

SENATE CONCURRENT RESOLUTION NO. 32—COMMITTEE ON  
LEGISLATIVE AFFAIRS AND OPERATIONS

APRIL 30, 2003

Referred to Committee on Legislative Affairs and Operations

SUMMARY—Directs Legislative Commission to conduct interim study of criminal justice system in rural Nevada and of transitional housing for released offenders. (BDR R-1215)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study of the criminal justice system in rural Nevada and of transitional housing for released offenders.

- 1 WHEREAS, The present budget crisis in Nevada is being keenly  
2 felt in the rural counties of this state; and  
3 WHEREAS, The relatively sparse populations and the great  
4 distances between population centers increase the difficulties faced  
5 by the judicial system in this state's rural areas; and  
6 WHEREAS, The State has mandated programs in areas where  
7 there are no providers of such programs within several hundred  
8 miles; and  
9 WHEREAS, It has become necessary that steps be taken to ensure  
10 equal justice for all residents of Nevada; and  
11 WHEREAS, The Judicial Council of the State of Nevada  
12 empaneled the Commission on Rural Courts which has worked  
13 diligently to identify and propose solutions for the problems within  
14 the criminal justice system in rural Nevada; and  
15 WHEREAS, More than 2 million people are now incarcerated in  
16 the United States, a four-fold increase over the past 25 years, and  
17 statistics show that two-thirds of those released will be rearrested  
18 within 3 years and that 40 percent will be returned to custody; and  
19 WHEREAS, One of the greatest challenges facing American  
20 society today is the reintegration of the more than 600,000 inmates



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1 who leave state and federal prisons to return home each year, with  
2 far-reaching consequences; and

3 WHEREAS, In the State of Nevada, the Department of  
4 Corrections releases over 4,800 inmates every year to return to  
5 communities that are ill-equipped to handle the many demands this  
6 places on the limited resources available; and

7 WHEREAS, While states and the Federal Government have  
8 allocated increasing shares of their budgets to building and  
9 operating prisons, transitional housing is an alternative that has  
10 proven to be more cost-effective and to have a positive impact on  
11 the released offenders; and

12 WHEREAS, When an offender is released directly back into the  
13 community from which he came, he is often returning to the friends  
14 and environment that contributed to his criminal conduct and too  
15 easily falls back into destructive patterns of behavior, which may  
16 include alcohol or drug abuse, domestic violence and gang activity,  
17 and he may not be welcomed back into his own home because of the  
18 chaos he has caused in his family; and

19 WHEREAS, Many released offenders are uneducated, have poor  
20 life-management skills, and have little or no job skills, resulting in  
21 bleak futures upon their release; and

22 WHEREAS, Many of those released have infectious diseases,  
23 such as tuberculosis, hepatitis, HIV and AIDS, and 16 percent of  
24 offenders have some form of mental illness; and

25 WHEREAS, Studies have shown that offenders released into  
26 transitional housing, which provides them with food and shelter, a  
27 supportive environment, peer review, mentors, counseling, job skills  
28 and education, have fewer problems reintegrating into their  
29 communities and have a much lower rate of recidivism; and

30 WHEREAS, Since many released offenders have not had to make  
31 their own decisions for years and may have feelings of rage,  
32 hostility and shame, transitional housing provides the offender with  
33 a controlled environment where he is held accountable for his  
34 actions while learning how to adjust to a new living situation, thus  
35 easing his transition from prison life to community life and allowing  
36 him to become a productive member of society; and

37 WHEREAS, Since more than 1.5 million children in the United  
38 States have a parent in prison and a child of an inmate is five times  
39 more likely than the average child to serve time in prison as an  
40 adult, it is essential that those offenders who are parents successfully  
41 reintegrate back into their communities; and

42 WHEREAS, The State of Nevada recognizes the economic and  
43 social importance of transitional housing and similar programs for  
44 offenders who are released back into the community after  
45 confinement; now, therefore, be it



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1 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE  
2 ASSEMBLY CONCURRING, That the Legislative Commission is  
3 hereby directed to appoint a committee to conduct an interim study  
4 of:

- 5 1. The criminal justice system and associated services and  
6 agencies in the rural areas of Nevada; and
- 7 2. The feasibility of implementing a program for transitional  
8 housing for felony offenders released on probation or parole or  
9 released after discharge from the Department of Corrections; and be  
10 it further

11 RESOLVED, That the committee must be composed of six  
12 Legislators as follows:

- 13 1. Two members appointed by the Majority Leader of the  
14 Senate from the membership of the Senate Standing Committee on  
15 Judiciary during the immediately preceding session of the  
16 Legislature;
- 17 2. One member appointed by the Majority Leader of the Senate  
18 from the membership of the Senate Standing Committee on Finance  
19 during the immediately preceding session of the Legislature;
- 20 3. Two members appointed by the Speaker of the Assembly  
21 from the membership of the Assembly Standing Committee on  
22 Judiciary during the immediately preceding session of the  
23 Legislature; and
- 24 4. One member appointed by the Speaker of the Assembly  
25 from the membership of the Assembly Standing Committee on  
26 Ways and Means during the immediately preceding session of the  
27 Legislature;

28 And be it further  
29 RESOLVED, That the members of the committee shall elect a  
30 Chairman from one house of the Legislature and a Vice Chairman  
31 from the other house; and be it further

32 RESOLVED, That the Legislative Commission shall appoint an  
33 advisory group of 13 nonvoting members to assist the committee  
34 with that portion of the interim study which pertains to the criminal  
35 justice system and associated services and agencies in the rural areas  
36 of Nevada. The advisory group must consist of the Director of the  
37 Administrative Office of the Courts

- 38 1. Two district court judges;
  - 39 2. One justice of the peace and one municipal court judge;
  - 40 3. Two persons who serve in the capacity of court clerk to  
41 courts;
  - 42 4. Two district attorneys;
  - 43 5. Two persons representing local law enforcement; and
  - 44 6. Two county commissioners;
- 45 And be it further



1 RESOLVED, That at least one-half of the members of the  
2 advisory group must be appointed from the current membership of  
3 the Commission on Rural Courts; and be it further

4 RESOLVED, That the members of the committee and advisory  
5 group shall comply with the provisions of chapter 241 of NRS; and  
6 be it further

7 RESOLVED, That the interim study must include, without  
8 limitation:

9 1. A comprehensive review and evaluation of the following  
10 areas relating to the criminal justice system and judicial operations  
11 in the rural counties of this state:

12 (a) The adequacy of present judicial facilities, including, without  
13 limitation, courthouses, courtrooms, jails and juvenile detention  
14 facilities, with respect to size, age, security, overcrowding and  
15 number of facilities available;

16 (b) The shortage of staff, including, without limitation, circuit  
17 court clerks and justices of the peace, and the need for additional  
18 education and training for existing judicial staff;

19 (c) The shortage or lack of service providers, including, without  
20 limitation, alcohol and drug abuse counselors, mental health  
21 counselors and other professionals who provide specialized  
22 treatment to persons with certain physical and mental disorders;

23 (d) The lack of attorneys and the lack of assistance for residents  
24 who represent themselves in court, and the limited number of  
25 available and eligible jurors because of sparse populations;

26 (e) Geographical constraints because of great distances between  
27 population centers and adverse weather conditions at certain times;

28 (f) Inadequate technology, including, without limitation,  
29 state-of-the-art telecommunications services and a user-friendly case  
30 management system;

31 (g) The availability of interpreters, consular corps and other  
32 persons or groups who can provide legal assistance to racial or  
33 ethnic minorities; and

34 (h) The effect of unfunded mandates on rural courts;

35 2. The specific problems to be addressed while an offender is  
36 living in transitional housing, such as employment, alcohol and drug  
37 abuse, domestic violence and health issues, and the community  
38 resources available to address these problems;

39 3. The evaluation of other programs for transitional housing  
40 that have been successful, including, without limitation:

41 (a) Programs that require offenders to give back to their  
42 communities by volunteering, such as building houses for Habitat  
43 for Humanity or counseling young people in trouble with the law;  
44 and



- 1 (b) Programs such as the Delancey Street Foundation and the
- 2 Altamont Program, where offenders are trained in such careers as
- 3 culinary arts, catering, building trades, and motel and restaurant
- 4 operations;
- 5 4. A cost comparison of keeping an offender in confinement
- 6 versus releasing him to transitional housing;
- 7 5. The development of reentry plans for offenders scheduled
- 8 for release and methods to be used to identify likely candidates for
- 9 transitional housing;
- 10 6. The costs of building and operating a transitional housing
- 11 facility, by size, by scope of service and by location;
- 12 7. The standards to be required of a transitional housing
- 13 facility, such as organization, house rules and consequences for
- 14 negative behavior, to ensure a structured, positive environment, and
- 15 the varying degrees of restrictions and monitoring required for
- 16 certain offenders;
- 17 8. Specific requirements that must be met by a transitional
- 18 housing facility to receive licensing, including a review of the
- 19 related requirements of state and federal agencies;
- 20 9. Identification of any unique or specific issues to be
- 21 addressed for youthful offenders, women and the mentally ill;
- 22 10. Solutions to best address transitional housing for sex
- 23 offenders because of the safety concerns of the community in
- 24 having these offenders living in their neighborhoods and the
- 25 hostility of persons in the community towards these offenders;
- 26 11. Methods to be used to ensure communication between
- 27 transitional housing facilities and the Division of Parole and
- 28 Probation of the Department of Public Safety, such as reports and
- 29 methods of monitoring facilities and offenders; and
- 30 12. A review of the practices and resources of the Department
- 31 of Corrections and the Division of Parole and Probation of the
- 32 Department of Public Safety concerning the release of offenders into
- 33 the community;
- 34 And be it further
- 35 RESOLVED, That, on or before February 1, 2004, the committee
- 36 shall submit a report of its progress on the study to the Legislative
- 37 Commission; and be it further
- 38 RESOLVED, That any recommended legislation proposed by the
- 39 committee must be approved by a majority of the members of the
- 40 Senate and a majority of the members of the Assembly appointed to
- 41 the committee; and be it further
- 42 RESOLVED, That, on or before September 1, 2004, the
- 43 committee shall submit a final report of the study to the Legislative
- 44 Commission; and be it further



1       RESOLVED, That the Legislative Commission shall submit a  
2 report of the results of the study and any recommendations for  
3 legislation to the 73rd Session of the Nevada Legislature.

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