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JUSTICE COURT
LAS VEGAS, NEVADA

BY



1 **IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP**
2 **CLARK COUNTY, NEVADA**

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

8 **EIGHTH AMENDED**
9 **ADMINISTRATIVE ORDER # 18-04**
10 **(superseding all prior versions)**

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

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

18 **WHEREAS**, NRS 178.4847 authorizes a court to adopt “an administrative order relating to the
19 circumstances under which a person may be released from custody without a pretrial release hearing”;
20 and
21

22 **WHEREAS** NRS 178.4851 states in pertinent part that, “the court shall only impose bail or a
23 condition of release, or both, on a person as it deems to be the least restrictive means necessary to
24 protect the safety of the community or to ensure that the person will appear at all times and places
25 ordered by the court, with regard to the factors set forth in NRS 178.4853 and 178.498”; and
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27 **WHEREAS**, NRS 178.4853 declares that the Court at a minimum shall consider the various
28 factors set forth herein to determine whether there is good cause to release a person without bail; and

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

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

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

11 The type of arrest is probable cause; and

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

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

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;

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

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

5 (1) The person has been arrested for any of the following offenses:

- 6 (a) Category-A felony offense;
- 7 (b) DUI-related gross misdemeanor or felony offense;
- 8 (c) Leaving the Scene of an Accident-related gross misdemeanor or felony offense;
- 9 (d) Violation of a Protection Order-related gross misdemeanor or felony offense;
- 10 (e) Escape;
- 11 (f) Home Invasion or residential Burglary;
- 12 (g) Any felony firearms-related offense or offenses with firearms enhancements;
- 13 (h) Sex-Offender violations or other sexually-related crimes; or
- 14 (i) Attempt Murder;

15 (2) The person is out of custody in another Las Vegas Justice Court or District Court case in
16 which charges have been filed;

17 (3) The person has been sentenced in another Las Vegas Justice Court or District Court case and
18 has a suspended jail or prison sentence;

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

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

22 (6) The person has a fugitive warrant;

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

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

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

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

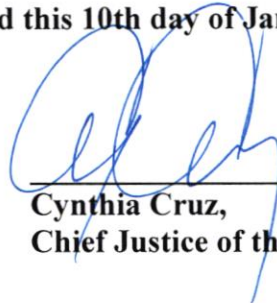
1 **IT IS FURTHER ORDERED** that if a person is arrested on a Community-Court case bench
2 warrant for the **first** time in a particular case, Pre-Trial Services shall release the person on his or her
3 own recognizance and schedule the case to be heard on the next Community-Court calendar. If a person
4 is arrested on a Community-Court case bench warrant for the **second or subsequent** time in a particular
5 case, the person shall appear before the Court on the Community-Court bench warrant return calendar
6 that is heard Monday, Tuesday, and Thursday; and
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8 **IT IS FURTHER ORDERED** that this Order shall supersede the previous Administrative
9 Orders listed on Page 1 of this Order and all prior versions of this specific Administrative Order; and
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11 **IT IS FURTHER ORDERED** that Administrative Order 13-01, which was previously
12 superseded by a prior version of this Administrative Order, shall now become operative once again; and
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14 **IT IS FURTHER ORDERED** that this Order shall become effective on the date of filing.

15 **Dated this 10th day of January, 2023.**

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18 **Cynthia Cruz,**
19 **Chief Justice of the Peace**
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