

Frequently Asked Questions – Governor Lombardo’s Crime Bill

1. Will this bill make Nevada safer?

The bill has many components, but the most impactful portions of the legislation are designed to **enhance penalties for a wide range of offenses** (most are non-violent). And the research is clear: **enhanced penalties do not reduce crime.**

- Laws and policies designed to deter crime by focusing on increasing the *severity* of a punishment (e.g., lengthier sentences) are ineffective at preventing crime and may exacerbate recidivism.ⁱ
- Rather, the *certainty* of consequences has greater impact on deterrence than severity.ⁱⁱ



Effective policing that leads to swift and certain (but not necessarily severe) sanctions is a better deterrent than threats posed by incarceration and lengthy sentences.

There is no evidence that the deterrent effect increases with the likelihood of conviction or imprisonment.

2. How could this bill potentially make things worse in NV?

Research has found that not only do more severe penalties not deter crime, but **they may increase the likelihood of recidivism and rearrest.**ⁱⁱⁱ A criminal record and time incarcerated create near-insurmountable barriers to people getting back on their feet and avoiding future criminal behavior.

- One national study found that **formerly incarcerated people are unemployed at a rate of over 27%** — an unemployment rate higher than during the Great Depression (24.9%).^{iv}
- Occupational licensing restrictions often disqualify people with criminal records from various professions,^v and, despite ‘Ban the Box’ legislation^{vi}--which prohibits asking

about arrests and convictions early in the job application process--**employer reluctance to hire people with criminal histories** persists.^{vii}

- Post-release, people **owe substantial court fines and fees** accrued during incarceration and these debts only impede their financial stability and access to essential services.^{viii ix}
- **Housing stability** is another challenge, because people often face discrimination from landlords and are ineligible for public housing due to their criminal histories.^x This can lead to homelessness or reliance on temporary accommodations.^{xi}

3. What are the costs of enacting these policies?

The governor's proposed criminal justice bill could **eventually cost the state an additional \$42 million** per budget cycle and lead to an increase of about 630 incarcerated individuals^{xii}: an increase stemming from more severe sentences.

4. Are the recent changes we made in past sessions not working?

NO! On multiple fronts, the 2019 Smart on Crime is working as designed.

✓ Crime is Down

- **Violent crime decreased 20.2%** from 2019 to 2024.^{xiii}
- Property crime rate has also **decreased 7%** from 2019 to 2024.^{xiv}

✓ Recidivism is Down

Nevada's recidivism rate (defined as a return to prison within three years of release) decreased 5% from 27.5% of those released in 2015 to 26.2% of those released in 2020.^{xv}

✓ Diversion Programs are Working

Nevada saw 1,444 specialty court graduates in 2024, the greatest number of graduates since the start of the pandemic and corresponding to a **successful completion rate of 51%**.^{xvi}

ⁱ National Institute of Justice (2016). [Five things about deterrence.](#)

ⁱⁱ Ibid.

ⁱⁱⁱ Ibid.

^{iv} Lucius Couloute and Daniel Kopf, *Out of Prison and Out of Work: Unemployment Among Formerly Incarcerated People* (Northampton, MA: Prison Policy Initiative, 2018), <https://www.prisonpolicy.org/reports/outofwork.html>.

^v National Conference of State Legislators, *Barriers to Work: Increasing Access to Licensed Occupations for Individuals With Criminal Records* (Washington, D.C.: 2024), <https://www.ncsl.org/labor-and-employment/barriers-to-work-improving-employment-in-licensed-occupations-for-individuals-with-criminal-records>.

^{vi} Bureau of Justice Assistance. *Cross-Site Evaluation of the Bureau of Justice Assistance FY 2011 Second Chance Act Adult Offender Reentry Demonstration Projects: Final Report*. Washington, DC: Bureau of Justice Assistance, 2017. <https://www.ojp.gov/pdffiles1/nij/grants/251703.pdf>.

^{vii} Washington Lawyers' Committee for Civil Rights and Urban Affairs. "Arrest and Conviction Records as a Barrier to Employment." Accessed November 14, 2024. <https://www.washlaw.org/workers-rights-manual/arrest-and-conviction-records-as-a-barrier-to-employment/>.

^{viii} Maryland Courts. *Fee Schedule for Maryland Courts*. Accessed November 14, 2024. <https://www.courts.state.md.us/courts/feeschedules>.

^{ix} Governor's Office of Crime Prevention, Youth, and Victim Services. "Governor Moore Announces Debt Cancellation for Mandatory Parole and Administrative Release Supervision and Drug Testing Fees." October 2024. <https://governor.maryland.gov/news/press/pages/governor-moore-announces-debt-cancellation-for-mandatory-parole-and-administrative-release-supervision-and-drug-testing-fee.aspx>

^x Bureau of Justice Assistance, *Cross-Site Evaluation of the Bureau of Justice Assistance FY 2011 Second Chance Act Adult Offender Reentry Demonstration Projects: Final Report* (Washington, DC: Bureau of Justice Assistance: 2018), 1-4, <https://www.ojp.gov/pdffiles1/nij/grants/251703.pdf>.

^{xi} Bureau of Justice Assistance. *Cross-Site Evaluation of the Bureau of Justice Assistance FY 2011 Second Chance Act Adult Offender Reentry Demonstration Projects: Final Report*. Washington, DC: Bureau of Justice Assistance, 2017. <https://www.ojp.gov/pdffiles1/nij/grants/251703.pdf>.

^{xii} [Department of Corrections Executive Agency Fiscal Note Prepared April 7, 2025.](#)

^{xiii} [State data provided by Nevada Crime Statistics dashboard accessed on February 4, 2025. National data provided by FBI's Crime Data Explorer. All 2024 data is preliminary.](#)

^{xiv} Ibid.

^{xv} [NDOC Quarterly Statistical Summary, Q1 SY2025.](#)

^{xvi} Supreme Court of Nevada, Administrative Office of the Courts (personal communication, February 11, 2025).

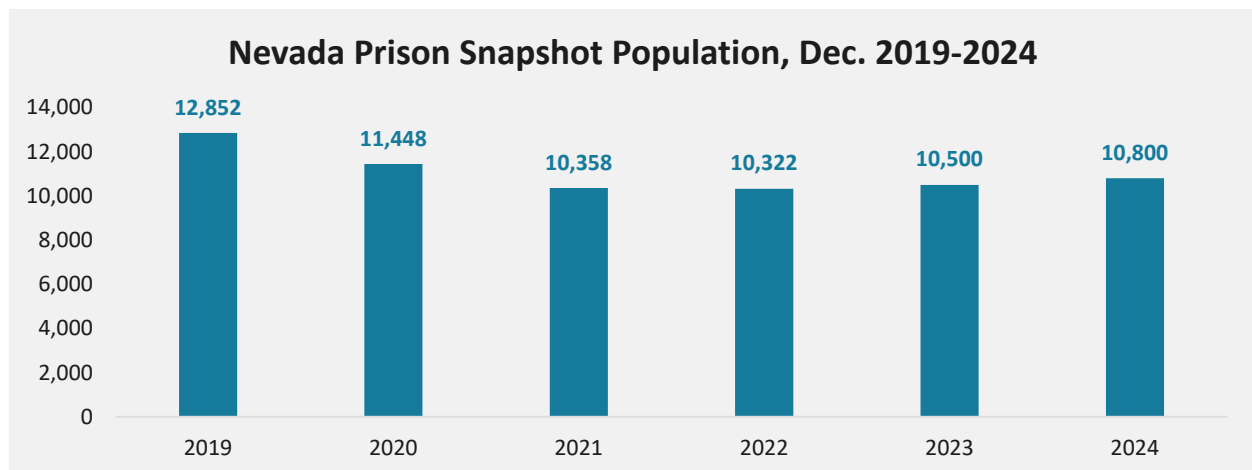
Nevada's Smart on Crime Policies by the Numbers – 2024

Smart on Crime: *Prison Population by the Numbers*

Did Nevada's prison population decrease?

Yes. Nevada's prison population **decreased 16%** since 2019.ⁱ

- Between 2019 and 2024, the percentage of the population serving time for a violent or sex offense **increased 9%** from 60.5% to 66%.ⁱⁱ
- This reflects the trend toward the increasing use of prison beds for serious and **violent offenders**.



Smart on Crime: *Cost by the Numbers*

Did Nevada's Smart on Crime policies avert additional taxpayer costs?

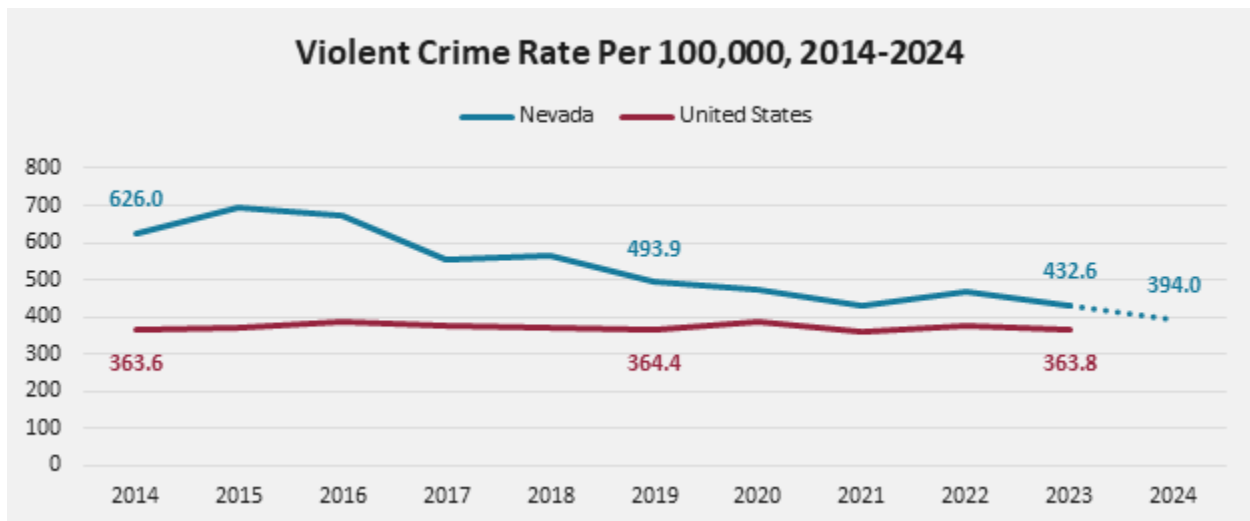
Yes. The Nevada Sentencing Commission estimated that Nevada would avert **\$21 million** per year in costs, due to the enactment of Smart on Crime Policies.ⁱⁱⁱ

- Smart on Crime policies were estimated to reduce prison population growth by 89%, which would avert \$640 million in correctional costs from 2019 to 2028.^{iv v}

Smart on Crime: *Public Safety by the Numbers*

Has violent crime decreased since the Smart on Crime policies were enacted?

Yes. Preliminary data indicate that Nevada’s violent crime rate **decreased 20.2%** from 2019 to 2024.^{vi}



- Nevada’s total crime rate increased from 2019 and 2023, due to an increase in motor vehicle thefts. But preliminary data indicates the total crime rate **decreased 13.8%** between 2023 and 2024.^{vii}

Has recidivism decreased?

Yes. Nevada’s recidivism rate (defined as a return to prison within three years of release) **decreased 5%** from 27.5% of those released in 2015 to 26.2% of those released in 2020.^{viii} This reflects the efforts of Smart on Crime legislation to improve reentry practices and expand other evidence-based recidivism-reduction practices.

ⁱ Nevada Department of Corrections online dashboard accessed January 10, 2025.

ⁱⁱ Nevada Department of Corrections online dashboard accessed January 10, 2025.

ⁱⁱⁱ “Projected Amount of Costs Avoided Report, 2024.” Nevada Sentencing Commission.

^{iv} January 2019 Justice Reinvestment Initiative Final Report, Nevada Advisory Commission on the Administration of Justice.

^v January 2021 Comprehensive Report, Nevada Sentencing Commission.

^{vi} State data provided by [Nevada Crime Statistics](#) dashboard accessed on February 4, 2025. National data provided by [FBI’s Crime Data Explorer](#).

^{vii} Ibid.

^{viii} [NDOC Quarterly Statistical Summary, Q1 SY2025](#)

Theft in Nevada

AB236 adjusted theft levels. Theft is down - why are we changing course?

The 2019 Smart of Crime legislation (AB 236) made several evidence-based changes to Nevada laws relating to theft:

- The bill raised the felony threshold for the value of property or services stolen from \$650 to \$1,200.
- The bill also created further tiers for punishment based on the value of the stolen property:

Tiers of Punishment for Property Theft

Value of Stolen Property	Penalty Class	Possible Term of Incarceration
Less than \$1,200	Misd.	
\$1,200-\$5,000	Class D	1-4 Year Term
\$5,000-\$25,000	Class C	1-5 Year Term
\$25,000-\$100,000	Class B	1-10 Year Term
More than \$100,000	Class B	1-20 Year Term

Why did AB236 raise the theft threshold?

In 2019, theft-related offenses were a main driver of prison population growth. Burglary was the most common offense driving admission to prison and the third most common offense for which people are currently serving time in prison.

Today, Nevada's felony theft threshold, at \$1,200, is in the middle of where the rest of the country is.

Low Threshold States

New Jersey	\$200
Alabama	\$500
Missouri	\$750

High Threshold States

Texas	\$2,500
Wisconsin	\$2,500
South Carolina	\$2,000

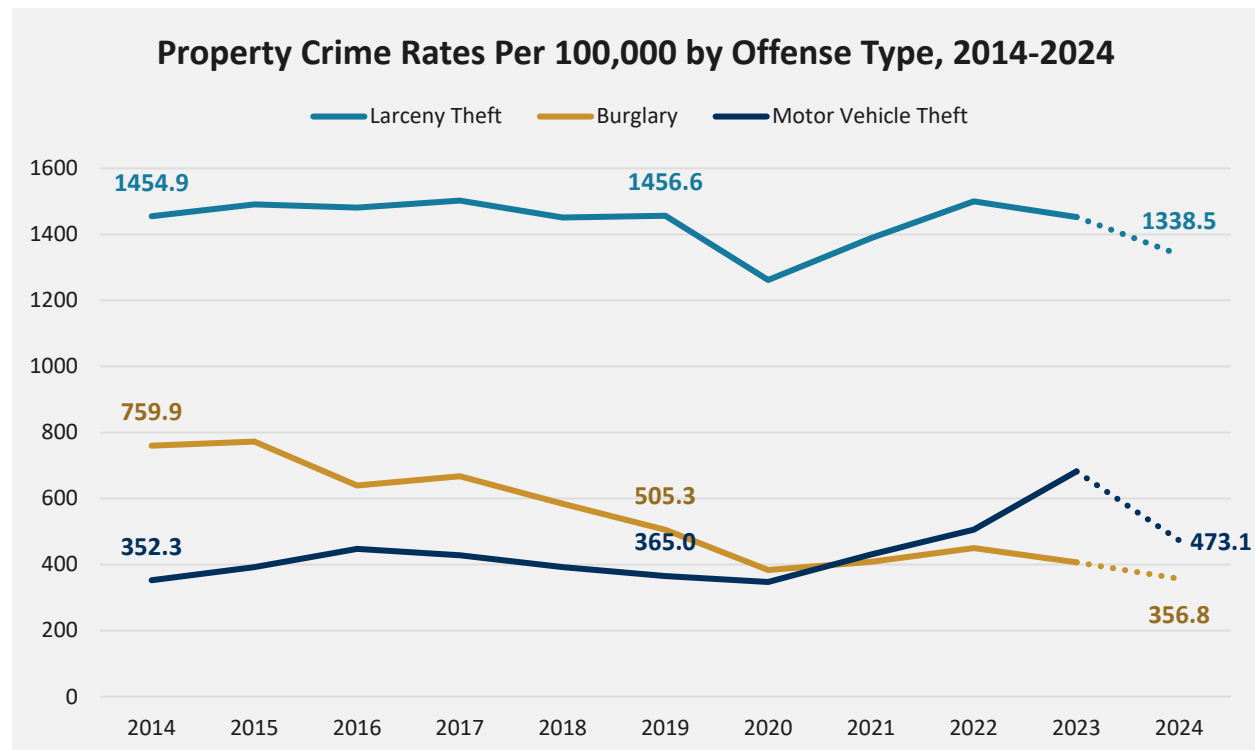
What's happened with theft in Nevada since?

All types of property crime are down in Nevada.ⁱ

- Following the passage of the 2019 Smart on Crime legislation, Nevada experienced decreases in all three property index crime rates, including a **24.1% decline in burglary**, a **13.4% decline in larceny** and a **4.9% decline in motor vehicle theft** by 2020.
- During the pandemic, overall property crime increased, driven by a large increase in motor vehicle theft. The motor vehicle theft increase mirrored the national increase of 44% between 2019 and 2023. However, similar to the rest of the country, motor vehicle theft along with other property crimes have declined. Preliminary data indicates a 30.6% decrease in motor vehicle thefts from 2023 to 2024.



Smart on Crime legislation did not change the penalty for motor vehicle theft.



ⁱ State data provided by [Nevada Crime Statistics](#) dashboard accessed on February 4, 2025. National data provided by [FBI's Crime Data Explorer](#). All 2024 data is preliminary.

Diversion in Nevada

AB236 expanded access to diversion. It is working – why are we changing course?

Why did 2019 Smart on Crime legislation (AB236) tackle diversion? And what changes did it make?

Finding

Four in 10 people entering prison in 2017 had no prior felony recordⁱ, and two thirds of inmates that year entered prison for a nonviolent offense.ⁱⁱ

AB236

Expand the existing pre-adjudicatory diversion program from misdemeanors to eligible first-time nonviolent felony offenders. Eligible offenders include individuals who have not previously participated in a diversion program, who have no prior felony conviction, and who are not charged with a violent offense or an offense involving substantial bodily harm.

Finding

Many jurisdictions had launched programs to respond to individuals with behavioral health issues, yet a lack of funding limited availability and access throughout the state.

AB236

1. Established a new Mental Health Field Response Grant Program to encourage innovative law enforcement programs.
2. Requires law enforcement agencies to establish policy and procedures for interacting with persons with a behavioral health issue.

Finding

Individuals granted the opportunity to avoid a felony conviction upon completion of a Specialty Court program had higher success rates than those who were not.

AB236

Created a presumption in favor of deferred sentences for individuals participating in Specialty Court programs, allowing the court to dismiss the case if the individual is successful. This presumption only applies to nonviolent offenders and can be overcome if the individual poses a public safety risk.

How would the Governor's SB457 change these practices?

Instead of requiring judges to dismiss someone's case or otherwise set a judgment aside when a specialty court program is successfully completed, under SB457 a judge could simply choose not to. The Governor's bill would also require that, before a criminal record can be sealed, a case must be dismissed or the judgment set aside.

What is the likely outcome of these changes?

People will be less motivated to complete diversion programs. More people will serve time for lower-level offenses and increase the need for costly behavioral health services in prison. Many of these people will no longer be able to have their records sealed, which can restrict access to jobs and housing.

Why would Nevada make these changes? Are diversion programs failing?

NO. Nevada saw 1,444 specialty court graduates in 2024, the greatest number of graduates since the start of the pandemic and corresponding to a successful completion rate of 51%.ⁱⁱⁱ



National research has shown that specialty courts reduce crime by as much as 45% more than other approaches.^{iv} The most recent recidivism data indicates that of those who successfully completed the Eighth Judicial District's Adult Drug Court program, **more than 92% did not commit a new crime within three years after discharge.**^v

What about recidivism – has it increased since expanding diversion programming?

NO. Nevada's recidivism rate (defined as a return to prison within three years of release) decreased 5% from 27.5% of those released in 2015 to 26.2% of those released in 2020.^{vi}

ⁱ Nevada Advisory Commission on the Administration of Justice – Justice Reinvestment Initiative, Practitioner Guide to AB 236.

ⁱⁱ Nevada Department of Corrections online dashboard accessed January 10, 2025.

ⁱⁱⁱ Supreme Court of Nevada, Administrative Office of the Courts (personal communication, February 11, 2025).

^{iv} Eighth Judicial District Court, Clark County, Nevada, [Understanding and utilizing specialty court programs](#).

^v Wiese, J. (2024). [Specialty courts – A catalyst for positive change](#).

^{vi} NDOC Quarterly Statistical Summary, Q1 SY2025.

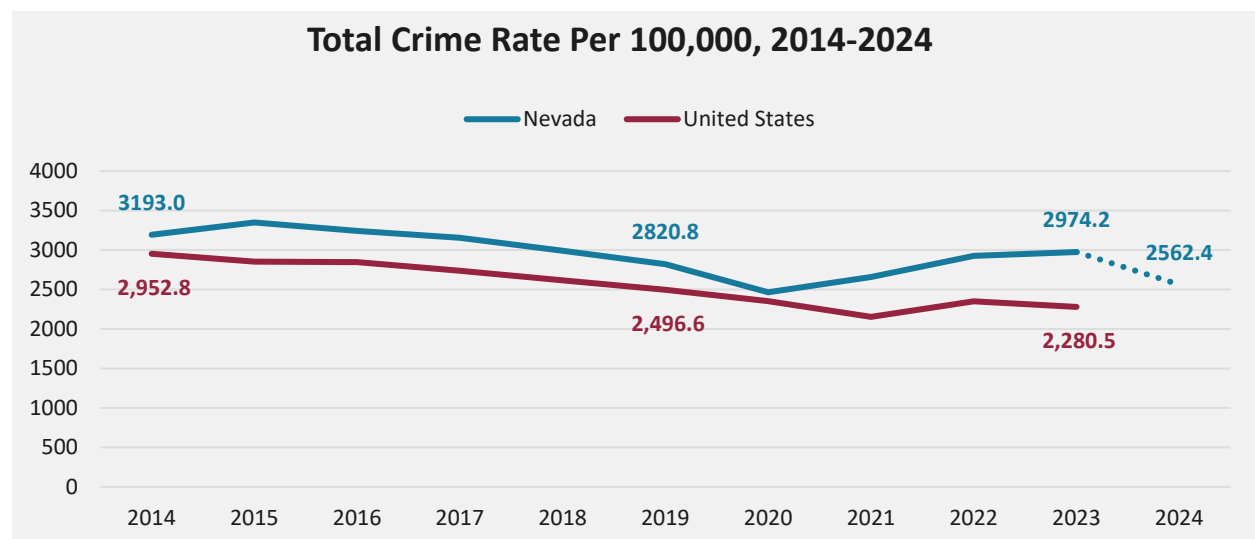
Nevada Crime Rates

Nevada Crime: *Total Crime*

Is the crime rate increasing in Nevada?

No. Preliminary data indicate a **9.2% decrease in the total crime rate since 2019.**¹

- Nevada's crime rate declined steadily from 2015 to 2019, which mirrored national pre-pandemic trends. In the year after Nevada passed Smart on Crime legislation in 2019, the state's crime rate declined more than nationally, at a rate of 13% versus 6%.
- Preliminary 2024 data indicate a **13.8% decrease** in crime between 2023 and 2024, which would be lower than pre-pandemic levels.



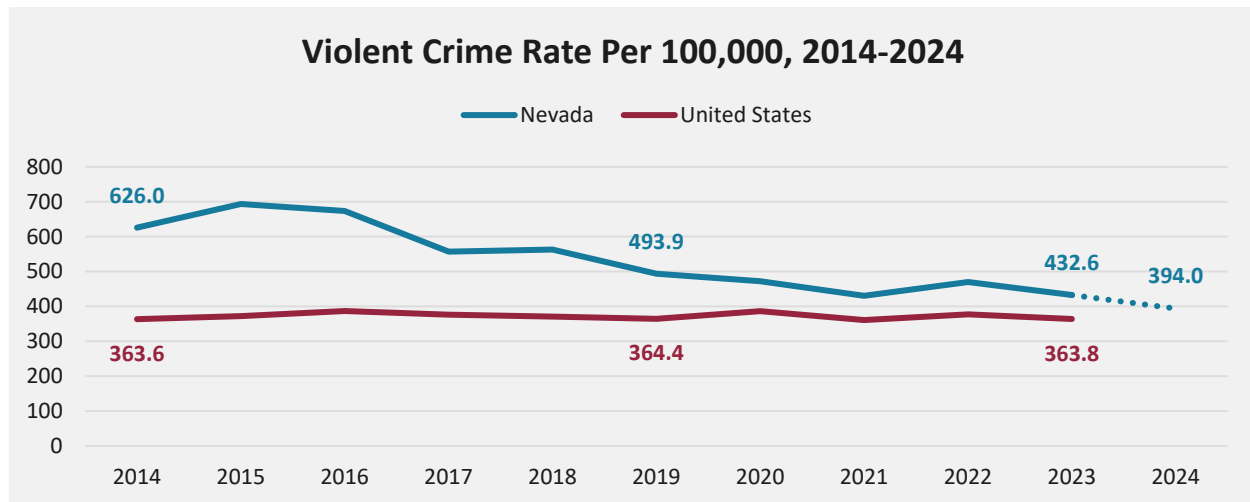
Nevada Crime: *Violent Crime*

Is violent crime increasing in Nevada?

¹ State data provided by [Nevada Crime Statistics](#) dashboard accessed on February 4, 2025. National data provided by [FBI's Crime Data Explorer](#).

No. Preliminary data indicate that Nevada’s violent crime rate **decreased 20.2%** from 2019 to 2024.²

- After Smart on Crime legislation in 2019, Nevada had the **lowest violent crime rate since 2014**, having declined 12.4% by the end of 2023. Preliminary 2024 data point to an additional 8.9% decrease between 2023 and 2024.



Nevada Crime: *Property Crime*

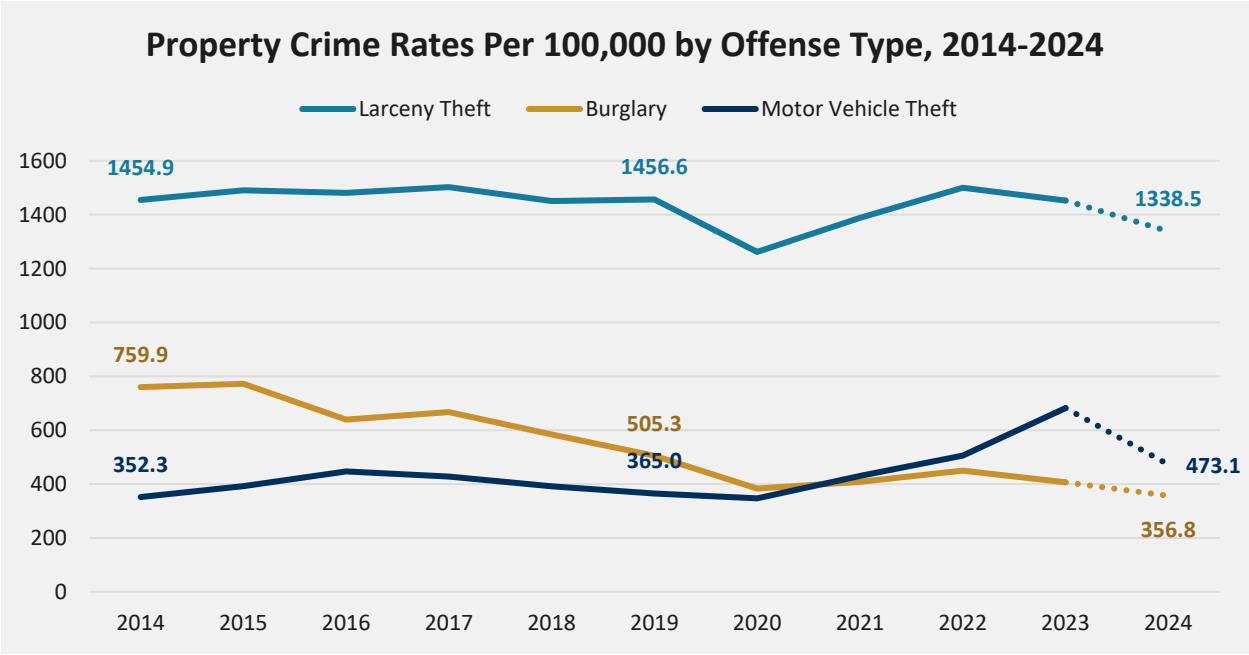
Is property crime increasing?

No. Preliminary data indicate that Nevada’s property crime rate **decreased 7%** from 2019 to 2024.³

- In the year after the passage of the 2019 Smart on Crime legislation, Nevada experienced decreases in all three property index crime rates: a **24.1% decline in burglary**, a **13.4% decline in larceny** and a **4.9% decline in motor vehicle theft**.
- During the pandemic, overall property crime increased, driven by a large increase in motor vehicle theft. The motor vehicle theft increase mirrored the national increase of 44% between 2019 and 2023. However, similar to the rest of the country, motor vehicle theft along with other property crimes have declined. Preliminary data indicates a **30.6% decrease in motor vehicle thefts** from 2023 to 2024.
- Smart on Crime legislation did not change the penalty for motor vehicle theft.

² Ibid.

³ Ibid.

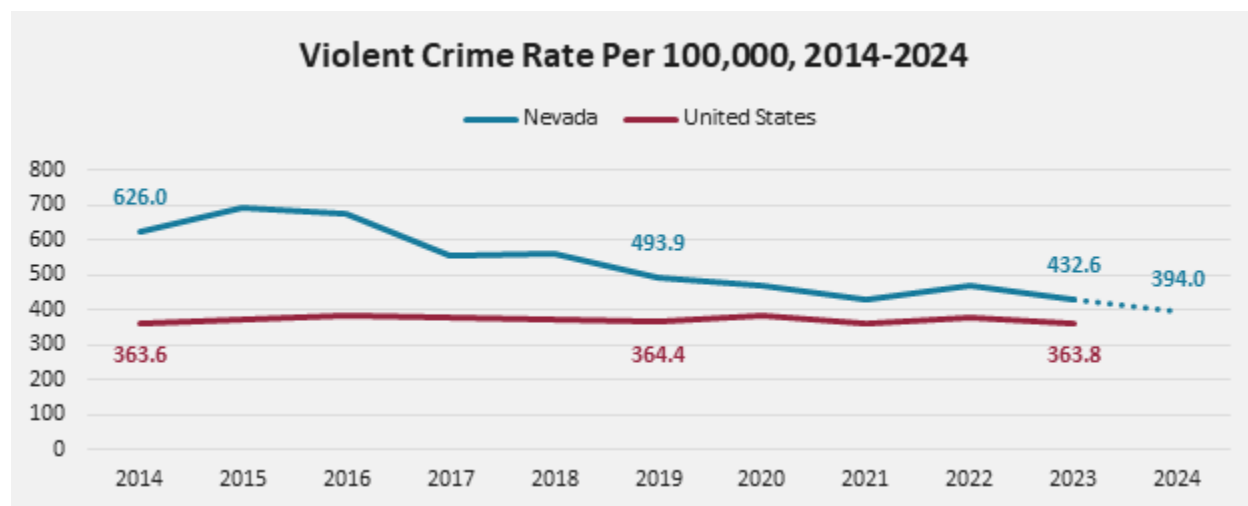


Wrong, Costly Approach to Crime

Increasing Penalties to Address Nevada's Crime is Flawed on Multiple Fronts:

1. Crime is Down Since the Passage of Nevada's Smart on Crime Legislation with Violent Crime Reaching the Lowest Levels in a Decade.

- Nevada's violent crime **decreased 20.2%** from 2019 to 2024.ⁱ Property crime has also **decreased 7%** from 2019 to 2024.ⁱⁱ



- After Smart on Crime legislation in 2019, Nevada had the **lowest violent crime rate since 2014**, having declined 12.4% by the end of 2023.

2. Enhanced Penalties Do Not Reduce Crime.

- Laws and policies designed to deter crime by focusing on increasing the *severity* of a punishment (e.g., lengthier sentences) are ineffective at preventing crime and may exacerbate recidivism.ⁱⁱⁱ
- Rather, the *certainty* of consequences has greater impact on deterrence than severity.^{iv}



Effective policing that leads to swift and certain (but not necessarily severe) sanctions is a better deterrent than threats of incarceration and lengthy sentences.

There is no evidence that the deterrent effect increases with the likelihood of conviction or imprisonment.

3. Enhanced Penalties Cost the State Money with Minimal Return on Investment. More Cost-Effective Practices Exist.

- The Governor’s proposed criminal justice bill could eventually **cost the state an additional \$42 million** per budget cycle and lead to an increase of about 630 incarcerated individuals^v: an increase stemming from more severe sentences.
- Given that more severe penalties do not deter crime and may increase the likelihood of recidivism and rearrest,^{vi} there is little to no return on investment.
- Meanwhile, crime prevention strategies that are shown to reduce crime often are a more affordable option than incarceration. For example, the average **cost of drug rehabilitation is \$13,475 per person**,^{vii} while the **cost to incarcerate someone is \$33,000** in Nevada in 2025.^{xv}

4. To Create and Sustain Low Levels of Crime, Lawmakers Should Consider Underlying Drivers of Crime and Adopt Meaningful Responses, such as:

- Greater access macro-level protective factors, including quality healthcare, education, and employment;^{viii}
- Reduction of macro-level risk factors, including exposure to adverse childhood experiences, food insecurity, and poverty;^{ix}
- Expansion of mental health and substance use disorder treatment, including treatment for trauma-exposed individuals;^x
- Expansion of reentry and diversion programs for justice-involved individuals.^{xi}

ⁱ State data provided by [Nevada Crime Statistics](#) dashboard accessed on February 4, 2025. National data provided by [FBI’s Crime Data Explorer](#). All 2024 data is preliminary.

ⁱⁱ [Ibid.](#)

ⁱⁱⁱ National Institute of Justice (2016). [Five things about deterrence](#).

^{iv} [Ibid.](#)

^v [Department of Corrections Executive Agency Fiscal Note Prepared April 7, 2025](#).

^{vi} [Ibid.](#)

^{vii} <https://drugabusestatistics.org/cost-of-rehab/>.

^{viii} Simes & Jahn, 2022; Vogler, 2020; Hjalmarsson & Lochner, 2012; Edmark, 2005

^{ix} Baglivio, 2023; Miller et al., 2021; Vargas, 2023; Ayano et al., 2024

^x Bondurant, Lindo, & Swensen, 2016; Ayano et al., 2024

^{xi} Tonry, 2014; Wilson & Hoge, 2012; Blais et al., 2022