

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Eighty-first Session  
March 16, 2021**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:07 p.m. on Tuesday, March 16, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Melanie Scheible, Chair  
Senator Nicole J. Cannizzaro, Vice Chair  
Senator James Ohrenschall  
Senator Dallas Harris  
Senator James A. Settelmeyer  
Senator Ira Hansen  
Senator Keith F. Pickard

**GUEST LEGISLATORS PRESENT:**

Senator Julia Ratti (Senatorial District No.13)

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Policy Analyst  
Pam King, Committee Secretary

**OTHERS PRESENT:**

Sue Wagner  
Crystal Minor  
Liz Ortenburger, SafeNest  
Lisa Lee, Executive Director, Advocates to End Domestic Violence  
Susan Meuschke, Nevada Coalition to End Domestic and Sexual Violence  
Denise Yoxsimer, Executive Director, Domestic Violence Resource Center  
Eric Spratley, Nevada Sheriffs' and Chiefs' Association  
Warren Hardy, Councilwoman Sandra Ramaker, City of Mesquite  
John Jones, Nevada District Attorneys Association  
Chuck Calloway, Las Vegas Metropolitan Police Department

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Kristy Oriol, Grants Manager, Sierra Community House  
John Piro, Clark County Public Defender's Office, Washoe County Public  
Defender's Office  
Malena Raymond, Domestic Violence Resource Center  
Marianne McKown, Executive Director, Committee Against Domestic Violence  
Maria-Teresa Liebermann-Parraga, Battle Born Progress  
Kendra Bertschy, Washoe County Public Defender's Office  
Marie Wakefield  
Marlene Lockard, Nevada Women's Lobby  
Kimberly Fergus  
Corey Solferino, Washoe County Sheriff's Office  
Lynn Goya, Clerk, Clark County  
Maria Romano, Las Vegas Wedding Chamber of Commerce  
Donne Kerestic, Chapel of Flowers; Tropicana Hotel Weddings  
Cliff Evarts, Founder/CEO, Vegas Weddings  
Brittany Woodworth, Marriage Officiant  
Melekte Hailemeskel, Nevada Youth Legislature, Senate District 9  
Julianna Melendez, Nevada Youth Legislature, Senate District 10  
Nicholas Shepack, American Civil Liberties Union of Nevada  
Christine Saunders, Progressive Leadership Alliance of Nevada  
John McCormick, Assistant Court Administrator, Administrative Office of the  
Courts, Nevada Supreme Court  
Jamie Rodriguez, Washoe County  
Brigid Duffy, Director, Juvenile Division, Clark County District Attorney's Office  
Valerie Wiener  
Annemarie Grant

CHAIR SCHEIBLE:

Anyone intending to testify today may submit written comments. Each person will have two minutes to testify; you may also simply state you agree with a former testifier. When the hearings for the bills are concluded, there will be time for public comment. To submit written testimony during or after the meeting, the email address is [SenJUD@sen.state.nv.us](mailto:SenJUD@sen.state.nv.us).

We will be taking Senate Bill (S.B.) 177 first. We have Senator Julia Ratti with us to present.

**SENATE BILL 177**: Revises provisions relating to the Account for Aid for Victims of Domestic Violence. (BDR 16-926)

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SENATOR JULIA RATTI (Senatorial District No. 13):

I am presenting S.B. 177 which will help us develop more resources to address the dual challenges our State faces regarding domestic and sexual violence.

I start our presentation by introducing former Lieutenant Governor Sue Wagner. This is the fortieth anniversary of a bill she championed as a Senator in the Legislature to create the mechanism we use to provide funding support for domestic and sexual violence programs today.

SUE WAGNER:

In 1980, I read a book called *Battered Wives*. I could not believe what happened in the book. I had never heard of the book before. I called the Committee to Aid Abused Women (CAAW), now called the Domestic Violence Resource Center.

In the next session of the Legislature, a CAAW-referred intern named Jan Evans, who subsequently became an Assemblywoman, was there in 1981 to help me get this bill through, dealing with domestic violence and attaching a fee onto every marriage license in the State.

While we were colorful lobbyists, the most powerful lobbyist in State history was representing our opponent, wedding chapels. Jan and I asked if he could help us, which he did. He called the wedding chapels and told them they would have to get somebody else to lobby for them because he was going to help these "little ladies" get this bill through.

With his success and our success, we got the bill passed. At that time, the money was going to youth for building shelters. I knew a woman here in town who was married to a banker, president of a major bank, and when she heard about this bill, she called him. She told me she was one of these abused women, and I could not believe it. I have known a number of women in the last 40 years in an abused situation. Some have left, some have not.

This information gives the background of why and how this bill initially started. In addition to domestic violence shelters, we added sexual assault.

SENATOR RATTI:

As shown in the presentation ([Exhibit B](#)), 40 years ago, in 1981, S.B. No. 371 of the 61st Session passed both Houses by overwhelming margins, establishing a surcharge on every marriage license sold to fund domestic violence services.

That bill was supported by Senator Joseph (Joe) M. Neal, Jr., who has a daughter serving in the Senate now; Senator James Hubert (Jim) Bilbray, who has a son serving in the Assembly; and Senator William John (Bill) Raggio, who had broad bipartisan support.

It has been a huge success. These funds accrue in the Account for Aid for Victims of Domestic Violence. Over the past 40 years, those grants have fostered the growth and development of domestic violence programs from 5 in 1981 to 14 in 2021.

This funding source does not cover all of the need, but it does get these organizations the base funding they need to leverage against other funding sources to bill out their services. There is no question these survivors continue to need support.

According to the 2019 Report by the Uniform Crime Reporting Program, we are still experiencing 1 domestic violence offense every 17 minutes, a protection order issuance every 37 minutes and 1 rape every 4 hours and 8 minutes. Of 2,116 rape cases, just 27.6 percent of those cleared, meaning the offender was taken into custody. That is the lowest-clearance rate of any felony reporting. The need is great, and this is still a significant issue for Nevada.

The impact is not just on the survivor but also on society as humanists. Those of you who have worked with or are in regular contact with law enforcement know that these are some of the most dangerous calls they respond to.

Nationwide, officers were shot responding to domestic violence calls more than any related fatality. In 2019, 16 percent of all murderers were intimate partners. In 2018, we had the seventh-highest rate of murders of women by men, and all but one of those were someone they knew.

In 2020, the cities of Las Vegas, North Las Vegas and Henderson alone had around 7,000 domestic violence court cases.

The numbers are astounding. We have a growing need for domestic and sexual violence services. When the bill was originally established, there was only one sexual violence organization in the State, and that organization was in Clark County.

There was a carveout created. As the bill stands 40 years later, the only revenue going to sexual violence is to Clark County. Sixteen out of 17 counties are not getting any base resource from the State for survivors of sexual violence services. The increase we are asking for is because we have left out 16 of the 17 counties when it comes to that particular part of this program.

On the resource side, marriage licenses are plateauing while the population is growing. The fee income does not change or adjust for inflation. They have not had an increase for quite some time.

The growth of domestic violence in Nevada, as shown on Slide 7, [Exhibit B](#), has been significant. Between 2012 and 2019, it rose by 21 percent. Those are just the reported cases. When it comes to domestic and sexual violence, there is significant underreporting. As an example, the purple line on the Slide 8 graph is the reported number of cases of domestic violence in our State. The orange line is the number of victims who have been served by the agencies I represent today. By that alone, there is a significant delta between the number of cases reported and the number of folks who are coming in to ask for services. It is hard to quantify need. This is the best information the domestic violence programs had for the need and the unmet need.

Every year, the National Census of Domestic Violence Services does a count. The last count was on September 10, 2020, and 14 of the programs in Nevada reported as part of this national one-day count. In our count, 501 victims were served. That number broke down to some who were in shelters and some who received nonresidential counseling, legal advocacy children's programming and hotlines.

On that same day, there were 32 unmet requests for services. The critical point is 29 of those for shelter—people who had experienced domestic violence, seeking a way out and shelter—were not accommodated. If you analyze that number for just that one day, 10,585 shelter bed nights could not be provided with our existing resources.

In 2018, we met 50 percent of those shelter requests. In 2019, it was 37 percent, and by 2020, it was 22 percent. We are making some progress, but one-fifth of survivors who show up are not accommodated. When we cannot accommodate them, these programs get creative and look for things like hotels or emergency shelters which actually cost more money. The more we do to

build that base infrastructure, the more cost-efficient we can be and the more providers we can serve. If we can deal with the crisis and get someone stable, then we have a much higher likelihood of moving that survivor onto a path of breaking the cycle. If we cannot get them stabilized, it is difficult to do.

At the same time, there has been an astounding growth in sexual violence. Between 2010 and 2019, we had a 93 percent increase. The only county eligible to benefit from the marriage license fee statute is Clark County. The other 16 counties do not receive any of this resource for sexual violence.

On the resource side, the blue bars on the Slide 13 graph are the marriage licenses sold. From 2010 to 2015, they were slowly declining. In 2016-2017, we had a bump after changes in our laws allowed LGBTQ folks to get married, so there was some pent-up demand. After that demand has worked its way through, we are starting to see it plateauing again.

You may be wondering about 2020, specifically with the pandemic and the shutdowns, and what has happened with marriage licenses. Slide 14 shows a significant dropoff in April when the economy was closed and we had stay-at-home orders in place. It has rebounded significantly. A pink line on the graph between January and February has the 2021 results almost match the 2019 results. By all accounts, we have made it through the dropoff, the pent-up demand and are leveling back out to normal rates of people applying for marriage licenses.

As referenced earlier, we are losing purchasing power. Every day the rate does not go up but there is inflation, that dollar does not stretch as far. Between 2010 and 2020, cost of living increased by 18.4 percent, but the rate going to domestic violence shelters stayed the same. They have not had a raise in funding for 11 years.

Senate Bill 177 is our response to that. With the fortieth anniversary, we are building off of the good work done by people like Sue Wagner and Jan Evans to make the case again that we need a significant increase. We do not need just a modest increase to make up for inflation. We need just a little bump to help with some unmet need. We have to deal with inflation, unmet need and the fact that 16 of the 17 counties do not have access to sexual violence services.

Slide 16 shows if we increase the surcharge by \$25—not doubling the overall fee, just the portion that goes to domestic and sexual violence—we would raise the current amount of money from \$2.6 million to \$5.2 million. Of that money, 75 percent would go to domestic violence services, allowing an increase that would make up for some of that lost purchasing power due to inflation, and the ability to impact some of the unmet need; 25 percent would go to sexual violence services across the State.

I want to emphasize here that in our current state, the grants for this year total only \$245,000 for sexual violence in comparison with that statistic of the 93 percent increase in sexual violence over the same period.

Slide 17 gives the current marriage license fees by county. Eleven counties still have it at \$60; one county, \$65; three counties, \$75; one county, \$77; and one county, \$80.

In the 2015 Session, S.B. No. 395 of the 78th Session authorized Clark County to add \$14 to the marriage license fee, specifically for wedding tourism. The fee was increased, but none of that money went to domestic or sexual violence services. The hope was that marriage tourism would increase the number of folks getting married, making a subsequent bump in the amount of money going to the shelters and programs. I am not dismissing the good work done by Clark County, but it is not resulting in an increase in resources for domestic or sexual violence in Nevada.

Senate Bill 177 is relatively simple. Crystal Minor, who is a domestic violence survivor, will explain why these services are so important.

CRYSTAL MINOR:

I am a licensed social worker in Nevada, but 20 years ago, I was not. I had little education and three toddlers when I left my abuser.

The services I received from advocates tremendously impacted my life. It taught me how to go from being a victim to a survivor, to being a good mother. It taught me how to get confidence back in myself to where I am today. Without those services, I cannot even imagine where I or my children would be. I learned that I was worth more than being treated less than a dog. The parenting classes helped tremendously. I had support from the agencies, giving me confidence to move forward, better myself and break that cycle of abuse.

Like most victims, I come from a pattern of abuse from childhood. Up until the time I had the courage to finally leave my abuser and go through the agency, I believed that I deserved that abuse. I did not know how to break that cycle, and they taught me how to do that. I am grateful for those agencies and do not know what I would have done without them.

SENATOR RATTI:

Many subject matter experts are here to answer questions. It is a privilege to be here and represent survivors across the State and their needs.

SENATOR HANSEN:

Everyone should support the program. The question in my mind is the funding mechanism. When this process was started back in the 1980s, to tax people getting married may have seemed appropriate, but as your chart suggests, a whole lot of violence is going on with people who have not gotten married.

It sounds like people getting married are the ones expected to fund 100 percent of this program. Should this be turned over to the General Fund to be funded under that type of program rather than singling out one industry? I might add that your chart shows a substantial decline as our population has expanded. Why are we continuing to single out the wedding industry when the problem obviously goes way beyond marriage?

SENATOR RATTI:

Forty years of history and multiple efforts to find some General Fund or another funding source for these programs have not been successful. I would be thrilled to work with the members of this Committee to identify a different funding source, if we could get the support to make that happen.

SENATOR HANSEN:

I would also say we have a majority female Legislature for the first time in Nevada history. I would think there would be strong support for some sort of funding mechanism. I would support it.

There is a need, and it is a great program that helps people who really need it, but it just seems wrong to single out an industry already on the ropes to a certain extent and then add an additional fee on top of that.



We should be encouraging people to get married. Your statistics show this constant expansion of sexual violence at the same time as this downward trend on the marriage curve. Some relationships there should be explored.

SENATOR PICKARD:

Senator Hansen just asked my second question. My first question is why the \$25 increase? Why double the number? Was that suggested to be enough to adequately fund the program? Or was this just a number picked because we could not go higher than that? How did we come to \$25?

SENATOR RATTI:

No, it does not come anywhere close to funding the need. Given the 16 counties that have zero sexual violence dollars, there is only \$254,000 of the entire \$2.6 million going to sexual violence. If we bring all 16 counties along, make up for the inflationary costs lost over the last 11 years and get a little bump for everybody, that is how we end up at \$25. I have a detailed spreadsheet for you to look at. If you add sexual violence to the numbers, you have to cut domestic violence or leave out those 16 counties.

SENATOR PICKARD:

That makes sense. I share the thought that we seem to be targeting a diminishing source. Now would be an excellent time to establish a permanent funding source to adequately fund this program.

I have a fair amount of experience with this kind of violence in my practice. Probably 20 percent of my cases involve violence in one form or another.

I have regularly supported just about everything Liz Ortenburger does. SafeNest is a great program. I would like to see it triple in size, having no limitations, but understand the education piece, deal with the sources and problems, particularly when it comes to kids exposed to violence with the resources they need.

I hate to think we are hurting an industry we should be supporting. As Senator Hansen suggests, there is a correlation between sexual violence and lack of marriage because there does not seem to be that focus on commitment.

If there is an opportunity to amend this bill to add a permanent funding source and not place this on the backs of one industry that has little to do with the violence problem, I would support that all day long.

SENATOR RATTI:

I sit on the Finance Committee. If talking about shifting the General Fund from some other critical program, be it from K-12 funding or from services for people with disabilities, behavioral health or low-income families on Medicaid, we are in the process of cutting all of those programs. There is not an opportunity to shed existing General Fund.

I am happy the Committee members are sharing ideas to find a permanent funding source for domestic and sexual violence. If we can get the magic two-thirds number, a majority or unanimous decision to dig in and find a new revenue source that will stabilize and support these programs, I am all in.

In the absence of a recommendation for another funding source, the marriage license fee has been foundational for these programs for the last 40 years, and it is eroding before our very eyes. We are to blame because the Legislature has neither raised the fee in 11 years nor pulled in the other sexual violence programs since 1981. All ideas are welcome and suggestions for revenue sources toward that bipartisan collaborative vote, I am in.

CHAIR SCHEIBLE:

Members of this Committee who have any kind of critical data to suggest that marriage is less likely to result in domestic violence and the decline in the marriage rate is not contributing to increase in domestic violence, please provide that information to the Committee. That would be important for all of us to know if such a relationship does exist.

SENATOR HARRIS:

Is there any data that suggests raising this fee would lead to a decline in marriages?

SENATOR RATTI:

You and I share an interest in behavioral economics to some degree. I do not have a study that shows the magic number that a marriage license fee is the determining factor whether someone gets married.

If you do the research and show what an average marriage costs, even with a low-end wedding, versus the fee we are talking about, a \$100 marriage license fee is not the deciding factor whether someone gets married. If talking about the tourism marriage economy, people have to travel to Las Vegas. The price of

gas is more of a deciding factor along with the price of rooms when they arrive in Nevada.

There are multiple things about a wedding where folks are investing more—the dress, the flowers. Another \$25 on a marriage license fee is not going to be the decision-making factor from a behavioral economic standpoint about whether to get married.

SENATOR SETTELMAYER:

The question is where to get more money. I have always struggled with this idea that it creates a nexus. It makes you think there is a relationship between marriage and violence. That discussion is not proper. Maybe we could look at a different funding source. What about divorce? It is problematic to think about a nexus with that. What if we did something in that realm or consider a fund generated by individuals who are convicted of domestic violence?

SENATOR RATTI:

A fine on the person who has committed domestic violence, gets us into criminal statutes, restitution and other victim structures where that money is more about going directly to the victim if there has been serious harm. I am the least qualified criminal justice person. Perhaps others on the Committee would back me up on a whole different structure of the perpetrator generating sustainable money as the foundation.

There are other funds these programs receive, such as the Victims of Crime Act, and a portion of federal funds, but they all require a 20 percent match that cannot come from federal funds. Without this base funding, they cannot get additional funding to round out their services. Base funding is critically important. To the question of other funding sources, I need my colleagues to suggest something they would be willing to vote for that would get close to replacing the current \$2.6 million and ask for \$5 million.

I get the discomfort but an uncomfortable conversation is looking the victim in the eye and saying, "We do not have a bed tonight." A far more uncomfortable conversation is holding a woman's hand while she is having a rape kit examination and not having adequate services to provide support for the next two to three weeks while she is in crisis. The uncomfortable conversation for me is having victims who want to be survivors, yet we are unable to provide

support because we cannot raise this revenue. I have not come across another idea with votes to get across the finish line.

Marriage license fees have history, predictability and create that base for this program.

SENATOR SETTELMAYER:

I find it disturbing that we have not made it a priority to take care of these victims during crisis. In that respect, I would be glad to look at some of the numbers involved and sources, including a \$25 fee assessment on divorces and what that would generate. We have more divorces in Nevada than marriages. I need to find the numbers to figure out how to create these types of funds.

SENATOR OHRENSCHALL:

Thank you Senator Ratti and Ms. Wagner for bringing the bill; we know your long history of fighting on this issue. My question is for the advocates. With the pandemic and much of our tourism industry shut down, are you finding that domestic violence instances have gone up?

LIZ ORTENBURGER (SafeNest):

We serve 25,000 clients per year with domestic violence. The pandemic has been an interesting time to navigate. We initially saw a huge spike in calls on the hotline at about 150 percent of our regular capacity. Then that filtered into shelter. Shelter started to run at 150 percent to 200 percent of regular capacity, and now we are seeing that need within our court advocacy, counseling programs and correlating our batterers' treatment program that lacks space.

The pandemic has absolutely been a factor. There were large gaps in service before the pandemic. The need for funding is clear.

SENATOR RATTI:

That is one end of the spectrum from the largest provider and the largest county. Perhaps Ms. Lee could talk about what she is experiencing.

LISA LEE (Executive Director, Advocates to End Domestic Violence):

I have submitted written testimony ([Exhibit C](#)). Because of our central location, we end up sheltering a lot of people from surrounding rural counties. There just are not services out there. Last year, our shelter serviced 51 percent of shelter clients coming from other shelters.

Based on lack of funding, Lyon County has lost their program altogether. There has not been the ability to rebuild it. Our shelter has been taking on Lyon County clients.

Throughout the State, every rural county is stressed trying to come up with resources just to keep their shelter doors open.

When you look at Las Vegas versus Washoe County, there is a lot more population, with more opportunities to raise funds.

When talking about rural counties, we really do not have those same opportunities or resources. Each one of those counties gets roughly \$23,000 as base funding and that builds, according to population. Most programs run shelter and crisis lines on little money. The raise in resource funding would definitely help us.

It is not just domestic violence. It is also sexual assault where only a few advocates in the State offer sexual assault assistance. Doing that in every county is imperative because there is nothing worse than being in a small county and driving for many hours to get any type of help. This funding would ensure support in every single county to take a victim through the exam, the police report and testifying.

As for Covid-19, we have all seen it throughout the State. People are terrified of having to go into shelter. They would do anything rather than take a chance of going into the shelter and being exposed to other people.

Our court advocates have worked hard to keep people in their homes and protected by restraining orders.

SUSAN MEUSCHKE (Nevada Coalition to End Domestic and Sexual Violence):  
In response to Senator Ohrenschall's question, it has been a rollercoaster in terms of the number of folks calling and coming into shelter. Victims are being forced to stay at home with their abusers. They may not have been able to make a phone call to let anyone know they needed help, leave home in order to go to shelter or get any kind of services.

I have submitted written testimony ([Exhibit D](#)). We saw increases in people coming into programs last year, particularly in hotline calls. We saw increases across the board in shelter deadlines.

We are most concerned about how many people were unable to access services and what is going to happen when we do open up. Seeing the hotline calls and shelter mail, counseling and other kinds of services will be overwhelmed because victims of violence will be looking for a way out, and we want to provide it. I am not sure we have the resources to respond to all of the people who need services.

MS. ORTENBURGER:

Thanks to Crystal Minor for sharing her story. Whenever a survivor steps forward, that is a profile in courage.

SafeNest works with victims, abusers and children affected by the epidemic. We have a survivor's success story, letters of support as well as an overview of Project Safe 417 ([Exhibit E](#)), our partnership with the Las Vegas Metropolitan Police Department (LVMPD).

Senate Bill 177 is not about our size or successes; S.B. 177 is about the victims we could not help because of the resource restrictions. It is about 504 victims and children not admitted to shelter in fiscal year (FY) 2019-2020 before Covid-19 because their violence did not score high enough on a validity index. Victims like Martha did not meet the qualification. Beaten in front of her three children by her husband, Martha's abuse did not include a weapon or strangulation and happened more than three weeks before her call when we were already operating at 120 percent.

Senate Bill 177 is about the 500 calls each year that roll to our answering service because our crisis advocates are already busy on calls. While victims leave a safe callback number, 20 percent cannot be reached.

Victims are like Ashley who called and shared with us that she had been strangled. We tried to call her back on the safe-to-call number but were unable to reach her. Victims who have strangulation as part of their domestic violence are 750 percent more likely to be victims of homicide.

Most importantly, S.B. 177 is about ending the epidemic of domestic violence. Of those children who grow up in domestic violence households, 76 percent will repeat the cycle as victim or as batterer.

Senate Bill 177 increases the dollars available for prevention work. For an additional \$25, you can be part of ending the epidemic of generational domestic violence by housing victims like Martha and her three children, and answering the phone the first time a victim of strangulation calls.

MS. LEE:

Last year, 51 percent of our bed nights were from victims and their children from counties other than Carson City. The majority of those victims were from rural counties and had no place else to turn. They did not want to leave their communities, but the lack of bed space made it necessary.

The increase in the marriage license fee is needed to ensure that rural counties have the resources necessary to meet the needs in our community.

Most rural counties are not in a financial position to use these additional funds, or innovate their services as much as they would like to. Funds are needed to keep the shelter doors open and the crisis lines operating. A recent result of a lack of funding was the closure of the only domestic violence program in Lyon County. Victims from Lyon County now must rely upon surrounding rural counties for crisis intervention and resources. They are not allowed to stay in their own county for the services they need. Rural counties throughout Nevada have struggled to meet the financial costs of operating services for victims.

Not only are these funds needed to ensure domestic violence services are available, but for the first time funds will provide crisis intervention for sexual assault victims throughout Nevada. These funds will ensure victims have an advocate needed during the entire process they go through after an assault.

Marriage license fees provide the foundation for our funding. If we are continuing to meet the needs of victims in this State as we grow, we need an increase in this big foundation of our resources.

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DENISE YOXSIMER (Executive Director, Domestic Violence Resource Center):

I am one of two staff members from the Domestic Violence Resource Center who is providing testimony today. I have submitted written testimony ([Exhibit F](#)).

Our organization, along with organizations within Clark County and rural counties, has experienced a significant increase in the need for services during the pandemic. As outlined by others, the needs even beyond the pandemic are significant as we are struggling to meet the needs of people within our community. Last year, we provided services to more than 10,000 contacts from individuals in our community and received more than 7,000 volunteer hours to help us provide those services.

With nine full-time staff members, we are hard-pressed to meet the needs of all individuals who seek our services. The individuals we are not able to serve are those we have the greatest concern about.

Ms. MEUSCHKE:

You have heard from the experts who understand the issues and needs.

It is my privilege to work with programs across the State to develop programming, resources and funding. I am excited to hear people are willing to dig in and figure out other kinds of funding sources to make sure that resources are available for survivors of both domestic and sexual violence all over the State.

We promise to be your partner in doing that and ask for your support of Senate Bill 177. It is critical.

ERIC SPRATLEY (Nevada Sheriffs' and Chiefs' Association):

I am here in support of S.B. 177 for the survivors of domestic and sexual violence across Nevada.

WARREN HARDY (Councilwoman Sandra Ramaker, City of Mesquite):

Though the Mesquite City Council has not had an opportunity yet to vote on this and endorse it as a piece of Legislation, I was asked by Councilwoman Sandra Ramaker to call and express her support for this legislation. She looks forward to continuing to work on this important piece of legislation.



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JOHN JONES (Nevada District Attorneys Association):

This bill helps fill a critical need for victim services throughout the State. Whether it is marriage fees or another funding stream, victims receive these services as essential public policy. We are in support of Senate Bill 177.

CHUCK CALLOWAY (Las Vegas Metropolitan Police Department):

I want the record to reflect that we are in support of this legislation.

KRISTY ORIOL (Grants Manager, Sierra Community House):

We are in full support of S.B. 177, and I have submitted written testimony on behalf of Paul Bancroft ([Exhibit G](#)).

Our organization is a result of a July 1, 2019, consolidation of the Tahoe Safe Alliance, Project MANA, North Tahoe Family Resource Center and Family Resource Center of Truckee. Our mission is to connect and empower our communities with family strengthening, crisis intervention, hunger relief and legal services.

In FY 2019-2020, 644 members of our community accessed domestic violence, sexual violence, child abuse and prevention services from our organization. This was a difficult year. The need for services at Sierra Community House increased to a degree previously unfathomable. We experienced a 200 percent increase in our helpline calls, averaging 150 calls per month and over a 1,000 percent increase in requests for rental support. The shelter-in-place order impacted victims of violence in a unique and dangerous way. We are beginning to see the impact these necessary orders had on victims and their children.

Funding for shelter and support services is more important than ever. The Covid-19 pandemic exacerbated an already challenging housing market in our region. Even prior to Covid-19, housing was difficult to obtain here. With people relocating from the Bay Area and many other places, there are no houses to purchase, which has also impacted our rentals.

Crisis intensively impacts our most vulnerable community members, forcing many to move out of the area. Our organization canceled its two-largest fundraisers, losing critical general fund dollars supporting administrative and direct services work.

Marriage license funds provide lifesaving service to Nevada community members experiencing domestic and sexual violence. Funding for shelter services is more important than ever as the demand for services increase. Additionally, federal funds for victims of crime will decrease in coming years absent action by Congress to lift the cap on these funds. The climb will greatly impact service providers throughout the State and keep survivors sheltered in place.

Increased marriage license funds would alleviate some of this and allow shelters to remain operational. This is a full source of State funding for these services, and we believe S.B. 177 is essential. We urge your full support of S.B. 177 to send a strong message to survivors of domestic and sexual violence.

JOHN PIRO (Clark County Public Defender's Office; Washoe County Public Defender's Office):

Breaking the cycle and providing a stable funding source for survivors in need is essential; we have not done enough of that in Nevada. We often see victims sometime become victimizers, and we support breaking that cycle.

When we help a client with a case, it is our goal to never see that client in county blues again, but on to a better path in life. Providing a stable funding source to get survivors treatment is essential to helping break that cycle of offense.

MALENA RAYMOND (Domestic Violence Resource Center):

The proposed increase for the marriage license fee would provide critical support to our organization and many others across the State.

Since the last increase to the fee in 2009, we have seen significant growth and demand for domestic violence services in Washoe County. Unfortunately, we have recently seen a decline in the amount of marriage license funding available and severe cuts this year due to Covid-19. Marriage license funding allows the Domestic Violence Resource Center to fulfill our mission to rebuild safe and hopeful futures for victims of family violence.

An increase to this funding would sustain the essential services we provide, such as emergency shelter, free bilingual counseling, a 24-hour hotline, transitional housing, temporary protection order assistance and financial literacy coaching. This funding is crucial not only for its support of our services but because it serves as a match mandated by many of our federal grants.

Additionally, the Domestic Violence Resource Center depends on the flexibility of the marriage license funding. Like federal dollars, we can use these precious funds to support the administrative and operational expenses that keep our lights on and our doors open on a daily basis.

On behalf of the clients, staff and board of directors of the Domestic Violence Resource Center, I encourage you to support S.B. 177.

MARIANNE MCKOWN (Executive Director, Committee against Domestic Violence):  
I have submitted a written letter ([Exhibit H](#)), and wanted to highlight a few things about why S.B. 177 is important, especially to the rural counties.

Committee against Domestic Violence, also known as Harbor House, has served the Elko County community for more than four decades. We are the only domestic violence shelter for Elko, Eureka and White Pine Counties that have a geographical expanse about the same size as South Carolina. Our seven staff members cover all three counties, 24 hours a day, 7 days a week.

If it was not for the marriage license funds we receive from the State, I do not think we would be able to provide these services. We are what is known as a dual agency. We help domestic violence victims and sexual violence victims.

In FY 2019-2020 the Committee Against Domestic Violence saw an increase of 7 percent for first-time domestic violence victims when compared with FY 2018-2019. We have also seen an increase in sexual violence victims.

This money would definitely help us. I have listened in on hearings in the rurals. People who get a marriage license and pay a fee are usually pleasantly surprised when I tell them the money goes toward a service in helping victims of violent crime, expressing that they like it is a fee, not from tax dollars as far as the rural county is concerned.

MARIA-TERESA LIEBERMANN-PARRAGA (Battle Born Progress):  
We are in full support of S.B. 177. Domestic violence survivors risk everything, especially their lives, when they make the decision to escape an abusive situation. Many have nothing when they escape, and the least we can do is provide services that help these survivors escape, survive and thrive. We need to get to a place where those needing to survive will not be turned away due to a lack of beds or resources.

KENDRA BERTSCHY (Washoe County Public Defender's Office):

At several Legislative Sessions now, we have discussed the need to enhance and increase services for victims. To combat the issues with our criminal justice system and to succeed in criminal justice reform, we need to start funding those services.

As Mr. Piro indicated, unfortunately, it is all too common for our clients to have suffered at the hands of an abuser themselves before then becoming involved in the criminal justice system as one of our clients.

MARIE WAKEFIELD:

I speak in favor of S.B. 177. I want to come from a little different perspective. I am a member of the Las Vegas Alumni Chapter of Delta Sigma Theta Sorority, Inc. I am the chair of the domestic violence task force that provides a program called S.T.O.M.P., which means Standing Together Opposing Misuse of Power. We lost a sorority sister to domestic violence, and this devastating atrocity has been our driving force for this program.

Over the last nine years, we have reached out to the community to provide education, awareness and community resources for victims, survivors and advocates. We use the expertise of our community to share information about the types of abuse, signs and systems, reporting, self-care, ways to keep yourself safe, prevention strategies and the services of our community agencies. We have adopted one of these domestic violence shelters through giving it educational supplies, items families can use as they transition, and even computers used for counseling. The pandemic has not stopped us as we are presenting information through virtual webinars.

As a community service organization, we always keep the statistics in front of us. Nevada ranks fifth in the Nation for domestic violence fatalities. We used to be No. 1 in the Nation for five consecutive years. When we say whether we are fourth, fifth or third, it could be the difference of ten fatalities, but this is our community disease.

There are statistics about the fact that 43.8 percent of Nevada women and 32.8 percent of Nevada men experience domestic violence in a lifetime. We look at children. Children from homes of violence are more likely to experience significant psychological problems. Domestic violence in childhood is directly

correlated with difficulties learning, lower IQ scores, deficiencies in visual motor skills and problems with attention and memory.

As an organization, we strongly support this bill. This action can be the catalyst for change in our communities to establish a sustainable funding source that we so badly need to increase safety, independence, medical care, economic assistance and other practical needs.

MARLENE LOCKARD (Nevada Women's Lobby):

We are in support of S.B. 177 which will increase the marriage license fee to continue providing funds for survivors of domestic violence and sexual assault.

I extend a thank you to former Lieutenant Governor Sue Wagner, who had the foresight to establish an assessment on the marriage license fees to fund domestic violence services in Nevada. Forty years later, Sue Wagner's vision has had a profound impact on the lives of thousands of individuals by obtaining the critical help and services needed to assist them through a difficult period in their lives.

You have heard the statistics. The need for this increased funding has been established. We need your support to continue to provide essential services to an ever-growing population.

KIMBERLY FERGUS:

I am in support of this bill. It is a no-brainer. It does not make marriage licenses look bad. Please support S.B. 177.

COREY SOLFERINO (Washoe County Sherriff's Office):

I thank Senator Ratti and the other bill sponsors and stakeholders for their tireless efforts in carefully crafting this legislation. We encourage your support of S.B. 177.

LYNN GOYA (Clerk, Clark County):

In Clark County, the clerks oversee the Marriage License Bureau. In 2019, of the \$3 million raised by the State to fund domestic violence prevention programs, \$2.6 million came from the Bureau. The remaining balance came from the other 16 counties, primarily from Washoe County. Two counties are the ones funding these programs.

Clark County works closely with the wedding industry and collaborates with various stakeholders to revive an industry in decline for almost 20 years.

Many couples who come to Nevada count their pennies. We have had couples come to the counter paying in quarters and nickels. This new cost for marriage licenses might exceed the cost they pay for their ceremonies.

Marriages have been declining steadily since 2001, when 123,926 licenses were issued in Clark County. In 2019, Clark County issued 73,143 marriage licenses. This represents a 41 percent decline over the last 18 years that affects domestic violence prevention funds.

Wedding tourism generates about \$2 billion in economic activity in southern Nevada each year, supporting 18,000 jobs and hundreds of small businesses. In addition, it provides significant revenues for resort properties. Wedding couples and their guests represent approximately 1.7 million visitors each year. On average, each wedding generates approximately \$27,000 of economic activity throughout the community. Every wedding we lose hurts all of those individuals who rely on this industry to put food on their tables. We have been working diligently to reverse the 20-year decline in wedding tourism, and an increase in fee would certainly suppress demand and kill the golden goose that so many lives depend upon.

According to Jeremy Aguero of Applied Analysis, "the critical element for S.B. 177 is what share of the 1.7 million visitors would no longer come to Clark County because of the increased fee." It would not be all of them; however, it would almost certainly be some of them.

We would like to work closely with your Committee to find an alternative source of income. As weddings decline, domestic violence prevention fees also decline. We would like to find an alternative source to make sure critical funding for domestic violence prevention programs remain stable.

This may be the stake in the heart of the wedding industry that threatens the stability of funding over the long term. The wedding industry would support this bill with an amendment on the funding source. Now is the time to seek a secondary source for funding that could include a \$1 or \$2 fee on the Department of Motor Vehicles (DMV), which would generate over twice the income as wedding tourism. We oppose S.B. 177.

MARIA ROMANO (Las Vegas Wedding Chamber of Commerce):

I am founder of a small business in Las Vegas called True Love Knots, and I also represent the Las Vegas Wedding Chamber of Commerce. I have submitted written testimony ([Exhibit I](#)).

We submit our opposition to S.B. 177 before your Committee with regard to an increase in the marriage license fee. We are not in any way opposed to additional State funding to help individuals who would be assisted by the passage of this legislation. However, the increase in fees would have a significant adverse impact upon the wedding industry.

We have supported previous increases in marriage license fees to help fund this worthy cause. At this time, an increase may not provide the revenue projected. The industry has been on a steady decline for over 20 years. We experienced a 23 percent decrease last year due to Covid-19. Since weddings are not the only existing source of State funding for domestic violence prevention programs, a continued decline in the wedding industry would result in a decline for domestic violence prevention funds.

Diversifying funding sources would stabilize funding for these critical services. This price increase in wedding licenses would garner national and international press. We are still known as the Wedding Capital of the World. The Wedding Chamber of Commerce has been working diligently with Clark County to reverse the trends of the decline in business. We see a potential turnaround in 2021, but this price increase might further delay the recovery. Preserving and rebuilding our industry is the best way to ensure that wedding licenses continue to be a significant source of revenue for domestic violence prevention programs. If we can double our weddings, we will double funding for domestic violence prevention while providing income to thousands of constituents who depend upon weddings for a living.

The wedding industry has been devastated by the economic impact of Covid-19. Many businesses and chapels have closed their doors. Governor Steve Sisolak also had our business closed for well over three months. Please consider finding other sources of funding for this bill and not increase the marriage license fee.

DONNE KERESTIC (Chapel of Flowers; Tropicana Hotel Weddings):

I am in opposition of the funding source for S.B. 177. There were comments made that \$25 is not a big deal to someone getting married, but it has had an impact on our business. For example, weddings flattened out in Clark County from 2013 to 2016 until the resorts started charging \$15-a-day parking fees. There is a direct correlation to drive-in State weddings declining from 2017 to 2019 from California, Arizona and Utah.

Money does matter to some couples. A good amount of weddings cost less than \$200. It is not always a big celebration. A lot of times it is an intimate celebration or for legal reasons to get medical healthcare and other benefits. There are other funding sources to tap into.

One of the biggest problems we see is the correlation between domestic violence, unemployment and substance abuse.

If we proposed and submitted a one-half a penny per ounce alcohol tax, Nevada alone would generate \$51 million per year toward this cause. Resorts charge \$20 for a drink, so \$.06 cents for a beer is well worth fighting for to help victims of abuse.

Senate Bill 177 only guarantees another 40 years of underserving the people who truly need it—\$5 million is not enough to solve this problem. We need to help all victims, not just some.

Over two-thirds of these marriages are of people who do not live in Nevada. When couples get married here, they look at overall costs including transportation, food and lodging. This issue needs to be taken into consideration. We will price ourselves out of the market. This puts Nevada among the highest marriage license fees in the Country. People do take that into consideration.

CLIFF EVARTS (Founder/CEO, Vegas Weddings):

I agree with comments by Senator Hansen and Senator Pickard. We do not have any disagreement with obvious needs to combat domestic abuse. We do not understand why this small wedding industry has been burdened with the sole responsibility to support 100 percent of the dedicated funds for this critical issue.



Certainly under a worst-case scenario, there is no cause and effect from getting married and domestic abuse. We see that a small tax on alcohol sales would be far more appropriate and would raise far more funds for domestic abuse.

The wedding industry is barely surviving; in ten years, there will not be a wedding industry. What we do not need is nationwide publicity that Nevada has the highest marriage license fees in the Nation.

BRITTANY WOODWORTH (Marriage Officiant):

I oppose this bill for a couple of reasons. It is not that I oppose domestic violence funding, as I am a survivor of domestic violence and sexual assault. My perpetrator is a registered sexual offender.

I agree with everything Mr. Evarts said. Everything is now being put on the backs of the marriage industry. I am in opposition of S.B. 177. You report the increase is \$25, which I support for victims of violence, but you need to find another source of funding.

We are trying to come up out of the trenches from being shut down for so long. Please find another funding source, not the wedding industry. We do want help with domestic violence prevention, but not on the backs of others. Nevada will have the highest marriage licenses in the Country.

SENATOR RATTI:

I am not without sympathy for the folks who are working in the wedding industry, understanding we are at the tail end of the pandemic and what has been a difficult year. We did start working on this bill long before March of last year because the need was steep, and we were preparing for this Legislative Session.

I am sympathetic to the industry in terms of the pandemic. We should have a conversation about the implementation date and when the bill would be effective, giving space between the tail end of the pandemic.

I also understand no fee is the best fee. In Nevada where we have no income tax and our property tax has had a lot of governors on it, the way we fund critical services is through fees on activity. All of the fees suggested are in place now and funding something else.

When you go to register your car at the DMV, the Governmental Services Tax funds a lot of critical programs, including our General Fund and road building. Other suggestions include a tax on drinks. We already put significant taxes on drinks, and those go to our General Fund and some of our substance abuse and substance treatment prevention programs.

We can go down the list of what should be taxed with increased fees, but people have been creative over the course of more than 40 years, putting fees on just about everything we can put a fee on.

I got information during the hearing that we have put a fee on divorces. That fee goes to the Office of the Attorney General and generates only about \$60,000 to \$70,000. The good news is less people are getting divorced than getting married, so that is a highlight to close with. While there was a wonderful time in history where we did have a divorce tourism industry, we do not anymore. The number is somewhere around 80 percent of the marriage licenses in Nevada are sold to people who do not live in our State. We do have a significant marriage tourism industry.

I wish that many programs we fund in Nevada were not dependent on some other person footing the bill. Everything we do is dependent on some other person footing the bill, and this has been a tried and true source of funding for domestic and sexual violence for 40 years. I am open to finding something else if we can come to some consensus to get to a place of implementing something new, but the challenge is it has to be stable, steady and meet the need.

I am grateful to Sue Wagner for reminding us of the history and hope I pass one bill in my time in the Legislature that will have the kind of legacy that her bill has had for domestic violence survivors. With that, I urge you to take a hard look at the need and the options and vote yes on S.B. 177.

CHAIR SCHEIBLE:

The hearing on S.B. 177 is officially closed. That leads us to our hearing on Senate Bill 108. We are joined by members of the Nevada Youth Legislature, and I will turn it over to them.

**SENATE BILL 108**: Establishes provisions relating to the administration of justice. (BDR 14-549)

MELEKTE HAILEMESKEL (Nevada Youth Legislature, Senate District 9):

I serve as the Chair of the Nevada Youth Legislature (NYL). With me today is Youth Legislator Julianna Melendez, representing Senate District 10. She first proposed the juvenile justice measure which we selected as our bill to be introduced in the Eighty-first Session of the Nevada Legislature. I am appearing before you primarily to share some background information about how the NYL selected this measure as its one statutory provided bill.

Before I explain the history of the NYL-proposed bill, I would like to share my own personal history with discrimination and the fear it has created in my life.

I was born in Ethiopia and came to America when I was two years old. I am the proud child of two hard-working immigrant parents who immigrated halfway across the world to ensure a better life. Unfortunately, they were unaware that the dream of a better life America sold came with a package deal of systemic oppression.

The first memory I have of being exposed to society's true colors was after the death of Trevon Martin. It was just two days after my ninth birthday when I noticed my moms' eyes were bloodshot red and "Niagara Falls was rolling down her cheeks." She pointed at our television and explained to me that an innocent 17-year-old African American was murdered.

From that day on, I began to see the world for what it truly was. My heart filled with fear every time my father stepped outside the house. I transitioned to fearing the police rather than feeling protected by them.

Being in a position to obtain justice for anyone who has lost a life due to police brutality and preventing younger generations from fearing the police has steered me toward law. I seized the opportunity to become a Nevada Youth Legislator. This bill gives youth an opportunity to live life without the fear of being victimized due to implicit bias.

Senate Bill 108 is significant because it requires any criminal justice employee to complete implicit bias and cultural competency training, which is highly crucial in a world where systemic racism is normalized and bias is inevitable. Any action that can be taken to reduce implicit bias and work toward a more-educated group of employees will overall reduce the fear and stigma associated with the juvenile justice system.

The bill that NYL chose is one we are confident will improve the quality of life for the youth of Nevada. I will describe our intentions with the measure, the benefits it will deliver and how we as the NYL chose S.B. 108 for introduction.

On September 2, 2020, all 18 Youth Legislators participated in a comprehensive midterm training on bill draft request (BDR) development. We learned about legislative language, fiscal impacts, advocacy and much more. Prior to our next meeting and training, all 18 Youth Legislators submitted their individual ideas for the NYL's one statutorily provided bill.

During the October 13, 2020, meeting, each Youth Legislator presented a proposal and answered questions posed by NYL colleagues. We started with 18 measures, narrowing our choices down to 7. Of the top two BDRs for further consideration, one focused on mental health screenings for school-aged children, and the other addressed discriminatory inequalities in the juvenile justice system.

By the time we came together for our November 19, 2020, meeting, Youth Legislators were eager to learn more about those two remaining BDRs during full legislative hearings with five expert witnesses for each measure. After comprehensive testimonies and careful questioning with these women, the NYL selected the juvenile justice BDR proposed by Youth Legislator Melendez.

In January, the NYL met to refine the bill. During our meeting, we worked with the Legal Division to clarify questions or concerns and fine-tune the language.

Senate Bill 108 was introduced in the Senate on February 9. Since the introduction of S.B. 108, we have heard from several interested parties who offered suggestions for refining the language of the bill. The NYL has not had the opportunity to discuss or vote on anything beyond what is included in Senate Bill 108.

Neither Youth Legislator Melendez nor I may take a position on behalf of the NYL on any proposed changes. We can provide Committee members with the perspective of how the NYL discussed and proposed S.B. 108. This includes the ideas and concerns that Youth Legislators shared during decision-making and language development of this bill. Youth Legislator Melendez and I can answer any questions and share input as individual Youth Legislators.

It is now with privilege that I introduce Youth Legislator Melendez to help you better understand the need for S.B. 108 and why this NYL-proposed legislative measure powerfully addresses our concerns about discriminatory inequities in the juvenile justice system.

JULIANNA MELENDEZ (Nevada Youth Legislature, Senate District 10):  
I appear before you today as the original sponsor of the BDR selected by the Nevada Youth Legislature as legislative measure S.B. 108.

We are here because we care about the future of Nevada. Whether we have children, grandchildren, nieces and nephews or are youth ourselves, we have a personal responsibility to protect those who will continue our legacy.

To fully carry out this duty of protection, we cannot ignore the fact that minority youth are among the most vulnerable within our community, and this vulnerability leaves it open to discrimination based solely upon race.

This is prevalent within our juvenile justice system. Nevada had the sixth-highest rate of student arrests in the Nation during the 2015 school year, and within the last three years, Black youth accounted for 43 percent of police referrals while only making up 17 percent of the student body.

In Clark County, Black and Brown youths make up 76 percent of all juveniles referred to the district attorney's office.

The two major components of S.B. 108 that seek to address these alarming statistics are the mandatory racial and cultural competency trainings for all workers in the criminal justice system who come into contact with juveniles, as well as the requirement for an affidavit to be signed by anyone who files a court decision against a juvenile, certifying the petition was not filed due to any type of discrimination.

I understand the State budget is tight at the moment due to the pandemic, which is why I offer some insight into how this bill can be implemented with as little cost as possible.

An example of cons comparable to S.B. 108 successfully implemented in Nevada is restorative justice. During the last Legislative Session, community organizations advocated and provided the framework and implementation of

restorative justice within schools. By having organizations provide the framework and work with school social workers, the restorative justice training became characteristically pro bono.

Some specific organizations that help with funding and provide free training needed for the bill's successful implementation are the National Association for the Advancement of Colored People and the American Civil Liberties Union.

A suggestion was made at one of the recent NYL meetings to collaborate with the State Bar of Nevada, that already requires attorneys to take certain training on a daily basis. By working with them, we may have the training mandated in Senate Bill 108 possibly required by the State Bar, which would help with legal costs. Grants from the federal Office of Juvenile Justice and Delinquency Prevention are also a possibility, given the necessity for the assistance of external organizations to implement the bill, should it pass. Nevada spends 2.7 times as much per prisoner as per public school student. With less students in the juvenile justice system, we can allocate these funds toward community needs such as education or costs this may create.

In today's political climate, it is urgent we address the inequality faced by migrant youth within the Nevada juvenile justice system. I have friends who have been targeted by school police and treated differently compared to my White counterparts specifically because of the color of their skin. This firsthand experience of racial discrimination against my peers, as well as the recent uproar worldwide concerning racism and ethnic disparity, inspired me to create this bill. At one of our last NYL meetings, a student shared her encounter with a Las Vegas police officer who accused her of being involved with crime.

We cannot allow instances like these to keep occurring in Nevada. By supporting S.B. 108, we may prevent thousands of our youth from ending up in a system that leave them psychologically, physically and mentally traumatized. Juvenile incarceration can also contribute to higher rates of fatal drug overdose, suicide and posttraumatic stress later on in life.

While I understand school districts and others have the best interests of students in mind, the recent deaths of George Floyd, Brianna Taylor and Rayshard Brooks clearly illustrate potential dangers of police interactions and why we need to be first to address this undercover pandemic of racial disparity in our juvenile justice system.

Let us not wait ten years to pass so we can help those whose incarceration we should have prevented. Let us take action for our youth today, not tomorrow.

SENATOR OHRENSCHALL:

I want to compliment the NYL on their excellent work along with Tina Ashdown and former Senator Valerie Wiener, a former Chair of this Judiciary Committee.

SENATOR HARRIS:

Regarding the experience among your peers, you mentioned one person in the NYL shared a story. Would you say that these are fairly common, or is it just a one-off?

Ms. HAILEMESKEL:

The person who witnessed this was my close friend. She experienced racism and discrimination. I was there with her, and the experience we had was with a police officer and a detective.

It is neither a one-off being I am only 18 years old and have already been discriminated against with my friends nor a one-off because it was not just a police officer or a detective; everyone was in that predicament with us. It was not purposeful, but even on accident, implicit bias is something most people cannot avoid.

CHAIR SCHEIBLE:

Did the Nevada District Attorneys Association, Nevada Supreme Court or the Office of the Attorney General reach out to you before the hearing about their proposed amendments? If so, are you still in conversation with them? Members would have to go to a vote of the entire Youth Legislature, and you cannot speak for everyone in the Youth Legislature, but I want to get a sense of whether you are in the process of working with those organizations.

Ms. MELENDEZ:

We have spoken to those organizations, along with Ms. Wiener and other staff, through phone calls and email. I have viewed the amendments. Though we have not been able to discuss them with the entire body of the NYL, I consider them friendly. We have never discussed referencing those amendments to be just striking out. Two of the leaders have discussed affidavits, but those amendments are new to us.

The other language proposed instead of "criminal system" would be "those who work in the juvenile justice system." That is something we had intended to have in the proposal to discuss with Nevada Legislators. We want to specifically focus on the juvenile justice system. Some of those amendments have been discussed, but the one about striking out section 2 has not because the amendments are new to us.

CHAIR SCHEIBLE:

Have you contacted or met with the agencies that submitted fiscal notes?

Ms. MELENDEZ:

I have looked through the fiscal notes being submitted, but added body from the NYL has not been discussed or reviewed with anyone who has submitted a fiscal note.

NICHOLAS SHEPACK (American Civil Liberties Union of Nevada):

We are here in support of S.B. 108 as introduced. While section 2 may need some work, we must start building accountability measures into our reform legislation.

Regardless of any conscious desire to be fair or assertion of the absence of racist intent, unconscious bias is present. Each of us has bias that impacts the way we move through our world. Whether we are students in school, police officers or staff members of the American Civil Liberties Union, it is our responsibility—particularly that of White people—to acknowledge our racist past and work to address our own biases to move toward a truly antiracist future.

A study published in July 2020, found that in the last three years, Black students accounted for more than 33 percent of police referrals in Clark County, meaning arrests or citations, while representing about 14 percent of the student body.

According to the *2019 Governor's Annual Report* on juvenile justice, completed in March of 2020, 36 percent of youth held in confinement were Black and only 24 percent were White. These numbers vary significantly from the total population of our State in which 38 percent of youth are White and only 10 percent are Black.



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The overcriminalization of Black youth damages our communities and jeopardizes the success of our children. This issue is systemic and a real one here in the State. Implicit bias training alone will not fix this problem but is a necessary part of the solution. We urge this Committee to support and pass Senate Bill 108 with the accountability measure intact.

CHRISTINE SAUNDERS (Progressive Leadership Alliance of Nevada):

I am in support of S.B. 108. It is well-documented that systemic racism is prevalent throughout the criminal justice system with the overpolicing and mass incarceration of communities with color.

According to the Vera Institute of Justice, Black people are incarcerated in state prisons at a rate of 5.1 times greater than that of White people. They explain these racial disparities in the criminal justice system are no accident but rooted in the history of oppression and discriminatory decision-making that have deliberately targeted Black people and help to create an inaccurate picture of crime that deceptively links them with criminality.

Implicit bias training is an important first step to exposing the systemic racism in the criminal justice system, and we urge you to support S.B. 108.

MR. PIRO:

Rooting out implicit bias in our criminal justice system is one of the great tasks of our lifetime. I am proud that the children are leading the way on this.

Implicit bias creeps up on you and needs to be examined in each one of us. Even if we think we do not have a bias, it is something we need to look at closely and regularly to make sure we are making decisions for the right reasons. This goes throughout the whole criminal justice system from arrests to prosecution to defense to the judges. I ask that you please pass S.B. 108 so that we can start moving forward in a more thoughtful way.

JOHN MCCORMICK (Assistant Court Administrator, Administrative Office of the Courts, Nevada Supreme Court):

I have the unenviable task of calling in opposition of S.B. 108 due to the rules in place. We have proposed an amendment ([Exhibit J](#)).

The Judicial Branch certainly appreciates the work of the NYL, and we are not opposed to the concepts of providing quality training on cultural competency and bias to judges, masters and their staffs.

Our concerns with the bill primarily revolve around separation of power in terms of subjecting the Judicial Branch to regulations to be promulgated by the Executive Branch. Primarily, we have concerns with subsection 2 in section 2, but are committed to working with sponsors and advocates in any way we can to help them move the bill forward.

JAMIE RODRIGUEZ (Washoe County):

I am in opposition of this bill. Policy wise, it is sound and something we support. I am here in opposition regarding concerns of the fiscal impact from the legislation and am happy to work with the sponsors on that.

We support the training, but to give the number of individuals this bill addresses the training needed—and having it done in six months—makes the implementation date of January 1, 2022, a concern for us. I am hoping we can work on that. There are other amendments we have mentioned, one from the Clark County District Attorney, which does help limit that. The policy is sound, but the fiscal impact to us meeting that implementation deadline is concerning. For these reasons, we are opposed to S.B. 108.

SENATOR OHRENSCHALL:

We will reach out to the Legislators and find common ground.

BRIGID DUFFY (Director, Juvenile Division, Clark County District Attorney's Office):

I am sorry that by rule or protocol, I am appearing in opposition to S.B. 108.

I had the pleasure of working and appearing at the November 2020, NYL meeting when this concept of a BDR was put forth to bring to you today. I hear and understand the voices of our youth as the most powerful. It always inspires me. That is why I cochaired the Clark County School Justice Partnership to break that school-driven pipeline, and why I sit on the Juvenile Justice Oversight Commission, the Racial and Ethnic Disparities Committee. I have submitted an amendment ([Exhibit K](#)) for consideration. I did have a chance to spend over an hour with Youth Legislator Melendez and Ms. Wiener to discuss concerns of the District Attorneys Association.

I do not think the intended bill can be met if it continues to cover the criminal justice system in section 1. I want to make it clear that we are applying it to the juvenile justice system because that is important. As part of the Juvenile Justice Oversight Commission, the Racial and Ethnic Disparities Committee had a survey done, and Chief Spratley from the Sheriffs' and Chiefs' Association helped us get it out to all law enforcement partners across the State from the largest of Las Vegas Metropolitan Police Department, Nevada Highway Patrol and Washoe County to our rural partners, finding out what training we already provide. That survey was fantastic. By peace officer training standards, there is some standard of implicit bias training and cultural competencies already happening across our State.

The Racial and Ethnic Disparities Committee noticed there is no true juvenile training for making advocators. When you ask the chiefs and sheriffs what type of training they get around juveniles, it is around juvenile law. We teach them what juvenile law is but cannot teach an adverse childhood experience or the impact trauma has on a child's decision.

I want to help build something meaningful with this amazing piece of legislation because when you look at even the percentage of racial and ethnic backgrounds and its disproportionality in the juvenile and criminal justice system, you have to look at the percentage of our children with multiple adverse childhood experiences and levels of complex trauma that apply. If we as partners, who deal with children every day, do not understand how that can impact a child's decision-making and behavior, it will not make a big impact on the system until we do.

I have had the pleasure of training and making sure all of my district attorneys are trained in implicit bias and adverse childhood experiences. It is a great training put on by the Clark County Department of Juvenile Justice Services.

In section 2, we are in complete opposition to signing an affidavit saying we did not file something in regard to racism. There are better ways to address that.

Our Nevada youths have specialized juvenile prosecutors. Other states use it as a training ground, flipping prosecutors and even public defenders. I am so proud that Nevada does not do that. My prosecutors are career prosecutors for juveniles.

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SENATOR OHRENSCHALL:

I would encourage you to keep the lines of conversation open with Youth Legislators and Ms. Wiener to find some common ground.

MS. HAILEMESKEL:

I strongly urge the Senate Committee on Judiciary to support S.B. 108, as it is an immense move forward to ensuring a brighter future for the youth in Nevada by taking steps toward protecting their rights and decreasing implicit bias in the juvenile justice system.

I sympathize with anyone who has any concerns with fiscal impacts this measure may bring. Youth Legislator Melendez and I, as well as everyone in support of this bill, are willing to work with anyone—especially with the implementation date—to decrease the fiscal impact.

VALERIE WIENER:

I am a retired Chair of the NYL Board and thank our Youth Legislators for stepping up as voices of the entire program.

We are willing to work with the parties who have voiced concerns. Our young people are extraordinarily bright, insightful and eager. The Chair has the names of Youth Legislators who have provided written testimony. This is the first time we have ever done that, and I thought she could name the Youth Legislators who have taken the time to provide written testimony for the Senate Judiciary Committee record as a first step in their experience in this process of a committee hearing.

CHAIR SCHEIBLE:

I am looking at the exhibits for this meeting right now so that everyone can follow along. The written testimony by Youth Legislators ([Exhibit L](#)) is among them.

MS. HAILEMESKEL:

The Youth Legislators participating as observers online who have provided testimony are Youth Legislator Sahi Chundu, Senate District 3; Youth Legislator Romana Duoran, Senate District 13; Youth Legislator Adele Espinosa de los Monteros, Senate District 14; Youth Legislator Alexander Wong, Senate District 8; and District Youth Advisory Councilmember Lauren Wong, Senate District 8.

CHAIR SCHEIBLE:

I will close the hearing on S.B. 108 and address public comment.

MR. HARDY:

I want to let the Committee know—and especially my friend and former colleague, Ms. Wiener—that the urban consortium made up of Las Vegas, Henderson, Reno and Sparks does have some concerns with the bill that have already been articulated. I look forward to working with them on this issue. I remember when then-Senator Wiener brought this whole concept forward, and it is exciting to see it progress to this point.

ANNEMARIE GRANT:

My brother, Thomas Purdy, was 38 years old when he was hog-tied by the Reno Police during a mental health crisis for 40-plus minutes and then dumped at Washoe County Jail, still hog-tied and facedown, while four deputies got on my 140-pound soaking wet brother and asphyxiated him to death.

Today, I am talking about another asphyxiation death at the hands of the Reno Police. This letter was written by Denise Abbey, the mother of Micah Abbey who was 33 years old when he lost his life to Reno Police on December 25, 2011.

He was in a group home for mentally disabled folks and got into a verbal argument at dinnertime with a peer staff member, who called the police department. By the time the police officer, Scott Rasmussen, grabbed Micah, he was by himself and sitting on his bed. Micah did attempt to avoid being handcuffed on Christmas Day. He did not want to go to jail for a verbal argument. The police tased him 22 times, of which during 12 of those, he was handcuffed and facedown with officers on his neck and back. They hog-tied Micah like the Reno Police Department did to Thomas Purdy. They used a baton on him as well. He never made it out of his room alive.

I personally know Micah's family and so many others living this nightmare when their loved one is killed, without consequence, by police. Christmas is a dreaded day for Ms. Abbey. She worked in a mental health hospital for years, and the police did not kill a single person at the mental health hospital in crisis. There has only been one patient shot by the Reno Police in recent years.

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Please do not support bills that go to protect police. Please support and seek transparency and accountability. My family and so many other families are hurting and counting on you.

Remainder of page intentionally left blank; signature page to follow.

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CHAIR SCHEIBLE:  
This meeting is adjourned at 3:27 p.m.

RESPECTFULLY SUBMITTED:

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Pam King,  
Committee Secretary

APPROVED BY:

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Senator Melanie Scheible, Chair

DATE: \_\_\_\_\_

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Begins on Page</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
S.B. 177	B	1	Senator Julia Ratti	Presentation
S.B. 177	C	1	Lisa Lee / Advocates to End Domestic Violence	Written Testimony
S.B. 177	D	1	Susan Meuschke / Nevada Coalition to End Domestic and Sexual Violence	Written Testimony
S.B. 177	E	1	Liz Ortenburger / SafeNest	Overview, Testimonial, Letters of Support
S.B. 177	F	1	Denise Yoxsimer / Domestic Violence Resource Center	Written Testimony
S.B. 177	G	1	Kristy Oriol / Sierra Community House	Written Testimony on behalf of Paul Bancroft
S.B. 177	H	1	Marianne McKown / Committee Against Domestic Violence	Written Testimony
S.B. 177	I	1	Maria Romano / Las Vegas Wedding Chamber of Commerce	Written Testimony
S.B. 108	J	1	John McCormick / Administrative Office of the Courts	Proposed Amendment
S.B. 108	K	1	Brigid Duffy / Clark County District Attorney's Office	Proposed Amendment