

****REVISED****
MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Thursday, November 8, 2018
1:00 p.m.

Place of Meeting: Grant Sawyer State Office Building
Room 4401
555 East Washington Avenue
Las Vegas, 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:

Legislative Building
Room 3137
401 South Carson Street
Carson City, 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.](#)"

<p>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.</p>

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 e-mail, facsimile, or mail before, during, or after the meeting.)

*For
Possible
Action*

IV. Approval of the Minutes of the October 10, 2018 Meeting of the Advisory Commission on the Administration of Justice

*For
Possible
Action*

V. Presentation by the Crime and Justice Institute of Data Collected from the Division of Parole and Probation of the Department of Public Safety, the Administrative Office of the Courts, the Nevada Department of Corrections, the Second Judicial District Court, the Eighth Judicial District Court and the Federal Bureau of Investigation, Concerning Recidivism and Community Supervision, Including:

A. Trends in Recidivism

B. Best Practices to Reduce Recidivism Compared to Practices in Nevada

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

*For
Possible
Action*

VI. Update on the Activities of the Subcommittee on Criminal Justice Information Sharing

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

*For
Possible
Action*

VII. Work Session - Discussion and Possible Action on Recommendations Relating to:

A. Recommendations from the Subcommittee on Criminal Justice Information Sharing

B. Recording Interrogations

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.

VIII. Discussion of Potential Topics, Dates and Locations for Future Meetings

IX. 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 e-mail, facsimile, or mail before, during, or after the meeting.)

X. Adjournment

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.

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
(Section 1 of Senate Bill No. 35, Chapter 99, Statutes of Nevada 2017; Section 1.3 of Senate Bill No. 277, Chapter 114, Statutes of Nevada 2017)

November 8, 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 November 8, 2018, hearing. Please see the agenda for details concerning scheduled presentations on topics to be considered at that hearing.

RECOMMENDATIONS

PROPOSALS RELATED TO WRONGFUL CONVICTIONS

1. 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. (Exhibit A)

PROPOSALS FROM THE SUBCOMMITTEE ON CRIMINAL JUSTICE INFORMATION SHARING

2. The Subcommittee on Criminal Justice Information Sharing (Subcommittee) considered a number of recommendations at its work session October 11, 2018. The Subcommittee approved 4 proposals, including:

- a) Add the ability to enter into Justice Link (JLink) site security as a reason for certain transactions within Justice Link (JLink). (Exhibit B)
- b) Support drafting a letter to the Governor and Legislature to express support for increased funding for the Division of Records, Communications and Compliance of the Nevada Department of Public Safety and fully fund the Nevada Criminal Justice Information Sharing System (NCJIS) Modernization Program. (Exhibit C)
- c) Propose a statewide process to vet the policies regulating access, use, security and compliance related to Criminal Justice Informational (CJI) Systems.

The Subcommittee was presented two options concerning this proposal. The two options appear on Attachment C. The Subcommittee approved "Proposal 1" so the Advisory Commission will be voting on whether to approve "Proposal 1." (Proposal #1 in Exhibit D)

- d) Draft a letter to the Director of the Nevada Department of Public Safety to express support for the plan of implementation under the Federal Fix national Instant Criminal Background Check System (NICS) Act of 2017 by the Records, Communications and Compliance Division of the Nevada Department of Safety. (Exhibit E)