

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

**Seventy-Fifth Session  
February 3, 2009**

The Committee on Corrections, Parole, and Probation was called to order by Chairman William C. Horne at 8:05 a.m. on Tuesday, February 3, 2009, in Room 3138 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/75th2009/committees/](http://www.leg.state.nv.us/75th2009/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](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman William C. Horne, Chairman  
Assemblyman Tick Segerblom, Vice Chair  
Assemblyman Bernie Anderson  
Assemblyman John C. Carpenter  
Assemblyman Ty Cobb  
Assemblywoman Marilyn Dondero Loop  
Assemblyman Don Gustavson  
Assemblyman John Hambrick  
Assemblyman Ruben J. Kihuen  
Assemblyman Mark A. Manendo  
Assemblyman Richard McArthur  
Assemblyman Harry Mortenson  
Assemblyman James Ohrenschall  
Assemblywoman Bonnie Parnell

**STAFF MEMBERS PRESENT:**

Allison Combs, Committee Policy Analyst  
Nick Anthony, Committee Counsel  
Katherine Malzahn-Bass, Committee Manager

Sean McDonald, Committee Secretary  
Julie Kellen, Committee Secretary  
Emilie Reafs, Committee Secretary  
Karyn Werner, Committee Secretary  
Nichole Bailey, Committee Assistant

**OTHERS PRESENT:**

Teresa Werner, Private Citizen, Address Unavailable  
Samuel Bateman, Deputy District Attorney, Clark County, Nevada,  
representing the Nevada District Attorneys' Association  
Ben Graham, representing the Administrative Office of the Courts, Carson  
City, Nevada  
Kristin Erickson, Chief Deputy District Attorney, Washoe County, Nevada,  
representing the Nevada District Attorneys' Association

**Chairman Horne:**

[Roll was called.]

I would like to welcome everyone to the second day of the 75th Legislative Session, 2009. My name is William Horne. I am the Chairman of the Assembly Committee on Corrections, Parole, and Probation. We are going to have a wonderful session. Trust me, we are. I am not going to have it any other way. We will start with introductions of the Committee.

To my right is Mr. Segerblom. The 2007 Session was his first session, and he will be serving as my Vice Chair this session. He will also be the Judiciary Committee's Vice Chair. The committee you see before you will be the same committee for Judiciary. The only seat change will be with myself and Mr. Anderson; we will switch. You will see that happen today. I learned how to be a chairman from Mr. Anderson. If you like it, you can give him the credit; if you do not like it, you can give him that credit, too.

I am going to welcome back the six members who are returning. I just mentioned Mr. Anderson, who is the Chairman of the Judiciary Committee. He has served on Judiciary since 1991 and began chairing it in 1995. Mr. Carpenter, from Elko, is our cowboy on the Committee, and he has served in the Legislature since 1987. Mr. Manendo, from Las Vegas, has served since 1995. He did take a break from the Judiciary Committee in 2003 but is back now. Ms. Bonnie Parnell is new to the Committee, but not to the Legislature. Welcome to this Committee. Also returning back is Mr. Mortenson. He is also from Las Vegas and has served here since 2003. Mr. Ohrenschall—last session was his first session—is from Las Vegas. Mr. Cobb—last session was his first

session—is from Reno. I would like to welcome all of you back to the Committee.

There are six new members. We have already mentioned Ms. Parnell. We also have Ms. Dondero Loop, from Las Vegas. Mr. Gustavson, who is semi-new—he was here before—is from Sparks, and he served on the Judiciary Committee from 1997 until 2003. Mr. Hambrick and Mr. McArthur are both here from Las Vegas. We also have Mr. Kihuen. Welcome all of you to the Committee. We are going to have a good session.

Our committee counsel is Nick Anthony. He is relatively new to the Legal Division. He was a policy analyst for the Assembly Judiciary in 2001 and the Senate Judiciary Committee in 2003 and 2005. We have Rene Yeckley, who is not here, but you will see her from time to time. She has worked for the Legislative Counsel Bureau (LCB) for more than 12 years. She has also worked with the Assembly Judiciary Committee, and for several interim committees, including the Subcommittee on Sentencing and Pardons, and Parole and Probation in the 2005–2006 Interim.

Our committee manager is Kathie Malzahn-Bass. She was born and raised in Michigan. Professionally, she was a research criminologist. We have six committee secretaries—a lot—but we have a lot of work to do, and they will have to share the burden. We have Robert Gonzales, who is ill and will not be here today, but you will see him. He is very talented, resides in Carson City, and has a Master's degree in sociology. Julie Kellen, raised in Carson City, graduated from Azusa Pacific University. Kyle McAfee—I do not know where Kyle is, but you will see him around. Emilie Reafs is from Henderson. Sean McDonald is our secretary for today. He moved here from southern California when he was nine, so we are going to call you a native now. You have been here long enough. Karyn Werner, married with four grown children, graduated from the University of Nevada, Reno (UNR), with a degree in psychology.

So, as you can see, our Committee staff are all more talented than the people you see sitting up here. Committee Assistant Nichole Bailey will be helping us all with various things, and also helping the committee secretaries. She will also be working in the Assembly Transportation Committee, as well. She received her Bachelor's degree from UNR in English literature. Last, but certainly not least, we have Emily Persaud. She is my attaché from Las Vegas, and is currently a senior at the University of Nevada, Las Vegas (UNLV), studying political science. She is fluent in English, Spanish, and Portuguese, and currently teaching herself Italian. I do not know where she is going to speak Portuguese in Carson City, but I am waiting on the day to see that happen. Allison Combs, who sits here on my left, is the chief policy research

analyst. She and Emily are the only two who will be working solely for me and this Committee. Everyone else will be working for Corrections, Parole, and Probation and Judiciary.

Members of the Committee, at your seats you will find a black folder with a notepad. This is for you to take your notes on, and hopefully you will be writing notes on the bill, et cetera, and on the testimony you will be hearing throughout the session.

Now, we need to adopt our Standing Committee Rules ([Exhibit C](#)). I am not going to read them verbatim, but there are some that I am going to point out. [Read from Committee Rules, ([Exhibit C](#)).]

[Referring to rule 11] For you new members, this is a very important courtesy to extend not only to me but to any committee chairman of any of the committees you serve on. If you vote a certain way in committee, we are going to assume that is the way you are going to vote on the floor unless you tell us otherwise. We would appreciate you letting us know, should you get new information that may change your vote, so we know what is going to happen on the floor.

[Continued to read from Committee Rules.]

[Referring to rule 13] I cannot stress this enough. Some of the bills that we will hear may be vigorously supported or opposed. People have strong opinions and views on things, but we are going to treat everyone with respect and courtesy while they are testifying, while we are asking questions, et cetera.

The staff members you saw me introduce earlier work very hard, and they will continue to work very hard throughout the session. They are deserving of a high level of respect and courtesy, as well. I hope that I do not have to hear back that some of my staff have not been treated very well by members who are lobbying for bills, or members of this Committee. It will not be tolerated. It happens from time to time, and sometimes it is just an oversight, but I want you to be aware of that. It is something that will not be tolerated, at least by me in this Committee.

[Continued to read from Committee Rules.]

Any questions on the rules? [There were none.]

ASSEMBLYMAN CARPENTER MOVED TO ADOPT THE STANDING  
RULES OF THE COMMITTEE ON CORRECTIONS, PAROLE, AND  
PROBATION.

ASSEMBLYMAN OHRENSCHALL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Allison Combs, Committee Policy Analyst:**

At the moment, a Committee Brief ([Exhibit D](#)) is being handed out to the Committee. The Brief provides, in a succinct format, some of the jurisdiction of the Committee and some information from the 74th Session. On the first page of the Committee Brief, there is a listing of the staff that Chairman Horne mentioned this morning. On the second page, the jurisdiction of the Committee will be very similar to the Select Committee on Corrections, Parole, and Probation that was created during the 2007 Session. The issues that will be coming before this Committee will include Department of Corrections issues, conditions of imprisonment, good-time credits, and standards for the institutions. Issues coming from the Division of Parole and Probation and the State Board of Parole Commissioners will include parole and release, supervision upon release, and issues relating to certain types of offenders, including sex offenders and community supervision.

It will be pretty similar to the Select Committee from the 2007 Session. Last session, that Committee met on Tuesdays and Thursdays in the afternoon and had 20 bills referred—and if any of the members would like information on any of those bills that were considered, I would be glad to provide that. There is also a summary of legislation that is available on the Legislature's website.

For the 2009 Session, again the issues will be similar, but with different legislation. A lot of the legislation that will be presented will be coming from an interim committee that was restructured and recreated last session called the Advisory Commission on the Administration of Justice. That Commission is meeting tomorrow to hopefully finalize its report that will be available for presentation to the Committee very shortly. They will have a number of recommendations coming forward involving the Department of Corrections, and the Division of Parole and Probation. They also had some subcommittees created relating to juvenile justice, "Truth in Sentencing," and mandatory drug sentencing. A lot of those bills will be divided between this committee and the Assembly Committee on Judiciary. The minutes from the Commission are available on the website.

There is a list of bill drafts that might be coming to this Committee. It is very speculative in nature until the bills are actually introduced and referred to the Committee. It includes both potential Assembly and Senate measures, but it will give you an idea of things that might be coming to this Committee.

The 120-day calendar is attached, which I suspect most of you have already seen multiple times at this point. Some deadlines that are rapidly approaching: February 9 is the deadline for legislators to submit their bill draft requests (BDRs) for the session; February 20 is the deadline for the committees to submit their BDRs. Bill introduction deadline for legislators is coming up on March 16, and then a week later on the 23rd is the deadline for committees to introduce bills. A critical deadline is on April 10, which is the deadline for the committees to pass the bills in the first house; then the next week on the 21st is the deadline for passage of the bills from the first house.

Page 4 provides a list of some Judiciary contacts for some of the agencies. Of course, there are many agencies that may be involved with the Committee, but these are some of the primary ones. If you need assistance in contacting anyone within state government, feel free to give me a call or a quick email. I would be glad to help out.

**Chairman Horne:**

I neglected to introduce my extern, Nathan Ring. He is a William S. Boyd School of Law student at the University of Nevada, Las Vegas. He is up here for the session and will be working for me. You will see him working on various tasks, including research and fielding questions from those of you who may seek my attention or input on the various bills that come before this Committee. He is originally from Michigan, outside Detroit.

Our meetings are going to be at 8 a.m.—promptly. Let us try our best to start on time. It will be on Tuesdays and Thursdays. My plan is to be in here at 8 o'clock and check with the committee secretary to make sure we are ready to go. If the committee secretary says we are ready to go, roll will be taken and we will begin. So, please be in your seats by 8 a.m. Depending on our workload, there may be times when there will be a 7:30 a.m. meeting, so do not be surprised if that happens. It has been known to happen. Typically, we will begin at 8 a.m.

I ask that all members and staff, unless excused in advance by me, to be in attendance at the meetings. In this Committee, there are the same members of the Judiciary Committee, so Mr. Anderson and I will be working closely together and coordinating the two committees. Do not be surprised at the similarities of the two committees, even though Mr. Anderson and I, while I have been under his tutelage, we have different styles. You will be dealing with Mr. Anderson, Mr. Segerblom, and myself.

Before I forget, for those who are new, here in this committee room we have a little computer screen here. If you want to be recognized for a question, press

the blue speak button. It will light up the screen, and I will know who is asking to speak. I will touch the screen and your mic will turn on automatically. I can also turn your mic off from here, too.

This Thursday, we will be taking a tour at the Nevada State Prison and the Warm Springs Correctional Center. I trust everyone here got an email on the proper attire—basically, what you cannot wear and bring into the facilities. Please look over that very carefully and comply with the dress code. You can take your cell phones with you, for instance, but you cannot take them inside the facility. You will have to leave them on the bus or the van, or whatever we are being transported in by the Legislative Police. On Tuesday, February 10, we will have a presentation from the Department of Corrections and the Division of Parole and Probation. On next Thursday, the 12th, Chief Justice Hardesty will give a presentation on the Advisory Commission on the Administration of Justice. He will give us an outline of that subcommittee from the 2007–2008 Interim. After that, we will have hearings on bills.

**Assemblyman Manendo:**

I just wanted to apologize to you and the Committee. I will not be able to make the tour on Thursday. I have a bill up in Government Affairs, and by the time I get done with that, if I were to go change clothes, I do not know if I would be able to catch up to you, but I will try. I just wanted to let you know. And thank you very much. It is an honor to serve on this Committee again with you and Chairman Anderson and the rest of the Committee.

**Assemblyman Ohrenschall:**

I wanted to tell the audience, and the Committee, that I think it was about nine years ago when I was taking a tour with a friend of mine named Joe Tangretti. We were looking at the Boyd School of Law. I was an undergrad at UNLV and, at that time, the Boyd School of Law was across the street in a little elementary school. My friend told me about this brilliant law student he knew who said he was going to run for the State Legislature, and his name was William Horne. I will never forget meeting you then, and it is an honor to serve on the committee that you chair.

**Chairman Horne:**

Thank you, Mr. Ohrenschall. A couple of my classmates, Sam Bateman and Jason Frierson, who attended that little elementary school-law school with me, are in the audience, and they are looking puzzled about the whole brilliant thing.

We will have some brief remarks before closing.

**Assemblywoman Parnell:**

I would just like to say it is a pleasure to be here. Those of you who have known me for quite some time are not used to seeing me in this room in the morning. I served on the Government Affairs Committee for four terms and decided it was time to learn something new. I have always been interested in the subject, and I am pleased to be on this Committee with both you and Mr. Anderson.

**Assemblyman Carpenter:**

It is good to be back. This will be my last session here, but I have enjoyed my term. So we are all going to be ready for the big rodeo.

**Chairman Horne:**

Thank you, Mr. Carpenter. I have learned a great deal from you, as well, during my time here on the Committee.

**Assemblyman Segerblom:**

I do want to say it is a great honor to serve with you. I look forward to the session. I will say, though, being up here and having Mr. Anderson sitting to the right is very scary.

**Assemblyman Anderson:**

It is a great honor to serve on this Committee, and with you as its chair, I feel very, very comfortable here, despite what Mr. Segerblom may think. This is not dissimilar to the chair that I sat in during my second session when I was finally brought to the back row. In my first session, I got to sit where Mr. Ohrenschall sits, which I have always felt is the best seat in the house because they get to look the witness straight in the eye. I am looking forward to these topics. I know that you, in particular, are up to this challenge. I have seen you chair an interim study committee between the 2005 and 2007 Sessions, and I think you did a great job with that. I know you are going to do a great job with this. I am absolutely delighted to be here, and thank you for having me.

**Assemblyman Mortensen:**

I am also honored to serve on this Committee. I want to say that I feel that your selection as Chairman for this Committee was a very smart move and well deserved. I, like Ms. Parnell, served three years on Government Affairs and then decided that I wanted to try something different. This will be my fourth term on this Committee. I am term-limited, so this will be my final roundup. Thank you for chairing this Committee, and I think you are going to do a great job.



**Chairman Horne:**

Thank you, Mr. Mortenson. Good to have you back.

**Assemblyman Hambrick:**

I am very pleased to be on this Committee. In a past life, I did my best to increase the population of some of our correctional facilities. It is going to be interesting to see some of the effect on that from a different venue. I am very pleased to be on board, and I will give it my all.

**Assemblyman Cobb:**

It is great to be here and great to serve with some of my colleagues who are returning from last session and some of our new colleagues that I am just getting to know. It kind of has that new session smell. It is nice to start this one. I think this is going to be a great session.

**Assemblywoman Dondero Loop:**

I have heard a lot about rodeos since I have been here, and this is my first rodeo since I was newly elected. I am looking forward to serving on this Committee. I think it and the committee following it has the most importance, so I look forward to serving with Chairman Horne and Chairman Anderson. I think it is no mistake that they put me in this spot where they can keep an eye on me.

**Assemblyman Kihuen:**

I just want to say it is an honor to serve with you and with your Vice Chair, Mr. Segerblom, and with everybody else on this Committee. I was in Government Affairs last session. Unlike some of my colleagues, I think I got placed—I was forced here—and did not choose to be here. This is one of the committees that I chose my freshman session and I could not get on because I was a freshman. It is an honor to be here. I think that I have a lot to learn on this Committee particularly. I look forward to learning the issues; and sitting down with some of you out there and listening to your concerns, as well. I know that I will have a lot of constituents that will call me with issues relating to this Committee. I am very excited to be here and in this legislative session, even though it is going to be a very contentious one, from what we hear. But this situation is where one learns and shows true character. This is where the true leadership is shown, and I am sure you are going to do a great job, Mr. Horne.

**Assemblyman Gustavson:**

It is an honor for me to be back on this Committee again. I have served four sessions on the Judiciary Committee. It is great to see a lot of new faces here, and it is great to see some of the older faces who have been here for a while. I am sorry to see some of them leaving after this session, but that is progress

and we move on. We have our work to do here. I know this is a busy committee. It has always been one of my favorite committees. I just love being here, and I look forward to being here. I also look forward to working with everybody and to try and get some good bills passed, and maybe not pass some not-so-good ones.

**Assemblyman McArthur:**

This looks like it is going to be an interesting committee. It looks like it is going to be a lot of hard work, though. It is going to be an honor to work with you and with the rest of the Committee, and I am really looking forward to this.

**Chairman Horne:**

I want to remind everybody that we broadcast via the Internet and also down to Las Vegas. There is no one down there now, but we videoconference to the Grant Sawyer Building. Even when the Committee has not started, you should be cautious of the discussions that you have because of the ambient mics. They pick up everything. People have been burned by things they have said when the mics have been live. People hear them down south and on the Internet, and you will hear about it over, and over, and over again.

I look forward to this session and to this Committee. I think it is a very diverse committee. Everybody has talents and skills that they are going to bring to the Committee in helping us get through the bills and issues that will be before us. I am looking forward to it.

Before we close, this is normally the time we ask for some public comment. During the session, we have a sign-in sheet that will be at the entrance. If you do not sign up, I will not know if you want to speak. Also, if somebody else has already said exactly what you wanted to say, it is okay to say "ditto." Sometimes we will be pressed for time, and I will specifically ask people to do that. The list is not something we look to for the order of speakers. It is at the Chair's discretion on the order in which we call you.

**Teresa Werner, Private Citizen, Address Unavailable:**

I would like to second what Mr. Bernie Anderson said: William Horne, it is very nice to see you as a chair and to work with you again. You saw me a little bit at the Assembly Concurrent Resolution No. 17 of the 73rd Session interim study committee, and you did a fantastic job. Unfortunately, or fortunately, you are going to see a lot more of me this time until I find employment. I expect to work a lot harder than I did last time, and I expect you to, too. You did a lot of hard work, you accomplished a lot, but we have a lot more to do this time around. It looks like you chose well, or did a great job on the Committee, and I look forward to working with you.

**Samuel Bateman, Deputy District Attorney, Clark County, Nevada, representing the Nevada District Attorneys' Association:**

I have known the Chairman since 1999, when I moved to Las Vegas to go to law school. I consider him a good friend of mine. We may have played golf when we should have been studying. Thank you for the introduction. I appreciate Mr. Graham being here. I have big shoes to fill as I am taking over for the Clark County District Attorney's Office.

**Ben Graham, representing the Administrative Office of the Courts, Carson City, Nevada:**

I switched teams, but the conference remains the same. It is a pleasure to be here, to see so many friends. We will have a good time. Remember, about 95 to 99 percent of the time, we are all headed in the same direction, and then there are those little parts in between which we will have some fun with. It is a real honor to appear before you, Mr. Chairman.

**Kristin Erickson, Chief Deputy District Attorney, Washoe County, Nevada, representing the Nevada District Attorneys' Association:**

It is great to see everyone again and the many new faces. This is my fourth session. The last three, I have had the distinct privilege of working with Mr. Graham, and I am very sad that he left me this session. I will try to make him proud. Anything I can do for any of you, please let me know. I am happy to be here with this very fine Committee.

**Chairman Horne:**

Anyone else? Is there any further business before the Committee?

**Assemblyman Mortensen:**

Mr. Graham spoke at the podium there, but he did not answer the really important question: Are the chocolate cookies going to be available?

**Chairman Horne:**

Okay, we got that important stuff out of the way. For those freshmen, or those who have not had the privilege of Mr. Graham's cookies, they are absolutely wonderful, but, remember, they come at a price. Not always at just your hip, either.

Seeing as there is no other business before the Committee, I will adjourn the Committee.

[The Committee adjourned at 8:50 a.m.]

RESPECTFULLY SUBMITTED:

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Sean McDonald  
Committee Secretary

APPROVED BY:

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Assemblyman William C. Horne, Chairman

DATE: \_\_\_\_\_

**EXHIBITS**

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

**Date:** February 3, 2009

**Time of Meeting:** 8:05 a.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance roster
	C	Chairman Horne	Committee Rules
	D	Allison Combs, Committee Policy Analyst	Committee Brief