



STATE OF NEVADA
ADVISORY COUNCIL FOR PROSECUTING ATTORNEYS

CATHERINE CORTEZ MASTO
Council Chair

5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

BRETT KANDT
Executive Director

COUNCIL MEMBERS
RICHARD GAMMICK
DOUG GILLESPIE
BRAD JERBIC
ARTHUR E. MALLORY
ELIZABETH QUILLIN
DAVID ROGER

Telephone (775) 688-1966 • Facsimile (775) 688-1822
Website: <http://nvpac.state.nv.us>
E-Mail: bkandt@ag.nv.gov

NOTICE OF PUBLIC MEETING & AGENDA

The **STATE of NEVADA ADVISORY COUNCIL for PROSECUTING ATTORNEYS**
will conduct a public meeting on the following date, time, and location:

**May 28, 2010
10:00 AM**

Office of the Attorney General
Mock Courtroom
100 N. Carson Street, Carson City, Nevada 89701-4717

Videoconference access will be available to the public at the following location:

Office of the Attorney General
Grant Sawyer Building, 555 East Washington Avenue, Suite 3315
Las Vegas, Nevada 89101

SECOND REVISED AGENDA

(* denotes "action item")

Agenda items may be taken out of the order at the discretion of the chairperson.

- I. Call to Order and Roll Call.
- II. Approval of January 29, 2010, meeting minutes.*
- III. Election of Chairman and Vice Chairman pursuant to NRS 241A.040(2).*
- IV. Chairperson's Report. (Catherine Cortez Masto)
- V. Discussion on Executive Director's Report, which may include, without limitation:
 - A. Budget status and expenditures - Budget Account 1041.
 - B. 2010 NVPAC events calendar.
 - C. Grant funding for training and technical assistance.
 - D. Executive Director participation on state boards and task forces.
- VI. Discussion with Nevada Supreme Court Justice James Hardesty on Access to Justice Commission and public lawyer compliance with SCR 6.1.

- VII. Discussion and possible action on the Council's positions on potential bill draft requests for the 2011 Nevada Legislative Session, including without limitation:*
- A. A BDR to address the ruling of the 4th J.D. District Court in *State v. Hughes* [No. CR-FP-08-2848] that use of the word "minor" in NRS 200.710 is unconstitutionally vague as a result of the absence of a definition of "minor" in NRS chapter 200 [Define in NRS 200.310; NRS 200.710-.725].*
 - B. A BDR to address *Stephens Media v. Dist. Ct.*, 125 Nev. Adv. Op. No. 63 (December 24, 2009), to amend the jury examination statutes to provide that the responses in any questionnaires filled out by veniermen are confidential by law.*
 - C. A BDR to address *Abbott v. State* [122 Nev. 715, 138 P.3d 462 (2006)], which subjects sexual assault victims to forced psychological testing by the defense.*
 - D. A BDR to address *State v. Second Judicial Dist. Court ex rel. County of Washoe* [120 Nev. 254, 89 P.3d 663 (2004)], requiring the State, as a matter of due process, to provide child pornography materials (videotape) to defense counsel; this conflicts with the Adam Walsh Act's amendment of 18 U.S.C. § 3509 adding subpart (m).*
 - E. A BDR to require registration as a sex offender for any conviction under NRS 200.603 or NRS 200.604.*
- VIII. Discussion of recent court rulings, including, without limitation:
- A. *Connick v. Thompson*, U.S. Supreme Court No. 09-571, cert. granted on whether a district attorney's office liability under §1983 for a failure to provide *Brady* training contravenes the culpability and causation standards established by the Court in its post-*Monell* cases.
 - B. *City of Las Vegas v. Bluewaters Family Ltd. Partnership*, Case No. A579965, Eighth J.D. (Dept. VI), ruling the City's utilization of patent deed easements is a taking (pending appeal before Nevada Supreme Court).
- IX. Discussion and possible action on the Council's position on the Nevada Supreme Court's Order in ADKT No. 410 scheduling a June 3 hearing on access to court records regarding domestic violence and temporary protective orders.*
- X. Discussion and possible action on the Council's position on recommendations from the Indigent Defense Commission or its subcommittees on Nevada Supreme Court ADKT No. 411 regarding indigent defense.*
- XI. Discussion and possible action on the Council's position on recommendations from the Nevada Advisory Commission on the Administration of Justice (NRS 176.0123) or its subcommittees.*

- XII. Discussion and possible action on the Council's position on recommendations from the Attorney General's Working Group on the Nevada Open Meeting Law.*
- XIII. Discussion on Nevadans for Sensible Marijuana Laws ballot initiative petition to establish a regulated market for marijuana, including, without limitation, prosecutor collaboration with community coalitions and law enforcement agencies to disseminate information on the consequences of marijuana legalization.
- XIV. Report on Governor's Working Group on Methamphetamine Use. (Catherine Cortez Masto, Mark Jackson)
- XV. Report on Nevada Impaired Driving Advisory Coalition. (Catherine Cortez Masto, Brett Kandt)
- XVI. Report on Nevada Domestic Violence Prevention Council. (Catherine Cortez Masto, Brett Kandt)
- XVII. Council Comments.
- XVIII. Time and Location of Next Meeting.*
- XIX. Public Comment. (Discussion Only) Action may not be taken on any matter brought up under this agenda item until scheduled on an agenda for action at a later meeting.
- XX. Adjournment.*

Notice to Persons with Disabilities:

Reasonable efforts will be made to assist and accommodate physically handicapped persons who wish to attend this meeting. Please call Brett Kandt, Advisory Council Executive Director, at (775) 688-1966, in advance, so that arrangements can be made.

This agenda was posted on or before May 25th in accordance with NRS 241.020 online at www.nvpac.state.nv.us and at the following locations:

- ◆ First Judicial District Court (Carson City), 885 Musser Street, Carson City, NV 89701
- ◆ Second Judicial District Court (Washoe County), 1 South Sierra Street, Reno, NV 89520
- ◆ Las Vegas Regional Justice Center, 200 Lewis Avenue, Las Vegas, NV 89155
- ◆ Office of the Nevada Attorney General, 5450 Kietzke Lane - Suite 202, Reno, NV 89511