bill that everyone could jump on board with. We are committed to working on this throughout the interim, bringing together collaborators from different agencies, organizations, sectors, including advocates, law enforcement, PDs, DAs, and victim-survivors to really put out some strong recommendations that have the support of everyone. We know this is a heavy uplifting, and if we do not have the support of all these different collaborators, it is not going to go anywhere. We are really looking forward to continuing this work, coming up with some good language, and hopefully coming to the 2023 Legislative Session with strong recommendations.

Chair Scheible:

Great. Are there questions from other members of the Committee? I am curious what the next steps are for the working group or the study, if that is the right term.

Serena Evans:

Great question. Our working group is strictly victim advocates. Now the next steps are bringing in the PDs and the DAs. We have had previous conversations with them but making sure that we are all working together and coming up with the schedule of when we are going to meet and what our deadlines are. Assemblywoman Considine, if you want to step in and help with that, or Assemblywoman Marzola, I know you are doing a lot of the work here within the Committee as well. The more the merrier. We would love to have whoever wants to be involved join this work group. Our hope is to come back to you all by August, when you are doing your work session, to have some solid recommendations before you.

Chair Scheible:

Fantastic. I would ask that you just share that information with me, so I can share it with the members of the Committee who may want to join you and our other partners. Are there any other questions for Ms. Evans? I do not see any more questions, so that brings us to

the end of our presentations for the day. We have made it through Agenda Item VIII. We have remaining on our agenda public comment and adjournment. Before we go to public comment, I will use this time to thank everybody for their commitment to the Interim Judiciary Committee. Thank you for spending so much time with us today. I also want you to know that you can expect that all of our meetings will be this long. I know it is a long day, and I really appreciate everybody sticking through it. I just I do not see a way around it when we have so little time and so much to do. I think it is important that all of us be fully informed and that we be able to ask questions. I think that once we get to session, time is our most precious resource. Whatever we can do on the front end to bring ourselves up to speed on the important issues that are going to come before Judiciary will benefit us when we get back to session in the winter. I will also reiterate that, just like today, in future meetings I will take a short break in the middle and encourage everybody to turn off their cameras and walk away if they just cannot take it anymore. I am kidding, but if you cannot, or if you need a sip of water or to use the restroom or anything like that, I completely understand. I would just rather people do manage their own schedules and that we not take the whole Committee's time to take too many breaks and delays. Again, I appreciate everybody being here. I appreciate Assemblywoman Marzola and Considine, who both contributed to making this meeting possible, as well as our fantastic staff.

AGENDA ITEM IX—PUBLIC COMMENT

Chair Scheible:

I will now move on to public comment. Broadcast, do we have anyone on the line for public comment?

Tiffany Tyler-Gardner, Ph.D., Executive Director, Children's Advocacy Alliance:

Good afternoon. My name is Dr. Tiffany Tyler-Gardner, calling from the Children's Advocacy Alliance regarding Agenda Item VI and your inquiry with Brigid Duffy. Particularly, I hope you will consider the ways in which we may refine policy or statutes to ensure we afford systems the opportunity or ability to holistically address the needs of children. As a practitioner, human services leader, and now policy leader, I can recount many times where a theme, issue, or challenge was identified. And as a system, we could not fully address the issues because policy or law precluded the system from sharing data. Examples include HIPAA (the Health Insurance Portability and Accountability Act of 1996 [104th Congress]), FERPA (Family Educational Rights and Privacy Act of 1974 [93rd Congress]), and now NRS.

It is important to note that even HIPAA allows for exceptions, particularly disclosure to provide treatment. While I fully support protections that ensure confidentiality and stop children from escalating in systems like the penal system, I want to suggest that we cannot so merrily define policy or statute in ways that preclude systems that should be safety nets from effectively serving and helping children. I want to also suggest that the MOUs noted clearly demonstrate there is a need for greater communication and coordination that is not currently supported by statute or law. Accordingly, I implore you to partner with systems to ensure that our longstanding challenges with data sharing are not barriers to getting Nevada's children services they need. Thank you so much for your leadership on these issues. I hope you will consider the ways in which we may further refine our efforts to ensure that our children are afforded the supports that they need. Thank you.

Tonja Brown:

Thank you, Chair Scheible. I want to thank the presenters for their presentations. I thought they did extremely well. Some of the information was very informative, and there were some things that I think maybe were not touched on, but I will get to that in a minute. I would like to finish up on my public comments that I started off earlier this morning (Agenda Item II B).

On number two, the District Court judge must set a hearing and rely on all the facts that would include any newly discovered evidence, evidence presented at trial, all of the evidence that was withheld from trial, defense witnesses' testimony, if the witnesses are unavailable due to unable to locate that witness, or they are deceased, their testimony from the trial or any other court proceedings must be considered as true: (a) the District Court must not consider or refer to any previous decision made by any court; (b) if the District Court judge is the same trial District Court judge or the same judge in any of the previous court proceedings decisions, the District court judge must recuse himself; (c) the petitioner may seek to have a change of venue of the petition for factual innocence posthumously heard in another county of his or her choosing; (d) the court will base its decision on what is before him or her without bias or prejudice, and no previous orders from any of the state or federal court proceedings will be submitted to the court; (e) if there is an appeal, a hearing will be held in the Nevada Supreme Court and heard by all seven Supreme Court justices and all parties representing both sides must be able to present all the facts of the case, and if the Nevada Supreme Court requires no hearing, then the Nevada Supreme Court must grant the petition for factual innocence posthumously; (f) when the District Court judge of the Nevada Supreme Court orders a hearing for the petition for factual innocence posthumously, then every ground that had been raised in any criminal or civil proceeding that has been before any court whether state or federal must be fully addressed, cited by supporting law in order to deny a petition for factual innocence posthumously, or it must be granted; (g) every petition for factual innocence must be a published opinion; (h) the Nevada Pardons Board may hold a factual innocence posthumous pardon; and (i) the decedent's administrator, executor, or relative may be appointed an attorney at no expense to them to represent the factual innocence posthumously case to the court or the Nevada Pardons Board.

Discovery and Nolan's Law— Once a defendant is arrested and charged with a crime, the reporting law enforcement agency must provide the defendant and his or her representative a copy of all the materiality and exculpatory evidence that was disseminated to the DA and is in the possession of the DA. Any additional copies of material and exculpatory evidence that is provided to the DA—whether from a law enforcement agency or the DA's own investigator—the evidence must be provided to the defendant and his or her representative. When it is discovered that a law enforcement agency, DA, PD, or private attorney has withheld evidence, refused or neglected to investigate evidence that would have supported the defendant's defense, the two-year statute of limitations will no longer apply. The statute of limitations will begin at the time of the discovery, whether it is discovered two years after conviction or 20 or more years. When a DA, PD, defense attorney, or law enforcement agency commits perjury during any court proceeding, whether it is a criminal or civil proceeding, the defendant is not barred by the statute of limitations on perjury. Discovery and the removal of the two-year statute of limitations on newly discovered evidence— A motion for new trial may be made within the two years after a guilty verdict. However, some courts may deny the motion for new trial if they find that evidence was available and was not pursued prior to trial.

Chair Scheible:

You are reaching your three minutes.

Tonja Brown:

May I comment on something on the domestic violence?

Chair Scheible:

I am sorry; your three minutes has concluded.

[Tonja Brown submitted (Agenda Item IX) for the record.]

Annemarie Grant:

I am in support of the recommendations for petition for factual innocence posthumously presented by Ms. Brown. I am going to continue with my example of the case where Brady Violations took place (Agenda Item II B).

The victims in both the April 21, 1988, and May 9, 1988, Payless Shoe crime said the suspect used a red and black knife. I have attached three composite sketches, two from the Payless victims and one of from the April 21, 1988, victim. On those composites, the three victims describe the knife as red and black. District Attorney Rachow presented Mr. Klein's brown buck knife with brass ends at trial to the victims, knowing they had described it as red and black in the reports that were withheld. The three victims also indicate the suspect had brown eyes. I have attached a photo of Mr. Klein showing he has bright, brilliant, blue eyes and has always parted his hair down the middle. Also attached is a photo of Zarsky—twenty-plus years after the crimes, and he still parts his hair on the left and still resembles the composite sketch. Had these documents been turned over to the defense before trial, as they should have been, they would have called into question their credibility as witnesses. Even as an average citizen with no legal background, it is obvious that this was exculpatory and materiality and discoverable under *Brady v. Maryland*. There are many more examples of exculpatory evidence in this case that was not turned over, but I do not want to overwhelm you. There were over 200 documents found in the file, including exculpatory evidence favorable to the defendant and hidden by the prosecution. His notes demonstrate he never turned it over. Through the estate of Mr. Klein, a writ of mandamus was filed with the District Court, who deemed the handwritten notes of DA Ron Rachow proving his intent to withhold evidence and violate Brady to be a "work product." Ms. Brown appealed to the Nevada Supreme Court and Deputy DA Paul Lipparelli argued she was practicing law without a license. In essence, the Supreme Court dismissed the appeal without reviewing the merits of the case.

If truth and true justice are what our justice system is seeking, how can a clear Brady violation, evidence that would have affected the outcome of the trial, be deemed a work product by a Nevada court? It should be noted that Mr. Klein's jury had been deadlocked for hours. Had DA Ron Rachow turned over this evidence, the outcome would have been different. Over the last few years, Nevada has been on the road to justice reform. It must continue, even for those who have passed away. The families of those still suffer a negative stigma and emotional burden because of the wrongful conviction. Please support a petition for factual innocence posthumously. Thank you.

BPS:

There are no additional participants wishing to speak at this time.

Chair Scheible:

If there is nobody else to give public comment, that concludes our meeting for today. We will see you all again in a month, unless any of the members have any other questions or announcements, et cetera. Not seeing anything, I declare this meeting adjourned.

AGENDA ITEM X—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:41 p.m.

Respectfully submitted,

Julianne King

Research Policy Assistant

Patrick Guinan

Senior Principal Policy Analyst

APPROVED BY:

Senator Melanie Scheible, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item II A	Tonja Brown, Advocates for the Inmates and the Innocent	Court Documents
Agenda Item II B	Annemarie Grant, Advocates for the Inmates and the Innocent	Court Documents
Agenda Item IV A-1	Jessica Adair, Chief of Staff, Office of the Attorney General (OAG); and Nicole E. Reilly, Ombudsman, Office of Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking, OAG	PowerPoint Presentation
Agenda Item IV A-2	Jessica Adair, Chief of Staff, OAG; and Nicole E. Reilly, Ombudsman, Office of Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking, OAG	PowerPoint Presentation
Agenda Item V A	Noel Roberts, Lieutenant, Las Vegas Metropolitan Police Department	PowerPoint Presentation
Agenda Item V B	Corey A. Solferino, Captain, Operations Division, Incline Patrol, Washoe County Sheriff's Office; Chris Johnson, Detective, Reno Police Department (RPD); and Wesley Leedy, Detective, RPD	PowerPoint Presentation
Agenda Item VI	Cindy Pitlock, DNP, APRN, CNM, Administrator, Division of Child and Family Services, Department of Health and Human Services; Esther Rodriguez Brown, Statewide Coordinator, Nevada Coalition to Prevent the Commercial Sexual Exploitation of Children; and Owner, Ego Friendly Living; and Brigid Duffy, Director, Juvenile Division, Office of the Clark County District Attorney	PowerPoint Presentation

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item VII A	Cameron Ballantyne, Executive Director, Nevada Coalition to End Domestic and Sexual Violence (NCEDSV); Sarah Slavenas, Communications Director, NCEDSV; and Serena Evans, Public Policy Coordinator, NCEDSV	PowerPoint Presentation
Agenda Item VII B	Liz Ortenburger, Chief Executive Officer, SafeNest: Temporary Assistance for Domestic Crisis, Inc.	PowerPoint Presentation
Agenda Item VII C	Daniele Staple, MSW, Executive Director, Signs of Hope	PowerPoint Presentation
Agenda Item VII D-1	Kimberly Harvey, Co-Chair, Nevada Policy Council on Human Trafficking (NPCHT)	PowerPoint Presentation
Agenda Item VII D-2	Kimberly Harvey, Co-Chair, NPCHT	Overview of the NPCHT
Agenda Item VII D-3	Kimberly Harvey, Co-Chair, NPCHT	Southern Nevada Counter Trafficking Handout
Agenda Item IX	Tonja Brown, Advocates for the Inmates and the Innocent	Written Testimony

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