

## **MEETING NOTICE AND AGENDA**

Name of Organization: Advisory Commission on the Administration of Justice (NRS 176.0123)

Date and Time of Meeting: Monday, October 20, 2008  
9:00 a.m.

Place of Meeting: Legislative Building  
Room 4100  
401 South Carson Street  
Carson City, Nevada

Note: Some members of the committee may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following locations:

Grant Sawyer State Office Building  
Room 4401  
555 East Washington Avenue  
Las Vegas, Nevada

*If you cannot attend the meeting, you can listen or view it live over the Internet. The address for the Nevada Legislature website is <http://www.leg.state.nv.us>. Click on the link "Live Meetings – Listen or View."*

### **AGENDA**

**[Items on this agenda may be taken in a different order than listed]**

- I. Opening Remarks by the Chair
- \*II Approval of the Minutes of the Meeting of the Advisory Commission held on September 22, 2008

- \*III. Presentation by Dr. James Austin, Dr. James Richardson, and Dr. Matt Leone, Concerning the Monthly Prison Population, Parole and Probation Tracking Tools and a Discussion and Consideration of a Proposal for the Grant Sawyer Center for Justice Studies of the University of Nevada, Reno to Monitor and Evaluate the Nevada Criminal Justice System Through June 30, 2009
- \*IV. Discussion and Consideration of Recommendations and Bill Draft Requests Relating to the Division of Parole and Probation of the Department of Public Safety, Including, Without Limitation, Modifications to the Presentence Investigation Report, Early Assessment of Defendants in the Criminal Justice System, The Use of Technological Monitoring, the Use of Intermediate Sanctions, the Process of Revocations and Technical Violations and the Process for Collecting Restitution
- \*V. Presentation by Lieutenant Claudia Stieber, Division of Parole and Probation of the Department of Public Safety, Concerning Hawaii’s Opportunity Probation with Enforcement (HOPE) Court
- \*VI. Presentation by Captain Philip K. O’Neill, Chief of the Division of Records and Technology, Department of Public Safety, and Ron Titus, Director and State Court Administrator, Concerning Nevada Offense Codes and Other Criminal Justice Data Collection
- \*VII. Discussion and Consideration of Recommendations and Bill Draft Requests Concerning the Nevada Department of Corrections, Including, Without Limitation:
  - A. Creating a System of Re-Entry for Inmates Who Expire Their Terms or Who Are Placed on Parole
  - B. Modifying the “Relief Factor” for the Nevada Department of Corrections Staff from 1.6 to 1.85
  - C. Amending NRS 176A.660 Concerning Placement Authority by the Nevada Department of Corrections
  - D. Adopting a Staff to Inmate Ratio
  - E. Modifying the Base Budget System
  - F. Making an Exception to NRS 284.4062 to Allow for Termination of the First Offense for Those Correctional Officers Found to Be Under the Influence of Drugs or Alcohol While On Duty and Provide Authority to Nevada Department of Corrections for Random Drug Testing of Staff After Initial Hiring
  - G. Revise NRS 289.470 to Include the Inspector General and Criminal Investigators to be Classified As Category II Peace Officers
  - H. Expanding Boot Camp Eligibility, Facilities and Funding
  - I. Clarifying NRS 213.1213 Concerning the Calculation of Parole Eligibility Dates

- \*VIII. Discussion and Consideration of Recommendations Resulting From the Presentation by Howard Skolnik and Lori Bagwell, Nevada Department of Corrections, Concerning the Department of Corrections' Budget, Including, Without Limitation, A Review of:
  - A. Prison and Camp Staffing, Relief and Overtime Earnings
  - B. 2008/2009 Budget and Budget Cuts Made to Date
  - C. History and Current and Proposed Use of Casa Grande, Jean and the Nevada State Prison, Including Recommendations to Close the Nevada State Prison
  - D. Early Release and Re-Entry Programs
  - E. Nevada Department of Correction Bill Draft Requests
  - F. Future Capitol Improvement Recommendations
  - G. Report by Deputy Attorney General Janet Traut Concerning Medicaid Options for Aging Inmate Healthcare Needs
  
- \*IX. Discussion and Consideration of Recommendations and Bill Draft Requests Concerning Modifications to Sentencing Statutes as Proposed by the Clark County and Washoe County Public Defenders Offices Including, Without Limitation, Proposals Relating to Amendments to the Habitual Criminal Statutes and a new Statute Enhancing Third Time Petit Thefts to a Felony
  
- \*X. Discussion and Consideration of Recommendation and Bill Draft Request Concerning a Statewide Policy for the Retention of DNA and Other Biological Evidence
  
- \*XI. Discussion and Consideration of Recommendation and Bill Draft Request Concerning Exemption of Certain Cases From Parole Hearings Where Parole Cannot Be Legally Granted
  
- \*XII. Discussion and Consideration of Recommendation and Bill Draft Request Concerning Permitting Parole Hearings to be Conducted With the Inmate In Absentia Where Parole is Expected to be Granted
  
- \*XIII. Discussion and Consideration of Recommendation and Bill Draft Request Concerning Collection of Court Ordered Restitution Including any Amendments to NRS 176.064.
  
- \*XIV. Presentation by the Nevada Department of Corrections and Dr. James Austin Concerning a Recommendation To Reduce by one-half the Time Credits that are Given to Prisoners Convicted of a Category A or B Felony so That The Credits Are Awarded in the Same Amount as Before the Enactment of A.B. 510 for Those Prisoners
  
- \*XV. Report by the Nevada Department of Corrections Concerning the Number of Inmates Whose Parole Eligibility Was Advanced, the Number of Those Inmates Granted Parole and the Number of Inmates Who Later Had Their Parole Revoked

\*XVI. Report on Activities of Subcommittees Appointed by the Advisory Commission:

- A. Steering Committee  
-Report by Justice James W. Hardesty
- B. Subcommittee to Consider Issues Related to a Study of “Truth in Sentencing”  
-Report by Dr. James Austin, Dr. James Richardson and Dr. Matt Leone
- C. Subcommittee to Consider Issues Related to the Juvenile Justice System  
-Report by Senator Steven Horsford
- D. Subcommittee to Consider Issues Related to Victims, including the Rights of Victims, Relevant Statistics and Sources of Funding for Victims of Crime in Nevada Including Status on Contributory Fault Reimbursement and Name Change for Sexual Crime  
-Report by Attorney General Catherine Cortez Masto Including Discussion of Contributory Conduct and Bill Draft Requests
- E. Subcommittee to Study Mandatory Drug Sentencing Statutes and Substantial Assistance Statute Including Status on Statutory Amendments Based on Weight  
-Report by Judge Douglas Herndon
- F. Subcommittee to Study Data Collection  
-Report by Justice James W. Hardesty, Assemblyman David Parks and Assistant Sheriff Raymond Flynn
- G. Subcommittee to Consider Alternatives to Incarceration and Intermediate Sanctions  
-Report by Justice James W. Hardesty

XVII. Public Comment

\*XVIII Discussion of Additional Topics for Future Meetings and Report Preparation

XIX. Adjournment

\*Denotes items on which the committee may take action.

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Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Legal Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call (775) 684-6830 as soon as possible.

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Notice of this meeting was e-mailed and/or faxed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street.

Notice of this meeting was posted on the Internet through the Nevada Legislature’s website at [www.leg.state.nv.us](http://www.leg.state.nv.us).