

NEVADA



State legislatures consider and enact laws that address the administration and use of forensic science by state justice systems. Issues addressed in these measures include the delegation of oversight responsibilities for forensic services, accreditation standards for forensic laboratories, access to post-conviction DNA testing, the collection and analysis of DNA samples from arrested and convicted individuals and procedures for eyewitness identification. Following is information on this state's legislative activity on forensic science issues. More information on forensic science policy from all 50 states and the District of Columbia is available on the NCSL [forensic science page](#).



Convicted Offender DNA Analysis§ 176.0913

People convicted of any felony or sex crime misdemeanor must submit a DNA sample to state officials. The state also collects DNA for those convicted of certain enumerated misdemeanors, including crimes against a child, abuse or neglect of an older person or vulnerable person, and a second or subsequent offense for stalking.

Arrestee DNA Analysis§ 176.09123

People arrested for all felonies must submit a DNA sample to state officials. A probable cause determination is required by a judge or magistrate. The sample is collected at booking. It can be analyzed when it is collected if the individual was arrested with a warrant. If the individual was not arrested pursuant to a warrant, the sample can be analyzed after probable cause is determined. The sample is destroyed if the judge or magistrate determines there was no probable cause, or it is expunged upon request.

Post Conviction DNA Analysis§ 176.0918

The state allows an individual convicted of a felony to apply for post-conviction DNA testing. Their application must raise a reasonable probability of actual innocence. Nevada code has specifications for the preservation of biological evidence.

Eyewitness Identification Procedures§ 171.1237

The state requires that each law enforcement agency adopt policies governing the use of live lineups, photo lineups and show-ups.

