

JUDICIARY COMMITTEE  
57th NEVADA ASSEMBLY SESSION

MINUTES

MARCH 13, 1973

The meeting was called to order by Mr. Keith Hayes, Chairman.

MEMBERS PRESENT: MESSRS: HAYES, BARENGO, GLOVER, TORVINEN, HUFF, FRY  
LOWMAN, HICKEY, AND Ms. FOOTE.

MEMBERS ABSENT: NONE

GUESTS PRESENT: Mr. B. Firth, Mr. R. Mullin. Mr. Paul Varqa, Mr.  
Bob Rose, Mr. Edward Klatt, Mr. C. Thompson, Mr.  
Roy Woofter, Dr. J. Walther, and Col. Lambert.

Mr. Roy Woofter, the Clark County District Attorney, spoke to the Committee concerning A.B. 416 and A.B. 544. Mr. Woofter stated that A.B. 416 had originated in his office and it is the feeling that this may be the most important piece of criminal legislation to be considered this session. 50% of the felony cases are bogged down in the judicial system. We are asking consideration in putting the trial ahead of this ultimate pre-trial delay. He said that he would like to consolidate his comments on this measure along with A.B. 544 since he will not be able to attend the meeting on the 26th when A.B. 544 is scheduled for consideration. A.B. 544 in essence eliminates the right of the defense to appeal to the Supreme Court on a writ of habeas corpus. He cited a homicide case presently before the courts in Las Vegas in which the defense has already been given three shots to subpoena. What we are attempting to do is eliminate the right of the defendant until there is a final judgement his right to appeal to the Supreme Court. We are not advocating taking away a constitutional right, we are only asking that a jury trial be inserted before there is an appeal to the Supreme Court, meaning that the defense can only take an appeal after a final verdict or judgement of the district court. This helps the defense as well as the state, because if there is a not guilty finding on the part of the jury in district court that is the end of the case, if the verdict is guilty he still has the right to appeal. If the jury comes back with a verdict of guilty that is self evident that there was probable cause for the person to stand trial. This would eliminate a lot of paper work, a lot of expense etc. "We feel that this is very necessary and needed legislation."

Mr. Fry asked if the witness read this bill to permit an appeal by the state for granted motion to dismiss the case. The State is also giving up the right to appeal. Mr. Fry said for the benefit of the Committee that the discretionary effect of the writ of habeas corpus has gone by the board.

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Mr. Fry questioned whether we would run into constitutional problems in eliminating the writ of habeas corpus. "Are there federal constitutional considerations which could be brought into play which would wipe out the statutes?"

Mr. Woofter said that he felt it would be a matter to be tested by the courts.

Mr. Bob Rose Washoe County District Attorney spoke to the Committee in support of A.B. 416. He stated that the Nevada Supreme Court is also unanimous in support of this bill. He said that in A.B. 416 we are dealing with motions to suppress evidence which covers two basic areas. 1. the illegal search and seizure, usually in drug cases, and 2. The Suppression of a confession, usually because the Miranda warnings were not given. These constitute 95% of the motions to suppress. What we are saying is that the decision of the District Court granting or denying a motion to suppress will not be appealed. To the defendant this means that although he can file motions etc., he will generally go to trial and that evidence will be introduced. If it is against the state, then the state must make a determination if there is sufficient evidence beyond that which is suppressed to go to trial. What the state is doing is saying that we are going to be bound to the District Judges order which to the defendant means that he can go to trial and appeal later, and to the state, for practical purposes it means that more often than not it will end the case. We are willing to give up that right in the interest of speeding the process.

Mr. Woofter returned to offer comments on AB. 442. This is to reduce the time from five to two years required to retain exhibits and depositions. The lack of physical facilities prompted this legislature. Parties involved are notified before disposition.

Col. Lambert addressed the Committee in behalf of A.B. 421. The intent behind this bill is to help speed up some of the process on the road, and there is benefit to both the motorist and law enforcement. This would allow a suspect who is stopped to take a roadside breath test and if he proves to be less than intoxicated the officer would have sufficient evidence to let him proceed on his way. This a very controversial thing it has been tested in some areas on a mandatory basis rather than permissive as this bill stands. It would be a time saving device to law enforcement. Mr. Torvinen requested a demonstration of the equipment which would be used in this type of testing. Col. Lambert said that the most common test is a balloon type test. This has a color ring indicator and you can determine by the number of rings which change color the alcohol % in the system. It was agreed that the Committee would witness a demonstration of the equipment on Thursday at the regular meeting.

A.B. 159 was discussed next. Mr. B.W. Firth, private citizen, addressed the Committee on this bill. He stated that this bill changes a law which is presently perfectly comprehensible into one which is not comprehensible. Under this new change any kind of search becomes reasonable, and this is unconstitutional.

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"Under Article 30 of the Constitution none but the Judiciary can authorize searches, and under this amended bill the executive branch could conduct a search." "Nowhere in this bill is there any wording requiring probable cause before anyone can be searched."

Mr. Hayes commented that in his estimation this does not permit a search of the vehicle. Mr. Firth held steadfast in maintaining that this bill is objectionable.

Jack Walther, Doctor of Veterinary Medicine from Reno, spoke as a proponent of A.B. 415, feeling that Veterinarians' should be included in this bill. He is against the duplication of records and the principle of having to register with two separate boards.

Dr. Broadbent said that he felt that he could speak for the Medical Community of Northern Nevada. "He said that, "physicians in general do not like to be regulated any further than is already required, that is by the medical society, the AMA, Specialty Societies, the individual County, the Federal Government, etc. The \$15. is not at issue, it is the principle. A physician must have a narcotic license without which he is unable to dispense narcotic drugs. Dr. Broadbent said that he would question the validity of the State Board of Pharmacy taking on this task. If physicians' need policing perhaps the state should adequately fund a program to accomplish this. Dr. stated that Dentists, Osteopaths, and Veterinarians should also be included in this bill.

Mr. Hayes announced that because of certain requests this bill would be held over until tomorrow for further testimony.

Mr. Thompson re-appeared to testify on the Grand Jury bills because he will not be able to be here on the date they are scheduled for consideration.

He said that everyone is aware that a change is coming, and this is favorable. Mr. Thompson said that he would prefer the two type system rather than the present system because it would remove the accusation of political involvement. Mr. Thompson requested consideration particularly for Clark County needs of imposing not a strict random selection, but instituting the Judges selecting a venire and random lottery selection from that list. Some type of pre-selection control is necessary. If you cannot find this to meet with approval, I would ask that before you go to a totally random selected Grand Jury you implement the two jury system. The two Grand Jury system will only change some of the problems, it will not eliminate them.

**ACTION:**

S.B. No. 133 SUMMARY-Removed conflicts in various provisions relating to homesteads.

Mr. Hayes said that he had received a phone call from Judge Whartman in Las Vegas saying that this is a good bill.

Mr. Fry explained the bill for the benefit of the Committee.

Mr. Lowman asked who the bill is designed to protect to which Mr. Fry responded it is designed to protect the surviving spouse.

Mr. Lowman moved to recommend DO PASS, Mr. Glover seconded.  
MOTION CARRIED UNANIMOUSLY DO PASS S.B. 133.

Mr. Hickey requested that A.B. 416 be set aside until such time as another bill dealing with interlocutory appeals is considered.

A.B. 416 HELD

A.B. No. 442 SUMMARY-Reduces time court exhibits and depositions must be retained by clerk of district court prior to disposal.

Ms. Foote moved to recommend DO PASS, Mr. Barengo seconded.

MOTION CARRIED DO PASS A.B. 442

A.B. No. 159 SUMMARY-Permits temporary roadblocks for vehicle inspection.

Mr. Hickey moved to recommend DO PASS, Mr. Barengo seconded.

Ms. Foote voted against this motion.

MOTION CARRIED. DO PASS A.B. 159

Mr. Hayes announced that we would hear further testimony on A.B. 415 tomorrow.

Mr. Fry said that he would like to know what is happening to A.B. 66. Mr. Lowman moved to recommend DO PASS, Mr. Glover seconded. Mr. Hayes stated that since this bill is the subject of a sub-committee study the DO PASS motion is out of order.

Mr. Fry moved that the Sub Committee report to the Committee on Thursday on the status of A.B. 66. Mr. Lowman seconded.

Mr. Barengo moved to adjourn. CARRIED.

MEETING ADJOURNED.

To: Members of Nevada State Legislature

From: Roscoe H. Wilkes-District Judge  
Seventh Judicial District-White  
Pine and Lincoln Counties

Subject: Delinquent and Dependent Children.

Even though this document may appear to be verbose, I will try to keep it short and to the point. When discussing this subject matter one can write or talk for weeks. My thoughts will be in summary form, that is, without examples and with but little philosophical discussion. Hopefully I can give you some help. I've had a part in Nevada's efforts for 25 years.

The Problem is Not New. Over 2000 years ago Socrates and others wrote, debated and discussed causes and ways to assist dependent and wayward children to grow up and assume a proper, self-sufficient role in society.

There is No Shortage of Opinions. Today books, articles, speeches, meetings, etc., are submitted by the thousands. Everyone has a solution from "Commit them all" to "Don't frustrate their natural desires".

We Get Confused with Terminology. Delinquency may mean throwing dirt on the neighbors sheets drying on the line to murder. We must realize that each child's case is "totally different" from the next case. It follows that each case must be considered as that child's case and not lumped with the average case because there is no average case.

The causes of children's problems again are many and varied. Lay aside the idea that its inherited. Wayward and dependent children are made not born that way. Some common causes, not by way of limitation however, are (1) circumstance and chance, for example, pressure from peers, (2) environment, such as, poverty, family criminal tendencies, and (3) psychological conditioning such as parental rejection or neglect, boredom, broken homes, wayward parents, etc. Each case has its own cause or causes, usually not the child's fault.

For the most part youth in trouble are the direct product of what we adults have made them. These children reflect the evils and problems which pervade the adult world. These evils and problems are mirrored back at us through our most sensitive spot--our children.

As our constitution was not written to achieve a "perfect" society but rather to achieve a reasonably good one, neither will any program we develop achieve a "no delinquency" status for all our youth. There are no patented cures which will work in all cases. The problem and its causes run too deep and will likely be with us for some time to come.

We can however help and thereby correct large numbers of these children. The problem must not be looked at as insurmountable. A better life for our children and building thereby a better society call for continued effort.

A meaningful effort must be made. Nevada has been no different than the nation as a whole in not having given the problem a "meaningful effort". This lack of a true effort has been our choice. To a very large extent the Court's have been society's "patsy". The problem has been neatly packaged, tied with a pink ribbon, and handed to the Courts. Society has then wished that this ogre would just go away. The problem has been swept under the carpet. Although we talk about the problem a great deal, the fact remains that juvenile rehabilitation has been consistently given a low priority in our scheme of things.

The problem is that of all the people, not just the legislature, not just the Courts, not just a handful of probation officers. People involvement is a must.

How are Children Corrected? It is done or not done within the child's brain, stated another way, in his thinking processes. Putting it perhaps a bit overly simple, we either change his ways or don't by our ability to talk him out of it by giving him new values. Truly dependent children are a different matter, they need shoring up first then values implanted in their minds, lest they become delinquent as well as dependent children.

What is Needed to Correct a Child. Probably the greatest help we can give a child is to inject an "inspirational personality" into his life, often for the first time. Would each of you look back and recall that person who waded across your life standing, in your eyes, 10 feet tall. He gave you your values in life which shaped your whole life thereafter.

In particular cases they may need health problems corrected, psychological or psychiatric assistance, school adjustments, family counselling and the like. Mostly they need the "healing touch of attention".

Is the Problem Money? Not really, Governmental departments most usually, when faced with getting a job done, raise the cry for more money, more help, more things. In America we have fallen into the trap of believing we can but out way out of any

problem. Mr. and Mrs. Nevada citizen you're not going to buy your way out of this one.

There is Never Enough Money to go Around. In the face of this fact, how can we afford the problem a "meaningful effort". We found a way in the 7th Judicial District and it is working. Let me describe what we have done and are doing. The following was written several years ago but it will give you the idea.

#### VOLUNTEERS. IN PROBATION .

##### "The V.I.P. Program"

There are gaps or weaknesses in the system of juvenile justice primarily in the area of rehabilitating the juvenile offender who for the most part are children in need of a change in the direction their lives are taking. This is a problem all over the nation and is one of our problems as well.

The cause of behavior in juveniles, considered unacceptable by the adult world, are so numerous, varied and diverse that the classification of these causes are almost impossible of being meaningfully established. Each case of unacceptable behavior is as different from the other cases as each adult human being is different from his neighbor.

The children, labeled by we adults as "delinquent," are nonetheless the product of what the adult world has made them. Stated differently, delinquency among juveniles is a reflection of the evils and wrongs of the adult world mirrored back at us through these children.

The responsibility for guiding children into adulthood as good and responsible citizens is first and primarily that of the home. Well-adjusted families who work together, think together, play together, share together and pray together rarely produce a delinquent child.

But not all homes or families are well-adjusted. This fact and other varied and diverse circumstances result in some measure of conduct on the part of our youth being defined under the blanket and somewhat confusing term -- "Juvenile Delinquency."

The problem of the young person who is engaging in unacceptable behavior is a "community problem". This community problem has been placed by the community into the hands of the juvenile Court. The juvenile court and its advisory committee together with the Juvenile Probation Officer are doing what they can with this broad and complex problem and the resources available.

More effort is needed and we deem it a community or social problem. The problem is a big one, not overwhelming, but big. Society should not wash their hands of the problem, rather we should all be willing to dirty our hands a bit, pitch in and in our own way, make America and our community a better place. Ponder this! Where better can we start than among the youth who are much more susceptible to rehabilitation than, for example, adult felons.

The natural impulse when faced with such a situation is for the juvenile court, the juvenile probation committee and the probation officer to raise the hue and cry for more money, more professional help, more probation officers, etc. This course we choose not to take. When faced with a problem in America, very often the first answer suggested is "give us more money" and we can handle the problem. We need some money and have received it but the main thrust, we submit, must come from the people.

We subscribe to the position that as regards delinquency among our youth, neither America nor our County can ever "BUY OUR WAY OUT" of this one. Money alone will not solve the prob-lem.

The problem being a community one, it is submitted the community should and does want to help. We propose a program of volunteer sponsors to aid and assist in working with that segment of our youth deemed to be in need of guidance and help.

The guiding philosophy behind the proposed volunteer movement can be stated rather simply:

First, it is clear, for example, that 20 volunteers can provide greater individual attention to 20 juveniles than can a paid staff of one probation officer.

Further, the availability of volunteers can more effectively and intensively provide "new areas of service" ranging from "individual" counselling to making the arrangements necessary to fill a special need of a child; for example, helping in getting him a part-time job and thus be able to discontinue thievery.

Finally, volunteers can become powerful allies in supporting other youth programs in the community and in insuring more effective use of presently available federal, state and local and private resources.



Although the program will no doubt undergo changes in its detail as its progresses, some fundamental factors can at this time be considered.

No volunteer sponsor will be asked to devote more time than he desires to contribute. We feel as little as two hours a week will produce significant results. Volunteers will be assigned a young person on a one-to-one basis, that is, no volunteer would ever have more than one child at any time with whom to concern himself.

Each volunteer will be given a short period of orientation and training to the end that the program in its overall concepts will be made known to him and to the further end that a minimum of mistakes will occur. Subject only to a few limitations deemed necessary for the success of the overall program and believed to be in the best interests of the child, each volunteer will be afforded a "large measure of latitude" in the manner in which he chooses to handle his particular case.

Presently, it is thought that perhaps one (1) training session per month will reasonably equip reliable volunteers already possessing sound judgment and good common sense to do a very worthwhile job. Each volunteer will be provided with a forum to which he can take his more serious problems as they occur and when he feels the need of such reinforcement. He will also be able to participate in periodic group meetings of all the volunteers designed to afford learning opportunities by sharing experiences and exchanging ideas with others similarly engaged, under the guidance of a professionally trained moderator. Selected literature, addresses, films, etc., will also afford the opportunity for his "continuing education" in the field of juvenile corrections.

The work of the volunteers will focus on the individual child with whom he is concerned. His aim will be to influence the child to use his own strengths, to deal with the realities of his situation and to seek out and use the resources and methods available to him in conquering his own problems. The volunteer will not do these things for the child but will help do them himself.

We believe volunteer attention will provide warmth and support to the juvenile as well as governance. It will provide a constructive adult model, weaning identification away from fellow delinquents or other negative models.

We submit that a volunteer sponsor will have an obvious advantage since in the eyes of the juvenile: "If he isn't getting paid, he must be doing it because he cares." Additionally, the juvenile will not think of him as court personnel. The

probation officer who cares just as much, has the misfortune of being paid for his work and is, therefore, in the eyes of the juvenile, "part of the establishment".

The program will start small. We do not desire nor anticipate a flash-in-the-pan beginning with the usual resultant short life, followed by oblivion. Rather, we believe that building strength as we grow on a foundation of cement, rather than bamboo, is the proper approach. It is intended that the program will not ignore the pre-delinquent child; those who are beginning to send out signals of greater and more serious problems to come. In fact, these younger ones will be of prime concern in the functioning of the volunteer program.

To accomplish the overall objectives of the program, there will be some areas of endeavor wherein volunteers can be very helpful other than that of being a volunteer sponsor. You will hear more about "other jobs" later.

The volunteer will receive reimbursement in his self-satisfaction and feeling of accomplishment. We believe he will be well paid. We believe that each time a human being renders assistance to another human being in need, there is a double reward. The one helped needs it and is made to feel wanted. The one helping is made to himself feel better by so helping, especially if the help is given silently and without thought of personal reward and with the recognition that human suffering knows no limitations: "But for the grace of God there I go."

Standing to be judged before the Great White Throne,  
Where I could hear the righteous sing and the sinners  
moan,  
I'd want no better advocate to make my final plea  
Than just some boys who'd say, "Gee, he did a lot for  
me!"

Most people enjoy a challenge. This program can and will provide a good one to work on. It amounts to this: can you by the strength of your personality, by analysis, by concentration, by your techniques, by participating in learning sessions, by developing a rapport, by listening, by being a true friend and by truly trying to change a boy or girls direction in life away from one path and into a better one.

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Massachusetts Establishes Volunteer Program by Law. The Commonwealth of Massachusetts Acts and Resolves Chap. 680, Section 99c has been amended to state that the commissioner

of probation shall initiate and develop volunteer programs in consultation with probation officers throughout the commonwealth and shall supervise and evaluate volunteer programs within the probation service. It is believed that Massachusetts is the first state to establish a volunteer program by law.

Should Nevada continue to make capital expenditures for Youth Centers or should they be done away with in favor of community based programs. I would recommend a middle ground approach.

Convincing arguments can be made for community based programs. You have or will hear them. Space does not permit arguing the case in this paper. I recommend that a meaningful effort by way of community based programs should be made. Most cases can be and should be handled in the community. To do the job right the community needs the basic tools which, I submit, should consist of an organized program designed to draw the community at large into its functions and designed to draw on all available resources whether Federal, State, Local or private, for example, Mental Health, Employment Security, Red Cross. Without question it should encourage "people" power as well as money. It should be so constructed as to get "people" involved, rather than to allow society to shrug its shoulders, walk away with the gross oversimplification: "Its not my problem, the Court's ought to do something about it."

A recognition is deserving to those who introduced and support A.B. 405. These people see the need and have taken a stand. At least they are right in urging that the problem be given a higher priority.

Should this whole area of "juvenile corrections" be placed other than where it now largely rests? There is respected authority that it should be. I am discussing the "after court" follow up procedures or the rehabilitation of juveniles, not Court hearings per se.

One respected authority, Dr. Herbert Lou writes: "The day may come when we shall dispense with Court Rehabilitation of juveniles and resort to the medical, psychological, psychiatric and social techniques for handling a young persons conduct difficulties.

It is obvious that rehabilitation of youth is a social not a legal problem. This being true might we not think along the lines of letting Health, Welfare and Rehabilitation (emphasis added) consider the whole of the child, that is, dependency problems and delinquency problems, leaving the Courts to do what they were intended to do namely "adjudicate" those juvenile

cases which need adjudication.

I am sure that if the rehabilitation efforts remain under the Courts (Chap. 62) they will continue to do the best they can with this large and important social problem and will continue to have their winners never show and their losers paraded before the public view.

I am equally sure that putting the problem of juvenile rehabilitation under Welfare or Nevada Department of Parole and Probation or any other agency, you will hear the recipient of the chore squeal like a stuck pig. Knowledgeable people know that its a hell of a task and responsibility and one wherein the person or agency responsible for doing it rarely "looks good".

A.B. 405 could be enlarged to give Welfare the whole before court and after court ball of wax, leaving the court to do what it is equipped to do, adjudicate those juvenile cases requiring adjudication. I give you this as food for thought but as stated, the judges will continue to do their best with precious little in the way of rehabilitation alternatives, if such be your decision. A.B. would seem to split juvenile rehabilitation efforts as between the Courts and Welfare. I'm not sure this would be very good. Please compare A.B. 405 with N.R.S. Chapter 62.

Should we continue with our youth training centers? Emphatically--yes. There are certain youngsters who need this 24 hour a day care, supervision and training. I can say without qualification that our youth centers help many of those committed. I submit that meaningful community based programs can and should make it possible to eliminate enlargement or building new institutions in the foreseeable future. I recommend improving these institutions whenever possible but enlarge them only when and if necessary and if a meaningful effort is made in community based programs, enlargement will not be necessary.

A salutary effect is achieved in home based programs by having these institutions. The thought of "going to Elko" is an important and real deterrent and of valuable impact in the community based programs. We should'nt lose this deterrent.

There are some (not too many) youth who need to be "clobbered" in achieving a social adjustment. Commitment serves to allow it all to finally sink through. One might say that some youth need to be shaken to their roots, if for no other reason than to "get their attention".

Our training centers should be retained for that small percentage of youth who are not responsive to even a good community based program or who for one reason or another need commitment. There will always be some who fit in these categories.

You have or will hear much about what is called probation subsidy whereby the state, in substance, pays for not committing a child to one of the training centers.

I suppose this is a way to exert pressure on the Courts to not commit youngsters. Not committing is salutary in most cases if but only if another alternative exists by way of a good home based program. We should not fall into the trap, as did a neighboring state, of not committing children only to allow them to resume running the streets. This is really sweeping the problem under the carpet.

It simmers down to this: If less commitments are desired society must come forth with an effective, well run, enlightened program at home. If it is half a program the results will be negligible. Children will be hurt by lack of attention and society will have to live and put up with local acts of delinquency.

Adequate funding is a must for a successful home based program plus drawing local people into the problem and guiding their efforts as previously advocated.

In Conclusion I submit the following:

1. That emphasis be given to the creation of meaningful community based programs structured to induce if not require local "people" involvement, such as volunteers.
2. That a higher priority be bestowed on juvenile rehabilitation. Our juvenile court "hearings" per se do not constitute the hang up. It is the follow up (rehabilitation), that is in trouble as well as efforts among pre-delinquents, that is, the social as distinguished from the legal aspect.
3. That our training centers be maintained at their present level; that they be improved in their effectiveness but not enlarged; that no new ones be built in the next 10 years.
4. That adequate funding be provided for No. 1 above sufficient to give reasonable assurance of success. No 3 above would be foolhardy without reasonable assurance of a successful No 1.

5. Consider fully the structure of No. 1 above including who is best equipped to and can best develop and carry it on to a successful conclusion.

Respectfully Submitted,

ROSCOE H. WILKES  
District Judge



DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE  
DIVISION OF INVESTIGATIONS AND NARCOTICS

STATE CAPITOL  
CARSON CITY, NEVADA 89701

March 8, 1973

Honorable Chairman  
Assembly Judiciary Committee  
Nevada State Legislature  
State Capitol  
Carson City, Nevada 89701

Dear Sir:

Re: Assembly Bill 415

The purpose of the Uniform Controlled Substances Act and the reason that the Federal Act and the State Act parallel each other is to form a closed regulatory system for control of the dangerous drugs listed in the schedules of the Act.

This closed system allows for the accountability of all legitimately manufactured controlled substances at any point in the network of distribution from manufacture to ultimate use. The closed regulatory system provides some control of the substances and reduces the diversions of legitimate pharmaceutical dangerous drugs into the illicit traffic. It is necessary and compulsory that every step in the chain of the network of distribution of these dangerous substances be regulated, including the physicians.

The intention of this law is not to provide any hardship to the honest, conscientious physicians who are dispensing or writing for dangerous drugs. It is to control those individuals who violate the law. It is necessary by regulation, to control the physicians or the entire closed system will not work. This is the intent and the purpose of our State Statute, the Federal Law, and the push for uniformity and standardization of drug laws nation-wide. If physicians were exempt from registration the entire system would fail and the law would be of no value.

In addition, registration on a State level allows State control, not Federal control. Compliance type regulations are such that Agents can give out information as well as apprehend violators.

Honorable Chairman  
Assembly Judiciary Committee

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Many physicians are guilty of technical violations due to lack of understanding of the law and this type of violation is usually handled by explanation, not arrest.

I have a verbal recommendation from Sam Ozment, Agent in Charge, Federal Narcotics Bureau, Las Vegas, that this bill should not be passed for all of the above reasons.

This Division strongly opposes this bill.

Respectfully,



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Vern Calhoun  
Acting Chief

VC:rd



AGENDA FOR COMMITTEE ON JUDICIARY

Date MARCH 13, 1973 Time 1:00 PM Room 240

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
S.B. 133	SUMMARY-Removes conflicts in various provisions relating to homesteads	
A.B. 416	SUMMARY-Eliminates interlocutory appeals in criminal cases.	
A.B. 421	SUMMARY-Permits police officers to request a breath test of a driver believed to be driving under the influence of alcohol.	
A.B. 442	SUMMARY-Reduces time court exhibits and depositions must be retained by clerk of district court prior to disposal.	
A.B. 159	SUMMARY-Permits temporary roadblocks for vehicle inspection.	

\*Please do not ask for counsel unless necessary.