1. Working group name:

*Law Enforcement Working Group*

1. Individual sponsor(s):

*Pamela Del Porto, Inspector General/PREA Coordinator, NDOC*

*Mike Allen, Sheriff, Humboldt County*

1. Describe the recommendation:

*This recommendation seeks to continue the prohibition of possession of marijuana or marijuana products and other controlled substances by a prisoner confined in an institution of the Department of Corrections under NRS 212.160, Subsection 3.*

*This recommendation also seeks to clarify that in accordance with NRS 208.075, wherein a “Prison” is defined as meaning any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, and NRS 208.085, wherein a “Prisoner” includes any person held in custody under process of law, or under lawful arrest, that NRS 212.160 Subsection 3 also applies to any local, county or city jail or detention center.*

*Additionally, this recommendation seeks to adopt a provision to NRS 212.160 Subsection 3 (a), adding language that possession of marijuana paraphernalia by a person in correctional centers is prohibited by law. This provision should also apply to any local, county or city jail or detention center.*

*This recommendation seeks to amend the language of NRS 212.160, Subsection 1 (a) in order to clearly articulate and apply the statutory authority to “Prisoners” held in custody under process of law, or under lawful arrest in local, city or county jails or detention centers.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 – Promote the health, safety and well-being of Nevada’s communities.*

*Guiding Principle 2 – Be responsive to the needs and issues of consumers, non-consumers, local governments and the industry.*

*Guiding Principle 4 – Propose efficient and effective regulation that is clear and reasonable and not unduly burdensome.*

*Guiding Principle 6 – Establish regulations that are clear and practical, so that interactions between law enforcement (at the local, state and federal levels), consumers, and licensees are predictable and understandable.*

1. What provision(s) of Question 2 does this recommendation apply to?

*This recommendation applies to Question 2, Section 4, Subsection (c);*

*Possession or use of marijuana or marijuana paraphernalia on the grounds of or within any facility or institution under the jurisdiction of the Nevada Department of Corrections.*

1. What issue(s) does the recommendation resolve?

*This recommendation will serve to continue to prohibit the use of controlled substance by a confined person in a state correctional facility. It will also provide a prohibition for possession of marijuana paraphernalia by a confined person in a state correctional facility. Additionally though, it will provide for an opportunity to apply the prohibitions, outlined above, to any person who is lawfully confined in any city, local, county jail or detention center.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*No dissent*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*This recommendation will require Legislative approval for amendment to existing statutory authority.*

1. Additional information (cost of implementation, priority according to the recommendations, etc).

*To be determined, but no fiscal impact predicted.*