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IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

FILED

JUN 18 2018 10:05 AM REC - 7 P 1:05

JUSTICE COURT
LAS VEGAS NEVADA

BY _____

**IN THE ADMINISTRATIVE MATTER
REGARDING:
GUIDELINES FOR ADMINISTRATIVE
OWN RECOGNIZANCE RELEASES FOR
THE LAS VEGAS JUSTICE COURT**

ADMINISTRATIVE ORDER # 18-04

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

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

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

WHEREAS, NRS 174.4853 declares that the Court at a minimum shall consider the various factors set forth herein to determine whether there is good cause to release a person without bail; and

WHEREAS, the Committee to Study Evidence-Based Pretrial Release developed a Nevada Pretrial Risk Assessment Tool (NPRAT) designed to assess a person’s risk of nonappearance or new

1 criminal behavior and provide guidance to the courts on appropriate release, supervision or detention
2 decisions; and

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

6 **IT IS HEREBY ORDERED**, Pre-Trial Services (Justice Court Intake Specialist, Court
7 Compliance Officer, Office Services Supervisor, or Court Division Administrator) shall effectuate a
8 release when the person meets the following criteria:

9 The type of arrest is probable cause or warrant of arrest; and

- 10
- 11 (1) The charges are **misdemeanors**, excluding battery domestic violence; DUI with prior
12 DUI arrest(s) and/or conviction(s); or Violation of a Protective Order; or
 - 13 (2) The charges are **non-violent** gross misdemeanors and/or felonies; and Pre-Trial Services
14 has assessed the person using the NPRAT and determined a final recommended risk level
15 of **LOW**.

16

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

- 19
- 20 (1) The person has been arrested for any of the following offenses:
 - 21 (a) Category A felony offense;
 - 22 (b) DUI-related gross misdemeanor or felony offense;
 - 23 (c) Leaving the Scene of an Accident-related gross misdemeanor or felony offense;
 - 24 (d) Violation of a Protective Order-related gross misdemeanor or felony offense;
 - 25 (e) Escape;
 - 26 (f) Home Invasion or residential Burglary;
 - 27 (g) Any felony Firearms-related offense or offenses with firearms enhancements,
 - 28 (h) Sex Offender violations or other sexually-related crimes;
 - (i) Attempt Murder.

1 (2) The person has been released pretrial in another Justice Court or District Court case in
2 which charges have been filed and the matter is awaiting preliminary hearing, trial, or
3 sentencing.

4 (3) The person has been sentenced in another Justice Court or District Court case and has a
5 suspended jail or prison sentence.

6 (4) The person was also arrested on a bench warrant in another case.

7 (5) The person is currently on probation or parole.

8 (6) The person has a fugitive warrant.

9 (7) The person has a previous conviction for escape or bail jumping.

10 **IT IS FURTHER ORDERED** that should Pre-Trial Services have any concerns about a
11 person's release under the above-referenced criteria, the Signing Judge shall be consulted; and
12

13 **IT IS FURTHER ORDERED** that a person who has been arrested on a traffic bench warrant
14 for the first time in a particular case shall be released and provided with a return to court date within five
15 (5) business days of arrest. If a person has been arrested on a traffic bench warrant for the second or
16 subsequent time in a particular case, that person shall appear in Initial Appearance Court prior to release;
17 and
18

19 **IT IS FURTHER ORDERED** that if a person is arrested on a "Q Case" involving Clark County
20 Animal Control, Pre-Trial Services shall release the person on his or her own recognizance and schedule
21 the case to be heard on the next "Q Case" calendar; and
22

23 **IT IS FURTHER ORDERED** that if a person is arrested on a Community Court case bench
24 warrant for the first time in a particular case, Pre-Trial Services shall release the person on his or her
25 own recognizance and schedule the case to be heard on the next Community Court calendar. If a person
26 is arrested on a Community Court case bench warrant for the second or subsequent time in a particular
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1 case, the person shall appear before the Court on the Community Court bench warrant return calendar
2 that is heard Monday through Friday. On weekends and holidays, the person shall appear in Initial
3 Appearance Court; and

4 **IT IS FURTHER ORDERED** that this Order shall supersede the previous Administrative
5 Orders listed above; and

6 **IT IS FURTHER ORDERED** that this Order shall become effective on the date of filing.
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9 Dated this 7th day of December, 2018.

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14 **Joe Bonaventure,**
15 **Chief Justice of the Peace**