

**Victim/Witness Service Program  
For 2019**

**Memorandum of Understanding  
With:**

White Pine County District Attorney's Office, STOP & GMS grant fiscal administrator  
Lincoln County – Grant Administrator, VOCA grant fiscal administrator  
City of Ely, City Attorney's Office  
Committee Against Domestic Violence  
Division of Child and Family Service for the State of Nevada  
Duckwater Shoshone Indian Reservation Tribal Police  
Grover C. Dils Medical Center  
Ely Shoshone Indian Reservation Tribal Council  
Eureka County District Attorney's Office  
Eureka County Sheriff's Office  
Lincoln County District Attorney's Office  
Lincoln County Sheriff's Office  
Nevada Outreach Training Organization, No To Abuse Program  
S.A.F.E. House  
White Pine County Sheriff's Office  
William Bee Ririe Hospital

**Participants:**

**Clark County** – Safe House (Stop Abuse in the Family Environment)

**Elko County** - State of Nevada Division of Child and Family Service (DCFS), and the Committee Against Domestic Violence (CADV)

**Eureka County** – Eureka County District Attorney's Office, Eureka County Sheriff's Office

**Lincoln County** - Lincoln County District Attorney's Office, Lincoln County Grant Administrator, Lincoln County Sheriff's Office, Grover C. Dils Medical Center

**Nye County** - Duckwater Shoshone Indian Reservation Tribal Police, Nevada Outreach Training Organization, No To Abuse Program

**White Pine County** - Ely Shoshone Indian Reservation Tribal Council, City of Ely – City Attorney's Office, Victim/Witness Service Program, White Pine County District Attorney's Office, White Pine County Sheriff's Office, William Bee Ririe Hospital

## **Purpose:**

The participants agree to work in cooperation to better service victims of crime, with emphasis on domestic violence, sexual assault/abuse, dating violence, assault, battery, murder/attempted murder, stalking and child victims in Eureka, Lincoln and White Pine counties, Ely Shoshone Indian Reservation (White Pine County), Duckwater Shoshone Indian Reservation (Nye County), and the City of Ely (White Pine County). In the spirit of cooperation, system advocacy through Victim/Witness Services will be offered to persons who have become victims and/or witnesses to violent crimes at no cost to the victim/witness. The participants' general roles are outlined below.

## **Confidentiality:**

Confidentiality of victim information is, and will continue to be, paramount. Information sharing will be in accordance with applicable Nevada Revised Statutes, tribal codes and customs, along with the policies and procedures of the MOU participants' agencies. Case information may only be discussed with appropriate law enforcement, prosecutors, child protective services agents, courts, or other organizations involved on an as needed basis to provide safety and resources for the victim and/or family members.

Victim/Witness Services is responsible to ensure victim/clients are made aware of the differences between system-based advocacy and community-based advocacy. Client information communicated to a system advocate is not privileged under N.R.S. 49. Instead, communication between a VWS advocate and a victim of crime is governed by the MOU partners' rules, canons of ethics, policies and procedures, as well as the policies of Victim/Witness Services itself and the requirements of the program's grant funders. If the information is case relevant, the victim/client will be notified by the system advocate that it will be shared with the MOU partners connected to the specific case for an evaluation of impact. Community-based advocacy, i.e. Committee Against Domestic Violence and/ or S.A.F.E. House, retains client communication confidential as defined in N.R.S. 49.2546.

Clients of Victim/Witness Services are requested to sign a time-sensitive Release of Information acknowledging awareness of the VWS confidentiality policies/procedures. The Release may be withdrawn by the client at any time prior to the expiration date upon written request. Any communication, not case related, shared with a VWS advocate by a client carries an expectation of privacy and not subject to disclosure without the written permission of the client.

## **Participant Roles:**

**Victim/Witness Services (VWS)** is a system advocacy service. VWS will address the needs of victims and witnesses who have contacted or been contacted by agents of the criminal justice system in Eureka, Lincoln, and/or White Pine counties; the Committee Against Domestic Violence; S.A.F.E. House; the Division of Child and Family Services; the Duckwater Shoshone Tribe; and/or Ely Shoshone Tribe in East – Central Nevada upon request of victims, witnesses, law enforcement, prosecutors, the courts, medical providers, and/ or DCFS. The services provided by VWS are to assist victims and witnesses of crime throughout the systems involved. Services will include, but not be limited to accompaniment to court, law enforcement and/or prosecution interviews, resource identification/coordination and liaison contact. The Victim/Witness Services Program advocate serves as a point of contact for victims, witnesses

and their families for clarification of procedural information and moral support, so long as there is no interference with the investigation or prosecution of any crime. No representative of VWS will provide legal advice. It will be the responsibility of VWS to insure that victims/witnesses are aware of their rights in accordance with Nevada Revised Statute, Nevada Constitution, Tribal Law and Order Codes, Tribal Customs, and/or 42 U.S.C. Section 10607. Onset of applicable rights will be at the discretion of the client. No victim will be coerced or forced to testify. Cooperation with the justice system will be encouraged, but not required to obtain assistance. VWS will also be responsible for the 911 cell phone program for abused victims and/or elderly in the service area. Distribution of 911 cell phones will be coordinated with the involved Sheriff Office MOU partner. In addition, VWS will serve as oversight for the Sexual Assault Nurse Examiner Project (SANE) and the development of the Tri-County Sexual Assault Response Team (SART). Sexual assault victims will not have to report to law enforcement to receive SANE services. VWS will work with the MOU partners in creating appropriate protocols for the SANE project and is responsible in the instigation of policy, procedures addressing the SANE/SART to the MOU partners. VWS will work with the MOU partners in the development and implementation of the Tri-County Special Investigator. VWS will serve as the system-based advocates for the Tri-County Special Prosecutor Program and will comply with the requirements set forth by funding agents.

**The White Pine County District Attorney's Office (WPCDA)** will evaluate and prosecute appropriate cases within its jurisdiction in accordance with the Nevada Revised Statutes. Criminal cases will be investigated and brought to the appropriate prosecutors by the law enforcement agency with jurisdictional responsibilities. Interpreters for non-English speaking witnesses, victims and/or offenders will remain the responsibility of law enforcement, prosecutors and the courts. Referral to VWS will be made by the DA's Office in matters of crimes that have occurred in White Pine County as determined by the District Attorney. In addition, the WPCDA is responsible for the fiscal administration and grant oversight of the OVW STOP VAWA, and ICJR-GMS grants awarded to VWS. The STOP VAWA funds are regulated by the State of Nevada Attorney General's Office. ICJR is a federal award directly to White Pine County. WPCDA will also administer White Pine County funds granted to VWS, such as the White Pine County Commissions approval for county funds to cover VWS rent and telephone costs. Compliance with the reports and data collection requested by the grantor is the responsibility of the VWS Program Director.

**The Lincoln County Grant Administrator (LCO Grants)** is responsible for the fiscal administration of the State of Nevada Division of Child and Family Services Victims of Crime Act (VOCA) grant awarded to VWS. LCO Grants will also administer Lincoln County based grants awarded to VWS, such as CSBG travel grant. Compliance with the reports and data collection requested by the grantor is the responsibility of the VWS Program Director.

**Grover C. Dils Medical Center (GCDMC)** will provide physician oversight and physical space to the SANE project and participate in the development of protocols for the project to ensure success with limitation to Lincoln County cases of sexually based crimes, regardless to victim reporting of the crime. GCDMC will provide standard medical assistance to all victims of crime in the same manner as any presenting patient and established by set procedures between GCDMC, Lincoln County Sheriff's Office, Lincoln County Grant Administration and VWS.

**The City of Ely – City Attorney’s Office** will evaluate and prosecute appropriate cases within its jurisdiction in accordance with the Nevada Revised Statutes. Criminal cases will be investigated and brought to the City Attorney by the law enforcement agency with jurisdictional responsibilities. Interpreters for non-English speaking witnesses, victims and/or offenders will remain the responsibility of law enforcement, prosecutors and the courts. Referral to VWS will be made by the City Attorney’s Office in matters of crimes that have occurred in Ely as determined by the City Attorney. The VWS advocate’s role will be restricted to assisting victims with clarification, accompaniment and access to resources.

**The Committee Against Domestic Violence (CADV)** is the primary community-based, non-profit agency for domestic violence assistance. CADV has an emergency hotline, shelter, food, clothing and advocacy in accordance with the goals set forth in the agency’s mission statement. CADV is located in Elko. CADV provides services in Elko, Eureka and White Pine counties. Victims can reach CADV on a toll free phone number or through the assistance of VWS advocates. CADV will provide assistance to victims in accordance with its policies and procedures. The needs/desires of the victim will dictate the coordination of CADV and VWS representatives to better serve joint clientele, without regard to race, color, religion, national origin, sex or disability of the victim. Children of domestic violence will be afforded the same consideration as their adult parent victim. Transportation of domestic violence victims will be coordinated between CADV’s Executive Director and VWS’ Program Director to obtain safety and shelter, when requested.

**The Division of Child and Family Services for the State of Nevada (DCFS)** will investigate and assess the needs of children who are alleged to have been abused or neglected as established by N.R.S., county code and DCFS policies and procedures within the counties of Eureka, Lincoln and White Pine. VWS advocates will cooperate with DCFS in the capacity of liaison for the criminal justice system upon request of the DCFS case worker, the child or the child’s family so long as it does not interfere with the DCFS investigation.

**The Duckwater Shoshone Tribal Council and Tribal Police** will operate within current established procedures. The U.S. Attorney’s Office or Duckwater Shoshone Tribal Prosecutor will prosecute cases over which it has jurisdiction. Criminal cases will be investigated and brought to the appropriate prosecutors by the law enforcement agency with jurisdictional responsibilities. Interpreters for non-English speaking witnesses, victims and/or offenders will remain the responsibility of law enforcement, prosecutors and the courts. The VWS advocate role will be restricted to assisting the victim with clarification, accompaniment and access to resources. Duckwater Shoshone Tribal Police, Federal Bureau of Investigation and/or Bureau of Indian Affairs will respond to and investigate claims of personal violence and victimization in accordance with the established police policies and procedures, along with applicable codes and laws. This memorandum of understanding (MOU) does not affect existing policy agreements between the Duckwater Shoshone Tribal Police and VWS.

**The Ely Shoshone Tribal Council** will support coordination between the Ely Shoshone Tribal Police and VWS. The Tribal Police will operate within current established procedures. The VWS advocate’s role will be restricted to assisting the victim with clarification, accompaniment and access to resources for victims on the Reservation. The U.S. Attorney’s Office or the Ely Shoshone Tribal Prosecutor will prosecute those cases over which it has jurisdiction. Criminal cases will be investigated and brought to the appropriate prosecutors by the

law enforcement agency with jurisdictional responsibilities. Interpreters for non-English speaking witnesses, victims and/or offenders will remain the responsibility of law enforcement, prosecutors and the courts. Tribal Law Enforcement, Federal Bureau of Investigation and/or Bureau of Indian Affairs will respond to and investigate claims of personal violence and victimization in accordance with the established police policies and procedures, along with applicable codes and laws. This memorandum of understanding (MOU) does not affect existing agreements between law enforcement agencies. It is specific to the interaction between the tribal court, law enforcement, prosecutors and VWS and does not affect existing agreements between law enforcement agencies.

**The Eureka County District Attorney's Office (ECDA)** will evaluate and prosecute appropriately cases within its jurisdiction in accordance with the Nevada Revised Statutes. Criminal cases will be investigated and brought to the appropriate prosecutors by the law enforcement agency with jurisdictional responsibilities. Interpreters for non-English speaking witnesses, victims and/or offenders will remain the responsibility of law enforcement, prosecutors and the courts. Referral to VWS will be made by the DA's Office in matters of crimes that have occurred in Eureka County as determined by the District Attorney. The VWS advocate's role will be restricted to assisting victims with clarification, accompaniment and access to resources.

**The Eureka County Sheriff's Office (ECSO)** will respond to, take reports of and investigate claims of personal violence and victimization in accordance with N.R.S., established police policies and procedures, and other applicable codes and laws. Interpreters for non-English speaking witness/victim will remain the responsibility of the law enforcement agency. Referral to VWS will be made by the deputies in matters of crimes that have occurred in Eureka County as determined by the Sheriff. The VWS advocate's role will be restricted to assisting victims with clarification, accompaniment and access to resources.

**The Lincoln County District Attorney's Office (LCDA)** will evaluate and prosecute appropriate cases within its jurisdiction in accordance with the Nevada Revised Statutes. Criminal cases will be investigated and brought to the appropriate prosecutors by the law enforcement agency with jurisdictional responsibilities. Interpreters for non-English speaking witnesses, victims and/or offenders will remain the responsibility of law enforcement, prosecutors and the courts. Referral to VWS will be made by the DA's Office in matters of crimes that have occurred in Lincoln County as determined by the District Attorney. The VWS advocate's role will be restricted to assisting victims with clarification, accompaniment and access to resources for victims.

**The Lincoln County Sheriff's Office (LCSO)** will respond to, take reports of and investigate claims of personal violence and victimization in accordance with N.R.S., established police policies and procedures, and other applicable codes and laws. Interpreters for non-English speaking witness/victim will remain the responsibility of the law enforcement agency. Referral to VWS will be made by the deputies in matters of crimes that have occurred in Lincoln County as determined by the Sheriff. The VWS advocate's role will be restricted to assisting victims with clarification, accompaniment and access to resources.

**Nevada Outreach Training Organization, No To Abuse Program, and the Nye County Children's Advocacy Center (NOTO)** is the primary community-based, non-profit

agency for domestic / sexual violence assistance, rural child advocacy center, and rural training resource. NOTO has an emergency hotline, shelter, food, clothing and advocacy in accordance with the goals set forth in the agency's mission statement. NOTO is located in Pahrump and Tonopah. NOTO provides services in Nye and Esmeralda counties, and provides assistance in Lincoln, Eureka and White Pine counties as requested. Victims can reach NOTO on a toll free phone number or through the assistance of VWS advocates. NOTO will provide assistance to victims in accordance with its policies and procedures. The needs/desires of the victim will dictate the coordination of NOTO and VWS representatives to better serve joint clientele, without regard to race, color, religion, national origin, sex or disability of the victim. The Child Advocacy Center (CAC) is available for sexual abuse exams, forensic interviewing of children and other resources. Coordination for exams of child victims will be made through law enforcement representatives and the CAC directly. VWS will provide criminal justice advocacy as requested by law enforcement, the CAC and/or victim's family.

**S.A.F.E. House** will serve as the primary community-based, non-profit agency for domestic violence shelter and referral assistance for victims in Lincoln County. S.A.F.E. House has an emergency hotline, shelter, food, clothing and advocacy in accordance with the goals set forth in the agency's mission statement. S.A.F.E. House is located in Henderson. Victims can reach S.A.F.E. House on the hotline or through the assistance of VWS advocates. S.A.F.E. House will provide assistance to victims in accordance with its agency policies and procedures. The needs/desires of the victim will dictate the coordination of Safe House and VWS representatives to better serve joint clientele, without regard to race, color, religion, national origin, sex or disability of the victim. Children of domestic violence will be afforded the same consideration as their adult parent victim.

**The White Pine County Sheriff's Office (WPCSO)** will respond to, take reports of and investigate claims of personal violence and victimization in accordance with N.R.S., established police policies and procedures, and other applicable codes and laws. Interpreters for non-English speaking witness/victim will remain the responsibility of the law enforcement agency. Referral to VWS will be made by the White Pine County deputies in matters of crimes which have occurred in White Pine County as determined by the Sheriff. The VWS advocate's role will be restricted to assisting victims with clarification, accompaniment and location or access to available resources.

**William Bee Ririe Hospital (WBRH)** will provide physician oversight and physical space to the SANE project and participate in the development of protocols for the project to ensure success with limitation to White Pine and Eureka Counties cases of sexually based crimes, regardless to victim reporting of the crime. WBRH will provide standard medical assistance to all victims of crime in the same manner as any presenting patient and established by set procedures between WBRH, Eureka County Sheriff's Office, White Pine County Sheriff's Office, White Pine County District Attorney and VWS.

### **Budgetary Concerns:**

Victim/Witness Services (VWS) is funded by grants and in-kind/match donations. Services to victims, MOU partners, and the communities outlined herein are available at no charge to victims or requesting agencies/programs. Budgetary matters for the operation of Victim/Witness Services are the responsibility of VWS' Program Director, the Lincoln County

Grants Administrator and/ or White Pine County District Attorney, in the capacity of fiscal administrator of the applicable grant, i.e. ICJR, STOP VAWA, LCO-CSBG, WPC funds, and/or VOCA. The Program Director will devise the budget, apply for grants, comply with grantor fiscal requirements and confirm grantor compliance through the county providing fiscal administration. The county designated fiscal administrator will provide oversight and verification of grant funders' conditions.

Services performed by medical providers in conjunction with VWS will be billed as identified by the medical providers' billing department, i.e. victim compensation programs, insurance policies and/or patient.

Due to the geographic distances of the MOU participants, budgetary concerns will remain with the participant agencies separately.

### **Program Concerns:**

Victim/Witness Services will conduct random solicitation of recommendations from the MOU partners, and referring/referral agencies. The VWS Program Director will periodically request suggestions for program improvement throughout the program operations, as well. All MOU partners are encouraged to notify the Program Director of any concerns, and suggestions for improvements at any time.

### **Modification and Review of MOU:**

The Memorandum of Understanding (MOU) is subject to modification and is reviewed annually by the participants. Signature by the participant agency representative indicates approval and entry into this MOU. It does not set forth any legal liability for VWS compliance beyond what is established by Nevada law, federal mandates and grantor requirements. Any participant may withdraw from this MOU with notification to the other participants.

Due to the geographic distances of the participants, signatures may be electronically submitted by acknowledgment of acceptance. Acknowledgments and/or signatures will be on file with VWS.

Acknowledgments and Acceptance Signatures by MOU participants:

Signature:	Participant Title:	Date:
	Michael Wheable White Pine County District Attorney	
	Elaine Zimmerman Lincoln County Grant Administrator	
	Melissa Rowe Grover C. Dils Medical Center CEO	
	Charles Odgers City of Ely City Attorney	
	Marianne McKown CADV Executive Director	
	Julie Proctor S.A.F.E. House Executive Director	
	Diana Buchner Ely Shoshone Tribe Tribal Chairwoman	
	Rodney Mike Duckwater Shoshone Tribal Chairman	
	Betsey Crumrine DCFS-CPS Manager Rural Regions	
	Theodore Beutel Eureka County District Attorney	
	Jesse Watts Eureka County Sheriff	
	Dylan Frehner Lincoln County District Attorney	
	Kerry Lee Lincoln County Sheriff	
	Salli Kerr, Executive Director Nevada Outreach Training Organization, No To Abuse Program, Nye County Children's Advocacy Center	
	Scott Henroid White Pine County Sheriff	
	Matthew Walker Wm B. Ririe Hospital & Clinic CEO	
<p data-bbox="716 1665 1437 1766"><i>All signatures have been verified and placed on file as of this date of signature. All MOU partners have received a copy of this document by mail, email or in person.</i></p> <p data-bbox="716 1766 1437 1799">Maxine Lantz, VWS Program Director</p>		