

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Eighth Session
February 11, 2015**

The Senate Committee on Judiciary was called to order by Chair Greg Brower at 1:04 p.m. on Wednesday, February 11, 2015, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Greg Brower, Chair
Senator Becky Harris, Vice Chair
Senator Michael Roberson
Senator Scott Hammond
Senator Ruben J. Kihuen
Senator Aaron D. Ford

COMMITTEE MEMBERS ABSENT:

Senator Tick Segerblom (Excused)

GUEST LEGISLATORS PRESENT:

Senator Joe P. Hardy, Senatorial District No. 12

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nick Anthony, Counsel
Cassandra Grieve, Committee Secretary
Lynette Jones, Committee Secretary

OTHERS PRESENT:

Elizabeth Neighbors, Director, Lake's Crossing Center, Division of Public and Behavioral Health, Department of Health and Human Services

Bart Pace, Chief Deputy District Attorney, Clark County
John T. Jones, Jr., Nevada District Attorneys Association
Sean B. Sullivan, Public Defender's Office, Washoe County
Steve Yeager, Office of the Public Defender, Clark County
Chuck Callaway, Metropolitan Police Department, Las Vegas
Vanessa Spinazola, American Civil Liberties Union of Nevada

Chair Brower:

I will open the hearing on Senate Bill (S.B.) 10.

SENATE BILL 10: Revises provisions relating to incompetent defendants.
(BDR 14-68)

Joe P. Hardy (Senatorial District No. 12):

I will present S.B. 10. This bill is short but complex. Section 1, subsection 5, states, "The Division may adopt regulations to establish a program that allows certain defendants who are determined to be incompetent to stand trial or receive pronouncement of judgment pursuant to" The bill allows the Division of Public and Behavioral Health of the Department of Health and Human Services to establish a program for individuals who need to be restored to competency while incarcerated in jail and be treated in an assisted way after they are released. The program applies to individuals who are not a danger to themselves or society. Treatment includes the continuation of medication, which reduces the likelihood of returning to the hospital, psychiatric facility or prison. I am a family physician, and I found medication to be effective when a person has a psychotic episode and is not functioning.

In my experience, group therapy is not as effective as medicating the psychotic individual. Medical staff are familiar with repeat offenders who stop taking prescribed medication, and it is easy to get the patient back on medical therapy. This process does not require taking the patient from Clark County to Lake's Crossing Center by plane with all the associated costs.

In 2013, the Division of Internal Audits, Department of Administration conducted an audit of the Division of Public and Behavioral Health. Objective 1 of the Executive Summary asks, "Can the Division more efficiently provide mental health care by redesigning Lake's Crossing Center?" The Audit Report states that treating patients in local jails would help reduce State spending without additional costs to the counties. In addition, Lake's Crossing

estimated that approximately 30 percent of its patients could be treated in jail-based competency programs. The urban county would conduct an interview of the patient to determine competency and determine if a transfer to Lake's Crossing is required. Cooperation is needed between the Division and the Department.

Renovations to Stein Hospital in Las Vegas will be completed in 2016, which will house mentally ill patients who need to be restored to competency in southern Nevada. This new facility will reduce the number of patients sent to Lake's Crossing Center for treatment. I do not think Stein Hospital will solve all overcrowding issues. The option of treating patients while in jail can speed up the process of restoring competency. Transferring patients from southern Nevada to Lake's Crossing requires patients to obtain new attorneys, and they lose the support of their families. Once patients are stabilized, they return home. If a patient destabilizes, another trip to Lake's Crossing is required.

An individual with a psychotic diagnosis will need medical treatment. The State is considering charging for medical care given to inmates, and regulations may be adopted to fund medical care. The State must determine if it is better for an individual to be psychotic and in jail or be treated with involuntary medication that facilitates release from jail. The Committee will hear testimony against involuntary medication, but we have a duty to find a way to help people with less restrictive treatment. Senate Bill 10 will help with this process.

Chair Brower:

The intersection between the criminal justice system and the mental health system is a critical one. The system does not always work.

Senator Hardy:

The goal is to avoid charging the counties any more money and allowing the process to be faster and better regulated.

Elizabeth Neighbors (Director, Lake's Crossing Center, Division of Public and Behavioral Health, Department of Health and Human Services):

Lake's Crossing Center supports S.B. 10. Our agency is responsible for providing restoration service for individuals throughout the State. We acknowledge the bill is permissive and does not mandate programs. We have a waiting list of individuals in detention centers and jails, and we support programs that move them more quickly through the process of restoration and

adjudication. We found that approximately one-third of individuals referred for competency restoration may be appropriate for services in these circumstances. We came to this understanding through our own analysis of clients serviced at Lake's Crossing, as well as reviewing literature from other states. Providing treatment in jail is not appropriate for everyone, and it is not a substitute when adequate forensic inpatient psychiatric hospital beds are available. When waiting lists exist, this process can be used. In Utah, statutory language allows patients to begin treatment while in jail. This expedites treatment for the client.

Chair Brower:

Does statute provide the ability to begin restoration while a person is in jail?

Ms. Neighbors:

Patients do receive some treatment while in jail if the patient is willing. The jail is not set up to perform the legal process restoration requirement. Statute says when a person is found to be incompetent, he or she must be transported to a secure forensic facility run by the Division. The permissive language in the bill will help us provide that service. Georgia, Tennessee, California, Louisiana and Texas have instituted programs like this. In Virginia, the program was instituted while the state was in the process of establishing another facility to allow the treatment of more people. The program can be utilized as a temporary tool.

Chair Brower:

What kind of defendant are we talking about? How does this bill affect the legal process?

Bart Pace (Chief Deputy District Attorney, Clark County):

I have been in charge of competency court for over a year in Clark County. When the defense attorney or the judge has concern about a defendant's ability to assist counsel in his or her own defense, a referral is made to the Eighth Judicial District Court, Department 7.

Chair Brower:

Who makes the referral?

Mr. Pace:

The court in which the defendant is appearing makes the referral. It is usually at the recommendation of the defendant's attorney or the judge when there is

cause for concern for the defendant's inability to assist counsel because of psychological problems.

Chair Brower:

The public defender notices the client having difficulty communicating and brings this information to the attention of the judge for a referral?

Mr. Pace:

Yes. The vast majority of those referred are public defender clients. The District Attorney's Office does not take a position, as we cannot judge that issue in the beginning stages. Once the referral is made, the client is sent to district court where appointments are made with doctors who address a defendant's competency. Interviews are conducted with the defendant. One interview is required for misdemeanor cases and two interviews are required for felony cases. After two interviews, if a decision cannot be made regarding the defendant's competency, a third interview will be made.

To reduce overcrowding at Lake's Crossing Center, Southern Nevada Adult Mental Health Services in Las Vegas is used for misdemeanor offenses in Clark County when the defendant is found incompetent. For felony cases, the court orders defendants to Lake's Crossing for the restoration of competency. Once a defendant's competency is restored at Lake's Crossing, the defendant is returned to the same district court to proceed with prosecution unless there is a challenge to the findings made at Lake's Crossing. If Lake's Crossing is not able to restore competency, the defendant is returned to competency court where the judge will enter a finding of incompetency without probability of restoration. The case is dismissed without prejudice, and the defendant is committed to Southern Nevada Adult Mental Health Services.

Chair Brower:

What happens next?

Mr. Pace:

Once the defendant is committed to Southern Nevada Adult Mental Health Services, the standard civil commitment criteria is applied. Defendants with psychological problems who are a danger to themselves or others are placed in a mental health facility for treatment. Sometimes placement is not made, and the defendant is stabilized on medication and released.

Chair Brower:

Some defendants are treated to competency and proceed through the criminal justice system and some are committed. Is the period for commitment determined by civil authorities or a judge?

Mr. Pace:

The family court judge will determine the period for civil commitments.

John T. Jones, Jr. (Nevada District Attorneys Association):

The Nevada District Attorneys Association and Clark County are opposed to S.B. 10 as written. I met with Senator Hardy to discuss amendments. Once the language is finalized, the County and the Association's opposition may be resolved. Competency restoration is within the purview of the State. The County is concerned the cost of competency determination and restoration will be diverted when the defendant is placed in the county jail. The Clark County Detention Center is overcrowded, and this may not be the appropriate place to address the competency question.

Chair Brower:

Is this a county fiscal issue or a law enforcement concern?

Mr. Jones:

The County and the District Attorney's Office have fiscal and policy concerns.

Chair Brower:

What are the concerns of the District Attorney's Office?

Mr. Jones:

The policy concern relates to whether county jails are the appropriate place to address competency. After speaking with Senator Hardy, we believe a policy can be developed with the County to allow the program to work through the jail. If a program can be developed, our position on S.B. 10 could change.

Sean B. Sullivan (Public Defender's Office, Washoe County):

The Washoe County Public Defender's Office is opposed to S.B. 10. We believe the jail is not the best place to handle the treatment of an individual's restoration to competency. Lake's Crossing is the best facility for this purpose. It is a locked-down, 24-hour care facility with licensed psychologists,

psychiatrists and clinical social workers. The clinical social workers are beneficial to us as they can provide an update on the individual's progress.

In the north, we do not have the same issues as southern Nevada. Lake's Crossing is a short van ride for my clients from the Washoe County Jail. Clients stay with the same attorneys, and they still have access to their families. We enjoy all the benefits of keeping defendants in the north. It is not known if the jail has rooms and the equipment to treat a defendant to competency. Where would the defendants go after receiving treatment at the jail? Would they go back into the general population? This may not be the best course of action.

Nevada Revised Statute (NRS) 178.425, subsection 3 states,

If the court finds the defendant incompetent but not dangerous to himself or herself or to society, and finds that commitment is not required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the defendant to report to the Administrator or the Administrator's designee as an outpatient for treatment

This is a rare scenario when a district court judge declares a person incompetent and seeks treatment for the person on an outpatient basis. During my employment, this has occurred twice. Two years ago, a client of mine was deemed incompetent by the judge and ordered to seek treatment on an outpatient basis at Lake's Crossing Center. I am not aware of cases in which persons checked themselves into the jail for a few hours of treatment and afterwards checked themselves out. This would be very difficult. Jail is not the appropriate place for competency treatment; however, Lake's Crossing does offer clinical group therapy sessions that could be replicated at the jail.

Chair Brower:

Do you know the percentage of cases in Washoe County with a competency-related issue?

Mr. Sullivan:

The number is significant, but I do not have an exact figure. If there is any reasonable doubt about a client's competency, the lawyer shall make the competency request at the lower court.

Chair Brower:

Can you provide the Committee an estimate?

Mr. Sullivan:

I would estimate 25 percent to 30 percent of cases have a competency-related component.

Steve Yeager (Office of the Public Defender, Clark County):

Over the last 5 or 6 years, the number of clients with severe mental health issues has increased. There is a lack of resources for these clients. The numbers in Clark County are lower than Washoe County. I have experienced 5 percent to 10 percent of the caseload being sent for a competency evaluation. These are difficult cases with difficult clients.

During the 77th Session, I toured Lake's Crossing and got a feel for the facility. The environment is very different from the jail and is designed for providing mental health services. The jail has obstacles that prevent clients from getting the same kind of care offered at Lake's Crossing. This could raise equal-protection issues in the future. Senate Bill 10 specifically mentions those who are not dangerous and are at the low end of the spectrum. Dangerous clients will always go to Lake's Crossing as required by statute. People who qualify under the bill are those who would most likely be released and receive competency treatment out of custody.

Chuck Callaway (Metropolitan Police Department, Las Vegas):

We oppose S.B. 10. Mental health issues are important to law enforcement, and people who suffer from mental illness are quite a challenge. I agree that the Clark County Detention Center should not be a mental health facility. It is already acting as a mental health facility by the fact that 20 percent to 25 percent of our inmate population suffer from some type of mental illness. Individuals awaiting competency hearings should be transported to the proper facility, Lake's Crossing. There needs to be a facility in southern Nevada that is similar to Lake's Crossing. This will prevent the need for inmates to be flown to northern Nevada for competency treatment.

Our jail is at maximum occupancy and construction is going on in the jail. We have 4,000 beds and 4,100 inmates. When an inmate comes into the facility, someone must leave. This bill will create a situation in which defendants will stay at the detention center for the entire process, which will take up additional

beds. Jail reports for January 2015 reflected 30 inmates waiting to travel to Lake's Crossing for treatment. We send approximately 16 inmates per month, and 56 inmates are waiting for a competency hearing to determine if they need a transfer to the facility. Senate Bill 10 would have a significant impact on our agency. The permissive language does provide some comfort, and I believe we can work with Senator Hardy to come to a compromise. I fear that competency restoration in the jail would take away the desire to establish a southern Nevada mental health facility that we desperately need.

Chair Brower:

I did know that southern Nevada does not have a facility. This does not make sense for the largest metropolitan area of the State.

Senator Ford:

I agree Mr. Callaway. The jail is not the appropriate place for this activity. In southern Nevada, we received a report from Clark County that the jail is overcrowded and there is a threat of suits. We need to keep this in mind when we contemplate where the facility will be located and where we want defendants to be treated.

Vanessa Spinazola (American Civil Liberties Union of Nevada):

We are concerned about the involuntary administration of medication. Many people choose not to take medication, especially antipsychotic drugs, which can have permanently disabling and fatal effects. We are concerned about people being forced to take medication. Lake's Crossing or a southern Nevada facility would be the better option for defendants to receive psychological treatment. Reasonable treatment alternatives, like group counseling, should be an option for patients instead of involuntary medication. This is permissive; however, I am concerned that something this important will be delegated to the Executive Branch. The Department of Health and Human Services is an excellent Executive Branch agency and can create regulations. It is the responsibility of the State to ensure equal application of law to every citizen. A person may be subject to a different level of involuntary medication based on where the arrest was made. I recommend the Committee lay out those guidelines in State law as opposed to delegating it to regulation, which can be changed.

Senator Ford:

I do not read the requirement of involuntary administration of medication in the bill. Is that something Senator Hardy indicated in his testimony?

Ms. Spinazola:

Senator Hardy did state this could potentially include involuntary administration of medication.

Chair Brower:

It is my understanding this bill does not change the rule on involuntary medication. That already exists. Do you read it differently?

Ms. Spinazola:

My understanding is that individuals in jail do have a choice about how their competency will be restored, but that question would be better addressed by the public defender.

Senator Hardy:

A court order is required for the involuntary administration of medication. The standard of treatment in each part of the State is not equal. Clark County is not getting similar treatment. It is not fair that inmates are shackled, put on an airplane and flown to Lake's Crossing for treatment. If we want to ensure similar treatment, we need to change the procedure. Regulations require equivalent care be provided. If regulations are changed, it must be made in such a way that the southern Nevada person gets the same treatment as the northern Nevada person.

Chair Brower:

I will wait for amendments on this bill. I will close the hearing on S.B. 10 and open the meeting on Senate Bill 54.

SENATE BILL 54: Revises provisions governing the commitment and release of incompetent criminal defendants. (BDR 14-334)

Ms. Neighbors:

We support S.B. 54. This bill addresses procedures for individuals who are incompetent without probability of attaining competence and who may be committed for up to 10 years because of the identified dangerousness of their behavior at Lake's Crossing Center or another secure forensic facility within the State.

Nevada Revised Statute 178.461 applies after individuals are referred to the Division for restoration of competency and they have been declared

incompetent without probability of regaining competence. If the individual is deemed sufficiently dangerous and charged with a crime that falls under a certain list of charges to include Category A felonies and a limited list of Category B felonies, the district attorney's office in the county of residence can propose the individual be committed to the Division. The individual will remain in the criminal venue until eligible for conditional release or a period not to exceed 10 years. This is a relatively new statute that became effective in 2007. The idea for the statute was to deal with extremely dangerous individuals who committed egregious crimes and will never reach competency. We have worked with this statute and the list of charges eligible for this type of commitment. We have ten individuals committed under NRS 178.461. There is a large pool of individuals who would be eligible under statute to be committed to our forensic facility for a very long period. Approximately 60 percent of our population at Lake's Crossing would be eligible for this commitment if they were not restored to competency. There is potential for these individuals to occupy a large number of beds over time.

Chair Brower:

Has the Division proposed this bill to narrow the categories of crimes that make defendants eligible for this long-term commitment?

Ms. Neighbors:

Yes. We want to ensure long-term commitment is applied to those individuals who really need a maximum-security forensic facility. We do not want it applied to individuals such as elderly, demented people. Although these individuals have committed crimes on the list, their care would be more efficiently managed in a nursing home. We want to narrow the categories to avoid these situations.

Chair Brower:

Before we go forward on the idea of narrowing the categories, I would ask Mr. Pace to walk the Committee through the procedure.

Mr. Pace:

When I receive notice that a defendant has been found incompetent without probability of regaining competence by the doctors at Lake's Crossing, I review the file to determine if the defendant qualifies for long-term commitment under NRS 178.461. All Clark County defendants at Lake's Crossing would meet the restrictions that Lake's Crossing is proposing in the bill. We are opposed to S.B. 54 because we want to keep that discretion within our reach. The major

concern is individuals who are predatory or extremely violent with the potential to cause harm to others. If a long-term commitment hearing is needed, we petition the court and Lake's Crossing prepares a report focusing on the dangerousness of the defendant at large and within the population of Lake's Crossing. This report, along with a report focused on the defendant's psychiatric history and ability to restore to competency, are presented at a hearing. Testifying doctors provide an opinion regarding the defendant's long-term commitment to Lake's Crossing. Ultimately, the judge determines if the defendant is committed.

Chair Brower:

Is it an adversarial hearing where the government is suggesting that the defendant should be committed, and defense counsel is arguing that the defendant should not be committed?

Mr. Pace:

The hearing is adversarial. We have seen defense counsel stipulate and concede the point during the hearing. Oftentimes, the argument is centered on a less-restrictive alternative for the defendant.

Chair Brower:

The judge makes a decision after the hearing. Tell the Committee about the range of decisions and how they are carried out.

Mr. Pace:

Once the judge orders a long-term commitment, the defendant goes to Lake's Crossing and the focus of treatment is changed. The Lake's Crossing commitment is for the amount of the sentence or a maximum of 10 years. Lake's Crossing provides a yearly report regarding the defendant's condition and if continued commitment would be appropriate. Lake's Crossing must determine if the defendant's mental condition has substantially improved and is no longer a danger.

Chair Brower:

What happens at the end of the 10-year commitment?

Mr. Pace:

I assume if a psychological disorder still exists when the defendant is released from the 10-year commitment, the defendant is sent to a local commitment

facility such as Southern Nevada Adult Mental Health and treated under civil commitment proceedings. The defendant is given a high priority for placement in this case.

Chair Brower:

If the defendant is not restored to competency by the expiration of the 10-year commitment, the defendant is committed again but under a different process?

Mr. Pace:

It would fall under general civil commitment proceedings. This would be the case if the defendants were a danger to themselves and others.

Chair Brower:

Let us talk about the intention of S.B. 54 to narrow the categories of offenses.

Ms. Neighbors:

This statute has not been in place long enough for us to know exactly what is going to occur at the end of the 10-year period. Statute recommends a civil commitment after the 10-year period. These individuals who committed extremely egregious crimes may or may not compensate over the 10-year commitment in terms of their mental illness.

Chair Brower:

The Division is making a point that it will run out of space if the statute is not narrowed. You cannot accommodate the potential number of defendants who would be eligible for this kind of commitment under the statute.

Ms. Neighbors:

That is one concern. The second part of the bill will assist individuals who are guilty of crimes within the purview for long-term commitment but are not humanely cared for in a maximum-security forensic facility. We are designed to serve individuals who are actively involved in the criminal justice system and need restoration of competency. Lake's Crossing has a wing that has become a nursing home for elderly individuals. These individuals require an extensive amount of medical care that our facility cannot provide. We want to focus on our main role to maintain the safety of the community from individuals who are aggressive and dangerous. We need a vehicle to ensure our services are limited to that population.

Chair Brower:

In addition to the overcrowding problem, are you concerned about a population of individuals who are not appropriately in your facility?

Ms. Neighbors:

They meet the technical requirements because of the charge. We have the option of seeking conditional release, which is difficult to do. We have individuals who would be more appropriately cared for in a nursing home. They need supervised care on a 24-hour basis, but they do not need peace officers standing guard to ensure the safety of the community from impulsive behaviors.

Chair Brower:

The Division has narrowed the list of offenses in S.B. 54, section 1, subsection 1 to murder or sexual assault. How did you narrow the list to include only those crimes?

Ms. Neighbors:

We believe individuals charged with either offense would be best suited for treatment at our facility.

Senator Ford:

I am in favor of reducing the list of offenses if it would help individuals get back into society. Overcrowding is a concern and we need additional facilities. I am concerned that individuals will be released who should not be. How do we handle individuals who should be in nursing homes? Is there another State service that could be afforded to an individual whose crime is removed from the list? Would it be up to the individual to determine the future treatment plan?

Ms. Neighbors:

We do not discharge individuals to the streets. When an individual has dementia or a disorder that does not qualify for treatment at our facility, we petition for transfer to a civil psychiatric hospital. We are dedicated to finding appropriate placement for clients, but this process can take months. Lake's Crossing staff is concerned about the humane treatment of clients as well as overcrowding problems. We do not want our clients trapped in facilities that are not appropriate for their needs.

Senator Ford:

Are there transition services or regulations that facilitate patient placement? What is the transition process when a client is released?

Ms. Neighbors:

The process involves obtaining a guardian for the individual. The guardian determines placement and makes decisions for the client. Social workers set this process into motion. Placement is similar to those on conditional release, and clients are placed in a facility that provides 24-hour supervision. This is the alternative we would take for individuals if the statute were changed.

Senator Ford:

Would clients ever be released and left on their own to get care and find a place to live?

Ms. Neighbors:

We would not do that.

Senator Ford:

How did you pick some offenses over others when reducing the list? Why was aggravated stalking eliminated and not included in the murder and sexual assault group of individuals who should be cared for at Lake's Crossing?

Ms. Neighbors:

It is a very long list.

Chair Brower:

The Category A felonies to be removed include terrorism, kidnapping, battery and child abuse.

Ms. Neighbors:

Section 2, subsection 3 of the bill removes the requirement that the court find by clear and convincing evidence that the individual no longer has a mental disorder before discharge. Most mental disorders cannot be treated and cured. Disorders can be in place for a lifetime, but that does not mean the client cannot recover to the point in which he or she is safe and no longer a danger. We request language in section 2, subsection 3 be changed to state that discharge or conditional release can be granted if individuals are not dangers to themselves or others. This will allow more individuals to qualify for conditional

release under appropriate supervision or discharge if an individual has recovered and no longer needs supervision.

Mr. Jones:

We are in opposition to S.B. 54 based on policy concerns. We have discussed the bill with the Division and Ms. Neighbors, and we can work out our differences. We use this statute sparingly. We use it for individuals who present a serious threat to the community. We do not have anyone, other than those charged with murder or sexual assault, currently committed pursuant to this section. There are cases in which a defendant not charged with murder or sexual assault would be appropriate for commitment pursuant to this statute.

Chair Brower:

Does your office have a position on the proposed change in section 2, subsection 3?

Mr. Pace:

Subsection 3 does not concern us as much as the other proposed changes. The individual would need to meet both criteria to qualify for discharge. These individuals are mentally ill, and this is not an issue. The issue regarding conditional release is always the dangerousness to one's self and others. This section is not problematic and does not need to be removed.

Chair Brower:

Does the District Attorney have an issue with the narrowing of the offenses?

Mr. Jones:

Yes.

Mr. Pace:

We had a client return from Lake's Crossing who was incompetent without probability of regaining competence. The individual had been charged twice for assault with a deadly weapon, as well as other felonies. We reviewed this individual's case and decided not to proceed with commitment under NRS 178.461.

Chair Brower:

Do you mean the individual was charged, not adjudicated because of his mental status and returned to face charges?

Mr. Pace:

The individual was found by Lake's Crossing as incompetent without probability. Our analysis was this: Even though the individual's offenses were serious, throwing rocks at people approaching him, we felt the offenses were not serious enough that long-term commitment at Lake's Crossing was needed. If the individual had discharged a gun, that would be a stronger consideration for commitment.

We need to consider prior violent histories when looking at narrowing the list of offenses. Our concern regarding the potential danger to the community is increased when an individual with prior violent offenses commits another violent offense. Narrowing is possible in NRS 178.461; however, we need to consider prior violent histories and egregiousness of the current offense.

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Chair Brower:

I will close the hearing on S.B. 54 and open the meeting for public comment.
Seeing no public comment, the meeting is adjourned at 2:14 p.m.

RESPECTFULLY SUBMITTED:

Lynette Jones,
Committee Secretary

APPROVED BY:

Senator Greg Brower, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	3		Attendance Roster