

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Eighth Session  
February 25, 2015**

The Senate Committee on Judiciary was called to order by Chair Greg Brower at 1:03 p.m. on Wednesday, February 25, 2015, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 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 Greg Brower, Chair  
Senator Becky Harris, Vice Chair  
Senator Michael Roberson  
Senator Scott Hammond  
Senator Ruben J. Kihuen  
Senator Tick Segerblom  
Senator Aaron D. Ford

**GUEST LEGISLATORS PRESENT:**

Senator James A. Settelmeyer, Senatorial District No. 17

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Policy Analyst  
Nick Anthony, Counsel  
Connie Westadt, Committee Secretary  
Julia Barker, Committee Secretary

**OTHERS PRESENT:**

Gerald Antinoro, Sheriff, Storey County; President, Nevada Sheriffs' and Chiefs' Association  
Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs' Association  
Eric Spratley, Lieutenant, Sheriff's Office, Washoe County  
Dan Reid, National Rifle Association

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Vern Brooks  
Richard Brengman  
Jim Sallee  
Charles Musser  
Janine Hansen, President, Nevada Families for Freedom  
John Wagner, Independent American Party  
Julie Butler, Division Administrator, General Services Division, Department of  
Public Safety  
John Ridgeway  
Chuck Callaway, Las Vegas Metropolitan Police Department  
Alan Deutschman, Moms Demand Action for Gun Sense in America  
Mark Jackson, District Attorney, Douglas County; President, Nevada District  
Attorneys Association  
Megan Bedera, Nevada Firearms Coalition  
Steve Winters  
Carol Howell, President, Northern Sierra Ladies Gun Club  
Paul Grace  
Matthew Yealy  
Lucy McBath, Everytown for Gun Safety  
Camille Pentsil, Reverend, Senior Pastor, Zion United Methodist Church  
Colin Seale  
Erika Washington, Las Vegas Urban League  
Janice Flanagan  
Vanessa Spinazola, American Civil Liberties Union of Nevada  
Mike Malone  
Teresa Crawford, Progress Now Nevada  
John Saludes  
Michael Collins  
Ava Overstreet, Progress Now Nevada  
Linda Cavazos  
Caitlyn Caruso  
Steve Yeager, Office of the Public Defender, Clark County  
Sean B. Sullivan, Public Defender's Office, Washoe County

**Chair Brower:**

I will open the hearing of the Senate Committee on Judiciary with  
Senate Bill (S.B.) 171.

**SENATE BILL 171**: Revises provisions governing the issuance of permits to carry concealed firearms. (BDR 15-597)

**Senator James A. Settelmeyer (Senatorial District No. 17):**

Senate Bill 171 is about concealed carry weapons (CCW) permit standardization. There are two aspects to the bill. First is the standardization of the reciprocity list. This list is promulgated by the Department of Public Safety by determining which states have similar CCW permit laws. In discussion with the Sheriffs' and Chiefs' Association and with the Department, the creation of that list can cause problems because a state will be mistakenly added to or removed from the reciprocity list. Nevada has reciprocal agreements with other states that require the person be 21 years of age to have a CCW permit.

The second aspect of the bill gets rid of the so-called "blue card" registration program in Clark County. The Sheriff of Clark County ran his election on the platform of getting rid of this program. I have provided a walk-through of the bill, describing each section I want to change and why ([Exhibit C](#)).

**Chair Brower:**

Could you give a summary of the two issues?

**Senator Settelmeyer:**

The concept within the CCW permit reciprocity is the ability for people to move freely within states that have similar CCW permit requirements. Some states have conditional reciprocity, meaning that if Nevada does not recognize theirs, they will not recognize the State's. Senate Bill 171 allows those with CCW permits in other states to conceal carry in Nevada as well as Nevadans with CCW permits to conceal carry in other states. Individuals have mentioned they would like to travel to Nevada, but they do not like to travel without carrying their firearms.

The blue card program is exclusive to Clark County. A resident must register his or her firearm within 72 hours of moving to the County, and a person must register his or her firearm if visiting for 5 or 6 days. My constituents have visited Clark County and did not know if they were in compliance with the program, or they have moved to Clark County for a period of time, registered their handguns and are now worried that their information still exists even though they have moved outside of the County. My bill does not deal with the destruction of blue card information.

**Senator Segerblom:**

Is the new Clark County Sheriff agreeable to this?

**Senator Settelmeyer:**

He ran on the concept of getting rid of the blue card program, but he does have some concerns with the reciprocity portion.

**Senator Ford:**

You are looking at an easier way for those who have obtained a CCW permit in another state to conceal carry in Nevada?

**Senator Settelmeyer:**

Yes. We must also take into account the concept of Nevada residents going into other states. By making these changes, it will be easier for our constituents to conceal carry in other states. This is similar to the concept of driver's licenses, because we do not necessarily look at every single parameter of what another state requires of a person in order to obtain a driver's license.

**Senator Ford:**

I have heard that analogy before and I understand it. In Nevada, you have only 30 days to obtain a new driver's license when you move here from another state. Your bill allows 60 days to register a firearm.

**Senator Settelmeyer:**

That is statute.

**Senator Ford:**

If reciprocity were to take place, why would we not lessen the time frame associated with when a new resident would have to obtain a Nevada CCW?

**Senator Settelmeyer:**

I would be amenable to any proposed amendment that would aid in the passage of S.B. 171. A person who lives in Nevada, should be under Nevada laws.

**Senator Ford:**

The rules for driving and the rules for shooting guns are qualitatively different. There are states with lesser standards for qualifying to have a CCW permit. Sometimes a person only has to show a driver's license, while training is required in other states. Would opening Nevada to the prospect of other states

with lower standards for acquiring CCW permits affect our sovereignty as a state as to determining who should be allowed to obtain and retain a CCW permit?

**Senator Settelmeyer:**

I view that as a fundamental difference of opinion. Considering that the State allows people to carry openly, the people you may be worried about carrying concealed can open carry.

**Senator Ford:**

Open carry is not the conversation, concealed carry is. For a CCW permit, some states have lesser standards than Nevada. Why should we allow other states with lesser standards to dictate how we as Nevadans want our residents with CCW to obtain them?

**Senator Settelmeyer:**

Like the analogy of driving, the requirements differ by state. Far more people are killed by cars than guns in the State, and we do not do this for cars. Individuals who have obtained permits, even CCW permits, should be allowed to carry in Nevada because they have gone through the right protocol in another state. If you want to carry concealed in Nevada without a permit, that is not okay. You need to follow the laws. However, there should still be some full faith and credit with other states.

**Senator Ford:**

This provision is also in S.B. 175?

**SENATE BILL 175**: Makes various changes relating to public safety. (BDR 15-515)

**Senator Settelmeyer:**

Various aspects of S.B. 171 are included in S.B. 175.

**Senator Ford:**

The questions I have about those portions of S.B. 175 are questions you would also answer?

**Senator Settelmeyer:**

Yes.

**Gerald Antinoro (Sheriff, Storey County; President, Nevada Sheriffs' and Chiefs' Association):**

The Sheriffs' and Chiefs' Association supports S.B. 171. We have no issues with removing the requirement for comparison of standards across the different states. While it does not affect Storey County, we support removing the blue card program if that is what Clark County seeks.

To answer Senator Ford's previous questions, a research study published in July 2014 by the Crime Prevention Research Center compares CCW permits to the various standards relating to violent crimes such as murder. Looking at a 5-to 6-year period, an increase in CCW permits by 130 percent accompanied a national decrease in murders and violent crimes by 22 percent. The study also found that the states with the lowest standards for acquiring CCW permits had the lowest incidences of violent crime and murder, whereas the states with more stringent standards had the highest rates of violent crimes and murder.

**Robert Roshak (Executive Director, Nevada Sheriffs' and Chiefs' Association):**

The Association requested that Senator Settlemeyer bring this bill before this Committee. We support S.B. 171.

**Eric Spratley (Lieutenant, Sheriff's Office, Washoe County):**

The Washoe County Sheriff's Office supports S.B. 171. Under *Nevada Revised Statutes* (NRS) 202.366, a sheriff is allowed 120 days to provide a CCW permit to the applicant, so 30 days may be burdensome to us.

**Senator Ford:**

The DMV can issue driver's licenses within 30 days, so we should have a discussion to see if CCW permits can be issued that quickly.

**Dan Reid (National Rifle Association):**

The National Rifle Association supports S.B. 171 because it makes improvements to the CCW permit laws by recognizing out-of-state permits held by nonresidents who are carrying in accordance with Nevada laws. It also ensures consistency in state gun laws under the state preemption by removing the grandfather exemption.

**Vern Brooks:**

The processing time for CCW applications is in fact 120 days. The time may be less in rural counties, but in Clark County, it is around 120. I expect you to hear

stories about convicted felons acquiring firearms and permits and how this bill would allow them to further their criminal careers, but the bottom line is that convicted felons, as well as those convicted of domestic violence, are already prohibited from owning firearms. Anything that says S.B. 171 enables those people is misleading.

**Richard Brengman:**

It is difficult for people outside of Nevada to conceal carry inside the State. The classes required to obtain a Nevada CCW can only be taken in Nevada. It takes 90 to 120 days to get a permit. If a person were planning a summer vacation, that person would have to come to Nevada in early spring to take the class and have the permit 4 months later. This bill addresses and corrects that awkward situation.

The blue card program is a mess. I know several people who have run into situations such as being told their guns would not be accepted for registration because seven guns had already been registered under a particular serial number. In one situation, the problem was that the gun had been registered under the model number, not the serial number. The database is flawed and inaccurate. There is no point in maintaining an expensive, ineffectual system. Also, some guns manufactured prior to 1968 did not require serial numbers, so there is no way to register those for blue cards.

**Jim Sallee:**

I support S.B. 171 and have submitted my written testimony ([Exhibit D](#)).

**Charles Musser:**

I have lived in Nevada for 78 years and have gone through the blue card program. When I lost one of my blue cards and tried to obtain a new one, none of my records could be found. The record system is inaccurate. I have also traveled to fishing and hunting areas in other states. I do not like to travel to those areas without a weapon, so reciprocity is helpful. I also approve of getting rid of the blue card because it is ineffectual and a pain. One gun law for the entire State where every citizen has equal protection to every other citizen in a different state is a given right under the Second Amendment.

**Janine Hansen (President, Nevada Families for Freedom):**

Nevada Families supports S.B. 171. It is an anticrime bill. We heard from the Storey County Sheriff about how even the states with the lowest standards for

CCW permits also have the lowest rates of violent crime. Criminals prefer unarmed victims. I would encourage you to look at Professor John R. Lott Jr.'s book, *More Guns, Less Crime*, which argues that increasing gun ownership for law-abiding citizens decreased crime during the period 1977 through 2002.

**John Wagner (Independent American Party):**

The Independent American Party supports S.B. 171. Packing.org was a Website showing different state regulations and which ones have reciprocity. When I went to Colorado, my CCWs from Nevada and Florida did not work—a CCW from Florida only works if you are a resident of Florida. As a result, at the Colorado state line, I separated the gun from the ammunition, putting one in the front and the other in the back of the SUV. It was an inconvenience.

**Chair Brower:**

The Committee has received written support of S.B. 171 from Stillwater Firearms Association ([Exhibit E](#)) and Nevada Firearms Coalition ([Exhibit F](#) and [Exhibit G](#)).

**Julie Butler (Division Administrator, General Services Division, Department of Public Safety):**

The Department of Public Safety is required to prepare an annual list of states with similar or more stringent CCW permit laws in order to make a recommendation to the Nevada Sheriffs' and Chiefs' Association for possible reciprocity recognition. I have submitted a friendly amendment ([Exhibit H](#)) to section 6 of S.B. 171 which makes the bill effective upon passage and approval rather than the default date of October 1.

The reason for the change is the time- and labor-intensive effort my staff undergoes to prepare this list. We start in January of every year. It typically takes 5 to 6 months to complete. If this bill is effective as of October 1, my staff still goes through that exercise to meet the July 1 statutory requirement—only to have it end in October. I have traded emails with Senator Settlemeyer and received a favorable response.

**John Ridgeway:**

I would like someone to find out how many crimes blue cards solve. They did not prevent any crimes because criminals do not use blue cards, only law-abiding citizens do. I have a Navy Colt manufactured in 1861. It is a



collector's item that I would never shoot because of its age and condition, but I am still required to have a blue card. This would be exempt under the federal requirements, but Clark County requires a blue card for this inoperable firearm because it is concealable. The blue card is a waste of taxpayer dollars and a violation of the Fourth Amendment as far as privacy. I support the removal of the blue card program in S.B. 171.

**Chuck Callaway (Las Vegas Metropolitan Police Department):**

The Las Vegas Metropolitan Police Department (LVMPD) is opposed to the reciprocity piece of this legislation. I gave more in-depth testimony regarding Assembly Bill (A.B.) 139 in Assembly Judiciary earlier today, detailing our opposition.

**ASSEMBLY BILL 139**: Revises provisions governing the issuance of permits to carry concealed firearms. (BDR 15-522).

Las Vegas Sheriff's jurisdiction houses 70 percent of the State population and the majority of the CCW permit holders. Changes to the reciprocity law impact our jurisdiction to a much higher degree than the Nevada Sheriffs' and Chiefs' Association. A person must meet standards and requirements in order to obtain a CCW permit in Nevada. This includes an age restriction of 21; a background check to ensure that person is not prohibited from owning or possessing a firearm; a course that shows competency and safety with the firearm; and a live fire component. A key component is the requirement for reciprocity. Nevada recognizes 14 states that have similar or more stringent requirements.

A State requirement is a 24-hours-a-day, 7-days-a-week (24/7) database that allows an officer in the field to confirm whether a CCW permit is valid. Blanket reciprocity will not allow an officer in the field stopping someone at 2 a.m. to verify if that person has a valid CCW permit unless it is one of the few states that has this database. People have used the analogy of driver's licenses, but the fact of the matter for driver's licenses is a standard requirement for licenses across the Country. A driver's license can also be verified by an officer in every state via a 24/7 database.

In North Carolina over a 5-year period, 2,400 CCW permit holders were convicted of crimes, but their CCW permits were not suspended or revoked. How do we ensure that people in other states use diligence when someone is convicted of a crime in that state? In Las Vegas, an average of 100 CCW

permits per year are revoked or suspended because of crime convictions that would prohibit having CCW permits.

We do support the component of the bill that eliminates the blue cards.

**Alan Deutschman (Moms Demand Action for Gun Sense in America):**

In Nevada, there are over 30,000 members of Moms Demand Action for Gun Sense in America and Everytown for Gun Safety. Moms Demand Action has grave concern about the automatic reciprocity provision in S.B. 171. Many states issue CCW permits to people with a violent crime conviction, dangerous mental illness condition, are on parole or probation status, or no firearms safety training. If this bill passes, these people would be able to carry concealed, loaded weapons in Nevada. As a parent, I find this a terrifying thought. Nevada should not give up the authority to prohibit violent criminals, stalkers, abusers and other dangerous people from carrying a hidden-loaded weapon in public. We oppose S.B. 171.

**Chair Brower:**

I will close the hearing on S.B. 171 and open the hearing on S.B. 175.

**Senator Michael Roberson (Senatorial District No. 20):**

Senate Bill 175 combines several ideas this Legislature has previously discussed into one broad-based measure that will greatly improve public safety in the State. These provisions will allow persons to defend themselves from violence while in their vehicles without fear of prosecution or civil liability. It will also limit the ability of domestic abusers to obtain firearms; modernize Nevada's CCW permitting statutes; ensure this body has the statutory authority to regulate the carrying, storage and use of firearms uniformly across the State; and authorize a person who believes he or she has been adversely affected by the enforcement of a legal—illegal ordinance or regulation to pursue a remedy in court. Provisions in S.B. 171 are duplicated in S.B. 175. This Committee may decide to remove those duplicative portions from this bill.

Comments I have seen and heard over the past few days to S.B. 175 indicate confusion on the part of some in opposition to this bill between the concepts of the castle doctrine and stand your ground. The castle doctrine was put in NRS 200.120, subsection 1 in 1983, and NRS 41.095 was added in 1989. The castle doctrine is a legal doctrine that designates a person's home and property as a place in which that person has certain protections and immunity that permit

the use of force to defend himself or herself. Senate Bill 175 seeks to clarify that the term "property" includes an occupied vehicle.

In looking through this language and hearing concerns that this change in the law would allow someone to use force to protect property, like a car, I propose an amendment to include the word "occupied" before "motor vehicle" in section 1, subsection 1 of the bill. It is my intent to clarify the definition in statute for the castle doctrine to include an occupied vehicle because we are talking about protection of human life.

I want to make a distinction between the castle doctrine and stand your ground. Stand your ground was added to NRS 200.120, subsection 2 in 2011 by then-Speaker John Oceguera. This was A.B. No. 321 of the 76th Session. It was jointly sponsored by then-Senate Majority Leader Steven Horsford and by then-Assemblymen, now Senators Kelvin Atkinson and Senator Tick Segerblom. More Democrats than Republicans supported A.B. No. 321 of the 76th Session. Senate Bill 175 makes no changes to stand your ground. Assembly Bill No. 321 of the 76th Session provided for the conditions outside of the castle doctrine when one has no duty to retreat before using deadly force. Any criticism of S.B. 175 based on the idea that it is an expansion of the State's stand your ground law is inaccurate.

The Legislative Counsel's Digest notes that section 1 adds to the definition of justifiable homicide, "the killing of a person in defense of a motor vehicle." I would like to change that to say "occupied motor vehicle" because it is a clarification of the castle doctrine.

**Chair Brower:**

The word "occupied" is not in the bill now, but you have recognized the potential flaw, and you are working on an amendment to fix that flaw?

**Senator Roberson:**

Yes. I was not satisfied with the language as provided from the Legal Division; I want to make it clear that we are talking about an occupied vehicle.

**Chair Brower:**

This takes into consideration the car-jacking scenario?

**Senator Roberson:**

Yes.

Section 2 lays out the circumstances under which such a killing would be presumed justified by the court. It is criteria that must be met. In law, specificity is good for laws seen as controversial by some, and we want specific criteria in statute that provides for the presumption of justified homicide.

Section 3 deals with the domestic violence portion of S.B. 175. It provides that a person convicted in any state of misdemeanor domestic violence as defined under federal law cannot own or have custody or control of any firearm in his or her possession. Doing so would be a Category B felony.

Sections 5 and 6 are similar to section 3. They add provisions to the law, stipulating that persons who have had extended protection orders against domestic violence issued against them by a court may not purchase or obtain weapons during the time the orders are in effect. Violation of this provision is a Category B felony. I have heard criticism that this language is not strong enough for some people, and I am open to all proposals to strengthen this bill.

Section 7 relates back to sections 1 and 2, adding occupied motor vehicle to the list of properties one may defend if a person is committing or attempting to commit grand larceny with the use or threat of use of a deadly weapon. Section 7, subsection 1, paragraph (b) provides immunity from civil liability for a person who justifiably defends oneself from such an attack with force.

Senator Settelmeyer covered sections 4, 8 through 11 and 13 and S.B. 171.

There is a difference between proposing a bill that may be perfect in the eyes of some but may not have the votes necessary to be enacted into law. It is important to remember that S.B. 175 takes a huge step forward in holding those who commit domestic violence accountable. I believe it has the votes to pass both Houses of this Legislature. I am open to suggested changes to strengthen this bill, but I want everyone to keep in mind that we need to obtain the votes in both Houses to make progress and put this bill into law.

Strong feelings arise whenever the subject of guns is broached. You will hear from those today who strongly oppose various portions or all of this bill. I appreciate the debate. My goals in bringing this legislation forward are to keep

guns out of the hands of those who have proven their propensity to commit violence against those they supposedly love and should protect and to allow law-abiding gun owners with CCW permits to visit Nevada without fear of breaking the law—and appropriately defend themselves in their vehicles as they can in their homes. I want to ensure our citizens' Second Amendment rights are upheld in a fair and uniform way across the State and provide a means of redress when that is not the case.

**Senator Settelmeyer:**

This bill does a wonderful job of helping to protect victims of domestic violence, and I agree with standardizing our laws as well as expanding the castle doctrine to include an occupied motor vehicle. People do not have a right to protect property with legal force but should be able to do so in the cases of occupied vehicles while protecting family and oneself.

**Senator Ford:**

Do you mean occupied by the one who has done the killing? You do not mean occupied generally?

**Senator Settelmeyer:**

Other states use the term occupied. You should not only have the ability to protect one's own life but the life of a loved one.

**Senator Ford:**

I have said behind closed doors that I do not believe in legislation by ambush. I have spoken to Senator Roberson about this and understand that he has genuine desires to settle some issues, domestic violence being one of them. I appreciate that you are willing to work to strengthen this bill, and we will have proposals to do that.

I also appreciate that you are willing to excise the portion that is S.B. 171 from this bill because that goes a long way to moving the ball forward as well. I would ask that you consider excising the portion that expands the definition of justifiable homicide. I understand the necessity of getting votes, and I have it on good authority that you can pass S.B. 175 with domestic violence being the only issue out of both sides of this chamber.

I understand that buyer's remorse exists towards the stand your ground law enacted in the 76th Session. Recent occurrences—like Trayvon Martin's murder

under the guise of stand your ground—give me pause to consider doing something you have acknowledged as not necessary under the law. Under law, you can protect your car. This bill is either unnecessary or it expands the castle doctrine to protect something not addressed. If it is expanding the castle doctrine, I am adamantly opposed to that.

I have raised four young black men, and over the course of 2 1/2 years, I have had tough conversations with them as to why innocent young black men have been gunned down under the guise of stand your ground or mistaken intentions. I cannot in good conscience move a bill that expands or does nothing to move the ball on stand your ground when it relates to a motor vehicle. I would implore you to excise that portion of the bill and move the portion of the bill we all agree on, which is domestic violence.

What are you trying to address? If you agree that the stand your ground law extends to a vehicle as property, what is the purpose of this bill?

**Senator Roberson:**

The question of whether we expand or clarify the castle doctrine is an important one. You can argue that we are simply clarifying the castle doctrine under NRS 200.120, subsection 1. Regardless of whether one deems that a clarification or expansion of the castle doctrine, S.B. 175 is neither a clarification or expansion of stand your ground, which is a different concept and law. Choosing to repeal stand your ground law would not affect this bill. This bill only addresses the castle doctrine with no effect to stand your ground in Nevada.

**Senator Segerblom:**

Explain how this differs from statute if somebody is in a motor vehicle and another person attempts to break into that motor vehicle. I understand that if you feared for your life, you could use deadly force to protect yourself. Is that not the present law?

**Senator Settelmeyer:**

I agree; that is the law. Unfortunately, you may need to get a lawyer to prove your innocence, whereas S.B. 175 further clarifies this so an individual would not have to go through as many legal problems in order to prove innocence.

**Senator Segerblom:**

Do you still have to show that you reasonably feared for your life or, under the castle doctrine, is state of mind not important? Under this bill, do you only have to prove that someone was trying to break into your car when you shot the person?

**Senator Roberson:**

The concept behind S.B. 175 is consistent with the law with regard to the castle doctrine as it relates to a person's home. We are proposing that specific criteria be added to NRS 200.130. Section 2, subsection 2 of S.B. 175 states:

It is presumed that the circumstances were sufficient to excite the fears of a reasonable person and that the person killing really acted under the influence of those fears and not in a spirit of revenge if the person killing: (a) Knew or had reason to believe that the person who was killed was entering unlawfully and with force, or attempting to enter unlawfully and with force, the habitation or property, including, without limitation, a motor vehicle, of another; (b) Knew or had reason to believe that the person who was killed was committing or attempting to commit a felony; and (c) Did not provoke the person who was killed.

That is why this bill is limited to the castle doctrine and does not touch stand your ground.

You have to have paragraphs (a), (b) and (c) to qualify for the presumption that this was a justifiable homicide.

**Senator Kihuen:**

If I am shopping at the grocery store and I come outside to see somebody breaking into my car, would it be a justifiable homicide if I shot that person?

**Senator Roberson:**

No, you would be committing a crime.

**Senator Kihuen:**

Are you concerned that that is how S.B. 175 may be interpreted?

**Senator Roberson:**

I suppose you could say that about a lot of the laws we make in this Legislature. With the language in this bill, I attempt to make it crystal clear that the vehicle has to be occupied. You cannot use this law to shoot someone you see stealing your car from a distance.

**Senator Kihuen:**

My mom works at the MGM, and when I pick her up after work, there are about ten cars waiting to pick up people. Because cars can look similar, sometimes those people get into the wrong car. What would happen if a housekeeper enters the wrong car and is shot by the driver? Let us say I am in my car and there is an identical car in front of mine. That car is occupied, and my mother mistakenly gets in the wrong car. If the person in that car shoots my mother, would that be justifiable?

**Senator Roberson:**

The lawful owner of that car is sitting in the car's driver's seat, and your mother or someone else gets into the passenger side?

**Senator Kihuen:**

Correct, that person feels threatened because he or she thinks a stranger is trying to steal his or her car. Would that be justifiable if the driver pulls out a gun and shoots her?

**Senator Roberson:**

No, that is why it is important to look at the language of the bill. That would not be sufficient to qualify as a justifiable homicide. There are factors other than someone getting into the wrong car.

**Chair Brower:**

In the hypothetical Senator Kihuen presented, his mother is not unlawfully and with force trying to enter a vehicle to commit a violent felony. She has to be entering unlawfully and with force for the purpose of committing a violent felony for the shooting to be a justifiable homicide. It is good to raise these issues, but I do not think that scenario would be implicated by this bill.

**Senator Kihuen:**

I represent the Las Vegas Strip south. Last year, we had about 41 million visitors. Our city thrives on tourism; it is the engine of our economy.



Are you concerned that if S.B. 175 becomes law, people may be dissuaded from coming to Nevada, potentially negatively impacting the economy?

**Senator Roberson:**

No.

**Senator Ford:**

I am skeptical that the circumstance Senator Kihuen presented is not justifiable homicide under the new language. Section 2 says that it is presumed that the circumstances were sufficient to excite the fears of a reasonable person; that the person killing really acted under the influence of those fears and not in the spirit of revenge; and the person killing knew or had reason to believe that the person who was killed was entering unlawfully and with force. It is not the intent of the person entering, rather it is the subjective belief of the one who has killed the person entering. Under the circumstances Senator Kihuen mentioned, it seems that there is a very real possibility that that accident ends in an innocent person being killed.

**Chair Brower:**

It would never be deemed reasonable on the part of the shooter if he or she claims that Senator Kihuen's mother was entering with force with the purpose of committing a violent felony.

**Senator Ford:**

I disagree. I think S.B. 175 clearly reads that there is a presumption given to the person who has killed that his or her belief was reasonable if he or she believed that the person entering the car was going to hurt him or her. The fact that we are having this debate should give us pause on passing this particular bill because of this issue.

**Chair Brower:**

The fact that we disagree does not mean that it is not a good faith debate.

**Senator Ford:**

It is a good faith debate; I hope you are not saying that it is not.

**Chair Brower:**

The point of the bill, as I understand it, is to ensure that the shooter's belief must be objectively reasonable. It cannot be a subjective, irrational belief on the

part of the shooter that no one else would agree with if in the same situation. It may take some wordsmithing to get us there, and we will work on that.

**Senator Settelmeyer:**

This would go under the concept of the reasonable person test; a reasonable person would not consider Senator Kihuen's mother to be entering something with force. The concept of force is more than just opening a door—it is something of a violent nature under the definition of the law.

**Senator Ford:**

The innocent people killed under stand your ground were innocent, and they did not look like ...

**Chair Brower:**

We have established that we are not discussing stand your ground.

**Senator Roberson:**

The language we propose helps the situation Senator Ford and Senator Kihuen are concerned with. Under the law, the view of the castle doctrine does include a vehicle. In NRS 200.130, the language simply says "a bare fear of any of the offenses mentioned in NRS 200.120" wherein subsection 1 is justifiable homicide and subsection 2 is stand your ground. *Nevada Revised Statute* 200.130 goes on to say:

... to prevent which the homicide is alleged to have been committed, shall not be sufficient to justify the killing. It must appear that the circumstances were sufficient to excite the fears of a reasonable person and that the party killing really acted under the influence of those fears and not in a spirit of revenge.

I would argue that the new language we are proposing in S.B. 175, section 2, subsection 2 gives more specificity and objective criteria than what is in NRS 200.130. Senator Kihuen's scenario makes the case for adding this language.

**Senator Hammond:**

Two members of this Committee are not lawyers. When somebody says a reasonable discussion between two intelligent lawyers brings pause to the discussion of the bill, I remind everyone that Senator Kihuen and I can have a

reasonable, intelligent disagreement. The fact that two lawyers disagree is not an anomaly. It happens every day in courts throughout the United States, and they get paid good money for that.

**Mr. Callaway:**

I initially opposed the bill. I have had a number of conversations with Senator Roberson. While I support parts of this bill 100 percent that are good for public safety, I do not support some components of this bill, such as the reciprocity portion. I do have concerns about some of the language that needs to be clarified in regard to the castle doctrine or stand your ground, whatever you want to call it. When it comes to the domestic violence component of this bill, and the assurance from Senator Roberson that he will work with us to address our concerns, I support the bill.

We support doing away with the handgun registration program. I would like to address one component in S.B. 175 not in Senator Settlemeyer's bill. The LVMPD is required to destroy the handgun registration files after the law takes place. I would ask the Committee to allow us to keep those records or to give us a time frame to destroy those records. Those files have an investigatory value. When we recover stolen weapons, those files can be used to give people their guns back. I would hate to destroy those records and the very next day someone has guns stolen and we cannot provide the serial numbers, making the owner unable to get the guns back. As time progresses, those files will become less relevant.

In addition to the language cleaning up the castle doctrine component to specifically state a car-jack scenario and not a property crime, I suggest removing the reciprocity component from this bill for exclusive containment in S.B. 171. If that happened, I would fully support S.B. 175.

**Lieutenant Spratley:**

The Washoe County Sheriff's Office supports S.B. 175 as presented. We appreciate Senator Roberson's willingness to have beneficial discussion on the challenging parts of the bill, and we look forward to being a part of that discussion to make this proposal stronger.

**Mark Jackson (District Attorney, Douglas County; President, Nevada District Attorneys Association):**

The Nevada District Attorneys Association supports S.B. 175. Our support of this bill was not a unanimous decision within the Nevada District Attorneys Association. The Clark County District Attorneys Association is opposed to this bill. We have some language which we think would help strengthen the bill.

**Mr. Reid:**

The National Rifle Association supports S.B. 175 for the improvements it makes to concealed carry, the preemption issues and the justified self-defense.

**Megan Bedera (Nevada Firearms Coalition):**

The Nevada Firearms Coalition supports S.B. 175.

**Senator Segerblom:**

Mr. Reid, can you explain how S.B. 175 differs from the statute with respect to an occupied vehicle?

**Mr. Reid:**

This provides more clarity. You can see where the bill lays out the factors to be considered for that presumption to take place.

**Mr. Sallee:**

I support S.B. 175. I submitted my written testimony in [Exhibit D](#).

**Steve Winters:**

As a firearms instructor, I am familiar with semi- and full-automatic as well as antique firearms. I support S.B. 175, but my main concern was the blue card program. I traveled to Las Vegas with some valuable antique firearms and had to call ahead to North Las Vegas to clear my ability to go through that city because a city ordinance, which trumps State law, says that you can be arrested if you have loaded firearms in your glove box. I had to notify the Nevada Highway Patrol and North Las Vegas so that I would not be arrested if I accidentally strayed into North Las Vegas. I have provided a Website printout from the Cornell University Law School's Legal Information Institute, 18 U.S.C. section 926, Rules and Regulations ([Exhibit I](#)). In essence, the blue card is illegal.

**Carol Howell (President, Northern Sierra Ladies Gun Club):**

On behalf of myself and the Northern Sierra Ladies Gun Club, I ask for your support of S.B. 175. If you do take out the reciprocity and keep it exclusively in S.B. 171, I support that bill as well. When I get my Nevada CCW permit, I get to carry in 14 states. With my Utah CCW permit, I can carry in another 14 states and with my Florida CCW permit, I can carry in more states. I can carry in a total of 41 states as long as I go through the steps of applying to the other two states for their coverage. Part of S.B. 175 clarifies this, making it easier for Nevada residents to conceal carry in other states.

**Paul Grace:**

Reciprocity is terribly important because I travel all over the Western United States and I hate having to take apart or hide my weapon depending on the state I am in. I propose an amendment to the vehicle comment to include the words "travel trailer" after motor vehicle.

**Mr. Wagner:**

When I travel between Carson City and Las Vegas, I have to stop for gas. I do not swipe my credit card at the pump. Instead, I pay for the gas inside while my wife sits in the car. If someone attempts to break into my car at that time, I hope I have the right, if necessary, to shoot that person. My wife is in the car and I am outside of the car, so I do not know how that scenario would work out, but I do support S.B. 175.

**Ms. Hansen:**

The Nevada Families for Freedom supports S.B. 175. I do a lot of traveling, and I appreciate the clarification of the castle doctrine. Every week I drive in between Reno and Elko. I have had a CCW permit for 17 years. It gives me comfort to know that those specifics are in the bill so that when I stop by the road at 11 p.m. on my way home to sleep, I can protect myself inside my vehicle. We support the other components of the bill as well.

**Mr. Brengman:**

You cannot get your name off the blue card list once you are on there. I know a person who is on the verge of filing suit because he cannot remove his name from the list, even though he has not lived in Las Vegas for 3 years.

**Matthew Yealy:**

I am opposed to Senator Ford's comments. This bill codifies statute, making the definition more clear. It seems that the interpretation of the law, even among law officials, needs to be done often to be sure that the law is clear as to what is lawful. About Senator Kihuen's reference to a person mistakenly entering the wrong car, the bill says, "with force." As far as tourism revenue, this bill will only impact criminals and those who want to illegally force a person from his or her vehicle.

In reference to keeping the gun registration records for up to 5 years, I am a responsible citizen who registers all my handguns. I also keep track of my serial numbers as well as maintain photographs and documents, keeping all of them in a safe place. I do not need the government to look after my belongings. Making a person convicted of misdemeanor domestic violence unable to have a gun is a slippery slope. I am against preventing a person with a restraining order against him or her from having a gun. There is no due process. It is one-sided.

**Chair Brower:**

The Stillwater Firearms Association has submitted a letter of support for S.B. 175 ([Exhibit J](#)).

**Lucy McBath (Everytown for Gun Safety):**

I am here because of my son Jordan Davis. At 17 years old, he was shot and killed by an armed man in a dispute over loud music in Florida. Jordan was unarmed and seated in the backseat of a friend's car when the man opened fire and killed my only child. In the first trial for my son's murder, the jury could not agree on a verdict after instruction on Florida's stand your ground law, which encourages citizens to shoot first and ask questions later. In a second trial, justice was served and Jordan's killer was convicted of first degree murder.

This Committee is considering a dangerous bill that would make it harder to keep communities safe from gun violence. Stand your ground laws create a culture of shoot first, ask questions later. These laws embolden individuals to settle conflicts by reaching for their firearms instead of using their words. That is not what Nevada needs. It needs commonsense gun laws that protect Nevadans instead of threatening them. Senate Bill 175 would make Nevada's stand your ground law worse by creating a legal presumption that shooters on their property or in their cars are justified in their use of deadly force. This presumption forces authorities to take the shooter at his or her word, regardless

of how unlikely and unsubstantiated a shooter's version of events may be. If the victim has died and there is no other witness to contradict the shooter's claims, the presumption is impossible for prosecutors to refute.

This bill would prevent shooting victims and their families from compensation for injuries like medical costs and pain and suffering, even if they were innocent bystanders. This bill grants shooters blanket immunity from all civil suits arising from the justified use of force. Tomorrow marks the 3-year anniversary of the death of Trayvon Martin. In honor of Trayvon, my son Jordan, and all the sons and daughters who have died as a result of senseless gun violence in our Country, reject expanding stand your ground in Nevada and the other dangerous provisions in this life-threatening legislation, S.B. 175.

**Chair Brower:**

Some of your understanding of the bill may be inaccurate with the bill as explained and with potential amendments discussed.

**Camille Pentsil (Reverend, Senior Pastor, Zion United Methodist Church):**

I serve a diverse group of congregants, many of whom are current officers or retirees of the Las Vegas Metropolitan Police Department. We pray for the safety of our law enforcement personnel on a daily basis. This bill will make it more difficult for members of our police force to do their jobs and to keep our families safe. It would create dangerous and potentially life-threatening situations for law enforcement by allowing anyone to carry a concealed handgun as long as they have a permit from any state, even those whose permit systems are dangerously lax.

We have a highly migrant population. This bill would make the lowest common denominator of public safety the law in Nevada, putting police officers, families and our community at risk. This bill would allow convicted felons and domestic abusers with CCW permits from other states to conceal carry in Nevada. As a pastor, I perform countless funerals for senseless deaths of young individuals because of firearms in the hands of the wrong people. I speak for the community of southern Nevada against S.B. 175. It is a threat to the safety of our community and the future of southern Nevada.

**Colin Seale:**

There are two reasons for my opposition to S.B. 175. The first is the reciprocity. We can all agree that public safety is important, and Nevada has set

a specific standard. The State set specific requirements for CCW permits above and beyond what other states and the minimum federal standards require. This bill says that the State is okay with pushing those requirements aside for the sake of convenience. What would be the point of putting this kind of domestic violence protection into State law, knowing that other states allow people convicted of domestic violence to have CCW permits?

As an attorney, you end up looking at a bill and wondering what the Legislature was thinking. If domestic violence is an important piece of S.B. 175, how do we amend it without undermining merits of the domestic violence provision? A key piece to that would be to eliminate the reciprocity provisions.

Legal presumptions are important. In talking about the loss of life, we cannot be cavalier with the laws and processes surrounding the loss of life. We have this process where prosecution must show beyond a reasonable doubt that the killer should go to jail for a crime. Or there is the situation with a legal presumption. It is not just a clarification of standards because a jury sits down and listens to arguments to decide whether it is reasonable. This bill says that by law, something equated to someone's subjective fear is automatically considered reasonable. It is not simply that the person knew that another was entering his or her vehicle unlawfully and with force, it is that the person had reason to believe that was happening. That means that a person does not have to act with force.

When I look at this, I think of myself as a young person breaking into my own house because I kept leaving my keys at home and I would jump through my window. I think how dangerous that would be if I did that in a state that had S.B. 175 as a law. That danger is not worth it. I suggest eliminating that presumption from this bill.

**Erika Washington (Las Vegas Urban League):**

I am here on behalf of the Las Vegas Urban League. The Las Vegas Urban League is the largest community action agency in the State. We are also one of the largest affiliates of the National Urban League, one of the oldest civil rights agencies in the Country. We see thousands of Clark County residents annually who need and want assistance with finding their pathways to success.

We as an organization are concerned with S.B. 175 because it will take vital tools away from our community and make our neighborhoods and families



unsafe. We have worked hard in Nevada for more than a decade to create a community that trusts and respects each other. While we still have some ways to go, this bill would halt many of our efforts. As we embark on honoring the anniversary of Trayvon Martin's death, we must embrace the lessons we have learned and lead the way to create laws that empower our citizens. This bill takes an already-flawed stand your ground law and turns Nevada into a shoot-first, ask-questions-later State. This is not who we are nor is it the type of community we want to live in.

Senate Bill 175 would disproportionately affect the underserved urban communities of Nevada, which are majorly populated with black and brown minorities. The events of the past few years across this Country illustrate the fact that communities of color continue to experience a different kind of citizenship, one that precludes them from the constitutional protections guaranteed to other citizens. This legislation encourages more deadly shootings by expanding the already dangerous stand your ground law, making it easier for individuals who kill another person to justify their actions.

This will force authorities to take the shooter at his or her word, regardless of how unlikely the shooter's version of events may be. This bill also prevents shooting victims and their families from being compensated for injuries like medical costs, pain and suffering. We are excited to see the number of people gathered here today to have their voices heard. Be assured that the Las Vegas Urban League will continue to lead conversations that ensure all voices are heard on every issue that affects the community's wellbeing. The Urban League has a steadfast commitment to empowering our community here in Nevada, and we are asking our Legislators to say no to S.B. 175.

**Janice Flanagan:**

Senate Bill 175 would make Nevadans less safe. As an elderly person, I find it very frightening that people walk around armed. A friend had her purse stolen, and in her purse was her gun. I am concerned about the civil immunity aspect where people could justify the use of force. If an innocent bystander was hurt or killed, the shooter could claim that he or she was frightened and believed to be threatened. That does not go along with American jurisprudence.

I am concerned about the reciprocity provision. I do not quite understand it. We are talking about Nevada law, so if I am driving around the Country, I still have

to obey the laws of the jurisdiction I am in. All we are talking about is allowing other states' CCW permits to be valid in Nevada, right?

**Chair Brower:**

Yes.

**Ms. Flanagan:**

My family has had to go through many hoops in order to get CCW permits, and I feel that is a safer way for Nevada.

**Vanessa Spinazola (American Civil Liberties Union of Nevada):**

The American Civil Liberties Union of Nevada is opposed to sections 1, 2 and 7 of S.B. 175, which are the stand your ground provisions. I have submitted a letter that outlines my testimony ([Exhibit K](#)).

This bill absolutely expands stand your ground. The castle doctrine refers to a house. A car is not a house. The first section of this bill refers to defense of property, not defense of a person; it is adding a motor vehicle. A motor vehicle is defined as any self-propelled vehicle which includes bikes with motors, scooters or anything with a motor. What has changed since the 76th Session is data. States with stand your ground laws have seen an 8 percent increase in homicides, while states without stand your ground laws have shown a decrease in homicide rates of 5 percent. This is directly attributable to stand your ground laws. This is not a public safety provision; this makes our public less safe.

Who benefits from stand your ground laws? It has been shown that white-on-black crime has a 281 percent larger chance of benefitting from stand your ground crimes defense than white-on-white crime. While this may work for white people, black people still go to prison and do not benefit from this defense.

**Mike Malone:**

I am a past police officer of the LVMPD. I also served in the Legislature in the Assembly and Senate. Senate Bill 175 has been well raked over and a lot of it could be changed to be satisfactory.

I am opposed to reciprocity, and I think the majority of people are opposed to it. I agree with those who have testified before me in opposition to S.B. 175; therefore, I am asking you not to expand justifiable homicide laws. Do not force

the city and county to destroy ownership records of firearms owned by private persons because the police officers use these records. Do not change the Clark County CCW permit system. For my 20 years in law enforcement, many times I wished that the CCW laws were strengthened. They are on their way to being done with.

**Teresa Crawford (Progress Now Nevada):**

Somebody said that in Nevada, more people are killed by cars than guns. That has not been true since 2010. We should listen carefully to the representative from LVMPD, who represents the largest population in the State of Nevada and who does not want blanket reciprocity. The LVMPD thinks there will be increased crime and greater difficulty in investigating crime. Allowing people who have CCW permits from other states that do not have the same high standards of Nevada is a recipe for disaster.

Senator Debbie Smith's S.B. 187 is far more comprehensive in addressing domestic violence. It includes provisions for surrender, which Senator Roberson's bill does not include. I compared his domestic violence provision with S.B. 187, and I would prefer that S.B. 187 be enacted.

**SENATE BILL 187**: Revises provisions concerning the ownership, possession and control of firearms by certain persons. (BDR 3-871)

Language in terms of the castle doctrine or stand your ground is ambiguous and goes deeper than attorneys having a lively conversation. If a lay person like me cannot understand what it means, it needs some more work before it comes to a vote. This bill is more than language, it is setting up situations where people die. We need to make this language much more clear if we are to change the law.

**John Saludes:**

I oppose S.B. 175. I am concerned about the provisions in section 5, which deal with domestic violence. I have come to realize that domestic violence happens for a variety of reasons, and many times, instantaneously. It can also escalate over time and lead to boiling points and stalking. When guns are readily available, it is too easy to use them in a fit of anger.

I have provided my testimony ([Exhibit L](#)) which includes links to information concerning domestic violence and gun-related issues. Overall, violent crime has

declined in the U.S. However, our Country continues to have significant problems with gun-related violence. Women are more likely to be killed by someone they know while men are more likely to be killed by a stranger. A recent study found that 34 percent of all female murder victims were killed by an intimate partner. Women are 500 percent more likely to be murdered by an intimate partner when a gun is present and there is a history of domestic violence. Another recent study found that 55 percent of women murdered by an intimate partner were killed by a gun. The gun murder rate in Nevada for women is 38 percent higher than the national average.

This bill says nothing about the adverse party, the abuser, surrendering his or her guns as a mandatory provision of an extended order of protection. It only prohibits the further purchasing and acquiring of guns during the period of the extended order of protection. This bill should be amended to prohibit possession by the adverse party of all firearms during the period of an extended order of protection.

**Michael Collins:**

I am concerned about the expansion of the stand your ground laws in Nevada. After hearing the testimony of Senator Roberson, I am not certain that his explanation of stand your ground versus the castle doctrine satisfies my concerns for the community. I have eight African-American grandnephews and six nephews. I am concerned about the potential this kind of legislation could have on their lives. Given the testimony you have heard today, the eve of the murder of Trayvon Martin's death, the national conversation and my experience growing up in the U.S., S.B. 175 is an expansion of stand your ground legislation and has the potential to do harm in African-American communities or any community of people other than white Americans.

**Ava Overstreet (Progress Now Nevada):**

I used to work with the Los Angeles County Human Relations Commission. I retired to Nevada to live a safe, serene and tranquil life. I am concerned about laxity in the question of use of guns and not following proper procedure in terms of reciprocity. I lived in Los Angeles after the 9/11 terrorist attacks when more than 1,100 people were either killed or assaulted because somebody thought they were Muslim. Human beings are not rational all the time, and we are living in dangerous times.

I am concerned that we may allow people from other states with more lax CCW permit laws to come to Nevada and conceal carry. Las Vegas draws people from all over the world. This is a dangerous situation consider loosening our standards at a time of such uncertainty for citizens of this community. Public safety should be paramount. As a resident, I am extremely concerned.

**Linda Cavazos:**

I am a marriage and family therapist. The words "clarification" and "objectivity" are bandied about, but one word missing is "perception." That is the perception in section 2, which is the presumption that somebody believes that another person is using force and being threatening. There is no way to legislate that; the person remains dead or wounded. There is no way to regulate that.

As a therapist, I work with people from all different walks of life. In different situations, you can never predict how someone feels. A situation may be handled without gun violence, but that perception may make it acceptable to reach for your weapon and settle it that way. It does not matter what somebody looks like or whether somebody feels like the law has not been explained to them. The statement that S.B. 175 is intended to be a broad-based law makes my point: this law is too broad-based and open to interpretation. I am against S.B. 175.

**Caitlyn Caruso:**

Senate Bill 175 scares me. It is paraded as a bill to protect victims like my mother and myself, when in reality, similar laws in the U.S. have done the opposite. Similar laws in Florida have proven to work against our most vulnerable, including women; lesbian, gay, bi-sexual and transgender folk; youth and communities of color. We see cases like Marissa Alexander, a black woman who fired a warning shot in a stand your ground state to fend off her abusive husband. Instead of being protected, she was prosecuted by the law. The same thing happened to my mother in Las Vegas a few years ago when my father started to beat her. When she defended herself, she was taken to jail, leaving my older sister in the arms of my abusive father. These laws are not applied equally in practice.

This bill will allow for the very people perpetrating these crimes to carry concealed weapons after serious offenses in other states and in Nevada. Utah has lax requirements to obtain a CCW permit. My father lives in Utah, so with

automatic reciprocity, he could come to Nevada and potentially kill me and my mother. I am terrified that these guns may land us in the ground.

When I was 13, I was raped. Speaking about it is still one of the hardest things I have to do; every time those words pass my lips, I see my rapist with his gun and envision my funeral. I see my mother crying over my casket just as Lucy McBath had to, and I see laws unwilling to provide me justice. Sometimes quantities do not show the true impact of what legislation would do, and S.B. 175 would take away the due process of the victims of gun violence. I hope that you look at my face and the faces of victims and survivors and realize that we are the ones you are supposed to protect—not our rapists’ or assaulters’ gun rights or the Second Amendment rights of those who are inconvenienced by the lack of automatic reciprocity. Please stand with victims and survivors, women and communities of color. Please oppose S.B. 175.

**Chair Brower:**

The Committee has received written testimony from Kenneth Kraft in opposition to S.B. 175 ([Exhibit M](#)).

**Steve Yeager (Office of the Public Defender, Clark County):**

The Clark County Public Defender’s Office is neutral to S.B. 175. Section 2 is going to enhance the ability to defend homicide cases at the time of trial. As a policy consideration, this Committee may decide upon individuals whom you want to have that presumption and those you do not. With legislation like this, everyone will potentially benefit from that presumption. Section 2 may not change statute, but it would change how a trial would play out in the situation of a homicide where someone alleges justifiable homicide. Because the language says there should be a presumption, a jury will decide whether that presumption attaches. The language “had reason to believe” would really be keyed on by defense attorneys to make the case that absent force, someone had reason to believe that force would be used.

**Chair Brower:**

The district attorneys have brought up the same point.

**Sean B. Sullivan (Public Defender’s Office, Washoe County):**

The Washoe County Public Defender’s Office is neutral to S.B. 175.

**Chair Brower:**

The Nevada State Education Association has submitted a letter of neutrality to S.B. 175 ([Exhibit N](#)).

**Senator Roberson:**

I appreciate the dialogue and different perspectives and look forward to working with every member of this Committee to alleviate any concerns and put this bill in a position to enact into law this Session.

**Senator Ford:**

I have heard you describe S.B. 175 as a domestic violence bill, but the testimony today demonstrates that the domestic violence component has been subsumed with the gun conversation. Will you be willing to excise the reciprocity component? I implore you to give strong consideration to the constituents' concerns with the stand your ground portion. If you excise that, I guarantee that the domestic violence provisions will be passed.

**Senator Roberson:**

To clarify, it would be up to the Committee to decide what to do with the duplicative portions of S.B. 171 and S.B. 175. Facts are stubborn things. I have made the case and will continue to make the case that S.B. 175 has nothing to do with stand your ground laws. It is a clarification of the castle doctrine.

**Senator Settelmeyer:**

I leave it to the Committee to figure out what to do to this bill.

**Senator Kihuen:**

I find it incomprehensible why we debate such a contentious bill in a hurry.

**Chair Brower:**

We will not process this bill today or this week. We will have plenty of time to discuss it before that happens.

**Senator Kihuen:**

I find it incomprehensible why all these people, regardless of support or opposition, came here and only get 2 minutes to testify. We should be making this accessible to all of our constituents. It should be transparent. We are doing a disservice to our constituents who took off work or spent money to fly up here and did not get to testify.

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**Chair Brower:**

I adjourn the Senate Committee on Judiciary at 3:09 p.m.

RESPECTFULLY SUBMITTED:

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Julia Barker,  
Committee Secretary

APPROVED BY:

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Senator Greg Brower, Chair

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



<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit</b>		<b>Witness or Agency</b>	<b>Description</b>
	A	1		Agenda
	B	18		Attendance Roster
S.B. 171	C	3	Senator James A. Settlemeyer	Senate Bill 171 CCW Standardization
S.B. 171 S.B. 175	D	1	Jim Sallee	Letter of support
S.B. 171	E	1	Stillwater Firearms Association	Letter of support
S.B. 171	F	1	Nevada Firearms Coalition	Letter of support
S.B. 171	G	1	Nevada Firearms Coalition	Letter of support
S.B. 171	H	1	Department of Public Safety	Proposed amendment
S.B. 175	I	1	Steve Winters	Printout
S.B. 175	J	1	Stillwater Firearms Association	Letter of support
S.B. 175	K	3	Vanessa Spinazola	Letter of opposition
S.B. 175	L	3	John Saludes	Testimony in opposition
S.B. 175	M	1	Kenneth Kraft	Letter of opposition
S.B. 175	N	1	Nevada State Education Association	Letter of neutrality with concerns