



## STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** January 16, 2020

**Staff Contact:** Jerome Tushbant, Assistant Sheriff (jtushbant@carson.org)

**Agenda Title:** For Discussion Only: Presentation of a biannual report on Carson City jail conditions and information concerning deaths of prisoners within the jail. (Jerome Tushbant, jtushbant@carson.org)

Staff Summary: During the 2019 Legislative Session, the Nevada Legislature enacted Assembly Bill (AB) 301, which requires the Sheriff to submit to the Board of Supervisors a biannual report containing aggregated data similar to the information required to be submitted pursuant to the federal Death in Custody Reporting Act of 2013, Public Law 113-242, concerning the deaths of prisoners in the jail during the immediately preceding 6 months and the circumstances surrounding any such deaths. AB 301 also requires the Board, at least twice each year, to include as an item on the agenda of a public meeting a consideration of the conditions of the jail, the number of deaths of prisoners in the jail and the known circumstances surrounding any such deaths during the immediately preceding 6 months.

**Agenda Action:** Other / Presentation

**Time Requested:** 10 minutes

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### **Proposed Motion**

N/A

### **Board's Strategic Goal**

Safety

### **Previous Action**

N/A

### **Background/Issues & Analysis**

The Nevada Legislature enacted AB 301 during the 2019 Legislative Session to amend various provisions of NRS Chapter 211, which sets forth state statutes governing local facilities for detention. NRS 211.020, which makes the Board of Supervisors responsible for building, inspecting and repairing any county jail and also requires the Board to inquire, once every 3 months, into the security of the jail and the treatment and condition of the prisoners and to take all necessary precautions against escape, sickness and infection, was amended to also require the Board to take precautions to prevent suicide and death. NRS 211.020 was further amended to require the Board to review all available information concerning deaths of prisoners in the county jail and, at least twice each year, to include as an item on the agenda of a public meeting, consideration of the conditions of the jail and the number of deaths of prisoners and the known circumstances surrounding any such deaths.

AB 301 also amended NRS 211.030 to require the Sheriff to report to the Board of Supervisors the death of any prisoner in the jail not later than 48 hours of the occurrence. NRS 211.030 was further amended to require the Sheriff to submit to the Board a biannual report that contains aggregated data similar to the information that is

required to be submitted pursuant to the federal Death in Custody Reporting Act of 2013, Public Law 113-242, concerning the deaths of prisoners in the jail during the immediately preceding 6 months and the circumstances surrounding any such deaths.

This agenda item is to present to the Board the first of the two biannual reports required to be submitted by the Sheriff, and also satisfies the first of the two public meeting items required in each year for the Board to review the available information concerning prisoner deaths and to consider the conditions of the jail and the number of prisoner deaths and any known circumstances surrounding any such deaths.

**Applicable Statute, Code, Policy, Rule or Regulation**

Assembly Bill No. 301 (2019); Death in Custody Reporting Act of 2013, Public Law 113-242

**Financial Information**

**Is there a fiscal impact?** No

**If yes, account name/number:**

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:**

**Alternatives**

N/A

**Attachments:**

[48 hour Inmate Death Notification-Garza\\_final.docx](#)

[Inmate Death Notification-Hopper\\_Final.DOCX](#)

**Board Action Taken:**

Motion: \_\_\_\_\_

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



## Report of Inmate Death

*Per: NRS 211.020 and NRS 211.030,  
as amended by sections 5 and 6 of Assembly Bill No. 301 (2019)*

### **Synopsis:**

This report is to advise of an inmate death in the Carson City Jail which occurred on July 20, 2019. During a routine cell check the inmate identified below was discovered in medical distress. EMS responded and after attempting lifesaving measures, the inmate was declared deceased. The incident was investigated by our Investigations Division, Coroner, and investigators from the Douglas County Sheriff's Office. An autopsy was completed.

### **Inmate information:**

<b>Name:</b>	Michael Garza	<b>Inmate Number:</b>	P-17227
<b>Age:</b>	60	<b>Date of Admission to Jail:</b>	07-05-19
<b>Gender:</b>	Male	<b>Date/Time of Death:</b>	07-20-19/0606 hours
<b>Race:</b>	White	<b>Location of Inmate Death:</b>	Carson City Jail
<b>Ethnicity:</b>	Not Hispanic	<b>City of Residence:</b>	Carson City, Nevada

**Charges:**

- Violation of Domestic Violence TPO
- Violation of Bail Condition

**Manner and Cause of Death:** Natural Causes: Acute Renal Failure and Dehydration in the setting of the probable benzodiazepine withdrawal

### **Additional information:**

<b>Next of Kin Notified:</b>	Yes
<b>Arrest Agency:</b>	Carson City Sheriff's Office
<b>Death Investigation Agency and Case Number:</b>	Carson City Sheriff's Office ~ 19-4876 Douglas County Sheriff's Office ~ 19SO21202



## Report of Inmate Death

*Per: NRS 211.020 and NRS 211.030,  
as amended by sections 5 and 6 of Assembly Bill No. 301 (2019)*

### **Synopsis:**

This report is to advise of an inmate death in the Carson City Jail which occurred on October 31, 2019. During a routine cell check the inmate identified below was discovered in his cell, and appeared to have hanged himself. EMS responded and after attempting lifesaving measures, the inmate was declared deceased. The incident was investigated by our Investigations Division, Coroner, and investigators from the Douglas County Sheriff's Office and Nevada Division of Investigations. An autopsy was completed.

### **Inmate information:**

<b>Name:</b>	David Hopper	<b>Inmate Number:</b>	P-17325
<b>Age:</b>	51	<b>Date of Admission to Jail:</b>	10-04-19
<b>Gender:</b>	Male	<b>Date/Time of Death:</b>	10-31-19/0150 hours
<b>Race:</b>	White	<b>Location of Inmate Death:</b>	Carson City Jail
<b>Ethnicity:</b>	Not Hispanic	<b>City of Residence:</b>	Carson City, Nevada

**Charges:**

- Trafficking of Controlled Substance
- Possession of a Controlled Substance
- Possession of Drug Paraphernalia

**Manner and Cause of Death:** Suicide by hanging

### **Additional information:**

<b>Next of Kin Notified:</b>	Yes
<b>Arrest Agency:</b>	Carson City Sheriff's Office
<b>Death Investigation Agency and Case Number:</b>	Carson City Sheriff's Office ~ 19-7473 Nevada Division of Investigation ~ 19I000679 Douglas County Sheriff's Office ~ no case number