

PATRICIA A. LYNCH
Judge

PETER J. SFERRAZZA
Judge

JACK SCHROEDER
Judge

HAROLD G. ALBRIGHT
Judge

BARBARA K. FINLEY
Judge



STEVE TUTTLE
Court Administrator

ADDRESS
CORRESPONDENCE TO:

P.O. Box 30083
RENO, NEVADA 89520-3083

RENO JUSTICE COURT

One South Sierra
Reno, Nevada

NOVEMBER 6, 2009

ADKT 410

Ms. Tracie K. Lindeman
Office of the Clerk
Supreme Court Building
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

FILED

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TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Dear Ms. Lindeman:

Pursuant to Chief Justice Hardesty's request, Reno Justice Court reviewed the Draft Evidence Retention and Destruction Protocol and have the following comments:

- 1) Reno Justice Court has established evidence handling procedures, but will enhance our process by incorporating several suggestions identified in the draft protocol.
- 2) The court clerks are properly marking all evidence, but the court is not tracking whether or not the evidence was offered and admitted at trial or hearing.
- 3) Reno Justice Court does not prepare evidence for hearing or trial. It is the responsibility of the District Attorney's Office or the defense attorney presenting the evidence to prepare it for submission to the court.
- 4) Actual drugs or toxic chemicals are not handled in the courtroom. Reno Justice Court only reviews lab reports pertaining to the substance in question.
- 5) On the rare occasion when a firearm is presented as evidence to the court, an on-duty bailiff will inspect the weapon to ensure its safety.
- 6) Reno Justice Court adheres to the suggested protocol with safeguarding evidence during court recesses and overnight storage. During long court recesses, such as lunch breaks, the courtroom is cleared of all persons and all doors are locked. If a recess is short in duration, a bailiff will remain in the

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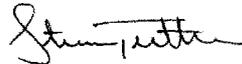
November 7, 2009

courtroom to safeguard evidence and other property. If a hearing or trial is continued to the following day, the evidence will remain in the courtroom behind locked doors with evidence tape fixed across the door frame, or at the judge's request, the evidence is moved to a secured locker. If a firearm is admitted into evidence the weapon is stored overnight in the court's armory.

- 7) Reno Justice Court does not retain any evidence associated with criminal cases. All evidence is returned to the presenting party. This return policy eliminates the need for a standardized process for the destruction of evidence.
- 8) Reno Justice Court will maintain evidentiary documents as part of a civil case file for appeal purposes only. These documents are destroyed when the case file is purged.

In summary, Reno Justice Court found the draft Evidence Retention and Destruction Protocol to be a good reference and will retain a copy for its files. Thank you

Sincerely,



Steve Tuttle
Court Administrator

Cc: Stephanie Heying, Court Management Analyst