



CLARK COUNTY
OFFICE OF THE DISTRICT ATTORNEY

Administration Division

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October 7, 2016

Sent via E-Mail

Ryan Gabrielson
Staff Reporter - ProPublica
155 Avenue of the Americas, Thirteenth Floor
New York, NY 10013

Dear Mr. Gabrielson:

We are in receipt of your recent correspondence wherein you allege that a member of this Office and members of the Clark County Judiciary engaged in misconduct. You also challenge the reliability of the field test currently being used to test substances for the presence of heroin.

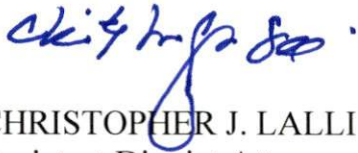
There was no ethical violation by any member of the judiciary or the Office of the District Attorney during the Las Vegas Justice Court Judges Meeting that occurred on July 8, 2015, resulting from *ex parte* communications. Contrary to your assertion, members of the defense bar were present at the meeting. These members included Ozzie Fumo, Tom Pitaro and Lance Hendron, President of Nevada Attorneys for Criminal Justice. NACJ is an organization of criminal defense attorneys located throughout Nevada. Furthermore, the Ethics Opinion from the Kentucky Bar Association, a jurisdiction other than Nevada, is obviously not controlling in this State. The Opinion itself warns that it is merely "advisory" and the facts giving rise to that Opinion are significantly different than the facts that occurred at the Las Vegas Justice Court Judges Meeting.

The chemical field test for heroin is sufficiently reliable for the purpose it is being utilized in Clark County. Moreover, similar technology is used by other police departments in numerous jurisdictions throughout the United States, including: the Pima County Sheriff's Office (Arizona), the San Diego County Sheriff's Office (California), the Grass Valley Police Department (California), the Kaufman County Sheriff's Office (Texas), the Louisville Police Department (Kentucky), the Naperville Police Department (Illinois), the Salinas Police Department (California), the Escalon Police Department (California), the Doraville Police Department (Georgia), the San Mateo County Sheriff's

Office (California), the Ventura County Sheriff's Office (California). In addition, similar technology is authorized for use in the States of Wisconsin and Virginia.

We look forward to your well-balanced story regarding the issues discussed herein.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Lalli". The signature is written in a cursive style with a large, looping initial "C".

CHRISTOPHER J. LALLI
Assistant District Attorney