



STATE OF NEVADA
ADVISORY COUNCIL FOR PROSECUTING ATTORNEYS
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Carson City, Nevada 89701

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REVISED DRAFT MEETING MINUTES

Organization: Advisory Council for Prosecuting Attorneys

Date and Time of Meeting: December 12, 2023 • 1:30 p.m.

Place of Meeting: Virtual Meeting
Link: [Click here to join the meeting](#) (Microsoft Teams)
Meeting ID: 214 145 337 113 **Passcode:** ZDa8wb
Call in (audio only): 775-321-6111
Conference ID: 530 693 626#

Members Present

Aaron D. Ford, Attorney General, Chair
Christopher Hicks, Washoe County District Attorney, Vice Chair
Mark Jackson, Douglas County District Attorney
Wes Duncan, Sparks City Attorney
Carly Helbert, Las Vegas Assistant City Attorney
Jamie Prosser, Las Vegas Metropolitan Police Department, Assistant Sheriff

Staff Present

Michael K. Morton, Executive Director

Guests Present

Teresa Benitez-Thompson, Chief of Staff, Office of the Attorney General
Christine Jones Brady, Second Assistant Attorney General, Office of the Attorney General
Nicole Reilly, Office of the Attorney General
Terry Kerns, Office of the Attorney General
Mary-Sarah Kinner, Washoe County Sheriff's Office
Steven Johnson, Washoe County Sheriff's Office
Cassandra Robertson, Las Vegas Metropolitan Police Department
David Gouldthorpe, Las Vegas Metropolitan Police Department
Beth Schmidt, Las Vegas Metropolitan Police Department
Janet Patkowa, City of Henderson
Tanya Hiner, City of Henderson
Brad Taylor, Washoe County Sheriff's Office

Afton Martinez, City of Henderson
Vincent Villena, City of Henderson

1. **Call to Order and Roll Call.**

- *Steve Wolfson was absent.*

2. **Public Comment.**

- *There was no public comment offered.*

3. **Approval of minutes of September 14, 2023 meeting. (For possible action)**

(Attachment 1 – Draft minutes from September 14, 2023 meeting).

- *Carly Helbert moved to approve the minutes of the August 29, 2023 meeting, with the one correction of fixing the spelling of Christopher Hicks’s name. Christopher Hicks seconded the motion. The minutes were approved unanimously.*

4. **Discussion regarding the implementation of section 14 of SB35 (2023) and the use of the money appropriated by section 57.5 of SB412 (2023).**

- *Michael Morton gave an update on the study that the Joint Interim Standing Committee on Judiciary was conducting pursuant to section 14 of SB35 (2023).*
- *Steve Johnson, Washoe County Sheriff’s Office, gave an update on the funding appropriated by section 57.5 of SB412 (2023). This included a detailed description of the costs and safety issues associated with changing the testing protocol for controlled substances from qualitative to quantitative testing.*
- *David Goldthorpe, Las Vegas Metropolitan Police Department, gave a similar update regarding qualitative vs. quantitative testing for his department.*
- *Both Johnson and Goldthorpe expressed cost and safety concerns, along with issues surrounding best practices for testing of controlled substances.*
- *Tanya Hiner, City of Henderson, expressed concern regarding the increased need for staff if her department were to switch from qualitative to quantitative testing.*
- *Attorney General Ford stated that all of these issues and concerns would be discussed during the study conducted by the Joint Interim Standing Committee on Judiciary.*
- *Mark Jackson expressed concerns regarding issues related to speedy trial rights that might occur if quantitative testing was implemented. David Goldthorpe stated that quantitative testing would take much longer, and estimated that about 45% of all tests conducted by his lab are for fentanyl. Robertson stated that the Las Vegas lab does not have the budget to switch testing protocols at this time.*
- *Additional discussion occurred related to other obstacles that exist in switching from qualitative to quantitative testing.*

5. **Chair’s Report.**

- *Attorney General Ford submitted the Chair’s Report in writing, which included updates on the Committee on Domestic Violence, the Substance Use Response Working Group, and the Sentencing Commission.*

- *Mark Jackson asked a question on the Committee on Domestic Violence’s work on possible changes to the statutory definition of “strangulation.” Nicole Reilly from the Attorney General’s Office provided an update on that Committee’s work.*
- *Mark Jackson noted the length of the recommendations formulated by the Substance Use Response Working Group, and asked about the possibility of a representative for the district attorneys or city attorneys being added to the Working Group, which would require a statutory change.*

6. **Executive Director’s Report.**

- *Michael Morton provided the Executive Director’s report in writing, which included an update regarding the Advisory Council joining the National Association of Prosecutor Coordinators.*

7. **Discussion and staff update regarding the 2024 Prosecutors Conference, and the possible creation of a subcommittee of the Advisory Council to work on conference programming. (For possible action)**

- *Michael Morton provided an update on the contract with the Golden Nugget, which at the time of the meeting, was still in the review process with the Governor’s Finance Office. Mr. Morton also updated the Advisory Council on possible CLE programming for the 2024 Conference, including the possibility of inviting speakers from the Sexual Assault Kit Initiative conference, which he was attending at the time of the Council meeting. Mr. Morton also noted that membership in the National Association of Prosecutor Coordinators would avail the Council of additional speaker/topic resources for its annual conference.*
- *Discussion ensued among the Council members regarding the importance of creating a subcommittee to oversee the creation of the agenda for the 2024 Conference, to ensure that the mission of the Advisory Council and the importance of sound prosecution was reflected in the CLE programming being offered this year.*
- *The Council members discussed who should serve on such a subcommittee, and all agreed that Mark Jackson, Vice Chair Hicks, and Chief Deputy District Attorney Nell Christensen (Clark County) would be great members of this subcommittee. Mark Jackson made a motion to create the Subcommittee on Conference Programming, made up of the members referenced above. Carly Helbert seconded the motion. The motion passed unanimously.*

8. **Discussion on possible legislative matters for the 83rd Session of the Nevada Legislature.**

- *Michael Morton gave an overview of the timeline for how legislative measures are requested and who has the statutory authority to request such measures. Mark Jackson stated that the Nevada District Attorneys Association would have ideas for review.*

9. **Discussion on biggest obstacles for law enforcement and prosecutors’ offices in 2024.**

- *Many members of the Advisory Council state that recruitment and retention of prosecutors has been extremely difficult in recent years. A discussion ensued as to*

the multiple causes of this issue. AG Ford recommended that Michael Morton be invited to meetings of the Nevada District Attorneys Association to coordinate between groups on possible solutions.

10. **Council Comments.** (For discussion only – action may not be taken on any matter brought up under this agenda item, but matters may be scheduled on future agendas).
- *No members of the Advisory Council had comments under this agenda item.*

11. **Public Comment.**
- *No public comment was offered at this time.*

12. **Adjournment.**
- *Carly Helbert made a motion to adjourn. Wes Duncan seconded the motion. The motion passed unanimously.*
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