

# **Report on Murder and Voluntary Manslaughter**

**Calendar Years 2005 and 2006**

**A report to the Nevada Legislature,**

**In compliance with Nevada Revised Statutes 2.193 and 178.750**



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**A report to the Nevada Legislature,  
Pursuant to Nevada Revised Statutes 2.193 and 178.750**

**Prepared by the  
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**March 2007**

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March 2007

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# **Report on Murder and Voluntary Manslaughter**

## **Introduction**

As required by Nevada Revised Statute (NRS) 178.750, District Attorneys (DAs) report to the Supreme Court regarding murder and voluntary manslaughter cases, excluding any charges of “manslaughter that resulted from a death in an accident or collision involving a motor vehicle.” The following is a summary of the data submitted by the DAs’ offices of their respective counties. Only cases submitted with a filing date for the information or indictment during calendar years 2005 and 2006 were used in the main report.

Appendix A contains an updated report of the 2003 and 2004 data previously submitted to the Legislature to meet the requirements of subsection 3 of NRS 178.750 for reporting on presently unresolved cases filed in previous years.

The Supreme Court transmits this report to the Director of the Legislative Counsel Bureau in accordance with NRS 2.193. Because the information provided to the Supreme Court is from District Attorneys (an Executive Branch agency), no interpretation of the data is presented, as the court must remain a neutral party.

Certain elements of the reported data require due care in their interpretation. The term ‘codefendant’ should be understood as another party being tried for involvement in “any related offense” and not necessarily for the crime of murder or voluntary manslaughter. Victims include those who were victims of “any related offense,” in addition to victims of homicide or voluntary manslaughter. Therefore, the total number of codefendants and victims should not be extrapolated to mean that codefendants were either involved in the murder or voluntary manslaughter or that the victims are all victims of homicide or voluntary manslaughter.

The DAs were asked to provide the ethnicity of the defendants, codefendants, and victims, when possible, in addition to the race of each. The categories for race and ethnicity have been patterned after the federal guidelines on collection of racial and ethnic data. These categories are explained in further detail in Appendix C.

Murder and voluntary manslaughter cases can be lengthy and extend beyond a single reporting period. The data presented are a snapshot of the lengthy process involved in such cases.

## **Counties Reporting**

For calendar year 2005 (CY05), the number of counties reporting was 16 out of 17 (Table 1). Of those 16 counties, 10 reported not having any murder or voluntary manslaughter cases. The remaining 6 counties reported a total of 98 cases filed.

For calendar year 2006 (CY06), the number of counties reporting was 16 out of 17 (Table 1). Of those 16 counties, 8 reported not having any murder or voluntary manslaughter cases. The remaining 8 counties reported a total of 122 cases filed.

**Table 1 - Count and Percentage of Cases Filed**

Judicial District	County	District Attorney	CY05		CY06	
			Count	Percent	Count	Percent
First	Carson City	Noel Waters	0	0%	2	1%
	Storey	Harold Swafford	0	0%	0	0%
Second	Washoe	Richard Gammick	6	5%	12	8%
Third	Churchill	Art Mallory	2	2%	2	1%
	Lyon	Leon Aberasturi	1	1%	1	1%
Fourth	Elko	Gary Woodbury	4	4%	2	1%
Fifth	Esmeralda	William Schaeffer	0	0%	0	0%
	Mineral	Cheri Emm-Smith	NR		0	0%
	Nye	Bob Beckett	2	2%	0	0%
Sixth	Humboldt	Dave Allison	0	0%	0	0%
	Lander	Hy Forgeron	0	0%	0	0%
	Pershing	Jim Shirley	0	0%	2	1%
Seventh	Eureka	Ted Beutel	0	0%	0	0%
	Lincoln	Phillip Dunleavy	0	0%	0	0%
	White Pine	Richard Sears	0	0%	1	1%
Eighth	Clark	David Roger	98	87%	122	85%
Ninth	Douglas	Scott Doyle	0	0%	1	1%
Total			113	100%	145	100%

NR - Not Reported

**Defendants & Codefendants – Age, Gender, and Race**

During CY05, the average age of defendants was 28 years, with a median age of 24 years. Of the 113 defendants, 96 (85%) were males and 17 (15%) were females. For the same time period, the codefendants were an average age of 25 with a median age of 23. Of the 115 codefendants, 79 (69%) were males and 36 (31%) were females.

During CY06, the average age of defendants was 30 years, with a median age of 27 years. Of the 144 defendants, 123 (85%) were males, 18 (13%) were females, and 3 (2%) had no gender specified. For the same time period, the codefendants were an average age of 23 with a median age of 21. Of the 82 codefendants, 71 (86%) were males, 8 (10%) were females, and 3 (4%) had no gender specified.

The average and median ages of defendants in 2005 and 2006, compared with those of the updated 2003 and 2004 data, are nearly identical numbers with the exception of 2005. That year saw a decrease of 2 and 3 years from the average and median ages, respectively. Average and median ages for codefendants fluctuated. Both measures increased between 2003 and 2004 but decreased in both 2005 and 2006.

The races of the defendants and codefendants as reported for CY05 and CY06 are noted in Table 2.

**Table 2 – Race of Defendants and Codefendants**

Race	CY05				CY06			
	Defendants		Codefendants		Defendants		Codefendants	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
American Indian or Alaskan Native	1	1%	0	0%	2	1%	0	0%
Asian or Pacific Islander	4	4%	7	6%	2	1%	0	0%
Black	33	29%	16	14%	48	33%	36	44%
White	36	32%	40	35%	50	34%	22	27%
Unknown	6	5%	4	3%	14	10%	3	4%
Not Provided	33	29%	48	42%	29	20%	21	26%
<b>Total</b>	<b>113</b>	<b>100%</b>	<b>115</b>	<b>100%</b>	<b>145</b>	<b>100%</b>	<b>82</b>	<b>100%</b>

Data reported for the ethnicities of the defendants and codefendants are noted in Table 3.

**Table 3 – Ethnicity of Defendants and Codefendants**

Ethnicity	CY05				CY06			
	Defendants		Codefendants		Defendants		Codefendants	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Hispanic or Latino	34	30%	46	40%	30	21%	17	21%
Not Hispanic or Latino	2	2%	0	0%	7	5%	2	2%
Unknown	0	0%	0	0%	0	0%	0	0%
Not Provided	77	68%	69	60%	108	74%	63	77%
<b>Total</b>	<b>113</b>	<b>100%</b>	<b>115</b>	<b>100%</b>	<b>145</b>	<b>100%</b>	<b>82</b>	<b>100%</b>

### Victims – Age, Gender, and Race

Of 125 victims in CY05, 97 (70%) were males, 27 (29%) were females, and the gender of 1 victim was not specified. The average age of the victims was 30 years and the median age was 27 years.

Of 200 victims in CY06, 139 (70%) were males, 54 (27%) were females, and the genders of 6 (3%) victims were not specified. The average age of the victims was 32 years and the median age was 30 years. Table 3 provides the count and percentage of the races of the victims involved as reported for CY05 and CY06.

**Table 4 – Race of Victims**

Race	CY05		CY06	
	Victims		Victims	
	Count	Percent	Count	Percent
American Indian or Alaskan Native	0	0%	0	0%
Asian or Pacific Islander	0	0%	0	0%
Black	29	24%	35	18%
White	43	36%	61	31%
Unknown	6	5%	28	14%
Not Provided	42	35%	76	38%
<b>Total</b>	<b>120</b>	<b>100%</b>	<b>200</b>	<b>100%</b>

Data reported for the ethnicities of the victims are noted in Table 5.

**Table 5 – Ethnicity of Victim**

Ethnicity	CY05		CY06	
	Victims		Victims	
	Count	Percent	Count	Percent
Hispanic or Latino	41	33%	53	27%
Not Hispanic or Latino	2	2%	9	5%
Unknown	1	1%	0	0%
Not Provided	81	65%	138	69%
Total	125	100%	200	100%

**Time Between Dates of Homicide and Filing of Information or Indictment**

For the 113 cases reported in CY05 that provided both a date of the homicide and a date of filing of the information or indictment, the average time lapsed between the date of homicide and the date of filing the indictment was 221 days. The minimum time was 1 day and the maximum time was 8,160 days (more than 22 years).

Based on the 145 cases reported in CY06 that provided both a date of the homicide and a date of filing of the information or indictment, the average time lapsed between the date of homicide and the date of filing the indictment was 270 days. The minimum time was 1 day and the maximum time was 11,645 days (more than 31 years).

**Names of Courts Where Prosecuted**

The courts in which cases were prosecuted are indicated in Table 4. The total of the courts where a case was heard is larger than the total number of cases because some cases were heard first in Justice Court as a preliminary hearing to determine whether the case should be bound over to District Court. Some cases may cite only one court if proceedings initiated in District Court. Cases may be transferred to another court also.

**Table 6 – Name of Courts in Which Case Was Prosecuted**

County	Court	CY05	CY06
		Count	Count
Carson City	First Judicial District Court	0	2
	Carson City Justice Court	0	1
Washoe	Second Judicial District Court	6	12
	Reno Justice Court	6	5
	Sparks Justice Court	0	1
Churchill	Third Judicial District	2	1
	New River Justice Court	2	2
Lyon	Third Judicial District Court	1	0
	Canal Justice Court	1	0
Elko	Fourth Judicial District Court	4	0
	Elko Justice Court	4	2
Nye	Fifth Judicial District Court	2	0
	Pahrump Justice Court	2	0



**Table 6 – Name of Courts in Which Case Was Prosecuted (Cont'd)**

County	Court	CY05	CY06
		Count	Count
Pershing	Sixth Judicial District Court	0	2
	Lake Justice Court	0	2
White Pine	Seventh Judicial District	0	1
	Ely Justice Court	0	1
Clark	Eighth Judicial District Court	98	122
Douglas	Tahoe Justice Court	0	1

### **Filing of Notice of Intent to Seek Death Penalty**

For CY05, in answer to whether the prosecutor filed a notice of intent to seek the death penalty, all reported cases included a response. Of those 113 responses, the death penalty was sought in 16 (14%) cases.

The average time elapsed between the date of filing of indictment and the filing of notice of intent to seek the death penalty was 27 days with a median of 26. For CY05, the minimum number of days was 6 and the maximum was 127.

For CY06, in answer to whether the prosecutor filed a notice of intent to seek the death penalty, 142 of 145 reported cases included a response. Of those 141 responses, the death penalty was sought in 17 (12%) cases. The three cases without a specific response may be due to the varying stages at which the cases are reported to the Supreme Court.

The average time elapsed between the date of filing of indictment and the filing of notice of intent to seek the death penalty was 29 days with a median of 29. For CY06, the minimum number of days was 14 and the maximum was 45.

The number of cases for which DAs indicated the filing of the notice of intent to seek the death penalty were less than those for which the PAs names were provided in Table 8 in response to the question of which PAs were involved in that decision. One probable reason is that names of prosecuting attorneys involved in considering the option to seek the death penalty may have been reported, even though the notice of intent to seek that penalty was not actually filed. Data entry errors may also be a factor since some forms were pre-filled with PA or DA names regardless of whether the stage of the case events merited a response to a given question on the form. In those instances, no determination could be made whether the case is at a stage that makes the entry valid.

### **Final Disposition and Jury Trial Information**

Of 113 cases in CY05, 22 (19%) were tried before a jury, 46 (41%) were disposed by dismissal, plea, or other manner of disposition. The remaining cases did not have reported dispositions. Of 145 cases in CY06, 8 (6%) were tried before a jury, 36 (25%) were disposed by dismissal, plea, or other manner of disposition. The remaining cases did not have reported dispositions.

Information on jury members appeared to be reported as best as possible by the DAs. Though, some elements were marked as “unknown.”. The Supreme Court does not know whether information on jury members’ gender and race/ethnicity is available to District Attorneys or how they may acquire it.

District Attorneys were required to submit information on gender and race/ethnicity of jury members. In CY05, the genders of jurors (including alternates) were as follows: 118 (41%) were male, 134 (46%) were female, and 34 (13%) were not provided. In CY06, the gender of jurors (including alternates) was as follows: 54 (53%) were male, 36 (35%) were female, and 14 (12%) were not provided.

Table 5 provides the count and percentage of the races of jury members involved, as reported for CY05 and CY06.

**Table 7 – Race of Jury Members**

Race	CY05		CY06	
	Jurors/Alternates		Jurors/Alternates	
	Count	Percent	Count	Percent
American Indian Or Alaskan Native	0	0%	0	0%
Asian or Pacific Islander	0	0%	0	0%
Black	1	0%	0	0%
White	69	24%	0	0%
Unknown	201	70%	104	100%
Not Provided	15	5%	0	0%
<b>Total</b>	<b>286</b>	<b>100%</b>	<b>104</b>	<b>100%</b>

Data reported for the ethnicities of the jurors are noted in Table 8.

**Table 8 – Ethnicity of Jury Members**

Ethnicity	CY05		CY06	
	Jurors		Jurors	
	Count	Percent	Count	Percent
Hispanic or Latino	2	1%	0	0%
Not Hispanic or Latino	13	5%	0	0%
Unknown	211	74%	91	88%
Not Provided	60	21%	13	13%
<b>Total</b>	<b>286</b>	<b>100%</b>	<b>104</b>	<b>100%</b>

**Involvement of Prosecuting Attorneys and Others Outside of the DA’s Office**

Under the present statute, District Attorneys are required to list the identity of each prosecuting attorney and others who participated in specific aspects of the cases. Tables 9 through 12 present the first names of the participants listed in the DAs’ reports submitted to the Supreme Court for cases in which a PA was reported to be involved. The full name of the DA is provided in bold. Some cases did not list participants. This can be due to the stage of the case in process, not having the names available, or the action not being considered. Newly elected District Attorneys may not appear in these lists unless they were involved in a case filed prior to the end of the calendar year reported. See Table 1 for the list of DAs who submitted information for this report.

The following are the four informational elements for which the statute asks the names of the participants involved. The total cases listed in each table are the total cases for which there were responses, not the total cases filed during the year since the question only pertains to those cases which have reached that stage of the judicial process and for which the action was considered.

- The prosecuting attorneys involved in the decision to file the initial charges against the defendant(s). (Table 9)
- The prosecuting attorneys participating in the decision to offer or accept a plea. (Table 10)
- The names of prosecuting attorneys who participated in the decision to seek the death penalty. (Table 11)
- The identity of those persons outside the DA's Office who were consulted in the decision to seek the death penalty or accept a plea. (Table 12)

**Table 9 – Prosecuting Attorneys Involved in Decision of Initial Charges**

County	District/ Prosecuting Attorneys	CY05			CY06		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City	<b>Noel Waters</b>			0	2	100%	2
	<b>Avg. number of PAs involved/case</b>						1.0
Washoe	Bruce	1	17%	6	3	25%	12
	Daniel	3	50%		2	17%	
	David				1	8%	
	Elliott				1	8%	
	Karl	2	33%		2	17%	
	Luke				1	8%	
	<b>Richard Gammick</b>						
	Roger				1	8%	
	Thomas				3	25%	
	<b>Avg. number of PAs involved/case</b>			1.0			1.2
Churchill	<b>Arthur Mallory</b>	2	100%	2	2	100%	2
	Thomas	2	100%		2	100%	
	<b>Avg. number of PAs involved/case</b>			2.0			2.0
Lyon	<b>Leon Aberasturi</b>	1	100%	1			NR
	Stephen	1	100%				
	Kristen	1	100%				
	<b>Avg. number of PAs involved/case</b>			3.0			
Elko	Alvin			4			2
	<b>Gary Woodbury</b>	4	100%		1	50%	
	Mark				1	50%	
	Troy	1	25%				
	<b>Avg. number of PAs involved/case</b>			1.3			1.0
Nye	Kirk	2	100%	2			0
	<b>Robert Beckett</b>	2	100%				
	<b>Avg. number of PAs involved/case</b>			2.0			
Pershing	<b>Jim Shirley</b>			0	2	100%	2
	<b>Avg. number of PAs involved/case</b>						1.0
White Pine	<b>Richard Sears</b>			0	1	100%	1
	<b>Avg. number of PAs involved/case</b>						1.0
Clark	Alexandra			98	11	9%	122
	Bill B.	11	11%				
	Bill H.	3	3%		1	1%	
	Brian K.	23	23%		12	10%	
	Chris O.	1	1%		3	2%	
	Christopher L.				12	10%	
	Dan	15	15%		1	1%	
	<b>David Roger</b>						
	David Sc	10	10%				
	David St	2	2%				
	Edward				2	2%	

**Table 9 – Prosecuting Attorneys Involved in Decision of Initial Charges (Cont'd)**

County	District/ Prosecuting Attorneys	CY05			CY06		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
	Frank	4	4%		18	15%	
	Giancarlo				1	1%	
	Marc	7	7%				
	Randall	20	20%		8	7%	
	Robert				1	1%	
	Ronald	8	8%		43	35%	
	Scott				16	13%	
	<b>Avg. number of PAs involved/case</b>			1.1			1.1
Douglas	<b>Mark Jackson</b>			0	1	100%	1
	Michael				1	100%	
	<b>Avg. number of PAs involved/case</b>						2.0

**Table 10 - Prosecuting Attorneys Participating in Decision to Offer or Accept Plea**

County	District/ Prosecuting Attorneys	CY05			CY06		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City	<b>Noel Waters</b>			0	1	100%	1
	<b>Avg. number of PAs involved/case</b>						1.0
Storey				0			0
	<b>Avg. number of PAs involved/case</b>						
Washoe	<b>Richard Gammick</b>	5	100%	5	12	100%	12
	<b>Avg. number of PAs involved/case</b>			1.0			1.0
Churchill	<b>Arthur Mallory</b>	2	100%	2	2	100%	2
	Thomas				2		
	<b>Avg. number of PAs involved/case</b>						1.0
Lyon	Leon Aberasturi	1	100%	1			NR
	<b>Avg. number of PAs involved/case</b>						
Elko	<b>Gary Woodbury</b>	2	50%	4			0
	Robert						
	Troy	1	25%				
	<b>Avg. number of PAs involved/case</b>			0.5			
Nye				0			0
	<b>Avg. number of PAs involved/case</b>						
Humboldt				0			0
	<b>Avg. number of PAs involved/case</b>						
Pershing	<b>Jim Shirley</b>			0	2	100%	2
	<b>Avg. number of PAs involved/case</b>						1.0
Clark	Amy	1	3%	40			27
	Bart	1	3%				
	Bill	6	15%		1	4%	
	Brian	1	3%				
	Cara				1	4%	
	Chris L	4	10%				
	Chris O.	11	28%		4	15%	
	Christopher L.	2	5%				
	Craig	1	3%		1	4%	
	Danielle				1	4%	
	Dave B.	1	3%		1	4%	
	<b>David Roger</b>	3	8%		1	4%	
	David Schu.				1	4%	
	David Schw.	8	20%		1	4%	
	Doreen	1	3%				
	Edward	2	5%				
	Elizabeth	2	5%				
	Frank C	1	3%				
	Giancarlo	2	5%				
	Jason				1	4%	
	Josh	1	3%				

**Table 10 - Prosecuting Attorneys Participating in Decision to Offer or Accept Plea (Cont'd)**

County	District/ Prosecuting Attorneys	CY05			CY06		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
	Josh	1	3%				
	Kristin	1	3%				
	Lynn	1	3%		1	4%	
	Marc	4	10%				
	Pamela	1	3%				
	Richard				4	15%	
	Robert	3	8%				
	Ronald				2	7%	
	Roy	1	3%		1	4%	
	Samuel	1	3%		1	4%	
	Scott	1	3%		1	4%	
	Sonia				1	4%	
	Steven				2	7%	
	Summer	1	3%		1	4%	
	Susan B.	1	3%				
	Susan K.	2	5%				
	Susan P.	1	3%		4	15%	
	Tera	1	3%				
	Thomas C.	1	3%				
	Thomas M.	1	3%				
	Tim	3	8%		2	7%	
	Tracey	1	3%		1	4%	
	Vicki	1	3%		2	7%	
	Victoria	1	3%				
	William M.				1	4%	
	<b>Avg. number of PAs involved/case</b>			1.9			1.4
Douglas				0			0
	<b>Avg. number of PAs involved/case</b>						

**Table 11 - Prosecuting Attorneys Participating in Decision to Seek Death Penalty**

County	District/ Prosecuting Attorneys	CY05			CY06			
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District	
Carson City	<b>Noel Waters</b>			0	1	100%	1	
	<b>Avg. number of PAs involved/case</b>							
Storey				0			0	
	<b>Avg. number of PAs involved/case</b>							
Washoe	<b>Richard Gammick</b>	5	100%	5	12	100%	12	
	<b>Avg. number of PAs involved/case</b>			1.0			1.0	
Lyon				0			0	
	<b>Avg. number of PAs involved/case</b>							
Elko				0			0	
	<b>Avg. number of PAs involved/case</b>							
Nye	Kirk	2	100%	2			0	
	<b>Robert Beckett</b>	2	100%					
	<b>Avg. number of PAs involved/case</b>			2.0				
White Pine	<b>Richard Sears</b>			0	1	100%	1	
	<b>Avg. number of PAs involved/case</b>						1.0	
Clark	Bill	3	17%	18			15	
	Chris L.	16	89%			13		87%
	Chris O.	16	89%			15		100%
	<b>David Roger</b>	15	83%			14		93%
	David St.	2	11%			3		20%
	Doug	1	6%					
	Giancarlo	1	6%					
	Jim S.	3	17%					
	Jim T.	14	78%			14		93%
	Karen	1	6%					
	Marc	5	28%			1		7%
	Pamela	2	11%			1		7%
	Robert	3	17%			1		7%
	Ronald	13	72%			11		73%
	Steve	13	72%			14		93%
	Thomas	1	6%					
	Tim					1		7%
	<b>Avg. number of PAs involved/case</b>			6.1			5.9	



**Table 12 - Identity of Persons Outside DA's Office Consulted in Seeking Death Penalty or Accepting Plea**

County	District/ Prosecuting Attorneys	CY05			CY06		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City				0			0
Storey				0			0
Washoe	Defense Attorney	5	100%	5	12	100%	12
	Victim's Family	5	100%		12	100%	
	Lead Detective	5	100%		12	100%	
Lyon				0			0
Elko				0			0
Nye				0			0
Humboldt				0			0
Clark	Dave M. Detectives	1	3%	35	20	91%	22
		31	89%				
	Victim's Family/Friends	26	74%				
Douglas				0			0



# Appendix A

-Updated Report for Prior Years per NRS 178.750(3)



## **Report on Murder and Voluntary Manslaughter**

### **Introduction**

Murder and voluntary manslaughter cases can be lengthy and extend beyond a single reporting period. The following data has been updated for calendar years 2003 and 2004 as required by subsection 3 of Nevada Revised Statute (NRS) 178.750. The full introduction of the report and reporting requirements can be found in the body of the main report.

Of note in reviewing the data submitted, is that some filing dates were adjusted by the DAs from previous reporting. When a change in filing date was made, a ripple effect occurs in other data reported for that year. Therefore, some yearly figures may show a slight decrease or an absence of a name from what was previously reported. Most numbers will increase as more events in the process occur or the cases are disposed (completed).

Additionally, certain elements of the reported data require due care in their interpretation. The term 'codefendant' should be understood as another party being tried for involvement in "any related offense" and not necessarily for the crime of murder or voluntary manslaughter. Victims include those who were victims of "any related offense," in addition to victims of homicide or voluntary manslaughter. Therefore, the total number of codefendants and victims should not be extrapolated to mean that codefendants were either involved in the murder or voluntary manslaughter or that the victims are all victims of homicide or voluntary manslaughter.

In addition to the required statutory information, the Supreme Court asked DAs to provide the ethnicity of the defendants, codefendants, and victims, when possible, in addition to the race of each. The categories for race and ethnicity have been patterned after the federal guidelines on collection of racial and ethnic data. These categories are explained in further detail in Appendix C.

### **Counties Reporting**

For CY03, the number of counties reporting was 16 out of 17 (Table 1). Of those 16 counties, 11 reported not having any murder or voluntary manslaughter cases. The remaining 5 counties reported a total of 98 cases filed.

For CY04, the number of counties reporting was 13 out of 17 (Table 1). Of those 13 counties, 6 reported not having any murder or voluntary manslaughter cases. The remaining 7 counties reported a total of 130 cases filed.

All data in this report have been compiled from the reports submitted by the District Attorneys' Offices of their respective counties. Only cases submitted with a filing date for the information or indictment during calendar years 2003 and 2004 were used in this report.

**Table 1 - Count and Percentage of Cases Filed**

Judicial District	County	District Attorney	CY03		CY04	
			Count	Percent	Count	Percent
First	Carson City	Noel Waters	0	0%	0	0%
	Storey	Harold Swafford	0	0%	1	1%
Second	Washoe	Richard Gammick	12	12%	4	3%
Third	Churchill	Art Mallory	0	0%	NR	
	Lyon	Leon Aberasturi	0	0%	2	2%
Fourth	Elko	Gary Woodbury	2	2%	1	1%
Fifth	Esmeralda	William Schaeffer	NR		0	0%
	Mineral	Cheri Emm-Smith	0	0%	0	0%
	Nye	Bob Beckett	5	5%	1	1%
Sixth	Humboldt	Dave Allison	0	0%	1	1%
	Lander	Hy Forgeron	0	0%	NR	
	Pershing	Jim Shirley	0	0%	NR	
Seventh	Eureka	Ted Beutel	0	0%	0	0%
	Lincoln	Phillip Dunleavy	0	0%	0	0%
	White Pine	Richard Sears	0	0%	NR	
Eighth	Clark	David Roger	77	79%	120	92%
Ninth	Douglas	Scott Doyle	2	2%	0	0%
Total			98	100%	130	100%

NR - Not Reported

### Defendants & Codefendants – Age, Gender, and Race

During CY03, the average age of defendants was 30 years, with a median age of 28 years. Of the 98 defendants, 88 (90%) were males and 10 (10%) were females. For the same time period, the codefendants were an average age of 28 with a median age of 26. Of the 41 codefendants, 34 (83%) were males and 7 (17%) were females.

During CY04, the average age of defendants was 30 years, with a median age of 27 years. Of the 130 defendants, 113 (87%) were males and 17 (13%) were females. For the same time period, the codefendants were an average age of 32 with a median age of 32. Of the 261 codefendants, 251 (96%) were males and 10 (4%) were females.

The races of the defendants and codefendants as reported for CY03 and CY04 are noted in Table 2.

**Table 2 – Race of Defendants and Codefendants**

Race	CY03				CY04			
	Defendants		Codefendants		Defendants		Codefendants	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
American Indian or Alaskan Native	3	3%	9	22%	1	1%	0	0%
Asian or Pacific Islander	4	4%	1	2%	6	5%	9	3%
Black	32	33%	16	39%	32	25%	19	7%
White	32	33%	3	7%	53	41%	170	65%
Unknown	21	21%	10	24%	7	5%	0	0%
Not Provided	6	6%	2	5%	31	24%	63	24%
Total	98	100%	41	100%	130	100%	261	100%

Data reported for the ethnicities of the defendants and codefendants are noted in Table 3.

**Table 3 – Ethnicity of Defendants and Codefendants**

Ethnicity	CY05				CY06			
	Defendants		Codefendants		Defendants		Codefendants	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Hispanic or Latino	34	30%	46	40%	30	21%	17	21%
Not Hispanic or Latino	2	2%	0	0%	7	5%	2	2%
Unknown	0	0%	0	0%	0	0%	0	0%
Not Provided	77	68%	69	60%	108	74%	63	77%
<b>Total</b>	<b>113</b>	<b>100%</b>	<b>115</b>	<b>100%</b>	<b>145</b>	<b>100%</b>	<b>82</b>	<b>100%</b>

**Victims – Age, Gender, and Race**

Of 119 victims in CY03, 80 (67%) were males, 35 (29%) were females, and the genders of 4 (3%) victims were not specified. The average age of the victims was 33 years and the median age was 32 years.

Of 168 victims in CY04, 144 (86%) were males, 23 (14%) were females, and the gender of 1 victim was not specified. The average age of the victims was 32 years and the median age was 29 years. Table 3 provides the count and percentage of the races of the victims involved as reported for CY03 and CY04.

<b>Table 4 – Race of Victims</b>						
Race	CY03			CY04		
	Victims			Victims		
	Count	Percent		Count	Percent	
American Indian or Alaskan Native	3	3%		1	1%	
Asian or Pacific Islander	0	0%		0	0%	
Black	21	19%		25	15%	
White	47	43%		76	46%	
Unknown	31	28%		14	9%	
Not Provided	7	6%		48	29%	
<b>Total</b>	<b>109</b>	<b>100%</b>		<b>164</b>	<b>100%</b>	

Data reported for the ethnicities of the victims are noted in Table 5.

**Table 5 – Ethnicity of Victim**

Ethnicity	CY05		CY06	
	Victims		Victims	
	Count	Percent	Count	Percent
Hispanic or Latino	41	33%	53	27%
Not Hispanic or Latino	2	2%	9	5%
Unknown	1	1%	0	0%
Not Provided	81	65%	138	69%
<b>Total</b>	<b>125</b>	<b>100%</b>	<b>200</b>	<b>100%</b>

## **Time Between Dates of Homicide and Filing of Information or Indictment**

For the 98 cases reported in CY03 that provided both a date of the homicide and a date of filing of the information or indictment, the average time lapsed between the date of homicide and the date of filing the indictment was 118 days. The minimum time was 2 days and the maximum time was 1,139 days (more than 3 years).

Calculating for the 130 cases reported in CY04 that provided both a date of the homicide and a date of filing of the information or indictment, the average time lapsed between the date of homicide and the date of filing the indictment was 214 days. The minimum time was 1 day and the maximum time was 2,287 days (more than 6 years).

## **Filing of Notice of Intent to Seek Death Penalty**

For CY03, in answer to whether the prosecutor filed a notice of intent to seek the death penalty, 92 of 98 reported cases included a response. Of those 92 responses, the death penalty was sought in 13 (14%) cases. The six cases without a specific response may be due to the varying stages at which the cases are reported to the Supreme Court.

The average time elapsed between date of filing of indictment and the filing of notice of intent to seek the death penalty was 7 days with a median of 13. For this same set of dates and cases, the minimum was 6 days and the maximum 32 days.

For CY04, in answer to whether the prosecutor filed a notice of intent to seek the death penalty, 127 of 130 reported cases included a response. Of those 127 responses, the death penalty was sought in 14 (11%) cases. The three cases without a specific response may be due to the varying stages at which the cases are reported to the Supreme Court.

The average time elapsed between date of filing of indictment and the filing of notice of intent to seek the death penalty was 20 days with a median of 24. For this same set of dates and cases, the minimum was 2 days and the maximum 29 days.

The number of cases for which DAs indicated, in this question, the filing of the notice of intent to seek the death penalty were less than those for which the PAs names were provided in Table 8 in response to the question of which PAs were involved in that decision. One probable reason is that names of prosecuting attorneys involved in considering the option to seek the death penalty may have been reported, even though the notice of intent to seek that penalty was not actually filed. Data entry errors may also be a factor since some forms were pre-filled with PA or DA names regardless of whether the stage of the case events merited a response to a given question on the form. In those instances, no determination could be made whether the case is at a stage that makes the entry valid.

## **Names of Courts Where Prosecuted**

The courts in which cases were prosecuted are indicated in Table 4. The total of the courts where a case was heard is larger than the total number of cases because some cases were heard first in Justice Court as a preliminary hearing to determine whether the case should be bound over to District Court. Some



cases may cite only one court if proceedings initiated in District Court. Cases may be transferred to another court also.

**Table 6 – Name of Courts in Which Case Was Prosecuted**

County	Court	CY03	CY04
		Count	Count
Washoe	Second Judicial District Court	11	3
	Reno Justice Court	10	2
	Sparks Justice Court	1	1
Lyon	Third Judicial District Court	0	2
	Mason Valley Justice Court	0	2
Elko	Fourth Judicial District Court	2	0
	Elko Justice Court	2	1
Nye	Fifth Judicial District Court	5	1
	Pahrump Justice Court	5	1
Humboldt	Sixth Judicial District Court	0	1
Clark	Eighth Judicial District Court	77	120
Douglas	Ninth Judicial District Court	2	0
	East Fork Justice Court	2	0

**Final Disposition and Jury Trial Information**

Of 98 cases in CY03, 25 (26%) were tried before a jury, 33 (34%) were disposed by dismissal, plea, or other manner of disposition. The remaining cases did not have reported dispositions. Of 130 cases in CY04, 16 (12%) were tried before a jury, 70 (54%) were disposed by dismissal, plea, or other manner of disposition. The remaining cases did not have reported dispositions.

Information on jury members appeared to be reported as best as possible by the DAs. Though, some elements were marked as “unknown.” The Supreme Court does not presently know if information on jury members’ gender and race/ethnicity is available to the District Attorneys or by what methods they may meet this portion of the reporting requirement.

District Attorneys were required to submit information on gender and race/ethnicity of jury members. In CY03, the genders of jurors (including alternates) were as follows: 93 (28%) were male, 127 (38%) were female, and 114 (34%) were not provided. In CY04, the gender of jurors (including alternates) was as follows: 76 (39%) were male, 80 (41%) were female, and 38 (20%) were not provided.

Table 5 provides the count and percentage of the races of jury members involved, as reported for CY03 and CY04.

**Table 7 – Race of Jury Members**

Race	CY03		CY04	
	Jurors/Alternates		Jurors/Alternates	
	Count	Percent	Count	Percent
American Indian Or Alaskan Native	0	0%	0	0%
Asian or Pacific Islander	1	0%	0	0%
Black	6	2%	2	1%
White	51	15%	24	7%
Unknown	145	43%	68	20%
Not Provided	131	39%	100	30%
<b>Total</b>	<b>334</b>	<b>100%</b>	<b>194</b>	<b>58%</b>

Data reported for the ethnicities of the jurors are noted in Table 8.

**Table 8 – Ethnicity of Jury Members**

Ethnicity	CY03		CY04	
	Jurors		Jurors	
	Count	Percent	Count	Percent
Hispanic or Latino	0	0%	0	0%
Not Hispanic or Latino	0	0%	0	0%
Unknown	100	30%	54	28%
Not Provided	234	70%	140	72%
<b>Total</b>	<b>334</b>	<b>100%</b>	<b>194</b>	<b>100%</b>

**Involvement of Prosecuting Attorneys and Others Outside of the DA’s Office**

Under the present statute, District Attorneys are required to list the identity of each prosecuting attorney and others who participated in specific aspects of the cases. Tables 9 through 12 present the first names of the participants listed in the DA reports submitted to the Supreme Court for cases in which a PA was reported to be involved. The full name of the DA is provided in bold. Some cases did not list participants. This can be due to the stage of the case in process, not having the names available, or the action not being considered. Newly elected District Attorneys may not appear in these lists unless they were involved in a case filed prior to the end of the calendar year reported. See Table 1 for the current list of DAs.

The following are the four informational elements for which the statute asks the names of the participants involved. The total cases listed in each table are the total cases for which there were responses, not the total cases filed during the year since the question only pertains to those cases which have reached that stage of the judicial process and for which the action was considered.

- The prosecuting attorneys involved in the decision to file the initial charges against the defendant(s). (Table 9)
- The prosecuting attorneys participating in the decision to offer or accept a plea. (Table 10)
- The names of prosecuting attorneys who participated in the decision to seek the death penalty. (Table 11)
- The identity of those persons outside the DA’s Office who were consulted in the decision to seek the death penalty or accept a plea. (Table 12)

**Table 9 – Prosecuting Attorneys Involved in Decision of Initial Charges**

County	District/ Prosecuting Attorneys	CY03			CY04		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City				0			0
	<b>Avg. number of PAs involved/case</b>						
Storey	<b>Harold Swafford</b>			0	1	100%	1
	<b>Avg. number of PAs involved/case</b>						1.0
Washoe	Daniel	2	17%	12	2	50%	4
	David	2	17%				
	Elliott	1	8%		1	25%	
	Gianna	1	8%				
	Karl	2	17%				
	Linda	1	8%				
	Luke	1	8%				
	<b>Richard Gammick</b>	1	8%				
	Roger	1	8%				
	Roy	2	17%				
	Scott	1	8%				
	Thomas	3	25%		1	25%	
	<b>Avg. number of PAs involved/case</b>				1.5		
Lyon	<b>Leon Aberasturi</b>			0	2	100%	2
	Stephen				2		
	<b>Avg. number of PAs involved/case</b>						2.0
Elko	Alvin	1	50%	2	1	100%	1
	<b>Gary Woodbury</b>	2	100%				
	<b>Avg. number of PAs involved/case</b>			1.5			1.0
Nye	Kirk	5	100%	5	1	100%	1
	Pete	2	40%				
	<b>Robert Beckett</b>	5	100%		1	100%	
	Ron	2	40%				
	<b>Avg. number of PAs involved/case</b>			2.8			2.0
Humboldt	Conrad			0	1	100%	1
	<b>David Allison</b>				1	100%	
	<b>Avg. number of PAs involved/case</b>				2		2.0
Clark	Bill B.	19	25%	77	3	3%	120
	Bill H.	14	18%		17	14%	
	Bill K.				14	12%	
	Brian K.				19	16%	
	Brian R.	8	10%				
	Chris L.				1	1%	
	Chris O.	3	4%		16	13%	
	Clark				1	1%	
	Dan	14	18%		27	23%	
	<b>David Roger</b>	3	4%		30	25%	

**Table 9 – Prosecuting Attorneys Involved in Decision of Initial Charges (Cont'd)**

County	District/ Prosecuting Attorneys	CY03			CY04		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
	David Sc		0%		2	2%	
	David St		0%		1	1%	
	Edward	1	1%		1	1%	
	L.J.	1	1%			0%	
	Lynn	1	1%			0%	
	Marc	1	1%			0%	
	Randall	18	23%		10	8%	
	Robert		0%		1	1%	
	Ronald	26	34%		32	27%	
	Scott	1	1%			0%	
	Tim	1	1%			0%	
	<b>Avg. number of PAs involved/case</b>			1.4			1.5
Douglas	Kristine	2	100%	2			0
	Thomas	2	100%				
	<b>Scott Doyle</b>	2	100%				
	<b>Avg. number of PAs involved/case</b>			3.0			

**Table 10 - Prosecuting Attorneys Participating in Decision to Offer or Accept Plea**

County	District/ Prosecuting Attorneys	CY03			CY04		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City				0			0
	<b>Avg. number of PAs involved/case</b>						
Storey				0	0	0%	1
	<b>Avg. number of PAs involved/case</b>						
Washoe	<b>Richard Gammick</b>	12	100%	12	2	100%	2
	<b>Avg. number of PAs involved/case</b>			1.0			1.0
Lyon	<b>Leon Aberasturi</b>			0	1	100%	1
	Steve				1		
	<b>Avg. number of PAs involved/case</b>						1.0
Elko	<b>Gary Woodbury</b>	1	100%	1			0
	<b>Avg. number of PAs involved/case</b>			1.0			
Nye	Kirk	2	100%	2	1	100%	1
	Pete	1	50%			0%	
	<b>Robert Beckett</b>	2	100%		1	100%	
	Ron	1	50%			0%	
	<b>Avg. number of PAs involved/case</b>			3.0			2.0
Humboldt	<b>David Allison</b>			0	1	100%	1
	<b>Avg. number of PAs involved/case</b>						1.0
Clark	Alexandra			37	1	2%	61
	Bart				1	2%	
	Bernard				3	5%	
	Bill				7	11%	
	Brad	1	3%				
	Brandon				1	2%	
	Brian	2	5%				
	Chris L.	3	8%		10	16%	
	Chris O.	5	14%		19	31%	
	Christopher L.	3	8%		1	2%	
	Clark				1	2%	
	Danae	2	5%		1	2%	
	Danielle				1	2%	
	Dave B.	1	3%		2	3%	
	<b>David Roger</b>	2	5%		11	18%	
	David Schu.	1	3%				
	David Schw.	4	11%		2	3%	
	David St	2	5%		2	3%	
	Doug	2	5%				
	Edward	2	5%		6	10%	
	Elizabeth				1	2%	
	Frank C	3	8%		1	2%	
	Frank P	1	3%		1	2%	

**Table 10 - Prosecuting Attorneys Participating in Decision to Offer or Accept Plea (Cont'd)**

County	District/ Prosecuting Attorneys	CY03			CY04		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
	Giancarlo	2	5%				
	Glen				1	2%	
	James				1	2%	
	Kam				1	2%	
	Lisa	2	5%		1	2%	
	Lynn	1	3%				
	Marc	3	8%		7	11%	
	Martin				1	2%	
	Melissa				1	2%	
	Pamela	3	8%		1	2%	
	Randall	1	3%				
	Robert	2	5%		1	2%	
	Roger	1	3%				
	Ross	1	3%		3	5%	
	Roy	2	5%				
	Scott	1	3%				
	Stacy				6	10%	
	Susan	2	5%		1	2%	
	Thomas C.	1	3%				
	Thomas M.				1	2%	
	Tim	2	5%		3	5%	
	Tracey	1	3%				
	Vicki	5	14%		3	5%	
	Victoria	2	5%				
	William K.				1	2%	
	<b>Avg. number of PAs involved/case</b>			1.7			1.7
Douglas	Kristine	2	100%	2			0
	<b>Scott Doyle</b>	2	100%				
	Thomas	2	100%				
	<b>Avg. number of PAs involved/case</b>			3.0			

**Table 11 - Prosecuting Attorneys Participating in Decision to Seek Death Penalty**

County	District/ Prosecuting Attorneys	CY03			CY04		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City				0			0
	<b>Avg. number of PAs involved/case</b>						
Storey				0			0
	<b>Avg. number of PAs involved/case</b>						
Washoe	<b>Richard Gammick</b>	12	100%	12	2	100%	2
	<b>Avg. number of PAs involved/case</b>			1.0			1.0
Lyon				0			0
	<b>Avg. number of PAs involved/case</b>						
Elko				0			0
	<b>Avg. number of PAs involved/case</b>						
Nye	Kirk	3	100%	3	1	100%	1
	Pete	2	67%				
	<b>Robert Beckett</b>	3	100%		1	100%	
	Ron	2	67%				
	<b>Avg. number of PAs involved/case</b>			3.3			2.0
Humboldt	<b>David Allison</b>			0	1	100%	1
	Conrad				1	100%	
	<b>Avg. number of PAs involved/case</b>						2.0
Clark	Chris Lal.			12	2	13%	16
	Chris O.	10			12		
	Chuck	10	83%		13	81%	
	Clark	7	58%		1	6%	
	<b>David Roger</b>	10	83%		13	81%	
	Doug	10	83%		14	88%	
	Edward	1	8%		1	6%	
	Gary	5	42%				
	Giancarlo	1	8%				
	Jim	9	75%		15	94%	
	JJ				1	6%	
	Marc	1	8%				
	Mary				1		
	Pamela				1	6%	
	Philip				1	6%	
	Robert	1	8%				
	Ronald	1	8%				
	Steve	3	25%		10	63%	
	<b>Avg. number of PAs involved/case</b>			5.8			5.3

**Table 12 - Identity of Persons Outside DA's Office Consulted in Seeking Death Penalty or Accepting Plea**

County	District/ Prosecuting Attorneys	CY03			CY04		
		Cases individual was involved	% of cases involved	Total Cases in District	Cases individual was involved	% of cases involved	Total Cases in District
Carson City				0			0
Storey				0			0
Washoe	Defense Attorney	12	100%	12	2	100%	2
	Victim's Family	12	100%		2	100%	
	Lead Detective	12	100%		2	100%	
Lyon				0			0
Elko				0			0
Nye				0			0
Humboldt				0			0
Clark	Alexandra			14	1	6%	18
	Billy	1	7%				
	Brian	1	7%				
	Christopher L	1	7%				
	Chris O	1	7%				
	Chuck				1	6%	
	<b>David Roger</b>				1	6%	
	Detectives	11	79%		18	100%	
	Doug				1	6%	
	Edward				1	6%	
	Federal Authorities				1	6%	
	Genisis	1	7%				
	Grace	1	7%				
	Jim		0%		1	6%	
	Louis	1	7%				
	Mark	1	7%				
	Steve				1	6%	
	US Attorney's Office				7	39%	
	Victim's Family/Friends	9	64%		18	100%	
Douglas	DA's office Spec. Investigator	1	50%	2			0
	Sheriff	1	50%				
	The division lieutenant	2	100%				
	Victim's family	2	100%				



# Appendix B

-Applicable Nevada Revised Statutes



## **Nevada Revised Statutes Pertaining to Murder and Voluntary Manslaughter Report**

**NRS 2.193** Duty to submit report to Legislature concerning cases that included charge for murder or voluntary manslaughter. Not later than March 1 of each odd-numbered year, the Supreme Court shall prepare and submit to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature a report of the information submitted to the Supreme Court by the district attorneys during the preceding biennium pursuant to NRS 178.750.

(Added to NRS by 2003, 2085)

**NRS 178.750** District attorney to submit annual report to Supreme Court on cases filed that included charge for murder or involuntary manslaughter.

1. The district attorney for each county shall prepare and submit a report to the Supreme Court not later than February 1 of each year concerning each case filed during the previous calendar year that included a charge for murder or voluntary manslaughter. The district attorney shall exclude from the report any charge for manslaughter that resulted from a death in an accident or collision involving a motor vehicle.

2. The report required pursuant to subsection 1 must include, without limitation:

- (a) The age, gender and race of the defendant;
- (b) The age, gender and race of any codefendant or other person charged or suspected of having participated in the homicide and in any alleged related offense;
- (c) The age, gender and race of the victim of the homicide and any alleged related offense;
- (d) The date of the homicide and of any alleged related offense;
- (e) The date of filing of the information or indictment;
- (f) The name of each court in which the case was prosecuted;
- (g) Whether or not the prosecutor filed a notice of intent to seek the death penalty and, if so, when the prosecutor filed the notice;
- (h) The final disposition of the case and whether or not the case was tried before a jury;
- (i) The race, ethnicity and gender of each member of the jury, if the case was tried by a jury; and
- (j) The identity of:
  - (1) Each prosecuting attorney who participated in the decision to file the initial charges against the defendant;
  - (2) Each prosecuting attorney who participated in the decision to offer or accept a plea, if applicable;
  - (3) Each prosecuting attorney who participated in the decision to seek the death penalty, if applicable; and
  - (4) Each person outside the office of the district attorney who was consulted in determining whether to seek the death penalty or to accept or reject a plea, if any.

3. If all the information required pursuant to subsection 1 cannot be provided because the case is still in progress, an additional report must be filed with the Supreme Court each time a subsequent report is filed until all the information, to the extent available, has been provided.

(Added to NRS by 2003, 2084)



# Appendix C

Murder and Voluntary Manslaughter Tracking Forms



**HOMICIDE & RELATED CASE DATA  
REQUIRED BY NRS 178.750**

**A. The Defendant.**

	AGE	GENDER	RACE	ETHNICITY
<b>DEFENDANT</b>		M F	I A B W U	HL NHL U

**B. Codefendants or other person charged or suspected of having participated in the homicide and in any alleged related offense.**

	AGE	GENDER	RACE	ETHNICITY
<b>CODEFENDANT #1</b>		M F	I A B W U	HL NHL U
<b>CODEFENDANT #2</b>		M F	I A B W U	HL NHL U
<b>CODEFENDANT #3</b>		M F	I A B W U	HL NHL U

**C. The date of the homicide and of any alleged related offense.** \_\_\_\_\_  
MM/DD/YYYY

**D. The date of filing of the information or indictment.** \_\_\_\_\_  
MM/DD/YYYY

**E. Victims.**

	AGE	GENDER	RACE	ETHNICITY
<b>VICTIM #1</b>		M F	I A B W U	HL NHL U
<b>VICTIM #2</b>		M F	I A B W U	HL NHL U
<b>VICTIM #3</b>		M F	I A B W U	HL NHL U

**F. The name of each court in which the case was prosecuted.**

**COURT NAME(S)**

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**G. Did the prosecutor file a notice of intent to seek the death penalty?**

NO       YES, DATE FILED \_\_\_\_\_  
MM/DD/YYYY

**H. The final disposition of the case and whether or not the case was tried before a jury.**

DISPOSITION	Jury Trial?
	Y N
	Y N

**I. If the case was tried by a jury, complete the following.**

	<b>GENDER</b>	<b>RACE</b>	<b>ETHNICITY</b>
<b>JUROR #1</b>	M F	I A B W U	HL NHL U
<b>JUROR #2</b>	M F	I A B W U	HL NHL U
<b>JUROR #3</b>	M F	I A B W U	HL NHL U
<b>JUROR #4</b>	M F	I A B W U	HL NHL U
<b>JUROR #5</b>	M F	I A B W U	HL NHL U
<b>JUROR #6</b>	M F	I A B W U	HL NHL U
<b>JUROR #7</b>	M F	I A B W U	HL NHL U
<b>JUROR #8</b>	M F	I A B W U	HL NHL U
<b>JUROR #9</b>	M F	I A B W U	HL NHL U
<b>JUROR #10</b>	M F	I A B W U	HL NHL U
<b>JUROR #11</b>	M F	I A B W U	HL NHL U
<b>JUROR #12</b>	M F	I A B W U	HL NHL U
<b>ALT. JUROR #1 (if used)</b>	M F	I A B W U	HL NHL U
<b>ALT. JUROR #2 (if used)</b>	M F	I A B W U	HL NHL U

**J. List the identity of:**

***1. Each prosecuting attorney who participated in the decision to file the initial charges against the defendant (and codefendants).***

#1		#3	
#2		#4	

***2. Each prosecuting attorney who participated in the decision to offer or accept a plea, if applicable.***

#1		#3	
#2		#4	

***3. Each prosecuting attorney who participated in the decision to seek the death penalty, if applicable.***

#1		#3	
#2		#4	

***4. Each person outside the office of District Attorney who was consulted in determining whether to seek the death penalty or to accept or reject a plea, if any.***

#1		#3	
#2		#4	



**HOMICIDE & RELATED CASE DATA**  
**REQUIRED BY NRS 178.750**

**Addendum 1**

**1. Additional Codefendants (from Part B of principle form)**

	AGE	GENDER	RACE	ETHNICITY
<b>CODEFENDANT #4</b>		M F	I A B W U	HL NHL U
<b>CODEFENDANT #5</b>		M F	I A B W U	HL NHL U
<b>CODEFENDANT #6</b>		M F	I A B W U	HL NHL U

**2. Additional Victims (from Part E of principle form)**

	AGE	GENDER	RACE	ETHNICITY
<b>VICTIM #4</b>		M F	I A B W U	HL NHL U
<b>VICTIM #5</b>		M F	I A B W U	HL NHL U
<b>VICTIM #6</b>		M F	I A B W U	HL NHL U

**3. Additional Participants (from Part J of principle form)**

**a. List the identity of:**

*i. Each prosecuting attorney who participated in the decision to file the initial charges against the defendant.*

#5		#7	
#6		#8	

*ii. Each prosecuting attorney who participated in the decision to offer or accept a plea, if applicable.*

#5		#7	
#6		#8	

*iii. Each prosecuting attorney who participated in the decision to seek the death penalty, if applicable.*

#5		#7	
#6		#8	

*iv. Each person outside the office of district attorney who was consulted in determining whether to seek the death penalty or to accept or reject a plea, if any.*

#5		#7	
#6		#8	

**HOMICIDE & RELATED CASE DATA  
REQUIRED BY NRS 178.750**

**Negative Response Letter**

\_\_\_\_\_  
Date

Clerk's Office  
Supreme Court of Nevada  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701

The County of \_\_\_\_\_ had no murder or voluntary manslaughter cases to report, as defined in NRS 178.750, for calendar year \_\_\_\_\_.

\_\_\_\_\_  
District Attorney  
County of \_\_\_\_\_

# HOMICIDE & RELATED CASE DATA REQUIRED BY NRS 178.750

## Instructions

**Attachment A – Negative Response Letter.** For use by counties with no cases to report.

- May copy and submit to Supreme Court with blanks filled in OR
- May replicate forms on District Attorney’s letterhead for submittal

**Attachment B – Principle form.** For use by counties with cases to report.

- Use one two-page form for each case.
- Case number header is included for your internal use to track which cases have been entered and reported.
- Gender – circle ‘M’ for male or ‘F’ for female.
- Race or Race/Ethnicity – circle appropriate race code matching definition below

<p><b>(Excerpt of NCIC 2000)</b></p> <p><b>Section 4 – RACE AND PROTECTED PERSON RACE (PPR) FIELD CODES</b></p> <p><b>Race</b></p> <p><b>American Indian or Alaskan Native</b> – a person having origins in any of the original peoples of the Americas and maintaining cultural identification through tribal affiliations or community recognition.</p> <p><b>Asian or Pacific Islander</b> – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent or the Pacific Islands.</p> <p><b>Black</b> – a person having origins in any of the black racial groups of Africa.</p> <p><b>White</b> – a person having origins in any of the original peoples of Europe, North Africa, or Middle East.</p> <p><b>Unknown</b></p> <p><b>Records for Hispanics should be entered with the race code most closely representing the individual.</b></p>		<p style="text-align: center;"><b>Code</b></p> <p style="text-align: center;">I</p> <p style="text-align: center;">A</p> <p style="text-align: center;">B</p> <p style="text-align: center;">W</p> <p style="text-align: center;">U</p>
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**Attachment C – Addendum 1.** For use when entries for one or more categories in the principle form are exceeded.

