

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Seventy-Third Session
February 9, 2005**

The Committee on Judiciary was called to order at 8:09 a.m., on Wednesday, February 9, 2005. Chairman Bernie Anderson presided in Room 3138 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Bernie Anderson, Chairman
Mr. William Horne, Vice Chairman
Ms. Francis Allen
Mrs. Sharron Angle
Ms. Barbara Buckley
Mr. John C. Carpenter
Mr. Marcus Conklin
Ms. Susan Gerhardt
Mr. Brooks Holcomb
Mr. Mark Manendo
Mr. Garn Mabey
Mr. Harry Mortenson
Mr. John Ocegüera

COMMITTEE MEMBERS ABSENT:

Ms. Genie Ohrenschall (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Sheila Leslie, Assembly District No. 27, Washoe County
Senator Mike McGinness, Central Nevada Senatorial District

STAFF MEMBERS PRESENT:

Mark Krmpotic, Senior Program Analyst, Legislative Counsel Bureau
Allison Combs, Committee Policy Analyst
René Yeckley, Committee Counsel

Katie Miles, Committee Policy Analyst
Victoria Thompson, Committee Manager
Jane Oliver, Committee Attaché

OTHERS PRESENT:

Michael J. Willden, Director, Nevada Department of Human Resources
Amy Wright, Chief, Nevada Division of Parole and Probation
Dorla M. Salling, Chairman, Nevada Board of Parole Commissioners
David M. Smith, Management Analyst, Nevada Board of Pardons
Commissioners
Robert Wideman, Major, Central Repository for Nevada Records of
Criminal History

Chairman Anderson:

[Meeting called to order and roll called.]

I encourage testimony before the Committee. We will not be taking public testimony today. We're going to be hearing on some particular studies from a couple of agencies, the Division of Parole and Probation and the Board of Parole Commissioners.

To Judge Bunch in Battle Mountain—Max—I hope you're listening this morning. Judge Bunch, although he is not a member of this Committee, I always feel like he is. He's probably one of our greatest fans. He pays attention to this Committee and has for many years. I get emails from him on a regular basis.

Do any of the members of the Committee have any pertinent information that feel they need to present before we begin?

Ms. Leslie, if we could start with you, as the Chairperson of the Legislative Commission to Study Juvenile Justice Systems here in the state.

Assemblywoman Sheila Leslie, Assembly District No. 27, Washoe County:

[Introduced herself.] I did have the distinct honor of chairing the A.C.R. 18 [of the 72nd Legislative Session] Study on the Juvenile Justice System during the last interim. You should have this in front of you. [Spoke from prepared report, [Exhibit B](#).] I'm going to refer to certain pages as we go through the summary this morning. I know you'll have an opportunity to read it all. I will point out what I think you really do need to pay attention to, and look forward to working with you on these issues this year.

[Assemblywoman Leslie, continued.] With that in mind, let's go to page 1, the General Overview. I think one of the most important things about the study is to remind ourselves of the purpose of the juvenile justice system. It's distinctly different from the adult criminal justice system, in that the main purpose of the juvenile justice system is rehabilitation, not punishment. These are young people under age 18, and the hope always with the juvenile justice system has been that we will have an opportunity to rehabilitate them, so they don't continue a life of crime. I work professionally in the adult criminal justice system in Reno. I see the results every day of failed efforts to rehabilitate people. I know also from my work in the juvenile justice system in Reno that people can change with a good juvenile justice system, and we have some excellent examples of that in our state. We can rehabilitate these youth and avoid further involvement in the criminal justice system.

The A.C.R. 18 subcommittee was comprised of a bipartisan group of legislators from both Houses. From your own Committee, Mr. Anderson and Mr. Carpenter served with me, representing the Assembly. From the Senate we had Senators Care, Washington, and Weiner. Together we held 5 meetings. During the course of the study, the subcommittee received extensive expert testimony from well-known academics, national experts, and local juvenile justice practitioners. This study was really a continuation of two previous studies, A.C.R. 57 [of the 69th Legislative Session] and A.C.R. 13 [of the 70th Legislative Session]. These studies were begun and led by the late Assemblywoman Jan Evans, who shared with us a very deep level of concern about youth in our state and was tireless in her pursuit of improving the system. I think we always need to recognize the people who have gone before us, and Assemblywoman Evans, who represented Sparks, was certainly a leader in this field.

As a freshman legislator I was assigned to the A.C.R. 13 Juvenile Justice Study during the 1999 to 2000 interim, so it's an issue that I do care deeply about. We held 4 informational meetings and then the typical work session where we considered 26 total recommendations. Ultimately, our subcommittee approved 22 of those recommendations. Seven of those authorized a drafting of a letter to certain agencies, and 13 recommended including a statement in the final report. You can look through those at your leisure. The final recommendations addressed major topics such as the following, and we'll talk more about the first two:

- Creating a statutory committee on juvenile justice with ongoing oversight and performance review of juvenile facilities
- Mental health and substance abuse screening
- Information sharing at the federal level
- Juvenile detention alternatives

- Substances abuse treatment for juveniles
- Mental health issues, including services in the rural areas for juveniles
- Collaboration and information sharing between agencies in the juvenile justice field
- Juvenile justice issues in tribal communities
- Further research and study on blended sentencing, which I'm sure this Committee will be taking up this session
- Review of funding sources and programs

[Assemblywoman Leslie, continued.] If you go to page 10 of your report, you can get a great synopsis of the bill drafts we've requested and the different recommendations. The two that I want to spend a little bit more time on this morning are the bill drafts that you will be having in this Committee, whenever your Chairman decides, and I'm happy to come back at that time. I know there are a number of judges who want to testify. They are very interesting bills, I think, for you. BDR 17-193 actually contains two subparts that are interrelated, and this relates to 1a and 1b, on pages 10 and 11. The first part reflects the subcommittee sentiment that juvenile justice issues need to be continually reviewed by the Legislature. The second part contains an independent oversight mechanism in which the status of the state's juvenile facilities would be monitored.

Throughout the study, several major issues were also identified as needing continued review, including blended sentencing, alternative sanctions, aftercare services, substance abuse and mental health treatment, and transitional living for those aging out of the juvenile justice system. With the ongoing concern for the care and the importance of the children and the system, our subcommittee felt strongly that it was necessary to again request a bill draft, creating a statutory committee on juvenile justice. This recommendation is a continuation of the recommendation that was originally made by the A.C.R. 13 Committee in the form of Senate Bill 262 of the 71st Legislative Session. However, that bill did die in the Senate Committee on Judiciary.

We're recommending it again. These are issues that we think are critical for our state. We've had some serious problems in the past few years, and I'm very hopeful that this Committee will look favorably on the recommendation to continue working on these issues as a permanent Committee.

The second part of this bill draft arose out of concerns over findings at the Nevada Youth Training Center in Elko. As you may be aware and you might remember, the United States Department of Justice investigated our youth training in Elko under the Civil Rights of Institutionalized Persons Act, CRIPA for short. For the new members, if you would like to review the CRIPA Report, I'm

happy to dig through my files and get you a copy of that report. It is quite shocking. We've come a long way in the last two years, but this was a big issue in the last session. We don't ever want the Feds to come in and investigate and find the kinds of things that they found in our State facilities. It was shocking. We did respond in the last session by appropriating a significant amount of money to get the ratios down, to do more training with our staff, and to avoid the kind of physical abuse that we saw.

[Assemblywoman Leslie, continued.] Mr. Horne, I remember you, Chairman Anderson, Mr. Carpenter, and I actually took a field trip out to Elko in the middle of the session two years ago. That's how concerned we were about the results of the CRIPA investigation. It was quite enlightening, and when I'm done, those members might want to comment further on what we found there. I feel good about a lot of what has been done since we made that visit two years ago. There's still a lot more to do.

The result of the CRIPA investigation was a signing of a memorandum of understanding on February 26, 2004. The memorandum addresses the staff-to-youth ratios for day and night shifts, the orientation of youth and families regarding a grievance filing process, the formation of an incident review team, child protection service (CPS), reporting, and investigation and quality assurance standards. In light of this serious, serious situation in our state, we have a recommendation in our report to provide greater oversight.

This recommendation came forward during the study, from the Nevada Judges Association. I'm sure you'll be getting testimony from the judges on this. A significant number of district court judges were troubled by the CRIPA Report and what it documented out there in Elko. They were concerned about the ongoing treatment and care of offenders in our juvenile justice system. It was felt that independent authority oversight was needed with regard to all governmental institutions where juveniles are incarcerated, detained, or under court-ordered residential treatment.

During our work session, we had a long discussion about where this independent body should be placed. There wasn't much controversy at all on the Committee that we needed some kind of an oversight mechanism, but where to put it. Ultimately, the Committee felt that it would be best placed in the Audit Division of our own Legislative Counsel Bureau, with any reports or findings periodically reported to the newly created statutory Committee on Juvenile Justice. If we don't get that part of the bill, the report will probably come back to your Committee. I feel strongly that this is something we really need to have in our state, so we can be sure that we are never in the position

we were in two years ago with that level of problem in our State institutions, or anywhere in our state where youth are committed.

[Assemblywoman Leslie, continued.] The second bill draft is BDR 194. It provides for mental health and substance abuse screening for juveniles. Throughout the interim, our subcommittee heard a lot of alarming evidence as to how many children in our juvenile justice system had mental health and/or substance abuse issues. This is a nationwide problem. I think Nevada is probably a little worse than the nationwide average, but we do know that the Department of Justice concluded that 73 percent of our youth in the juvenile justice system reported mental health problems. We have a high level of substance abuse as well.

BDR 194 seeks to amend State law by requiring mental health and substance abuse screening and assessment for every child that comes into contact with the juvenile justice system. There will be some work in your Committee, as Mr. Anderson will recollect, about whether that means when they come into detention or at some other point when they come into contact with the juvenile justice system. I have great faith in this Committee to come up with language that makes the most sense.

A suggested form that we heard about in the study was the Massachusetts Youth Screening Instrument-Version 2, the MAYSI-2. You'll be hearing a lot about that. That would be administered by detention staff upon admission for each youth. You'll hear testimony, I'm sure, that some of our juvenile detention facilities are already doing this. In Washoe County, we have our new Jan Evans Juvenile Justice Center. If you ever want to see that building, it's our new detention facility that the State helped support with a \$3 million appropriation several years ago. We're very proud of it. They have begun using this instrument already.

I want to mention a couple of things. A lot of times we think if we don't do a bill draft we're not doing anything. You'll see a lot of recommendations in here on letters, and I just want to point out on pages 12 and 13, we are seeing some results of what the study recommended.

Mr. Carpenter will remember Recommendation 3, I'm sure. We were kind of outraged at something that was happening in Congress where people weren't being allowed to communicate with us. My understanding is they have backed down from that rule. I'm sure our letter had a lot to do with that. We did weigh in, and that has since been changed, I understand.

Recommendation 4, page 13, I'm happy to report, a grant has been forthcoming from the Annie E. Casey Foundation, and there is a serious study going on right now in our state on juvenile detention alternatives. I'm sure you'll hear more reports on that. I know Mr. Carpenter was quite interested in Recommendation 5 on pages 13 and 14, having to do with videoconferencing capabilities for our youth who are out in Elko and Caliente to be able to communicate with their families, who are often in Reno and Las Vegas. My understanding is that is in the budget. Hopefully, that one will be accomplished as well.

[Assemblywoman Leslie, continued.] The Committee did a lot of work. I do want to thank Ms. [Risa] Lang, Mr. [Nicolas] Anthony and our secretarial staff for all their hard work on the Committee. I think you have a really good report. I think the hardest thing left to do in this Committee and/or in our new interim statutory committee will be the blended sentencing issue, and I believe you can read about that on page 12. That came up in the middle of the study. We really didn't have enough time to delve into it. A lot of us were concerned about not recommending a change to you, before we had all the research in and enough time to delve into that issue. We just recommended further research and further study on that issue. That is very important.

Chairman Anderson:

I think it's very, very difficult for a juvenile or any young person, not just those that we have in the juvenile facilities, to look at some older, balding guy and try to relate and trust them and tell them exactly what's happening, like what was going on in Elko. I think Mr. Horne developed a pretty good rapport with a couple of the kids while he was there. We clearly were concerned about what was there, and I think they are attempting to address those issues. The great fear is whether it really is going to change or not. Only time will tell. Clearly the staff is aware, and I think the State is aware, that they have to do something there and have stepped forward. I think the FBI or the feds going out there may have been part of that issue, but for the Legislature to recognize that it was an ongoing issue for all of us is absolutely essential for them to understand that we care about the behavior of children who we have in our custody.

The behavior is what we really want to focus on to make sure that they don't end up in our adult population. Having served on all three of these committees and studies, I do hope that we finally get this into the position of being an ongoing concern. I know that the interim studies are always a big issue with regard to how many the Research Department and Legal can possibly fund. We have so many permanent Committees now that seem to operate during the interim. Education is one of them. Clearly this work in juvenile justice has to be undertaken by somebody, because it's going to need continual supervision because of the growth and the difficulties of our state.

[Chairman Anderson, continued.] Does anyone have questions? I was concerned and I want to explain, possibly to Ms. Leslie, since we put her up so early into this. I wanted to make sure that you had an opportunity to relook at this Report as members, and prepare for when the bills will come, because they will be coming out shortly I'm sure. Within the next week or so, I'm anticipating they will be probably brought to the Floor. As soon as they are, we'll have Ms. Leslie back in front of us to talk, or somebody, and some of the agencies who really do support this kind of material that has come forward. Are there questions from members of the Committee?

Assemblyman Horne:

Assemblywoman Leslie, regarding the mental health issue. If you recall when we were there, there was a RN [registered nurse] on staff, and they had a physician from the ER [emergency room] at a local hospital that was doing assessments and making determinations on withdrawing medication from the ones who had mental illness. We had concerns about that because the ER didn't have an expertise in mental illness or the medication given by psychiatrists. Did that get addressed at all during this, trying to find some way of communicating with another physician, at least, on when and how to bring a youth off these medications?

Assemblywoman Leslie:

Absolutely. I remember that moment when the nurse told us that they weaned these youth off their mental health medications within a week or whatever, and they used the emergency room doctor to do that, which, if you know anything about mental health, is not a good idea. We did delve into that issue. There's a recommendation about working more closely with rural mental health. I have followed up on that throughout the last year. I know that the Division of Mental Health sent Carlos Brandenburg, the state administrator, and his staff out there to review their protocols, and it has radically changed from the day that we were there. I'm satisfied now that they are doing it more appropriately. They hired a contract psychiatrist who flew in to see the youth both there and at Caliente. Unfortunately, tragically, he died in an airplane accident. I'll have to find out who the replacement is.

I think the State did respond appropriately to the situation that we found out there, in terms of the mental health medication. We did appropriate quite a bit of money in the last budget. I think it was \$4 million to add mental health counselors in both of our youth training facilities and to make sure that medication was available to the youth that need it, so I think everybody is watching that situation very carefully. I know our juvenile judge, our presiding judge, Judge [Frances] Doherty in Washoe County, has been following up with every single case that is transferred from Washoe County to Elko to make sure

that their medication is maintained. Our trip out there really did spotlight that particular issue. Again, that's why we need a statutory committee to make sure that there is an oversight mechanism to make sure that we never get in that situation again.

Assemblyman Carpenter:

Things have improved dramatically there, like you said. There was a lot of money appropriated for extra staff and that. I've been in contact with them on a fairly regular basis, and although they have not been able to hire all of the staff that was budgeted, they have been able to ... We had quite a few on board but haven't been able to, as far as I know, hire a psychiatrist to be there full time, but I know they've been working on it. Things have dramatically changed.

Assemblywoman Leslie:

Thank you, Mr. Carpenter. I always feel better knowing that you're out there watching as well. Thank you.

Chairman Anderson:

Do the members of the Committee have any preliminary questions? I'm sure we're going to be seeing Ms. Leslie again. Please recognize Ms. Leslie's ongoing issues here. In fact, there are quite a few issues relative to juveniles and mental health questions, both for the adult population and the juvenile population, particularly as it applies to the court system.

That should be a key question for all of us, and as mental health problems exist in the general populations of our communities and how they use services that are often needed for other kinds of emergency situations. It is partially because we're not paying attention to what their health needs are and our concerns in that area. In this particular instance we're really focusing on the juvenile question which is a large growing part of our population. No questions?

Does the agency wish to make any kind of response in this area? We're really not taking public testimony but I don't want to ignore you. We're not taking any public comments today, but I do want to make sure you can have an opportunity to say something, from the perspective of where we were two years ago. First of all, I want to thank you for your cooperation throughout the study. Many of the places that we visited were only because you were there to make sure that we could be there.

Michael Willden, Director, Nevada Department of Human Resources:

[Introduced himself.] With me today is Jone Bosworth, Administrator for the Division of Child and Family Services. We certainly appreciate the work of the Interim Study. Ms. Leslie used the term "awareness" a couple of times, and it's

far beyond awareness. Since day one when I became the director about 3 1/2 years ago, when the DOJ [Department of Justice] CRIPA issues first started boiling, it became much more than an awareness issue. It became "hit the ground running" with solving problems. I can assure the Committee, as I have several times, we've made a number of changes in policy, practice, training, oversight, and all kinds of things. We let people go who didn't get it: that we didn't abuse and neglect kids. We changed almost the entire management structure leadership team within juvenile justice. We have new superintendents in all of our institutions.

[Michael Willden, continued.] We have a new Deputy Director of Corrections on board, changed our staffing ratios significantly at all three institutions, and have a request before the money committees this session to further improve our staffing ratios. We put mental health counselors in each of our institutions, and we put contract psychiatry money into the budget. We do not have a full-time psychiatrist, but we have what we believe to be adequate psychiatric consult money and medications money. We have attacked this thing aggressively. We have a zero tolerance policy to any abuse and neglect. We're going to continue making the improvements that we all know are necessary out there. We took it very seriously from day one and I want to assure the Committee that ongoing effort is going to be job one.

Chairman Anderson:

Mr. Willden, I appreciate the fact that you have been under the gun since you got here, and the juvenile programs have been ones that we've been terribly concerned about. Not just the one in Elko but the ones in Caliente. I know that you have brought about some meaningful change in those departments.

My concern remains because we continue to hear stories from juveniles after they have been to the facilities and come back to our constituent areas. Oftentimes, I hear from not only the juvenile detainees, but from the adult detainees who are unhappy about certain kinds of things that take place at facilities. I always try to be very tolerant of the difficulty in dealing with large groups of juveniles and the problems that they have, particularly if they have drug problems and other kinds of emotional problems.

Having dealt with that age group for 35 years, I think I have an understanding, although somewhat different in the educational classroom than in a facility where you have to deal with them 24 hours a day. I recognize that there are some common problems among people in that particular age group that often raise concerns that you wouldn't see. I appreciate the difficulty of the population that you deal with. I was somewhat disappointed and surprised at some of the protocols at Elko when we arrived. I had been under the impression

that some of those issues had been taken care of. I do know that you're making a good faith effort and that it's a high agenda item for you and for your staff, and so I really believe it's a genuine thing. I think we have a long way to go to get where we need to be.

Michael Willden:

Mr. Chairman, we agree. I encourage you, if you have time this session, to do a similar tour, and I think you would see a world of difference. That can not only be heard from me, but you can talk to the Department of Justice themselves, who were just there two weeks ago, I believe. It was last week, and their report to us are words like "amazing change," "remarkable," "the culture is totally different," those kinds of comments. You don't have to hear it from me; you can hear it from the Department of Justice also.

Chairman Anderson:

As I say, it's very difficult, I think, for a juvenile to see some older, balding, fat guy, and feel that they have some level of trust that he's not the guy, the man, that's going to keep them there forever. Trust is something that it takes time to build, and so I applaud your efforts to try to keep your agency online, and Ms. Bosworth's continuing role in this regard.

[Chairman Anderson called a recess at 8:45 a.m., and called the meeting back to order at 8:54 a.m.]

Chair will entertain a motion.

- BDR 5-194: Provides for screening of juveniles for mental health problems and substance abuse. (Assembly Bill 47)

ASSEMBLYMAN CARPENTER MOVED FOR COMMITTEE
INTRODUCTION OF BDR 5-194.

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION PASSED. (Ms. Ohrenschall, Mr. Horne,
Ms. Gerhardt, and Ms. Angle were not present for the vote.)

Chairman Anderson:

The presentation from Senator McGinness, who is the Chair of the Legislative Commission to Study the Criminal Justice System in Rural Nevada and Transition Housing for Released Offenders. I managed to get out to Ely now, and I've been to the Gap to see the facility out there. That is the maximum

security facility in White Pine County. If you would begin, along with Mr. Krmpotic, who is the fiscal fellow who staffed our Committee. Senator.

Senator Mike McGinness, Central Nevada Senatorial District:

[Introduced himself.] The 72nd Session of the Nevada Legislature adopted Senate Concurrent Resolution 32 of the 72nd Legislative Session, which directed the Legislative Commission to conduct an interim study of the criminal justice system in rural Nevada and the feasibility of implementing a program for transitioning housing for offenders released on probation or parole, or released after discharge from the Department of Corrections. The Senate Majority Leader and the Speaker appointed three members of the Senate and three members of the Assembly to carry out the provisions of the resolution. Those members included myself, Assemblyman Marvel, Senator Rhoads, Senator Washington, yourself, Mr. Chairman, and Assemblyman Sherer. The Commission, directed by S.C.R. 32 of the 72nd Legislative Session, appointed an advisory group which became a great source of information for us to help the Committee with that portion which pertains to criminal justice and associated services and agencies in rural areas in Nevada.

We held five meetings, including a work session, and the advisory group met one time. Most of them were in Ely with us and provided some good testimony. We heard testimony from various members of the advisory group regarding problems and issues associated with the criminal justice system in rural Nevada. Members of the advisory group presented an overview of a report of the Commission on Rural Courts impaneled by the Judicial Council of the State of Nevada ([Exhibit C](#)).

The Report singled out several issues reviewed by the Committee, including inadequate safeguards at the White Pine County Courthouse to securely hear trials of maximum security inmates from the Ely State Prison. Mr. Chairman, I think we were all amazed at what they're doing with such lack of facilities. The thing that sticks in my mind is that the witness in the witness chair, if you reached out, could almost touch juror number six. That had to be a little unnerving for jurors.

Also, the lack of juvenile detention facilities within reasonable driving distances of certain rural counties throughout the state. We had testimony that people from Lincoln County would actually have to drive all the way to Elko and then back. If there were a glitch, they'd have to make that trip again. In rural Nevada, or at least in White Pine County, winter comes early. It happens the day after Labor Day out there. There is a lack of counseling services for citizens requiring alcohol abuse, drug abuse, or domestic violence counseling in rural counties. There is limited legal assistance for residents of rural Nevada due to

small numbers of practicing attorneys in rural Nevada locations. There is a lack of courtroom security training for bailiffs and deputy sheriffs, who provide security to the courts, and a shortage of court interpreters available to rural courts.

[Senator McGinness, continued.] We also heard testimony from representatives of the Department of Corrections, Public Safety, and Human Resources regarding the feasibility of implementing a transitional housing facility for offenders in Nevada. The Committee reviewed issues related to a transitional facility, including offender background, programming services, length of stay, job availability, and operational impact on the Department of Corrections and Department of Public Safety.

When it all came down, the Committee adopted seven recommendations at its June 22, 2004, meeting, which included five bill draft requests [BDRs] or consideration by this session. We addressed the following issues:

- Construction of a new courthouse facility in White Pine County, which was a huge issue and made it to the Governor's one-shot bills
- Establishing regional juvenile detention facilities within reasonable driving distances in rural Nevada
- Establishing a rural court coordinator position in the Administrative Office of the Courts—the Judicial Branch had requested funding—and the Executive Branch to establish that position this session
- Providing flexibility in evaluation of counseling requirements to address the lack of treatment providers in rural counties
- Improving the availability of legal services in rural Nevada through incentive programs to students at the William S. Boyd School of Law
- Establishing courtroom security training in the Peace Officers' Standards and Training [POST] Commission Academy curriculum
- Establishing a transitional housing facility for offenders prior to release; further study in issues related to transitional housing facilities including statutory definitions application process and local issues regarding licensing

Again, as I mentioned, the recommendation for the new courthouse has been included in the Governor's budget. Judicial Branch has requested that position to coordinate rural courts. I might also add, and I'll leave this for your record, that the District Judges Association passed a resolution ([Exhibit D](#)) that the State of Nevada ... Let me read:

Therefore be it resolved and recommended by the Nevada District Judges Association, that the State of Nevada should

recognize the critical need of a new court facility for White Pine County and should further recognize the State's moral responsibility to assist with this critical need.

[Senator McGinness, continued.] Also, let me read from the Administrative Office of the Courts ([Exhibit D](#)):

Be it further resolved and recommended that the Judicial Council of the State of Nevada that the 2005 Nevada Legislature support funding for construction of a new court facility in White Pine County.

And from the Office of the Attorney General, his final paragraph ([Exhibit D](#)):

There can be no margin of error when it comes to ensuring the safety and security of courthouse personnel, officers, attorneys, witnesses, judges, and jurors in Nevada's Justice System. I have seen first hand the security risks that currently exist in the historic but antiquated White Pine County Courthouse. Please accept this letter as my commitment of full support to you and Judge [Steve] Dobrescu.

This letter was directed to Judge [Dan] Papez.

I had a conference call last week with Judge Papez and Judge Dobrescu, and they asked if they should be here today. I told them that there would be a better opportunity for them to lend their testimony—that we have the support of the Chairman—so this thing would slide right through.

Mr. Chairman, I don't think I've served on a Committee that has had such success, even before the session began, with the inclusion of the funding and also the other support. We've also written letters to the Governor showing our support. We also asked the director of the POST Commission to include some training for courtroom facilities or courtroom officers. We also have been in contact with the Boyd School of Law and they have been very supportive. This is one of those committees that we actually made a difference. Some committees that we've all served on, not a bill passes in the next session. I think we made a difference in this one.

Chairman Anderson:

Mr. Krmpotic, is there anything that you wanted to add into this? I know that obviously the Fiscal division can't take a position either in support or opposition

to a piece of legislation, but do you have any information that you feel would be important for the Committee to have?

Mark Krmpotic, Senior Program Analyst, Legislative Counsel Bureau (LCB):

[Introduced himself.] I have nothing that Senator McGinness hasn't already covered. I would just emphasize that the Committee will probably be reviewing some BDRs that were recommended by the Interim Committee at some point in time during session.

Chairman Anderson:

I presume those are probably going to be introduced on the Senate side first, Senator, or has it been determined yet?

Senator McGinness:

I don't think that's been determined. I know sometimes they split them, so whatever happens.

Chairman Anderson:

I was anticipating it was going to start in your House, but it makes no difference. My impression from serving on this Committee has been, for some time, that there are inequities in services that are available to people in the rural communities, in terms of adequate protection and a court system. In part it is a function of living in a rural community and not being able to have the drug treatment programs and some of the other kinds of treatment programs.

Attorneys need to feel there is a large enough client base to economically justify their existence out there. There is a willingness of the Boyd School of Law and a commitment to part of that program, and there are other opportunities that the court may have. All of this was very, very evident from our trip to White Pine County.

Senator McGinness is not exaggerating. The people sitting in the front row here in the Committee room are farther away than a juror would be from a convicted prisoner who would have to be taken from the Ely Maximum State Prison to the courthouse in Ely. The lady sitting here in the very first row is definitely farther away. But even if she were sitting in the seat to her right, she would still be farther away than the prisoner would be from the last juror in the jury box. That's a very intimidating kind of question.

There are the other kind of mechanical facilities, like the restroom facility, for example. The jurors, the convicted prisoner, and the guard would all have to stand to wait to use the one facility in the building. It was truly amazing. White Pine takes great pride in the remodel that they've already done to their

facility to keep it current. I don't think it's a fact that the community is not caring about what's taking place. They do want the people to be well represented there, and Judge Papez and others out there to be saluted for their hard work.

[Chairman Anderson, continued.] I was also particularly touched—as you were, Senator—about the lack of juvenile facilities in White Pine County. If the Court wanted to keep a juvenile to remind them that they couldn't be lippy in court and give them an opportunity to spend the night in a juvenile holding facility, they would either have to drive them to Elko, taking an officer off duty to do that, or have an officer off duty spend the night with another officer in the jail, watching the juvenile cell to make sure that he was not abused at the facility there in Ely. I think the difficulties in the rural communities are very, very difficult for us who do not live in those communities to identify with, in terms of fair and equal justice. Senator, I think it was a long-overdue study and some of these problems should have been addressed, I'm afraid, some time ago by all of us.

Senator McGinness:

Regarding some of the other mechanics, this Legislature has mandated counseling for things like DUI, domestic abuse, alcohol abuse, and in rural Nevada, it's not available. It's not that people won't go; it's just not available. In some cases we've mandated that they have weekly counseling sessions, so somebody from White Pine County would have to drive to Elko or Fallon, three and four hours on the road, to do this. One of our recommendations is to allow for videoconferencing. I'm sure videoconferenced counseling is not as effective as face-to-face. A lot of these people are not able to do that. They have to take a day off work, and then people start looking at losing their jobs because of the mandates that we've put on. We're looking at providing some flexibility in something as simple as that as well.

Chairman Anderson:

Nevada is the second or third most mountainous state in the United States, after Alaska. You have five major summits to overcome to drive from Reno to Ely, if you're going to go down Highway 50. There are some real weather factors out here and these judges drive them on a regular basis.

There is the practicality of working out there. It gave those members who went an opportunity to serve on this Committee, and our concern about rural issues, an opportunity to be heard.

Assemblywoman Buckley:

I was interested in the recommendation regarding the availability of legal services. Did you flush out what type of legal services for the rural communities? Were you talking about DAs [district attorneys], public defenders, or people to serve civil or criminal with folks of limited means? I'm just curious how far you got with regard to that recommendation.

Senator McGinness:

I believe we talked to the dean of the Law School [Richard Morgan] and asked them to extend their externship. I believe this was for trade of some tuition waivers and things like that. I think he had some people—and I might ask Mr. Krmpotic to refresh my memory—who were just doing summers out there, but we asked them to look at expanding that program, and not necessarily for any particular function except just to get some more representatives of the bar out into rural Nevada.

Mark Krmpotic:

There was a discussion regarding the availability of legal services for individuals who were involved in such things as divorce cases or civil type cases, as I recall. Some of the programs that have been established by the Boyd School of Law focus on providing individuals to work in DAs' offices or public defenders' offices in rural counties. The Committee recommended that the Boyd School of Law look at implementing programs that would provide legal services to individuals who didn't really have access to those in rural counties.

Senator McGinness:

Ms. Buckley, Dean Morgan informed us that they were talking about developing a loan repayment assistance program for people that go to rural Nevada. Actually, the Committee requested a bill that would establish a program of tuition reimbursement for those who would go to underserved areas of the state. It's a program in its infancy but we're trying to provide some incentives.

Assemblywoman Buckley:

In my other life, we got the State Bar of Nevada to fund a tuition reimbursement for externs in southern Nevada who would represent individuals who couldn't afford an attorney, with divorce problems, domestic violence problems. Maybe we could expand that to the rural areas. The second part of that is trying to attract lawyers. We have the same problem in the south, in a sense. It's hard to find lawyers who are willing to work for peanuts to help the poor. It's a different problem, but the same problem in terms of attracting people to rural Nevada, so if I can help in any way, I'm happy to do that.

Chairman Anderson:

I think that was part of the reading that I had done, about what was happening in the south that had prompted that as a potential source to look at. There are clearly some great advantages to living in the rural parts of the state that are often unappreciated, if you spend all your time in an urban area. There is a lifestyle: opportunity to hunt and other kinds of community identity issues that make living in a rural community very, very attractive. If you're not from a rural setting, that opportunity is often missed. By setting that incentive in place, it was hopeful we would be encouraging attorneys to take up residence, and thus alleviate part of the rural problem and extend court services for the indigent, juveniles, and the unrepresented populations that always seem to be there. I was very hopeful that would be a really important part of the overall process.

The Committee has a copy of the Report, and we'll be looking for the bill draft requests when they come forward.

Let us turn to Ms. Wright from Parole and Probation in Nevada which is one of those key components of what happens when, if you make it through the court system, and you make your way into prison, hopefully, you're going to end up having to deal with the folks in parole and probation at one time or another, having been found guilty. It's one of those little trip factors that puts them into your clutches. This particular area is of great concern to me and the members of our Committee. Ms. Wright.

Amy Wright, Chief, Nevada Division of Parole and Probation:

[Introduced herself.] Before I begin this morning, Director [George] Togliatti [Nevada Department of Public Safety] wanted to express his apologies for not being here this morning. He has had a long-scheduled meeting with the Las Vegas Chamber of Commerce, and he is speaking there on homeland security today.

I'm going to give you a quick overview of the Division of Parole and Probation, including [Referred to PowerPoint presentation [Exhibit E](#)]:

- Who we are and what we do
- Major programs
- Workload units in major program areas
- Growth trends
- Caseload staffing ratios
- Outcomes
- Successes
- Information regarding revocations
- Restitution and supervision plea fee collections

[Amy Wright, continued.] I have sitting next to me Mike Ebright, who is Acting Deputy Chief. To my right is Kathy Thompson, our Management Analyst for the Division. The Division of Parole and Probation is a division under the Department of Public Safety, headed by Director George Togliatti. I provided for you the *Nevada Revised Statutes* that gives the Division of Parole and Probation its authority to do what we do ([Exhibit E](#)). We are responsible, as a Division, to:

- Conduct presentencing investigations reports
- Make recommendations to the court
- Monitor and enforce offender compliance with their community supervision
- Assist offenders in successful reintegration into the community
- Collect and disburse restitutions to the victims of crime
- Conduct pre-parole inmate and incoming Compact placement investigations
- Collect DNA

We have three major program areas within the Division of Parole and Probation. The first is our Court Services Unit. This is staffed primarily by nonsworn or civilian personnel. In our rural areas, our sworn personnel may also conduct presentencing investigations. Their main job components include presentencing investigations and reports to the court, supplemental and amended reports, postsentence investigations and reports, pardons investigations, and boot camp reports.

The purpose and application of the presentencing report reaches all the way through the Criminal Justice System. It is intended primarily to assist judges in making appropriate recommendations and sentencing for each offender, but it also assists our officers as a supervision tool they use to determine the risk level of each offender. Nevada Department of Corrections [NDOC] uses that document to assist them in their classification. It assists the Parole Board and the Pardons Board. It's an investigative tool for other enforcement agencies, and we obtain a lot of statistical data from our presentencing investigation reports.

I'm not going to go over this, but as you see there are a lot of components that go into this complex report. We take all of this information and put it together, and then we make an appropriate recommendation to the Court.

As far as workload growth, what you see before you are the average work units for our presentencing investigation reports and all of their supplemental reports. It is a historical overview, with 4 1/2 years of data, and that projected out in FY2005 also. If you look, since FY2001 to date, we've had a 23 percent growth in our presentencing investigation Court Services Unit. This is driven by

referrals by the District Courts of Nevada. With our sharp rise in FY2003 and FY2004, and continuing in FY2005, it's pretty indicative of, and also corresponds with, the rise with NDOC population. We have been getting more referrals from the Court to conduct presentencing investigations.

Chairman Anderson:

There are some questions about the presentencing reports, which I'm always concerned about, in terms of the time of your agency and percentage of officers who are in that area.

Amy Wright:

The next major program for the Division of Parole and Probation is the supervision of offenders in the community. This is staffed by sworn personnel. In Nevada we supervise Nevada parolees, Nevada probationers, inmates on conditional release programs into the community, and lifetime supervision of sex offenders. The reason I indicate lifetime is that in 1995, the Legislature passed a law that those offenders that were convicted of sex offenses, in addition to their original sentence, which may be probation, incarceration, and then parole, upon completion of that sentence, were then placed on lifetime supervision with the Division of Parole and Probation. It was termed as like a parole. So those caseloads in Nevada will remain static and only grow, because those offenders will remain under supervision in the state of Nevada.

We also supervise probationers and parolees that are transferred to Nevada via the Interstate Compact. This allows offenders that reside in other states, convicted in Nevada, the ability to be able to return home to that state within assumed supervision for the State of Nevada. It also allows citizens that were residents in Nevada, convicted in another state, the ability to come home, and Nevada would assume supervision of those offenders for that state.

Chairman Anderson:

I had the pleasure of serving with Ms. Wright on the Board that gets to review those. They are part of a national coalition of states that are in agreement to take and exchange. There were some very controversial topics.

Amy Wright:

On that topic, Mr. Chairman, I fortunately have been asked and selected to serve on the National Rules Committee for the Interstate Compact. We supervise offenders all over the state of Nevada. We have 4 districts and 13 offices. The average population of offenders that we supervise in the state, as of January 1, 2005, was 11,237. We broke down the districts. Our first district is District 1; that is Carson City and a Fallon office. The average population of offenders that are supervised in that area is 799. District 2 is the

Reno area, where there are 2,488 offenders. Elko, our rural district, is District 3. It has the lowest population of offenders that we supervise, but as you can see, it has the largest area in which to supervise them. Those officers do a tremendous amount of driving in the state of Nevada. Last is District 4, and this is the Clark County area. We have four offices in Las Vegas, and we supervise the largest portion of the offenders in the state in the Las Vegas area.

[Amy Wright, continued.] Our supervision programs are broken down. We have what we term "regular supervision." That's a combination of maximum, medium, and minimum level offenders. Intensive supervision, ISU—those are offenders that have been deemed to be high risk and caseloads that are lower ratios than our regular supervision. Residential confinement is our house arrest program. Inmate programs are the inmate programs which we work in cooperation with NDOC [Nevada Department of Corrections]. They are the 305 Program, which is a DUI [driving under the influence] program, and the 317 Program, which are theft and drug related offenses. NDOC determines eligibility to be released into the community. They are placed on residential confinement, and we supervise them. They either parole out, or they expire their term. We have specialized sex offender caseloads in the urban areas, both Reno and Las Vegas. They are supervised at a lower ratio of 45:1.

Chairman Anderson:

A 45:1 ratio is in which area?

Amy Wright:

Sex offenders. I'm going to highlight some of the things that our officers do in the supervision of offenders. We determine the risk and needs level of each offender to determine the level of supervision that they require. We monitor and enforce all their conditions of community supervision. We make routine contacts based upon their supervision level at home, in the field, and in the office. We make referrals to community treatment programs and community partners. We have community partners who also provide vocational training, work referrals, and education.

In addition to supervising offenders, officers also conduct community placement investigations, conduct preliminary inquiry hearings, and they attend court and Parole Board hearings.

Our Community Placement Programs are pre-parole investigations. Those are inmates who have been paroled by the Parole Board, and our officers investigate their placement programs. Once they've been given parole, their placement program is forwarded to our Division, and officers go out into the community and verify the residence and employment if it's available, the means in which

they're going to be able to support themselves, and their community supervision. We also do the inmate program investigations. That's when the Department of Corrections refers an inmate to be placed on one of the inmate conditional release programs. We also investigate that placement program. It is the same with Interstate Compact investigations.

[Amy Wright, continued.] Our sex offender officers are also active in the community, conducting surveillance on our sex offenders, both overt and covert. We also conduct polygraph examinations on sex offenders. The polygraph examinations are done by polygraphers from the Department of Public Safety Investigation Division. In the course of our business, we conduct searches of the residence and other property of offenders to detect any violations of the conditions of probation, parole, or community release. We seize the contraband and we arrest violators on new charges, and we also often arrest others that are with them.

Here is an example of the contraband we confiscate ([Exhibit E](#)). We find and detect weapons, drugs, money, stolen property, and some other items there. With our law enforcement monitoring and compliance, we also collect restitution for the victims of crime. We also collect supervision fees that defray the costs of supervision, and our officers are also active in supervision of offenders in drug courts. We have specialized caseloads in both Reno and Las Vegas. All those officers do is supervise offenders that are involved in the drug programs. We are also actively involved in the mental health courts in both Reno and Las Vegas. With the officers, their assignment is to work with the courts on those teams with the mental health professionals, the court system, and caseworkers. They are assigned to those specific caseloads. I will have to say they are administratively very intense.

We also have the Reentry Program. This is a grant that we are involved in with the Department of Corrections. This is for the serious and youthful offender. We have two social workers on staff, that are paid for through that grant, to assist these offenders in their transition into the community. We have officers specifically assigned to supervise those offenders when they are released from the institution.

This is a historical view of our workload units ([Exhibit E](#)). We combined all our supervision programs. In the last 4 1/2 years, we've had a 3 percent growth in our supervision work units.

Our next major program area is our Central Office Programs. These are staffed by non-sworn personnel, civilian personnel. They administratively oversee three major areas. The Interstate Compact Unit monitors the compliance of the

conditions on cases where the offender has been transferred from the state of Nevada, on probation or parole into another state. We have a Pre-release Unit. They work with NDOC [Nevada Department of Corrections] and our parole and probation field officers coordinating the release of inmates who have been released on parole. Next is our Fugitive Apprehension Unit. This unit monitors cases that are fugitive status that we have warrants on. They coordinate and facilitate the return of violators from other jurisdictions. This is a historical view, giving you 4 1/2 years of our workload growth in that area, and we have grown by 1 percent in the last 4 1/2 years.

[Amy Wright, continued.] Here are our caseload staffing ratios. In the top three lines and on your right-hand side are the authorized staffing ratios for regular supervision, which is 70:1. That would be 70 work units to 1 officer. As of January 1, our current staffing ratio is 100:1 in regular supervision. In our higher risk areas of sex offenders and intensive supervision and residential confinement, we're holding about where we should be, 43:1 on sex offenders, where our ratio is 45:1, and intensive supervision is 30:1. The next line down is our presentencing investigations. We're authorized staffing ratio at 64:1 but we are currently staffing at 68:1.

This next slide ([Exhibit E](#)) is our Average Sworn Officer Vacancies. As of January 1, we have 26 sworn vacancies, but fortunately we have just started a new academy in the south that's starting this Monday and one that will start this Monday in the north. It's a DPS [Department of Public Safety] training academy. We have 13 new officers in the academy in the south and 4 new officers in the academy in the north. We're bringing our vacancies down considerably, to approximately 10. We have officers in the chute; we are doing backgrounds on them now. In our rural areas, we are very fortunate to be able to say that we are fully staffed in those areas. Sometimes it's difficult to get staff in there to fill those positions, but we have filled all of our vacancies in Winnemucca and Elko, in those areas.

The next slide is our Civilian Personnel Annual Vacancy Comparison. We're running at a 7 percent vacancy rate. You can see when we had the hiring freeze and the budget concerns, our vacancy rate really rose, but it's coming down now.

Outcomes: We have exits from supervision. There are several ways an offender exits supervision. They are either discharged from parole or probation, are an inmate on community supervision and they are paroled, or they expire their sentence. Unsuccessful exit means that their probation or parole was revoked, or they did not complete their community supervision as an inmate.

[Amy Wright, continued.] We've given you a historical overview of our successful parole exits and a five-year comparison. We average about 75 percent. Year-to-date, it's 78 percent of those paroles that are discharged successfully. The national average is 49 percent of paroles are discharged successfully without being revoked. We are 31 percent above the national average.

I've given you an overview, and I'll provide you a brief explanation of parole revocations. The Division of Parole and Probation is mandated to supervise parolees in the community, and statutorily we are also required to report to the Parole Board any violations of the community supervision. We present and take back parole violators to the Parole Board for revocation or for acknowledgement of their violations. In FY2004, 788 parolees were revoked. I broke down for you the reasons for the revocation. We do collect each month statistics regarding revocations and the reasons for them. Primarily, 52 percent in 2004 of those parolees that were revoked, were revoked because of a new arrest or a new conviction, 22 percent had absconded supervision and they were fugitives, and 27 percent were rules violations of their community supervision.

Rules violations may be possession of a weapon, not entering and completing a treatment program as mandated by the Parole Board, a sex offender with possession of child pornography on their computer, or they were in an area where they shouldn't have been and were associating with children. In FY2005 to date, we've reported our revocations to date, and it's about the same percentages.

Successful probation exits, five-year comparison: Our five-year average is 65 percent successfully complete probation. We're dropping down a little bit. In 2005, we're only 1 percent above the national average, which is 59 percent.

Chairman Anderson:

Where were we in those other years? Were we also dramatically above the national average in the other years?

Amy Wright:

As you can see, we gave you the average of successful exits from FY2001 all the way to our projected FY2002. We're maintaining around the 69 percent success rate, but the national average has stayed around 59 percent. These are from statistics from the Bureau of Justice and they're available.

Again, I've given you an overview of the reasons for the revocation. Either they were a new arrest and conviction, a fugitive from supervision, or a rules violation. They somewhat mirror the same as parolees.

[Amy Wright, continued.] I'm now going to give you an overview of our inmate programs. The Division of Parole and Probation does report success in these inmate programs. I think that they are very, very successful. The 305 Program is what I would term a success. These are offenders that are convicted of DUI [driving under the influence]. They are sentenced to the Department of Corrections. While in the Department of Corrections they go through a treatment program. Upon completion of that treatment program, they are released to the community under the supervision of the Division. They are placed on house arrest and they go to treatment. We have on staff, in the urban areas of Reno and Las Vegas, substance abuse counselors that provide their substance abuse treatment while they are under our community supervision.

We've had really good success rates; 89 percent is our five-year average. When we created this slide we were at 100 percent success rate, but at the end of last week, we unfortunately dropped one, and he was returned back to the institution.

Chairman Anderson:

We're only one month into the year.

Amy Wright:

This is our 317 Residential Confinement Program. This is for those offenders that are convicted of theft or drug-related offenses. They do not have any violence or sex offenses in their background, and they're released, just like I discussed with the 305 Program, to the community for our supervision. They are on residential confinement, and again, we have on-site substance abuse counselors in both Reno and Las Vegas. Our five-year average with those programs is 69 percent success rate.

Another inmate program is our 184 Program. This program began in 2001. These are drug offenders. They are either on for a drug-related offense or they have a long history of substance abuse. They are screened. NDOC [Nevada Department of Corrections] makes the referral to the court. These inmates, when they come into the community, agree to enter and complete the drug court program. The authority that is able to make recommendations and revocations is the drug court. They can sanction them. The inmates do accept that authority. It is also very successful. To date, we've had a 68 percent success rate. Currently, after January 1, we have 70 participants, and they are expanding this program into Carson City and this area. We are working with the authorities on that.

As I mentioned before, the Division of Parole and Probation is responsible for collecting restitution and supervision fees from offenders. I'm very proud of the

fact that we are projected this year to collect \$4.8 million from offenders for the victims of crime in the state of Nevada. Our supervision collection rate is nearly \$2.9 million. We combined both of these, and this is what our staff collects from offenders to support the victims and defray the cost of supervision.

Chairman Anderson:

I worry about parole and probation, as you well know. The drug courts are something that I chaired the 1995 Interim Study on, and since 2001, it's one of the issues that we're looking at. I'm always concerned because there has been a continuing concern about issues that have come before Parole and Probation in every session that I have been in since 1991. I do want to make sure that we get to the second presentation. Let me ask the members of the Committee to try to focus their questions, and I'll try to focus mine. Let me start with you, Ms. Buckley.

Assemblywoman Buckley:

I would just like to know how are things, really? We heard for so many years that P and P [Parole and Probation] ... I think we just have underfunded and paid the least amount of attention to it. I recall hearings where officers were using index cards to track parolees, which is just mind-boggling, computers allocated but not hooked up or didn't work, those types of things. So how are things really?

Amy Wright:

I'm glad to report that the index cards are long gone from the Division of Parole and Probation. We have moved into a computerized area. We have an automated case management system that stores all current data in historical data. That came online in July of 1999. The majority of all staff has computers. We were fortunate enough during this biennium to approach the Interim Finance Committee and be able to convert some of our personnel savings and be able to start the replacement of computers. We replaced 248 of our oldest computers. That was completed this summer. We have included in our budget a request to go on a rotation cycle for the computers.

Also in our budget request is a significant increase in staff. Right now we're asking for 26 new officer positions and support staff positions. Those are based on our projections that are conducted by JFA Associates. The last of their projections should be in next week. We may be modifying our request based on that. I have approached this budget and this Legislative Session with the purpose of rebuilding the Division of Parole and Probation in the area of staffing and equipment, and in a request to join the Department of Public Safety in a study of mobile communications systems.

Chairman Anderson:

JFA Associates is Mr. [James] Austin, who has been doing the studies for some time. So whenever you hear that name, as you will hear quite frequently, he has a long history here in the state, doing projections, in terms of our population distributions, particularly the relationship of the various Departments of Corrections, Parole and Probation, and the court systems.

Assemblyman Carpenter:

I was noticing that in your Court Services the workload growth has been growing substantially, but in Supervision, workload growth is hardly growing at all. I would have thought there would be a correlation between those two. Do you have an explanation of why that is so?

Amy Wright:

As you saw from the graphs, our workload has really increased in our Court Services area. I will have to say that it corresponds with the increase in those offenders who have since been sent to prison. They've not been placed on probation. They have been sent to prison. I will fully expect that our workload growth in Supervision is going to increase when those inmates become eligible for parole and that our parole population is going to increase. Additionally, Assembly Bill 105 of the 72nd Legislative Session has played a part, I believe, in our parolee population. That bill allows for each parolee that meets certain requirements to maintain the financial obligations and conditions of the parole supervision, and to earn good-time credits while they are in the community off their sentence. That applies toward the back end, so they do not spend as long a period on parole.

Chairman Anderson:

I need to follow up in that area because my concerns are in slide number 26 ([Exhibit E](#)) of your parole violation revocation, which had one of those number charts. I saw 789 parole revocations in 2004, and in 2005, am I to understand that it is but one year, one month, of 2005?

Amy Wright:

No.

Chairman Anderson:

So that is 308 inmates from July to this point. Projecting forward since we're therefore about halfway in, we might say that we would anticipate a 620, roughly 650, population. We would be looking at 789 parole revocations in last fiscal year, and in the first half, we have less than 50 percent. Similarly, in slide 28 I see where felony probation went from about 1200 people to 800 in 6 months, so we're going to be looking at 1600 people, doubling it up, in the

second half of the year? You can understand why we're concerned, especially since yesterday we heard from the people in the prisons who told us about building and who scared us a little bit, because if you build it, they will come, and we will fill them. If we don't have a place for them, that means that we have to put them out, which gives them to you. Either we have them in a bed or you have them on the street.

Amy Wright:

Certainly.

Chairman Anderson:

We're concerned and we're a little shocked by that, just part of the revelation, compared to what we heard yesterday from the Department of Corrections. Can you see our concern?

Amy Wright:

I understand your concern and I fully understand. You're either going to fund prisons to house them, or hopefully fund the Division of Parole and Probation to supervise them in the community.

Chairman Anderson:

Especially since we're going to be putting sex offenders and other violent, or potentially violent, offenders on the street. Thus, increasing the work ratio of the officers who have to be out there dealing with these people, I think, is the point of Ms. Buckley's card question. Are we going to go back to saying, "Oh, by the way, fill out this card to make sure you're doing the right thing for us?"

Amy Wright:

I will always assure you, Mr. Chairman and this Committee, that the Division of Parole and Probation will always staff and move officers into those high-risk caseloads. As you saw in our staffing caseload size, the sex offender caseloads, the residential confinement caseloads, and the intensive supervision caseloads, are staffed appropriately at those ratios. When those offenders move out and come into those programs, and they start to rise, what happens is that we will take an officer assigned to general supervision and we'll move him into those specialized caseloads. We will always move to staff those high-risk offenders in the community. Unfortunately, what suffers is our regular supervision caseloads. As you can see those are the highest ratios.

Chairman Anderson:

The community corrections program element is clearly one of our saving graces, hopefully. Residential confinement programs, those 317 Programs, and the drug court programs are always of great concern to me, as well as the presentencing

division, which takes a lot of your time and your courts' time. How often do the courts follow the Division's recommendations in terms of sentencing recommendations? Does that seem to be a pretty consistent level, or are we just spinning our wheels?

Amy Wright:

We collect data on that. We can provide that to you. We're just putting that together. Approximately 70 percent of the time, the courts follow our recommendations for prison, and it's a little higher on our recommendations for probation when we make those recommendations.

Chairman Anderson:

How many community corrections programs does the Division currently have? Do you have programs for community correction out there? How many, what types are they? Are they drug treatment programs and some of these other bracelet programs, the sex offender program, treatment programs?

Amy Wright:

Certainly, we have partnerships within the community for our sex offenders. We partner and have contracts with providers to do the psychological sexual evaluations. We also do research with treatment programs in the community, and then we make referrals to treatment programs for our sex offenders. For substance abuse, we have and work with a host of agencies that give Beta funding to provide treatment for substance abuse. We also have our in-house substance abuse treatment providers for our residential confinement and our inmate programs. We also work with the Evolve Program that the City of Las Vegas has granted. It's a one-stop shop that provides job training, job vocational training, job referrals, education, and those types of things.

Assemblyman Horne:

You mentioned that you do polygraph examinations for investigation purposes. How is that used? Does that create probable cause for arrest violation?

Amy Wright:

No, these are baseline polygraphs. It's a standard that is sort of a pronged approach to the treatment and monitoring of sex offenders in the community. The Center for Sex Offender Management is a national organization that has done studies and provides data information plus training across the United States, regarding the sex offender management. The polygraphs are just one piece of treatment. It's used in combination with treatment. The polygraph and the offender would be supervised in the community by an officer. It is baseline and the information there usually is not used for prosecutorial purposes.

Assemblyman Mortenson:

On page 22, ([Exhibit E](#)) when you have something like a 12 1/2 percent vacancy rate, are you fully funded to handle those additional people that you do not have, and do you keep that money, or does that money go back into the General Fund if you don't fill those positions?

Amy Wright:

Yes, we have vacancy savings. Normally, at the end of each fiscal year, if unspent in that area, it will revert back to the General Fund. Fortunately, in this last biennium we've been able to utilize some of those funds to be able to support our computer replacement. In this biennium budget the recommendation is that we do have a quite large vacancy savings included in our budget. However, it's my understanding that even when we get close to full vacancies, we can request that funding.

Assemblyman Mortenson:

I'm always very concerned about the fact that we have such a high incarceration rate per capita, compared to other states. I'm wondering, when you testified that about 70 percent of the time your recommendations are followed by the court, in the 30 percent of cases where they're not followed, are the courts generally giving a longer sentence or a shorter sentence?

Amy Wright:

I can't respond to that. I'd have to do some research, and I don't know exactly if I can provide it to you. I can tell you that we pulled a sample of those cases where the court didn't follow our recommendation on the probation side. We pulled a sample and in that sample, 30 percent of the cases where they didn't follow our prison recommendation and placed them on probation—30 percent of those probationers ended up ultimately being revoked and sent to prison.

Assemblyman Mortenson:

On page 25 you testified, or your graph testified, that you're 31 percent above the national average on discharges not being revoked for parole exits. I have some notes here from yesterday where it says we were 45th in the nation in parole failures. Are we talking the same thing or have I got these terms mixed up?

Amy Wright:

I'm unfamiliar with the testimony yesterday by NDOC. I do know that we take the figure that I reported to you about the national average from the Bureau of Justice statistics. I do have a copy here, if you would like to look at it. They indicate across the nation that 49 percent is the national average of those parolees that successfully complete parole.

Chairman Anderson:

I believe that the statistic you're referring to, Mr. Mortenson, indicated that 17 percent of parole failures accounted for 17 percent of new admissions to the State Prison System. As Ms. Wright indicated from her statistical information, some of that is because they've committed new offenses, and not necessarily because of the initial offense recreated again. I'm not sure, but that was my interpretation of that statistical anomaly. But I think that's a good question and we can direct that.

I would indicate to members of the Committee as you look through this, recognizing the lateness of the hour, if you have questions relative to Ms. Wright, please make sure that we have them to the people in Research by Friday, so that we can compile them, and Ms. Wright will be able to adequately respond to them. We'll make sure that we get those pieces of information because believe it or not, we'll see her again. I would encourage you to read through the statistical information. Mr. Mortenson, are you okay with that?

Assemblyman Mortenson:

Yes. Thank you, Mr. Chairman.

Amy Wright:

My trusty sidekick here has indicated to me that I've made an error. When we looked at our felony probations that were revoked, 30 percent of them were originally recommended for prison and the courts granted probation instead.

Chairman Anderson:

That's good, I guess, if you don't want to put them in prison, but it's bad if it increases your workload. It's hard to look on this as an economy-of-scale type of question. Mr. Mortenson did bring up an important point. It is often in the practice of the administration to leave positions vacant in order to create a dollar funding area in certain areas of the State budget. We've heard it particularly in the Highway Patrol area in the past, and in several other areas of Public Safety. Parole and Probation has generally not been in that category; am I correct?

Amy Wright:

You are correct, Mr. Chairman. I can assure you that we diligently go out and recruit, test, and we go through the background process. Unfortunately, we put a lot of effort into that and are not drawing huge populations of people that want to make the Division of Parole and Probation their home. I think a lot of that has to do with salaries. We're just not comparable, especially the urban areas. We do not hold positions ...

Chairman Anderson:

And of course 100 percent of the population that you deal with is bad guys.

Amy Wright:

Yes, all of them, every one of them.

Chairman Anderson:

These are not folks that we are questioning whether they are guilty or innocent.

Amy Wright:

No, we touch them in the beginning; we touch them in the middle; and then the end.

Assemblyman Holcomb:

It also has to do with page 25, and your successful parole exits—31 percent above the national average. How do you account for that? But you did mention in answering some of the previous questions good reformation programs and it's paying off. This is evidence of that.

Chairman Anderson:

I'm going to try to reduce my questions to writing. As you can see, I have a lot of little yellow tags on this thing that I'd love to go into greater depth with. We may even invite you back again.

Let's bring finally the Board of Parole Commissioners.

Dorla Salling, Chairman, Nevada Board of Parole Commissioners:

[Introduced herself.] With me today is David Smith, our management analyst. I would like to tell you a little bit about the Board and some of our accomplishments, and answer any questions that you might have.

[Referred to PowerPoint presentation ([Exhibit F](#)).] What is parole? Parole is the early release and supervision of offenders who have served time in prison. Parole is different from probation in that an offender on probation has not served time in prison on that particular sentence. Initial parole eligibility is set by the court based on the sentence imposed. Parole is not a right; no inmate should expect to be released on parole. The Parole Board is an independent body which carefully reviews eligible inmates for possible release, prior to the end of the period of incarceration mandated by the court. The Board carefully plans a safe return to the community and returns offenders to prison whenever community safety is threatened.

[Dorla Salling, continued.] Although situated in the Department of Public Safety, the Parole Board is independent, receiving only administrative support from the Department. Parole is careful control and supervision of offenders after they have earned release from prison and while they demonstrate their worthiness to remain in the community.

Supervision may include careful monitoring of the offender's home, job activities, and associates, as well as drug testing, electronic monitoring, treatment, no contact with victims, and the requirement to pay restitution. Parolees are supervised by employees of the Division of Parole and Probation. Parole is the legal framework that empowers judges, prison officials, and parole boards to work together to administer a flexible system for punishing offenders and protecting the public.

What you're going to see next is a general flowchart that describes how an offender might end up on parole. First, the court sentences the offender to prison and establishes the minimum sentence for parole eligibility. Then the Department of Corrections determines parole eligibility. The Parole Board considers the offender for release, then grants or denies parole. If parole is granted, then the Division of Parole and Probation supervises the parolee. The Parole Board consists of six members and one chairman appointed by the Governor, for four-year terms.

This is the Parole Board's organizational chart which depicts the two additional positions requested for the next biennium. One position is to primarily support the Pardons Board, which we're also responsible for, and the other is for records support.

Next is the part you're primarily interested in. During FY2004 the Board made 7,517 decisions. Since each decision requires four votes, these hearings equated to over 30,000 votes cast to grant or deny parole, so that means the seven of us cast 30,000 votes. This also breaks down to an average of each commissioner reviewing and considering over 4,000 cases during FY2004. What is not reflected in the caseload are the letters from inmates the commissioners respond to, conferences with victims and other interested persons regarding parole, sex offender tier panel reconsideration hearings, and regular Board administrative matters. The sex offender reconsideration hearings, which I do, have jumped in the four years that I've been on the Board, from maybe two hours every other month, to now two complete days a month. Those are the other duties as assigned.

Next is a sample of one of our monthly calendars. We chose October 2004 as a representative month to show you. The institution abbreviations show the

different institutions where we are conducting hearings during the month. The small "vc" means that those hearings were conducted by videoconference. As you can see, we really didn't have any days that weren't filled. We're doing hearings somewhere every day of the month. That is a very typical calendar.

[Dorla Salling, continued.] Next is our caseload history. ([Exhibit F](#)) The red bar indicates the number of decisions made by the Parole Board. The yellow bar indicates the number of favorable decisions, those granted and reinstated. The blue bar indicates the numbers released from the NDOC on parole. The difference between the number of favorable decisions and the number released from prison is a result of paroles granted to consecutive sentences and inmates who were subsequently denied due to disciplinary or other reasons. Sometimes we're granting them parole, but they don't actually go out because they have a consecutive sentence, or they pick up a new disciplinary before they can go out, and the prison asks us to rescind that parole.

Next we have the historical trend in the grant and release rate. This chart compares the grant rate to the release rate over the past six fiscal years. The 51 percent grant rate that you see there in FY2003 was inflated due to the Board reconsidering over 900 inmates during the financial crisis that the State was experiencing, so NDOC asked us to take another look at 900 inmates that we previously denied, and we did that. Of those inmates, the Board granted approximately 300 paroles over a six-month period. Because we saw the ones in 2003 that we would have seen in 2004, that caused our grant rate to dip a little in fiscal year 2004, because we didn't have those people to consider. We considered them ahead of time in 2003.

Chairman Anderson:

The blue line represents those that are flattened out?

David Smith, Management Analyst, Nevada Board of Pardons Commissioners:

[Introduced himself.] The blue line actually is the percentage of our caseload that actually were released on parole from prison.

Chairman Anderson:

The time flattened that.

David Smith:

No, that's the percentage that went out of prison on parole.

Chairman Anderson:

We're not really looking at 37 percent. I see the spike with the 51 percent and then I make the comparison to the 37 percent there. I'm trying to understand what the purpose of the two different ...

David Smith:

I'll try to explain this as best as I can. What happens when the Board considers inmates for parole, after being notified by the Department of Corrections, is the eligibility list is prepared for the Board to consider the inmates in advance of the hearing, approximately four months. Between the time the inmate comes into prison to the time the Board sees them, there is a lag. As we see the increase in the prison population, we're not seeing those inmates until they've met their minimum parole eligibility. In fiscal year 2003, the spike, the 51 percent, was the percent of the caseload that was granted; 300 inmates of those 900 were spread over a period of time. What happened was that some of those actually fell into fiscal year 2005, who would have been released in fiscal year 2005. The 41 percent is actually translating into the first part of 2005. In August of fiscal year 2005, we're seeing the increase in the pro-grant rate again. As of December 2005, the actual pro-grant rate is 49 percent of the first six months. As we're seeing the dip ...

Dorla Salling:

Mr. Chairman, the good news is that our grant rate is 49 percent to date, this fiscal year.

Chairman Anderson:

My concern is with the parole rate between discretionary and mandatory. I guess you would have to do an analysis of which of these are DUI offenders, sex offenders, and all of these other kinds of things, if there was an anomaly relative to the type of crime that they were being held for. In light of some of the legislation that we're going to be looking at, that becomes an important factor in terms of protecting the public and making sure that the victims of crime are protected.

David Smith:

One of the things that the Board has to deal with is that we can't control the grant rate or the release rate. What I mean by that is each case is considered individually based on its own merits, and it's not one person granting or denying; it takes four votes either way to grant or deny. Because of circumstances outside of the Board's control, some inmates are being paroled at consecutive sentences. Some are going to the street. Sometimes we parole them to other states that won't accept them. They don't have a residence in

Nevada, so they can't go out in Nevada. They end up discharged in prison. So those are issues that we have to deal with.

Chairman Anderson:

For members of this Committee, let me remind you that because of the statutory changes that we've made over the last couple of years that now allow them to be held, not by the Parole Board, but by part of the board, the bank? And by videoconferencing, which were not elements that were available prior to the last couple of sessions? We've tried to speed up the opportunity by hearing en banc, dividing the Board into groups to hear these kinds of cases. We would have to say, therefore, we should see an increase in the number of those hearings that are taking place, if not the raw numbers of actually being granted. Would that be a fair statement?

Dorla Salling:

This chart shows the change in the type of offender appearing before the Board between FY2001 and FY2004. What we're seeing is an increase in the number of violent offenders being considered and a decrease in the percentage of drug offenders being considered. I believe that is because of the implementation of some of the drug diversion programs on the front end, which are very successful and are working quite well. What that means to the Parole Board is our pool is getting a little shallower. Once upon a time we had the drug offenders to easily parole, and now they're diverted at the front end as they should be, but the pool is shallow.

Chairman Anderson:

We like it because it keeps them out of prison where they are very, very costly to us. We put them into a treatment program locally, where they're paying for themselves, thus taking the tax burden away from the public and putting it on their own back. It's also fairly successful.

Dorla Salling:

Exactly.

Chairman Anderson:

It keeps the hard beds open in prison.

Dorla Salling:

Mr. Chairman, you're exactly correct. What we want to illustrate by our chart is that it's getting harder for the Parole Board to find people to parole. That's a good thing for the entire community of corrections, but we wanted you to be able to see that as far as the category of offenders that we're considering, they are becoming more violent.

This chart shows the change between FY2003 and FY2004. Again, there is a marked increase in violent offenders and a decrease in the percentage of drug offenders just in the past year. It probably means that the laws are working. The diversion programs are working but making the job for the Parole Board a little tougher.

Chairman Anderson:

We heard yesterday that the property offenders were going up at an alarming rate in Nevada, as compared to the national average, so I would anticipate that this will become a larger problem for you.

Dorla Salling:

Certainly we can anticipate that. Most of those property offenders we haven't seen yet. The statistics I saw previously from NDOC was the property offender rate rose in 2004. Most of those people aren't eligible for parole yet. The problem we run into is that all property offenders are not necessarily nice folks.

Chairman Anderson:

Of course, you're working with Mr. Austin also.

Dorla Salling:

Yes, sir, we are.

What happens sometimes is they stole something or burglarized. They were in the process of committing a rape while they did it, or they have a very extensive violent history. Just to say that they are property offenders and that we're going to be able to just parole them all, it's not quite that simple, as Mr. Smith pointed out. What we have to do is look at each case individually and always keep public safety as our first concern.

This chart ([Exhibit F](#)) provides a look at the growth in the Board's caseload since 1997. You can see that it has gone up consistently. The last time a support staff position was added to the Parole Board was in 1997. The last time a commissioner was added was in 1995. I'm not asking for any new commissioners, because you so graciously gave us the videoconferencing equipment last session. We've been able to hold the line on our workload. Even though the caseloads increase, we've become much more efficient, and we're not going to have to ask for any more commissioners at this time.

In 2003, the National Institute of Corrections [NIC] provided technical assistance to the Parole Board to validate our guidelines. They gave us a grant of about \$50,000. Dr. James Austin conducted the study. The guideline is used to consider inmates for release on parole. Our guidelines had never been

validated, so that seemed like an important thing to do to make sure that we're using the right instrument.

[Dorla Salling, continued.] The study began in early 2003 with an analysis of offenders on parole and discharged from the prison during the year 1999, and who returned to a Nevada prison within a three-year period. The Board prepared thousands of sample risk documents for review and analysis, and in November 2004, the NIC recommended that the risk assessment be included as a factor on the Board's current guideline. The risk factor does not predict the probability of success in parole, but it provides the statistical risk of the person to commit a new felony within 36 months of release from prison. Once the factors are compiled, the offender is identified as a low, moderate, high, or very high risk. The Board met and adopted this risk instrument. We use that in addition to our guidelines, so it's just another tool, another layer, to help us determine if we're letting out the right people or not.

We are beginning a new project, funded by the National Institute of Corrections, to create specific guidelines for parole violators, which will also include intermediate sanctions. We're partnering with the Division of Parole and Probation on that. Dr. Austin is going to conduct that study and help us develop a matrix for parole violators. That will determine at what point they should be returned to the Board and prison, versus when they can be safely allowed out in the community and some intermediate sanctions.

Chairman Anderson:

That frightens me. In terms of sitting here, all I can do is think of several sessions ago sitting in a large hearing room downstairs with the Senate and members of the Judiciary, going through step-by-step, every one of the play of good-time credit versus ... only to hear from the Department that the safest way to know when somebody was going to be up in front of you was to ask the prisoner themselves. That was probably the person who really knew right down to the hour and day when you were going to be there. How does Nevada compare to other states with regard to its discretionary system for parole? Are we ahead or behind? How do we fit into that kind of limited area?

Dorla Salling:

According to the Association of Paroling Authorities International (APAI), Nevada is considered to be one of the leaders in the nation. We have implemented every best practice that the National Institute of Corrections recommends. We've done the studies; we've done everything. The parole boards from around the world are going to have their conference in Las Vegas in 2006, and it's the first time that has ever happened. We've been mentioned in

conferences as being in the forefront of best practices for parole. I think we're in pretty good shape.

Chairman Anderson:

So Nevada is leading the nation in adopting practices that would be most helpful?

Dorla Salling:

Yes.

Chairman Anderson:

We're number 1 in good practices?

Dorla Salling:

That's what they tell us. Yes, sir. Everything that APAI and NIC has recommended, we have either done it, tried to do it, or are in the process of trying to get a grant to do it. We're very proud of that.

Chairman Anderson:

When somebody comes in, what percentage of offenders are released on their first appearance before the Parole Board?

David Smith:

I don't specifically have that information. I do know after Senate Bill 416 of the 68th Legislative Session went into effect and the minimums were raised, there was a higher instance of being granted at the first hearing. We've been seeing some changes over the last two years, and we've asked for additional studies to find out why our mandatory grant rate has grown considerably in relation to discretionary grant rate. We're seeing more and more offenders being eligible for mandatory parole before their statutory minimum, and we're trying to identify how this is happening and what the overall impact will be going into the future.

Chairman Anderson:

We may be looking at some anomaly because of the 1995 statutes, when we changed the terms of sentencing to come up with that uniform sentencing guideline, and the "three strike" kind of provisions that we have here, although they're on a limited basis in Nevada compared to some other states. I presume those are part of your concerns?

David Smith:

Mainly the shorter sentences; the mandatory parole kicks in if the person is sentenced to 3 years or more. The minimums can't be 40 percent of the maximum. On a three-year sentence, if the mandatory is kicking in at

40 percent, something has happened over time that has caused the sentence to be reduced in some manner. The intent of mandatory parole wasn't to come up before the initial parole eligibility.

Chairman Anderson:

Victim notification is always a very, very important element for the Parole Board, one that is always of concern to us. Because of these mandatory hearings, the victims often make the assumption that it's going to happen. In reality, that has to be a determination of several different factors, but one of them is reality that you get the opportunity to come before you. It doesn't necessarily mean they are going to be successful. The victims become concerned, and rightfully so, that the person is not being punished severely enough.

David Smith:

One thing with regard to victims and notification with mandatory parole. Many, many times we find that the victims, once we explain the whole concept of parole, they feel much better in seeing the person have a period of supervision, rather than just having them walk out of prison.

Chairman Anderson:

I think the other part of this is people don't understand that we would rather have a tail on them so Ms. Wright's group can do their thing. We can put them back in again for committing another crime. While we don't want them to do that, we're hopeful that they won't do that, we're not naïve enough to believe that these are not recidivists. These are criminals and many of them are going to be back, whether we want them to be or not.

Assemblyman Mortenson:

Why do we have a higher incarceration rate per capita than other states? I asked the question and I got a series of answers, but one of them was that we parole less than other states do. Do you know where we sit in relation to other states as to our parole rate per incarcerated capita?

Dorla Salling:

Yes, Mr. Mortenson. Nevada is above the national average in terms of our parole rate.

Assemblyman Mortenson:

We parole more than the national average?

Dorla Salling:

Yes, sir.

Assemblyman Mortenson:

That's good. Depends on the point of view you're looking at from; for example, if it is as a taxpayer or a citizen seeking security. It's a terrible balance too.

Dorla Salling:

Yes, sir, it is. That is the balance we're always trying to achieve, and public safety is always going to come first. We believe in rehabilitation, we believe in the power of redemption for some people. The dilemma is figuring out when that perfect time is, when they can safely be let out. As the Chairman said, "What we want them to do is have some supervision, generally speaking, if they possibly can."

Assemblyman Mortenson:

I still have that concern that maybe somewhere in the system we're doing something wrong if we have more incarcerations per capita than the rest of the country, and I'm still searching for that one. Thank you.

David Smith:

One thing that we notice in this business is we see people coming into Nevada from other states. They commit a crime and they end up in a Nevada prison. They don't want to stay in Nevada once they get out, and they leave. What may be happening, if you're seeing a higher per capita, is transient or short-term residents committing crimes and then leaving the state afterwards. This is one possibility.

Chairman Anderson:

If members of the Committee have questions, I would ask them to reduce them again to written format and submit them through Ms. Combs.

The third part of this element, and one that I consider personally to be the most important, is the Criminal History Repository. The Repository has been under some attack, both from me and from the Legislature as a whole, because of several problems over the last several sessions. I consider this to be the most important part of sex offender recognition, the DUIs, the court links, and the way all these things web together. I want to make sure we have time for them. Would Tuesday be a good day for you, Major?

Robert Wideman, Major, Central Repository for Nevada Records of Criminal History:

I'll make it a good day.

Chairman Anderson:

I will suggest that we repost the overview of the Central Repository on Nevada Criminal Records for Tuesday of next week. Anything from the Committee? Any questions that we need to pick up? It is my understanding that when we go to the Floor today, I'll probably have another 10 or 15 bills for the Committee. We will begin hearing bills on Monday and Tuesday and we will be reposting.

[Recognized and thanked staff and volunteers of the Central Repository for Nevada Records and Criminal History for their effort.]

Anything else to come before the Committee? [Adjourned meeting at 10:45 a.m.]

RESPECTFULLY SUBMITTED:

Jane Oliver
Committee Attaché

APPROVED BY:

Assemblyman Bernie Anderson, Chairman

DATE: _____

EXHIBITS

Committee Name: Judiciary

Date: February, 9, 2005 **Time of Meeting:** 8:09 a.m.

Bill #	Exhibit ID	Witness	Dept.	Description
	A			Agenda
	B	Assemblywoman Sheila Leslie, Legislative Commission Subcommittee		Study of Juvenile Justice System
	C	Senator Mike McGinness Legislative Commission Interim Study		Study of the Criminal Justice System in Rural Nevada and Transitional Housing for Released Offenders
	D	Senator Mike McGinness Legislative Commission Interim Study		<ul style="list-style-type: none"> • Resolution of the Nevada District Judges Association • Administrative Office of the Courts Resolution • Office of the Attorney General Letter to the Honorable Judge Dan Papez
	E	Division of Parole and Probation		PowerPoint
	F	Board of Parole Commissioners		PowerPoint