


IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: THE COMMITTEE TO STUDY  
EVIDENCE-BASED PRETRIAL  
RELEASE.

ADKT 0539

**FILED**

JAN 08 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

*ORDER SCHEDULING PUBLIC HEARING  
AND REQUESTING PUBLIC COMMENT*

On December 28, 2018, the Honorable James W. Hardesty filed a petition to adopt a statewide requirement that all judges utilize a validated risk assessment tool for use in pretrial decision-making as recommended by the Committee to Study Evidence-Based Pretrial Release. The proposed forms are attached as Exhibit A and B.

The Nevada Supreme Court will conduct a public hearing on the petition on Tuesday, February 5, 2019, at 3:00 p.m. in the Nevada Supreme Court Courtroom, 201 South Carson Street, Carson City, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, 408 East Clark Avenue, Las Vegas, Nevada.

Further, this court invites written comment from the bench, bar, and public regarding the proposed amendments. Comments may be submitted electronically or in hard-copy format to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 by 5:00 p.m., January 24, 2019. Persons interested in participating in the hearing must notify the Clerk no later than January 24, 2019.



**EXHIBIT A**

**NEVADA PRETRIAL RISK (NPR) ASSESSMENT**

Assessment Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Assessor: \_\_\_\_\_ County: \_\_\_\_\_  
 Defendant's Name: \_\_\_\_\_ DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_ Case/Booking #: \_\_\_\_\_  
 Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Contact Phone#: \_\_\_\_\_ # of Current Charges: \_\_\_\_\_  
 Most Serious Charge: \_\_\_\_\_ Initial Total Bail Set: \$ \_\_\_\_\_  
 Demographic Information (optional): Gender: Male \_\_\_\_\_ Female \_\_\_\_\_  
 Race: Hispanic \_\_\_\_\_ White \_\_\_\_\_ Black \_\_\_\_\_ Asian \_\_\_\_\_ Nat. Amer. \_\_\_\_\_ Other/Unknown \_\_\_\_\_

<b>SCORING ITEMS</b>	<b>SCORE</b>
1. Does the Defendant Have a Pending Pretrial Case at Booking? a. Yes - 2 pts. If yes, list case # and jurisdiction: _____ b. No - 0 pts.	_____
2. Age at First Arrest (include juvenile arrests) First Arrest Date: ____/____/____ a. 20 yrs. and under - 2 pts. b. 21-35 yrs. - 1 pt. c. 36 yrs. and over - 0 pts.	_____
3. Prior Misdemeanor Convictions (past 10 years) a. None - 0 pts. b. One to five - 1 pt. c. Six or more - 2 pts.	_____
4. Prior Felony/Gross Misd. Convictions (past 10 years) a. None - 0 pts. b. One or more - 1 pt.	_____
5. Prior Violent Crime Convictions (past 10 years) a. None - 0 pts. b. One - 1 pt. c. Two or more - 2 pts.	_____
6. Prior FTAs (past 24 months) a. None - 0 pts. b. One FTA Warrant - 1 pt. c. Two or more FTA Warrants - 2 pts.	_____
7. Employment Status at Arrest a. Verifiable Full/Part-time Employment - 0 pts. (e.g. Self-employed, Disabled and receiving benefits, Student, Retired, Military, Stay at Home Parent, etc.) b. Unemployed - 1 pt.	_____
8. Residential Status Date of Residency: ____/____/____ a. Nevada Resident - living in current residence 6 months or longer - 0 pts. b. Nevada Resident - not lived in same residence 6 months or longer - 1 pt. c. Homeless or non-Nevada Resident - 2 pts.	_____
9. Substance Abuse (past 10 years) a. Other - 0 pts. b. Prior <i>multiple</i> arrests for drug use or possession/alcohol/drunkenness - 2 pts.	_____
10. Verified Cell and/or Landline Phone a. Yes - 0 pts. If yes, list #: _____ b. No - 1 pt.	_____
<b>TOTAL SCORE:</b>	_____

Risk Level (Circle One): **LOW** (0-4 pts.) **MODERATE** (5 - 8 pts.) **HIGHER** (9+ pts.) **OVERRIDE?:** Yes \_\_\_ No \_\_\_

Override Reason(s): Mental Health \_\_\_\_\_ Disability \_\_\_\_\_ Gang Member \_\_\_\_\_ Flight Risk \_\_\_\_\_  
 Prior Record More Severe than Scored \_\_\_\_\_ Prior Record Less Severe Than Scored \_\_\_\_\_  
 Other, explain: \_\_\_\_\_

Final Recommended Risk Level: **LOW** \_\_\_\_\_ **MODERATE** \_\_\_\_\_ **HIGHER** \_\_\_\_\_

Supervisor/Designee Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**EXHIBIT B**

**NEVADA PRETRIAL RISK (NPR) ASSESSMENT**

Assessment Date: \_\_\_/\_\_\_/\_\_\_ Assessor: \_\_\_\_\_ County: \_\_\_\_\_

Defendant's Name: \_\_\_\_\_ DOB: \_\_\_/\_\_\_/\_\_\_ Case/Booking #: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Contact Phone#: \_\_\_\_\_ # of Current Charges: \_\_\_\_\_

Most Serious Charge: \_\_\_\_\_ Initial Total Bail Set: \$ \_\_\_\_\_

Demographic Information (optional): Gender: Male \_\_\_\_\_ Female \_\_\_\_\_  
 Race: Hispanic \_\_\_\_\_ White \_\_\_\_\_ Black \_\_\_\_\_ Asian \_\_\_\_\_ Nat. Amer. \_\_\_\_\_ Other/Unknown \_\_\_\_\_

SCORING ITEMS	SCORE
1. Does the Defendant Have a Pending Pretrial Case at Booking? a. Yes - 2 pts. If yes, list case # and jurisdiction: _____ b. No - 0 pts.	_____
2. Age at First Arrest (include juvenile arrests) First Arrest Date: ___/___/___ a. 20 yrs. and under - 2 pts. b. 21-35 yrs. - 1 pt. c. 36 yrs. and over - 0 pts.	_____
3. Prior Misdemeanor Convictions (past 10 years) a. None - 0 pts. b. One to five - 1 pt. c. Six or more - 2 pts.	_____
4. Prior Felony/Gross Misd. Convictions (past 10 years) a. None - 0 pts. b. One or more - 1 pt.	_____
5. Prior Violent Crime Convictions (past 10 years) a. None - 0 pts. b. One - 1 pt. c. Two or more - 2 pts.	_____
6. Prior FTAs (past 24 months) a. None - 0 pts. b. One FTA Warrant - 1 pt. c. Two or more FTA Warrants - 2 pts.	_____
7. Substance Abuse (past 10 years) a. Other - 0 pts. b. Prior <i>multiple</i> arrests for drug use or possession/alcohol/drunkenness - 2 pts.	_____
8. Mitigating Verified Stability Factors (limit of -2 pts. total deduction) a. Employed, Student or Retired (-1) pt. b. Nevada Resident - Living in current residence 6 mos. or longer (-1) pt. c. Verified Cell Phone/Landline (-1) pt.	_____
<b>TOTAL SCORE:</b>	_____

Risk Level (Circle One): LOW (0-3 pts.) MODERATE (4-8 pts.) HIGHER (9+ pts.) OVERRIDE?: Yes \_\_\_ No \_\_\_

Override Reason(s): Mental Health \_\_\_\_\_ Disability \_\_\_\_\_ Gang Member \_\_\_\_\_ Flight Risk \_\_\_\_\_

Prior Record More Severe than Scored \_\_\_\_\_ Prior Record Less Severe Than Scored \_\_\_\_\_

Other, explain: \_\_\_\_\_

Final Recommended Risk Level: LOW \_\_\_\_\_ MODERATE \_\_\_\_\_ HIGHER \_\_\_\_\_

Supervisor/Designee Signature: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_