

May 1, 2025

Chair Brittney Miller
Assembly Committee on Judiciary
Nevada State Legislature
401 S. Carson Street
Carson City, NV 89701

Dear Chair Miller and Honorable Members of the Assembly Committee on Judiciary,

On behalf of Clark County, I write to provide testimony in opposition to Senate Bill 450. My name is Alex Ortiz, and I represent Clark County.

SB450 seeks to reclassify deputy marshals as employees of Clark County, rather than employees of the Court as they are today. This bill originates from ongoing litigation between the deputy marshals and the Court, and Clark County opposes it because it is both confusing and unnecessary.

Both the Courts and the County have long agreed that deputy marshals are employees of the Court. There has never been confusion on this point from our perspective. The Court is responsible for hiring, setting compensation, managing terms of employment, and disciplining or terminating marshals. The County's role is limited to funding the courts — not managing court personnel.

This bill introduces ambiguity into what has been a clear employment structure. For instance, it states that marshals will be “deemed” local government employees yet still hired by judges. The term “deemed” is vague in this context, and the practical implications are unclear. A person is either an employee of the Court or of the County — not a hybrid. They must answer to one employer's policies and directives, not two. Blurring this line creates real confusion over supervision and job responsibilities, which could lead to more litigation among the marshals, the Court, and the County.

More importantly, the marshals are tasked with protecting judges, court staff, and the public. Any uncertainty about who directs and supervises them could jeopardize safety in our courthouses. This is not a risk we should take.

Additionally, SB450 introduces an unusual provision requiring the Board of County Commissioners to hire deputy marshals under certain conditions. This is not an appropriate role for the Board. Reviewing individual marshal candidates in open meetings and voting publicly on hiring decisions is not how law enforcement hiring works anywhere else in the state, and it sets a concerning precedent.

Regarding the sponsor's comments concerning the Constable positions, Clark County has no current plans to eliminate them. In some smaller jurisdictions, Constable offices have been discontinued when there was insufficient work or no candidates running for election.

Finally, and most importantly, SB450 is unnecessary. A case currently pending before the Nevada Supreme Court will determine whether the judiciary has constitutional authority to appoint its own deputy marshals or whether that authority rests with the County. The outcome of that case will provide the needed clarity. SB450 cannot resolve this constitutional issue—only the Court can. If the judiciary's authority to appoint its own marshals is upheld, a statute cannot override that decision; only a constitutional amendment could do so.

For all these reasons, we urge you to oppose SB450.

Thank you for your time and thoughtful consideration.

Sincerely,
Alex Ortiz
Clark County, Nevada