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Office of the Governor

May 25, 2017

The Honorable Aaron Ford
Majority Leader of the Nevada State Senate
The Nevada Legislature
401 South Carson Street
Carson City, NV 89701

RE: Senate Bill 140 of the 79th Legislative Session

Dear Leader Ford:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 140 ("SB 140"), which is entitled:

AN ACT relating to offenders; authorizing the residential confinement or other appropriate supervision of certain older offenders; and providing other matters properly relating thereto.

SB 140 has a noble goal, but it poses risks that are not justified by the purported benefits of changing the law. Current law already permits the Director of the Department of Corrections to allow certain inmates to serve out the remainder of their sentences in residential confinement. While SB 140 would expand the list of inmates eligible for residential confinement, testimony offered during the Senate Judiciary Committee's review of the bill estimated that the actual number of newly eligible inmates would be very low.

Additionally, the bill implicates questions related to fairness and public safety. Age alone is not a compelling reason to extend benefits to some inmates which are not afforded to others, especially when older inmates may, in certain instances, present a greater safety risk than younger inmates.

Finally, all inmates have the constitutional right to seek a pardon for the remainder of their sentence. Age and length of time served are factors the Board of Pardons Commissioners regularly considers when deciding a request for a pardon. No evidence has been presented that the system is not working as it should.

For these reasons, I veto Senate Bill 140.

Sincere regards,



BRIAN SANDOVAL
Governor

Enclosure

cc: *The Honorable Mark Hutchison, President of the Senate (without enclosure)*
The Honorable Speaker Jason Frierson, Speaker of the Assembly (without enclosure)
The Honorable Barbara Cegavske, Nevada Secretary of State (without enclosure)
Claire J. Clift, Secretary of the Senate (without enclosure)
Susan Furlong, Chief Clerk of the Assembly (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)