



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** November 18, 2025

**DATE:** October 24, 2025

**TO:** Board of County Commissioners

**FROM:** Abbe Yacoben, Chief Financial Officer, (775) 325-8243

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**THROUGH:** Kate Thomas, Interim County Manager

**SUBJECT:** Second reading and possible adoption of an ordinance amending the Washoe County Code by repealing Chapter 11 (Alternative Sentencing) and by retaining, modifying and relocating a provision authorizing the Board of County Commissioners to adopt a fee schedule for the cost of supervision of probationers and supervised releasees, and providing for imposition and waiver of those fees; and all matters necessarily connected therewith and properly relating thereto. (All Commission Districts).

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### **SUMMARY**

This is a second reading and possible adoption of an ordinance repealing Washoe County Code ("WCC") Chapter 11 (Alternative Sentencing). WCC Chapter 11 created the Department of Alternative Sentencing ("DAS") and outlines the structure and duties of the Department. The Chief Financial Officer requests repeal of Chapter 11 in its entirety to dissolve the DAS, effective January 1, 2026. The purpose of dissolving DAS is to satisfy current County organizational needs, to maintain the efficiency of County operations, and to ensure that County resources are allocated in a manner that best supports public safety and fiscal sustainability. This recommendation is consistent with the County's Strategic Plan, supporting the County's objective to ensure long-term fiscal sustainability, evaluating efficiency of government operations, and aligning County operations with evolving community needs. The proposed action is designed to support the Washoe County Board of County Commissioners' ("Board") commitment to responsible stewardship of County resources while continuing to meet the needs of the justice system and community. The proposed ordinance also retains and modifies a provision which authorizes the Board to adopt a fee schedule for the cost of supervision of probationers and supervised releasees.

### **PREVIOUS ACTION**

On November 12, 1996, the Board adopted a resolution establishing an Alternative Sentencing Department for Washoe County, designating the Day Reporting Center as the Department under the authority of Nevada Revised Statutes ("NRS") Chapter 211A. The resolution set forth the appointment of the Chief, the imposition of a minimum monthly

**AGENDA ITEM # \_\_\_\_\_**

supervision fee, and provisions for waiving or reducing fees in cases of economic hardship.

On October 14, 2003, the Board adopted a resolution repealing the 1996 resolution establishing the Alternative Sentencing Department under the Second Judicial District Court. This action transferred the Day Reporting function to Washoe County, abolished four (4) Pre-Trial Services Officer II positions in the District Court, and created new positions within the County, including Alternative Sentencing Officer II, and Supervising Alternative Sentencing Officer. The Board also approved a Memorandum of Understanding to bridge transferring employees' benefits.

On December 20, 2005, the Board conducted a second reading and adopted Ordinance No. 1281, Bill No. 1460, which created the Department of Alternative Sentencing pursuant to authority granted to it by NRS 211A.080, established the position of Chief, authorized the hiring of assistants and other employees, and specified the duties of the Department, including the imposition of supervision fees. This action formally creating DAS codified the Department's structure and operations under WCC Chapter 11, as authorized by NRS 211A.080.

At the end of FY 2023, while no formal Board action was required or taken, \$94,800.13 was transferred into the Department's budget to supplement the equipment, software subscriptions, utilities and numerous other spending categories to avoid an over expenditure of budgeted funds.

On May 28, 2024, the Board conducted a second reading, public hearing, and adopted an ordinance amending WCC 11.090 to allow the Board to adopt a fee schedule for DAS supervision services by resolution, rather than requiring a Code change. This action was initiated at the May 14, 2024 meeting, where the Board held a first reading of the proposed ordinance. The amendment was adopted following public notice and legal review.

On June 18, 2024, the Board approved use of General Fund Contingency in the amount of \$397,000 to increase expenditures for pooled drug screener wages, home monitoring services contract and other miscellaneous expenditure categories.

On May 13, 2025, the Board approved the use of General Fund Contingency in the amount of \$386,650 to increase expenditures for pooled positions and various operating expenditures needed to support DAS, in accordance with NRS 354.598005. This action was taken to address increased caseloads and anticipated budget overages for Fiscal Year 2025, and included direction to Finance to process the necessary budget appropriation transfers. The Board was informed that, due to a shortage of operating funds, DAS had implemented operational reductions, including closing operations one day per week and reducing intermittent hourly staff hours for the remainder of the fiscal year. The Board also received information that DAS would reduce the number of drugs tested based on trends and positivity rates, and that further contingency requests may be brought forward as needed.

On August 26, 2025, the Board awarded Bid No. 3276-25 for drug and alcohol testing services to AverTest, LLC dba AverHealth which allowed the Second District Judicial Court (SJDC) to utilize the services of a private company to provide drug testing services. Currently, the SJDC utilizes the services of DAS Sober 24 for drug testing. Additionally, this contract allows a joinder provision, which gives the County the option to utilize AverHealth's services.

On October 14, 2025, the Board authorized the initiation of code amendments to repeal Washoe County Code Chapter 11 (Alternative Sentencing); and all matters necessarily connected therewith and properly related thereto.

On October 21, 2025, the Board conducted an introduction and first reading of the proposed ordinance amending the Washoe County Code by repealing Chapter 11 (Alternative Sentencing) and by retaining, modifying and relocating a provision authorizing the Board of County Commissioners to adopt a fee schedule for the cost of supervision of probationers and supervised releasees, and providing for imposition and waiver of those fees; and set the second reading and possible adoption of the ordinance for November 18, 2025.

## **BACKGROUND**

DAS was established to provide an alternative to incarceration for certain misdemeanor offenders, with the intent to enhance public safety, reduce jail overcrowding, and support the rehabilitation of individuals under court supervision. In 1996, the Board designated the Day Reporting Center as the County's Alternative Sentencing Department and subsequently formalized the Department's structure and operations through the adoption of WCC Chapter 11 in December 2005 pursuant to NRS 211A.080.

The Board enacted Chapter 11 of the Washoe County Code which created DAS and outlined the structure and duties and qualifications of Department personnel. WCC 11.020 formally creates the Department pursuant to NRS 211A.080. Section 11.030 details the appointment and qualifications of the Chief, while Section 11.040 enumerates the Chief's duties, including fiscal management, staff supervision, and annual reporting requirements. Section 11.060 outlines the Department's obligation to supervise probationers and pretrial releasees as ordered by the courts.

The core functions of DAS include supervising misdemeanor probationers and pretrial releasees, providing support services to individuals released from custody under court order, providing regular reports to the courts, and ensuring compliance with court-ordered conditions. The Department's programs have been designed to promote accountability, reduce recidivism, and facilitate access to treatment and recovery resources for justice-involved individuals. In recent years, DAS has also managed grant-funded initiatives such as the Support in Treatment, Accountability, and Recovery (STAR) program, which offers wrap-around services for individuals with substance use disorders.

Operational reviews and internal audits have identified many issues within the Department, including the need for improved fiscal controls, streamlined service delivery, and better alignment of resources with program priorities. The presence of

overlapping functions with other County divisions and external agencies has prompted discussions about the most efficient and effective means of delivering court-ordered supervision and related services. As opportunities for increased efficiency arise, new optimized service delivery plans are proposed to the Board for consideration and approval.

The Washoe County Strategic Plan emphasizes fiscal sustainability, effective stewardship of public resources, and the alignment of County operations with evolving community needs. The plan calls for regular evaluation of County programs and services to ensure they are meeting intended objectives and are financially sustainable over the long term. The proposed repeal of Chapter 11 and elimination of the DAS is consistent with these strategic priorities, as it seeks to streamline County operations, improve government efficiency, reduce redundancy, and ensure that resources are allocated in a manner that best supports public safety and community well-being.

The recommendation to conduct a second reading and adopt the proposed ordinance repealing WCC Chapter 11 is the next step in the formal process to dissolve DAS, effective January 1, 2026. The recommendation to repeal code provisions for the purpose of dissolving DAS is grounded in legal authority and the County's commitment to responsible governance. Staff is continuing proactive coordination with judicial partners and other stakeholders to ensure continuity of essential services and compliance with all applicable legal requirements and community expectations. Further, the ordinance retains authority currently included in WCC Chapter 11 for the Board to adopt a fee schedule for the cost of supervision of probationers and supervised releasees, by moving that authority to WCC Chapter 50; and provides that the authority to waive such fees will now reside with the Sheriff or the Sheriff's designee rather than the Chief of the DAS.

### **FISCAL IMPACT**

There is no fiscal impact in conducting a second reading and adopting amendments to the Washoe County Code. The dissolution of DAS will impact the County's broader financial strategy, particularly with respect to the allocation of resources for court-ordered supervision, drug and alcohol testing, and related public safety programs.

### **RECOMMENDATION**

Recommendation to conduct a second reading and adopt an ordinance amending the Washoe County Code by repealing Chapter 11 (Alternative Sentencing) and by retaining, modifying and relocating a provision authorizing the Board of County Commissioners to adopt a fee schedule for the cost of supervision of probationers and supervised releasees, and providing for imposition and waiver of those fees; and all matters necessarily connected therewith and properly relating thereto, with the ordinance to be effective January 1, 2026 (All Commission Districts).

### **POSSIBLE MOTION**

A possible motion would be:

“Move to conduct a second reading of Ordinance Number [insert ordinance number as provided by the County Clerk], with an effective date of January 1, 2026.”

Attachments:

Working Copy of Proposed Ordinance

Clean Copy of Proposed Ordinance