



Senate Bill 457

Safe Streets and Neighborhoods Act



Stalking and Cyber Stalking

- Increased prevalence of digital communications and social media provides new tools for modern abusers.
 - **Social media** provides a free platform with a large audience to post threatening communications not sent directly to the victim.
 - **Online services** enable abusers to send anonymous texts, calls, and emails.
 - **Websites** can be created to hurt, harass, frighten and humiliate the victim.



Stalking and Cyber Stalking

- Current statute recognizes that family/household members may be targeted by a stalker to further terrorize the victim.
- Section 2 adds persons with who the victim has or has had a dating relationship, but with whom the victim does not cohabit.
- Also provides that stalking course of conduct is two or more acts conducted in person or via electronic means.



Domestic Violence

- The cycle of domestic violence often involves a variety of different crimes.
- Section 32 adds Robbery, Kidnapping, and Attempt Offenses to list of crimes that constitute domestic violence.



Domestic Violence

Attempted Kidnapping

Victim was in a car with her boyfriend when he punched her in the mouth because she was “mumbling.” She tried to get out of the car, but he grabbed her by her hair and pulled her back in the vehicle.

The defendant then grabbed her by the throat and stated he was going to kill her. The victim honked the horn, causing the defendant to release her. He leaves her in the roadway.



Domestic Violence

Robbery

Victim was hiding from her boyfriend in a casino bathroom stall. He entered the bathroom and kicks in the stall door.

She left with him, but then tried to sit down. He grabbed her and dragged her 20 yards, then ripped off her purse off of her body. The defendant left with her purse, cash, and credit.



Firearm Surrender Compliance

- Courts may order the surrender of firearms when an offender is convicted of domestic violence, is subject to an extended protection order, or as a condition of pretrial release.
- Sections 4, 30, and 51 provide that orders to surrender or confiscate firearms must be followed by a compliance hearing within **2 to 5 business days** after these ordered are issued, or within **1 day** of release if the person is in custody.



Jennifer Beltran-Galassi



Jennifer shared a 5-year-old daughter with her abuser, Esteban Garcia-Murillo, who stalked her, and her new boyfriend, via text message, instant message, phone and in person.

April 2, 2023: Garcia-Murillo beat Jennifer in front of their 5-year-old daughter.

July 27, 2023: Garcia-Murillo pleaded guilty to Domestic Battery, and informed that he could no longer possess firearms. The court issued an order to surrender any firearms. He failed to comply.

August 5, 2023: Garcia-Murillo murdered Jennifer by shooting her in the head in front of their young daughter.



Child Pornography

- Under current Nevada law, offenders can possess an unlimited number of child pornography images and be subject to only a single charge.
- Section 32 amends the unit of prosecution by providing that prosecutors may seek a separate conviction for each image.



James Nicholas Cannel, 62



In 2022, Cannel arrested for possession of child pornography. He was a registered sex offender previously convicted of possession of child pornography.

Possessed explicit child sexual abuse/assault images of at least 3 different boys, aged 10 to 12 years old.

Under our current statutes, he could only be sentenced to a maximum term 2-6 years in prison.



No Diversion for Crimes Against Children or the Elderly

- Currently, offenders who commit felony offenses against children or the elderly are eligible for diversion, dismissal, and auto-sealing of their criminal record.
- Allows offenders to work with the same vulnerable populations, because their criminal record is sealed.
- Changes in sections 42-49 and 74 prohibit dismissal and auto-sealing.
- Offenders can still participate in specialty court as a condition of probation.



Elder Exploitation: Case Example

The defendant befriended the 85-year-old victim, and they agreed that the defendant would help care for him in exchange for a place to stay.

The defendant stole over \$15,000 from the victim using CashApp and unauthorized ATM withdrawals. As a result of the financial loss, the elderly victim was evicted from his apartment.



Elder Neglect: Case Example

The defendant was the caregiver for an elderly woman who was found at home with her face covered in feces and bruises. The victim was also suffering from pressure sores.

The defendant pled to felony Neglect of an Older/Vulnerable Person, and was ordered to complete drug court as a condition of probation. The case was then dismissed, and the record sealed—leaving the defendant eligible to seek employment caring for older or vulnerable persons.



Child Abuse: Case Example

The defendant grabbed his 10-year-old child by the hair and struck him using an ice scraper for approximately 15 minutes, until the ice scraper broke. He tore a chunk of hair from the victim, and the child was covered in bruises.

The defendant kept the child home, but his sibling reported the incident at school.



No Exoneration of Bail Until Restitution Paid

- Following the passage of Marsy's Law, the Nevada Constitution requires that any payments collected from a criminal defendant be first applied to pay restitution to the victim.
- Sections 55 and 56 require that any money collected from the defendant be first used to satisfy restitution, before it can be applied to court fines and fees.



Reducing Theft

Sections 10 through 28, and 83-84 reduce Nevada's felony theft threshold to \$750.

Section 6 provides that where an offender with two petty theft convictions commits a third or subsequent petty theft, the crime is punishable as a Category C felony.

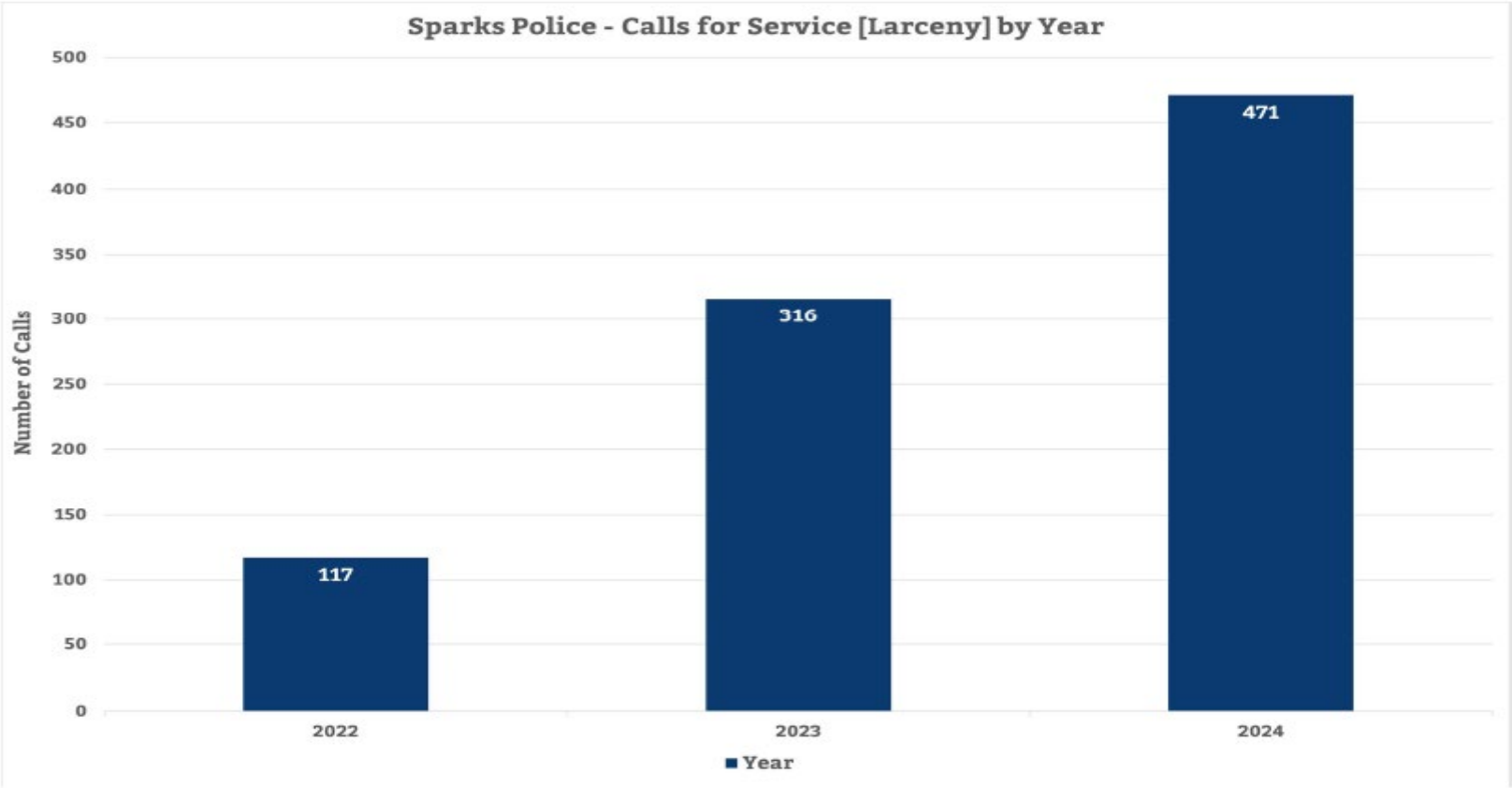


Reducing Theft

- Reduction of felony theft threshold has been followed by an increase in petty larcenies.
- Increase in petty larceny impacts Nevada consumers with higher prices and reduced access to essential products.
- Erodes sense of safety when theft offenses turn into violent altercations.



Thefts – The Outlets at Legends

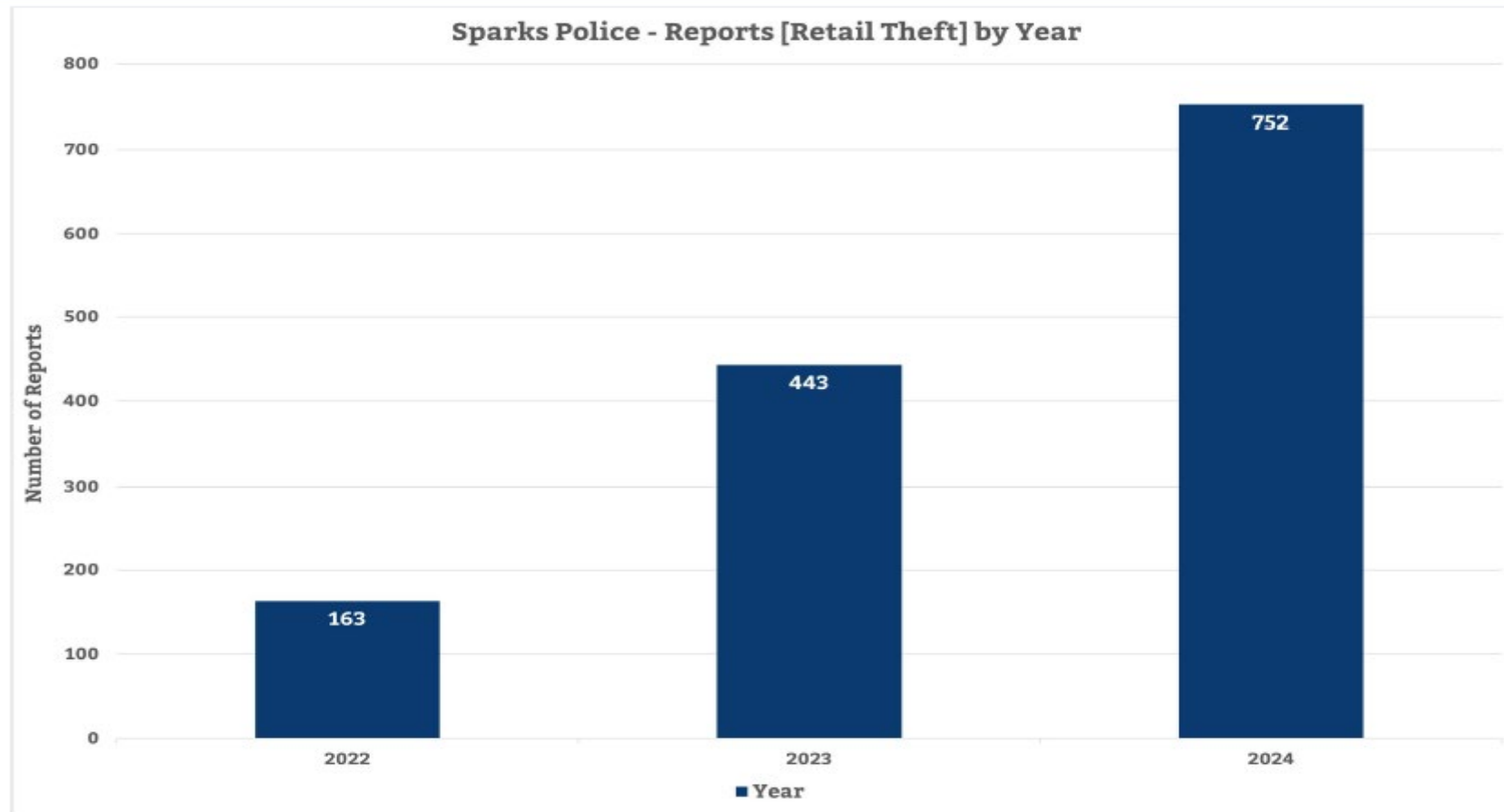


Senate Bill 457 – Safe Streets and Neighborhoods Act



**SPARKS
POLICE**

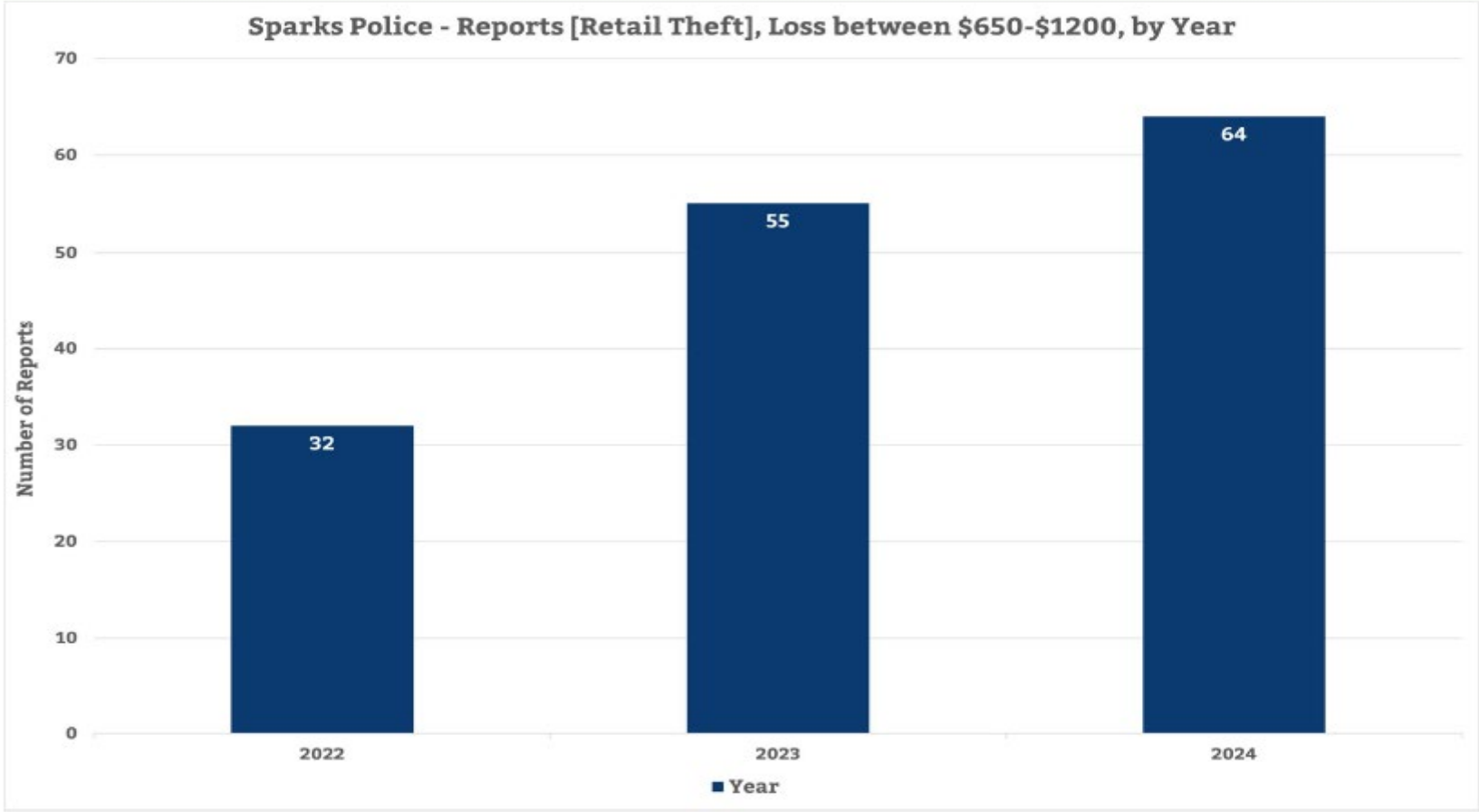
Thefts – The Outlets at Legends





**SPARKS
POLICE**

Thefts – The Outlets at Legends

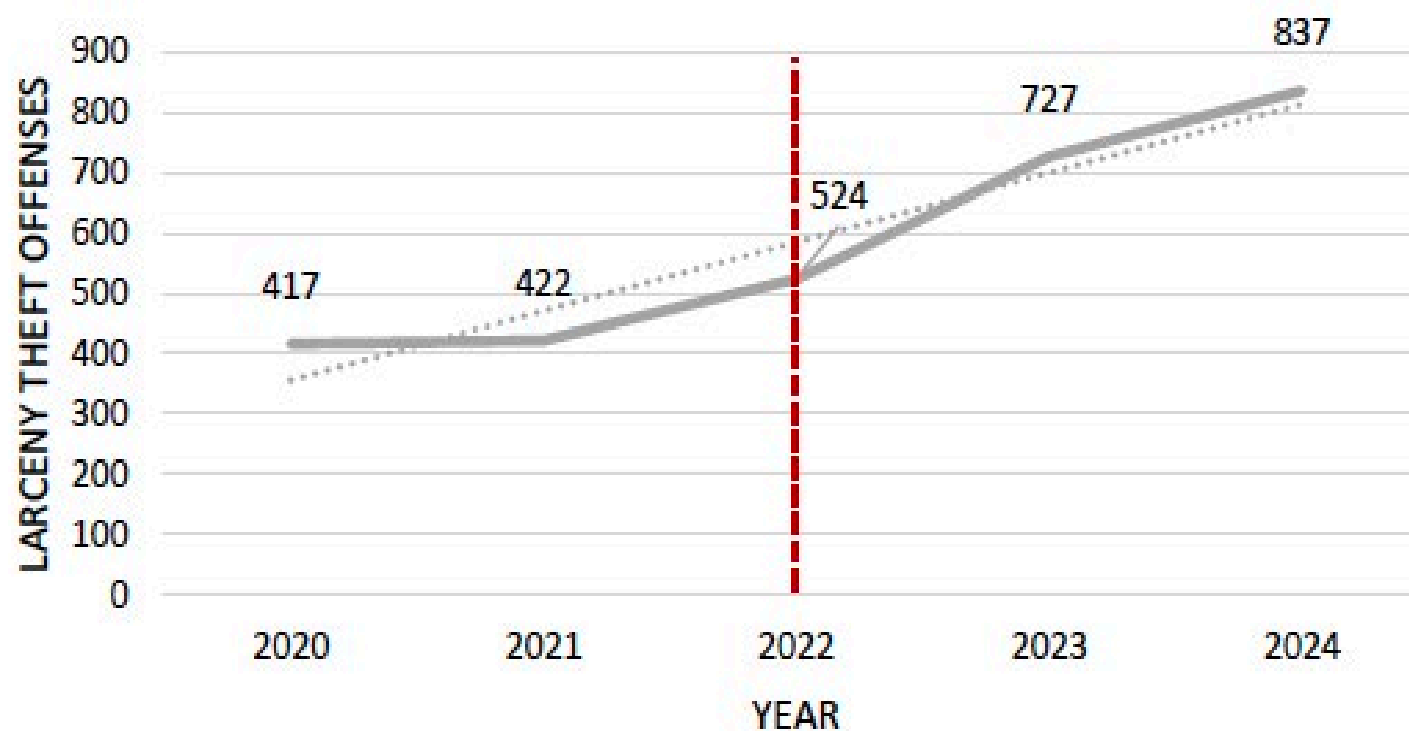




SHOPPING CENTER LARCENY/THEFT OFFENSES

May 1, 2025

TOTAL LARCENY/ THEFT OFFENSES AT LAS VEGAS
SHOPPING CENTERS 2020-2024





Reducing Theft

Jackson's Gas Station 600 N. Wells Avenue Reno

- Significant retail theft increase year over year of non-fuel merchandise
 - 2021 - \$86,000
 - 2022 - \$55,000
 - 2023 - \$145,000
 - 2024 - \$142,000

“What we see is grazing thefts. Customers know we have a hands-off policy. They come in and take what they want and leave.”- Lance H., Jackson's Regional Manager



Escalation: Larceny→Robbery

Clark County, 4/26/25

Two men entered a store, grabbed several jackets, and left without paying. When loss prevention confronted them, one of the men pulled out a handgun and told the employee, “Don’t touch me or I’ll pop your ass.”



Escalation: Larceny→Robbery

Washoe County

Man entered the Scheels retail store and attempted to steal a box of ammunition. Loss prevention attempted to detain the him and the male produced a handgun, pointed it at loss prevention, and left the store.

Officers located the man, who was in possession of a firearm.



Escalation: Larceny→Robbery

Clark County, 5/17/25

Woman entered a clothing retailer and began putting items in her purse. Loss prevention asked her to put the items back. After initially complying, the woman put other items in her purse and left the store without paying.

When loss prevention confronted her, the woman battered the employee, placing her hand around the victim's neck and causing visible injuries.



Escalation: Larceny→Robbery

Washoe County

- Male and female stole multiple pairs of Nike shoes from the Nike shoe store at the Legends mall. Security officer approached the subjects while walking through the mall area, the male sprayed the security guard in the face two separate times to facilitate their escape.
- **During an interview with the female suspect she stated to detectives, “this is just going to get dropped to a petit larceny.”**



Strengthening Burglary Penalties

- Burglary particularly impacts Nevadans who are already struggling financially, and erodes a community's sense of safety.
- Previously, Nevada punished all types of burglary as a category B felony. In 2019, the crime of burglary was separated into 4 categories.
- Section 7 of the bill retains these 4 categories, but it increases the penalties.



Case Example: Burglary of a Motor Vehicle

A family returned to their vehicle from enjoying a local Sparks park. Their 6-year-old ran ahead and opened the car door to find a 32-year-old woman rummaging through the vehicle, stealing its contents.

The defendant had been released from prison just months earlier after being convicted of Grand Larceny of a Motor Vehicle. Under current law, this offense is a Cat. E felony. Under current law, she is eligible for automatic probation.



Pretrial Release Hearings

- Current time frame often too short to ensure that judges have all the information they need to make fully informed decisions.
- Victims with less opportunity exercise their constitutional right to be heard at pretrial release hearings.
- Section 43 and the conceptual amendment exclude State holidays, but leaves the 72-hour time frame intact.



Felonies Committed While on Felony Pretrial Release

Commission of a new felony while out on felony bail or pretrial release demonstrates a disregard for the law and a continuing threat to the community.

Section 1 holds felony defendants accountable for new felonies committed while awaiting trial by creating a sentencing enhancement that applies to the new felony.



Felonies Committed While on Felony Pretrial Release

Defendant trafficked a 14-year-old girl, posting ads on adult websites and arranging for her to have sex with me at a motel room. He was granted bail and out of custody when he pleaded guilty to Sex Trafficking of a Minor.

He fled Nevada before sentencing, and was arrested in Sacramento for Robbery.



Preliminary Hearing Testimony

- Preliminary hearings are often set a short time after the crime was committed, often making it difficult for victims to appear in court due to work, school, or child-care constraints.
- Section 39 permits the admission of out of court statements through a testifying, qualified law enforcement officer at preliminary hearings.
- Witnesses must still appear and testify at trial.



Immunity

- Nevada's immunity statutes have not been updated since 1967.
- In 1972, SCOTUS issued Kastigar decision, which sets the precedent for immunity in the context of the 5th Amendment.
- Section 57 updates immunity statutes to be consistent with Kastigar.



Immunity

- Section 57 (1) provides that if a witness refuses to testify or provide information based on the privilege of self-incrimination, the prosecutor may request that the court issue an order of immunity.
- Section 57(2) (a) & (b) provide that if an order is issued, the witness may not refuse to provide information or testify, and that the information compelled by the order may not be used against the witness, unless it is subsequently found to be false.



Record Sealing

Under current law, defendants who commit domestic battery, burglary, and other crimes repeatedly are subject to increased penalties. But when a criminal conviction is sealed, prosecutors cannot access a defendant's prior conviction.

Section 60 of the Act amends NRS 179.301 to permit prosecutors to access sealed felony records to seek enhancement when a defendant commits a new felony. This change allows prosecutors to carry out their duty to seek these increased penalties where appropriate.



Safer Schools

Children, teachers, and school employees, and students deserve a safe learning environment. In 2023, there were 6,800 violent incidents in Clark County Schools within a 7-month period. That same year, there were 7,400 violent incidents reported in Washoe County schools.

Section 35 and its conceptual amendment require that when a student assaults or batters a school employee, juvenile courts must ensure that the student is evaluated before they can return to the community.



One-Party Consent Recording in Child Sexual Abuse Cases

Child sexual abuse cases present unique investigative challenges, such as delayed reporting, perpetrators who are the victim's relatives or caregivers, and lack of physical evidence.

During these investigations, victims or family members may voluntarily collaborate with law enforcement to confront their abuser.

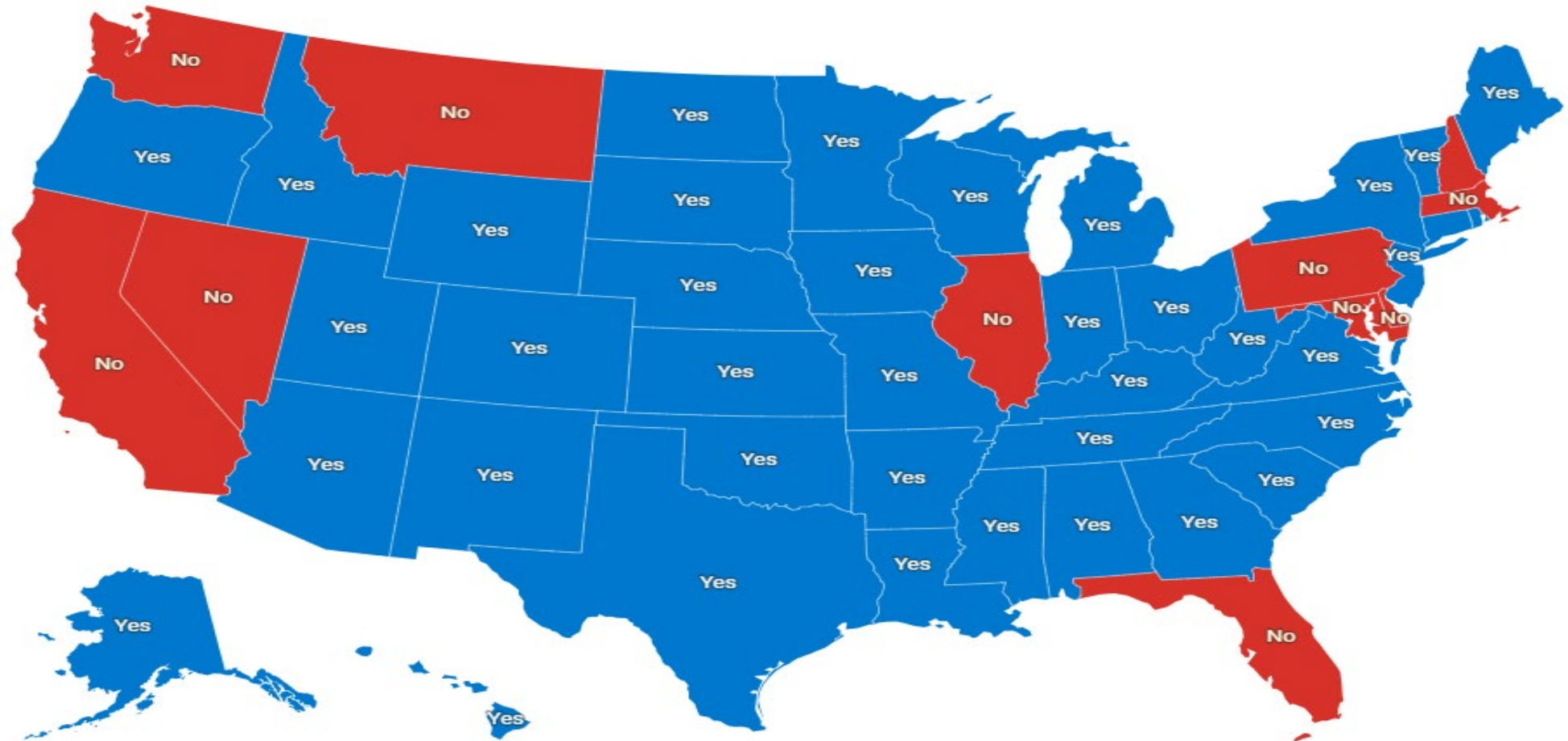
With law enforcement support and presence, victims may choose to confront the perpetrator via telephone. Under current law, law enforcement may be present to witness the call and take notes for evidentiary purposes. Recording is prohibited.

Conceptual amendment creates a narrow exception to Nevada's 2-party recording statute to permit a peace officer or person acting at a peace officer's direction to record these calls for the sole purpose of investigating an offense against a child.

Senate Bill 457 – Safe Streets and Neighborhoods Act



Nevada is among only 10 states that requires two-party consent during these phone calls.





One-Party Consent Recording in Child Sexual Abuse Cases

- Conceptual amendment creates a narrow exception to Nevada's 2-party recording statute to permit a peace officer or person acting at a peace officer's direction to record these calls for the sole purpose of investigating an offense against a child.
- Empowers child victims to confront their abuser.
- Ensures that the prosecution, defense, judge, jury, and appellate courts are provided with accurate statements of the defendant.



Medically Assisted Treatment

- Section 61 requires NDOC to coordinate with DHHS when implementing Medication for Opioid Use Disorder (MOUD) programming.
- DHHS is responsible for ensuring that state and federal guidelines are followed in these programs, and plays a central role in overseeing and coordinating statewide efforts related to substance abuse and prevention.
- By collaborating with NDOC, local jails, and DPBH, the DHHS will ensure that MOUD services are delivered according to evidence-based practices, federal guidelines, and state priorities.



Medically Assisted Treatment

Section 62: provides that where funds are available, local jails shall collaborate with DHHS to establish treatment programs for Opioid Use Disorder. Local programs are important, because they allow the offender to begin treatment prior to moving to an NDOC programs.

Sections 70, 71: Requires that DHHS connect government agencies to training on trauma-informed practices for persons with opioid use disorder and medication-assisted treatment. Funds for Resilient Nevada must be used for training law enforcement and criminal agencies on best practices.



Driving Under the Influence

- Section 77 clean up provision re: Marijuana.
- Section 78 and 79 close loophole for felony DUI offenders to drive impaired during specialty court diversion.
- Section 80 increases penalties for DUI Causing Death and DUI causing Substantial Bodily Harm.
- Allows DUI drivers to be charged with second-degree murder where facts demonstrate extreme and conscious disregard for human life.



DUI Causing Death: Fallon Montanucci



Sisters Avalon and Fallon Montanucci were on their way home in Gardnerville when they were struck by a drunk driver who was driving on the wrong side of the road.

The accident resulted in 22-year-old Fallon's death, and Avalon sustained severe injuries.





DUI Causing Death: Joree Odabi



Last month, Joree Odabi was walking in his Las Vegas neighborhood when an impaired driver veered onto the sidewalk and killed him.

According to his brother, 23-year-old was a “big teddy bear” and a “gentle giant.”





DUI Causing Death: McKenzie Scott



Less than a month before graduation, high school student McKenzie Scott was killed in the crosswalk of school zone when she was struck by a man driving with a BAC of .286—over three times the legal limit.

Her fellow students led a rally demanding justice for McKenzie.





Thank you