

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Petitioner: Jessica L. Colvin, Chief Financial Officer

Recommendation:

Authorize the creation of 29 positions for the Justice Courts, Public Defender, and District Attorney, as a result of AB424. (For possible action)

FISCAL IMPACT:

Fund #:	1010.000	Fund Name:	General Fund
Fund Center:	Various	Funded PGM/Grant:	N/A
Amount:	\$2,239,494		
Description:	Supplemental Positions		
Additional Comments:	The total cost to the General Fund is projected to be \$2,239,494		

BACKGROUND:

During the 2021 Nevada Legislative session, AB424 was passed and signed into law. AB424 requires that every person that is detained for a criminal offense appear before a Justice Court Judge within 48 hours of arrest. During that initial appearance, the Court is required to conduct a detention review consistent with Valdez-Jimenez v. Eighth Judicial District Court, 136 Nev. 155, 460 P.3d 976 (2020).

Pursuant to Valdez-Jimenez, the Court must determine whether a defendant is a risk to the community (e.g. commit another crime), or likely to fail to appear at all future court proceedings. Based upon that determination, the Court will either order the release of the defendant, with or without conditions such as electronic monitoring, intensive supervision, and/or bail, or order that the defendant remain detained. During this hearing, the prosecution bears the burden of proof, while the defendant is entitled to legal representation.

Beginning in January 2019, the Las Vegas Justice Court began its Initial Appearance Court, which provides Valdez-Jimenez hearings for every person detained in Las Vegas every day of the year. AB424 requires that beginning July 1, 2022, Justice Courts in Henderson, North Las Vegas, and the eight rural justice courts provide the same detention review hearings consistent with Valdez-Jimenez within 48 hours of detention.

To comply with AB424, the Public Defender's Office, the District Attorney's Office and the Justice Courts will require additional staff. Funding for these positions will be from FY2023 general fund revenues and will reduce the funds that would otherwise be available for FY2023 supplemental positions.

The Board of County Commissioners is being asked to authorize the creation and funding of the attached listing of positions.

Cleared for Agenda

02/01/2022

File ID#

22-0164