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NSC Misdemeanor Subcommittee

MINUTES

Date and Time: **April 28, 2026**

Location: **VIRTUAL ONLY**

MEMBERS PRESENT

Christine Jones Brady
Wes Duncan
Nickolas Graham
Evelyn Grosenick
Eve Hanan
Peter P. Handy
Dr. Jennifer Lanterman
Kristina Mortensen
Leisa Moseley Sayles
Lt. Ned Nemeth
John Piro
Alisa Goodman
Erin Tellez
Chair John McCormick

MEMBERS EXCUSED

John Arrascada
Judge Steve Bishop
James Conway
Judge Cynthia Cruz
Wes Duncan
Captain Joshua Martinez
Lt. Ned Nemeth

STAFF

Jorja Powers, Executive Director
Jenna Buonacorsi, Deputy Director
Marie Bledsoe, Management Analyst III
Erasmo 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 1:30 p.m.]

Chair John McCormick: Good morning, everyone. I will now call to order the April 28, 2026, I can talk, meeting of the Nevada Sentencing Commission's Misdemeanor Subcommittee. Good morning. It's good to see all of you this morning and welcome to those who are viewing the meeting on the Department of Sentencing Policy's YouTube channel. This is the second meeting for the 2025-2027 meeting cycle. I will now ask Director Powers to take the role.

Executive Director Jorja Powers: Thank you, Chair. Good morning.

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

Chair McCormick: Excellent. Thank you very much, Director. Thank you.

2. **Public Comment**

Chair McCormick: Now I will open agenda item 2 on our agenda, which is 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 comment.

First, members of the public may do so in writing by emailing the Department of Sentencing Policy at sentencingpolicy@ndsp.nv.gov. Public comments received in writing will be provided to the Commission and may be included by reference in the minutes of the meeting. Members of the public who wish to testify may also do so by telephone. Due to time constraints, public comment will be limited to two minutes.

Any member of the public that exceeds the two-minute limit may submit your comments in writing to the Department of Sentencing Policy. Callers, as a reminder, please mute the device on which you are watching this meeting, as all sound will come through your phone. At this time, I will ask staff to direct those who wish to testify by telephone. Ms. Felipe?

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

Chair McCormick: Thank you very much.

3. **Approval of the Minutes of the Meeting of the NSC Misdemeanor Subcommittee held on: July 24, 2024 and September 11, 2024.**

Chair McCormick: With that, we will close the first period of public comment and move on to Agenda Item 3, which is the approval of the minutes of the meeting of the Misdemeanor Subcommittee held on December 3, 2025. I believe you have all received the draft minutes. If anyone has any comments or corrections, I would appreciate that now. Saving that, I will accept a motion to approve those minutes.

JOHN PIRO MOVED TO APPROVE THE MINUTES OF THE DECEMBER 3, 2025, MEETING. EVE HANAN SECONDED THE MOTION. MOTION PASSES.

4. **NDSP Presentation on Data**

Chair McCormick: We will move on to Agenda Item 4, which is a presentation regarding data from the Department of Sentencing Policy's staff. I will turn it over to Deputy Director Buonacorsi.

Deputy Director Jenna Buonacorsi: Thank you, Chair. Good morning, everyone. My name is Jenna Buonacorsi, and I'm the Deputy Director for the Nevada Department of Sentencing Policy.

Today, we will be discussing the following. We'll have an introduction to this new dataset that we are working with. We will discuss all misdemeanor arrest instance trends, revisit the initial research questions, discuss some challenges we had with the data, as well as discuss select misdemeanor arrest instance trends and select misdemeanor disposition trends.

First, I want to thank the Nevada Department of Public Safety's Records, Communication, and Compliance Division. They have been a tremendous help with providing all of the data. They are the state's central repository for all criminal history information, and the data is reported to them from local law enforcement agencies in Nevada.

I also want to thank one of our analysts, Mia Yu, who has spent countless hours working through this data. The data captures 20 years of Nevada misdemeanor instances starting on January 1, 2006, until December 31, 2025. Each instance in this dataset has an arrest offense and a disposition offense, and each has a NOC, an NRS, a description, and the dispositions have a related code. We'll talk about this a little bit more later on in the presentation and the data also reflects the number of instances. So, what is an instance?

First, I wanted to clarify a couple things with this dataset. So, for each crime event, you'll hear me use that word a lot, there is one individual associated with the number for that crime event. So, there might be multiple individuals who were a part of the same crime, but in the data, they will all be listed as an individual with an individual crime event number for that event.

For each crime event, there can be one or more what is used as an instance associated with it, and there can be changes to the initial arrest information after disposition. So, an example that I laid out here for you is there was a crime event, and at arrest, the individual was arrested for crime A and two counts of crime B. So, in the data, that would come across as three instances.

As the case evolves, the crime A might continue to be crime A, and let's say in this example, crime B, one of the counts for crime B was dropped, and the second count for crime B was reduced to a crime C, a lesser event. So, now in the data, it would appear that there was two instances from our original three. And we also have the disposition outcome for those new instances.

And so, in this example, they had pled guilty to crime A and to crime C. So, I just wanted to lay this out there as we start talking about crime events and instances. And if you have further questions about what the instances mean versus the crime event, but we have an ability to go down to an individual, to the individual crime event, and then in that crime event, they might have one or more instances associated, but those instances may evolve over time as the case continues and the rest of the data is also covering misdemeanor and gross misdemeanors. This is looking at the total, what we call the arrest instance. So, that was their initial instance at the moment of arrest versus the number of crime events that we had in the data set.

So, the arrest counts and crime events track closely over time. The activity peaked in 2008-2009, followed by a significant decline to 2015, which was nearly a 50% reduction. There was a moderate recovery from 2016 to 2019, but levels never returned to those pre-2010 highs.

Both measures dropped sharply in 2020. At the beginning of 2006-2012, you can see a steady decline, but overall instances associated with arrests were trending down. Around 2012-2015, there was a much sharper drop, and starting around 2016, it begins to climb up again, seeing the gradual increase to 2019.

From 2021 onward, charges rebounded and began to level out. They're sitting in the mid-70,000 range in most recent years, with a total of 74,741 in 2005. In 2026, it was the highest average instance per crime at 1.5, per crime event, excuse me, at 1.5. And in 2012, it was the lowest at 1.27 instances per crime event. In 2025, there was an average of 1.38 instances per each crime event. So, I wanted to recap on our initial research questions that our department was asked from the committee. The first was, out of the provided list of potential Nevada misdemeanors to remove, what was the use frequency for the last 20 years?

This is the question that we will be addressing today. The second question was, are there any Nevada misdemeanors that have not been used in the last 20 years? If so, which ones?

And that is data we are still processing on our end, but we should have an answer for at our next meeting. So, some of the challenges we've had with this data is that, like I stated earlier, we are working with 20 years of arrest instances for all misdemeanors and gross misdemeanors in the state of Nevada. We received four files, totaling to just over 1.5 million instances over the 20-year period. So, this is a lot of data that we are working through, and it's brand new data. So, it's needed some time to collect and be processed. Even up until yesterday, we found a new anomaly that we had to address in the data, which is why the report was not published on our website until this morning because we were finishing it last night.

The next issue that we had that caused a lot of challenge for us is the actual formatting of the NRS in the data set. Many of you are probably familiar with the relationship between NOCS and NRS, and that is one that has carried over into this data set. So, for this question, we are asked to look at NRS, and in the way the data is currently being, and we're still working with RCCD to determine how we can correct some of this moving forward, and they are wanting to fix it as well.

But one of the challenges we're having is, you see here, I have an example NRS, and we will have what we are calling the base six digits or sometimes seven, depending on the NRS, but it's right after that first period in the data. And so, the challenge we're having is some of them are coming over without that second section that leads to the exact point in the NRS that the individual is being either arrested for or eventually convicted of for that crime. And so, we've had to do some grouping of the data to account for some of the errors, and so that process has taken some time, and we're still working through making sure that nothing is being missed as we're processing and cleaning through some of those errors.

So, we just wanted to let you know that that has been one of our challenges, and we're working with RCCD to see if this is something that can be changed in the future moving forward, and they're very open to working with us on that. So, if you all remember back when we first began having these conversations about misdemeanor NRSs, we had a dataset that had 51 NRSs on it to potentially consider removing. And so, with research question one, we were asked to see if we can find how often the frequency of the use of these NRSs were.

So, we were able to go back 20 years, like I stated earlier, and out of the 51 NRSs we were asked, only 20 had at least one or more instances over the last 20 years. And so, we also have provided on our website a PDF of this list, so you can look at it closer if you would like, but you'll see here for the very first NRS, NRS 2.50, there were eight instances over the next 20 years, and the next few all had no instances, and then you see 19.035 is one instance, and it carries on from there. One of the most notable NRSs with the amount of instances was NRS 206.330, and this NRS had almost 3,000 instances over the last 20 years. Similarly, NRS 207.030 had almost 6,000 instances, and you'll see in the note this was an amend, not a full repeal, so it is still something that might be worth looking into, but that portion of the NRS has been being utilized over the last 20 years. And this was the last bit of data. Again, you'll see some of these, even though they were added in 1967, some of them have also never been used, and some have been used very minimally.

So, when we started looking through this data, we wanted to be able to provide an update on the disposition of those initial instances, like I had talked about earlier. And so, RCCD provided us, like I said earlier, there's a code in the data that lets us know what the disposition was, and so these are all the different disposition types that is reported to RCCD. And so, for the purposes of this presentation, we broke the data down into four disposition types, all dispositions, instances where there was no disposition, and then instances with conviction dispositions, and then other dispositions, which include all the ones listed here in purple.

So, prosecutor, not guilty, appeals, dismissals, and other necessary odds and ends. So, for the 20-year trend for all arrest NRS instances by all dispositions, here you see the 20 NRSs that had at least one instance over the last 20 years broken out by disposition types. This totaled to 8,839 instances.

The most common instances, like I already had mentioned earlier, were NRS 206.330 and NRS 207.030. In 2025, only four of these NRSs had been utilized. Instances with no disposition accounted for 39% of all instances. I will know that there does seem to be a large jump in 2011 for NRS 206.030. This trend is not seen in some of the other disposition groups, but only is in this no disposition group. Instances with one conviction disposition were about 24% of all instances. Only eight NRSs over the last 20 years had actual convictions, and only two were used in 2025. Other dispositions accounted for the remaining 37% of all dispositions.

In the future, we plan to address research question two, are there any Nevada misdemeanors that have not been used in the last 20 years, and if so, which ones? Part of this question, as you can see, has already been answered in this data set, but we are working to answer ones outside of the list that we are provided to check. Next, we want to look at trends in how NRS changes from the arrest instance to the disposition.

We also are open to requests from the committee or from the working groups about specific NRSs that you would like us to look into. We wanted to just have an opportunity to introduce the data, familiarize you all with the data, so that we can utilize this for further research. Thank you for your time.

Chair McCormick: Thank you, Deputy Director. What questions does the subcommittee have regarding the data report?

Mr. John Piro: If I could ask a question, John.

Chair McCormick: Yeah, please, Mr. Piro.

Mr. Piro: I think we had had this talk before, but solving the NOC code NRS matching up problem, how would we go about that?

Chair McCormick: Thanks, Mr. Piro. From my perspective, my thought on that is we're in a bind there, because we either have what we're calling NOC codes, Nevada offense codes, to indicate specific of multiple offenses under one NRS, or I think alternatively, it would require a rewrite of basically the criminal code to put one offense with one statute. For example, 484C.110, which is DUI in a noncommercial vehicle, that includes three offenses, first, second, and third DUI.

That's always been the one that I have quintessentially used as an example of the NOC code issue. Frankly, it's a big issue, and I don't know what the solution is aside from the continue to use NOCS, because that's the way our statutory structure is written, or an attempt to undertake a rewrite that is one offense per statute, which seems like a fairly large task, particularly considering our constitutional system as far as legislative sessions. So, throw that to the group if there's any discussion on the NOC NRS quandary.

If anybody has a brilliant idea on how to fix that issue, I'm sure there are a lot of people on this call and not on this call who would be super excited with that innovative idea that we haven't thought of yet.

Mr. Piro: I'll keep thinking about it.

Chair McCormick: I can see you pondering, Mr. Piro, but I have also pondered that at length. Perhaps I've been reticent to volunteer to try to rewrite our entire criminal code.

Mr. Piro: I would not want to undertake that.

Chair McCormick: Yes, I am with you there. Any other questions, concerns, comments, issues, further data requests we'd like NDSP to look into now that they've really been able to start getting into it? I think we've got Leisa Moseley-Sayles. You had a comment?

Ms. Leisa Moseley-Sayles: I have a question. I'm curious to know what a rewrite would look like, taking into consideration legislative sessions. What would that whole process look like?

Chair McCormick: I, too, wonder on that. I think probably the last historical analog to that would be 1995, when they did the – and again, this is for lack of a better term, because truth in sentencing is still argued today on whether or not that's a thing – when they redid that. In my mind, it would take sort of a group or person or whomever is going to do this to systematically go through, probably with the NOC list and the statutes, and determine which statutes have multiple NOCs, offense codes tied to them, and then propose rewriting those statutes.

Again, I'll use 484C.110 as an example. Instead of the three levels of DUI under that one statute, you would have 484C.111, for example--just to kind of use the numbering that exists--for a first, .112 for a second, and .113 for a third. Then there obviously are the different penalties that go with that, because the third would be a felony. In my mind, I think that's how you'd have to do it, was go back through statute and separate out multiple offenses that are contained in one statute. I think we would have to be very cognizant, particularly, again, with DUI. It's an enhanceable offense based upon if it re-offends occurs within seven years, and that's how the enhanced penalties attach. That's the same with 200.485. That is the domestic battery statute as informed by the definition in 33.018. But again, that has, again, those three levels of battery constituting domestic violence within it. So the misdo, the misdo, and then the felony.

Again, in the domestic battery context, there is a separate offense for domestic battery by strangulation, which is a cat C to start with. It would be sort of, I think, looking at that and duplicating that where 200.485, whatever the numbering system is, but misdo, misdo, and then a third statute for a felony, and then for any others, like in domestic battery, domestic battery by strangulation is another statute for that separate offense. So I think, by and large, as a project, it would be needing to go through our statutory structure and determine each statute that has an offense, a prosecutable, whether it's misdemeanor, gross, felony, whatever offense in it, and then determining the NOC codes with that, and then finding those statutes that have multiple offenses within one statute, and then making the suggestion to separate those out individually into a new statute number. The closest sort of analog I can think of, maybe, was in 2009, I think.

There was a bill that reorganized Chapter 484, because originally, all the traffic stuff was in 484, and there was no 484A, B, C, etc. And so that bill was passed, and then that traffic stuff was reorganized, so it wasn't all in one massive chapter, but it still didn't address the issue that necessitates NOC codes by having multiple offenses in one statute. So that was a long-winded answer to say it would be a very extensive project, I think.

Ms. Moseley-Sayles: A follow-up question, John? Chair?

Chair McCormick: Please.

Ms. Moseley-Sayles: If this were the route that we decided to take, considering we don't, at this point, have any other ideas, what assistance would we have with this process? Would there be someone from research department in the Legislature that would be able to assist us with this? Is there any other body in the Legislature, anyone else that would be able to assist us with this process? Or would we be totally on our own?

Chair McCormick: That is a good question that I do not know the answer to 100%, shall we say. I would be happy to reach out to the Legislative Council Bureau and see. They recently updated their list of misdemeanor offenses, so it is something that the research division over there is doing.

So it would be interfacing with the research division and seeing what capacity they have, and seeing if they have some stuff pre-existing on it that we could leverage. And then if the legislature was interested, if we could have, say, a champion legislator on that project, that may influence LCB in providing assistance. One thing to note right now is LCB does not have a permanent director.

So as this would be, I think, a large undertaking, we may have to wait until there is a permanent director appointed, because right now the deputy at LCB is filling that role. And I do not believe Roger intends to be the permanent director. So it would be a reach out to them and I am happy to initiate that and see if there is any interest sort of on that end for potentially looking at this. And perhaps, and again, I am just sort of off the cuff here, if this group could identify maybe a specific section of statute, perhaps, that we thought was really

problematic in having 47 NOC codes per statute, and I just make that number up, perhaps that is a way to do it, is start that as, for lack of a better term, a pilot to try to figure out how to dig through that, and then perhaps the lessons learned could be applied. But again, I think if this group wants to kind of look at that, I would be happy to reach out to LCB and see if there is any interest there from them or what resources they do have in this area. And then someone else had a question or comment, I thought. Oh, Professor.

Ms. Eve Hanan: I am muting here. Thank you. This data analysis is really helpful. I appreciate the work and I am looking forward to all the future data that is going to be analyzed as well. It seems to me that one thing that came up in our past meetings, and it is a little bit more of an unknown, is what happens post-disposition in these cases? What are the trends? Are there variations among courts or counties in terms of the types of sanctions? Who gets fines and fees? How much? What are the conditions if they are on a probationary period, if the defendants are on a probationary period? How often are people successful in those? What seem to be the successful ones and the ones that are not? Is that kind of data available in the data set that you have?

Deputy Director Buonacorsi: That data is not available in this data set. You have seen almost the full extent of this specific one so far. We could talk to RCCD and see what else they have, but with the type of reporting that they get, it is mainly when there is something to add to their criminal history. There might be other avenues we can look for some of that data, but in terms of this specific data set, that is not available.

Chair McCormick: To piggyback off that, and I certainly understand, and that has been a constant frustration in a number of areas I have worked in over the years, with that level of data, I think that right now, unfortunately, the best way we would be able to do that was to do maybe a snapshot in time, if that makes sense, with a specific court to do a case file review of that outcome stuff that is not reported at the aggregate level to RCCD or is currently not reported to AOC.

We currently get aggregate level data. Again, I know that me saying this does not really help us right now, but AOC is moving into a data warehouse environment, which will change the way that we are able to engage with data from the aggregate level and may allow, going forward, a deeper dive on some of that outcome data, for lack of a better term. Again, it is not something that I think is readily available, and that has always been a frustration, I think, working in these areas is the limitations on data that we do have and the ability to follow, again, for lack of a better term, an individual defendant through the process to see how that case ends up compared to other cases and that sort of information. Professor?

Ms. Hanan: I could just follow up. My question conflated to data points, and one would be the sentence as imposed, including attend this program, pay this fine, and so forth, and then the outcome, whether the person was able to attend the program, whether they paid the fine. I do not know if those would be different, and it would be easier to find the data on conditions imposed than on outcome.

Chair McCormick: Yes, and I probably used outcome as a broader term in that context and maybe confused that conversation a little bit, but as far as finding sentences imposed and that kind of stuff, that would be recorded in the individual case file for that, so when I say we could do a snapshot and say what happened in September of 2023, again, just arbitrarily picking a time frame, and then work with a court to review those, and you could kind of see the trends in sentencing there.

So, that certainly could be one way to do it, and then, of course, following the individual after the sentence and their completion and compliance with the sentences is, as you indicated, another sort of level of that. Dr. Lanterman, I believe you had a comment.

Dr. Jennifer Lanterman: Yes, this is Jen Lanterman for the record, so just following up the clarification on Professor Hanan's question and then Mr. McCormick's suggestion about method, I think we need to figure out if these two are, if they are consistent, so I'm wondering if Professor Hanan's question is in part not just what was the sentence imposed and what actually happened, but also consistency in type of sentence for similar types of offenses and relative criminal history across jurisdictions, and if that is the case, then a snapshot in a single court is not the appropriate method to answer that question. You would have to, I mean, to the extent that a snapshot in a single month would work, because we don't really know about the relative

caseload in every county and whether or not these misdemeanors are going to be charged. I don't know if a month would be enough. Would you need a month? Would you need a quarter? Would you need a year?

Because it's potential, there's potential that there's a seasonal effect to the way some of these misdemeanors are charged also, but potentially how they're sentenced, and we don't know that unless we have all the data to address or control for certain variables. So I would just want to, if we're going to propose additional analyses, I just want to be really clear about what the specific questions are so that we can ensure that the methods align or the design aligns with what we are, the questions we're trying to answer, so we get the answers we're looking for.

Chair McCormick: And that's why it's cool to have data scientists on your subcommittee. Mr. Handy?

Mr. Peter P. Handy: Yeah, I mean, if we're going to look for, I guess, just to carry on with that, like if we're going to pick a data set, it should be broad geographically too, not just because of where I sit, but because there are certain counties that have 211A departments and some that don't, right? So there's going to be substantial disparities in how sentences come across with places that have alternative sentencing departments than those that don't. It's just administered by the sheriff's office or some other agency.

So it'd be useful, I think, to get a snapshot that's a little more broad than a court a month. I know that was just your example, but to have something where it's, there's an intersection, right, of both time and geography and of different court types and perhaps different skill set of judges on the bench.

Chair McCormick: And if I could, I think Mr. Handy really points out there in terms of 211A agencies, those are the pretrial alternative sentencing agencies that only a few counties have created at the misdemeanor level. So there is that disparity as well. So, Carson City, again, for example, has one of those offices. So, and I don't mean to be flippant, but the misdemeanor experience in Carson City for a defendant is probably different than the misdemeanor experience for a defendant in, I don't know, we'll pick Winnemucca just because it's a place in the state that does not have an alternative sentencing department. So then I think another concern, at least for me here, and I mean, and I think that's the sort of the theme of this subcommittee is we're concerned, we're concerned about the disparity, and it's so hard to actually find out what that is. Everybody kind of has that gut level that there's something, but it's hard to ascertain that.

But again, so in that case, if there is no alternative sentencing department to effectuate that sentence, does it then become the court doesn't have the capacity to do that because there's no agency supervising it, does it become the court having the defendant come in for routine status checks that becomes onerous because that's the only tool the court has, or that's the only tool the court perceives it has to ensure compliance with the sentence.

So again, I certainly agree with Mr. Handy that that environment too is worth looking at because just sort of by the nature of the system, we end up with the potential for disparate supervision and potentially disparate outcomes across the state because of the way the system is created. And again, at the misdemeanor level, that's all justice and municipal courts, which are exclusively funded by the county. And so there is obviously a disparate impact on how the county chooses to resource those courts outside of the basic statutory requirements that plays into this as well. So any other thoughts on data, what we want, what we want to try to look at? Mr. Graham.

Mr. Nickolas Graham: I just had a quick question about the PowerPoint. I know we're focused on NRS only, but did the scoop up of the data from the NOC codes include, you know, county codes and municipal codes?

Deputy Director Buonacorsi: This data is just looking at Nevada jurisdiction, so not county and municipal, it's just looking at NRS related NOCs.

Chair McCormick: Thank you. And thanks for that question, Mr. Graham. I think it's a good one and we also have the situation where in some counties they adopted NRS by county code to be the county criminal code.

So then I think that gets even murkier on how it's charged and how we're tracing the offenses. You know, because in some counties, it's a county code, we adopt this.

And so then it's one county code with the subsequent NRS under it. And so then I think that too is a great observation because of that, again, is just another muddying of the waters on the data around misdemeanors here. So it's a big, dense cloud that is rather difficult to see into, I think, if I'm not out of line when I say that.

Any other comments on data or desires? And I think that will probably be intertwined with our next agenda item. So if there's no more comments on the data presentation, we'll move on.

5. Working Groups and Assignments

We'll close agenda item four and move on to agenda item five, which is working groups and assignments. And I believe everybody has been provided, I think, before I say this, a list of working groups with assignments. And as we've discussed previously, we were going to initially begin with the two working groups of data, research and trends, and classification policy and categorization.

So would be happy to discuss that, see if those are still the two groups that we think are going to meet our needs and kind of just open that up for are these working groups the way to still continue moving this forward in light of the fact that it's a fairly large endeavor with a lot of unknowns. Yeah. So if anybody has concerns on the assignment there for their working groups, we'd certainly like to discuss that now as well.

And then if there's any volunteers for group leaders, that would be appreciated as well. Give everybody a minute to review the documents. Not hearing anything.

If the subcommittee is comfortable with moving ahead with these working groups, I think we could certainly do that. And then, oh, Ms. Grosenick.

Ms. Evelyn Grosenick: Hi, Evie Grosenick for the record. I was just wondering, so I'm on the data research and trends working group. And some of our responsibilities are to review arrest, conviction and recidivism data, identify demographic and geographic trends, and then examine disparities in misdemeanor enforcement and outcomes. Where are we getting that data?

Chair McCormick: And I think that is the quandary.

Ms. Evelyn Grosenick: Oh, we have to figure that out. Okay. Right.

Chair McCormick: And Deputy Director Buonacorsi, if you have thoughts here, because data is sort of your area of expertise, I certainly appreciate your input. But I think, again, it's trying to maybe assess what we have beyond RCCD and see if there is any reasonable way to get the other data. And unfortunately, it's probably getting down into the weeds of our disparate systems and our disparate tracking and how we're doing things jurisdiction by jurisdiction.

Deputy Director Buonacorsi: Yeah. I think, make a great point, Evie, that that is going to be the challenge. And I think that there has been, it'll be a really good opportunity to nail down what is and is not possible for us to find data on right now, and what opportunities can we maybe help create in the future, and what are the limitations that are making it challenging to access a lot of this information?

And to John's point, what are the other partners that we can maybe bring in and work from it and gather all this data? And I will say, though, one of the challenges with that is, unless we are comparing aggregates to aggregates to aggregates without a way to connect the data sets, there is a challenge there that we will have to address when the time comes.

Chair McCormick: And, I mean, theoretically, that could be the recommendation of the working group that, like, the data landscape here is so fractured that perhaps we need to engage with the Legislature or something

to set up some more parameters on data and who's reporting it and where it's going and how it's collected and those type of things, too. Because I think that's, and that's always been a frustration of mine, if I can voice that, over almost 20 years is, you know, people collect data for their purpose, and that's not necessarily easily matchable with other people's purposes, obviously, because, like, you know, Director Handy and Mr. Graham want data on how offices operate and what folks are doing and they're collecting data in that respect, maybe not necessarily so we're comparing what the DA's office and the PD's office consider a case. You know, so it's that. And then, Ms. Jones-Brady, I think I see you have your hand up.

Ms. Christine Jones-Brady: In terms of the two working groups, it seems that changing or recategorizing the misdemeanors is almost a little premature until we get this data, the problem of data solved. So that's one concern I have that maybe that is the thing is working on, working with the Legislature, working with LCB to be able to collect reliable, consistent data that can give us good information across the state. Because right now, I don't know how we change the misdemeanors, the categories of them, without really having evidence as to the impact on each community across the state.

Chair McCormick: Thank you, Ms. Jones-Brady. And I certainly get that. And I think that's been sort of one of the inherent struggles of this subcommittee and trying to figure out where we're going and what we're doing with it. I think perhaps we have the data group really look at that and determine, you know, I mean, it's not, maybe it's a cart before the horse thing to what data and what the data tells us if we have to determine like what data exists and what gaps we have and work in that way. And then I think potentially, since, you know, maybe we don't have the data to inform decisions, theoretically, that classification working group, for lack of a better term, could start looking at other states. I think, you know, as far as classification systems and does that work and if there's data available there. I know Colorado engaged in that process, which was kind of interesting because I was doing some research and then it just sort of ended. The Colorado committee that was looking at some of this. So again, we could, but look at what other states have done in that experience, if that is helpful, rather than just working on that reclassification or alternatively, and I'm not saying one way or the other, does the group want to say that we think, regardless of what the current data shows, that one level of classification per misdemeanor is maybe not the best way to go and come at it from that angle of looking, stepping back, maybe even a little bit more and looking at the system more broadly. And absent the data, is that something that we wish to consider could be another option again, but I don't want to presuppose any outcome in the work of the working groups. So, but I do think that's a very valid point that Ms. Jones-Brady raises that, you know…Ms. Moseley-Sayles.

Ms. Moseley-Sayles: Thank you, Chair. To your point about Colorado, I recall at the beginning and at the start of this subcommittee, that we had entertained the possibility of maybe talking with some of the folks in Colorado and listening to them and them sharing with us how they actually got started and what their process was. Is that still something that we could do? I think it would be very helpful for us to maybe hear from folks that have done this. I think Colorado is the only state that has done it and just kind of get an idea of where they started and what some of their barriers were and how they were able to move around them. I think that might give us some ideas about how to move forward here.

Chair McCormick: And I certainly agree and I'm happy to reach out to Colorado. If you happen to know who the right people to ping on, I'd sure appreciate that. But certainly, we could ask them how they got started because, you know, I don't think I'm speaking on a school here that this is a big task and that's been one of our difficulties as a group. It's like, here, have a giant task and figure out how to take bites out of it or even get started. So, certainly could do that. Perhaps we could ask Colorado, you know, maybe do that as a next meeting to have that discussion with them, talk about it and see what their advice is to us as a group moving forward.

So, as far as talking about working groups, if sorry, again, talking about working groups, I'd be really like to hear everybody's opinion on whether or not we should have data and classification, just go with data, talk to Colorado to see where we're going or try to talk to Colorado at a relatively soon meeting and then use that information to kind of and help us inform going forward.

Mr. Piro: John, I think bringing in Colorado maybe to get us a good start on that may be best, even just even to figure out kind of where they dug up their data

Chair McCormick: Right. Thank you, Mr. Piro. Yeah, so if anybody knows the right people in Colorado to talk to, I'd appreciate that as a side conversation so I know who I'm nagging out there to have a meeting. I think Ms. Mosley-Sayles and Professor Hanan both had comments, so whoever wants to go, go.

Ms. Moseley-Sayles: I was just going to comment that Christy Donner is the person in Colorado that we had communicated with previously. I don't know if they're still there, but I can forward you contact information that I have for her and we can see if she's still there, who she might know.

Chair McCormick: Awesome. And if not, I have some connections at the AOC there and they may know as well, so we can work on that and try to get that Colorado perspective. Professor?

Ms. Hanan: Yes, I was just going to suggest that I do think there is some work that the working groups could start on as they are comprised now based on the data that's been presented so far. And my thought about that was, I'm not in the classification working group, but if I was in that group, what are these NRS codes where there's no prosecutions, right? Is that because it's a problem that rarely occurs or because it's an outdated way of looking at things? So, there's some things to look at there with the data and also look at vagrancy and look at the statute and say, are there things to untangle here in this huge catch-all statute? And then on the data side, I think in the data working group, which I'm in, it would be great to look, take a deeper dive into what we have so far and see what questions we have. And so I think even before we have more information, it's always a tricky thing. We don't have perfect information and we don't have much data in Nevada compared to other states. Maybe we won't have access to what Colorado has access to. But I think we can start with that.

Chair McCormick: Thank you. I appreciate that. Erin, and then Peter, and then Dr. Lanterman.

Ms. Erin Tellez: I think it's just an important thing for us to be sort of mentally prepared for, even if we were to get that advice from Colorado, that Colorado being a unified court system, we are going to have so many nuances that collecting that, like we may not be able to replicate a lot of what that process is just due to the kind of wild, wild west structure of Nevada's court system. So I think that while we certainly should reach out to them and maybe get some ideas in the starting point, I don't know that we can think of that as being able to replicate that as our solution in that Nevada's just being as not just not unified, but as kind of wild, wild west and ununified as we are. I think there's going to be a lot of issues in trying to replicate kind of anything that they did.

Chair McCormick: Thank you. And that's a very valid, valid point too. And in the Colorado system, it's unified except for municipal courts, is my understanding. So that gets a little weird.

Ms. Tellez: And I think it's municipal, but they only handle like municipal ordinances. So I think, again, just another layer of nuance.

Chair McCormick: Mr. Handy?

Mr. Handy: Yeah, I was thinking that it, I think it makes sense for the working groups to, there are things that both of the groups can do now, right? We can in the classification policy group, work on the ones that have been identified as they haven't been charged, kind of figure out the whys and then also maybe create goals for what the data group could be obtaining or looking to obtain. My thought is the data group can see what data is available now, what points can they start collecting data on perhaps going forward and whether that data could then achieve the same kind of policy aims the policy group sets. So, if we're looking at like a classification system overall, can the data group figure out if there's a way to measure that data, whether from past existing data or going forward as a recommendation, maybe we recommend collection of certain data points we're not collecting now. And then can policy group then use that future point. So I think it can both move in tandem with kind of back and forth.

Chair McCormick: Yeah. Thanks. I appreciate that. Dr. Lanterman.

Dr. Lanterman: Yeah, I was just going to sort of follow up on, piggyback on some of the prior comments and that I, I agree that we cannot currently, you know, we don't want to put the cart before the horse, so we can't start making recommendations about changes. So that sort of gets to the point where we can make some, some recommendations to the, to the data working group about certain things to maybe start looking at. But in the meantime, one of the other things we could do, and maybe the classification working group, maybe we can sort of stratify this work where you've got some people looking at, Hey, there are some of these offenses that haven't been charged at all. What's going on there. But then also this broader issue, what are the, the, the options or the models that are being used in other States generally? What are those look like?

Are there any, any policy analysis on those? Right. So when they've, what were their existing systems, what did they change to where the policy analysis indicate in terms of public safety, efficiency, fairness, and we can see what the existing systems are while the data working group is, is doing their thing and then we kind of come together and sort of figure out, is it possible given the structure of courts in Nevada, that any of these other models are viable here. And then we can kind of eliminate what is not an option here. And then based on those remaining systems, are any of them actually workable?

Do we need to overhaul what's going on in Nevada as, as a general matter? And then move from there. So there are different, I agree with Mr. Handy that there are different things that different working groups could be doing, but I would be really hesitant as a member of a classification working group to kind of at, at the same time that the data group is working to start making recommendations about how the system has to change until we really know what data are available to actually inform those decisions.

Chair McCormick: Thanks Dr. Lanterman. I think that that's a really good point. And it's more articulate that I've been than I, than I think I've made it is certainly we should be, should be doing the work we can right now.

And I guess that raises the question, do we need to, do we want to have working group meetings and then they choose a chair to kind of help facilitate the work of that working group? And then kind of go from there. And then with the advice that we've had here, as far as our gaps and start looking at not redoing Nevada's classifications, but how other states do it and I have some, I've been, I've been able to find some resources on that. I think there's 29 or 30 states that do not just one class, but again, I could be wrong on that, but we can provide that. So perhaps trying to synthesize this and articulate that word apparently.

So, we could go ahead and say, set meetings of the working groups, perhaps work with NDSP on that, reach out to Colorado to get that, reach out to LCB to see just sort of what data their interest, is there a potential, you know, any of that, kind of all as a simultaneous path, does that seem like the path going forward to the group here? All right. Mr. Graham gave me a thumbs up. So cool. Appreciate that. All right, so, and it's hard to set meeting dates with a group this big on that, but perhaps just get, we can, I will get with NDSP and we'll look at the calendar and say, what does the group think? Working group meetings in the next two weeks, three weeks, month, because we all do have day jobs too. So, trying not to monopolize anybody's time here.

Ms.Tellez: I think a group meeting kickoff in two weeks is probably manageable for most.

Chair McCormick: Cool. All right. Then I will get with NDSP and we will try to get a couple of those set for those working groups to really start talking about it, figure out what that is, and then do the other stuff in the background. And if that seems like a reasonable path forward, do morning, afternoon, any particular day of the week work better for the folks here?

Mr. Graham: Nick Graham, morning, excuse me, afternoons are the best for me, at least, just because we have court every morning.

Chair McCormick: Right.

Ms. Moseley-Sayles: Chair Lisa Mosley, afternoons work well for me also.

Chair McCormick: All right. If afternoons seem okay, I will get with NDSP, we'll get a couple of meetings set, one for data, one for classification, for lack of a better term. I mean, we could call them data and policy, however we end up naming them and get that information out and then reach out to Colorado kind of independently from that and perhaps convene this group to hear that presentation at some point as well, if we're able to secure that. If those seem like reasonable action steps to try to start wrapping our heads around this rather large and somewhat amorphous thing we're doing here.

6. **Discussion on Future Meeting Dates**

Chair McCormick: All righty. Well, I think we sort of bled from agenda item five into agenda item six for future meetings. So, go ahead, work with NDSP, and we'll go ahead and try to get those working group meetings set in the next couple weeks. So, that would be a couple into the middle part of May and then reach out to Colorado and go from there and then once we get that information on Colorado or that, we can schedule a full committee meeting to discuss that and check in with our groups if that works for everyone here. All right. And appreciate that, any other discussion regarding future meetings or endeavors? Not hearing any. That will close agenda item six.

7. **Public Comment**

Chair McCormick: And we are on to agenda item seven, which is the second period of public comment. And I will ask, Cecilia, if we have any callers wanting to make comment.

Ms. Felipe: Chair, we have no callers who wish to testify.

Chair McCormick: As we have no public commenters, I will close the second period of public comment.

8. **Adjournment**

Chair McCormick: And thank you all for taking your time this morning. Glad we could give you back a little bit extra and we will start this slow. I think that's, I mean, all alone that's been my problem, is I wanted to move and reclassify misdemeanors and do all sorts of stuff. But that's a me thing, and the state's probably going to want to move a little slower. So, I think this is probably a better way to do it. So, I do appreciate all your participation and interest in this. And we will be in touch most certainly. Thank you very much everybody.