

Dear

I am the wife of August Ardagna who is currently serving time in the Nevada Department of Corrections for homicide with the use of a deadly weapon. I recently saw that you had worked in the U.S. Congress to change the nation's drug laws to retroactively apply to prisoners who are serving lengthy prison sentences. You and your congressional counterparts indicated you believed the states governments should follow your example.

On behalf of Nevada prisoners and their families I am requesting your assistance in addressing the provisions of Nevada Revised Statute (NRS) 193.165, the deadly weapon enhancement.

In 2009 the Nevada legislator's modified NRS 193.165 downward to allow for a sentence of 1 to 20 years for the use of a deadly weapon in a felony offense. Previously NRS 193.165 mandated the imposition of an "equal and consecutive" term of imprisonment. The legislator's failed to provide for a retroactive application of the lesser sentence under NRS 193.165 since 2009.

During the Nevada legislator's debate in 2009, regarding the aforementioned statute, the legislator's goals were to: (1) lessen the overcrowding prison population, (2) find the "equal and consecutive" sentence to be "harsh", and (3) allow sentencing judges wider discretion under the new sentencing scheme of NRS 193.165.

The Nevada prison system contains several inmates who are, right now, serving "life" sentences for the "use of a deadly weapon" whiles those who are newly convicted are or will be serving determinate sentences for the exact same crime of "the use of a deadly weapon" and this is the result of the legislator's failure to apply the new law retroactively.

I hope you will agree with me, and other Nevadans, that this is an injustice. If the provisions of pre-2009 NRS 193.165 were "harsh" then they are still "harsh" when allowing the sentence to remain effective on pre-2009 convictions.

I am respectfully requesting your assistance in introducing legislation and/or convincing Nevada legislators, to introduce and pass legislation that will make NRS 193.165 retroactive.
Thank you, in advance, for your time and consideration of the above matter.

Sincerely,



Amy Ardagna