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May 1, 2003

Mark Amodei, Chairman
Senate Judiciary Committee
Nevada State Legislature
Carson City, Nevada

Re: Assembly Bill 448

Dear Chairman Amodei and Members of the Committee:

As Nevada's Domestic Violence Ombudsman and Coordinator of the Nevada Law Enforcement Protocol and Training (LEPT) Project, I write in support of the changes to Nevada law being recommended in AB448. The proposed bill provides an important clarification to NRS 33.070, regarding the enforcement of protection orders against domestic violence. This clarification mirrors current law enforcement policy on protection order enforcement, as endorsed by the Sheriffs and Chiefs Association, and reflects current training for law enforcement officers throughout Nevada. The proposed clarification stems from information gathered as part of the LEPT project and is supported by Dick Clark, Director of the Nevada Commission on Peace Officers Standards and Training (POST).

By way of background, the LEPT project focuses on improving law enforcement's response to domestic violence and the enforcement of orders of protection whether issued in this state or any other jurisdiction. Co-chaired by the Attorney General's Office and POST, the LEPT Project Team includes the Prosecution Advisory Council, the Nevada Network Against Domestic Violence, the Nevada District Attorneys' Association, the U.S. Attorney's Office, and numerous state and tribal law enforcement officers, judges, prosecutors and victim advocates.

~~During the past several years, the project has evolved and developed through a very consultative process with Nevada law enforcement. The first phase (1998-2000) involved researching the level of awareness and understanding about the issue of full faith and credit, i.e., the enforcement of foreign orders of protection, and providing education on this issue throughout the state.~~

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After hearing a strong and consistent call from law enforcement for support and guidance and based upon an analysis of information received during the initial assessment/education phase, the second phase (2001-2002) focused on developing a protocol and corresponding training curriculum on protection order enforcement for law enforcement. The Nevada Sheriffs and Chiefs Association endorsed the protection order protocol in September 2001 and recommended that all Nevada law enforcement agencies adopt or incorporate it into their existing policies and procedures. Seven pilot trainings were held on the protocol, and a training of trainers was conducted in June 2002.

The current phase, initiated in September 2002, extends this protocol and training effort to broader aspects of domestic violence intervention, investigation, and enforcement. The project goals are to develop a domestic violence protocol for Nevada law enforcement for endorsement by the NV Sheriffs and Chiefs and District Attorneys Associations, and to develop a series of in-service training modules to support the implementation of that protocol. In addition, a training-of-trainers will be held to expand the cadre of trainers available to Nevada's law enforcement agencies. A full-time project consultant, Larry Stout, has been selected by POST and the Attorney General's Office to assist with developing and implementing the project. Seven advisory group meetings with law enforcement were recently held (February-April 2003) which have provided critical input for the subcommittee of the project team that has been tasked with finalizing the protocol by this summer.

The LEPT Project has enabled the Attorney General's Office and POST to continue an ongoing dialogue with Nevada law enforcement and to keep a finger on the pulse of law enforcement concerns regarding domestic violence. The suggested modification to NRS 33.070 reflects a request for clarification from law enforcement that will support their efforts to enforce domestic violence protection orders effectively and swiftly.

As you know, domestic violence protection orders can play a significant role in victim safety, and, if effectively enforced, can lead to greater offender accountability, reducing the possibility further violence or serious injury. The development of clear laws, consistent protocols and training to guide and support Nevada's first responders is critical as we struggle to prevent domestic violence.

I appreciate your favorable consideration of this bill. If I can answer any questions or provide any additional assistance, please do not hesitate to call upon me.

Best regards,

BRIAN SANDOVAL
Attorney General

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