

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

**Seventy-Ninth Session
May 11, 2017**

The Committee on Corrections, Parole, and Probation was called to order by Chairman James Ohrenschall at 8:11 a.m. on Thursday, May 11, 2017, 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/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

Assemblyman James Ohrenschall, Chairman
Assemblyman Steve Yeager, Vice Chairman
Assemblyman Elliot T. Anderson
Assemblywoman Lesley E. Cohen
Assemblyman Ozzie Fumo
Assemblyman Ira Hansen
Assemblywoman Sandra Jauregui
Assemblywoman Lisa Krasner
Assemblywoman Brittney Miller
Assemblywoman Jill Tolles
Assemblyman Justin Watkins
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

Assemblyman Keith Pickard (excused)
Assemblyman Tyrone Thompson (excused)

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Brad Wilkinson, Committee Counsel
Devon Isbell, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety

Chairman Ohrenschall:

[Roll was called and protocol was explained.] We have a work session scheduled for today, but before we get to the work session, I want to call Chief Wood up to the table to make a comment about Senate Bill 449 (R1) and Assembly Bill 286.

Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety:

Thank you very much for allowing me the opportunity to be up here to put this on the record. We believe that our fiscal notes on A.B. 286 and S.B. 449 (R1) are no longer applicable. We believe the intent of both of the bills is not for the Division of Parole and Probation to supervise misdemeanors, so I wanted to clarify that.

Chairman Ohrenschall:

Thank you very much for the clarification. Are there any questions from the Committee? [There were none.] We will now proceed to the work session, and I will turn it over to our Committee policy analyst, Diane Thornton.

Senate Bill 177: Revises provisions governing the assignment of certain defendants to a program for treatment of mental illness. (BDR 14-754)

Diane C. Thornton, Committee Policy Analyst:

Our first bill on work session today is Senate Bill 177 ([Exhibit C](#)). This bill revises provisions governing the assignment of certain defendants to a program for treatment of mental illness. It was sponsored by Senator Parks and heard in this Committee on May 4, 2017.

This bill adds "hoarding disorder" to the definition of "mental illness" that is found in *Nevada Revised Statutes* (NRS) Chapter 176A. There are no amendments.

Chairman Ohrenschall:

During the hearing, there was no opposition. There was some discussion about whether the bill should reference the fourth edition of *Diagnostic and Statistical Manual of Mental Disorders* (DSM) or the DSM-5. We found out after the hearing that the DSM-5 does mention the "hoarding disorder" as a mental health classification, whereas the

DSM-4 does not. That is why the bill refers to the DSM-5. At this time, I will accept a motion to do pass on S.B. 177.

ASSEMBLYWOMAN TOLLES MOVED TO DO PASS
SENATE BILL 177.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN PICKARD AND
THOMPSON WERE ABSENT FOR THE VOTE.)

I would like to assign the floor statement to Assemblywoman Tolles.

Senate Bill 393 (1st Reprint): Revises provisions relating to the Department of Corrections. (BDR 16-608)

Diane C. Thornton, Committee Policy Analyst:

Our next bill on work session is Senate Bill 393 (1st Reprint), which revises provisions relating to the Department of Corrections (Exhibit D), sponsored by Senator Parks.

Senate Bill 393 (1st Reprint) requires the Director of the Department of Corrections to develop and establish standard specifications for acquiring supplies, materials, equipment, and services used or required by the Department, which may be provided by programs within the Department. The Administrator of the Purchasing Division is to exempt the Department of Corrections from the provisions of the State Purchasing Act for the purposes of this bill.

The bill also authorizes the Director to purchase from these programs supplies, materials, equipment, and services used or required by the Department. When calculating its required profit and loss reports regarding the programs for the employment of offenders, the Department must not include the cost to purchase goods manufactured by offenders. Finally, the bill deletes the current prohibition on offenders conducting telemarketing or opinion polls.

There are two proposed amendments to the bill. Senator Parks and Assemblyman Ohrenschall have proposed an amendment. Their mock-up [pages 2 to 5, (Exhibit D)] includes the proposed amendment from former United States Senator Richard H. Bryan, the Director of Government Affairs at Fennemore Craig, which deletes section 1 of the bill. In addition, the amendment adds language not allowing telemarketing or conducting opinion polls unless an offender is supervised and calls are monitored. Secondly, Assemblyman Wheeler has requested to be removed as a cosponsor of the bill.

Chairman Ohrenschall:

Thank you very much, and I believe the amendment that is proposed in the mock-up also addresses some concerns my colleague, Assemblywoman Krasner, had. I will now accept a motion to amend and do pass S.B. 393 (R1).

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
SENATE BILL 393 (1ST REPRINT).

ASSEMBLYMAN WATKINS SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Krasner:

I really appreciate working with Chairman Ohrenschall on the amendment that allowed for a separate room where inmates are supervised when they are using telemarketing devices. Thank you very much.

Assemblyman Wheeler:

I wanted to state for the record that, in its original form, I was very much in favor of the bill as a purchasing bill. As it has become a telemarketing and polling bill for criminals in prison, I believe it is completely different from the bill I signed onto, so that is why I have asked to have my name removed. I will be voting no on this bill.

Chairman Ohrenschall:

Thank you very much, Assemblyman Wheeler, and I can certainly understand where you are coming from. During the couple of interims I have served with Senator Parks on the Interim Committee on Industrial Programs, we learned that the inmates who take part in Silver State Industries usually have a lower recidivism rate, do much better, and really get a sense of worth from these programs. I understand where you are coming from, but I do think that there is merit to these programs.

THE MOTION PASSED. (ASSEMBLYMAN WHEELER VOTED NO.
ASSEMBLYMEN PICKARD AND THOMPSON WERE ABSENT FOR
THE VOTE.)

I will take the floor statement on this bill.

We are actually not going to process Senate Bill 449 (1st Reprint), and I think Assemblyman Anderson has some comments on that point.

Senate Bill 449 (1st Reprint): Revises provisions relating to court programs for the treatment of veterans and members of the military. (BDR 14-1059)

Assemblyman Elliot T. Anderson:

After the hearing on S.B. 449 (R1), and after the hearing on the related measure, Assembly Bill 286, in the Senate, Senator Cannizzaro and I discussed doing one bill. We are going to amend her name onto A.B. 286. We are going to take Assemblywoman Cohen's amendment, the military sexual trauma nexus requirement, and anything else that Senator Cannizzaro wants to add from her bill. I think that this solution covers most of the substantive differences between the two bills, and allows us to move forward with one bill. Since A.B. 286 is a little more comprehensive in changing things, we figured it would be easier to do it that way.

Chairman Ohrenschall:

Thank you, Assemblyman Anderson for working with Senator Cannizzaro. I know that during the hearings there were concerns about how the two bills might harmonize if they both passed and went to the Governor. I think that by having you work together we can be sure that they will harmonize in one good piece of public policy. Thank you so much for your hard work on this. I think this is landmark legislation that will help our veterans who find themselves in the criminal justice system. I appreciate everything you have done on this and thank you for reaching out to the Senator.

[A work session document for Senate Bill 449 (R1) was submitted to the Nevada Electronic Legislative Information System ([Exhibit E](#)).]

That closes our work session. There may be another work session coming up in the future so please stay tuned. We have our Committee party this evening for the Assembly Committees on Corrections, Parole, and Probation, as well as Judiciary, and I hope that all members will be there. I will now open the meeting for public comment in Carson City or in Las Vegas. [There was none.] We are adjourned [at 8:20 a.m.].

RESPECTFULLY SUBMITTED:

Devon Isbell
Committee Secretary

APPROVED BY:

Assemblyman James Ohrenschall, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 177, dated May 9, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Senate Bill 393 (1st Reprint), dated May 10, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session for Senate Bill 449 (1st Reprint), dated May 9, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.