

Joe Lombardo
Governor

Jorja Powers
Executive Director



Justice Douglas 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

NEVADA SENTENCING COMMISSION
MINUTES DRAFT

Date and Time: November 14, 2025

Location: VIRTUAL ONLY

MEMBERS PRESENT

Paola Armeni
Christine Jones Brady
Chairman Christopher DeRicco
Brian Filter, Esq.
Evelyn Grosenick
Chief Justice Douglas Herndon
D.A. Chris Hicks
D.A Mark Jackson
Deputy Director Troy Jordan
Dr. Jennifer Lanterman
John McCormick
Isis Morales
Leisa Moseley-Sayles
Jarret Orcutt
John Piro
Chief Investigator Stephanie Shuman
Judge Kristin Luis
Judge Bitu Yeager
Assemblymember Brian Hibbetts

MEMBERS EXCUSED

Dr. Shera Bradley
Director James Dzurenda
Chief Tamrah Jackson
Captain Joshua Martinez
Erica Souza-Llamas
Assemblymember Erica Roth
Senator Melanie Scheible
Senator John Steinbeck

STAFF

Jorja Powers, Executive Director
Jenna Buonacorsi, Deputy Director
Marie Bledsoe, Management Analyst III
Erasmio Cosio, Management Analyst II
Mia Yu, Management Analyst I
Cecilia Felipe, Administrative Assistant III

1. Call to Order / Roll Call

[Meeting called to order at 9:00 a.m.]

Executive Director Jorja Powers: Good morning everyone. Welcome to the 2025-27 Nevada Sentencing Commission. I am Jorja Powers the Executive Director of the Nevada Department Sentencing Policy. The Commission is housed within our Department and we assist the Commission in carrying out its activities and duties. Because we are in a new meeting cycle, we do not officially have a chair elected yet. I will be presiding until a chair is elected. As the Executive Secretary of the Commission, I will now take roll.

Director Powers:

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

2. Public Comment

Director Powers: I will now open agenda item two. The first period of public comment. There are 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, members of the public may do so in writing by emailing the Department of Sentencing Policy at sentencingpolicy@ndsp.nv.gov. Public comment received in writing will be provided to the Commission and be included by reference in the minutes of the meeting. Members of the public who wish to testify may do so by telephone. Due to time constraints, public comment will be limited to two minutes. Any member of the public who exceeds the two-minute limit may submit further comment in writing to the Department of Sentencing Policy. Callers as a reminder please mute the device on which you are watching the meeting, all sound will come through your telephone. At this time, I will ask staff to manage and direct those who wish to testify by telephone. Ms. Felipe, do we have callers?

Cecilia Felipe: We have no callers at this time, Director.

Director Powers: All right, thank you. We will close that agenda item and move on to agenda item three, approval of the minutes.

3. Approval of the Minutes of the Meeting of the Nevada Sentencing Commission held on July 18, 2025

Director Powers: Members of the Commission have been provided copies of the minutes from the July 18, 2025, meeting. Are there any edits, comments, or corrections? Seeing none, we will entertain a motion to approve the minutes for the July 18, 2025, meeting of the Commission.

JOHN MCCORMICK MOVED TO APPROVE THE MINUTES OF THE JULY 18, 2025, MEETING.

BITA YEAGER SECONDED THE MOTION.

MOTION PASSES

4. Election of Chair and Vice Chair for 2025-27 Cycle

Director Powers: We will close agenda item three, and open agenda item four. The election of the Chair and Vice Chair of the Nevada Sentencing Commission. At this time, I will entertain nomination for the election of Chair of the Nevada Sentencing Commission for this year's 2025 to 2027 cycle.

D.A. Chris Hicks: Jorja, this is Chris Hicks. I'd like to renominate Justice Herndon to be the Chair, of the Commission.

CHRIS HICKS MOVED TO RENOMINATE CHIEF JUSTICE DOUGLAS HERNDON TO BE CHAIR OF THE COMMISSION.

TROY JORDAN SECONDED THE MOTION.

MOTION PASSES

Director Powers: All right. Well congratulations to Chair Herndon.

Chair Douglas Herndon: Thank you, Chris. Thank you everybody.

Director Powers: He's there. Perfect.k

Chair Herndon: I'm here for a second before I pop back into the conference but thank you.

Director Powers: Ok. Perfect. Do you want me to go ahead then, in case you have to leave?

Chair Herndon: Yes, please if you and Christine could run the rest of the meeting, since I got to get back in there shortly, that would be terrific. Thank you.

Director Powers: Okay, wonderful. So, we will now entertain a nomination for the election of Vice Chair of the Nevada Sentencing Commission.

Chairman Christopher DeRicco: This is Chris DeRicco. I'd like to nominate Christine Jones Brady.

CHRISTOPHER DERICCO MOVED TO NOMINATE CHRISTINE JONES BRADY TO BE VICE CHAIR OF THE COMMISSION.

JENNIFER LANTERMAN SECONDED THE MOTION.

MOTION PASSES

Director Powers: All right, motion carries. Congratulations Vice Chair. We are officially on our way for the 2025-2027 meeting cycle and I will hand over the meeting to Vice Chair Brady.

Vice Chair Christine Jones Brady: Good morning. So, I think that moves us, thank you everybody, I think that moves us to agenda item number four? Number five. And I do not have the agenda items pulled up in front of me so I will do that if you give me a moment.

Chair Herndon: It's the Statement of Costs Avoided Discussion, Christine.

Vice Chair Brady: Ok. Statement of Costs Avoided Discussion. Do we have somebody that's going...do we have...So, I think it's up for approval? Yes. Jorja.

Director Powers: Okay, do you have speaker notes?

Vice Chair Brady: I do not.

Director Powers: I think Chair Herndon, okay, let us get those to you real quickly. So, if everyone will just wait just one moment and we will make sure she has what she needs. Cecilia can you send those please?

Ms. Felipe: Yes, they're on their way.

Director Powers: Thank you.

Vice Chair Brady: So, we have the, everybody should have received the notes of, or the report of the Statement of Costs Avoided and I will now turn over to Director Chair Jorja Powers. To begin our discussion about that report.

Director Powers: Thank you, Vice Chair.

5. Statement of Costs Avoided Discussion

Director Powers: Jorja Powers for the record. I'm going to share my screen. Sorry, just one second. There we go. And you should see the Statement of Costs Avoided draft for December 2025. Is that correct?

Vice Chair Brady: Yes.

Director Powers: Thank you. All right, so we will go through this. This is the report that is due on December 1, 2025. The Statement of Costs Avoided Report is required pursuant to NRS 176.01347. The Nevada Sentencing Commission must develop a formula to calculate for each fiscal year the amount of cost avoided by this State because of the enactment of Assembly Bill No. 236 from 2019. The formula developed by the Commission must include, without limitation a comparison of: one, the annual prison population projections required by NRS 176.0129 for calendar year 2018, and two, the actual number of persons in a Department of Corrections facility or institution. The Commission is required to use the formula developed and submit not later than December 1st of each fiscal year. A statement of costs avoided for the immediately proceeding fiscal year and not later than August 1st of each even numbered year, a report containing the projected amount of costs avoided for the next biennium, along with the recommendations for the reinvestment of those funds for the purpose of reducing recidivism. So today we are talking about a statement costs avoided not the projected.

So, our summary is using the formula adopted in May 2024 employing the statutorily-required data points. The Nevada Sentencing Commission calculated that Nevada has avoided \$19,604,410, an amount associated with the enactment of AB 236 since the last Statement of Costs Avoided. We did change our summary wording here to "associated with" and not "due to" from discussions that we have had as a Commission about the difficulty of pinpointing where the savings actually come from and if there are savings. As reported in the August 2024 Projected Amount of Costs Avoided Report, Nevada is projected to avoid \$36,775,055 during the 2025-2027 biennium. This can be reinvested in programs and treatment that will reduce recidivism. The August 2024

Projected Amount of Costs Avoided Report can be used as reference and includes background information and details of the recommendations from the Commission for reinvestment. The August 2024 report can be accessed at our website.

So, the little box remains the same, there was some wording change. What are costs avoided? Costs avoided are costs that an entity may have expended in the future. In the context of this report, costs avoided refer to spending that may have been avoided because of the decrease in prison population. Due to the varied costs associated with housing offenders in an NDOC facility, and other factors that impacted incarceration rates during the same period, the costs avoided are hypothetical and variable.

The methodology for the report in 2024, the Commission adopted an updated methodology for calculating costs avoided resulting from the enactment of AB 236. The methodology compares the following: the 2017 JFA Prison Population Projections--these were the projections used for legislatively approved phase of budgeting for the 2018-2020 biennium--and the actual NDOC prison population as of June 30, 2025. These data points are written in statute, so we have to use those.

The next chart shows how we calculated this year's statement of costs avoided. The current formula is derived by taking the actual June 30, 2025, Prison Population of 10,870 and subtracting it from JFA's 2017 projection of 15,968 offenders by 2025, to get the current prison population avoided of 5,098 offenders. The annual cost per individual, offender-driven portion, was calculated by using the offender-driven percentage of NDOC's fiscal year '25 budget, and this was actually actual numbers which was 11.41% and multiplying that by the fiscal year '25 average annual cost per offender which was \$33,703. This results in an annual cost per individual, offender-driven portion, of \$3,845.51. This amount was multiplied by the Current Prison Population Avoided, or 5,098 to get the final fiscal year '25 costs avoided amount of \$19,604,410. We did add at the note regarding last year's Costs Avoided Supplemental Report, so the considerations regarding these avoided costs calculations remain the same and can be found in the NSC Supplemental Report to the December 2024 Statement of Costs Avoided on the NDSP website with the address.

We plan to do a supplemental this year also, the Department does, we were waiting until this Special Session happened to see where we stand at the end of Special Session. So that is the report. I will continue to share, Vice-Chair, so that people can follow along.

Vice Chair Brady: So we had. Thank you, Director Powers. And as the Commission remembers we had a pretty, for those of us who were on there, we had a pretty robust discussion about the costs avoided, and those were some of those changes reflected here in this new report, correct? Director Powers?

Director Powers: Yes. We changed some wording. We had already changed some last year when we had the robust conversations, but we did change a few sentences in here to reflect the thoughts that we had last year and the fact that we cannot really show savings with this formula.

Vice Chair Brady: Okay. So, I will just open it up if there's any discussion. If the members have any discussion about these, cost avoided and or the supplement that will be upcoming? Any questions for the director, about the supplement that's upcoming? I don't see any hands up, I don't know if you can, Director Powers?

Oh, there we go. Yes, Mr. Piro?

Mr. John Piro: When will this data be public? As in not in draft form?

Vice Chair Brady: Director Powers? You're on mute.

Director Powers: Yeah, we will be, you will be, the Commission will be voting today to either push this forward and approve it, or to redline it and change things and then we will give it to the LCB and the Governor's Office on December 1st.

Vice Chair Brady: Thank you, Mr. Piro. If there are no more preliminary comments to be made, do I have a motion on the floor to approve this?

JOHN MCCORMICK MOVED TO APPROVE THE STATEMENT OF COSTS AVOIDED REPORT AS WRITTEN.

EVELYN GROSENICK SECONDED THE MOTION.

Vice Chair Brady: Any other discussion? I don't see any hands up Director, if you can take the vote, please?

Director Powers: All right, all in favor of passing as written? Any opposed?

MOTION PASSES

Vice Chair Brady: Thank you, Director Powers, and just to circle back around to Mr. Piro's questions, will this be posted on the website?

Director Powers: Yes, now that it is approved, it will be posted to our website.

Vice Chair Brady: I know that we got a, just as a point of order, Director Powers, we did receive an email that this may be a truncated meeting? Is that still the case?

Director Powers: Yes, your notes should let you know.

Vice Chair Brady: So, according to those notes then, everything is redline, except for a discussion about future meetings?

Director Powers: Yes, if you could state that we are tabling items six, seven and eight for a future meeting so that members can prepare and attend Special Session.

6. Meet the Commissioners

Vice Chair Brady: So, we are tabling as she just said, items six, which is Meet the Commissioners.

7. Data Report

Vice Chair Brady: Item seven which is the Data Report, from the sentencing, from the Nevada Department of Sentencing policy staff.

8. Director's Report

Vice Chair Brady: And then we are also going to table eight, which is the Director's Report, which is Director Powers report. And then also, we as usual.....did we say we were skipping number nine? Or are we still.....?

Director Powers: No, you can go ahead and talk about the future meeting.

9. Discussion of Potential Topics and Dates for Future Meetings

Vice Chair Brady: So, number nine, does anybody have topics they want to discuss for future meetings? And again, I am not seeing any hands up.

Ms. Leisa Moseley-Sayles: I do have a question regarding some of the cost avoided funds. Do we have any data or reports on where those funds are being invested and how much of those funds have been invested, and can we make suggestions for that? Is that the Commission that does that, or is that a different body?

Vice Chair Brady: So I will, defer to Chair DeRicco, or no, not to Chair DeRicco. To Director Dzurenda, was he on the phone?

Director Powers: He is not here. I think can speak...

Vice Chair Brady: If you can speak to that.

Director Powers: So, Jorja Powers, for the record, we have had very robust conversations and I invite you to look at past meetings about the Cost Avoided discussions. As the little box said in our report, and this is not money that is in a bucket, right? It's not a bucket of money. It's money that we may have expended and now we're not going to. But it was never budgeted and so, we've had many conversations about if it's actual money. We do, you do, as a Commission make recommendations where these savings can go and that happens in our other report, the projected amount of costs avoided, and that goes to the Legislature.

However, we have again, had many discussions, and if anybody wants to speak up here about the fact that, one, it's not real money yet and two, that as a state if we are talking about savings the way that this law changed crime penalties, many of these people instead of going to the Department of Corrections are in other programs, they could be on probation, they could be in local law enforcement, and so money is still being spent somewhere. So those are things we have not been able to get enough data on to say how much money that costs and the difference.

Ms. Leisa Moseley-Sayles: That's helpful, thank you.

Director Powers: Ok.

Ms. Moseley-Sayles: And I have some suggestions for future meetings. That's a, I'll worry about that later. I'll bring that up later at a different meeting. Thank you.

Vice Chair Brady: Well, that can be something, Director Powers, if we can put that on, you know, for a topic of future agendas to have a conversation about. It can be a hypothetical conversation at this point, but a conversation about things that we think would be helpful for, to reduce recidivism in our communities across the state, that would be a good discussion.

Director Powers: Yeah, no, absolutely. I will say, too, as far as future meeting topics, as we did last year, the Deputy Director and I will be doing a tour. And we will come and meet with each of you personally and talk to you about different things that are important to you. So that will be coming up in the next couple of months, and so we will reach out to all of you to be able to have those discussions.

Vice Chair Brady: Thank you, Director. I see John Piro, Mr. Piro has his hand up.

Mr. Piro: You know not to put Assembly member Hibbetts on the spot here, but we do have somebody from the Legislature that maybe, I do understand that it doesn't get all dropped in a bucket, but it would be good to maybe look at this and say, these are things that we can reinvest and talk with justice partners around. There's certain things, and I know that people on this call, like Judge Yeager, and I think even District Attorney Hicks, went to Miami. There's things that we could do to bring those types of reforms with that type of money, we could move things along a lot faster. I would say in Las Vegas we're 20 years behind of where Miami is and they were where we are right now, and now their crime is down, their homeless population is down. Those are things I would definitely like to see in Clark County, and state wide frankly.

Vice Chair Brady: Thank you, Mr. Piro and I think a number of us also on this commission did visit Miami, myself included, at a different time. So I've visited Miami last year and the program with at the time Judge Leifman had created a lot of, help create a lot of programs that were in existence. Also, Director Powers, one thing that's been helpful over the years and maybe we can put it on the agenda, not to throw Director Dzurenda under the bus, but the NDOC has often done an overview of their programs, existing programs and services, and I believe a lot of us have found that helpful to kind of know what they are doing currently. So that might be something if we have, as we those discussions it might be good too, to hear from the Department as to what they feel their needs are, and what they currently are have been legislatively approved to spend on.

Director Powers: Yeah, no, I will note that. One of the upcoming meetings, and we will talk about this, again, part of this was tabled, but we hope to do a prison tour in the spring for the Commission in one of our meetings, so that would be good.

Vice Chair Brady: Thank you.

Director Powers: Really quickly, I am going to share my screen. It helps with Mr. Piro's question just so that you have an idea. This was last year's Projected Amount of Costs Avoided and this is just the last page, again this is on our website and you can look at it but these were the specific recommendations for the monies that were avoided, the costs avoided. So, we had been appropriated a \$3 million to give out grant money for reentry and a reduction of recidivism and one of the recommendations was to continue that. Also, for transitional housing opportunities because we know that that is a huge issue in our state. Then for the Department of Corrections and Parole and Probation for data systems, because we really need to help with getting better data and having systems talk to each other. So, I just wanted to give you an idea of what the recommendations looked like and we will be doing another recommendation in August of next year. So I will stop now. Thank you.

Vice Chair Brady: Mr. Piro, do you have another question?

Mr. Piro: I have one more question if that's ok? And maybe the prison directors could kind of tell us more about this. How many people have been eligible for parole that are unable to be released and are expiring their sentences in prison because they don't have a stable location to go to?

Vice Chair Brady: Director Powers, do you have the answer to that question? I know you did some research, was it last year on recidivism, and I don't know if some of that research can speak to that question? Otherwise, we table that for Director Dzurenda?

Director Powers: I do not have current numbers, but we are able to get those. So, I can definitely get that out to you.

Vice Chair Brady: Thank you. Any more comments or questions? Now, as always if you have ideas later on, please send them to Director Jorja, or the Sentencing Policy staff with other ideas. So, she's always open to that, and as she said, she will be doing those, I call them interviews, but the conversations you know, talking to

each of us about. Those are I've often found those conversations to be good, Director Powers, because it's a one-on-one, and you can talk about the things that are, that you feel most relevant to Nevada and to the work that you do involving the Sentencing Policy. So we appreciate that.

10. Public Comment

Vice Chair Brady: With that, if there's no other questions on this, I'll close out that agenda item and open agenda item for our second public comment? And I hand that over to you Director to facilitate that process.

Director Powers: Okay, thank you Vice Chair. Before I do the spiel, I'll just ask Cecilia do we have any callers at the moment?

Ms. Felipe: Director, we have no callers at this time who wish to testify.

Director Powers: Okay, then we can close agenda item ten.

11. Adjournment

Vice Chair Brady: Okay, then opening agenda item eleven, adjournment. So, we are adjourned, and I wish everybody a happy holiday season and for the Legislature. Happy legislative session, emergency session.

Director Powers: Thank you, everyone. Thank you.