

**MINUTES OF THE MEETING
OF THE
ASSEMBLY SELECT COMMITTEE ON CORRECTIONS, PAROLE,
AND PROBATION**

**Seventy-Fourth Session
February 6, 2007**

The Select Committee on Corrections, Parole, and Probation was called to order by Chair David R. Parks at 3:50 p.m., on Tuesday, February 6, 2007, in Room 3161 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman David R. Parks, Chair
Assemblyman Bernie Anderson, Vice Chair
Assemblyman John C. Carpenter
Assemblyman William Horne
Assemblywoman Kathy McClain
Assemblywoman Valerie E. Weber

GUEST LEGISLATORS PRESENT:

Assemblyman John Marvel

STAFF MEMBERS PRESENT:

Craig V. Hoffecker, Committee Policy Analyst
Risa Lang, Committee Counsel
Marion Miles, Committee Secretary
Olivia Lloyd, Committee Assistant
Deanna Duncan, Committee Manager



OTHERS PRESENT:

Tonja Brown, Private Citizen, Carson City, Nevada
Patricia Hines, Private Citizen, Yerington, Nevada

Chair Parks:

[Meeting called to order.] The decision to form this Select Committee on Corrections, Parole, and Probation, came out of the work done by the Assembly Concurrent Resolution No. 17 of the 73rd Session subcommittee. That subcommittee was implemented to study corrections, sentencing, pardons, parole, and probation over the last interim. We will hear from Assemblyman William Horne who ably chaired the interim subcommittee. Mr. Horne serves as Vice Chair of the Judiciary Committee for this 74th Session and is a member of this Select Committee. Copies of the final report from the Subcommittee are available in the back of the room. For those who are watching on the Internet or viewing from Las Vegas, the report is also available on the Legislature's website. As you can see from the agendas for today and Thursday, this Select Committee will hear presentations on issues we will be dealing with over the next several months. If there are additional presenters who may be beneficial to us, I would appreciate hearing from those individuals.

I will start with introducing the Committee, starting with the Vice Chair, Mr. Bernie Anderson. Mr. Anderson is serving his seventh session as Chairman of the Assembly Judiciary Committee, and had this Select Committee not been formed, he would most likely have handled the bills coming before us in his Judiciary Committee. Next are Mr. William Horne, Ms. Kathy McClain, Mr. John Carpenter, and Ms. Valerie Weber. Our Committee Manager is Deanna Duncan and the Committee Secretary is Gayle Miles, assisted by Olivia Lloyd. We will have a number of people from the Fiscal Analysis Division who may step in when particular issues are discussed. Today we have Mark Stevens, Fiscal Analyst, and from the Legal Division, we have Risa Lang, Committee Counsel, and our Committee Policy Analyst is Craig Hoeffecker.

The jurisdiction of this Select Committee includes chapters of the *Nevada Revised Statutes* (NRS) previously belonging to the Judiciary Committee. There are 12 chapters within our jurisdiction, including those under Title 16, "Correctional Institutions; Aid to Victims of Crime." There should be a listing of those in your folder along with a policy brief. If you would like to refer to that or if any of you have questions, it is on page 2. Without going through all the specific chapters, that hard-cover copy should list what was mentioned. You may refer to that; it discusses Title 16 as well as Title 14, "Procedure in Criminal Cases." Generally, bills affected by these chapters will be referred to us. Some bills will also be referred to other committees based on their content

and the level of that committee's interest in the bill, so perhaps a number of them will end up in Judiciary. There may be some bills that will be referred to both committees for action.

The Select Committee's approach to dealing with crime over the last 30 years will be primarily centered on incarceration first, which has proven to be an ineffective use of public resources here in Nevada. We are finding this year that we are having competing challenges for those state resources. The Governor has indicated that he does not intend to support any increases in taxes. We know there are great demands for other programs, so one of the things we will look at is how we can refine the expenses of Nevada's Department of Corrections (NDOC), as well as the Division of Parole and Probation (DPP) and the Board of Parole Commissioners. It is generally regarded that 95 percent of all prisoners will be released from prison at some point, and nearly 80 percent of those individuals will be released to some form of parole or probation supervision. Statistically, 1 in every 136 United States residents is incarcerated. The United States has the highest level of incarceration in the world. Of those released from state prisons, nearly 33 percent are substance abusers, 25 percent are violent offenders, and 31 percent are property offenders. While one-third of the prison population are substance offenders, the underlying factor for many of these individuals, both in the violent and the property offender categories, can be traced back to the use of drugs or other substances. Approximately 41 percent of paroled individuals successfully complete their term of supervision under parole and return to their communities. The number of inmates released from prison as a result of a Board of Parole Commissioners decision to grant them parole has dropped, and mandatory release of inmates has increased over recent years. Forty-five percent of parole discharges in 2005 successfully completed their term of supervision. We find that we have incarcerated a tremendous number of young black men. Projections show one in three black men in this nation will be incarcerated at some time during their life. Many of the laws we have passed over the last 20 or 30 years have made situations somewhat worse.

The Select Committee needs to accomplish a couple things: implement programs that will counter substance abuse, involve the prison population in vocational training, and provide a variety of re-entry programs, which have helped Nevada in the past. We will look at those issues in great detail this session and hope to be able to review the *Nevada Revised Statutes* and provide ways to improve them. We are also looking at programs of early discharge, alternatives to parole and probation supervision, and inmate risk-assessment tools to potentially parole inmates who are least likely to reoffend. We will further review the feasibility of extending both drug courts and mental health courts that have shown great promise in our State.

We will now formally adopt our Standing Rules, which can be found in your folder ([Exhibit C](#)). The Standing Rules for this Select Committee were modeled after the rules for the Judiciary Committee, with the appropriate changes for the size of our committee.

ASSEMBLYMAN CARPENTER MOVED TO ADOPT THE COMMITTEE'S STANDING RULES.

ASSEMBLYWOMAN MCCLAIN SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYMAN ANDERSON WAS ABSENT FOR THE VOTE.)

Chair Parks:

The next item on our agenda is the presentation of the A.C.R. 17 report on Sentencing and Pardons, and Parole and Probation from Assemblyman William Horne, Chair.

Assemblyman William Horne, Clark County District No. 34:

Mr. Chairman and members of the Committee, I am William Horne. During the interim, I chaired the interim subcommittee to Study Sentencing and Pardons, and Parole and Probation, the purpose of which was to examine the sentencing of convicted persons and the pardons, parole, and probation services provided by the State. There are concerns about the system and the associated cost. Members of that subcommittee were Senator Mike McGinness, Senator Dennis Nolan, Senator Valerie Wiener, Assemblyman Anderson, and Assemblyman Carpenter. There were five meetings and one work session. The subcommittee adopted 14 recommendations, including eight bill drafts. The major topics addressed by the subcommittee were parole and pardons issues. There were concerns about bias among prisoners in the parole process and risk assessment conducted by the Parole Board, plus concerns the Parole Board is in violation of the open meeting law. There has since been judicial action on that, which I will speak about later. There is also concern about the large workload of parole officers. Parole and Probation may come in the future for money to help out with that workload. They also discussed factors used to decide parole, substance abuse treatment needs, and vocational and other training needs. There was discussion on mandatory minimums and enhanced sentencing issues, as well as testimony from judges and Supreme Court justices, who prefer greater discretion for sentencing. There was also testimony from victims' groups, who prefer a mandatory minimum in enhanced sentences.

Not-guilty-by-reason-of-insanity issues were also discussed. Concern was expressed about adequate supervision when the defendant is not guilty by

reason of insanity and his release from mental treatment. A recent Nevada Supreme Court case wherein a defendant petitioned for release from a mental health facility six months after a jury decided that the person was not guilty by reason of insanity raised questions on the procedures that are currently in place at Lake's Crossing and how these particular patients are released. In the 2003 Session, there was testimony in Judiciary, and I posed a question to Ben Graham, Chief of the Nevada District Attorneys' Association, on the likelihood of the sentenced individual being found not guilty by reason of insanity and then shortly thereafter being released from the mental facility. Mr. Graham commented, "We probably would not see that happen in our lifetime." However, a year and a half later, that scenario actually happened. That is how this came to the surface.

We discussed issues concerning the Nevada Department of Corrections (NDOC). There were concerns that the programs are unavailable to many of the inmates, especially females. Those programs of concern were education, vocation and counseling, and mental health. Another area of concern is that inmates do not receive adequate medical care. We had some testimony from family members of inmates and anecdotal stories of inmates not receiving proper care.

Bill draft requests (BDRs) that came out of the interim study subcommittee and discussions are as follows: There are five BDRs submitted by the study subcommittee, one of which addresses authority to stay the execution of a death sentence. That was a procedural change and does not have a bill number as of yet. It also clarifies the Governor's authority under the *Nevada Constitution* to grant a reprieve for a period of 60 days following a conviction. Changes concerning parole will be coming to this committee. For persons serving a consecutive sentence, a risk assessment is conducted by Nevada's Division of Parole and Probation, that is, when a person is eligible for parole for the last sentence being served. One of the risk assessments they use is an inmate's danger to himself or to the community upon release. Those are negative points toward the determination of whether or not the inmate will be paroled on the first sentence he is serving, which precluded many inmates from being released on parole to start serving their second sentence. The committee determined that it is unfair to determine an inmate is a danger to the community when he is not going to be released because he has another sentence to begin serving. In this bill, we addressed mandatory parole for a prisoner 12 months before the end of the maximum prison term, which would allow the penal institution to continue having them on paper for supervision, and mandatory parole for a person convicted of a Category D or E felony after serving a minimum sentence.

With prefiled Assembly Bill 61, which will be coming before this committee, all Parole Board hearings subject to the open meeting law, except to maintain the privacy of juveniles, witnesses and victims, would require a three-day notice of hearing to be given to both a prisoner and victims. There was some testimony that there were actually parole hearings where inmates never received notice; this notice will allow prisoners and representatives to speak at the hearing. There was testimony that only victims or victim advocates were allowed to speak at a parole hearing, and no one was allowed to speak on behalf of the inmate. There is also a Supreme Court ruling that stated initially that the Parole Board was bound by the open meeting law. They were asked to stay that decision, which the Supreme Court eventually did. When that decision came out in October of 2006, Governor Guinn cancelled all inmate parole hearings in response to that decision. However, since that decision was stayed, the issue will be heard through another case, *Witherow v. Salling*, [Docket No. 41832 C/W 42497/42498/42499/42500 (10/2/2006)], before a final determination.

There are changes in penalties for crimes committed with a deadly weapon in prefiled Assembly Bill 63. That bill will be going before the Judiciary Committee and provides for a court's discretion to increase the penalty by one to ten years. When there is a conviction for a crime committed with a deadly weapon, current law requires an equal and consecutive penalty that goes along with that. It was primarily Chief Justice Rose who testified that even when the fact pattern from one case to another could be extremely different, you ended up with the same type of sentence. The subcommittee came up with a compromise to provide for the enhancement portion of the penalty. A judge would be able to add an additional consecutive sentence of one to ten years and still keep the consecutive sentence penalty intact.

Bill Draft Request 14-152 (later introduced as Assembly Bill 193) has changes to pleas for defendants in criminal actions. The new language will codify the M'Naughten Rule, requiring an insanity test to determine if the defendant knew right from wrong at the time they committed a crime. Changes to this rule created an additional plea of "guilty, but mentally ill." Last session, however, the Supreme Court ruled that such language was unconstitutional. We realigned the statute referring to "not guilty, but mentally ill," that was determined unconstitutional, it to make it constitutional. However, it is not a prohibition to have both the "not guilty by reason of insanity" and the "not guilty, but mentally ill" penalties involved in the crime for a jury to make a choice between the two.

We have some subcommittee recommendations regarding correctional programs. There was an assessment of the vocational training programs, educational programs, and mental health and counseling programs; a survey of

programs which are successful in other states; a survey regarding the availability and accessibility to health care by males and females. The Legislative Commission approved these on December 7, 2006, and the Legislative Counsel Bureau's (LCB's) Audit Division has commenced that audit; however, that audit will not be complete before the end of this session. Willing Inmates in Nevada Gaining Sobriety (WINGS) has been terminated. This program was primarily financed by federal grants, but an investigation by the Inspector General showed problems such as inmates ordered to participate in religious activities, discrimination against minority inmates, and potential physical abuse of inmates in the program. While investigation by the Inspector General was going on during the time our subcommittee was seated, termination of the program did not occur until recently. The NDOC Director, Glen Whorton, terminated the contract with Vitality Unlimited and will continue to control the program until May of this year. At that time, the federal funding will end, and the program will probably disappear unless there is state funding provided. With that, I will answer any questions.

Chair Parks:

Thank you for that presentation. Do we have any questions or remarks from members of the Committee? Ms. Weber.

Assemblywoman Weber:

Thank you, Mr. Chairman, great report. I had asked to be on that subcommittee, and unfortunately did not get to serve, but I have great interest in those issues. Did any of you—and perhaps it was not part of the scope of the committee—take a look at the recommendations on number 13, or look at the vocational training, education, rehabilitation, or mental health programs? Did you talk about the requirements of the facility design and more hard-bed space? Was there any allowance made for a design that would incorporate these types of models and any sort of employment or vocational opportunities?

Assemblyman Horne:

There was some discussion on the various programs that currently exist within the NDOC. We did not delve much into the potential of creating any specific new programs. We discussed the programs that currently exist: who and how many were taking advantage of it and also how successful those programs were. Also, there was the question on whether female inmates were getting the same access to the same programs. That is why we asked for the assessment. We did not get into any type of testimony on recommendations of any new programs to be added.

Assemblywoman Weber:

Or design of new facilities, which are coming on line according to what we are going to hear in our budget meetings?

Assemblyman Horne:

You are right.

Assemblywoman Weber:

Okay. Thank you.

Chair Parks:

Thank you, Ms. Weber. Are there any other questions? I have an observation. I know that WINGS has been around for many years, and I have heard it touted as being an immensely successful program in that recidivism was very low. So I am a little surprised to hear that there were so many problems with the program and that it had been cancelled by the Department of Corrections. An observation is that the budget, which was just submitted by the President, has cut out a tremendous amount of funding for programs like Offenders Acting in Solidarity to Insure Sobriety (OASIS), the WINGS program, and the diversion and treatment programs that have been helpful over the years. They have put money in the federal budget, and the various programs will have to compete with each other for that funding. I do not know how that bodes for the State of Nevada as far as federal funding for programs, but we will have to watch and see how that progresses as we move forward.

Assemblyman Horne:

During these hearings, we heard only glowing reports about the WINGS program. I asked for a copy of the Inspector General's report and asked if Chairman Anderson had it as well. We do not, but it would be interesting to see more specifics on their findings.

Chair Parks:

I agree with you because the Inspector General for the Department of Corrections was in the process of finishing his findings in that report. Yes, Ms. McClain?

Assemblywoman McClain:

Thank you. Since they did not get the Southern Nevada Correctional Center for youths open until October, did you have some testimony about the plans to handle that transition and the programming that you are providing for the youth?

Assemblyman Horne:

I do not recall having any testimony on that at all.

Assemblywoman McClain:

We toured the Southern Nevada Correctional Center in Jean; the Women's Correctional Facility in North Las Vegas, Southern Desert Correctional Center, and High Desert. It was a complete eye-opener. I would like to hear more about the progress with the youth programs, since it is so new. I understand that though the State is doing this, to me, it is the old-fashioned reform school, so I would like to hear more about that. I am sure we will during budget hearings, but this is an important forum on which to have some policy debates. I found myself feeling distressed during our visit in the women's prison. They have used up their programming space just for beds. We need to look specifically at the women's population. They have already transferred 80 women from the Women's Correctional Facility to Jean or the same facility that contained the youth. I am excited about this committee. This acts as a springboard to policy debate, which we have never been able to have in budget hearings. Thank you, Mr. Chair.

Chair Parks:

Thank you, Ms. McClain. I agree with you. This is a great opportunity because we will not only be looking at dollars, we will be looking at the policy and having a great complement of individuals on the committee. Representing both of those committees is commendable.

Assemblyman Horne:

That is what made chairing this enjoyable—it was productive in that it allowed us to look at money issues and to try looking outside the box. We would hear figures of \$600 million to \$700 million going into the Department of Corrections and look at ideas on better ways and/or better supervision of beds. I have been to the Women's Facility, and I know of the women who have had to ship out of there because of overcrowding. From that one facility, I received email and letters from the inmates and families and also from people telling me that I and the subcommittee were nothing more than a mouthpiece of the Department of Corrections. From the other side, I would hear that we did not want to do anything but open up the prison gates and let everyone out. So that made it worthwhile; we were making everyone upset.

Chair Parks:

Are there any further comments or questions for Mr. Horne? Thank you for an excellent presentation. I look forward to moving ahead.

Assemblyman Horne:

Thank you.

Chair Parks:

At this point, I would like to acknowledge Assemblyman Marvel sitting in the audience. Thank you for showing an interest. You have for a very long time been on one of the prison industry's boards and have provided great leadership over the years relative to the budgets for the NDOC. At this time we do not have possible BDR introductions. We will hold off on those until Thursday, when I believe we will have some bills to introduce.

The Governor has made his recommendation relative to capital improvement programs, and with regard to construction in the next biennium, he is proposing somewhere in the range of \$255 million for either construction or planning for construction of an eighth prison. This includes the expansion of the Southern Nevada Women's Correctional Center; High Desert State Prison, Phase V; Indian Springs Correctional Center Work Camp, some \$570 million to be spent there; and then Stewart Conservation Camp II here in Carson City. On the Parole and Probation side, there is a recommendation for \$63.5 million to replace the Acampos Office Building and parking area with new Parole and Probation offices in downtown Las Vegas on Bonanza Road. We have some major requests there, and that is just the beginning of an extensive building program if we cannot reduce the number of individuals who are going to be incarcerated.

In Thursday's meeting, we will have presentations by the Department of Corrections, the Division of Parole and Probation, and the Board of Parole Commissioners. Next Tuesday, we will hear from former Chief Justice Robert Rose. He is now retired and has agreed speak to us and provide his views relative to the court system and some recommendations. In future committee hearings, we will hear from various other groups and interested parties. We will be asking victims of crime and their friends and families to speak to the committee, as well as friends and families of persons who are incarcerated. Because of time constraints, the one thing I recommend and request is that guest speakers recognize that the Committee does not want to hear about a specific situation and/or circumstance or incidents particular to one inmate. We would like to hear the broader or wider picture situation that can be addressed and corrected. Yes, Ms. Weber?

Assemblywoman Weber:

Mr. Chairman, if we are going into public comment, I would like to add a comment to what you have said.

Chair Parks:

Yes.

Assemblywoman Weber:

Regarding the startling statistic that 1 in 136 individuals across the United States is incarcerated; add those who are incarcerated with those who have been incarcerated, along with those who are in the parole and probation system, totals 1 in 32 Americans. The results of those figures are staggering. Even within this body, namely, there are 63 of us, there would statistically be 2. If we are dealing with the statistic within our own state system here, there are more than 11,000 people who are behind bars. A lot of those people have children, and the amount of children who are at risk is perhaps what we should be looking at for the future generation as far as any sort of intervention on the prevention side. Whatever the outcomes and/or thrust of the legislative body here, our hope is to see safer communities as we press for a goal that will drive the recidivism rate down. I am thankful to be a participant and will work hard to do what I can to help, Mr. Chairman.

Chair Parks:

That is an interesting statistic. Are there any further comments from any members of the Committee?

Assemblyman Anderson:

I apologize, Mr. Chair, for missing the most important part. If possible, I would like to request an opportunity to look at the transcripts of the earlier portion of today's meeting. I do not want to feel like I was left out of this meaningful discussion.

Chair Parks:

Yes, certainly. It is available almost immediately. Thank you, Mr. Anderson.

This concludes our first meeting of the Select Committee. We do have time set aside for public comment. I see several individuals have signed in to speak and would invite Tonja Brown to come forward at this time. I do not see anyone from Las Vegas attending the meeting.

Tonja Brown, Private Citizen, Carson City, Nevada:

My name is Tonja Brown; my address is 2907 Lukens Lane, Carson City, Nevada. I have attended at least one parole hearing, and I found it interesting. There is no mention as to why a Parole Board finds it necessary to look into court cases that have been made. However, are you aware that there is an unwritten policy with the Parole Board that if you have an appeal pending, either

"stay" or federal court, that they will not release you from prison? That is wrong.

I will give you a brief example as to what took place at a parole hearing in 2004. I attended along with a couple of others who were guests. One was an attorney by the name of Treva Hearne. The Parole Board only asked if Mr. Klein, who is my brother, would like to introduce his guests. That was the only question that was asked of him. He was excused, and on the way out, they said, "Wait a minute. Oh, we see, Mr. Klein, that you have a case pending in federal court. What is that about? In effect, it was ineffective usage of counsel. Thank you." That was the gist of the parole hearing, which took about three minutes. They did not ask about anything that he had done, other than the fact that he did do his programming, nor what he had done to better himself. They did not care. Also, earlier you mentioned some of the inmates and the point system. Treva Hearne, the attorney, wrote a letter to Governor Guinn, which to this day has never been answered. The letter deals with inmates and the way they are penalized for doing well in prison by the point system. There are other items I would like to touch on. I believe one way to improve discharge is to have the Parole Board stop looking in the inmate's appeals. That has no bearing on whether or not they should be released. If one person maintains his innocence, he has every right to pursue justice. They should not be penalized for filing an appeal, and the same should apply for all other inmates. I have provided you an email for the record as well ([Exhibit D](#)). Thank you.

Chair Parks:

Thank you. We appreciate your testimony. We also have Patricia Hines signed in.

Patricia Hines, Private Citizen, Yerington, Nevada:

My name is Patricia Hines. I am a resident of Yerington, Nevada; my mailing address is P.O. Box 467, Yerington, Nevada 89447. I was not planning to speak today. There are two new things that need to be corrected, and they have come up within the last six months. Number one is how the law libraries are being utilized. The inmates presently no longer have any direct access to the law libraries. Any information they get must be channeled through an inmate law clerk. This delays getting the information they need to do litigation. This dilemma is working against due process and the inmate's constitutional rights. I would like to see the Committee do some research on that point. I will not elaborate on it any further.

The second item is that the prisons are now pressing for a nonsmoking institution—this means anywhere on the grounds of the institution. Although I

have not researched it myself, I understand there is a law that says residences such as correctional institutions cannot have smoking anywhere on the grounds. These are the two items that I have heard the most complaints about from the inmates.

The other item of concern is ongoing health care and the abuses that come from the administrative regulations (ARs). Perhaps you are not aware of what is happening with the ARs. They were about to get to a point where lay people and the inmates, who are not all college graduates, could readily understand them. They were written in such a way, with legal jargon, that no one could understand them. Then at the Board of Prison Commissioners' meeting in June, they decided they were going to divide the ARs into two parts; one would be administrative regulations and the second part would have operating procedures. What they decided to do is take all of the meat out of the ARs. I spoke with several lawyers about this, and I was told it bears investigation. The ARs are the only thing that can be grieved and/or acted upon by the inmates. However, there is nothing in our statutes that says that an inmate can appeal an operating procedure. This is going to create a big problem. I would appreciate any information on that.

I was interested in what Assemblyman Horne said about the enhancements. To me, there are other enhancements that need to be considered besides the use of a deadly weapon. I have worked for ten years with an inmate who has seven enhancements. If you add up his four life terms and his seven enhancements, he has to serve 144 years before he is even eligible for parole. That inmate's enhancements include such items as attempted kidnapping, for which he received another life sentence; use of a deadly weapon, which turned out to be a belt; and resisting arrest. There may be some other enhancement that needs to be considered besides just use of a deadly weapon.

What are we going to do about alternatives to get more people out of prison? Some of the people should never be in prison, as you well know. The other place where alternatives are needed is in the area of parole violations. Many inmates were put back for drinking a beer or talking to a prostitute or missing a curfew two or three times. They broke no law, and yet they were sent back into prison for anywhere from one to five years. There must be another alternative besides wrecking their lives. They lose their apartments, possessions, and jobs, which they may have had for four or five years. Alternatives need to be reviewed, including prevention, particularly having to do with sexual assault charges. Mass hysteria caused by the media has done a disservice to our communities. Perhaps using churches or volunteers to give reports would be better. No one can protect one's own children better than the parents. Education and prevention are vital.

I want to tell you about two reports. Some of you know James Austin, a former employee of Washington University and the Nevada Department of Corrections. Mr. Austin, who has recently been working with Probation and Parole and through the Governor's Committee in 2002, gave an excellent report. Many of his recommendations to Nevada have not yet been addressed. Mr. Austin was present during last December's parole hearing where he made comments and suggestions. I hope the Committee will have a chance to review and implement portions of his report, which was made available on January 7, 2007, from the JFA Institute. They did a year-long study which is posted on the Internet. The publication deals with correctional officers, public safety, inmate treatment, and benefits. The insights in comparing what is happening in other states would be of great value to this Committee. Thank you.

Chair Parks:

Thank you, Miss Hines. Any question for Miss Hines? None. We will have Dr. James Austin on the agenda for February 22, 2007, which should be informative.

One final comment on the Council of State Governments, which has a Justice Reinvestment Program. They have looked at funding available through the U.S. Department of Justice and the Pew Charitable Trust, and we certainly are looking at how we can utilize those programs as part of the work we are trying to accomplish.

With that, any final comments from Committee members?

Assemblyman Anderson:

Ms. Hines brings forth several important issues, ones which she has raised in the past, and she is familiar to Mr. Horne and me. Some of the recommendations are coming from Mr. Horne's study committee, at which Ms. Hines gave testimony. By the nature of the NDOC, the men and women are not happy where they are. The reality is that it was not intended to be a pleasant place. The NDOC is there for a purpose, and we should be mindful of its purpose. The questions of enhancements are ones that we have dealt with for some time.

Chair Parks:

Thank you, Mr. Anderson. I did also want to introduce two individuals seated in the audience. They are interns for this session. We have Jennifer Hemphill; she is at the University of Nevada, Reno, and part of our intern program, which the former Lieutenant Governor, Sue Wagner, coordinates with the Legislature. We also have Paul Smith, who is in his last semester at the University of Nevada, Las Vegas, and he will spend it with us. We may have some tours to

corrections facilities here in the northern part of the State. If anyone is interested in taking a tour, whether in Carson City or out to Lovelock, please let me know. Ms. McClain?

Assemblywoman McClain:

Thank you, Mr. Chair. I would be interested.

Chair Parks:

I would also like to put on the record two documents: Committee Policy Brief, Assembly Select Committee on Corrections, Parole, and Probation, February 2007 ([Exhibit E](#)), and "Bulletin No. 07-09 dated January 2007 titled "Sentencing and Pardons, and Parole and Probation" ([Exhibit F](#)). There being no further business, we are adjourned [at 4:51 p.m.].

RESPECTFULLY SUBMITTED:

Brooke Bishop
Transcribing Secretary

APPROVED BY:

Assemblyman Member David R. Parks, Chair

DATE: _____

EXHIBITS

Committee Name: Select Committee on Corrections, Parole, and Probation

Date: February 6, 2007

Time of Meeting: 3:50 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Assembly Agenda
	B		Attendance Roster
	C	Assemblyman David R. Parks, Clark County District No. 41, Chair	Standing Rules of the Assembly Select Committee on Corrections, Parole and Probation, 74 th Session
	D	Tonja Brown, Private Citizen, Yerington, Nevada	Email sent on February 06, 2007
	E	Legislative Counsel Bureau	Committee Policy Brief Assembly Select Committee on Corrections, Parole and Probation
	F	Legislative Counsel Bureau	Sentencing and Pardons and Parole and Probation, January 2007, Bulletin No. 07-9