

SUMMARY OF RECOMMENDATIONS

NEVADA SENTENCING COMMISSION

Nevada Revised Statutes 176.0133

The 2017-2018 Sentencing Commission held a final work session on August 29, 2018. At the work session, the Sentencing Commission considered seven total recommendations and voted to approve one recommendation for the drafting of legislation and three recommendations for the drafting of a letter. A summary of each recommendation is identified below:

RECOMMENDATION TO DRAFT LEGISLATION

1. Draft legislation to statutorily create an independent Office of the Nevada Sentencing Commission. The legislation would revise the duties of the Nevada Sentencing Commission to statutorily require the Commission to function as an independent and standalone analytic and oversight body for sentencing and related criminal justice data. The Commission staff would be required to facilitate the collection and aggregation of data deliverables (from the courts, corrections, parole and probation and other agencies of criminal justice) in an effort to further enable the Commission to efficiently and effectively evaluate criminal justice practices across the State. The legislation may include the identification of certain variables or data sets not currently collected or shared across Nevada's criminal justice agencies, along with requirements and timelines for their definition, collection and aggregation. Once in place, the Commission will have the necessary data to perform its statutory duties, including, without limitation: the evaluation of statewide sentencing practices, the potential use of sentencing guidelines, the use of mandatory sentencing, enhanced penalties for habitual criminals and the identification of other sentencing and corrections practices.

This legislation would serve to further the legislative findings and declarations contained in NRS 176.0131 in an effort to ensure that sentencing and corrections policies embody fairness, consistency, proportionality and opportunity. It would also enable a coordinated and systematic approach by the Commission to make data driven sentencing and corrections policy recommendations to the Nevada Legislature.

Additionally, this legislation would provide that the Commission staff function as an independent agency located in the executive branch of state government. The Commission membership would have the same statutory membership pursuant to NRS 176.0133, but would be staffed by newly established full-time independent nonpartisan staff.

RECOMMENDATIONS TO DRAFT A LETTER

2. Draft a letter to the Governor and the Chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the Governor and the Legislature to provide budgetary funding for staffing and technology for the Central Repository for Nevada Records of Criminal History. The letter would specifically request dedicated general fund revenue, rather than the implementation of any new fees or court assessments.
3. Draft a letter to the Governor and the Chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the Governor and the Legislature to consider additional general fund appropriations for criminal justice agencies throughout the State, including: the Division of Parole and Probation of the Department of Public Safety, the Department of Corrections and the State Board of Parole Commissioners. The letter would specifically request dedicated general fund revenue, rather than the implementation of any new fees or court assessments.
4. Draft a letter to the Governor and the Chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the Governor and the Legislature to provide dedicated budgetary funding of \$6 million to the specialty court program. Past budgets have included \$3 million in specialty court funding, this request would increase that amount to \$6 million total, as there is currently a \$15 million need for the specialty court program. The letter would specifically request dedicated general fund revenue, rather than the implementation of any new fees or court assessments.