

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Wednesday, October 10, 2018
9:00 a.m.

Place of Meeting: Legislative Building
Room 3137
401 South Carson Street
Carson City, NV

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

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

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 "[Calendar of Meetings-View.](#)"

Note: Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.

AGENDA

Note: **Items on this agenda may be taken in a different order than listed. Two or more agenda items may be combined for consideration. An item may be removed from this agenda or discussion relating to an item on this agenda may be delayed at any time.**

I. Call to Order

II. Roll Call

III. Public Comment

(Because of time considerations, each speaker offering comments during the period for public comment will be limited to not more than 3 minutes. Speakers are urged to avoid repetition of comments made by previous speakers. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted in person or by email, facsimile, or mail before, during or after the meeting.)

*For
Possible
Action*

IV. Approval of the Minutes of the September 12, 2018 Meeting of the Advisory Commission on the Administration of Justice

*For
Possible
Action*

V. Presentation by the Crime and Justice Institute Concerning Analysis of Data Collected from the Nevada Department of Corrections, Including:

A. Trends in Sentences, Releases and Time Served

B. Key Points of Decision within the Criminal Justice System of Nevada

Alison Silveira, Data and Policy Specialist, Community Resources for Justice

Maura McNamara, Policy Specialist, Community Resources for Justice

*For
Possible
Action*

VI. Presentation by the Subcommittee on Criminal Justice Information Sharing

Julie Butler, Administrator, Records, Communications and Compliance Division,
Department of Public Safety

*For
Possible
Action*

VII. Presentation on Issues Relating to Suspects and Informants in Criminal Proceedings Including:

A. Recording Interrogations

B. Introduction of New Evidence After Conviction

C. Informant Regulation

Michelle Feldman, Legislative Strategist, Innocence Project

Chuck Callaway, Police Director, Las Vegas Metropolitan Police Department

*For
Possible
Action*

- VIII. Work Session - Discussion and Possible Action on Recommendations Relating to:
- A. Recording Interrogations
 - B. Revising Duties of the Advisory Commission on the Administration of Justice
 - C. Funding for the Central Repository for Nevada Records of Criminal History
 - D. Funding for the Division of Parole and Probation, the Department of Corrections and the State Board of Parole Commissioners

The Work Session Document contains proposed recommendations and is available on the Advisory Commission on the Administration of Justice meeting page or a written copy may be obtained by contacting Bryan Fernley, Senior Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau at (775) 684-6830.

*For
Possible
Action*

- IX. Appointment of Subcommittees to Examine Issues Concerning the Criminal Justice System from Pre-Trial through Sentencing and Issues Concerning Release from Incarceration and Supervision of Offenders

*For
Possible
Action*

- X. Discussion of Potential Topics, Dates and Locations for Future Meetings
- XI. Public Comment
(Because of time considerations, each speaker offering comments during the period for public comment will be limited to not more than 3 minutes. Speakers are urged to avoid repetition of comments made by previous speakers. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted in person or by email, facsimile, or mail before, during or after the meeting.)

XII. Adjournment

Note: We are pleased to make reasonable accommodations for persons with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Jordan Haas of the Legal Division of the Legislative Counsel Bureau, by email to jordan.haas@lcb.state.nv.us, in writing, addressed to Jordan Haas, Legal Division, Legislative Council Bureau, 555 E. Washington Ave., Las Vegas, NV 89101, or by phone at (702) 486-3944 as soon as possible.

Notice of this meeting was posted in the following Carson City and Las Vegas, Nevada, locations: Blasdel Building, 209 East Musser Street; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; Legislative Counsel Bureau, Las Vegas Office, Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was e-mailed, faxed or hand delivered for posting to the following Carson City and Las Vegas, Nevada, locations: Capitol Press Corps, Basement, Capitol Building, 101 North Carson Street; Clark County Government Center, Administrative Services, 500 South Grand Central Parkway; and Capitol Police, Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

Supporting public material provided to members of the Commission for this meeting may be requested from Jordan Haas of the Legal Division of the Legislative Counsel Bureau at (702) 486-3944. Any such material will be made available at the following locations: Meeting locations and the Nevada Legislature's website at www.leg.state.nv.us.



WORK SESSION DOCUMENT

ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE
(Nevada Revised Statutes 176.0123)

October 10, 2018

The following “Work Session Document” was prepared by the staff of the Advisory Commission on the Administration of Justice (“Advisory Commission”). (NRS 176.0123) The document contains recommendations that were presented during hearings or submitted in writing during the course of the 2017-2018 interim.

The possible recommendations listed in the document do not necessarily have the support or opposition of the Advisory Commission. Rather, the recommendations are compiled and organized to assist the members for voting purposes during the work session. The Advisory Commission may adopt, change, reject or further consider any recommendation. The recommendations contained in this document are arranged by topic under broad categories to allow members to review related issues and are not listed in preferential order. It should also be noted that any of the possible recommendations listed may or may not have fiscal impact. Potential fiscal impacts have not been determined by staff at this time, and may result in any recommendations for legislation resulting in a fiscal note. The Advisory Commission may choose any of the following actions for each recommendation: (1) propose legislation to amend the Nevada Revised Statutes; (2) draft a resolution; (3) draft a letter encouraging or supporting a particular recommendation; or (4) include a policy statement of support in the final report.

Pursuant to NRS 176.0125, the Advisory Commission is charged with examining various aspects of the criminal justice system and, prior to the next regular session of the Legislature, must prepare and submit to the Director of the Legislative Counsel Bureau a comprehensive report including the findings of the Advisory Commission and any recommendations for proposed legislation. The Advisory Commission is not specifically allocated bill draft requests pursuant to statute; however, individual Legislators or the Chair of any standing committee may choose to sponsor any Advisory Commission recommendation for legislation.

Additional recommendations may be considered based on discussions held and presentations made at the October 10, 2018, hearing. Please see the agenda for details concerning scheduled presentations on topics to be considered at that hearing.

RECOMMENDATIONS

PROPOSALS RELATING TO SUPPORT ADDITIONAL FUNDING FOR CERTAIN AGENCIES RELATED TO THE CRIMINAL JUSTICE SYSTEM

1. The Nevada Sentencing Commission considered a number of recommendations at its work session on August 29, 2018. The Nevada Sentencing Commission approved 3 proposals for issuing correspondence relating to support additional funding for certain agencies related to the criminal justice system. This recommendation seeks to support those recommendations by drafting a letter to the Governor and Legislature to express support for additional funding for:
 - a. The Division of Records, Communications and Compliance of the Nevada Department of Public Safety for increased funding for staffing and technology for the Central Repository for Nevada Records of Criminal History.
 - b. The Division of Parole and Probation, the Department of Corrections and the Board of Parole Commissioners.
 - c. An additional \$3 million appropriation to the Specialty Court Program in Nevada.

PROPOSALS RELATED TO WRONGFUL CONVICTIONS

2. Draft legislation to require recording of custodial interrogations.

According to document submitted by the Innocence Project, electronic recording of custodial interrogations in their entirety provides a complete and irrefutable account of what transpired during closed-door sessions. This would enhance accuracy and confidence in the criminal justice system. Mandatory electronic recording of interrogations provides a safeguard against wrongful convictions stemming from false confessions. A majority of Nevada law enforcement agencies record interrogations in some form, however there is currently no uniform statewide practice.

PROPOSALS CONCERNING THE STATUTORY DUTIES OF THE ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE

3. Revise provisions of NRS governing the issues examined by the Commission, the Subcommittees of the Commission and attendance at meetings by members of the Commission. (See Attachment A)