

Joe Lombardo  
Governor

Jorja Powers  
Executive Director



Justice Dougals Herndon  
Chair, Nevada Sentencing Commission

Christine Jones Brady  
Vice Chair, Nevada Sentencing Commission

**STATE OF NEVADA**  
**DEPARTMENT OF SENTENCING POLICY**

625 Fairview Drive, Suite 109  
Carson City, NV 89701-5430  
Phone: (775) 684-7390  
[sentencing.nv.gov](http://sentencing.nv.gov)

**NEVADA SENTENCING COMMISSION**  
**MINUTES DRAFT**

**Date and Time:** November 1, 2024, 9:00 AM

**Location:** VIRTUAL ONLY

**MEMBERS PRESENT**

Chief Michelle Bays  
Dr. Shera Bradley  
Suzanne Crawford  
Chairman Christopher DeRicco  
Director James Dzurenda  
Deputy Chief Aaron Evans  
Evelyn Grosenick  
D.A. Christopher Hicks  
DA Mark Jackson  
Deputy Director Troy Jordan  
Dr. Jennifer Lanterman  
Captain Joshua Martinez  
John McCormick  
Julia Murray  
Erica Souza-Llamas  
Judge Bitia Yeager  
Assemblywoman Venicia Considine  
Assemblyman Brian Hibbetts  
Senator Melanie Scheible  
Senator Lisa Krasner  
Vice Chair Christine Jones Brady  
Chair Justice Douglas Herndon

**MEMBERS EXCUSED**

John Arrascada  
Franklin Katschke  
Jon Ponder

**STAFF**

Jorja Powers, Executive Director  
Jenna Buonacorsi, Deputy Director  
Marie Bledsoe, Management Analyst III  
Erasmio Cosio, Management Analyst II  
Jose Sepulveda, Management Analyst I  
Hunter Jones, Administrative Assistant III

**1. Call to Order / Roll Call**  
**[Meeting called to order at 9:00 a.m.]**

**Chair Douglas Herndon:** Thank you, very much. All right. Welcome everybody and welcome to everybody that's joining us through our YouTube channel as well. We'll call to order the November 1, 2024, meeting of the Nevada Sentencing Commission. This is our eleventh meeting of our cycle, and I'll ask Director Powers to take role at this point, if you would, please, Jorja.

**Executive Director Jorja Powers:** Thank you, Chair.

(ROLL CALL IS CONDUCTED BY DIRECTOR POWERS; QUORUM IS MET)

**Chair Herndon:** Thank you very much, Director Powers.

**2. Public Comment**

**Chair Herndon:** We're going to go ahead and open our first session of public comment. This is agenda item number two. There'll be two periods of public comment, one at the beginning of the meeting and one at the end. Members of the public have two options for submitting public comment. First, they may do so in writing by emailing the Department of Sentencing Policy at [sentencingpolicy@ndsp.nv.gov](mailto:sentencingpolicy@ndsp.nv.gov). Public comment received in writing will be provided to the Commission and all of our membership for reference in the minutes of the meeting, as well. Members of the public who wish to testify may do so by telephone. Due to time constraints, public comment is limited to two minutes. Any member of the public that exceeds the two minutes may submit your comments in writing thereafter as well, and please, don't take offense if we kind of give you the Oscar music, and tell you, we have to wrap it up when we get to that two-minute period. As a reminder, please keep your devices muted if you're going to testify by telephone today. At the time that you're called upon to give your comments, then you'll be instructed as to how to unmute yourself and speak with us. And I'm going to ask staff to manage and direct those who wish to testify by telephone. So, I'm going to turn it over to Hunter at this point.

**Ms. Hunter Jones:** Thank you, Chair. Members of the public who would like to testify by phone, press start nine to raise your hand. When it's your turn to speak, press start six to unmute, then please slowly state and spell your first and last name. And we have no one who would like to testify for public comment.

**Chair Herndon:** Okay. Very good, thank you, Hunter. So, we'll go ahead and close the first period of public comment, agenda item number two.

**3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission held on September 13, 2024**

**Chair Herndon:** We'll move onto agenda item number three, which is approval of our meeting minutes from the meeting of the Commission from September 13, 2024. Everybody, I believe, was provided with copies of those minutes. Are there any edits, comments, or corrections that anybody wants to make? Looking around and I don't see any hands. Jorja, did you see any hands coming up? I'm not really good at that all the time. Okay.

**Director Powers:** No, Chair.

**Chair Herndon:** Does anybody want to make a motion to approve our minutes?

JUDGE BITA YEAGER MOVED TO APPROVE THE MINUTES OF SEPTEMBER 13, 2024

VICE CHAIR CHRISTINE JONES-BRADY SECONDED THE MOTION

MOTION PASSES

**5. NDOC Presentation on Facility Moves**

**Chair Herndon:** And Director Dzurenda, I know you have to get out of here pretty quickly this morning. So, whenever you need to take off, obviously, go ahead. Thank you for coming in.

**NDOC Director James Dzurenda:** Yeah. Thank you all and good morning. Yeah, sorry about that, I got a last-minute call literally half an hour ago saying, I got to be at court today at 11:30 over in Las Vegas.

**Chair Herndon:** You got to love attorneys, right?

**NDOC Director Dzurenda:** So, anyway, what I wanted to go over because there was a lot of public cry about it, uncertainties of why this was done, but what I wanted to go over, Ely State Prison was the highest maximum-security prison in Nevada. Recently, as of September 8th, I changed the population there to be a lower level medium with mostly all protective housing. And there was a reason behind all this, and I couldn't let the public know, I didn't even let staff know this was happening prior to the move because we had some

very, very high level, high security offenders that were in there that had cartel involvement, and terrorist involvement, and it really involved some very high-level moves. Especially, moving all of death row out of Ely, moving them to Indian Springs at our High Desert State Prison, and almost swapping the population. This was nothing new, I went back as far as 1996, and saw the minutes where Robert Bayer, who was the Director of Corrections back in '96 discussing this move and why Ely is not the optimal place to have this level of high security. And we had an incident that happened in August where we had three offenders that were murdered, it all took place in 20 seconds, and it wasn't the actual homicide that was the issue on my end, it was the after-fact, the amount of staff that we didn't have for response, majority of the staff, except for about 14, were on 16 hours already at the time of the incident. So, when you talk about a place like Ely, where it's very difficult for anyone to get in the state, to get employees, full-time employees to work out there, our numbers are drastically reduced. Ely and Lovelock are our two facilities out in the rural areas where we are this time last year, we were at 39% vacancy in Lovelock and 42% vacancy of correctional officers at Ely, which is very scary to run an operation like that. So, when you have an incident like this, the aftermath, is really what is the really serious response that you need additional staff. Having a county out there, White Pine, that has very limited staff as well, emergency response to the facility is very limited. At the time of the incident of the three, besides the three that died in the incident, we had eight that had to be life-flown out of Ely, which means I had to have two to three officers depending on the security level to transport them and to stay with them at the outside hospital. When you already had people on 16 with emergency response to move offenders around, to do investigation of the incident, to search, we had nothing. Very scary situation that we were in. We had to order 50 employees split between Las Vegas and Carson City to go to Ely for emergency response that day. Minimally, to gather and move was about 6 hours after the incident, to relieve staff, to sit in the hospitals, and to assist with shakedowns, and security moves. So, it really was what exacerbated the transfer thoughts that I needed to do. When you also talk about maximum to highest level security it requires more staff. So, here we have a facility that has the least amount of staff, the most amount of vacancies, and requires the most amount of staff to operate safely, it's not optimal. So, moving the population around has its pros and cons, and how do you get that high of level security with those that have this highest level of criminal connections from around the world safely through the

community? I had to have meetings set up with the Secretary of Defense and the Secretary of the Air Force to talk about utilizing the Department of Justice 737 to fly into Ely, to fly out 250 of the highest security offenders to Indian Springs, and with that, getting approval to land at the Air Force Base, Creech that is in Indian Springs right next to the facility. Doing that was a struggling in itself, we had to involve the US Senator Castro Cortez [*Cortez Masto*], having that, having the involvement in that, and trying to set these meetings up was not an easy function. Finally, to get the approval to move those through a place like, Ely Airport -- which is pretty much right down the street from the prison – getting a 737, that large of an aircraft in and that large of an aircraft out, and how we would move those offenders. In order to move them safely, we had to also involve the US Marshal Service for assistance, Las Vegas Metro, their SWAT Teams and their jail to help with the assistance in getting offenders off the aircraft we had in White Pine County, and the marshals up north and the Department of Public Safety to get the offenders on the aircraft safely, and also, because we involved the US Air Force, I had to get the special forces from the US Air Force also involved, once we landed in Creech to get the movement going. It was very successful, just I did get a lot of public resistance on it when it was happening, that you know, what is happening, why is it happening, the residents near Indian Springs complaining about you know, nobody was told about this? We didn't really have a choice. If we told the public, and they were telling their entities, and the word got around it could be very, very serious security matter transporting that high-level facility. And all in all, we had to transfer 2,200 offenders all in one week, back and forth from the facilities, 250 by aircraft, and the rest were by buses. We obviously couldn't manage the bus process alone with corrections, so we hired some company out of Tennessee called TransCore. TransCore provided all the high-security buses, they do all the security runs for ICE, moving people along around the country. So, we utilized them to assist us with moving the rest of the almost 2,000 offenders back and forth in one week. And with that, the other reason was, down in Las Vegas area which covers Indian Springs, we are pretty much full or were full until we moved the offenders down there on our staffing. We went from about 26% vacancy, this time last year, correctional officers down in the Las Vegas area to less than 5% now. We actually before the move, we stopped hiring because we actually had too many, we pretty much have about five at all times right now, about 5,000 applications for Corrections in the South to join the Department. So, having more staff available, more facilities in the area,

more resources, more staff response from either the Air Force, or Las Vegas, or Calrk County Sheriff's Office, having that response makes more sense of having this higher-level security in that area in case there's any problems or long-term issues that come up in the facility where we need local law enforcement. Ely was not the location. The other thing, if you look on a security end of Ely, Ely's security really doesn't match the standards of ACA, American Corrections Association, on perimeter security. The fences are too short, there's not enough razor wire, if we were ever audited by the ACA for a maximum security like that it would never pass. Why the agency continued to keep that high of level up there, I'm not sure why or to do these changes. Now, it's more appropriate because we have what's called our protective housing -- some people call it protective custody -- are up in Ely. Ely was originally designed for two offenders per cell, the facility always kept it at one, to keep the numbers down, and also, to single cell those that are the highest-level security, so they don't have internal fights in the cells, and having issues. Kept it at a single cell, which is why we were able to double the population up there today. Currently, today, we have 1,200 up in Ely. Like I said, in the lower-level mediums, you very rarely in the prison systems have any issues with those that are at that level, at least not the gang issues, or the problem issues with the fights, or assaults. So, it's a big change for Ely and what helps me out also is when you have only one facility that had that high a level of offenders, you have to put them in there no matter what the medical issues or future medical issues they have. So, having such high-level medical issues at a facility like Ely that has very few staff and very few medical, even less medical staff, we relied on outside hospitals all the time. Well, that becomes more expensive and when you're talking about a level of hospital care, Ely Hospital is not the type of triage that can actually manage the emergencies that we have at the facility, whether it's a stabbing, a serious assault, head injuries, so those offenders of that category medical have to life flown to Las Vegas. The expense of that is almost obscene, it's usually about between \$38,000-\$40,000 per offender to transport to the hospital in Las Vegas, which happens consistently. So, just and the airport that we utilize for aircraft out of Ely actually comes from Salt Lake City, which also brings up the cost levels. It's not effective cost management, it's not effective for treatment of any offender, it's not right. Now, with having that type of population, I could control the who has significant medical or mental health issues, and I can relocate them, they do not have to stay at Ely. So, it actually on fiscal reason, actually helps me manage the cost levels in future costs of

medical and mental health care but also doing the right thing to get the real appropriate medical and mental health care by putting them in a different facility that can actually manage and take care of those offenders appropriately. I do expect a reduction in long-term lawsuits because our major lawsuit now is really over medical and mental health care. I do believe we'll start seeing reductions in that, which is also a good thing for the state because now I can manage those levels, and it was not being effective having those high level medical mental health at a facility where we have the least amount of medical mental health care. So, a lot of this makes sense. The negatives to all this, having that lower-level medium of protective housing is programming. Very difficult to get programming up to a place like Ely, where we can start working on true re-entry back into the community to make sure that those offenders going into our communities have the tools available to make them successful, so we can reduce victims in the community. So, our big goal right now is how we can introduce master and major programming to Ely. We will be presenting in front of IFC in December for money that's coming over from SEAAP funds. SEAAP funds for who people don't understand it, it's federal funds that they give the state for tracking immigrants and illegal aliens in the state, it's SEAAP. Those funds come into the state, and I can request use of those funds for things like this, which is programming, which I think is going to be a big deal. Getting those programs into Ely is going to be important, especially when you have these lower levels that are going to be getting out soon, I need to make sure that they're well prepared to get back into the community and making sure all of us are safe. So, that's going to be our biggest struggle. In January, we're also are implementing tablets to the offenders statewide, every offender starting the layout of it is starting in January 4th, laying out tablets for every offender, and finding, and getting the resources for online programming, online education, online resources for those offenders like at Ely, that will be able to get these programs and education in place before they can go home. So, our goal right now is really to increase the programs at Ely. When you talk about security at High Desert where all those offenders went, the perimeters are actually higher-level standards in High Desert than they are in ACA. The facility in High Desert actually is the only state right now, the only state's lethal fence that surrounds the facility, it's six miles of 80,000 volt fence that goes around the entire facility. It's the only facility that has that. So, for safety in the community, it's actually more safe being at High Desert than it is at Ely, if you do have potentials. So, the security concerns on putting that high level at High Desert should

actually be less of a concern than it should have been up at Ely, when you look at myself as a looking at professional end of this with safety and security. So, the staffing like I said, is more staff available at High Desert, we increased the actual staff levels when we moved those offenders down there, I moved 65 full-time employee positions from Ely down to High Desert, so that we can increase the security of the staffing in those areas, and the safety, and we're able to now get less offenders out -- get them out longer of their cells -- but less amount at a time with more staff supervising which is a lot safer. So, I just thought it was important that the members of this Committee understood why the move was done and the implications of it, and to truly my background, and expertise in corrections to say, that the state is actually safer now, staff are safer, the offenders are safer, this move was long time coming and should have happened many years ago. Just, it really opened up my eyes and the public eyes to say that this incident that happened up there, thank God, it wasn't longer than 20 seconds, but it was something that could've been a bigger disaster than it was in more lives at stake, and I truly believe we won't see that type of incident again, at least not at that magnitude, and think we are all safer at this time. That's all I got, and I don't know if anyone had questions, because I know a lot of you, even the Legislators, were probably getting calls from constituents on you know, what is happening, why is this happening? I saw some of the articles in the paper, I saw the union saying we are jeopardizing staff at High Desert, it's the opposite. But, anyway, I'm open to some questions and answers if anyone has them just so we can open it up to make sure that people understand the implications of all this and the long term of this.

**Chair Herndon:** All right. Thank you, Director Dzurenda. And I apologize, but I should've told you we were jumping to agenda item number five and jumping over Director Powers' report, so that we could get Director Dzurenda on his way. I know Julia has her hand-up. Julia, you want to go ahead?

**Ms. Julia Murray:** Hi. Good morning. Thank you. Thank you for coming in and giving this presentation this morning, Director Dzurenda. I was one of the ones that asked to have you here to hear what's going on and you actually touched on a number of items that hadn't even really entered my mind when I asked to have you come in, so I found this to be very useful. You touched on something, so I want to ask you a question about that, but then, I had an additional question coming into today that had nothing to do with the safety security aspect, but rather the cost aspect. My question regarding the transfer of the low-level mediums up



to Ely, you mentioned the programming issue, and that was a concern of mine, given that some of the most proactive re-entry work that we are able to do is with those that are the low and low-medium types. So, I understand what you are saying, that it's being impacted, I expected that, that makes sense, I hear you that there's a plan in place, does this plan take effect like, now? Or are we talking about a plan that we're going to be waiting you know, two cycles of low-level medium inmates before we're even hitting the ground and seeing what's happening there. And then, as a second does this affect any of the current camp programs or just what we consider to be day-to-day programming, access to education, life skills, re-entry, and that sort of thing. And then, I'll ask you my other one, separate.

**NDOC Director Dzurenda:** No, absolutely. So, I don't know the true details of what happened to this programming money because I'm not really up to speed in some of the LCB and the state legislature, and the GFO Office rules on the money, but we went in front of April IFC and asked for \$3.2 million for programming that was really designed for the rural areas, Lovelock and Ely. We got approved through the Legislature to have it, when we started to put out the RFP to get these companies in that can provide the resources, the staffing, all that for program, found out that our money was reverted back to general fund. This was about 45 days after we got it. When you do RFP's it takes a lot longer than 45 days for it to go back. So, what we ended up doing is, we had to resubmit it into December's IFC. I don't think there's going to be a problem, I assume it's just a matter of kind of technicalities to get the money moved back to us from the general fund, but I am not 100% sure. I was told that the money had to be used before the end of the fiscal year, so when we finally got the money, it was already the end of the fiscal year, and I lost some program money. So, that coming back, I assume will happen. Our RFP for the programming of those two facilities is ready to go out, so as soon as that money transfer gets approved and happens, we'll have that RFP go out and I already have two companies I know of that were interested in it that asked us what happened to the money. So, I know I'm going have some interest in people and companies going out there to do the programming. Big part of this, which is also going to help your area, is those tablets that are coming in. Those tablets they're endless on things that we can do with them, especially with programming, access to courts, every single tablet is going to have its own Lexus Nexus Court library on them, it's also going to have access to what PELL grants, which are college course that they can actually utilize, and it also

has a function on there that we could do private video with attorneys, long distance, which I think is going to be a big deal. Also, we can't do electronic signatures, but we could do electronic transfers of court paperwork. I think this is a big deal for the offenders' attorneys that are out there, even for the courts, so it does save a lot of trips. It's also going to have access to the video visiting with the families and with community services. There is a way just so you know, you'll understand working in the public defender's office, we do have a way of non-recording and a way of recording. So, when we hook it up, it'll be no different than phones, but it'll be by video. And another avenue what it's going to be able to do is calls, they can make calls out of these tablets. It's not going to work like a regular cell phone, they're actually a network that's does no different than the phone itself that's on a wall, goes to a PBX room, we allow the calls that we want to go out, so, but they will be able to make calls while they're in their actual cells from seven in the morning to eleven at night, and that can also be for attorneys. So, they should have better attorney access, it should have better support access to community programs that the offenders are trying to get into, and even job access, and all that. We are going to have connections to the Department of Labor to connect jobs for the offenders right from their cells for setting all that up. So, it's going to be a game changer, but I think it's going to the courts and the attorneys are going to see a huge change in the way they could communicate to their clients and to those that are having pending court cases that I think is going to be something that's going to be not only saving money for their attorneys, but also, saving money for the courts, for myself, and transportation. So, I don't have to move offenders in and out of the community, through the community to other locations, or to the courthouses, and there's a safety aspect that I think is going to be enormous out of this as well.

**Ms. Murray:** Thank you for your answer. And I think it just got overlooked because my question was super long, were any of the camps impacted? As well as others.

**NDOC Director Dzurenda:** None. None. And actually, Ely Conservation Camp was closed before I started in January of '23 and it did not. And just so we know, we are looking at in our budget build to be closing Wells Camp, that's the only camp that you may see next year that'll have a difference and a change after July. Wells Camp has a very, it's difficult to get staff, it's difficult to get programs up in that area, but also, the place, the infrastructure of that facility has been neglected for so long it's going to cost too much money to

upkeep it, new roof, new boilers, new generators, that are all ready to be done, it wouldn't be cost effective for the state to do that. When we talked about in the past at AB 236, and I know it's hard for us to be able to determine the real impact of it, and whether or not there's other factors that are involved, and not just AB 236, but it's our numbers of our minimum populations that can actually fill those camps have decreased over 2/3. When I left the state first back in 2019, we had over 1,400 offenders that qualified for camps that were used as the NDF firefighting camps. Today, we have less than 300, I think there's like 240 and that's not because we're not putting them there, that's all that qualify for it. So, those effects of some of the law structures and things that we did in the Sentencing Commission affected those lower levels, which means our higher levels are actually more. Now, we have our population, just so which is good for this too, I don't know if Jorja has it in some of our statistics, but when I first started here in January of '23, our population was at 9,963. Today, when I looked at our count and now, we're only talking little over 18 months later, our population is 10,564. So, when you look at those numbers going up in the projections that even next year, we may be over 11,000, we're running out of high security room and beds. So, another thing we're going to be asking in our budget build, is also to re-open Warm Springs Correctional Center in Carson City because we are going to need the bed space. So, we saw those and a lot of it, I mean COVID affected it, the changes in the laws affected it, changes in sentencing structure, our population went from 12,000 to below ten, now we are shooting back up again. So, we're in a cycle and it's a national cycle too, not just us of the numbers because our population of residents increased, a whole bunch of things, but the numbers are going up in the state population prison system.

**Ms. Murray:** Yes. I very much agree with that. So, thank you. My second question is far more AB 236 money oriented. As you know, one of the big numbers we're constantly looking at is the cost avoided and the big number that has been unutilized often, when we're looking at avoidance, is new prison rebuild, new facilities, and things of that nature given population change. So, we don't always get very straightforward breakdowns when we're entering into those discussions and so, we do a whole lot of well, maybe the cost is a static cost that's coming from this, or maybe there's an increase in cost because of an increase in wages and general staffing issues or things of that nature. We do a lot of what if's around here.

**NDOC Director Dzurenda:** Yeah, yeah.

**Ms. Murray:** I anticipate that your numbers coming out of this transfer are going to have some spikes in them on your cost side that relate to this transport, this full facilities transfer back and forth, and in anticipation of having those numbers be called anti-progress numbers, or costs associated with something other than a move, I would very much appreciate if that cost could get submitted to the Department of Sentencing Policy so that we have it ready when we start looking at cost avoided versus cost spent, and the impacts of AB 236 as we get to our financial reporting reports. In that number, among other things that I'm certain you'll note to be relevant; I was thinking about the actual transfer of the human beings itself, all of those travel costs, things of that nature, but also, building modifications that need to be made at both facilities as a result of the transfer. Obviously, death row is a very simple example, converting the death row space at Ely into something that allows for more housing of other individuals. I've been up there; I know how limited the number of people is that you can hold in there in its current format and I'm sure you have plans for that to expand its usage.

**NDOC Director Dzurenda:** Yeah.

**Ms. Murray:** Likewise, in High Desert, there's not something that's completely comparable, so whatever you had to do to get that ready. All of those kinds of costs, kind of top to bottom, so that we can put the real numbers to the real costs.

**NDOC Director Dzurenda:** Yeah.

**Ms. Murray:** And have better discussions.

**NDOC Director Dzurenda:** So, what I think is important to explain. First of all, I'll do a real quick one is the next Board of Examiners meeting -- which I think is December -- you'll see the contract costs, the exact contract cost of what cost the move from Ely to High Desert and High Desert to Ely, and I believe the entire contract cost with TransCore, with Las Vegas Metro, with Department of Justice came out to about \$750,000. That was the actual move of those 2,220 of how what the cost was. When you talk about AB 236, why it's so difficult to say, when you reduce the population, does that save money? While when you, here's what's difficult to explain, just because the population numbers go down, doesn't mean that it's less costly. If we reduce our minimum securities, which really does not cost that much, we could house 250 offenders with

two officers, though eliminating two officers because we close those is a lot less expensive than when you talk about filling them with higher security. Our higher security numbers are going up, which means those 250 probably cost about eight officers to operate at a higher level. So, it actually cost more. Population numbers went down, but our costs could go up, that's one area. What's hard to tell with COVID, the agency at the time was struggling with getting staff, they had the overall vacancy rate was over 30%, what they ended up doing to make things they thought would be a safer option was as they closed certain posts down throughout the state, that they didn't think was directly involved with the actual security of the housing unit. So, they closed down towers, they closed perimeters, they closed instead of having two officers for 250, they would have one. They reduced it to a level that was dangerous, below minimum staffing and pretty much held their breath to say, hopefully we won't have any problems or any escapes, well they did have an escape and that escape that happened in '22 was pretty much directly related around the staffing levels at that location. So, when you look at staffing levels -- and this is what I have to be able to explain to the Legislature, because I know they are going to ask this -- when you are working at a certain level below minimum security or below minimum staffing, and you get additional staff in, those staff are now going to be put into positions where they were not filling. So, I'm going to be filling those posts that we didn't have an effect that they reduced because I know it's important for the security like, some of those perimeter posts, the additional officers in the unit. However, our cost went up, it didn't go down, you would think if we hired x amount of correction officers, the overtime cost would go down. However, it will go up right away because you're filling posts that weren't filled, so now I'm having the correct amount of officers working in the housing units, which weren't there, now I'm having the perimeter post re-established, all these areas for safety and security, our actual cost went up, not down, even though we hired more and you would think it would reduce overtime. But now when you fill these other posts, when they're out, or out sick, or hurt, you fill those with overtime so, our overtime could actually go up when we have more staff. Then, there's a point when we're at a hiring piece like down in Las Vegas, where we're not hiring anymore, that's when you can actually see what the real cost is, and what the overtime cost is, and be able to control it. So, there's going to be a spike going up when we hired staff and everyone's going to ask, well if you hire more people, would it reduce overtime and you would have saved money? It's not it. So, those played a factor. When we're talking about

cost, my most expensive cost at Ely was that medical piece and that's what's going to be important on my end to be able to show the Legislature the cost savings of all this for medical issues. And like I said, when we can't fill even medical positions there, I got a part-time doctor for the facility, if I can't fill those with high-level medical professionals, well then, I can reduce the amount of medical needs and move those offenders somewhere else. So, all in all, it's going to be important from that date of September 8th and on to really see what our cost was, what the savings was, and that's to be seen, and I think it's going to be pretty big. At least, in the medical piece it's going to be pretty huge. And the overtime will go down at a place like Ely because they're not going to need that many staff. Just training is a concern of mine and we got to make sure that the staff are adequately trained in both locations. Ely has never had a population where they have so much programming, and out of cell time, and group time. Retraining has to happen, and it is happening for those staff to really understand how to operate a facility like that. Now you go down to High Desert, they've never had the large numbers of death row and those populate, they have to restart focusing, which we did. Trained every new staff on escorts, training with types of restraints, even the type of restrains change at that facility, so we have to teach them that. But we're keeping track, we've had some incidents down at High Desert, which when you move all the most dangerous, most violent, and those that have a history of violence to one location, you probably will get some incidents happening that they didn't have before, but it's not a lot. Ely has not had anything happen up there, which is great for them, give them a break. But we're monitoring both the rates, training, cost of medical, mental health care, and also, the adequacy of expenses which I think is going to be important down the road to be able to show that because I know the Legislature is going to ask me anyway.

**Ms. Murray:** Well, thank you for answering my questions. I know a lot of other people have things to say, but thanks for being here today.

**Chair Herndon:** One second Dr. Lanterman, but I'll get to you, I saw your hand up. Director Dzurenda, you have got a number of judges and attorneys here who appreciate people who make it to court on time, so please tell me when you need to leave to get to court on time.

**NDOC Director Dzurenda:** Yeah, no, I have to be there for 11:30. So.

**Chair Herndon:** Okay.

**NDOC Director Dzurenda:** I just didn't wear a suit today and then, they told me I got to be a court, so I got to run home first, get a suit on, and get to the courthouse.

**Chair Herndon:** Okay. But you're still good to answer a few more questions?

**NDOC Director Dzurenda:** Yeah, I am. I got time.

**Chair Herndon:** Just let me know when you need to go.

**NDOC Director Dzurenda:** I will.

**Chair Herndon:** Dr. Lanterman?

**Dr. Jennifer Lanterman:** Thank you. So, I appreciate your explanation, Director Dzurenda and Ms. Murray's follow-up questions. I just wanted to remind the Commission that we previously talked about some of these issues related to cost, cost avoided, and how cost reduction is not always the appropriate metric that we need to be focusing on. Especially in the short term and particularly, in a state like Nevada, where the Department of Corrections has a lot of historic deficiencies in terms of the age of its infrastructure, becoming compliant with changing regulations, the changing needs, and increase in the size of the population, combined with our disproportionately high incarceration rate relative to the national average. So, one of the conversations we previously had was, if you want to reduce a prison population, you want to decarcerate, you've got to do that in one of two ways. You either reduce by risk of recidivism which means you're going to take the people out who are the lowest risk of re-offending. Well, those are the people who have the most severe offensive conviction. Those are typically your homicides, your various serious aggravated assaults, things like that. Or, you reduce based on you know, severity of crime, so people who commit nonviolent drug and property offenses would be the people you release, but what that means is you keep people who are higher security with more severe offenses of conviction in Department of Corrections custody that will by definition, increase your costs over a period of time until you get the entire system compliant with both the law and American Correctional Association and National Commission on Correctional Health Care Standards. So, that's sort of where we are now. So, what we're seeing is because

there has been, there are some fluctuations that Department of Corrections population, but what we're starting to see when you look at some of the numbers that came from the handout today, we're starting to see some of those numbers shake out, where you're seeing kind of a reduction in people who are serving periods of incarceration for these nonviolent offenses and an increasing proportion of your Department of Corrections population that are in there for very serious felonies, violent crimes. So, those are people that are going to require those increase in infrastructure cost to ensure proper security, but also, increase staffing, different staffing policies, but also, they're going to be in prison for longer periods of time. So, what you're going to have then at that point is you're going to have people who have chronic health issues and you're going to then begin to observe the increased costs associated with aging prison populations, which is something we've previously discussed because they will be in prison for longer periods of time by virtue of their convictions. So, while I think it's important for us to continue to monitor costs and it is certainly very useful to have disaggregated sort of cost recording, so we can see what those costs have been or those additional monies have been allocated to, it should not be a surprise to us that while we are seeing this fluctuation in our Department of Corrections population and it's increasingly people who are serving periods of conviction for very serious felony or periods of incarcerations for very serious felonies and violent crimes, that we are going to see an uptick in cost for a period of time. Some of those costs will level off after a period of time, and some of them will continue at a higher level, and potentially increase if we are going to continue to maintain a population of people who are going to age in prison, right? So, I just want to sort of keep front of mind for the Commission members that increase in costs in of itself, is not necessarily something to be afraid of. It could simply be a function of both our population, but also, the Department of Corrections' move to ensuring that we are compliant with the law and all the standards from ACA and NCCHC. Thank you.

**Director Powers:** Vice Chair Brady has her hand up, Chair.

**Chair Herndon:** I'm sorry. I was muted. Senator Krasner. Senator Krasner, I think you're still muted now. There you go.

**Senator Lisa Krasner:** Thank you, Chair Herndon and thank you, Director Dzurenda, for being here today. My question is in regard to community safety, the people of Nevada are concerned about safety, and I'm



just wondering with these cell phones and tablets in the prisons, how are you ensuring that these prisoners are not looking at their phone or their tablet and finding the witness that testified against them or the victim that they attempted to murder, but survived, how are the people being safe? How are you ensuring that these criminals aren't contacting their fellow gang members on outside and putting out a hit? Thank you.

**NDOC Director Dzurenda:** So, these tablets are not, and phones are not like, our tablets and phones we use in the community, and I think I mentioned, in the Legislation, that Nevada and North Dakota are the only two states in the country now that don't do this. They're in the prison systems all over the country. Nevada is going to be one of the last states to go with them. Like, I said, with the tablets they're not used like a tablet or a phone, they go to a PBX area, and we control what goes on them, and what's off. It's not a direct line out, it's not internet access, it won't allow them to do what we can do on a cell phone or a tablet in the community. So, we are authorized what goes out of those tablets, nothing comes into those tablets unless it's through a closed system and we could do that with school, certain education classes, and programming, but we allow what goes in and what goes out. We've always been doing this, just not in a statewide, every area, we have like, Clark County School District already uses these Chrome tablets that are in our classes already in our prison system and it only allows what we want in or what's out. It's not internet access. So, they use a closed network, goes to what we call a PBX room that allows us to say, "Okay, we'll allow this in, we won't allow that in, we allow this out, we won't allow that out." And it does not allow it. So, if you speak with any of these other states that have them, just right around us, California has 88,000 tablets distributed all throughout the state, they have not had one security breach. When their first generation of tablets came out over 15 years ago that went into the prison systems, California was one of the first and they did, they had found a way to do hot spots from dropping cell phones in disclosed locations, but that was all taken out because it was a flaw that the system had 15 years ago with how they can control the closed internet or not closed internet, but closed system networking, which doesn't happen anymore. And that's what I use other states for, I've been on the phone this week with Arizona, Ohio, Connecticut, California, and Tennessee talking about the tablets, what's they've had experienced in them, it's all positive. In South Carolina, I mentioned also in Legislation that they had a reduction in 36% of violence in the facilities because now it's a tool that they can take things away, they can slowly put things on, they got gaming, things that will keep

people occupied, and that the offenders like. When you give these offenders something that's worth something to them, it's something that we could take away from them that they don't want taken away. So, it's things that we could use as tools for us to control behaviors and to keep people occupied, and to get a correct programming, but rest assured you could speak with these other states if you have connections with these other states that already do it and it doesn't happen anywhere else, there is no way for someone to get direct out to call somebody, it has to go through us to allow it. So, even if there's phone calls that we get of people on protective orders, we could block out those phone calls, so nobody in the state could actually call any of those numbers. And what's different too, is the tablets will also allow us to do recordings, permanent recordings, which we don't do now on like, visits. Visits we don't record anything, we're allowed to do long-distance visits with the video, even with another country, but we'll keep those visits, and we have those for intelligence, and also, for in case there's any criminal activity that might be spotted. So, these are actually increase in security in our facilities and the community by offering the tablets, not the other way around. If that helps.

**Senator Krasner:** Thank you.

**Chair Herndon:** Did anybody else have any questions for Director Dzurenda?

**Director Powers:** Vice Chair Brady has her hand up.

**Chair Herndon:** Thank you.

**Vice Chair Christine Jones-Brady:** Thank you. Thanks, Chair. As to Senator Krasner's question, the other thing I want to highlight for that is where Director Dzurenda mentioned the ratio and the level of staffing, right now, from a prosecutorial standpoint, when you have a lower CO ratio, the cell phones can get snuck in more easily and so, at the AG's office, we get a lot of referrals for cell phone cases and sometimes the judges criticize us, like, "I've got a murder to worry about, why are you bringing me this piddly cell phone case?" But it's for the exact reason that you talked about, is people are using these cell phones to communicate, to traffic, to do different things, and when you have a lower CO ratio, you don't, the control over the cell phones that get snuck in is not as good, if you would agree with me Director Dzurenda on that.

**NDOC Director Dzurenda:** Yes. Just so everybody knows, back in March, I testified in Congress in Washington for Correctional Leaders Association on drones, and the amount of drone issues that are happening across the country, dropping cell phones into facility areas where staff aren't normally searching or areas where staff are getting lackadaisical or don't have enough staff to cover those areas. A lot of the cell phones are being dropped by drones, but also, drugs, weapons, and it's only a matter of time that you start seeing in some of these facilities around the country, could be bombs, I mean these cell phones are very sophisticated now and carry heavier loads than they have before. So, it's a very serious issue in the system around the country these drone drops, and they've also had testifies of hits that have happened from the cell phone drops, contacting cartels, and gangs out in the community from these cell phones that aren't tracked. We also did a testimony in Congress for jamming devices for the facilities. These are federal laws that we don't have now in place that protect us from jamming, but also, they're not a no-fly zones over prisons as of right now. So, these whole things affect our communities, which I hope that we can all help to support eliminating all jails and prisons from allowing drones. They should all be no-fly zones for jails and prisons around the country because it's going to be that serious in some cases and it'll be too late. And also, the jamming devices for prisons and jails around the country should be something that we should be focusing on, so that they cannot use those for public safety issues.

**Vice Chair Jones-Brady:** But the main question I have for you, Director Dzurenda, is you mentioned for Ely, that you had a lack of being able to get state law enforcement to respond to the recent murder that occurred there, so my question to you is that, were you then having to rely upon the local sheriff's office there in White Pine, and how many sheriff's deputies do you have, and was that a challenge? In terms of being able to hold the offenders accountable for those murders, was it a challenge, is that part a challenge? Getting investigators out there to collect the evidence, etc. was that also a challenge?

**NDOC Director Dzurenda:** Extremely. We only got two White Pine deputies. Just two. So, that is a concern. Response time and investigation time, we had to send our own investigators up. The only fortunate thing of this incident, it was all caught on video. So, it was very easy to determine who did what, in prosecuting, and doing charges on it, and we did charge four offenders or were prosecuted for, or going through the process for homicide, but we didn't have any emergency response. And when we called White

Pine County, it was very slow to respond because they didn't have people. The closest Highway Patrol officer was up in Wells at the time. So, we didn't have any public safety response as well. So, it was really just us trying to survive on our own out there and it's not a situation I want to be in again with that high level population.

**Chair Herndon:** Anybody else have any questions? I have a quick one, if I could? I'm going to involve Judge Yeager in this at well, to maybe both of you talk something about it, but since we've obviously moved a larger population of inmates up to Ely that were closer to Southern Nevada in terms of court appearances, I'm curious as to whether the remote appearance capabilities we have in Ely that -- I know we're kind of in a fledgling state back when I left the district court, but we were starting to utilize it -- is that going to impact the ability of people to make those remote appearances, or is it robust enough to accommodate the larger population?

**NDOC Director Dzurenda:** So, yeah. So, our numbers of actual appearances in court aren't that high. When we get enough notice, it's and like I said, having this type of population, I can move them anywhere. It's not a big deal with us moving them to Las Vegas area, or back to High Desert, or Southern Desert for court appearances. Where it's going to help is when we get these tablets, to be able to do the attorney pieces and if there's any negotiations or settlements before court, we can actually do them on remote, very simply now, or will be starting in January. But court appearances won't change. We'll still be able to get people to court because we can move this type of offender pretty much anywhere.

**Chair Herndon:** Well, I'm not worried about necessarily physically having to transport them to court, but eliminating that when possible, because a lot of times, the attorneys may not need the clients to come to court physically and they may not want to come to court physically, but they might just want to appear by video, and I didn't know if that was going to be impacted by having more people on a daily basis that might need that than before. And I don't know, Bitia, if you all are having any problems with that or if it's working well?

**Judge Bitia Yeager:** So, we haven't had anyone appear via video on any of our prisoner cases, but I can see like, for example, if someone's got two cases, they get revoked on probation on one, they go up to the

prison, it's a stipulated sentence on other one, there's not really a need to bring them all the way down to the courtroom because you know, there's not really a whole lot to discuss because it's a stipulated sentence and that would potentially help the prison. So, I can see how using more Zoom appearances could be beneficial.

**Chair Herndon:** Okay. Anybody else have any questions? All right. Looks like you're all good, Director.

**NDOC Director Dzurenda:** Hey, thank you.

**Chair Herndon:** Go put your suit on and enjoy your day in court.

**NDOC Director Dzurenda:** Yeah. Thank you, everybody. I appreciate you letting me speak.

**Chair Herndon:** Thank you very much. All right. We will go ahead and close agenda item number five.

#### **4. Director's Report**

**Chair Herndon:** And then, move back to agenda item number four, which is our report from Director Powers, who is statutorily mandated to update the Commission on sentencing and related issues regarding the functions of the Department. So, I'm going to turn it over to Director Powers.

**Director Powers:** Thank you, Chair. All right. So, we're going to go over interesting things about the Department regarding our core functions.

We'll start with administrative. We are going to BOE in November and IFC in December for the SB 103 Management Analyst 2 position. If you'll remember, that was put in contingency last legislative session, regarding the misdemeanor study and it was giving us another position to help with data. So, hopefully, that will go through. We'll keep you updated on that.

Regarding budgeting, agency request budgets are now public, and we are just waiting for January to have the Governor approved.

In data and reports, we will talk about murder first. Commissioner Jackson was able to talk to the DA's Association, we were able to get their questions and any problems they were having with the way we were collecting data, the way it's been collected in the past. I will talk about Clark County, we were able to speak

with the DA's Office there, and we do have corrected information from them. The one originally reported notice of intent to seek the death penalty for Clark County was correct. However, that same defendant had two cases that qualified with separate notices, so that brought the total up to two. And there were also five additional filed notice of intents in 2023. Four were reported by the Clark County DA's Office originally, but with "no" marked for the notice. So, we did know about them, just not about the notice of intent to seek the death penalty. One other defendant was not reported by Clark at all, and one defendant who was not reported, had a notice of reservation to seek the death penalty filed in 2023, and the actual intent to seek was not filed until 2024. This brings the total number of defendants for Clark County with reported notices with intent to seek the death penalty to six – excuse me – and then, with an overall total of seven cases for 2023. They have been very helpful with giving us the corrected information and they are getting a new system at this time, and so, we should get better data next year. We are hoping that we'll be able to work with the DA's and all the counties to update the way we are collecting information. Our data team has put together an electronic version and we are testing that out with Clark County first. So, that is the update for murders. In data and reports, we have been talking youthful offenders, and you will see that later in this meeting, and you will have a presentation for that.

We will move onto outreach. We are still meeting with P&P and DOC on a monthly basis. In outreach, I was also asked to speak at the Illinois Sentencing Policy Advisory Council, it was held at the Northern Reception and Classification Center, and we then toured the Classification Center, and so, that was a really great experience. We are gearing up for legislation to track all criminal justice bills and offer data to assist in any way possible there. We also were able, we've been talking about the SQL database that we were trying to get, and it is now ready to be up and running. Jenna will talk to you about that a little bit later. But that's very exciting because we were able to work with OCIO and get that ready. Also, in outreach and partly Commission, I wanted to talk about the grant. You had a presentation about that last time. Right now, the total expenditures are \$66,451. The grant money was given out between May 24th and August 28th, the grantees needed time to ramp up for their projects. The earliest grantees now have everything online and while the last people to be granted are still gathering and preparing to begin their programs. The expenses were from June 1st through September 30th, was that \$66,000. As a reminder, they were broken down as

follows four projects to the MOST Teams, the Mobile Outreach Safety Teams, and Forensic Assessment Services Triage Teams, the FASTT, three projects to Mental Health Court, and substance use disorders, and three projects for supported services of training and employment. Most of the grant recipients gave presentations to the Nevada Local Justice Reinvestment Coordinating Council at the last two meetings in August and October, and those presentations can be viewed online through our website. The first quarter programmatic reports were due yesterday August – I'm sorry – October 31st and NDSP staff has just started going through those.

And that is, let's see, I'm sorry. Commission, we wanted to talk about meeting times for next year. So, I've spoken with the Chair, and we are going to put out a survey, the best time as far as weeks of the month would be the second full week of the month, and we will put out a survey to each of the Commission members to see if there are days, and times that are better for you. If you would like to bounce back and forth, have different days of the week, on different months, we will put together all the answers from that survey, and then, we will put together the 2025 schedule.

And that is all today. Thank you.

**Chair Herndon:** Yeah. And just to add to that, I had told Director Powers that I didn't want to disrupt anything when I first started, part of the dates and times were already set, but I didn't know how we arrived at that and whether that was most beneficial to everybody. It appears that it was most beneficial to Justice Stiglich's schedule before and I'm fine keeping them where we have them now, but if there are days of the week and/or start times that are more convenient to the group collectively then, I'm happy to juggle that as well. So, we'll get the survey out to everybody and please weigh in if you would and we'll get everything set for next year. Does anybody have any questions for Director Powers from her report? Do not see any hands. Okay. Thank you. We'll go ahead and close agenda item number four.

## **6. Misdemeanor Subcommittee Update**

**Chair Herndon:** And move to agenda item six. Did John join us?

**Vice Chair Jones-Brady:** Chair? Permission to speak?

**Chair Herndon:** Yes.

**Vice Chair Jones-Brady:** I don't know if you know, but Assemblywoman Considine is going to, I think she had a hearing or another meeting she had to attend. So, I wanted to let the Commission know that.

**Chair Herndon:** Okay. Thank you. All right. Director Powers or Hunter, do we know if John McCormick joined us? I didn't see him on the screen.

**Director Powers:** He is here, Chair.

**Chair Herndon:** Great. Okay. We'll move to the Misdemeanor Subcommittee report, and I'll turn it over to John.

**Mr. John McCormick:** Thanks, Chair. I just was able to join. The Misdemeanor Subcommittee is still sort of plodding along. We're still at the stage of having a work group to really kind of fundamentally look at the classification structure to make some recommendations to the larger group to bring to the Commission. We're going to be meeting again next week and then we have a full Misdemeanor Subcommittee meeting like the third week in November, I believe.

**Chair Herndon:** Okay. Perfect. Anybody have any questions for Mr. McCormick? I do not see any or hear any. Okay, John, thank you very much. We'll go ahead and close agenda item number six.

## **7. Data Reports**

**Chair Herndon:** And then, move to agenda item number seven, which is our data reports from NDSP, and I will turn it over to Ms. Buonacorsi.

**Deputy Director Jenna Buonacorsi:** Thank you, Chair. I'm going to share my screen with you all really quickly.

Good morning, Commission. At our last meeting we concluded our study on the Nevada Department of Corrections aging population, which was comprised of offenders 55 years and older. During that study we were asked to also look at the young adult offender population in the Nevada Department of Corrections. This young adult population is comprised of offenders 24 years and younger. You will see that throughout



this study we have included the numbers for juvenile offenders who were sentenced as adults and admitted into the Nevada Department of Corrections. They are not housed in the general population until they turn 18, when they will serve the remainder of their booking as traditional adult offender. Minors on average over the last seven years have made up only 0.14% of the total population and 1.53% of the young adult population.

Here is a review of the total population broken down by age groups before we jump into looking at just the young adult offenders. The total Nevada Department of Corrections population has decreased by 23.44% from 2017 to 2023, dropping by 3,215 offenders. Over the last seven years, offenders, 30 to 34 have remained the largest portion of the total population at an average of 16.64%.

The young adult population has decreased by a total of 39.74% from 2017 to 2023, dropping by 556 offenders. On average over the last seven years, offenders who are 24 years old have represented the largest portion of the young adult population at an average of 23.01%. This was followed closely by 23-year-old offenders at 21.12%.

In 2023, the largest group of offenders were 23-year-olds followed closely by 24-year-olds. Together they represented 41.99% of the young adult population. Eighteen-year-old offenders made up 3.44% of the young adult population.

Over the last seven years, the largest portion of the young adult population has been comprised of violent offenders at an average of 69.64%. The offense group and the felony category are all represented by the offenders most serious offense on their entire booking.

In 2017, violent offenders represented 60.97% of the population and by 2023, it grew to represent 75.33% of the population, while the total number of violent offenders reduced by 218. There was a significant drop in the proportion and the number of property and drug offenders. Property offenders in 2017 made up 20.66% of the young adult population and 6.64% in 2023, dropping by 233 offenders. Drug offenders represented 7.59% in 2017, and 1.90% in 2023, dropping by 90 offenders.

In 2017, the category B offenders represented 71.84% of the population and by 2023, they represented 74.14% of the population, while the total number of category B offenders reduced by 380. In 2017, category

C, D, and E offenders combined represented 22.66% of the population and by 2023, they represented 15.30% with a total reduction of 180 offenders. Category A grew by 12 offenders representing 5.50% in 2017, and 10.56% in 2023.

From 2017 to 2023, the total population has seen a 19.64% decrease in admissions, while the young adult population has seen a 49.80% decrease in admissions. For the total population, on average over the last 7 years, violent and property offenders represented the largest number of admissions at an average of 32.01% and 30.81%, respectively. For the young adult population, on average over the last 7 years violent and property offenders represented the largest number of admissions, as well at an average of 52.81% and 23.64%, respectively.

I did want to note that was a typo on the original version of this slide that was sent out to the Commission with the meeting materials, the “other” category had a change of +9 offenders from 2017 to 2023. An updated version of this has been posted to our website. There was a reduction in the number of admissions for property and drug offenders from 2017 to 2023 at 229 and 120 offenders, respectively. The proportion of the population represented by drug and property offenders in 2017 was 45.76% and 21.81% in 2023. One thing our department found striking about the trends in young adult admissions was the 157-offender reduction in admissions for violent offenders. We expected to see the property and drug reduction due to AB 236, so in future presentations on this topic our department plans to dive further into the actual offenses for the violent offense group.

For the total population, on average over the last 7 years category B and C offenders represented the largest number of admissions at an average of 48.22% and 26.27%, respectively. For the young adult population, on average over the last 7 years category B and C offenders also represented the largest number of admissions at an average of 60.59% and 22.55%, respectively.

Category A offenders had a negligible change in the number of admissions, but category B, C, and D all reduced in the overall all number of admissions. There was little proportional change in the number of admissions when broken down by category. The most significant changes were a 5.39% proportional growth for category B and a 4.15% proportional decrease for category E.

As we continue to dive into the young adult population for the Nevada Department of Corrections, we plan -- I stated this before -- we plan to look into the specific offenses. The format for future presentations will be very similar to what we had done with the aging population, but I did want to, part of that conversation about the aging population was driven by questions from the Commission. So, at the end of this presentation, I'll open that up to you guys for questions that you might have or areas of research specifically in this young adult population you'd like us to look into, but for now our general plan is to continue similar to what we did with the aging population. In the future, we plan to look into the total population with that new all offenses data set that we received, and we were able to utilize in the aging populations analysis. We also have been asked to look at the female population and the trends that they have had. We plan to do a habitual offender study, which we will go into the actual individual case files for the habitual offenders and determine the underlying offenses for their habitual status.

And we also have a dashboard update for you. I'm going to get that next screen ready. So, those of you who might be new to the Sentencing Commission, we have on our website a section that we call The Hub, and in The Hub, we have this Nevada Department of Corrections Dashboard. We have added a new update to this new dashboard and as it loads, I want to do a big thank you to our team here. There was a lot of work put into this presentation by my staff, and I am very grateful for the work that they did on the behind the scenes of the coding behind this dashboard page. But these first four, we've shown and presented before to the Commission, but the very last one was a request that we had to be able to look at county-level data. So, in this dashboard, it'll show the most recent months data. So, right now we have the most recent data set we've received from the Department of Corrections is September 30th data, from 2024. So, you can hover over each county, and see, and this is based on an offender's county of commitment, so the county that they were committed by. You can filter it over here by category felony, if you wanted to just, or felony category -- excuse me -- if you wanted to just look at category A and B offenders among the counties, or if you wanted to specifically look at a offense group, you can filter it there, like you can in the prior slides as well. So, this is a really interesting way to be able to compare numbers for counties right away. You will see that there is an option here for an aggregate county, these are offenders who have an aggregated sentence from multiple counties. So, they're not, some offenders when they are aggregated, all of their cases were in

the same county, so we're able to just narrow it down to one county, but some offenders, they do have multiple counties on there. And yes, this is our new dashboard, like I said, if you have not seen our dashboards yet, I'd encourage you guys. They're really helpful tool especially during legislative session if you're looking for quick numbers. Otherwise, our department is always here for data polls more specific.

And last I wanted to give an update; Jorja quickly touched on it about our SQL. We are really excited to get that up and running, we have been able to connect to it, so now we're in the process of uploading seven years' worth of data to it. So, it'll be a little bit still before it's fully functioning for us to be able to use for analysis, but we're very thankful and excited to have that portion up and running. With that being said, does the Commission have any questions?

**Chair Herndon:** Well, first off, Jenna thank you very much for the presentation and I love the updates to the dashboard, that is a real quick and easy way to access data that can be really important and useful to everybody. So, thank you and thank you to your staff. Does anybody have any questions for Ms. Buonacorsi?

**Deputy Director Buonacorsi:** I think Dr. Bradley has her hand-up.

**Chair Herndon:** All right. Dr. Bradley?

**Dr. Shera Bradley:** Thank you. Would it be possible to include population counts of those counties? So, that we have a sense of you know, when it shows like, three for Eureka for example, the offender count. I don't know what their population is and how that compares to other counties is that possible to include?

**Deputy Director Buonacorsi:** Yes and no. The reason we did not include it because we did consider that option is how the census works in Nevada, we only have an accurate, an official -- I guess would be a way to say it -- count every ten years. And so, otherwise, it is done based on the projected number and so, we in a past report we have included the 2020 census's numbers, the most recent numbers that we had, but we've gone back and forth on providing that just due to the fact that we're not as confident in those exact numbers since they are from the Department of Taxation, their projections for that year. So, we've considered it, but we ultimately ended up deciding not to include it, but I do know that the estimates are available so maybe we could even consider about posting a link or something that you guys are able to view

it. I know when we presented on the NRS 178.750 report, the murder report, we did provide a table that had those most recent numbers to compare with the number of murders, so we could consider maybe utilizing some of those numbers. The only part is that the times won't match because I don't have the actual population as of September 30, 2024, I don't have access to that information, but it would maybe provide a ballpark.

**Dr. Bradley:** Okay. Yeah, there's no state official census that's tracked outside of the census, I assume.

**Deputy Director Buonacorsi:** Not that I have been able to find, but we can do some more research into it and see if we can find something else.

**Dr. Bradley:** Thank you.

**Deputy Director Buonacorsi:** Thank you.

**Chair Herndon:** Okay. DA Hicks?

**DA Christopher Hicks:** One question that I had Jenna, regards to the habitual offender study, is I believe you said you're going to look at what the underlying offense is, I'm not sure if I heard you mention whether or not you're going to also, look into the number of prior felonies that that offender had and if possible, also what those offenses were, I think would be really helpful to see as well.

**Deputy Director Buonacorsi:** Yes. I know that is on our plan is to look into the whole history behind for the habitual offender study. So, that is on our list, but we will make sure to include that when we come to that point of presenting it. There's going to be a lot of manual digging through, so that report might be a little bit down the road yet, but that information, some of it we have access to just in the data sets we currently have, and then, some of it we have to go and manually do case file reviews, so. But I will add that to the list to make sure it's presented upon.

**Director Powers:** And just real quickly, I wanted to point out that we've talked about this before, but one of the problems with the habitual offender data that we get from DOC is it's all under other and that's why we really want to dig into the underlying offenses because we don't know if they were violent, or if they were

drugs, or property. And so, we really want to be able to portray an accurate picture of the habitual offender population.

**Chair Herndon:** Anybody else have any questions for Jenna? Okay. Thank you, again, Jenna. Appreciate it. We will close agenda item number seven.

## **8. Discussion of Potential Topics and Dates for Future Meetings**

**Chair Herndon:** And move onto agenda item number eight. We already briefly discussed the idea of future meetings, dates, and times, and we'll obviously get the survey out before we finalize all the dates and times for next year, but as always as a reminder, if you have any ideas about topics you'd like to get on the agenda for any of the meetings, please reach out to myself or Director Powers and let us know. If anybody knows right now of something they'd like to see on an upcoming as an upcoming agenda item, please raise your hand, hop in, let me know. Anybody? Yep. Vice Chair?

**Vice Chair Jones-Brady:** Thank you. I'd like to one of the things, somebody mentioned metrics earlier today, and I'd like to see if we can start measuring metrics around what communities are doing with regard to implementing a system of like, transitional housing, helping people with mental health programs, I know that when I visited Miami, they have crisis intake centers, and I'd like to, and I think that our ability as communities across Nevada to be able to provide crisis services is a big part of whether or not people are recidivate and so, is there a way we can start identifying metrics that help us know how we're doing as a state and communities within the state to address mental health, transitional housing, that kind of thing?

**Chair Herndon:** Great. Dr. Bradley?

**Dr. Bradley:** I don't know if this is a presentation or a topic exactly, maybe it's just a topic, but I know I've asked before and I know there's lots of challenges with this, but I wanted to check in on it, numbers regarding local facilities, so jails, city jails, county jails, you know as we see numbers of offenders decrease in the prisons, I just am wondering if the jail populations are going up, or if people are spending longer in the jail, or you know, I know there's a lot of challenges with that because there's multiple jurisdictions and data collection I'm sure is different. And then, of course, I always have an interest in the mental health related

services, or numbers, or I don't even know what's being tracked, frankly with the different systems. So, I'm not even sure if I have the intelligent specific request regarding that.

**Judge Yeager:** So, I was going to say, I know previously, we've looked at the number of people in CCDC that are on antipsychotics. I would certainly suggest we could also look at the numbers of people that are in competency as another you since we pulled all that into one court, I can tell you that I know our competency are through the roof. So, those are some metrics that we could do at least for Clark County that I'm aware of.

**Chair Herndon:** Hey, Jenna, do you or have you ever reached out to any of the local municipalities with regard to their jail populations to try and kind of get an understanding of that?

**Deputy Director Buonacorsi:** We've worked not necessarily for that specific question, but we have worked with Clark County Detention Center and Washoe as well with other requests in the past. So, we could reach out to them and see if we could get more of a just general population statistics from them, from those two counties at least that would be a good start.

**Chair Herndon:** Okay. Can we attempt to do it in all the counties?

**Deputy Director Buonacorsi:** Yes. Some of the rural counties is where we've have a little bit more challenges trying to get some of that information, but we can reach out to them. I don't know what we'll get from some of the rurals, but we'll reach out.

**Chair Herndon:** Okay. All right. Dr. Lanterman?

**Dr. Lanterman:** I'm following up on Dr. Bradley's request. I think a really important dimension of AB 236 which we've discussed before is if we're attempting to reduce Department of Corrections population, there's a difference between reduction and displacement like. So, we're just moving a population from prisons to jails, but prisons are funded differently than jails are funded, and so, one of the challenges that we have really truly assessing the function short and long-term impacts of AB 236 is that data are also collected differently for Department of Corrections versus the jails. So, it might be, I think a worthwhile project for the Department of Sentencing Policy to see if we can develop any type of sort of monitoring system, data

collection process, that our jails can report into, not just with respect to population, but if they are assessing people coming in, what is the relative need for various types of programs and services versus their resources. So, what is the gap between program and service need, and availability of programs and services because that will absolutely impact public health and public safety when people leave jail and they're returning to the community versus maybe going to Department of Corrections or sort of agencies outside of the state. So, I think if we are going to work with our jails throughout the state, asking them for some data, it might be worth having a discussion with them to determine whether or not we might want to build a more sustainable data reporting process. So, that we can really understand what's going on throughout the state and how that might impact our recommendations to the Legislature, so that we are recommending allocation of budgets that are consistent with what the states are, what the needs are throughout the state, not just in the prison, but sort of prison system, but ignoring what's going on at the jail level and how that might be translating to more local problems. We want to reduce problems, we don't want to shift them and create others, and we don't know that unless we have the data for jails.

**Director Powers:** Just real quickly. We have a plan to reach out to the jails and because we do want to talk about that displacement, where the money is actually being spent. I kind of wanted to touch on if we remember, Justice Counts, and that it was through CSG, and we talked about becoming a Justice Counts State, and being able to get data from many of the local level agencies, and that kind of fell by the wayside because there were many people who didn't want to participate, and there were questions, and worries about what would happen with that data. And so, that might be a discussion for one of our first 2025 meetings, is either something like Justice Counts or actually bringing them back on board. So, just to throw that out there, so we can start thinking about it.

**Chair Herndon:** Anybody else? Okay. Thank you. We'll go ahead and close agenda item number eight.

## 9. Public Comment

**Chair Herndon:** We're going to move onto agenda item number nine, our second period of public comment. Before I give that spiel, Hunter, do we have anybody on the line for public comment?

**Ms. Jones:** We don't have anyone on the line for public comment.



**Chair Herndon:** All right. Thank you very much. We will close agenda item number nine.

## **10. Adjournment**

**Chair Herndon:** And that brings us to the end of our meeting, agenda item number ten, which is our adjournment. I appreciate as always, everybody's time and participation today. Please again, keep an eye out for the survey to come, so can settle on some dates and times for our meetings for next year. And with that, have a great weekend. I appreciate it.

DRAFT