

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

**Seventy-Ninth Session  
April 14, 2017**

The Committee on Corrections, Parole, and Probation was called to order by Chairman James Ohrenschall at 8:26 a.m. on Friday, April 14, 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](http://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  
Assemblyman Keith Pickard  
Assemblyman Tyrone Thompson  
Assemblywoman Jill Tolles  
Assemblyman Justin Watkins  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None



**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Brad Wilkinson, Committee Counsel  
Janet Jones, Committee Secretary  
Melissa Loomis, Committee Assistant

**OTHERS PRESENT:**

Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas  
Metropolitan Police Department  
Tonja Brown, Private Citizen, Carson City, Nevada

**Chairman Ohrenschall:**

[Roll was called. Committee protocol and rules were explained.] We will begin our meeting with the work session.

**Assembly Bill 181: Revises provisions governing the restoration of civil rights for ex-felons. (BDR 14-720).**

**Diane C. Thornton, Committee Policy Analyst:**

The work session today for the Committee on Corrections, Parole and Probation consists of four bills. The first bill is Assembly Bill 181.

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 181 was sponsored by Assemblyman Frierson, Assemblyman Ohrenschall, and Assemblyman Yeager and heard in Committee on March 7, 2017. This measure restores civil rights to certain persons convicted of felonies. The bill also allows for a probationer with a dishonorable discharge to restore his or her civil rights. A probationer, parolee, or person who has completed his or her sentence, was released from prison, and was convicted two or more times of a felony must have his or her right to vote restored immediately after discharge from probation, discharge from parole, or release from prison. The right to vote must be restored two years after discharge from probation, discharge from parole, or release from prison. The right to serve as a juror in a civil action and to vote is also restored for certain persons, including those who have not had their rights to serve as a juror in a civil action and to vote restored; those who are not on probation or parole or serving a sentence of imprisonment on October 1, 2017; and those who, before October 1, 2017, were discharged from probation or parole or released from prison after serving their sentences.

Assemblyman Frierson proposed an amendment to this measure. In section 4, the amendment adds additional transitory language to address those who were discharged or released before October 1, 2017, the effective date of the bill. In addition, a reference to the category of persons who were previously convicted of two or more felonies in the past is added in section 4, subsection 2, as this category is treated similarly to the other categories listed in that section ([Exhibit C](#)).

**Chairman Ohrenschall:**

There is a mock-up of a proposed amendment to A.B. 181 in the work session document. I will now accept a motion to amend and do pass A.B. 181.

ASSEMBLYMAN FUMO MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 181.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KRASNER,  
PICKARD, TOLLES, AND WHEELER VOTED NO.)

I will take the floor statement.

**Assembly Bill 336:** Establishes provisions governing certain offenders who are veterans. (BDR 16-1151).

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 336 was sponsored by Assemblyman Edwards and heard in Committee April 13, 2017. The bill requires the warden of certain prisons to (1) determine and report to the Director of the Department of Corrections certain information regarding the educational needs and vocational skills of offenders who are veterans; and (2) establish, improve, and expand programs of educational development and workforce development to more effectively serve those offenders. This bill also requires the Director to align offenders who are veterans with educational needs and vocational skills with compatible programs of educational development and workforce development. There were no amendments to this bill ([Exhibit D](#)).

**Chairman Ohrenschall:**

This is a very recent bill that we heard yesterday and there was no opposition. I would be open to a motion to do pass A.B. 336.

ASSEMBLYMAN THOMPSON MADE A MOTION TO DO PASS  
ASSEMBLY BILL 336.

ASSEMBLYMAN PICKARD SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN KRASNER VOTED NO.)

The floor statement will be assigned to Assemblyman Edwards and backup to Assemblyman Elliot T. Anderson.

**Assembly Bill 420: Revises provisions governing the use of electronic devices by offenders. (BDR 16-1073).**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 420 was sponsored by Assemblyman Ohrenschall and heard in Committee on April 13, 2017. Assembly Bill 420 authorizes the Department of Corrections (NDOC) to impose a charge on offenders for videoconferencing visits to defray the costs of the service. The charge would be established by regulation, with the approval of the Board of State Prison Commissioners. As with other regulations adopted under the statute governing the Offenders' Store Fund, the regulations are subject to the Nevada Administrative Procedure Act in Chapter 233B of the *Nevada Revised Statutes* (NRS). The bill also adds exceptions to the prohibition on access by offenders to telecommunications devices for (1) conducting allowable visits or correspondence; (2) facilitating or participating in correctional activities; or (3) performing educational, vocational, or legal research. Assemblyman Ohrenschall, in discussion with James Dzurenda, Director, Department of Corrections, proposed an amendment striking language in section 1, subsection 9, requiring regulations regarding charging offenders for the use of videoconferencing equipment be adopted in accordance with the provisions of Chapter 233B of NRS ([Exhibit E](#)).

**Chairman Ohrenschall:**

I will accept a motion to amend and do pass A.B. 420.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 420.

ASSEMBLYMAN FUMO SECONDED THE MOTION.

**Assemblywoman Krasner:**

This morning I sent an email to Chairman Ohrenschall proposing an amendment, which eliminated one section that would allow offenders to have a cell phone, laptop, and iPad devices in their cells, and changed it to having a room where they would be able to work on these devices under the supervision of authorized staff. I am not sure if you saw that email.

**Chairman Ohrenschall:**

Actually, I did not see that email. It is news to me. I believe Director Dzurenda did address those issues during his testimony. Would you be willing to speak with him offline? If you are not satisfied with his response, perhaps you could present a floor amendment. Would you be agreeable to that solution? Unfortunately, that proposed amendment did not make it into the work session document. My recollection is that during his testimony he said that any devices would only be used internally for things like a kite, a medical complaint, or other requests. Any communication through video visits would be in a supervised separate room, not in cells or common areas. If you could talk to him offline and if you are not satisfied, perhaps a floor amendment would be the way to go.

**Assemblywoman Krasner:**

I would be happy to do that because he did say that it would be supervised in a room for employment purposes, and I agree with that. The language was vague and did not address specifically that it would be supervised. Because the language was vague, I wanted to firm that up, and then I would be okay with the bill.

THE MOTION PASSED. (ASSEMBLYMEN KRASNER AND WHEELER  
VOTED NO.)

**Chairman Ohrenschall:**

I will take the floor statement.

**Assembly Bill 421: Revises provisions relating to corrections. (BDR 16-1058).**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 421 was sponsored by Assemblyman Ohrenschall and heard in Committee on April 13, 2017. Assembly Bill 421 authorizes the Director of the Department of Corrections, with the approval of the Board of State Prison Commissioners, to create a program for residential confinement of offenders during the period after the grant of parole and before release. The bill sets forth the minimum conditions and other requirements that must be met for the offender to qualify for the program and penalties for failure to comply with the conditions of residential confinement. Notice must be given to the Division of Parole and Probation of the Department of Public Safety and any victim who requested notification. With respect to prisoners in custody in Clark County, the bill also requires the sheriff, chief of police, or town marshal, to arrange for psychiatric or mental health care while in custody, and for the Division of Public and Behavioral Health in the Department of Health and Human Services to bear costs of such care.

Assemblyman Ohrenschall proposed an amendment to delete current language in section 4, subsection 8 and replace with the following language:

In a county whose population is 700,000 or more, the sheriff shall arrange for, and the Department of Health and Human Services, and its Divisions shall provide coordination and oversight between the medical provider within the detention facility and providers of Medicaid services. The Director or his representative and the sheriff or his representative shall personally report to each meeting of the interim Legislative Committee on Health Care and update the interim Committee on the progress of the foregoing coordination and oversight ([Exhibit F](#)).

**Chairman Ohrenschall:**

I think this amendment addresses many of the concerns that were brought up by the opposition and still tries to accomplish the goal of coordination and tries to make sure that everyone has continuity of care. I will accept a motion to amend and do pass.

ASSEMBLYMAN YEAGER MADE A MOTION TO AMEND AND DO  
PASS ASSEMBLY BILL 421.

ASSEMBLYMAN ELLIOT T. ANDERSON SECONDED THE MOTION.

**Assemblyman Hansen:**

I have not seen the current amendment. I am not sure where law enforcement stands on this bill anymore.

**Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:**

Even with the amendments, we are opposed. We would be supportive of an interim study on this issue but are opposed as the amendments are presented.

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KRASNER, AND  
WHEELER VOTED NO.)

**Chairman Ohrenschall:**

I will take the floor statement. I will now open the meeting to public comment.

**Tonja Brown, Private Citizen, Carson City, Nevada:**

We would like to thank you for passing these bills.

**Chairman Ohrenschall:**

Thank you for all your hard work this session. I know you are an unpaid legislative advocate and you come here because you care about these issues due to how it has affected you and your family. We appreciate your being here for these hearings.

The meeting is recessed [at 8:38 a.m.]. [The meeting resumed at 5:31 p.m. and adjourned at 5:32 p.m.]

RESPECTFULLY SUBMITTED:

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Janet Jones  
Committee Secretary

APPROVED BY:

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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 Assembly Bill 181, dated April 11, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Assembly Bill 336, dated April 13, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for Assembly Bill 420, dated April 13, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for Assembly Bill 421, dated April 13, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.