

FILED

IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP 2023 JAN -9 A 9:34

CLARK COUNTY, NEVADA

JUSTICE COURT
LAS VEGAS NEVADA
BY: 
DEPUTY

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4 **IN THE ADMINISTRATIVE MATTER**
5 **REGARDING:**
6 **GUIDELINES FOR ADMINISTRATIVE**
7 **OWN RECOGNIZANCE RELEASES FOR**
8 **THE LAS VEGAS JUSTICE COURT**

SEVENTH AMENDED
ADMINISTRATIVE ORDER # 18-04
(superseding all prior versions)

9
10 **WHEREAS**, JCRLV 6.5(b)(5) empowers the Chief Judge to supervise the administrative
11 business of the Court; and

12 **WHEREAS**, the following Administrative Orders are currently in effect: Order 2004-PT-1,
13 most recently revised on January 14, 2015; Administrative Order 15-05, most recently revised on May
14 22, 2018; Administrative Order 15-07 (superseding Administrative Order 14-01); Administrative Order
15 16-03; and Administrative Order 18-01; and the aforementioned Orders address Pretrial Release and
16 issues related thereto; and

17
18 **WHEREAS**, NRS 178.4851 states in pertinent part that, “upon a showing of good cause, a court
19 may release without bail any person entitled to bail if it appears to the court that it can impose
20 on the person that will adequately protect the health, safety and welfare of the community and ensure
21 that he will appear at all times and places ordered by the court”; and

22
23 **WHEREAS**, NRS 178.4853 declares that the Court at a minimum shall consider the various
24 factors set forth herein to determine whether there is good cause to release a person without bail; and

25
26 **WHEREAS**, the Committee to Study Evidence-Based Pretrial Release developed a Nevada
27 Pretrial Risk Assessment Tool (NPRAT) designed to assess a person's risk of nonappearance or new
28 criminal behavior and provide guidance to the courts on appropriate release, supervision, or detention

1 decisions; and

2 **WHEREAS**, the Las Vegas Justice Court has determined that the Pre-Trial Services Division
3 (hereinafter Pre-Trial Services) shall effectuate a release when a person meets certain specific criteria as
4 outlined herein; therefore,

5 **IT IS HEREBY ORDERED** that Pre-Trial Services staff (including Justice Court Intake
6 Specialists, Court Compliance Officers, Office Services Supervisors, and/or the Court Division
7 Administrator) shall effectuate a release when the person meets the following criteria:

8 The type of arrest is probable cause; and

9
10 (1) The charges are **misdemeanors**, excluding battery domestic violence; DUI with prior DUI
11 arrest(s) and/or conviction(s); or Violation of a Protection Order; or

12
13 (2) The charges are **non-violent** gross misdemeanors and/or felonies, **excluding gun**
14 **charges or charges related to possession of a firearm**, and Pre-Trial Services has assessed the
15 person using the NPRAT and determined a final recommended risk level of
16 LOW; or

17
18 (3) The charges are:

19 (a) Felony Possession of a Controlled Substance, for a first or second offense,

20 (1) if the controlled substance is listed in schedule I or II and the quantity
21 possessed is less than 14 grams, or

22 (2) if the controlled substance is listed in schedule III, IV, or V and the quantity
23 possessed is less than 28 grams; and/or

24 (b) Gross-Misdemeanor Possession of Prescription Drug Without a Prescription; and/or

25 (c) Gross-Misdemeanor or Felony Possession of Imitation Controlled Substance; and/or

26 (d) Felony Commission of a Fraudulent Act in a Gaming Establishment;

27 and Pre-Trial Services has assessed the person using the NPRAT and determined a final
28 recommended risk level of LOW or MODERATE.

IT IS FURTHER ORDERED that, notwithstanding satisfying the criteria above, a person shall
not be released by Pre-Trial Services if:

- 1 (1) The person has been arrested for any of the following offenses:
2 (a) Category-A felony offense;
3 (b) DUI-related gross misdemeanor or felony offense;
4 (c) Leaving the Scene of an Accident-related gross misdemeanor or felony offense;
5 (d) Violation of a Protection Order-related gross misdemeanor or felony offense;
6 (e) Escape;
7 (f) Home Invasion or residential Burglary;
8 (g) Any felony firearms-related offense or offenses with firearms enhancements;
9 (h) Sex-Offender violations or other sexually-related crimes; or
10 (i) Attempt Murder;

11 (2) The person is out of custody in another Justice Court or District Court case in which
12 charges have been filed;

13 (3) The person has been sentenced in another Justice Court or District Court case and has a
14 suspended jail or prison sentence;

15 (4) The person was also arrested on a bench warrant in another Las Vegas Justice Court or
16 District Court case;

17 (5) The person is currently on probation or parole;

18 (6) The person has a fugitive warrant;

19 (7) The person has a previous conviction for escape or bail jumping; or

20 (8) The person has been arrested for a violation of Clark County Code Section 12.02.030
21 (“Violation of Order Out Corridor Order”).

22 **IT IS FURTHER ORDERED** that should Pre-Trial Services have any concerns about a
23 person's release under the above-referenced criteria, the Signing Judge shall be consulted; and

24 **IT IS FURTHER ORDERED** that if a person is arrested on a “Q Case” involving Clark County
25 Animal Control, Pre-Trial Services shall release the person on his or her own recognizance and schedule
26 the case to be heard on the next “Q-Case” calendar; and

27 **IT IS FURTHER ORDERED** that if a person is arrested on a Community-Court case bench
28 warrant for the **first** time in a particular case, Pre-Trial Services shall release the person on his or her
own recognizance and schedule the case to be heard on the next Community-Court calendar. If a person
is arrested on a Community-Court case bench warrant for the **second or subsequent** time in a particular

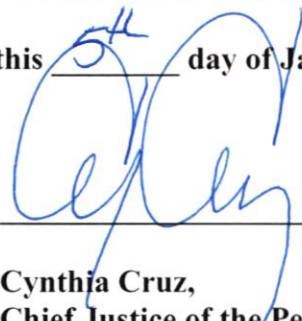
1 case, the person shall appear before the Court on the Community-Court bench warrant return calendar
2 that is heard Monday, Tuesday, and Thursday; and

3 **IT IS FURTHER ORDERED** that this Order shall supersede the previous Administrative
4 Orders listed on Page 1 of this Order and all prior versions of this specific Administrative Order; and

5 **IT IS FURTHER ORDERED** that Administrative Order 13-01, which was previously
6
7 superseded by a prior version of this Administrative Order, shall now become operative once again; and

8 **IT IS FURTHER ORDERED** that this Order shall become effective on the date of filing.

9 Dated this 5th day of January, 2023.

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12 _____
13 **Cynthia Cruz,**
14 **Chief Justice of the Peace**