

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eightieth Session
May 8, 2019**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 8:12 a.m. on Wednesday, May 8, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Steve Yeager, Chairman
Assemblywoman Lesley E. Cohen, Vice Chairwoman
Assemblywoman Shea Backus
Assemblyman Skip Daly
Assemblyman Ozzie Fumo
Assemblywoman Alexis Hansen
Assemblywoman Lisa Krasner
Assemblywoman Brittney Miller
Assemblywoman Rochelle T. Nguyen
Assemblywoman Sarah Peters
Assemblyman Tom Roberts
Assemblywoman Jill Tolles
Assemblywoman Selena Torres
Assemblyman Howard Watts

COMMITTEE MEMBERS ABSENT:

Assemblyman Chris Edwards (excused)

GUEST LEGISLATORS PRESENT:

Senator Nicole Cannizzaro, Senate District No. 6



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Lucas Glanzmann, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Marsha Gilford, Regional Corporate Affairs Director, The Kroger Company
Jeff Russo, Organized Retail Crime Investigator, Smith's Food and Drug, The Kroger Company
Bryan Wachter, Senior Vice President, Retail Association of Nevada
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association
Paul J. Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber of Commerce
John T. Jones, Jr., Chief Deputy District Attorney, Clark County District Attorney's Office; and representing Nevada District Attorneys Association
John J. Piro, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office
Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office
Mary Sarah Kinner, Government Affairs Liaison, Washoe County Sheriff's Office

Chairman Yeager:

[Roll was taken. Committee protocol was explained.] We will go ahead and do the work session ([Exhibit C](#)). We are going to pull Senate Bill 382 (1st Reprint).

Senate Bill 382 (1st Reprint): Revises provisions relating to real property. (BDR 9-1067)

There was an amendment that came in rather late. I want to make sure everyone has a chance to look at that, so we will not consider Senate Bill 382 (1st Reprint) this morning. As for the Consent Calendar ([Exhibit D](#)), I am going to pull Senate Bill 121 (1st Reprint) from the Consent Calendar, so we will consider that bill on its own. That leaves us with five other bills on the Consent Calendar. I will hand it over to Ms. Thornton to begin with the Consent Calendar.

Diane C. Thornton, Committee Policy Analyst:

We have five bills on the Consent Calendar today. The first is Senate Bill 9 (1st Reprint) ([Exhibit E](#)).

Senate Bill 9 (1st Reprint): Provides that there is no limitation of time within which a criminal prosecution for a sexual assault arising out of the same facts and circumstances as a murder must be commenced. (BDR 14-422)

The next is Senate Bill 45 (1st Reprint) ([Exhibit F](#)).

Senate Bill 45 (1st Reprint): Revises provisions governing business. (BDR 7-471)

The next is Senate Bill 173 (1st Reprint) ([Exhibit G](#)).

Senate Bill 173 (1st Reprint): Revises provisions relating to criminal convictions of victims of sex trafficking and involuntary servitude. (BDR 14-595)

The next is Senate Bill 223 (1st Reprint) ([Exhibit H](#)).

Senate Bill 223 (1st Reprint): Revises provisions relating to persons in need of care or assistance. (BDR 13-67)

Finally, we have Senate Bill 433 (2nd Reprint) ([Exhibit I](#)).

Senate Bill 433 (2nd Reprint): Revises the provisions of the California-Nevada Compact for Jurisdiction on Interstate Waters. (BDR 14-439)

Chairman Yeager:

Are there any questions on any of the five bills remaining on the Consent Calendar? [There were none.] I will take a motion to do pass the five bills on the Consent Calendar.

ASSEMBLYMAN ROBERTS MOVED TO DO PASS SENATE BILL 9 (1ST REPRINT), SENATE BILL 45 (1ST REPRINT), SENATE BILL 173 (1ST REPRINT), SENATE BILL 223 (1ST REPRINT), AND SENATE BILL 433 (2ND REPRINT).

ASSEMBLYMAN WATTS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS WAS ABSENT FOR THE VOTE.)

I will assign the floor statement for Senate Bill 9 (1st Reprint) to Assemblywoman Tolles, Senate Bill 45 (1st Reprint) to Assemblyman Edwards, Senate Bill 173 (1st Reprint) to Assemblywoman Peters, Senate Bill 223 (1st Reprint) to Assemblywoman Hansen, and Senate Bill 433 (2nd Reprint) to Assemblyman Watts. Next, we will take Senate Bill 73 (1st Reprint).

Senate Bill 73 (1st Reprint): Revises provisions relating to gaming. (BDR 41-343)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 73 (1st Reprint) was heard in this Committee on May 1, 2019 ([Exhibit J](#)). It was sponsored by the Senate Committee on Judiciary on behalf of the Nevada Gaming Control Board. This bill revises provisions governing mobile gaming devices such that those devices are subject to the same rules and regulations as other gaming devices. The amendatory provisions of this bill do not affect the rights and obligations of any operator of a mobile gaming system who holds a nonrestricted license issued on or before June 30, 2019, and each purchaser, prospective purchaser, or any successor in interest to such a purchaser has the same rights and obligations relating to the license to operate a mobile gaming system.

There is an amendment proposed by Sandra Douglass Morgan, Chairwoman, Nevada Gaming Control Board. First, the amendment adds the term "materially" in section 10.6, subsection 3(a) in relation to a person's ability to "materially" influence the affairs of a publicly traded corporation that is registered with the [Nevada Gaming] Commission. Finally, it adds language in section 10.8, subsection 6(c) that requires certain persons who have the intent to engage in any proscribed activity to deposit a fee with the Board.

There is another amendment proposed by the Nevada Resort Association and CG Technology ([Exhibit K](#)). First, it revises section 19.5 in discussion with the amendatory provisions of section 3. It also changes some of the dates in regards to when the provisions apply. They apply on or after July 1, 2019, to the persons and transactions described in the bill. Lastly, there is a technical change to use the words "described in" instead of "pursuant to."

Chairman Yeager:

Those two amendments were presented at the bill hearing and were both considered friendly. I apologize; the amendment from the Nevada Resort Association and CG Technology did not make it into the work session document. Are there any questions? [There were none.] I will take a motion to amend and do pass Senate Bill 73 (1st Reprint).

ASSEMBLYWOMAN BACKUS MOVED TO AMEND AND DO PASS
SENATE BILL 73 (1ST REPRINT).

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS WAS ABSENT
FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Nguyen. We will go next to Senate Bill 20 (1st Reprint).

**Senate Bill 20 (1st Reprint): Revises provisions relating to guardianships.
(BDR 13-493)**

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 20 (1st Reprint) was sponsored by the Senate Committee on Judiciary on behalf of the Nevada Supreme Court ([Exhibit L](#)). It was heard in this Committee on April 29, 2019. This bill enacts certain provisions of the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. There is an amendment from the Administrative Office of the Courts. First, it revises section 33 by increasing the fee paid upon the recording of a document from \$1 to \$2. The proposed increase is for the provision of counsel, investigators, and other services for protected persons. Secondly, the effective date is changed from October 1, 2019, to January 1, 2020, to allow offices of the County Recorder time to prepare for the collection of the increased fee.

Chairman Yeager:

Are there any questions?

Assemblywoman Backus:

Was that amendment approved by the bill sponsor?

Chairman Yeager:

Yes, that amendment was proposed by the sponsor of the bill, so it is considered a friendly amendment. I will take a motion to amend and do pass Senate Bill 20 (1st Reprint).

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS
SENATE BILL 20 (1ST REPRINT).

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS WAS ABSENT
FOR THE VOTE.)

I will assign the floor statement for that bill to Assemblywoman Cohen. Next, we will go to Senate Bill 30 (1st Reprint).

Senate Bill 30 (1st Reprint): Revises provisions governing the duties of the Director of the Department of Corrections to provide programs for the employment of offenders. (BDR 16-202)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 30 (1st Reprint) was sponsored by the Senate Committee on Judiciary on behalf of the Department of Corrections ([Exhibit M](#)). It was heard in this Committee on April 19, 2019. This bill revises the amount of a personal guarantee or surety bond that must be obtained from a private employer who contracts with the Department of Corrections to employ offenders. There is one amendment sponsored by Assemblyman Daly. The amendment changes the amount of the personal guarantee or surety bond that must be obtained from a private employer who contracts with the Department of Corrections to employ offenders from 10 percent to 100 percent for construction-related work and not less than 25 percent nor more than 100 percent of the prorated annual amount of the contract for all other work.

Chairman Yeager:

I want to thank Assemblyman Daly for working on an amendment that tried to address some of the Committee members' concerns about the 10 percent bond that was in the bill we received. Are there any questions? [There were none.] I will take a motion to amend and do pass Senate Bill 30 (1st Reprint).

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
SENATE BILL 30 (1ST REPRINT).

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS WAS ABSENT
FOR THE VOTE.)

I will assign the floor statement to Assemblyman Daly. We talked about pulling Senate Bill 121 (1st Reprint) from the Consent Calendar.

Senate Bill 121 (1st Reprint): Revises provisions relating to fiduciaries. (BDR 13-99)

Chairman Yeager:

I am going to roll that bill to a later date. I understand there may be an amendment that is being worked on. In the interest of trying to get that bill as perfect as possible, I am going to pull it at this time. Look for that on a future work session document. We will go next to Senate Bill 137.

Senate Bill 137: Revises the definition of the crime of robbery. (BDR 15-928)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 137 was sponsored by the Senate Committee on Judiciary and heard in this Committee on April 16, 2019 ([Exhibit N](#)). This bill deletes the term "or property" from the statutory definition of robbery in relation to the threat posed by the offender. The revised definition of robbery retains the description of the crime involving "force or violence or fear of injury" to a person, a family member, or anyone in the person's company at the time of the offense. There are no amendments to the bill.

Chairman Yeager:

Are there any questions? [There were none.] I will take a motion to do pass Senate Bill 137.

ASSEMBLYMAN WATTS MOVED TO DO PASS SENATE BILL 137.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Roberts. The last bill on our work session is Senate Bill 383.

Senate Bill 383: Revises provisions relating to sexual conduct between a law enforcement officer and a person in his or her custody. (BDR 3-113)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 383 was sponsored by Senators Scheible and Ratti and was heard in this Committee on April 17, 2019 ([Exhibit O](#)). This bill establishes a rebuttable presumption in a civil matter concerning sexual conduct between a law enforcement officer and a person in the officer's custody that the officer's conduct was unwelcome or nonconsensual. These provisions also apply to sexual harassment. Further, if a law enforcement officer voluntarily engages in sexual conduct with a person in his or her custody, it is not a defense that the person consented to the conduct. Additionally, the bill clarifies that "lawful custody or confinement" does not apply to a person who is technically in the custody of the Division of Parole and Probation of the Department of Public Safety, or in residential confinement.

There is one amendment to the bill proposed by Chairman Yeager. The amendment deletes section 2 of the bill and replaces it with language that mirrors the language in Assembly Bill 349, which prohibits sexual conduct between a law enforcement officer and a person who is under arrest or is currently detained by any law enforcement officer. The intent is to prevent the creation of a new crime that exists in two different sections of the *Nevada Revised Statutes*.

Chairman Yeager:

I did have a chance to speak with Senator Scheible about the proposed amendment. She was in favor of that amendment. Essentially, what we are trying to do is make sure we do not have the same criminal conduct in two different statutes. I will remind Committee members that Senate Bill 383 did have an additional civil provision that indicated that, if there was a civil lawsuit, there would be a presumption that any conduct was without consent if it was between an officer and a person. That would remain in her bill. Are there any questions? [There were none.] I will take a motion to amend and do pass Senate Bill 383.

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
SENATE BILL 383.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS WAS ABSENT
FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Miller. That takes us through our work session. We will now move on to our agenda. I will open the hearing on Senate Bill 431 (1st Reprint).

Senate Bill 431 (1st Reprint): Revises provisions relating to participation in organized retail theft. (BDR 15-1151)

Senator Nicole Cannizzaro, Senate District No. 6:

I am here to present Senate Bill 431 (1st Reprint). This bill updates our statutes relating to organized retail theft in order to account for theft that occurs online. I would like to walk through the bill very briefly, and then we have some individuals who are more versed in this area and would like to talk about some of the more practical implications and why we are seeking to amend these statutes. Then we can stand for any questions.

This is a fairly straightforward piece of legislation, which I say with a lot of trepidation in this building, of course. It does contain just one section, so it is, at the very least, a short bill. I would like to briefly describe its contents and then give a few examples of situations in which this would apply.

The bill first expands the description of what constitutes organized retail theft in order to capture this crime when it is committed via the Internet. Section 1 provides that a person who either directly or indirectly engages in conduct in furtherance of organized retail theft is guilty of a category B felony. This change intends to capture persons who might not participate directly in the theft by being present at the physical location, but who nonetheless take part via electronic means such as through specific websites or the Internet generally.

This is not meant to get at someone who is going into a business and stealing one item. It is not petit theft. It is not even grand larceny if the item they happen to steal is above a certain value. What this is intended to get at is organized retail crime. Think about the structure of a business. We are talking about a criminal enterprise in which different individuals have different roles to play in order to commit crimes to facilitate the ongoing operations of these criminal enterprises. Sometimes that means the individuals who are actually caught in the store taking items, and sometimes they are the people who are outside of the store who have recruited these individuals, taking those items that have been stolen and selling them online, or directing this information. Because of the way the current statute is written, it is a little difficult to get at those individuals, especially when we see a lot of these stolen items online. That is primarily what S.B. 431 (R1) is meant to get at.

In addition to revising the description of the crime and allowing for the prosecution of those individuals who are associated with the criminal enterprise in general, the bill sets forth definitions of a couple of related terms, including the statutory definition of "Internet or network site," which is brought in from NRS 205.4744. The definition of "organized retail theft" is also expanded to include theft conducted either on the premises of a merchant or through the use of an Internet or network site. This includes attempting to return, resell, trade, or barter the merchandise in any manner including, without limitation, through the use of an Internet or network site.

The prevalence of the Internet and how that interacts with a lot of our statutes is an evolving and changing thing. One of the things I have heard from a lot of the business owners who are involved in this is that a number of these items, when stolen in bulk, are resold online for a profit, and that profit continues to benefit this criminal enterprise. That basically sums up the contents of the bill and the ways in which we are trying to tackle this, especially to get at situations in which these items are being resold online. I would like to turn it over to a few more folks who can better illustrate what this looks like in a practical application.

Marsha Gilford, Regional Corporate Affairs Director, The Kroger Company:

Thank you for the opportunity to speak to the organized retail crime behaviors and practices we see within Smith's Food and Drug Stores in the state of Nevada. This is an important bill to us, and we are speaking in favor of it. The Kroger Company is the parent company of Smith's, and is the largest traditional retail grocery store chain in the United States. We have been in Nevada since 1970. In Nevada, we currently have 45 stores, 16 fuel centers, a brand-new marketplace store in the Las Vegas area, and we recently opened up our first distribution center in Henderson, which replaces the need to bring many of our grocery items in from Phoenix and Salt Lake City. We have over 6,000 associates here in Nevada. Our company's purpose, which we state quite boldly, is to feed the human spirit. We do that through one of our key initiatives, which we call "Zero Hunger | Zero Waste." Our desire is to end hunger in our store communities by keeping food out of landfills and creating meals. Last year, we created over one million meals for food banks and food pantries throughout the state. We are very proud of that work and look forward to making an impact in the state of Nevada with that.

I would now like to introduce a gentleman named Jeff Russo. Jeff is one of 18 undercover organized retail crime investigators we have. He works in the state of Nevada to set up sting operations and fight what we are dealing with on a daily basis, which I think you will find quite surprising.

Jeff Russo, Organized Retail Crime Investigator, Smith's Food and Drug, The Kroger Company:

I had a 27-year law enforcement career with the Las Vegas Metropolitan Police Department (Metro). I was hired by Smith's in 2012, and we started the organized retail crime unit. My jurisdiction is New Mexico, Nevada, Utah, and Montana. With that, I will begin my presentation ([Exhibit P](#)).

Organized retail crime involves the large-scale theft of everyday consumer products. Organized retail crime suspects are usually organized groups of professional shoplifters known as "boosters." Organized retail crime items or merchandise are usually sold through "fences," through a variety of means. We find the sales going through swap meets, pawnshops, eBay, OfferUp, craigslist, et cetera. That is where our products have been located [page 2, ([Exhibit P](#))].

Organized retail crime rings usually include individuals serving in one of two main capacities: the booster, which is the professional shoplifter who steals and obtains the merchandise illegally; and the fence, who pays the booster for the stolen products and then resells the merchandise to witting or unwitting consumers or retailers [page 3]. We have 18 organized retail crime investigators nationwide. Usually, those guys have prior law enforcement experience.

Organized retail crime groups target a wide variety of stolen merchandise and then resell it on the black market. The goods and merchandise are called "CRAVED" items: concealable, removable, available, valuable, enjoyable, and disposable. The reason these items are targeted is because they are easy for boosters to remove from the store and convert to cash immediately [page 4].

Some of the more desired organized retail crime items include tobacco products, razor blades, hygiene products, steaks, seafood, infant formula, batteries, over-the-counter medications, vitamins, liquor, gift cards, and laundry detergent [page 5].

Boosters can work alone, but they usually work in groups [page 6]. They usually have one or more lookouts in the store to distract our loss-prevention personnel when they exit the store. They create a little distraction in the front of the store so they can sneak out with the product. Boosters circumvent the detection systems by cutting off security tags and covering electronic tags with tin foil. They bring in Smith's plastic bags from home, put the items in the bag, and then walk out as though they have just purchased them.

There are 18 divisions in The Kroger Company located in 34 states [page 7]. We have 2,449 supermarkets, 785 convenience stores, 358 jewelry stores, and 1,035 fuel centers.

There are two sides to every story [page 8, ([Exhibit P](#))]. This is the law enforcement aspect. Retailers say to law enforcement, Here is a case on a silver platter. Law enforcement says, We are kind of busy; we do not have the manpower to respond. We had a meeting with Metro to discuss this early on. It is definitely not shoplifting; it is large-scale theft. When we met with Metro in 2012, Metro started a retail apprehension unit. They have a sergeant and six officers. They also started a retail apprehension team in Albuquerque, New Mexico. It all has to do with relationship-building with law enforcement. That is how we get these cases going. Otherwise, they would not even respond.

Organized retail crime is a gateway crime [page 9]. It leads police departments to other criminal activity, such as narcotics, illegal exportation of large sums of money, exportation of large sums of stolen merchandise, credit card fraud, and counterfeit check cashing. Eighty-five percent of all organized retail crime cases have led law enforcement to other investigations of criminal activity.

Now we will get into some real cases. This couple here is Brandon and Jenna Schaffner [page 10]. One of our associates thought she recognized the woman, so she gave me the name. We found her on Facebook along with her husband, so we identified both of them through Facebook. They were arrested by Metro. This couple stole \$1,200 worth of wine and liquor on November 27, 2016 [page 11]. I submitted an arrest warrant through Metro. The very next day at another location, a Smith's store in Henderson, they stole \$471 worth of energy drinks. Two days later, they stole \$253 worth of liquor. We submitted all these warrants. As you can see, it goes on and on. Every couple of days they are in a store.

Finally, when you put all the cases together, you can see they hit stores in Las Vegas and Henderson for a total of \$3,100 in two months [page 12]. So we lost \$3,100 in the two-month crime spree. If they had been operating for six months, we saved ourselves \$18,000 through this investigation.

DeAngelo Brooks is another crook [page 13]. This guy worked alone. He is an organized retail theft criminal. Henderson Police Department and Metro both had cases on him. He came to our stores a number of times. You can see he stole merchandise worth \$570, \$579, and \$500 again [page 14]. His claim to fame here was \$2,200 a month, not including other retailers. This is just from Smith's, so he could be burglarizing Lowes, The Home Depot, et cetera. The return on investment was \$2,200. Over a six-month period, that would have been \$13,000.

We did a reverse buy on Similac in Utah [page 16]. A booster stole four tubs of Similac and some bananas. He told us he sold the formula to someone named Jing Yang, a Chinese national, who then resold the formula in Utah, across state lines in New York, and overseas into China. I contacted a detective in Salt Lake City, and she was really happy to do Utah's first organized retail theft case. We gave them \$5,000 worth of Similac to start the reverse buys.

This is the individual who was stopped in the store with the four tubs of Similac and the bananas [page 17, ([Exhibit P](#))]. He gave up all the information on Jing Yang. We sold Jing Yang 32 cans, then 43 cans—101 cans in total [page 18]. Then the police did a search warrant. A total of 1,040 cans of baby formula were recovered in her apartment [page 19]. Eighty-two of the 101 cans Smith's contributed were recovered with the markings on the cans. The police seized \$30,000 worth of stolen product in that search warrant. They also seized formula, a car, several computers and laptops, and the suspect's bank account. Jing Yang said she was buying stolen formula and selling it in New York and China. The suspect's boyfriend was in the apartment at the time. He was an adult parole and probation officer in Utah. He was also arrested at the time. Pending this, they were doing an internal investigation on him through his department. This is the apartment [page 20]. There are over 1,000 cans of Similac in there. She set it up like a storefront with shelving units. We boxed it up to get it back to retailers.

We then did another reverse buy on liquor stores, Operation 100 Proof, with Metro, in which a shoplifter gave us information that three downtown liquor stores were selling stolen merchandise, specifically from Smith's [page 21]. One store, EZ Market, is located at 1109 Stewart Avenue. The owner was arrested for attempted possession of stolen property. The suspect from the other two stores, M&R Beauty Supply and 99 Cent Store, located at 1935 Fremont Street, was arrested for attempted possession of stolen property, possession of stolen property, possession of a controlled substance, possession of narcotics paraphernalia, and, I believe, possession of a stolen firearm that he had under the counter by the register. When the operation was concluded, the police seized \$1,000, a stolen 9-millimeter pistol, and \$4,000 worth of Smith's merchandise [page 22].

Here is the merchandise in the trunk of the owner's car [page 23]. This is about \$3,000 worth of tequila. As you can see, the Grey Goose still had the security capsule on the bottles. The search warrants were served on three downtown businesses. You can see the trunk full of the alcohol and the security tags still on the bottles. This is one of the stores [page 24]. This is the inside. You can see it has a lot of product, but not a lot of everything. There is just a lot of garbage in there. Here is the front door [page 25]. It was blown off by a special weapons and tactics team. Over here, you can see the stolen gun and cartons of cigarettes. This is all Smith's product that was recovered. Of course, it had to go in the trash because we could not validate the security of it. All of this property had to go in the trash.

Operation Trifecta [page 27] was a three-state operation between Nevada, Arizona, and California. Kroger was coming up with \$14 million in plastic pallet theft. We found a company, gave the company twelve pallets, they cut them in half for us, put a GPS and a Bluetooth device in the center of them, and welded them back up with plastic weld. The pallets were placed behind three stores in Las Vegas, three stores in Arizona, and three stores in California. Within a matter of hours, the pallets were stolen. As soon as the pallets were lifted, we were notified on our phones. I tracked the pallets that were stolen in Las Vegas to a pallet yard in Las Vegas.

These are the plastic pallets [page 28, ([Exhibit P](#))]. They are all stackable. That is the plastic pallet they cut in half for us to put the devices inside. Smith's loses 15,000 pallets annually. They are \$32 per pallet. It comes out to \$480,000 yearly. The suspects who steal the pallets behind the store bring them to the pallet yard and get \$5 per pallet. These are the Bluetooth devices and the GPS that were put inside the pallets so we could track their movements [page 29].

This is the path the pallets took [page 30]. They usually sit in a pallet yard for about 30 or 40 days so they can collect the stack and then the 18-wheeler comes and picks them up. They have hundreds, if not thousands, in the 18-wheeler. When I got notified, I left my house. I picked up the truck in Bakersfield, California. With another two organized retail crime investigators, I tracked it all the way to Fontana, California, where it was in a pallet yard. It sat there for a few days and then it went to a recycler. The California recycler cuts these pallets up within 24 hours of receiving them. Here is the truck I followed [page 31]. These are the pallets being off-loaded. This is what they do to the pallets; they chop them up into 1,000-pound bundles and ship them off to Mexico and China. They put those plastic pallets around their marijuana grows. It acts as a filtration system somehow.

These five people were arrested [page 32, ([Exhibit P](#))]. When the police finally came, 700 pallets were recovered—not chopped up. All the GPS pallets were recovered, and \$30,000 in cash was seized. These five individuals were arrested through the recycler in California. Thank you, Mr. Chairman.

Bryan Wachter, Senior Vice President, Retail Association of Nevada:

The \$14 million in pallets may not seem like a lot, but that is \$14 million Smith's is unable to reinvest in the neighborhood stores in your districts. Unfortunately, it is \$14 million we have to make up for in our prices. This is a huge issue for the retail industry. You have seen a little snapshot of grocery stores, but we see this in every sector of the retail industry we are in. These are not petit crimes; these are organized empires. I think the last example is important. They are taking our pallets, breaking them down, and then essentially using them to ship contraband back into the country through Mexico and China through the cartels. This is a small portion of an overly large criminal empire. We think this bill allows us to update how the fences are moving to the Internet. That is an important part. As we are going through the tax code and trying to figure out how to best regulate the Internet, I think this is an important part of that conversation. We urge your support.

Chairman Yeager:

I think this initial version of the bill went into effect in 2013. I think it was Assemblyman Carrillo's bill [[Assembly Bill 102 of the 77th Session](#)]. So we have had about six years of organized retail theft on the books. I am wondering if you have any information about prosecutions that have taken place in Nevada. My understanding is there have not been a lot. Where are we at in terms of prosecution? Also, the bill extends the time period out from 90 days. It also adds "indirectly" and "Internet." Do you think this bill is going to allow prosecutions to happen if there have been deficiencies in prosecuting these crimes previously?

Senator Cannizzaro:

I think the short answer to your last question is, yes. My understanding is there have not been many prosecutions either. I think one of the hard things—and one of the things that is difficult any time you are dealing with criminal enterprise—is you have to establish that this is not just a one-off. This bill is not meant to get at someone who is stealing even three bottles of Tide from the grocery store. That is not what this is about. This is about a large organization in which other individuals are involved, and they are planning and figuring out what stores to hit and when to hit them over a period of time. You cannot go into the same store every single day and steal from them; they are going to start recognizing you. This is a planned and thought-out scheme to steal large amounts of items and then resell them.

I think one of the harder things about the way the statute currently operates is that you have to prove a little bit more about the person being in the store and committing all of this alone. However, most of the time these individuals are not committing this alone. Some folks are the people who go into the store and steal. Some folks are the ones who are picking the different stores to target. Some folks are the people who are going to sell those things online or distribute them elsewhere. I think that is one of the reasons we wanted to show you some of the prior investigations, to illustrate that this is often not a single individual who is operating alone. I think that is what S.B. 431(R1) seeks to get at. This is a large criminal syndicate, not just an individual who is stealing items for profit. That is theft and it is covered under other statutes. By allowing us to update this statute to include the idea that this does involve people who will actually be physically in the store stealing items, as well as those who are behind the scenes doing any one of these various tasks, it will allow us to better address some of these issues by allowing for not only the investigation but also the subsequent prosecution for these criminal enterprises. So the short answer is, yes.

Also, this bill updates the time frames. In speaking with some of the businesses that have been affected by this, 180 days is a little more reasonable in terms of trying to identify a lot of these enterprises. You are not going to be able to commit all of this in one day. It is going to be over a period of time. That is one of the other updates I included after speaking with a lot of the businesses involved in this.

Chairman Yeager:

Let me make an update. Thankfully, Mr. Wilkinson was involved in the original crafting of this legislation. It was actually in 2007. It was brought by then-Assemblywomen Weber and Kirkpatrick [Assembly Bill 421 of the 74th Session]. That was the initial version. I think Assemblyman Carrillo made some changes to it in 2013 [Assembly Bill 102 of the 77th Session].

I think in the first couple of examples we saw of the people involved, it indicated they were in Las Vegas. Does anyone know if those cases are still ongoing? Have those individuals been convicted? Did they get sentenced?

Jeff Russo:

Yes. The people I put on the PowerPoint have all been convicted of those crimes either in Nevada or in Salt Lake City.

Assemblyman Roberts:

I have more of a comment than a question. When we started that retail theft program at Metro, I was a captain at a substation in south central Las Vegas. A gentleman came to me with the idea. It was an idea to really address our rising theft crimes for the whole valley. I think it is important to point out that this really gets to the black markets, which not only drive retail theft, but all other thefts such as residential burglaries. People steal anything that is not tied down. I think this is a really great bill to give more tools to law enforcement to continue this operation. Whenever we were struggling with violent crime, we were able to keep our overall crime numbers down by this larceny/theft category with this program with just the investment of six cops and a sergeant. I think it is a really great bill.

Assemblywoman Nguyen:

I am glad to hear the intent is not to go after petit theft. I know that Senator Cannizzaro is aware of this from her work. You see a lot of teens or younger people going in and stealing cell phones or going into the outlet malls to steal. The Coach store seems to be a popular place. I am just wondering how you came up with the 180-day period and the dollar amount.

Senator Cannizzaro:

You are correct. In section 1, we were trying to put in language to ensure that if you are engaging in this, it is because you are doing so in furtherance of and with the idea that you are participating in this organized retail theft ring. It is not meant to get at petit theft. Petit theft is a completely different crime and does not, should not, and would not fall within this bill. That is what the language is that you can see in the very first words in section 1.

Bryan Wachter:

One of the things we see with these typical empires is they are very sophisticated. They literally will go through shopping lists and they know what the threshold levels are and how they are going to get around them. With grocery stores specifically, the products are of lesser value, but stolen in a larger quantity. You will notice it took 1,000 thefts of baby formula before you started hitting some of those thresholds. I think this really takes into account that there are stores in which you are not talking about walking out with a 45-inch television; you are talking about walking out one day with 16 bottles of baby formula, 10 bottles of Tide, and some razors and then doing it again at another store three days later. I think this was our attempt to be able to understand those smaller retailers that are not selling those large, big-ticket items. We think it is very difficult to reach those threshold levels with, say, baby formula. That was our attempt to be able to capture those who are doing it on small-ticket items.

Assemblywoman Backus:

With respect to the couple who had been stealing the liquor in Las Vegas, I am curious if they were actually charged under this statute. I was looking at the definition for organized

retail theft in section 1, subsection 5(c), and I saw you have to have the intent to "Return the merchandise to the merchant for value," or "Resell, trade, or barter the merchandise for value." I am curious how you caught them on the back end with their theft of the liquor.

Jeff Russo:

They were not charged under the crime in this bill. They were charged with grand or petit larceny at the time.

Bryan Wachter:

One of the reasons we are looking at strengthening these tools is because those cases are not prosecuted or investigated from an organized retail crime standpoint; they are defaulted into larceny. What we really lost is the ability for the district attorney's office to figure out what they are doing with the alcohol they were stealing. We are talking about thousands of dollars of alcohol. They would be dead if they were using it themselves, so what are they doing with it? The bill is hoping to give us the ability to use these folks who are in furtherance of a crime to get at the fences and actually go after the empire itself. That is the disconnect we are hoping to fix.

Jeff Russo:

Also, this bill has aggregated the sums over the course of the thefts. Prior to this bill, each one of those crimes was charged individually. They could not be aggregated together. They were singularly prosecuted.

Assemblywoman Cohen:

I have a question about section 1, subsection 5(c)(2), and the Internet or network site. During the presentation, it sounded as though we are trying to capture people who are selling the stolen merchandise online. If there is a guy who is providing the people who are going into the store with a printout of the store from the Smith's website showing where the meat is and where the Tide is, is that guy captured by this?

Senator Cannizzaro:

I think under that scenario in which someone is using the Internet to show the layout of a store, there is a possibility it could still be covered under the current statute. What this is trying to get at is when the use of the Internet is more part and parcel of the theft and the resale.

Assemblywoman Cohen:

Is there online theft we are talking about with this? Are people using the Internet to steal from the store, maybe by purchasing online with some sort of shenanigans I do not understand?

Senator Cannizzaro:

I think what this bill is intending to get at is when these items appear on sites such as craigslist or OfferUp for large-scale resale. Within the definition of organized retail theft, which is in section 1, subsection 5(c), it includes that it would be part and parcel of the organized retail theft as a whole.

Assemblywoman Miller:

My question is in regards to the first line of section 1, subsection 1. It says, "A person who participates directly or indirectly." I have concerns about the word "indirectly." I know we can participate in a crime indirectly, but we can also participate in a crime unwillingly, without intent, or without knowledge, and those would still be classified as "indirectly." I know the intent is not to capture people who do not have the intent of criminal action or who do not have the knowledge they are participating in it. Can you give me a definition of what that term "indirectly" means and how that could be defined and classified?

Senator Cannizzaro:

We had this exact same conversation in the Senate. I worked with Senator Harris to come up with language to make this a little clearer. I think that was everybody's concern. Again, I want to stress that this is not meant to get at somebody who is unwittingly involved. This is somebody who is involved for the purpose of furthering the organized retail theft ring. When we are talking about lack of intent, when we are talking about lack of knowledge, there are more structural issues about even being able to prosecute a crime in that regard. If somebody is under duress or being coerced, those are defenses to those crimes as well. We are trying to ensure we can not only get at the person who walks into the store and steals the item or the person who registers his or her name online to resell the item, but also the individuals who are involved with scouting out the stores or being part of the lookout squad for the people going into the stores. That is what that term is meant to get at. I think with the additional language that appears in section 1 where it says "the intent to further," we were trying to make sure we were not capturing individuals who might unwittingly be a part of this, but still capture people who are part of it but who may not be the individual who stole the item or the individual who is associated with the screen name that is selling the item on craigslist.

Assemblywoman Miller:

Yes, that was my concern. If someone's family member is using his or her computer, he or she has participated in that crime indirectly, but also unwillingly.

Assemblywoman Torres:

Anybody who has worked in retail knows how organized crime affects businesses. Usually, it creates a less safe environment for the employees, so I think this helps with that as well. I am not sure how it can be used now, but an individual could purchase a ton of Tide detergent, for example, and then sell it. How are we identifying the difference between an individual who is committing that organized crime and an individual who just has a ton of product?

Senator Cannizzaro:

I think the key difference in what you have described is someone who is actually purchasing the items and then selling them. Maybe there are other issues with the resale of name-brand products or something, but they would not fall under this statute because they purchased the items in the first place. We are talking about people who are stealing items and then using Internet websites to resell them in order to gain a profit to continue to benefit the criminal enterprise. I think in your example in which they purchase it—or if they have just accumulated it because they are going to the store with coupons and buying all these things—and then decide to sell it online and make a profit, they do not fall under this because they never committed the theft in the first place in order to accomplish this.

Assemblywoman Torres:

First, you identify a criminal who has been stealing from a store. They have been stealing from a Smith's for a period of time. Then it is identified that the same individual is selling the items. This would allow for that person to be prosecuted for the sale of those items as well.

Senator Cannizzaro:

Yes, that would be correct.

Chairman Yeager:

I will open it up for testimony in support.

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

We support this bill.

Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association:

Ditto.

Paul J. Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber of Commerce:

We are also in support.

John T. Jones, Jr., Chief Deputy District Attorney, Clark County District Attorney's Office; and representing Nevada District Attorney's Association:

We are also in support of the bill.

Chairman Yeager:

Is there anyone in opposition?

John J. Piro, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

Our one issue with this bill is the word "indirectly." That is where our opposition lies. Should that word be removed, we would withdraw our opposition. I will say that Nevada has

a law under conspiracy. In Nevada, you do not even need to have an overt act to support conspiracy. They would still be able to get the people they are looking to get using a charge of conspiracy if someone was actually doing this. By putting in the word "indirectly," you are weakening the protection that is under conspiracy because conspiracy is for people who are actively participating in this type of action. The conspiracy law protects the unwilling participant or the unknowing participant. By putting the word "indirectly," you are really weakening that protection that is given under conspiracy law in Nevada. Our concern is that you would wrap up those unwilling and unknowing participants because of the word "indirectly."

In Nevada, we recognize proportionality for your part in the crime. Conspiracy law puts you on the hook if you are really acting within that concerted act in which people are stealing things and you are taking a big part in it. You would be on the hook for everything everybody else is on the hook for. If you are not, then your charge would be less. It would be a gross misdemeanor, and that is proportional to the actions. However, we believe this word "indirectly" is going to put anybody on the hook—even the guy who holds open the door while somebody runs out of the store—for a category B felony punishable by 1 to 10 years in prison. That is where our concern lies with this bill.

We have no qualms with raising the time from 90 days to 180 days. Nobody should be able to get off the hook because they knew the thresholds and stayed within a small time frame. If that word "indirectly" was removed, we would withdraw our opposition.

Chairman Yeager:

If the words "or indirectly" were removed from section 1, subsection 1, your position would then be one of support? Is that correct?

John Piro:

That is correct.

Assemblywoman Krasner:

Mr. Russo testified that these people will steal things such as cigarettes, baby formula, or diapers. Let us say a man steals baby formula and diapers and always goes and sells them to a woman who buys the baby formula and diapers. He tells her he gets them cheap from his cousin because the box is dented, and she buys them. She always buys them because it is cheaper. Is she now indirectly participating in and guilty of a category B felony?

John Piro:

That is what I am concerned about. Of course, you will hear the district attorneys say to let them exercise their discretion. Well, part of the problem with that is justice then depends on which district attorney you happen to draw at that time. That is our concern.

Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office:

We agree with what Mr. Piro just discussed. Our only concern is with the language "indirectly." If that word was removed, we would move to support. Our concern is that it is overbroad and invites abuse because it allows for the potential capture of individuals who have no knowledge of the criminal activity. Some examples were provided by Assemblywoman Miller as well as contained in the letter from Nevada Attorneys for Criminal Justice ([Exhibit Q](#)): a parent allowing a child to use the computer or a grandmother who allows a grandson to borrow a car that is then used in the theft. We are really just concerned about who is potentially captured with this.

Chairman Yeager:

Is there anyone neutral? [There was no one.] Senator Cannizzaro, I will invite you back to the table for concluding remarks.

Senator Cannizzaro:

I understand that when we put words such as "indirectly" into a statute, we want to make sure they are not overly broad. I am certainly happy to continue some discussions about ensuring that language is super tight. Again, I think one of the things we are trying to do is include language that will allow us to treat this for what it is: a criminal enterprise. We do this in different scenarios, most notably the racketeering statute. We had conversations about including this in the racketeering statute, but that is a significantly larger penalty, and we wanted to keep this in its own place. That is another statute that is often utilized in an effort to get at these criminal enterprises. It does include the various individuals who are involved in whatever their particular role is within that enterprise.

I am happy to continue talking about that language, but we are really not trying to get at someone who is in the store and holds open the door or someone who uses a website that the parent was on beforehand. I think there are serious issues with some of those examples because folks lack intent. They lack the willingness to be involved in that whatsoever. I certainly understand the concerns expressed by the Committee. As I said, we did have that conversation in the Senate, and we did try to tighten up language in the bill, but I am happy to continue having some of those discussions to make sure it is clear.

Chairman Yeager:

I will close the hearing on S.B. 431 (R1). I will now open the hearing on Senate Bill 486 (1st Reprint).

Senate Bill 486 (1st Reprint): Revises provisions relating to the issuance of citations. (BDR 43-1149)

Senator Nicole Cannizzaro, Senate District No. 6:

I am here to present Senate Bill 486 (1st Reprint). This bill clarifies some of our statutes with regards to service of citations. Ordinarily, when someone is stopped by a law enforcement officer for a traffic ticket, the officer will either write out a citation or use

electronic citations and print out a copy. In either circumstance, that officer then gives the citation to the individual. There are different rules that guide what personal service is and what constitutes personal service and when it is effective. In a commonsense sort of way, handing a copy of a citation to someone and saying, "Here is this citation. I cited you for speeding 1 to 10 miles per hour over the speed limit. Your driver's information is here. Here is what we are citing you for. Here is the court date for you to appear," should suffice for what is considered proper service.

Service, in its primary function, is to give someone notice of a court date or proceeding. The issuance of a citation, just like service of court documents, is not an admission of guilt. It is not saying for sure that you have committed this particular infraction. It is just a notice that is given to that individual so they can appear and address that traffic ticket. So from a commonsense perspective, the idea of giving someone a citation and then taking a copy of that citation should suffice for personal service. In other words, we are giving notice to them of a particular court date and what it is they are expected to defend.

What we have seen happen is that certain individuals will refuse to sign the citation, which is usually what they are asked to do. The signature does not constitute an admission that you did, in fact, speed 1 to 10 miles over the limit; it is just an acknowledgement that you got the citation. That is the current status of the law. You have to sign it. Sometimes somebody does not actually sign the citation because they do not want to, which makes sense. If an officer tells you that you need to sign this citation saying you went 1 to 10 miles per hour over the speed limit, but you do not want to admit that because the cop was just being rude and wanted to write you a ticket and you know for sure you were not speeding, you do not want to sign that citation. However, not signing the citation does not mean you do not know you were issued a citation or that you have a future court date. That is what this bill is trying to address. It is saying that when somebody receives a physical copy of a citation, it is sufficient service for them to have notice of that particular citation.

Assemblywoman Nguyen:

I appreciate your bringing this bill. I imagine you deal with a lot of sovereign citizens—I know we have heard other bills on that—who are not willing to sign these citations. Is this hoping to address that situation?

Senator Cannizzaro:

I would say in short form, yes. This also applies to just regular individuals. It is not uncommon. I get it, and I think the members of this Committee get it. If somebody is issuing you a citation and you are adamant that you did not commit that infraction or you want to talk to somebody before you say you were going fast, you do not want to sign something. Even though we have great officers who explain, This is not an admission that you committed this infraction; it is just acknowledgement that I am giving you this citation. That still does not always give people confidence that they should be signing off on some sort of legal document. This is likely to address that issue, but I think it addresses a host of issues. We are not asking for people to admit guilt initially. This is just acknowledging that

there are ways we can say, Look, you have notice of this. Certainly, I think sovereign citizens will not accept any of that as well. This would probably address some of that.

Assemblywoman Nguyen:

I know sometimes we will have issues whereby people have stolen other people's identity and they get a ticket. A lot of times we use that ticket and that signature to verify identity. Are we concerned at all about not having that as another level of protection for people?

Senator Cannizzaro:

I do not think that is necessarily something that is taken away with this particular bill. In my day job, I deal with negotiating traffic tickets, and we get people who come in and somebody stole their identification. The person got a traffic ticket and he or she is saying, Look this is me, and if you look at this, it is not my information. Oftentimes, officers will include a little photo of the person sitting in the car who has been stopped. We get that photo as well and can clearly see it is not the same person. If we cannot prove it is the same person, that is something we deal with appropriately. I know I have dismissed traffic tickets for those very reasons. Ultimately, it is our job to prove it in the district attorney's office. It is also something that is going to happen even if somebody refuses to sign it. We have had cases in which people are using someone else's identification and refuse to sign. I think that is on an individual, case-by-case basis.

Chairman Yeager:

I will open it up for testimony in support.

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

We are here in support. This clarifies the statute. Folks who do not want to sign the ticket have always been an issue as long as I can remember. Before these changes were made, by statute you had no choice but to make an arrest. If you have a grandma and she says she is not signing the ticket, you obviously do not want to take that grandma to jail, so we would typically just write "refused to sign" on the bottom of the ticket. This clarifies it and makes it easier for the officer in the field to abide by the statute.

Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association:

We are here in support of this bill. To answer Assemblywoman Nguyen's question, nowadays, we do have body cameras on all of our officers, so knowing the identity of the driver is going to be easier with a photo or video of that person. That will help out a bunch.

John T. Jones, Jr., Chief Deputy District Attorney, Clark County District Attorney's Office; and representing Nevada District Attorney's Association:

We are also in support of S.B. 486 (R1). Just piggybacking off of that discussion, it is going to be more dispositive when you have the body camera than when you have the signature.

Mary Sarah Kinner, Government Affairs Liaison, Washoe County Sheriff's Office:

We echo the comments previously made by our colleagues and are in support of this bill.

Chairman Yeager:

Is there anyone opposed? [There was no one.] Is there anyone neutral?

John J. Piro, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

When we discussed this bill in the Senate, we talked about how that word "attestation" might mean "under penalty of perjury." That is the language we were talking about. My initial concern with the bill was making sure that if the person refused to sign the citation, at least the officer would sign it under penalty of perjury so it did not become a situation where an officer was writing a ticket for someone when the person was not even near the officer, such as an ex-boyfriend or something like that. As long as that is "under penalty of perjury," we are neutral on this bill and would even support it.

Chairman Yeager:

Does the ticket say anywhere on there that it is under penalty of perjury from the officer's standpoint? Does anyone know the answer to that?

Chuck Callaway:

I am thinking back to ten years ago, the last time I saw what a ticket looked like. I do not believe it has that language on it. I assume you are referring to an officer saying the person accepted when, in fact, they did not. The officer is possibly under penalty of perjury if they do that. I do not believe there is that language on the citation if memory serves me correctly.

John Jones:

The way it is worded, it says that if you are going to use the ticket as a criminal complaint, it must be attested to just like a criminal complaint would be. We do sign criminal complaints under penalty of perjury; that is why it is written like that. If we are going to use that citation as a criminal complaint—which we do in over 90 percent of traffic cases—it does have to be under penalty of perjury.

Chairman Yeager:

Senator Cannizzaro, do you have any concluding remarks?

Senator Cannizzaro:

It is our understanding that based on the current standing of the statute, it would be under penalty of perjury as it is being attested to. That is my understanding as well.

Chairman Yeager:

I will close the hearing on S.B. 486 (R1). Is there any public comment? [There was none.] We have posted an agenda for tomorrow. We are going to be starting at 10 a.m. tomorrow. All the Committee members should have received a mock-up of Assembly Bill 236, which is a comprehensive criminal justice reform bill, as well as a chart explaining some of the

changes. I want to encourage you to get ahead of that for tomorrow. I do not anticipate having another full-blown hearing tomorrow. I will certainly answer questions, but if you have individuals you would like to talk to about Assembly Bill 236, please do that between now and tomorrow morning. Friday we are meeting at 9 a.m. We are still deciding what next week is going to look like depending on bills we might get from the Senate or some that have waivers and exemptions.

I also do want to let Committee members and members of the public know that we will be doing the Donut Wall in my office tomorrow instead of Friday because on Friday we have the Marvin Sedway bagel breakfast and everyone should go to that because it is a great tradition. I hope everyone has a fantastic day. We will see you tomorrow morning at 10 a.m. This meeting is adjourned [at 9:37 a.m.].

RESPECTFULLY SUBMITTED:

Lucas Glanzmann
Committee Secretary

APPROVED BY:

Assemblyman Steve Yeager, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the complete Work Session Document, dated May 8, 2019, prepared by the Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Consent Calendar for Work Session, dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Senate Bill 9 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Senate Bill 45 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Senate Bill 173 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Senate Bill 223 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Senate Bill 433 \(2nd Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Senate Bill 73 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is a proposed amendment to [Senate Bill 73 \(1st Reprint\)](#), submitted by the Nevada Resort Association and CG Technology.

[Exhibit L](#) is the Work Session Document for [Senate Bill 20 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document for [Senate Bill 30 \(1st Reprint\)](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is the Work Session Document for [Senate Bill 137](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit O](#) is the Work Session Document for [Senate Bill 383](#), dated May 8, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit P](#) is a copy of a PowerPoint presentation titled "Organized Retail Crime," submitted and presented by Jeff Russo, Organized Retail Crime Investigator, Smith's Food and Drug, The Kroger Company, in support of [Senate Bill 431 \(1st Reprint\)](#).

[Exhibit Q](#) is a copy of a letter dated May 7, 2019, to the Assembly Committee on Judiciary, authored by Jim Hoffman, Legislative Committee, Nevada Attorneys for Criminal Justice, in opposition to [Senate Bill 431 \(1st Reprint\)](#).