

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Eighty-second Session  
May 19, 2023**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 2:08 p.m. on Friday, May 19, 2023, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Melanie Scheible, Chair  
Senator Dallas Harris, Vice Chair  
Senator James Ohrenschall  
Senator Marilyn Dondero Loop  
Senator Rochelle T. Nguyen  
Senator Ira Hansen  
Senator Lisa Krasner  
Senator Jeff Stone

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Shea Backus, Assembly District No. 37  
Assemblywoman Venicia Considine, Assembly District No. 18  
Assemblywoman Cecelia Gonzalez, Assembly District No. 16

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Policy Analyst  
Karly O'Krent, Counsel  
Lindsay DeLozier, Counsel  
Pat Devereux, Committee Secretary

**OTHERS PRESENT:**

Nathaniel Erb, Innocence Project  
Jensie Anderson

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Jennifer Noble, Nevada District Attorneys Association  
Erica Roth, Washoe County Public Defender's Office  
John J. Piro, Clark County Public Defender's Office  
Tonja Brown, Advocates for the Inmates and the Innocent  
Yesenia Moya  
Brian Harris, Battle Born Progress  
Annemarie Grant, Advocates for the Inmates and the Innocent

CHAIR SCHEIBLE:

We will open the hearing on Assembly Bill (A.B.) 101.

**ASSEMBLY BILL 101 (1st Reprint)**: Revises provisions relating to informants.  
(BDR 14-228)

ASSEMBLYWOMAN CECELIA GONZALEZ (Assembly District No. 16):

After A.B. No. 267 of the 80th Session passed, Nevada began providing compensation for the wrongfully convicted after imprisonment. In 1994, testimony by a jailhouse informant—the incriminating witness—sent DeMarlo Berry to prison for a murder he did not commit. Mr. Berry was convicted and sentenced to life in prison. In 2004, the informant admitted he had lied and received benefits for his false testimony.

Testimony from jailhouse informants is one of the leading contributors to wrongful convictions. This Body has spent a plethora of time talking about the problem in both Judiciary Committees. Jailhouse informant testimony played a role in nearly 1 in 5 of the 367 DNA-based exoneration cases seen nationally.

An informant is an individual who provides testimony or information about statements defendants make while they are incarcerated together. Informants often receive benefits from prosecutors for such information, usually in the form of plea bargains or reduced sentences on their criminal charges or even dismissal of their cases. At the very least, the use of jailhouse informant incentives can be a distortion of our criminal justice system. More important, unregulated jailhouse informant testimony can and has sent innocent people to prison.

We have worked extensively with the Office of the Clark County District Attorney and the Office of the Clark County Public Defender on A.B. 101.

Sections 2 through 5 of A.B. 101 provide definitions. Section 6 provides any office or prosecuting attorney must maintain complete and systematic records for any case it prosecutes for which testimony or information was provided by an informant pursuant to a cooperation agreement. Section 7 provides if a prosecuting attorney intends to use an informant's testimony or information at a hearing or trial, certain information or materials must be disclosed to the defense as soon as possible and no later than 30 days before the trial. In section 7, subsection 3, the court may order disclosures only be made to the defendant's attorney, not to the defendant or any other party, if making the disclosures may result in substantial bodily harm to the incarcerated informant. Section 7, subsection 4 provides a court is required to instruct the jury to consider certain information in assessing the credibility of an informant.

NATHANIEL ERB (Innocence Project):

The Innocence Project has worked across the Country on the issues in A.B. 101 for many years. There have been more than 180 wrongful convictions to date involving the use of informants whose cooperation and benefits prosecutors received. The incriminating information related to what is consistently required to be turned over to the defense but was not. As a result, prosecutors across the Country have been asking, how do we address this issue within our offices?

The use of jailhouse informants has its roots in a Texas district attorney's office which sought to set up systematic recordkeeping so it knew what type of deals were being cut among informants across the state. If one informant is getting a deal from an office, other offices know about it, especially if there is a breakdown. If there is a credibility issue with an informant, individual offices can be relied upon to share that information to make sure they are putting forward the best type of witness.

Prosecutors must be clear about what the U.S. Constitution requires in terms of information that needs to be handed over. What are the types of materials related to witness credibility constitutionally required to be handed over to the defense to prevent a constitutional claim on appeal or any other issue in a criminal case?

The Project has been working on A.B. 101 for several years. The Nevada District Attorneys Association proactively began adopting a lot of the bill's policies on its own volition after seeing issues caused by wrongful convictions in Nevada. Over the last couple years, we have worked closely with the

Association. Looking at the policies in place after implementation of A.B. No. 267 of the 80th Session, how do we make sure they are maintained as good practices and that there is clarity across the State as to what needs to happen?

Assembly Bill 101 has a narrower focus than similar laws in other states. It would only require recordkeeping within offices, whereas some states require a statewide tracking database. We must make sure the information offices already have on jailhouse informants is properly stored so it can be used in future criminal investigations and criminal cases.

Section 7 of A.B. 101 specifies the types of information to be handed over to the defense to prevent a constitutional violation. The information can only be used when an informant is testifying publicly at trial. Other states require providing information if the informant offers to provide testimony or if he or she is providing background information. The informant's identity would be known; this would be completely separate from the issue of a confidential informant whose identity would be hidden.

An additional safety valve in A.B. 101 is not in statute. If there is any question about the information an informant hands over about a defendant—if it is not constitutionally required and could increase informant safety concerns—the judge can withhold the information from the defendant and only provide it to the defense attorney. I doubt that will ever happen. A couple other states have the same safety valve, but the Project has never seen it used because the information is always required under constitutional law. So, it merely constitutes extra protection. Assembly Bill 101 is straightforward policy and practice that will continue what is already happening in Nevada.

JENSIE ANDERSON:

I am a professor at the University of Utah, S.J. Quinney College of Law. I teach innocence and postconviction law and legal writing. I was one of the lead attorneys on the DeMarlo Berry case.

I want to address the importance of passing A.B. 101. Almost 7 percent of cases on the National Registry of Exonerations involved a jailhouse informant who lied and sent an innocent person to prison. The use of jailhouse informants is a leading cause of wrongful convictions and the leading cause of wrongful convictions in death penalty cases. That is the national problem. At least

15 percent of the recorded exonerations in Nevada involved a jailhouse informant; A.B. 101 goes a long way toward addressing this problem.

The main reason I was asked to speak today is I was deeply involved in the exoneration of DeMarlo Berry, who could not be here today. His story perfectly illustrates why A.B. 101 is so important. In 1994, Mr. Berry was sent to prison in Las Vegas for a murder he did not commit. There was no physical evidence connecting him to the scene. According to 12 of the 13 eyewitnesses who saw the murder, the murderer escaped. However, only 1 of the 13 picked Mr. Berry from a photo lineup.

While Mr. Berry was in jail awaiting trial, an inmate claimed he had confessed to him while he and Mr. Berry were in a holding cell together. In exchange for his testimony, the inmate was given leniency in cases pending in Washoe and Clark Counties—cases that would have put him in prison for a long time on a three-strikes charge. In addition, the inmate, who had been extradited from Ohio to face his Nevada charges, was also awarded several trips back to Ohio to be with his dying father, as well as room and board compensation for trips to Las Vegas for trial preparation.

There was almost no other evidence presented against Mr. Berry. He was convicted and sentenced to life in prison in 1995 chiefly based on the informant's testimony. After the actual perpetrator, Steven Jackson, confessed, the informant admitted he had lied about Berry's confession.

It is important to note none of the information about the benefits the informant received from prosecutors was disclosed to defense counsel. After fighting over Mr. Berry's case for four years, in 2017, the newly formed Conviction Review Unit in the Clark County Office of the District Attorney agreed to declare the charges against Mr. Berry dismissed based on the regional Innocence Project's investigation, the confession of Mr. Jackson and the informant's recantation.

In 2020, the court issued various certificates of innocence finding Mr. Berry was factually innocent. He was awarded compensation for the almost 23 years he spent in prison; he recently settled a civil lawsuit involving issues surrounding the informant's testimony.

Mr. Berry's case emphasizes the importance of A.B. 101 because jailhouse informants are inherently unreliable. In other words, some of them lie—they lie

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to get benefits, they lie to get leniency, they lie. Some informants may be truthful, but we know from experience many of them do not tell the truth. We also know because benefits they receive are often hidden, the potential to convict the innocent is real. It has happened 4 times in Nevada and at least 200 times nationally.

Not only does jailhouse informant testimony result in wrongful convictions, it can also result in constitutional violations like in *Brady v. Maryland*, 373 U.S. 83 (1963), which required prosecutors to turn over exculpatory evidence if they have it. Finally, it is important to note the use of jailhouse informants can hurt victims. No justice is served for the victim when the innocent are convicted. The criminal justice system can also fail the victim when a defendant receives benefits in one case to get leniency in another. Marsy's Law demands victims are treated with more respect. Assembly Bill 101 recognizes all these reasons. For the protections built into this law and the support of the Nevada District Attorneys Association, we ask you to join like-minded lawmakers across the Country by voting yes on this bill.

SENATOR NGUYEN:  
I love the bill.

JENNIFER NOBLE (Nevada District Attorneys Association):  
The Nevada District Attorneys Association believes A.B. 101 is good policy and will ensure tracking is consistent from one gubernatorial administration to the next and the provisions in *Brady v. Maryland* and *Giglio v. United States*, 405 U.S. 150 (1972) are followed. The bill also would ensure any discovery required under the U.S. Constitution is provided.

ERICA ROTH (Washoe County Public Defender's Office):  
The Washoe County Public Defender's Office supports A.B. 101.

JOHN J. PIRO (Clark County Public Defender's Office):  
I would like to thank everyone for their hard work on A.B. 101, a hard-to-move bill we may finally get passed.

TONJA BROWN (Advocates for the Inmates and the Innocent):  
The Advocates for the Inmates and the Innocent strongly supports A.B. 101; it is long overdue. As someone who has been personally affected by a district

attorney's office withholding exculpatory evidence regarding a State's witness, I can say hopefully this bill will prevent that from ever happening again.

My brother Nolan Klein was convicted of armed robbery and rape. He died in 2009 in the infirmary at the Northern Nevada Correctional Center. You have the handwritten notes of the prosecuting attorney indicating exculpatory evidence was never turned over to the defense. There was information pertaining to the State's witness being secret. The court knew the witness had committed crimes and, most important, had trouble distinguishing my brother's voice on a 911 call from someone else's voice. However, she would become the expert witness for the State, declaring in court she heard Nolan's voice. Nobody was allowed to listen to the tape recording comparing the two voices.

Even during the postconviction proceedings, when it was against the ineffective assistance of counsel, the witness testified she did not believe the tape recording of the 911 call sounded like the counsel's client. Do you not think the jury would have concluded that had they heard the 911 call? My brother's situation highlights much about the credibility of State's witnesses as the one in his case was also an informant for the police.

YESENIA MOYA:

I strongly support A.B. 101.

BRIAN HARRIS (Battle Born Progress):

Battle Born Progress echoes the comments of the previous testifiers in support of A.B. 101.

SENATOR OHRENSCHALL MOVED TO DO PASS A.B. 101.

SENATOR KRASNER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:

We will close the hearing on A.B. 101 and open the work session with A.B. 49.

**ASSEMBLY BILL 49 (1st Reprint)**: Revises provisions relating to criminal procedure. (BDR 3-419)

PATRICK GUINAN (Policy Analyst):

I will read the summary of A.B. 49 from the work session document ([Exhibit C](#)). The bill prescribes separate and distinct forms for a petition for writ of habeas corpus. It also repeals the requirement the respondent file a return with the court, instead requiring the response or answer be filed by the respondent include the information contained in a return under existing law.

A proposed amendment, [Exhibit C](#), provides if a petition for habeas corpus challenging a judgment of conviction or sentence is denied, the petitioner must not be released on his or her own recognizance or admitted to bail pending any appeal. An additional conceptual amendment from Senator Nguyen proposes to authorize the service of certain legal documents related to criminal cases and postconviction petitions by electronic means.

SENATOR NGUYEN:

Many habeas corpus petitions authorize service. We would like to create permissive language for electronic filing and service. The proposed conceptual amendment allows if—there is the possibility for electronic filing and service—as opposed to paper copies, faxes or any of those kind of things—the bill enables that type of service and filing for habeas petitions.

We talked to the Nevada Department of Corrections (DOC) about the amendment, and representatives said there would not be a financial impact. Now, people who are incarcerated, are filing physical petitions for habeas corpus and must pay for the filing and copy fees, which are about 10 cents a page. Petitioners must make about five copies of the documents and mail them. There is an electronic filing service option in most court systems. To make it available in the prisons, we need a statutory change.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 49.

SENATOR OHRENSCHALL SECONDED THE MOTION.



THE MOTION PASSED UNANIMOUSLY.

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MR. GUINAN:

I will read the summary of A.B. 121 in the work session document ([Exhibit D](#)).

**ASSEMBLY BILL 121 (1st Reprint)**: Revises provisions relating to incarcerated persons. (BDR 16-138)

The bill requires DOC to provide an offender with the original physical copy of any mail addressed to the offender. Municipal or county jails and detention facilities are required to provide notification within 24 hours to certain persons concerning incarcerated persons' critical medical conditions. If an offender requires prescription medication, the bill requires the prescription be filled in a timely manner.

An amendment, [Exhibit D](#), proposed by Assemblywoman Venicia Considine would add new language to section 2 of the bill providing if the DOC Director determines providing an original physical copy of mail presents a danger to staff, offenders or others, the DOC will report such findings and any recommendations to the Board of State Prison Commissioners and the Director of the Legislative Counsel Bureau for transmittal to the Joint Standing Interim Committee on Judiciary on or before October 1, 2024. No administrative changes or operational changes shall be implemented by the DOC Director regarding the offender's mail prior to the submission of that report.

ASSEMBLYWOMAN VENICIA CONSIDINE (Assembly District No. 18):

The genesis of the amendment, [Exhibit D](#), was conversations between Return Strong! and DOC Director James Dzurenda. They tried to find a balance to give the DOC Director time between balancing the safety of inmates and staff with the mental health and physical health of the offender.

A conceptual amendment, which Senator Nguyen cosponsored, added a definition of "extreme physical illness" to section 3, subsection 4, paragraph (a) and to section 7, subsection 4, paragraph (a). *Nevada Revised Statutes* (NRS) 453C and NRS 453C.150, subsection 5 include descriptions of extreme physical illness relating to an overdose. The language differs slightly between the two NRS sections, but the condition includes a decreased level of

consciousness, respiratory depression and coma or death resulting from drug or alcohol consumption. This is a condition an ordinary layperson would reasonably believe to be an overdose requiring medical assistance. The change was prompted by a request from the Las Vegas Metropolitan Police Department and the Washoe County Sheriff's Office.

CHAIR SCHEIBLE:

We can definitely add additional amendments to the bill. They sound reasonable and are not a great departure from anything we have already discussed.

SENATOR HANSEN:

With the first amendment you mentioned, is DOC Director Dzurenda now on board with A.B. 121?

ASSEMBLYWOMAN CONSIDINE:

The amendment's language was discussed by Return Strong! and Director Dzurenda. I have not had a personal conversation with him about this; however, I received an email saying he is good with the language.

SENATOR OHRENSCHALL MOVED TO AMEND AND DO PASS AS AMENDED A.B. 121.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

\* \* \* \* \*

MR. GUINAN:

Assembly Bill 193 relates to the custodial interrogations of children.

[ASSEMBLY BILL 193 \(1st Reprint\)](#): Revises provisions relating to custodial interrogations of children. (BDR 14-229)

The amendment in the work session document ([Exhibit E](#)) moves the provisions of the bill to NRS 62C, which pertains to the rights of minor children in the custody of law enforcement. It clarifies the provisions of the section apply to a minor later certified as an adult pursuant to NRS 62B.

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SENATOR KRASNER:  
Assemblywoman Gonzalez, could I sign on as a cosponsor?

ASSEMBLYWOMAN GONZALEZ:  
Yes.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 193.

SENATOR KRASNER SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR STONE VOTED NO.)

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MR. GUINAN:  
I will read the summary of A.B. 309 from the work session document  
([Exhibit F](#)).

**ASSEMBLY BILL 309 (1st Reprint)**: Revises various provisions governing  
common-interest communities and condominium hotels. (BDR 10-960)

The bill authorizes the use of secret electronic ballots for elections, or removing members of the executive board of unit-owners association, or common-interest communities, and for the election of delegates or representatives to exercise the voting rights of unit owners. The bill requires an association to deliver a required notice or communication to owners' email addresses. The bill requires the Commission for Common-Interest Communities and Condominium Hotels to adopt regulations establishing requirements related to the transfer of the possession of all books, records and other papers of a client upon the termination or assignment of a management agreement. There are no amendments.

SENATOR OHRENSCHALL MOVED TO DO PASS A.B. 309.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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MR. GUINAN:

I will read the summary of A.B. 340 from the work session document ([Exhibit G](#)).

**ASSEMBLY BILL 340 (2nd Reprint)**: Revises provisions governing certain actions and proceedings relating to real property. (BDR 3-77)

Assembly Bill 340 repeals, reenacts, reorganizes and revises the procedure for summary eviction of certain tenants who are guilty of unlawful detainer. The bill provides, upon the expiration of certain notices provided to the tenant, that the landlord must apply by affidavit of complaint for the summary eviction of the tenant and serve the tenant with a file-stamped copy of the complaint, a copy of the summons and certain notice. The tenant is required to file an answer to the affidavit of complaint within ten calendar days after the date of service. If a tenant files an answer, a hearing is held; if not, the court is authorized to order, without holding a hearing, the removal of the tenant within a prescribed period.

There is an amendment, [Exhibit G](#), from the Nevada Coalition of Legal Services. It makes several technical corrections, including deleting language relating to commercial tenants where appropriate, and providing copies of various documents and notices to interested parties.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED A.B. 340.

SENATOR OHRENSCHALL SECONDED THE MOTION.

SENATOR STONE:

I will oppose this bill. The summary eviction process is fair to both the landlord and the tenant.

THE MOTION PASSED. (SENATORS HANSEN, KRASNER AND STONE VOTED NO.)

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MR. GUINAN:

I will read the summary of A.B. 452 from the work session document ([Exhibit H](#)).

**ASSEMBLY BILL 452**: Revises provisions relating to visitation with offenders in a correctional institution or facility. (BDR 16-315)

Assembly Bill 452 requires the DOC Director to adopt regulations to establish and govern programs for the visitation of offenders.

There is an amendment by Jodi Hocking of Return Strong! in consultation with Director Dzurenda. It requires the DOC to adopt provisions governing visitation and requires the Office of the Attorney General to establish an Office of the Ombudsperson, including provisions for its duties and operations.

SENATOR KRASNER:

I spoke to Director Dzurenda immediately after our hearing on A.B. 452. He told me most of its language was already in another bill we heard and the amendment, [Exhibit H](#), only included establishing the Office of the Ombudsperson. Has that amendment been accepted?

CHAIR SCHEIBLE:

The Committee did hear other bills on DOC visitation. I also talked to Director Dzurenda about A.B. 452. The amendment would not put the visitation policy directly into statute. It says the visitation policy must meet the three requirements spelled out in the attached document, [Exhibit H](#). The bill still has two parts: visitation policy requirements and establishment of the Office of the Ombudsperson. Director Dzurenda is on board with the amendment.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED A.B. 452.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR STONE VOTED NO.)

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CHAIR SCHEIBLE:

Our next work session bill is A.B. 454. I would like to withdraw my amendment.

**ASSEMBLY BILL 454**: Revises provisions relating to legal services for indigent defendants. (BDR 14-1067)

MR. GUINAN:

I will read the summary of A.B. 454 from the work session document ([Exhibit I](#)). The bill revises provisions relating to the payment of compensation and expenses for attorneys to provide legal services to indigent defendants under certain circumstances. The compensation and expenses of an attorney are an obligation of the county unless it has transferred its responsibility or met the maximum amount to be paid for indigent defense services. The Board of Indigent Defense Services is required to establish rates of hourly compensation for attorneys who provide certain legal services to indigent defendants.

SENATOR NGUYEN MOVED TO DO PASS A.B. 454.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:

Our next work session bill is A.B. 231. You have an amendment that was inadvertently excluded from the work session document ([Exhibit J](#)).

**ASSEMBLY BILL 231 (1st Reprint)**: Revises various provisions of the Uniform Commercial Code. (BDR 8-604)

MR. GUINAN:

I will read the summary of A.B. 231 from the work session document, [Exhibit J](#). It enacts amendments to the Uniform Commercial Code. The bill revises provisions relating to emerging technologies: transactions involving controllable electronic records, electronic payment rights, chattel paper and controllable electronic accounts.

The amendment, [Exhibit J](#), changes section 25 with a revised definition of “money.” The term includes a digital monetary unit of account established by an intergovernmental organization or by agreement between countries.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED  
[A.B. 231](#).

SENATOR OHRENSCHALL SECONDED THE MOTION.

SENATOR HANSEN:

The amendment may have alleviated some of our concerns, but I am going to vote no and reserve my right to change my vote on the Floor.

SENATOR STONE:

Ditto.

SENATOR KRASNER:

Ditto.

THE MOTION PASSED. (SENATORS HANSEN, KRASNER AND STONE  
VOTED NO.)

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MR. GUINAN:

[Assembly Bill 414](#) revises provisions governing powers of attorney.

[ASSEMBLY BILL 414 \(1st Reprint\)](#): Revises provisions governing powers of attorney. (BDR 13-797)

I will read the summary of [A.B. 414](#) from the work session document ([Exhibit K](#)). The bill establishes a form to create an advance healthcare directive and repeals the current power of attorney for healthcare form. It revises provisions concerning witnesses to a principal signature of a power of attorney for health care and removes the requirement that a certification of competency must be attached to a power of attorney in certain circumstances. There is no amendment.

SENATOR NGUYEN MOVED TO DO PASS [A.B. 414](#).

SENATOR STONE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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MR. GUINAN:

Assembly Bill 444 revises provisions concerning child welfare.

**ASSEMBLY BILL 444 (1st Reprint)**: Revises provisions concerning child welfare.  
(BDR 11-614)

I will read the summary of A.B. 444 from the work session document ([Exhibit L](#)). The bill codifies various provisions of the federal Indian Child Welfare Act. It establishes various proceedings related to the custody, adoption or protection of Indian children or the termination of parental rights to provide additional protections for them under State law. The bill requires the Court Administrator and the Division of Child and Family Services, Department of Health and Human Services, to submit biannual reports to the Chairs of the Senate and Assembly Committees on Judiciary containing data relating to Indian children in dependency proceedings.

Assemblywoman Shea Backus offered Proposed Amendment 3658, [Exhibit L](#), adding language indicating sections 2 through 38, sections 42 through 50 and section 57 do not apply to certain proceedings involving a parent of an Indian child voluntarily terminating his or her parental rights and extended family members subsequent adoption of the child.

ASSEMBLYWOMAN SHEA BACKUS (Assembly District No. 37):

We would like to add to the Proposed Amendment 3658 situations involving surrogacy and confirming adoptions. Those should likewise be excluded from sections 2 through 38.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED A.B. 444, INCLUDING EXCLUSION OF SURROGACY AND CONFIRMING ADOPTIONS FROM SECTIONS 2 THROUGH 38.

SENATOR DONDERO LOOP SECONDED THE MOTION.



THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:

We will close the work session and open public comment.

Ms. BROWN:

Although our amendment did not get into A.B. 49, Advocates for the Inmates and the Innocent is hopeful the Committee will one day allow the opportunity for the families of those who have been wrongfully convicted to exonerate their loved ones' names.

ANNEMARIE GRANT (Advocates for the Inmates and the Innocent):

The families of those who died in Nevada prisons wrongfully convicted continue to be harmed. It feels like the scales of justice will never be balanced toward justice for their loved ones. If Nevada continues to have no mechanism for families to have a fair judicial review of cases, families' hopes for justice are dashed. Psychological healing is negatively impacted when there is no remedy.

The Washoe County Conviction Integrity Committee (CIC) has shown the County will not conduct a fair review when prosecutorial misconduct is alleged in the review request and exculpatory evidence is not presented at trial due to the prosecutor withholding it from the defense. It is simply ignored when the CIC members are presented with the evidence. The procedure is essentially the fox guarding the henhouse. I say this with sincere conviction because if the CIC were seeking true justice, Mr. Nolan's criminal review would not have been such a dog-and-pony show.

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CHAIR SCHEIBLE:

We will close public comment. Seeing no more business before the Senate Committee on Judiciary, we are adjourned at 3:16 p.m.

RESPECTFULLY SUBMITTED:

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Pat Devereux,  
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>Introduced on Minute Report Page No.</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	1		Attendance Roster
A.B. 49	C	8	Patrick Guinan	Work Session Document
A.B. 121	D	9	Patrick Guinan	Work Session Document
A.B. 193	E	10	Patrick Guinan	Work Session Document
A.B. 309	F	11	Patrick Guinan	Work Session Document
A.B. 340	G	12	Patrick Guinan	Work Session Document
A.B. 452	H	13	Patrick Guinan	Work Session Document
A.B. 454	I	14	Patrick Guinan	Work Session Document
A.B. 231	J	14	Patrick Guinan	Work Session Document
A.B. 414	K	15	Patrick Guinan	Work Session Document
A.B. 444	L	16	Patrick Guinan	Work Session Document