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MEMORANDUM

To : Assembly Judiciary Committee Chairman Anderson

From : J. J. Jackson

Re : Comments of Dr. Richard Siegel, President of Nevada ACLU regarding ~~SB 99~~ **AB 99**

Date : February 26th, 2003

Chairman Anderson and Assembly Judiciary Committee Members:

Following below are the comments and suggested changes/amendments by Dr. Rich Siegel on behalf of the Nevada ACLU regarding AB 99. Dr. Siegel will be present for the hearing on AB 99 tomorrow morning for further comments and questions.

The ACLU proposes:

1. Strike the word "fear" from Sec. 3(2), line 4. One does not threaten or use "fear". The threat of use of sabotage and violence adequately covers the core concept of terrorism.
2. Strike Sec. 3 (b): "Disrupt, affect or influence the conduct or policy of governmental entity by intimidation or coercion." This is perhaps a definition of extortion, but not terrorism. There should, for terrorism, be a threat or use of violence against a significant number of people.
3. Strike Sec. 3(c) "disruption of" infrastructure, transportation, environment, etc. To disrupt may be criminal but it is not terrorism if it is only disruption or even only substantial disruption. Disruption is what many political and labor demonstrators do. It is also what corporate and other polluters do in relation to the environment. They should perhaps be subject to misdemeanor charges, but certainly not to terrorism charges when there is no direct threat or use of violence.
4. Since the ACLU opposes all use of the death penalty, it objects to the expansion of capital punishment through this bill.

ASSEMBLY JUDICIARY

DATE: 2-27-03 ROOM 3138 EXHIBIT G7

SUBMITTED BY: James Jackson

G7/071