

# Public Comment

Nevada Local Justice Reinvestment  
Coordinating Council

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**Nevada Local Justice Reinvestment Coordinating Council**

Public Comment

Nevada faces an imminent constitutional crisis. Citizens are confined to state prison without any conviction. This condition is a direct consequence of the Nevada Supreme Court's misinterpretation of the United States Supreme Court decision in Missouri v Hunter, where Nevada courts impose multiple consecutive sentences for a single count each time a consecutive sentence is imposed for Use of a Deadly Weapon. This consecutive sentence is treated separate and distinct for all purposes and does not augment or enhance the single sentence imposed for the actual crime. A review and analysis of the actual character of the separate sentence for Use of a Deadly Weapon reveals the following defects implicating them invalid:

1. The consecutive sentence does not begin until the expiration or discharge of the conviction.
2. The consecutive sentence is not the result of a separate conviction.
3. The consecutive sentence does not provide a reference to sufficient statutory authority that would allow for either confinement to a state prison, parole eligibility, or consideration of parole.

Simply put, the character of the consecutive sentence does not provide the basis for any infirmity related to the deprivation or restoration of civil rights. As such the department of corrections does not have sufficient statutory authority in order to carry out the command of restraint or imprisonment. In consideration of the foregoing where my husband Michael Adkisson is confined to state prison without a conviction, the chief elections officer conducted a review and evaluation of the character of the consecutive sentence, and did restore my husband's voting privileges as contemplated by NRS.213.157 which also requires release from prison. However, the Nevada department Of Corrections continues to restrain my husband admittedly without a conviction. Finally, I would like to invite Mr. Jon Ponder 2 meet with my husband or take a phone call with him. I think this would help to advance the collective understanding of the current crisis for this board's next meeting, where I hope a thoughtful analysis of the character of the consecutive sentence may be evaluated.

Thank you very much,

Patricia Adkisson  
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