COVID-19

Stay at Home Order still in Effect. For the latest info, visit nvhealthresponse.nv.gov.

Nevada Governor Steve Sisolak

State of Nevada

Executive Department

DECLARATION OF EMERGENCY DIRECTIVE 020

WHEREAS, *on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and*

WHEREAS, *on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and*

WHEREAS, *Nevada Revised Statutes, Chapter 414, provides that in times of emergency, the Governor may exercise all powers necessary to promote and secure the safety and protection of the civilian population; and*

WHEREAS, *NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement an cessation of movement of pedestrians and vehicular traffic during, before, and after exercises or an emergency or disaster, public meetings, or gatherings; and*

WHEREAS, *NRS 414.070 outlines additional powers delegated to the Governor during the existence of a state of emergency, including without limitation, enforcing all laws and regulations relating to emergency management and assuming direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State; providing for and compelling the evacuation of all or part of the population from any stricken or threatened area or areas within the State and to take such steps as are necessary for the receipt and care of those persons; and performing and exercising such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and*

WHEREAS, *the World Health Organization, and the United States Centers for Disease Control and Prevention has advised that there is a correlation between density of persons gathered and the risk of transmission of COVID-19; and*

WHEREAS, *close proximity to other persons over an extended period is currently contraindicated by public health and medical best practices to combat COVID-19; and*

WHEREAS, *on March 15, 2020, I directed executive branch agencies to close state offices to the public and to wind down in person public services and to the extent practicable, transition services to online and over-the-phone services; and*

WHEREAS, *NRS 213.131(3) requires that meetings to consider prisoners for parole be open to the public and subsection 1(g) of section 8A of the Nevada Constitution grants victims of crime the right to be reasonably heard at any parole hearing; and*

WHEREAS, *NRS 213.131 (9) authorizes the Parole Board to grant parole without a hearing to certain parole eligible prisoners, but does not permit the Parole Board to grant or deny parole to the remaining parole eligible prisoners without holding an in-person hearing; and·*

WHEREAS, *Article 5, Section 1 of the Nevada Constitution provides: "The Supreme executive power of this State, shall vest in a Chief Magistrate who shall be Governor of the State of Nevada."*

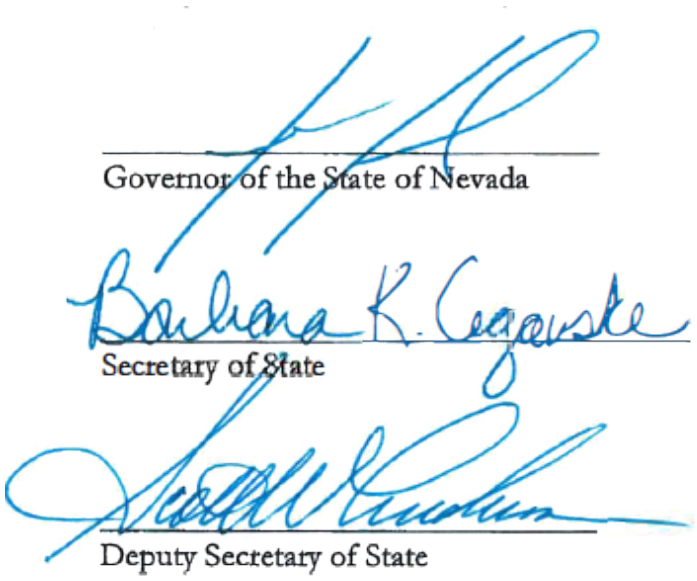
NOW, THEREFORE, *by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, and the United States, and pursuant to the March 12, 2020 Emergency Declaration,*

IT IS HEREBY ORDERED THAT:

SECTION 1:	Offices of the Board of Parole Commissioners shall remain closed to the public until May 31, 2020, or until such time that State offices are once again open to the public, whichever is later.
SECTION 2:	Parole hearing rooms within the facilities and institutions of the Nevada Department of Corrections shall remain closed to the public until such time the Director of the Nevada Department of Corrections resumes visitation within the institutions.
SECTION 3:	The provisions of NRS 213.131 requiring parole hearings be open to the public shall be accommodated by providing telephonic access through which the public may listen to the proceedings and participate if appropriate. The Board of Parole Commissioners is permitted to conduct all parole hearings via video conference or telephone with prisoners, without the physical presence of the public while this Directive shall be in effect. The Board shall make available to the public, upon request, an audio or electronic video copy of any hearing conducted without the physical presence of the public.
SECTION 5:	Prisoners scheduled for parole consideration while this Directive shall be in effect who desire in-person representation pursuant to NRS 213.131(10) may have their hearing postponed to a later date by making such a request to the Board verbally or in writing prior to the commencement of a video conference or telephonic hearing. The Board shall otherwise provide a means for representatives to participate telephonically for prisoners seeking participation of a representative pursuant to NRS 213.131(10).
SECTION 6:	The Board of Parole Commissioners shall notify in writing each victim of crime who has requested to be notified in accordance with subsection 4 of NRS 213.131 to allow the victim to submit any written testimony by mail, facsimile, e-mail, or to participate telephonically. The Board will consider any written testimony submitted by a victim prior to acting to grant or deny parole if the written testimony is received prior to the conclusion of a scheduled hearing.
SECTION 7:	A person who is a victim, as defined in subsection 7 of section 8A of the Nevada Constitution, of a prisoner who is scheduled for parole consideration through this Directive shall be in effect may request that a parole hearing be postponed to a later date so that the victim may attend the hearing in-person. Such a request may be made by the victim to the Board by facsimile, e-mail, U.S. Mail or telephonically and must be received by the Board no later than the date and time of a scheduled hearing.
SECTION 8:	The Board of Parole Commissioners shall post each agenda on its website and give each prisoner notice of a hearing in accordance with section 213.534 of the Nevada Administrative Code. This posting shall include a means by which the public can participate telephonically. The Board will consider any written input submitted by a family member of the prisoner or a member of the public that is submitted to the Board via U.S. Mail, facsimile, or email and which received by the Board prior to or during the scheduled hearing.
SECTION 9:	The Director of the Nevada Department of Corrections, or his designee, may request the postponement of any scheduled parole hearing if the safety and security of an institution could be jeopardized by the movement of a prisoner from a housing unit to a designated parole hearing room.
SECTION 10:	This Directive shall remain in effect until the state of emergency declared on March12, 2020 is terminated or unless renewed by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.

EMERGENCY DIRECTIVE 020 HEREBY ORDERS

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 21st day of March, in the year two thousand twenty.



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Secretary of State

Deputy Secretary of State

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