

ADVOCATES FOR THE INMATES AND THE INNOCENT

Members of the Joint Interim Standing Committee on Judiciary,

On behalf of Advocates for the Inmates and the Innocent would like to do a presentation on the topics we spoke about during public comment during the January 19, 2024, meeting.

We are asking to be placed on the April 2024 agenda of the Joint Interim Standing Committee on Judiciary meeting. We are requesting time to give a presentation during the April 2024, Joint Interim Standing Committee on Judiciary meeting. Our colleague Mr. Edward (Ned) Reed, Vice President of Advocates for the Inmates and the Innocent will be presenting on emerging adult sentencing and why we need new legislation around this topic.

Tonja Brown will do a brief discussion on exonerating those who have passed away while maintaining their innocence, as well as creating a law to help the families exonerate their loved ones who have passed away. To include a brief description and why the law needs to change regarding sentencing adjustment.

As a stakeholder. We, Advocates for the Inmates and the Innocent, are requesting to be part of all discussions dealing with Nevada Department of Corrections, the death penalty, wrongful convictions, and any issue affecting the inmates. There should also be discussion on the possibility of future time limits on retrying cases.

In the 2019, Nevada Supreme Court case Ian Hager vs. State Mr. Hager case was left in limbo and by doing so it has destroyed Ian's life because he cannot pass a background check to gain employment because the DA has left him in limbo on charges the Nevada Supreme court reversed! It should not be five years later, and this travesty continues. We would like to see the Nevada Supreme court remand cases when the defendant is out of custody prior to decision, have a 60-day retrial limit which prevents the defendant from being left in limbo which ultimately harms them because they can't pass a background check and support themselves. Mr. Hager has been left in limbo for nearly 5 years, since The Nevada Supreme Court remanded the case in 2019 Washoe District Attorney's inaction has caused great harm to Mr. Hager. Mr. Hager continues to fail the background check due to Washoe DA's failure to pursue charges or drop the charges against Mr. Hager

Thank you for your time and consideration for this important matter.

Respectfully,

Advocates for the Inmates and the Innocent
Tonja Brown
Ned Reed
Annemarie Grant



Fw: Request to be placed on the upcoming Agenda of the April 2024, Agenda of the Joint Interim Standing Committee on the Judiciary

1 message

Tonja Brown [REDACTED]
[REDACTED]

Thu, Apr 25, 2024 at 6:45 PM

----- Forwarded Message -----

From: Tonja Brown [REDACTED]

To: Melanie Scheible [REDACTED]; jen.jacobsen [REDACTED]
[REDACTED] Diane Thornton [REDACTED]

Cc: [REDACTED]

Sent: Wednesday, January 24, 2024, 1:51:47 PM PST

Subject: Fw: Request to be placed on the upcoming Agenda of the April 2024, Agenda of the Joint Interim Standing Committee on the Judiciary

Good afternoon!

On behalf of Advocates for the Inmates and the Innocent if at all possible we are requesting to be placed on the upcoming April 2024, Agenda.

As a Stakeholder we would also like to be a part of the discussions dealing with the Department of Corrections, wrongful convictions, and death penalty.

Have a great day!

Thank you.

Tonja Brown,
Advocates for the Inmates and the Innocent
[REDACTED]

Tonja Brown: Advocates for the Inmates and the Innocent. Good morning, Chair Stiglich and members of the Sentencing Commission. We would like to bring our ideas and recommendations to the Sentencing Commission under agenda item eight. We have for some time been wanting to get legislation created and we believe with the most recent concerns being discussed by the members of the Nevada Pardons Board regarding NRS 213.085, it would be appropriate for us to bring our ideas and recommendations before this commission now. I want to just kind of refer to Mr. Sally Villaverde's Pardons and perhaps Chair Stiglich could discuss this under agenda item eight. We would like to see the following topics discussed and possible recommendations. For decades sentences have been imposed with life sentences without the possibility of parole and we would ask this committee to take another look at those sentences, and possibly change the sentencing based on research and evidence. We now know about the male brain developing and matures at the age of twenty-five years old. We would like to see that if a crime is committed before the age of twenty-one the sentence must provide with the possibility of parole. Right now, it's under eighteen. If it was the offender's first offense, putting a cap on a life sentence of twenty years. If a person did not commit the crime that led to the victim's death but was present, should have their sentence changed from a life without, to life with the possibility parole and is eligible for parole after ten years but no more than a maximum of twenty years, and also, possibly removing the death penalty and providing that. So, thank you very much.

Ms. Jones: Thank you, and it looks like we have no more people for public comment.

Chair Stiglich: All right. Thank you. Thank you, Hunter and we will now close that first period of public comment. I do now see Senator Krasner in person, in the flesh. So, thank you very much for logging on. Sorry for any disconnect there.

3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission held on October 13, 2023

Chair Stiglich: We'll move then on to agenda three. Members of the Commission have been provided copies of the minutes from the October 13, 2023, meeting. Are there any edits, comments, or corrections? Okay, hearing none and seeing no hands, I will now entertain a motion to approve the minutes from the October 13th meeting.

JOHN MCCORMICK MOVED TO APPROVE THE MINUTES OF THE OCTOBER 13, 2023, MEETING.
JUDGE BITA YEAGER SECONDED THE MOTION

MOTION PASSED

4. Report from NDSP Executive Director

Chair Stiglich: We'll now open agenda item number four, a report from the Department of Sentencing Policy Director. The Director is statutorily mandated to report to the Commission on sentencing and related issues regarding the function of the Department. We have her provide this report and update us on their recent activities at each regular meeting of the Nevada Sentencing Commission and I'll now turn this time over to Director Powers.

Director Powers: Thank you, Chair. As promised, I will try to keep this rather brief as this meeting so quickly followed the October meeting. I wanted to update you on the Department's Human Resources, the Management Analyst 3 position recruitment closed on Wednesday, and we will be reviewing the list of applicants and conducting interviews. We are very excited to bring this position on and increase our analysis abilities. In the same realm, I have appointed Jenna Buonacorsi as the NDSP Deputy Director. Some of you may remember her from earlier as she worked for us previously as a management analyst. She left for the private sector but missed criminal justice and all of us so much that she is now back. We are lucky to have her data analysis experience and you will be hearing from her later in the meeting.

I recently sent out calendar invitations to set up meetings with each commissioner to talk about vision, goals, and ideas for the future, and to answer any pressing questions. The Deputy Director and I will be in Las Vegas,

Douglas Christopher Orton, Resident, Reno, Nevada:

Good morning, Chair Miller, Vice Chair Scheible, and members of the Committee. I would like to thank Senator Nguyen for her hard work on an issue very close to my heart. I would like to thank the Legislature, as well, for their support of the Working Group. My name is Douglas Christopher Orton, and I am here to offer my personal testimony in vehement support of policy reform around and in favor of psychedelic medicine. For over forty years, I have navigated the murky waters of mental and emotional health challenges. Traditional treatments have provided limited relief, no relief at all, or at times even made things dramatically worse. In all these experiences, the journey was arduous. It was not until I explored the realm of psychedelic medicine that I experienced a profound shift in my well-being. These substances, when used responsibly and under proper training and guidance, have the potential to alleviate the grip of conditions like—but not limited to—depression, anxiety, and PTSD. The transformative power of psychedelic-assisted therapy became evident as I began my deep dive-style research into psychedelic medicine. I am forever grateful to have grown up in a relatively conservative religious home and never took any illicit drug, never drank alcohol, and never smoked a cigarette. Because of my past, it was a difficult decision to finally embark on my therapeutic journey, but under the guidance of experienced and loving experts, I was blessed to confront deep-seated issues, gaining insights which had eluded me for years. The empathetic and introspective nature of these experiences allowed me to reframe my perspectives and therefore my life, fostering healing in ways I could not have previously imagined. The effect of psychedelic medicine on my life is beyond words or description. The best I can say is I am now someone who can live my life in alignment with my personal values. I make mistakes, and I still have struggles like all of us, but I now have the ability to be emotionally and psychologically flexible, where before I was trapped in rote trigger and response scenarios creating misery for those around me, including my loved ones and definitely for myself. I am eternally grateful for the miracle of psychedelic medicine. I know if it is treated with the respect it deserves, it can do so much more than the modern pharmacological industry is able to do without psychedelics. It is essential to destigmatize psychedelic medicine, and this happens from talking about it. Open dialogue promotes education and dispels misconceptions, fostering a more informed and accepting society. With careful deregulation and a commitment to ethical practices, we can harness the benefits of psychedelic medicine to improve the lives of countless individuals grappling with mental health challenges. In conclusion, I urge this Committee to consider the transformative potential of psychedelic medicine. By championing thoughtful policy reform, we have an opportunity to redefine mental health treatment, offering hope and healing to those who need it most. Thank you very much for your time and consideration. (Agenda Item II D).

Tonja Brown, Advocates for the Inmates and the Innocent:

I want to discuss the agenda item for discussion for possible topics to be addressed at future meetings. We hope that you will consider what we are asking of you today. We would like to see the law changed for those who have been convicted of a crime to life without the possibility from 18 to 25, but 21 would be good. We would also like to see change in life sentences without to life with the possibility of parole if the person was convicted of a crime but did not participate in the actual death. We would also like to put a life sentence on those who have the possibility of parole from a minimum of 10 years to a maximum of 20 years. We have people in prison who have been in for 30, 40, 50 years, and they are not the same person. If the male brain does not mature and develop until around the age of 25, we are sentencing these individuals for crimes that we believe they should not be in as long for. I mean, if we are going to convict them and send them in, then we should go by what the guideline and the medical professionals and this research and study shows, so let us keep it

under 25. That would be great. Also, guardianship is another issue, especially with the recent Hillygus and Handte case, and also the Pardons Board. I will bring that up under the second public comment. I believe Annemarie Grant may be on the phone to call in because there is something else that she has some information on that I think you would be interested in hearing. Thank you.

Annemarie Grant, Advocates for the Inmates and the Innocent:

Good morning. I am Annemarie Grant with Advocates for the Inmates and the Innocent. I just want to echo my colleague, Ms. Brown's requests for some discussion on emerging adult sentencing. I would like to mention that the Supreme Court of Massachusetts just ruled it unconstitutional to sentence minors to life without parole. I would also like to see some discussion of oversight of the county jails in the State of Nevada because currently there is absolutely zero oversight of the county jails, and that is totally ridiculous. As many of you know, my brother was killed at the Washoe County Jail—hog tied and asphyxiated to death. I would like to see some discussion on that. Thank you.

AGENDA ITEM III—REVIEW OF COMMITTEE'S DUTIES AND RESPONSIBILITIES

Chair Miller:

Diane Thornton, Chief Principal Policy Analyst with the Research Division of the LCB, will be presenting on this item.

Diane Thornton, Chief Principal Policy Analyst, LCB:

Good morning. My name is Diane Thornton, and I am the Chief Principal Policy Analyst with the Research Division of the LCB, and I will be serving as your Committee Policy Analyst this interim. In your meeting materials, you will find the Committee Brief on the JISCJ ([Agenda Item III](#)). This brief provides background information and summarizes the major issues related to this Committee. It also includes pertinent information on membership, possible meeting dates, anticipated meeting topics, and relevant reports and studies. As you know, the jurisdiction of this Committee is wide-ranging and includes everything from cannabis to civil procedure, corrections, crimes and punishments, gaming, guardianship, and even property rights. Last interim, this Committee focused on certain topics including corrections, domestic violence and sexual assault, fines and fees, human trafficking, juvenile justice, housing, indigent defense, traffic laws, and public safety. This interim, there are some mandated activities from the passage of last session that includes Senate Bill 35, which was passed during the 2023 Legislative Session. This requires the Committee to conduct an interim study concerning certain matters relating to forensic laboratories, and today's agenda will be addressing this topic. Additionally, there are bills that were passed that require various entities to submit reports to this Committee. All of these reports are listed in the brief. Also listed are statutory mandated reports from the Executive Branch that are required to be submitted. If any of the Committee members are interested in reviewing any of these reports, please feel free to reach out to me. As you may be aware, this Committee must conclude its work by August 31, 2024, and the Legislative Commission has allocated up to six meetings for this Committee. In addition, this Committee may request up to 15 bill draft requests (BDRs), five of which must relate to juvenile justice. The final meeting, as the Chair had mentioned earlier, will contain a work session for members to vote on the BDRs to be sent to the 2025 Legislature to consider. Finally, the brief contains a list of our Committee staff and their contact information. We are available to assist the Committee and its members on any issues related to the matters before this Committee. In addition, the employees of the Research Division are available to provide information and assistance on a

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